



Assembly of Western European Union

PROCEEDINGS

THIRTY-EIGHTH ORDINARY SESSION

FIRST PART

June 1992

I

Assembly Documents

WEU

PARIS



Assembly of Western European Union

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THIRTY-EIGHTH ORDINARY SESSION

FIRST PART

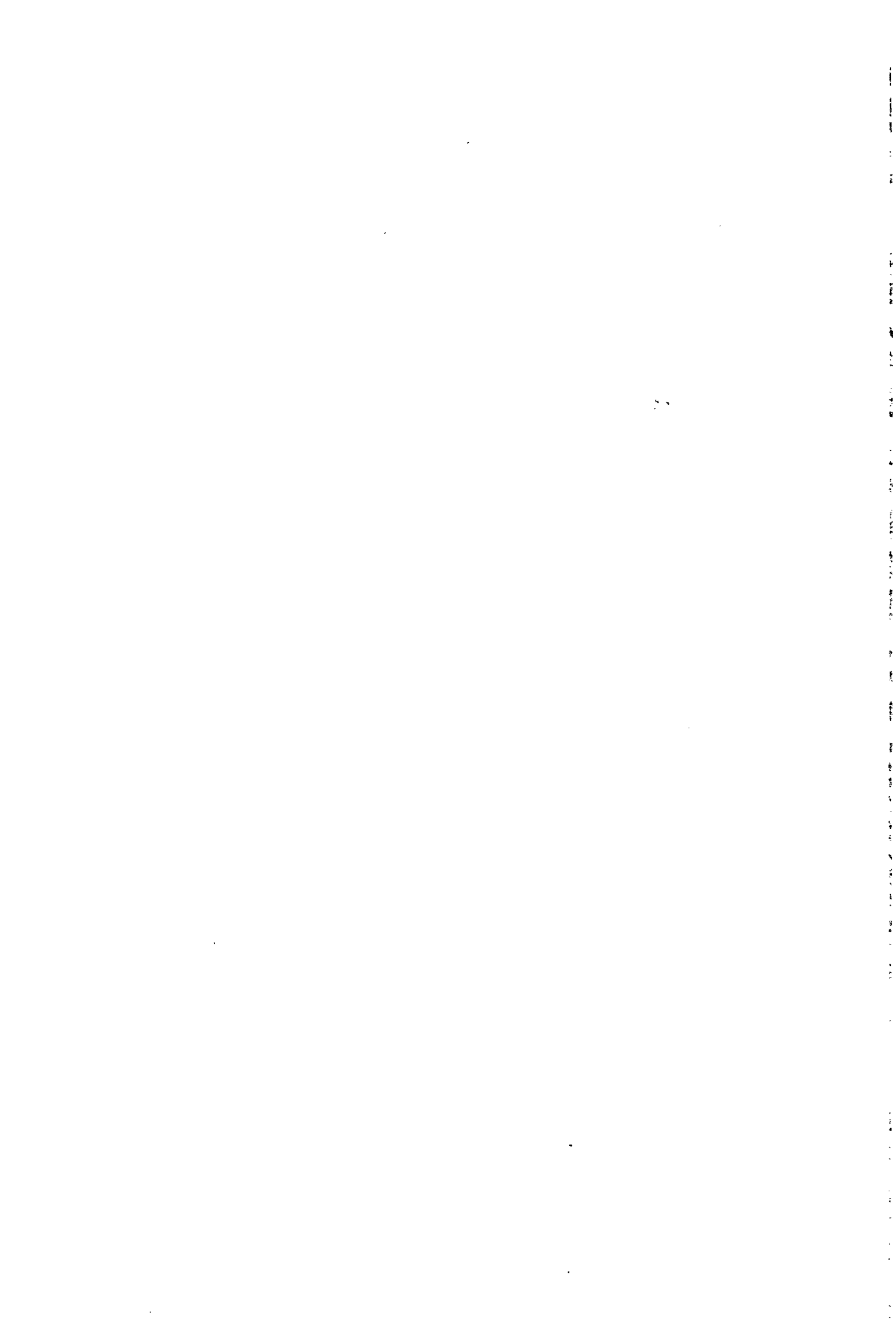
June 1992

I

Assembly Documents

WEU

PARIS



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

Volume I: Assembly documents.

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

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WINTGENS Pierre	PSC

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PISTRE Charles	Socialist
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AGENDA

**of the first part of the thirty-eighth ordinary session
Paris, 1st-4th June 1992**

I. Report of the Council

Thirty-seventh annual report of the Council (second part)

II. Political questions

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|-----------------------------------|--|
| 1. A new security order in Europe | <i>Report tabled by Mr. Caro on behalf of the Political Committee</i> |
| 2. WEU after Maastricht | <i>Report tabled by Mr. Goerens on behalf of the Political Committee</i> |
| 3. New Euro-American relations | <i>Report tabled by Mr. Soell on behalf of the Political Committee</i> |

III. Defence questions

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|--------------------------------------|---|
| 1. WEU: the operational organisation | <i>Report tabled by Sir Dudley Smith on behalf of the Defence Committee</i> |
| 2. Arms control: CSCE and WEU | <i>Report tabled by Mr. de Puig on behalf of the Defence Committee</i> |

IV. Technological and aerospace questions

- | | |
|---|--|
| 1. Arms export policy | <i>Report tabled by Mr. Aarts on behalf of the Technological and Aerospace Committee</i> |
| 2. The development of a European space-based observation system | <i>Report tabled by Mrs. Blunck and Mr. Valleix on behalf of the Technological and Aerospace Committee</i> |

V. Budgetary questions

Opinion on the budgets of the ministerial organs of Western European Union for the financial year 1992	<i>Report tabled by Lord Mackie of Benshie on behalf of the Committee on Budgetary Affairs and Administration</i>
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VI. Rules of procedure

Composition of political groups	<i>Report tabled by Mr. Thompson on behalf of the Committee on Rules of Procedure and Privileges</i>
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ORDER OF BUSINESS
of the first part of the thirty-eighth ordinary session
Paris, 1st-4th June 1992

MONDAY 1st JUNE

Morning

Meetings of political groups

11.30 a.m.

1. Opening of the first part of the thirty-eighth ordinary session by the Provisional President
2. Examination of credentials
3. Election of the President of the Assembly
4. Address by the President of the Assembly
5. Election of the Vice-Presidents of the Assembly
6. Adoption of the draft order of business of the first part of the thirty-eighth ordinary session
7. Action by the Presidential Committee:
presentation of the report tabled by Mr. Caro.
Debate.
8. Address by Mr. van Eekelen, Secretary-General of WEU.
9. Composition of political groups – Rule 39, paragraph 4, of the Rules of Procedure:
presentation of the report tabled by Mr. Thompson on behalf of the Committee on Rules of Procedure and Privileges.
Debate.
Vote on the draft order.

Afternoon 3 p.m.

A new security order in Europe:
presentation of the report tabled by Mr. Caro on behalf of the Political Committee.
Debate.
Vote on the draft recommendation.

TUESDAY 2nd JUNE

Morning 10 a.m.

1. Address by Mr. Kinkel, Minister for Foreign Affairs of Germany, Chairman-in-Office of the Council.
2. WEU after Maastricht:
presentation of the report tabled by Mr. Goerens on behalf of the Political Committee.
Debate.

Afternoon 3 p.m.

1. WEU after Maastricht:
Resumed debate.
Vote on the draft recommendation.
2. Arms export policy:
presentation of the report tabled by Mr. Aarts on behalf of the Technological and Aerospace Committee.
Debate.
Vote on the draft recommendation.
3. WEU: the operational organisation:
presentation of the report tabled by Sir Dudley Smith on behalf of the Defence Committee.
Debate.
Vote on the draft recommendation.

WEDNESDAY 3rd JUNE

Morning 10 a.m.

1. Opinion on the budgets of the ministerial organs of Western European Union for the financial year 1992:
presentation of the report tabled by Lord Mackie of Benshie on behalf of the Committee on Budgetary Affairs and Administration.
Debate.
Vote on the draft recommendation.
2. New Euro-American relations:
presentation of the report tabled by Mr. Soell on behalf of the Political Committee.
Debate.
Vote on the draft recommendation.

Afternoon 3 p.m.

1. Address by Mr. Rühle, Minister of Defence of Germany.

At approx. 4 p.m.

2. Address by Mr. Joxe, Minister of Defence of France.
3. The development of a European space-based observation system:
presentation of the report tabled by Mrs. Blunck and Mr. Valleix on behalf of the Technological and Aerospace Committee.
Debate.
Vote on the draft recommendation.

THURSDAY 4th JUNE

Morning 10 a.m.

1. Address by Mr. Björck, Minister of Defence of Sweden.
2. Arms control: CSCE and WEU:
presentation of the report tabled by Mr. de Puig on behalf of the Defence Committee.
Debate.
Vote on the draft recommendation.

CLOSE OF THE FIRST PART OF THE THIRTY-EIGHTH ORDINARY SESSION

INFORMATION LETTER

*from Mr. van Eekelen, Secretary-General of WEU,
on the activities of the ministerial organs*

(21st November 1991 - 29th February 1992)

Dear President,

The declarations by the WEU member states issued in Maastricht on 10th December 1991, together with the treaty on European union, have opened up clear prospects for the future of WEU. We can assume that our organisation's reactivation phase has now come to an end. It has been an undeniable success, as evidenced by the adoption of The Hague platform in October 1987, then the enlargement of WEU to include Spain and Portugal in 1990. The success of its reactivation is, I feel, also reflected in the growing belief among all those who have helped to bring it about that our organisation cannot remain just a forum for politico-military consultation on European security problems. The two Gulf crises, as well as the events in Yugoslavia, have shown that WEU has both the vocation and the ability to serve as a framework for the operational co-ordination of actions decided by its member states when it felt that European interests were at stake and should be defended. With these seven years of constructive groundwork, WEU can move forward, strengthened by what has been achieved at Maastricht. In the coming year 1992 the Ministerial Council will be taking decisions that will give our organisation the resources it needs to prepare for any contingencies calling for concerted action by Europeans, and also to perform an operational rôle when needed.

The Maastricht summit has demonstrated the determination of Europeans to face up to challenges as they arise and to direct their efforts in such a way as to promote the continuity of the process of European construction. The pace of European integration is accelerating. At the same time, work is starting on defining European security needs and institutions with a view to a political union and the formulation of a common foreign and security policy. WEU will have a vital rôle to play, and to do so effectively it must grow, opening out to European allies who are not yet members so that it can genuinely serve as the European pillar of the alliance. This is the aim in the work now being done on the status of associate member of WEU. In parallel, preparations must be made for further enlargement and for WEU assuming its rightful place among European institutions, now that it is being called upon to become the defence arm of the future European union. Up to the mid-1990s, WEU's mandate is to plan for action and to apply those decisions taken by the European Council having defence implications. This will be done in consonance with the positions adopted within the alliance as a result of the transatlantic dialogue between the partners forming the European pillar and their allies in North America. Relations between WEU and NATO bodies will be developed in the light of the twofold principle of transparency and complementarity.

Many practical problems will have to be faced and solved in the near future, and the Permanent Council is addressing them vigorously. The essential task now incumbent on WEU is to produce the blueprints, not just for a European security and defence identity in a profoundly different geostrategic context, but also for a common defence policy. This will lead more swiftly than might be expected to a common defence, the tangible expression of the common destiny uniting all the countries that have committed themselves to forming the European union.

In this new chapter of the European integration process, the thinking and debates of your Parliamentary Assembly will be even more useful than before. I feel it is essential for the work of the inter-governmental organs to continue to benefit from the contribution of the Assembly's proposals. The Assembly still has a vital rôle in mobilising public opinion, for our citizens may often tend to forget that there are demands to be met and a price to be paid for upholding their freedom.

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Between 20th November 1991 and 29th February 1992, the *Permanent Council* met on six occasions (on 26th November and 10th December 1991, on 15th and 24th January and on 5th and 26th February 1992). During those Council meetings, there were many discussions on the Yugoslav crisis, developments in the Commonwealth of Independent States (CIS), the Middle East Peace Conference and the situation in Algeria and its repercussions in the Maghreb. The results of the Council of CSCE foreign ministers held in Prague on 30th and 31st January were discussed. For the first time, the WEU Secretary-General had been invited to attend that meeting by the Czechoslovak Deputy Prime Minister and Foreign Minister, and was represented there by the Deputy Secretary-General.

The United Nations Commission for Europe, NATO, OECD and EBRD had also been invited. With the enlargement of CSCE to embrace ten new members and with debates on the development of its institutions and its peace-keeping capacity, it was an historic meeting. The United Nations Security Council summit on 31st January 1992 was also commented on. The discussions reflected the interest in the concept of "preventive diplomacy". The end of the cold war is now opening up new prospects for using hitherto neglected provisions of the United Nations Charter. A growing rôle for the United Nations in any peace-keeping operations can be envisaged for the years to come. The United Nations will step up its efforts to persuade all its members to sign the nuclear non-proliferation treaty. It is also being urged to exercise broader responsibility for arms control and disarmament; and a global ban on chemical weapons is a priority for 1992.

At its meeting on 12th December 1991 the Council made a preliminary assessment of the results of the Maastricht European Council as they affect WEU. The summit was a milestone in the process of strengthening the organisation. The Council acknowledged that WEU would have to start preparing to implement the declarations without waiting for the treaty on European union, more particularly its article on common foreign and security policy. With regard to the transfer of the Secretariat to Brussels, the Belgian Representative pointed out that his government had a building in mind which it felt would meet WEU's needs.

During its first meetings in 1992, the Permanent Council kept itself closely informed of the work being done by its working group on defining the relations between WEU and other European member states of the European union or NATO. On 26th February 1992, General Antonio Milani gave the traditional annual address by the SACEUR representative to the Council on developments in the forces of WEU member states forming part of the Atlantic Alliance integrated structures, in accordance with Article IV of Protocol II of the modified Brussels Treaty. General Milani described the start that had been made on implementing the alliance's strategic concept, in particular the creation of multinational units.

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Pursuant to our relations with your Assembly's committees, I visited Paris on 13th February, at the invitation of the Political Committee, to tell its members about the prospects opened up by the Maastricht European Council as regards WEU and the implementation of the two declarations adopted by the member states. I pointed out that WEU was embarking on hitherto unexplored territory in defining the status of associate member; this would allow countries to participate in the very substance of our organisation's work, although not to block the consensus of full members. We also discussed the Secretariat's transfer to Brussels, the implementation of which should gradually begin during the second half of this year. The advantage of this transfer will be that we shall be closer to the Assembly and can develop close working relations with European institutions and NATO. Apart from these fundamental questions of enlargement and the reorganisation of intergovernmental organs, we reviewed the major issues for politico-military consultation within WEU: relations with the new democracies of Central and Eastern Europe that are about to enter a new phase, the advisability of similar contacts with the republics of the CIS, the giving of a further ministerial mandate that is now seen as essential if we are to make further progress, establishing regular relationships with CSCE institutions, defining WEU's operational missions and resources (the focus of discussions for the chiefs of defence staff at their meeting on 27th January) and, lastly, the continuance and expansion of co-operation on space within WEU.

Speaking on behalf of the Permanent Council, I reiterated its offer to meet the chairmen and/or rapporteurs of committees to discuss specific subjects on their agendas so as to provide, if they so wished, further information before they finalised their reports. In making this proposal, the sole aim is to promote mutual understanding and to ensure that the dialogue between the Assembly and the Council is simpler and better-informed, and so that criticisms can be dealt with better, with due respect for the independence of mind of members of your parliamentary Assembly. In the same way, the President of the Assembly might consider such informal meetings, if deemed advisable, with the Chairmen of the Political and Defence Committees before each session.

One last point: on 12th December, the Permanent Council expressed the unanimous wish that the Council's replies to the Assembly's recommendations and written questions should normally be sent back within a maximum of three months.

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The Council's *Special Working Group* (SWG) and the *Defence Representatives Group* (DRG) held joint meetings on 16th December 1991 and 17th January 1992, in the wake of the Maastricht summit. The SWG met on its own on 22nd and 27th November to evaluate the lessons of the ministerial meeting of 19th November, and then on 5th and 25th February – at the level of deputies in the latter case – to work on the implementation of the Maastricht declarations issued by WEU member states in the margins of the European summit.

Addressing topical questions, the group had a wide-ranging discussion on “post-Helsinki” security questions during these various meetings, in preparation for the CSCE Ministerial Council in Prague on 30th and 31st January, as well as the Helsinki conference. Its discussions focused on two themes: the consequences of admitting new CSCE members for negotiations on arms control, in particular the problem of extending the zone of application east of the Urals; and the mandate for those negotiations and the framework for the post-Helsinki negotiations (definition of a European security forum, decisions on the practical measures to be negotiated, procedure for a permanent dialogue on security, the advisability of codification of standards as a basis for undertakings entered into under CSCE, strengthening the rôle of CSCE in the field of prevention). Finally, delegations decided in favour of the gradual establishment of institutional relationships between WEU and CSCE through the exchange of information and documents, and through ad hoc attendance of meetings and seminars arranged by CSCE institutions, to which WEU might contribute.

With regard to the implementation of the member states' Maastricht declarations, the group pointed out that the strengthening of WEU's rôle implied simultaneous progress in all fields: enlargement, relations with the European Union and with the Atlantic Alliance, WEU's operational rôle and the transfer of the Secretariat-General from London to Brussels. On all these points, the most delicate being those associated with enlargement, it is hoped that conclusions will be reached for endorsement by ministers at their meeting on 19th June next. In this information letter I obviously cannot go into detail on current work or on the various national positions, in view of their changing nature and the need to seek a consensus. Some of the problems, moreover, should be viewed in a long-term perspective. WEU's responsibilities will, to a great extent, depend on the way in which European institutions adapt to the demands of the next stages in building a political union in the field of security and defence.

Eight practical measures are being considered concurrently:

1. The rôle and composition of the Permanent Council in Brussels;
2. WEU co-ordination, with a view to the introduction of joint positions into the process of political consultation of the Atlantic Alliance;
3. The division of labour between WEU and the organs to be tasked with the implementation of the the common foreign and security policy (CFSP) in the field of security and defence;
4. The harmonisation of presidencies and the synchronisation of meetings, both with alliance bodies and with the European institutions;
5. Informing and consulting the Commission where necessary regarding WEU activities, depending on the rôle that WEU is assigned in defining and implementing the CFSP;
6. The Secretariat's transfer from London to Brussels;
7. Procedures for future co-operation between the WEU Secretariat and the Secretariat of the Council of the union on the one hand and, on the other, with NATO's Secretariat-General;
8. Development of the Institute into a European Security and Defence Academy.

The *Defence Representatives Group* met to discuss its own agenda on 17th December 1991, and then on 16th January and 11th February 1992. A meeting of the Defence Representatives Group (deputies) was held on 24th February to discuss the draft mandate for the Planning Cell. These meetings have furthered the debate on the missions that may be envisaged for WEU's operational capability and the resources it needs to perform those missions satisfactorily. The question of resources assumes that there should be a review of member states' available capabilities, as well as a study of additional needs in the light of the missions decided upon.

On the question of the “military units answerable to WEU” mentioned in the Maastricht declaration, the French and German delegations gave more detailed explanations of their plan to create a European corps. It would have three main tasks: common defence in close co-operation with NATO; participation in peace-keeping and peace-making operations; and contribution to humanitarian tasks. There are no plans for sharing out tasks between the NATO forces and the European corps based on geographical criteria. Close links with the alliance's military structure should be set up, in particular on

planning matters. This corps, whose configuration will be mapped out in a series of Franco-German seminars (some of them to be open to experts from other member states), will be one of the factors in implementing paragraph 52 of the alliance document on this new strategy. The corps will have a planning headquarters this year. The aim is that the Franco-German elements of the future European corps should be operational by 1995-1996 at the latest.

The second key theme of the work done by the group has been an evaluation of needs for WEU co-ordination and planning structures. Delegations have reviewed the various aspects of setting up a planning cell within the organisation, which will draw up contingency plans for various configurations for the use of member states' forces. Its field of competence should be all European independent military activities. Finally, exercises, both headquarters and field, should come within its sphere. Its composition, setting-up and answerability to the Permanent Council questions are being considered. Once the proposed procedures have been approved, a draft decision will be submitted to the Ministerial Council.

The group has been briefed on progress with the study, produced by German and French experts, on European strategic military requirements.

The Mediterranean Sub-Group met on 31st January 1992. It has reviewed the situation in the Yugoslav republics and the Western Sahara, with the emphasis on the rôle of the United Nations. It has continued with its assessment of the potential risks to security in the Mediterranean and the Gulf region. Developments in the situation in Algeria and the risks associated with the proliferation of weapons of mass destruction have been the subject of in-depth discussion. Finally, the group has briefly debated the content of a future dialogue between WEU and the Maghreb countries.

Experts on the verification of arms control agreements met on 29th November 1991 and 28th January 1992. They have continued their exchange of information on practical arrangements for CFE inspections, reviewed the process of ratification of the CFE Treaty and considered the effects on verification of the new Commonwealth of Independent States. In addition, two meetings of the Group of Experts on open skies verification took place in Vienna on 10th December 1991 and 4th February 1992, discussing technical subjects such as quotas, available aircraft and sensors and prospects for co-operation within WEU.

The ad hoc Sub-Group on Space met on 5th and 6th December 1991, and also on 20th and 21st January 1992. Its agenda was basically the setting-up of the WEU Satellite Centre in Torrejón in Spain, and the organisation of the work of the experts responsible for medium- and long-term studies. The experts have held many meetings to discuss practical problems arising in these two fields of space co-operation within WEU (27th-29th November 1991, on 12th December 1991 and 14th February 1992 for the studies; on 16th and 17th December 1991, 7th-9th January and 6th, 7th and 19th February 1992 for the Centre in Torrejón).

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Two-way information contacts with the democratically-elected governments of Central and Eastern Europe over the period covered by this letter took the form of the fact-finding missions by Ambassador Kleiber and myself to the three Baltic countries from 21st to 24th January 1992, and my visit to Hungary at the invitation of Mr. G. Jeszenszky, the Minister for Foreign Affairs of the Hungarian Republic, on 17th February 1992.

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On 21st January in Tallinn, we met the Foreign Minister, Mr. Lennart Meri, the President of the Supreme Council, Mr. Arnold Ruutel, and the Minister of State for Defence, Mr. Raivo Vare, as well as the Deputy Prime Minister for the Economy, Mr. Jaak Leimann.

We explained WEU's rôle and place in the new European security architecture based on the two declarations adopted in Maastricht by member states, and reported on the initiatives so far adopted by WEU in developing relations with the countries of Central and Eastern Europe. We then invited our Estonian hosts to explain their views on these questions, as well as on the broader problems of European security, in particular the future of CSCE and the risks being created by the current changes in the Commonwealth of Independent States. They explained the main directions being taken in Estonian security and defence policy.

Our hosts outlined the many practical difficulties that Estonia has been facing since it regained its independence. They felt that the presence of former Soviet troops on their territory and the material

impossibility of acquiring genuine control of their frontiers were serious obstacles to the full exercise of Estonian sovereignty. They also described their country's demographic situation, reminding us that under Soviet occupation many Russians had been encouraged to settle in Estonia. For fifty years, Russian officers approaching retirement age had been assigned to the Baltic military district, and most of them stayed on.

All the people with whom we talked advocated the development of a political dialogue with WEU, at parliamentary and other levels. In discussing security, they again stressed the risks arising from the presence of foreign forces, the possibility of conflict between Russia's civil and military leaders and the disintegration of the Commonwealth of Independent States (CIS). They expressed their intention to use the CSCE framework to secure, and accelerate, the withdrawal of former Soviet troops. Finally, they stated their determination to continue with the democratisation of their country and to work for economic development to promote the transition to a market economy.

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In Riga on 22nd January, we met in turn the Minister of State, Mr. Janis Dinevics, the Defence Minister, Mr. Talavs Jundzis, and the Chairman of the Defence and Internal Affairs Committee of the Supreme Council, Mr. Janis Jurkans, and his Deputy Minister, Mr. Martins Virsis, the Chairman of the Foreign Affairs Committee of the Supreme Council, Mr. Indulis Berzins, and the President of the Supreme Council, Mr. Anatolijs Gorbunovs.

As we had done during our mission to Tallinn, we explained the rôle and place of WEU in the European security architecture, describing the steps that WEU had taken so far to foster a political dialogue with the countries of Central and Eastern Europe. We asked our Latvian hosts for their reactions, and to outline their concept of European security architecture as well as Latvia's policy on security and defence.

They told us that they regarded Latvian security as inseparable from that of the rest of Europe as a whole. Latvia had set itself two priorities: to secure the rapid withdrawal of former Soviet forces still in the territory and to set up armed forces of its own.

Our hosts expressed their approval of Mr. Yeltsin's decision to pass the command of former Soviet forces stationed in the Baltic states to Russia. They deplored the fact that there had been so far no more than discussion about the withdrawal of the former Soviet troops from Latvian territory, but no practical results. They said they feared the risks of instability in Russia and in the CIS which might have serious repercussions for Latvian security. Finally, they expressed the hope that Latvia might serve as a bridge between East and West.

All the people we saw expressed their wish to see their country enter into a political dialogue with WEU at parliamentary and other levels. They stressed their resolve to move towards democracy and to direct their country's economic revival towards creating a market economy.

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In Vilnius on 23rd and 24th January, we then met the Foreign Minister, Mr. Algirdas Saudargas; Defence Minister Audrius Butkevicius; the Deputy Chairman of the Supreme Council, Mr. Bronislovas Kuzmickas, and the Deputy Prime Minister, Mr. Zigmantas Vaisvila.

Having described WEU's rôle and place in the new European security architecture in the light of the prospects opened up by the success of the Maastricht summit, and having reminded them of the contacts which WEU had now made with the countries of Central and Eastern Europe, we asked our hosts for their views on the problems of Lithuania's security.

Lithuania was open to all possible forms of co-operation with international organisations in the West, and would welcome any offer of participation in the process of building a European security architecture. They appreciated this contact with WEU and felt it was in the interests of Western Europe to encourage Lithuania's current political evolution. They stressed the importance they attached to the development of a pluralist society in Russia and the other republics of the CIS, for it would be of great benefit to the security of Lithuania, which itself had irrevocably embarked on its own process of democratisation and liberalisation of the economy. Our hosts also said that their country's main security concern was to obtain the rapid withdrawal of former Soviet troops stationed in its territory. Finally, they touched on the Yugoslav crisis and asked us about WEU's contribution to the peaceful settlement of European conflicts.

Our hosts were much in favour of continuing the political dialogue with WEU, at parliamentary and other levels.

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During the brief visit I paid to Budapest, I had the opportunity of meeting the Foreign Minister, Mr. G. Jeszenszky, the Secretary of State of Foreign Affairs, Mr. Tamas Katona, the Secretary of State for Relations with the European Community, Mr. Janos Martonyi, the acting Deputy Secretary of State, Mr. Ivan Baba, the Secretary of State and Chef de Cabinet to the Prime Minister, Mr. Gyula Kodolanyi, the Secretary of State responsible for Defence Industries, Mr. Jenő Laszlo, and the Deputy Secretary of State for Defence, Mr. Rudolf Joo.

During our discussions, which were in the presence of Mr. Arnot, German Ambassador to Hungary, I described the rôle and place of WEU in the new European security architecture and we had a useful discussion on the political dialogue between WEU and the new democracies.

My hosts were concerned that Hungary should move as close as possible to institutions in Western Europe. They showed great interest in the content of the two declarations adopted in Maastricht by the WEU member states. We discussed developments in the crisis in Yugoslavia, relations among the CIS republics, Hungary's economic situation, its rôle in the three-way co-operation with Czechoslovakia and Poland and prospects for arms control.

Towards the end of my stay, I gave a paper in Budapest on the rôle of Western European Union in the new European architecture to the Hungarian army's cultural centre, in the presence of senior civil and military personalities.

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In the field of public relations and information on WEU's current and future rôle and missions, my colleagues and I have taken part in the following events:

- on 21st and 22nd November, I attended the conference on Turkey in a changing Europe: security challenges of the 1990s, organised by the Department of Political Science and International Relations of Bogazici University in Istanbul, where I gave an address on the WEU perspective concerning the new European security identity;
- on 25th November, I gave a paper on Aufgabe und Rolle der WEU bei der Gestaltung einer europäischen Sicherheitsidentität (WEU's mission and rôle in the formation of a new European security identity) in Dortmund during an event organised by the Deutsche Atlantische Gesellschaft;
- on 28th and 29th November, Ambassador Holthoff, Deputy Secretary-General, and I went to Paris for a seminar on the Soviet revolution and its implications for European security, organised by the WEU Institute for Security Studies, attended by senior officials responsible for politico-military affairs in foreign and defence ministries, the representatives of member states and their counterparts from Bulgaria, Hungary, Poland, Romania and Czechoslovakia;
- on 29th and 30th November, I attended the annual meeting in The Hague of delegates of the European Movement, together with the Secretaries-General of European institutions;
- on 5th December, I made a speech in Paris on European security in a world in transition, to trainees at the Cours Supérieur Interarmées (CSI), half of whom were nationals of Atlantic Alliance countries and half French officers from the Ecole de Guerre;
- on 7th December in Voorschoten in the Netherlands, I spoke about WEU's rôle at a dinner-debate arranged by the Stichting voor internationale vraagstukken - Jason;
- on 13th December, my colleague Mr. Paolo Casardi gave a paper at the conference on multinational naval co-operation in a changing world, at the Royal Naval College, Greenwich, taking as his subject the operational experience of WEU in the Gulf crises;
- on the same day, I made a speech to the Dutch Institute for International Relations, Clingendael, on the subject of WEU in a common European security structure, as part of the 44th course on international relations (Leergang Buitenlandse Betrekkingen);
- on 8th January, I went to Heriott-Watt University in Edinburgh for the 22nd annual conference of the University Association for Contemporary European Studies, whose theme this year was the new Europe, where I spoke about European security problems and the rôle of WEU;

- on 10th January, together with Mr. Arnaud Jacomet, Head of the Policy and Planning section, I gave a presentation on WEU to students at the Royal Military College of Science in Shrivenham;
- on 17th-19th January, I attended the fifth Dolder Conference in Zurich on the theme of the international security situation in Europe, where I gave an address on WEU's future rôle as part of the debate on Forecast 1992;
- on 22nd January, Mr. Paolo Casardi gave a paper to the University of Southampton, entitled the future of WEU;
- on 28th January, I delivered the opening address on the global context of arms control, at a seminar on Europe and the future of conventional arms control, arranged jointly by the WEU Institute for Security Studies and the Dutch Institute for International Relations, Clingendael;
- on 29th January, I was invited by the House of Commons Parliamentary Space Committee to discuss space co-operation in the context of Western European Union;
- on 30th January, my colleagues Mr. Casardi and Mr. Jacomet welcomed to the Secretariat a delegation from the Finnish Parliament's Defence Committee, which was on a study visit to the United Kingdom;
- on the same day, I spoke about WEU to the Institut Universitaire de Hautes Etudes Internationales in Geneva, taking as my theme European security in a world in transition and the prospects opened up by the European summit in Maastricht;
- on 4th February, I spoke about the future of European security to a group of students from the London School of Economics;
- on the same day, Mr. Paolo Casardi attended a seminar for NATO reserve officers organised by the Institut für politische Bildung of the Konrad Adenauer Stiftung at Schloss Eichholz near Bonn, where he spoke about the future of Western European defence;
- on 5th February, I gave a talk on WEU to the 377th Wilton Park Conference, whose theme this year was shared leadership for global security;
- from 7th to 9th February, I attended the 29th conference on security policy in Munich, devoted to Neue Dimensionen der Sicherheitspolitik (New dimensions of security policy);
- on 12th February, I attended the Sicherheitspolitisches Forum (security policy forum) at St Gallen University, where I spoke on the subject of European security policy;
- on 14th February, I gave a paper entitled security issues and the European Community to All Souls College, Oxford, as part of a series of seminars entitled foreign relations of the European Community in 1992 and after;
- on 19th February, I commented on WEU's work to journalists from the Foreign Press Association in London;
- on 20th February, I spoke about WEU's rôle to a Business Forum lunch meeting, arranged in London by the United Kingdom European Movement;
- on 25th February, I gave an address on WEU and European security to the International Institute for Strategic Studies in London;
- on 28th and 29th February, I attended the 24th session of the Académie de la Paix et de la Sécurité Internationale in Monaco, organised with the support of the Commission of the European Communities, where I was a member of the panel discussing new strategic data;
- over these three and a half months, I have continued to have regular contacts with the press, radio and television as well as with university circles, both in London and during my travels. Through these meetings I have been able to clarify the direction being taken by WEU in its work in the aftermath of Maastricht.

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At the Permanent Council's request, the Secretariat produces a brief review of how the international press reports on WEU's activities and comments about its future. The following is a summary of the reviews for November and December 1991 as well as January and February 1992.

I. WEU was mentioned extensively throughout *November* 1991. Most of the reports and comments were on the WEU ministerial meetings in Bonn on 29th October and 18th November, the NATO summit in Rome on 7th and 8th December and developments in the Yugoslav crisis.

Commentators viewed the results of the Bonn meeting on WEU's rôle and place as a modest European contribution to the NATO summit in Rome. In the aftermath of this summit, the press devoted a good deal of attention in its editorial comment to WEU, which had enhanced its profile by being called upon to reinforce the European pillar of the alliance and become the defence component in the process of European unification.

The Ministerial Council meeting in November had raised certain expectations, and the press looked for decisions in the run-up to Maastricht on WEU's rôle and place in the European security architecture. The fact that WEU's ministerial communiqué covered other subjects took analysts somewhat by surprise. WEU's positions on Yugoslavia, relations with the countries of Central and Eastern Europe and co-operation on space were widely reported in the press.

II. Despite a busy agenda, the *December* session of the WEU Assembly, held just a few days before the Maastricht summit, received scant attention from the international press. Even the French press, which usually devotes more space to the subject, had relatively little to say.

In the run-up to Maastricht, however, commentators made frequent reference to WEU, analysing the organisation's future rôle in the move towards European union. Post-summit assessments of the security and defence dimension focused on the question of establishing an organic link between WEU and the political union, although the fact that NATO's rôle would remain intact was welcomed in some sections of the British press and in the American press.

WEU enlargement also attracted comment, the prospects being judged promising. The press welcomed the decision to transfer the Secretariat-General to Brussels. Its reaction to WEU in the light of the Maastricht summit was positive and it stressed that Maastricht had given the organisation a new rôle, justifying its reactivation.

III. During the month of *January* 1992, the press devoted less attention to discussions on the European security architecture in the context of the Maastricht summit.

References to WEU were generally indirect, taking the form of general commentary on the crisis in Yugoslavia or the French suggestion to develop a nuclear doctrine for Europe.

Diplomatic correspondents devoted a good deal of attention to the problem of nuclear weapons in the CIS. Proposals on disarmament formulated by the United States and Russia as regards long-range missiles were widely commented upon. The CSCE meeting in Prague, as well as the extraordinary meeting of the United Nations Security Council, were also the subject of many articles. The agenda for the meeting of chiefs of defence staff in Bonn on 27th January gave rise to some comment.

IV. In early *February*, Germany invited WEU member states to a seminar to discuss the Franco-German plan for a joint corps that might later be open to other European forces. This led to a good deal of comment, with some articles mistakenly attributing the initiative to WEU.

Our organisation has also been more indirectly mentioned in articles on the Wehrkunde conference in Munich and the suggestions made by the Vice President of the United States on links between GATT negotiations and United States participation in NATO.

In February, the Scandinavian and Hungarian press showed growing interest in the organisation.

*Amendment of Rule 39, paragraph 4,
of the Rules of Procedure*

MOTION FOR A DECISION¹

*tabled by Mr. Benassi and others
in accordance with Rule 52 of the Rules of Procedure*

The Assembly,

DECIDES

To amend Rule 39, paragraph 4, to read as follows:

“ A group shall consist of not less than six representatives or substitutes. ”

Signed: Benassi, Gabbuggiani, Greco, Mesoraca, Pasquino, Pecchioli, Pieralli, Rubbi, Rodotà, Thompson

*Letter from Mr. Benassi and others
to Mr. Sinesio, Acting President of the Assembly,
requesting a motion for a decision
to amend Rule 39, paragraph 4, of the Rules of Procedure*

Rome, 14th April 1992

.....

In accordance with Rule 52, paragraph 2, of the Rules of Procedure of the Assembly of Western European Union, please convey to the Committee on Rules of Procedure and Privileges our request to amend Rule 39, paragraph 4, concerning the composition of political groups.

We wish Rule 39, paragraph 4, to be amended to read as follows:

“ A group shall consist of not less than six representatives or substitutes. ”

Our request is made as a result of the recent parliamentary elections in Italy with the aim of guaranteeing the maintenance of the Unified European Left Group of the Assembly which, in the last five years, has made a significant contribution to the work of the Assembly, the Political Committee and the Presidential Committee.

We very much hope that the Assembly will be able to take a decision in this sense at the forthcoming session in June.

.....
Signed: Benassi, Gabbuggiani, Greco, Mesoraca, Pasquino, Pecchioli, Pieralli, Rubbi, Rodotà

1. Motion referred by the Presidential Committee to the Committee on Rules of Procedure and Privileges.

**OPINION ON THE BUDGETS OF THE MINISTERIAL ORGANS
OF WESTERN EUROPEAN UNION FOR THE FINANCIAL YEAR 1992 ¹**

*submitted on behalf of the
Committee on Budgetary Affairs and Administration ²
by Lord Mackie of Benshie, Rapporteur*

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on the budgets of the ministerial organs of Western European Union for the financial year 1992

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Rathbone (Chairman); MM. Lagorce, Maass (Vice-Chairmen); MM. Alvarez, Antretter, Biefnot, Bowden, Büchler, Curto, Diaz (Alternate: Fabra), Eversdijk, Dame Peggy Fenner, MM. de Gaulle, Garcia Sanchez, Greco, Jurgens, Masseret, Meyer zu Bentrup, Oehler, Pinto, Rauti, Redmond, Regenwetter, Sinesio, Thissen, Triglia.

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

Draft Recommendation

***on the budgets of the ministerial organs of Western European Union
for the financial year 1992***

The Assembly,

- (i) Considering that:
- (a) in Maastricht the ministers of the WEU member countries decided to transfer the Secretariat-General of WEU to Brussels;
 - (b) the budget of the Secretariat-General of WEU for 1992 does not consider the financial implications of this transfer and is therefore of a provisional nature;
 - (c) credits in this budget, in particular those relating to the mission expenses of members of the Secretariat-General of WEU, are estimated on the basis of restrictive criteria;
 - (d) the budget of the Institute for Security Studies sets out the financial requirements of that Institute without modifying the organogram authorised last year;
 - (e) the budgets of the ministerial organs of WEU are extremely cost-effective;
 - (f) problems relating to staff policy are still being studied by the co-ordination bodies concerned and that, among these, the problem of financing the pension scheme is becoming increasingly important;
- (ii) Welcoming the fact that the budgets of the ministerial organs of WEU are presented clearly and efficiently and allow a detailed examination of those organs' needs,

RECOMMENDS THAT THE COUNCIL

1. Give the Secretariat-General the wherewithal to exercise its activities during a period which, although transitional, is no less important and complex;
2. Notify the Assembly of any structural changes that are envisaged on the occasion of the transfer of the Secretariat-General to Brussels and of the measures taken in respect of staff not wishing to be transferred;
3. Inform the Assembly of decisions taken in regard to staff policy in the framework of the co-ordinated organisations, particularly in respect of the financing of the pension scheme.

Explanatory Memorandum

(submitted by Lord Mackie of Benshie, Rapporteur)

I. General

1. According to Article VIII (c) of the Charter of the Assembly, "the Assembly shall express its views on the annual budget of Western European Union as soon as it has been communicated".

2. The present report has been prepared in application of this provision and relates to the budgets of the ministerial organs of WEU for 1992. It is important to bear in mind that these budgets were prepared during the second half of 1991, which was marked by extraordinary political changes leading, on the one hand, to an increase in WEU's activities and, on the other, to difficulty in foreseeing how the following year's requirements would evolve.

3. The ministerial organs of WEU had already carried out restructuring in 1990 that consisted mainly of a slight increase in the number of staff of the Secretariat-General, the abolition of the agencies for security questions (except for the Agency for the Control of Armaments, which was maintained with a very small staff) and the creation of the Institute for Security Studies. However, since the exceptional political events that occurred in 1990 and 1991 considerably speeded up the process of building Europe, member countries had to assign a broader rôle to WEU and increase the range and extent of its activities.

4. It should be recalled that, meeting in Vianden (Luxembourg) on 27th June 1991, member countries' Ministers for Foreign Affairs and Defence had already reaffirmed the leading rôle now played by WEU in the debate on the emerging European security and defence identity and specified that "the rôle of WEU should be strengthened in the context of the European construction process, which is leading the Twelve to a political union having a common foreign and security policy".

5. The decisions taken in Maastricht on 10th December 1991 merely give substance to the guidelines laid down in Vianden. The aims have now been clearly defined: closer co-operation between WEU bodies and those of the European Community and between the Secretariats-General of WEU and NATO; strengthening the rôle of WEU; greater co-operation in armaments matters with a view to setting up a European armaments agency; transforming the Institute for Security Studies into a European security and defence academy; and transferring the seat of the WEU Secretariat-General from London to Brussels.

6. In view of the magnitude of these aims and of their financial implications, it must be acknowledged that the present structure of the ministerial organs, particularly the Secretariat-General, is likely to undergo considerable changes during the financial year 1992. Consequently, the budgets of the WEU ministerial organs which are the subject of this report may be considered simply as renewal budgets allowing the WEU organs to carry out their tasks pending the preparation of operational programmes as a follow-up to the decisions taken in Maastricht. It is worth underlining that, in view of the uncertainty of the present situation, the budget estimates of the WEU ministerial organs were worked out with a concern for economy so that they are cost-effective. Examination of these budgets confirms this appraisal.

II. The budget of the Secretariat-General for 1992

7. In accordance with the practice introduced in 1991 following the abolition of the agencies for security questions, the budget of the Secretariat-General has three sections, i.e.:

- Section A: Secretariat-General;
- Section B: The former Paris ministerial organs;
- Section C: The ACA in Paris.

8. It is most likely that a fourth section – Section D – will be added to the budget. It will relate to the financing of medium- and long-term space co-operation for which the Council of Ministers has granted a provisional global sum of 5 million ecus (£ 3.5 million). Your Rapporteur has been informed that the draft budget relating to these studies will be examined by the WEU Budget and Organisation Committee at its meeting on 28th February 1992. At the same meeting, the committee will also examine the draft 1992 budget of the WEU satellite centre in Torrejón in Spain that the Council of Ministers decided to set up for an experimental period of three years. As procedure for approving these texts has not yet been completed, it will be possible to examine them only when the next report is prepared.

9. The budget of the Secretariat-General for 1992 (Section A) was drawn up on the basis of the existing organogram (see Appendix I) but taking into account, when estimating operating expenditure, the fact that "the reactivation of WEU, the further promotion of ideas set out in the platform of October 1987, and the extraordinary political developments which have taken

place in 1990 and 1991 will continue to affect the workload of the Secretariat-General in 1992”.

10. In fact – as stated in the explanatory memorandum to this budget – the Secretariat-General is playing a more direct part in the preparation of a European defence and security policy; this increasingly operational approach has led to the creation of new working groups and the organisation of more frequent meetings of existing working groups and of the Council of Ministers, involving travel to the capital of the country holding the chairmanship-in-office.

11. It is therefore mainly in the “Travel” chapter of its budget that the Secretariat-General has asked for a large increase compared with the financial year 1991. On the recommendation of its Budget and Organisation Committee, the Council gave a figure of £ 112 950 for this chapter (the initial 1991 budget gave an estimate of £ 76 600 which was increased to £ 95 600 in the course of the year), but froze part of this sum (£ 21 000), which was intended to cover additional expenditure arising from extraordinary ministerial meetings that had not been foreseen and other travel decided by the Council.

12. It seems clear that, in blocking this sum, the Council wished to recall the need to limit expenditure on travel by members of the Secretariat-General as far as possible. This economy measure seems highly appropriate in the present economic circumstances of member countries. However, the Assembly trusts its strict application will not result in a slowing down in the activities of the Secretariat-General just when its representatives are about to increase their contacts with other international organisations and European countries and when the intensification of relations with public opinion and the media in European countries and the United States is becoming a priority.

13. The other items in the budget call for no special comment. As the Council did not agree to the change in the organogram proposed by the Secretariat-General (the regrading of a post from A2 to A2/3) – just as it did not agree to similar proposals by the Assembly – estimates under Chapter I “Personnel costs” were worked out on the basis of the existing organogram, bearing in mind the foreseeable trend of salary scales.

14. As regards the other chapters (III, IV and V), estimates are on the whole lower than for the previous financial year. This is due to lower estimates under Chapter V “Buildings” (considerable work having been carried out in 1991) and by the foreseeable fall in the cost of maintaining the official cars (Chapter III), due to the replacement of one of these in 1992.

15. These decreases make it possible to offset the large increase in the cost of communications

(postage, telephone and the WEUCOM system, which come under Chapter III). Furthermore, revision of the programme for the purchase of various items of equipment – for which there is an estimate of £ 1 800 in Chapter IV of the budget compared with £ 9 700 in 1991) – and the elimination of estimates for secure communications equipment (WEUCOM), which amounted to £ 13 700 in 1991, make it possible to offset in full the purchase of a new car to replace the present one.

16. The total operating budget for the Secretariat-General amounts to £ 3 644 050. Account being taken of receipts, the net total operating budget (Section A) amounts to £ 2 461 150. Compared with the operating budget for the financial year 1991 as adjusted during that financial year (see Appendix II), the growth rate of the new budget is 1.62%.

17. In the pensions budget of the Secretariat-General (Section A), estimates take account of a new pension and the end of an orphan’s pension which will no longer be payable as from 1992. In all, twenty-two beneficiaries are taken into account. However, there is an overall decrease of F 79 675 in the net total of this budget (pensions less receipts from the contributions of permanent staff) compared with the previous financial year. This 16.62% decrease is due to the inclusion in the 1991 budget of sums for leaving allowances that are no longer included in 1992.

18. The net grand total (operating and pensions budgets) of Section A of the budget of the Secretariat-General therefore amounts to £ 2 860 750 (see Appendix II); this total is £ 40 535 (i.e. 1.40%) lower than for the financial year 1991. However, after deducting sums brought over to 1991 from the previous financial year (see Appendix III) and comparing sums granted for 1992 with those in the initial budget for 1991, it can be seen that there is a growth rate of 3.14%.

19. Since, according to OECD forecasts, there will be an inflation rate of about 4.6% in the United Kingdom in 1992, your Rapporteur can but emphasise the effort made by the Secretariat-General to make economies in preparing its budget for 1992 which, in any event, is a transitional budget. In the near future, the transfer of the Secretariat-General to Brussels can but raise considerable problems, particularly in regard to the fitting out of the premises that have already been made available to it by the Belgian Government and to expenditure on staff, whether the latter move to Brussels or opt for the resiliation of their contracts. It is therefore obvious that a supplementary budget will have to be prepared. Hence budgetary problems stemming from the transfer of the Secretariat-General to Brussels remain pending.

20. Sections B and C of the budget of the Secretariat-General call for no special comment. The first shows the implications of the Secretariat-General assuming responsibility for pensions payable to retired staff of the Paris ministerial organs: these are included in the budget and amount to F 10 633 500. Section C includes estimates for running the Agency for the Control of Armaments, whose seat is still in Paris. Estimates here cover the salary of one permanent official and the cost of two official missions.

III. Budget of the Institute for Security Studies

21. At the end of its first year's work (it was set up on 1st July 1990), the Institute for Security Studies was able to determine the total budgetary resources of all kinds that it needed to carry out its tasks properly. Twenty-four posts are included in its budget (see Appendix IV), all of which are filled. There are no proposals in the 1992 budget in regard to these staff (creation of additional posts or regrading existing posts). Estimates for expenditure on staff in this budget amount to F 14 624 000, which takes account of the trend of salary scales for staff of the co-ordinated organisations.

22. There is an estimate of F 330 000 in the chapter "Travel". Compared with last year, this represents an increase of 10%, mainly due to the rise in the cost of transport and the rate of daily allowances. A similar increase (9.83%), i.e. F 1 900 000, is foreseen in Chapter III for functional expenditure. This sum should allow the Institute to carry out its operational tasks, including the award of scholarships to nationals of Eastern European countries, conducting ad hoc studies, organising seminars, etc.

23. In this connection, the Council said it would examine the possibility of granting the Institute further sums if warranted by the intensification of its activities (in particular the extension of its contacts with the Central and Eastern European countries). In that case, procedure for preparing a supplementary budget would have to be applied.

24. The other chapters (IV, V and VI) call for no special remarks since estimates under them are on the whole lower than in the 1991 budget. The only item requiring comment is the inclusion under Chapter V.2 of the purchase of a new car to replace the old one, inherited from the Paris ministerial organs, the cost of which (F 100 000) is offset by savings within these chapters.

25. As shown in the table at Appendix V, the total budget of the Institute amounts to F 13 516 000 (net operating budget: F 13 985 100 less pensions receipts: F 469 000).

There is a growth rate of 4.86% in the total net budget. Your Rapporteur has no other comments to make on this subject.

IV. Conclusions

26. An analysis of the budgets of the WEU ministerial organs for 1992 allows your Rapporteur to conclude that they correspond perfectly to the criteria of clarity that should always govern the preparation of documents of this kind. They show WEU's needs, assessed at a strict minimum, thus committing the organs concerned to apply criteria of the utmost stringency in their budgetary management. In all fairness, it must be acknowledged that, in spite of the limited financial resources made available to it, WEU is increasing its activities considerably, as can be seen from the half-yearly reports from the Council to the Assembly and the information letters from the Secretary-General to the President of the Assembly. Your Rapporteur is anxious to underline this fact.

V. Action taken on Assembly Recommendation 499

27. In adopting Recommendation 499, the Assembly recommended that the Council:

- (a) reconsider its position towards the Assembly's requirements, which were set out and duly justified in its draft budget for 1991;
- (b) arrange for all documents on budgetary matters, circulated under B, C-B, BR or CR references, to be systematically sent to the Assembly;
- (c) communicate to the Assembly its conclusions on staff policy problems;
- (d) examine to what extent the proposals contained in the study of the careers of staff of the Council of Europe might be taken into account in the framework of WEU's staff policy.

28. Replying to this recommendation, the Council remarked on the first point that "the regular contacts between the Secretariat-General and the President of the Assembly have cleared the way for a mutually accepted compromise solution as to the Assembly's budget for 1991". Your Rapporteur takes note of the method which allowed the problem of the Assembly's budget for 1991 to be solved and trusts that it will be possible to resume the contacts established on that occasion so as to facilitate the process of approving the Assembly's future budgets.

29. On the second point, the Council said it was prepared to send the documents mentioned by the Assembly, not systematically but on a

case-by-case basis. Your Rapporteur considers that, although this reply does not entirely meet the Assembly's wishes, it is acceptable insofar as the Assembly may receive all the documents it needs. Initial application of this measure proved satisfactory. The Secretary of the committee, during a talk in London with the administrative staff of the Secretariat-General, held in a co-operative, cordial atmosphere, was able to obtain all the information he requested with a view to drafting the present report.

30. On the other points, relating to staff policy, the Council referred to "a maximum of flexibility" in order to cope with the changing challenges to which the organisation has to react. It proposes to study the possibility of adopting a longer-term staff policy when a final decision has been taken on the rôle and place of WEU in the European security architecture.

31. The aftermath of Maastricht seems to be an appropriate framework for studying a staff policy that takes account of the legitimate aspirations of staff of all grades, particularly in regard to assurances about their future. Transferring the Secretariat-General to Brussels can certainly not fail, once again, to raise problems relating to staff unable to follow the secretariat to Brussels. Experience acquired on the occasion of the abolition of the Paris agencies should encourage the Council to seek the fairest solution without delay.

32. In the context of staff policy, your Rapporteur must refer to the problem already mentioned in the previous report, i.e. policy for negotiating salaries in the co-ordinated organisations and the establishment of a European civil service.

33. In regard to salary negotiations, it is interesting to quote the final reply given by the Committee of Ministers on 25th September 1991 to Recommendation 944 (1982) of the Parliamentary Assembly of the Council of Europe:

"The regulations concerning the co-ordination system define the object of the co-ordination system and the rôle of the Co-ordinating Committee on Remuneration which is to replace the Co-ordinating Committee of Government Budget Experts. A more active rôle of the Committee of Ministers in remuneration policy as advocated in paragraph 14.i of the recommendation would entail the risk of divergencies within the co-ordination system and might even threaten its existence. The Committee of Ministers is of the opinion that it is in the interest of all parties concerned to maintain this system. The idea of a high-level meeting on remuneration policy within the framework of the co-ordinated organisations has been

examined by the Committee of Ministers. Since no agreement on the modalities of such a high-level meeting could be found, the Committee of Ministers has accepted the recommendation of the secretaries / directors general of the co-ordinated organisations that there was no need to pursue further the idea of institutionalising such a meeting."

This seems to be the position of all the co-ordinated organisations.

34. As for the "European civil service", it is interesting to quote a note of 16th December 1991, drafted by Mr. Speed, Rapporteur of the Budget Committee of the Parliamentary Assembly of the Council of Europe, who sums the problem up as follows:

"Both the Council of Europe and the European Community base their civil service on three principles, which our Assembly has often had the occasion to highlight: permanence, independence and the competence of the civil servants. Other international organisations... have wholly or partly abandoned the principle of permanence and opted for a body of civil servants consisting of national civil servants seconded to the organisation for a period of time. In such circumstances, the second principle - that of independence - is jeopardised. How, in such circumstances, can a civil servant be independent of his or her national government?"

35. Your Rapporteur endorses these remarks. He believes that, if the problem of the European civil service is at a deadlock, it is because the governments have concentrated on the present cost of the pensions scheme, having chosen at the outset to finance it in accordance with the budgetisation system. Since a minimum period of service of ten years is required in order to be entitled to a retirement pension, a shorter period of service in the international organisations, as is the case for seconded officials, would avoid the cost of the scheme rising excessively. Hence government reticence about creating a European civil service.

36. The OECD, the EEC, the Council of Europe, ESA and the ECMWF have conducted separate actuarial studies on this subject but their conclusions differ. (WEU has not produced a study.) Co-ordination is thus called in question in this area at least. It is planned that the CCR (Co-ordinating Committee on Remuneration) will examine the matter in September-October 1992 with representatives of the secretaries-general and staff of all the co-ordinated organisations. Since this problem is of vital interest to the staff, the Assembly wishes to be informed of decisions taken on the subject.

APPENDIX I

Table of establishment of the Secretariat-General

No. Grade	Function	No. Grade	Function
1. H.G.	Secretary-General		<i>Section – Finance and budget</i>
2. H.G.	Deputy Secretary-General		
3. B.4	Personal Assistant to S.G.	23. A.3/4	Controller
4. B.4	Personal Assistant to D.S.G.	24. A.2	Accountant
		25. B.4	Financial Assistant
	<i>Political Affairs Division</i>		<i>Section – Registry, security and communications</i>
5. A.6	Head of Division		
6. B.3/4	Sec. to Head of Division	26. A.2	Head of Section
7. B.4	Divisional Assistant	27. B.4	Documentation Clerk
		28. B.3/4	Clerk/communications
	<i>Section – Council Secretariat</i>	29. B.2	Clerk/repro
8. A.4/5	Head of Section	30. B.2	Clerk/repro
9. A.2/3	Committee Secretary		<i>Section – Secretarial assistance</i>
10. A.2/3	Committee Secretary		
11. A.2/3	Committee Secretary	31. B.2/3/4	Sec/shorthand-typist
	<i>Section – Policy and Planning</i>	32. B.2/3/4	Sec/shorthand-typist
		33. B.2/3/4	Sec/shorthand-typist
12. A.3/4	Head of Section	34. B.2/3/4	Sec/shorthand-typist
13. A.2/3	Planning Secretary	35. B.2/3	Sec/shorthand-typist
		36. B.2/3/4	Sec/shorthand-typist
	<i>Press and Information</i>	37. B.2/3/4	Sec/shorthand-typist
		38. B.2/3/4	Sec/shorthand-typist
14. A.3/4	Head of Section	39. B.2/3/4	Sec/shorthand-typist
		40. B.2/3/4	Sec/shorthand-typist
	<i>Translation Department</i>	41. B.2/3/4	Sec/shorthand-typist
15. LT.5	Head (Reviser E/F)		<i>Section – General services</i>
16. LT.4	Translator/Reviser F/E	42. B.1	Telephonist
17. LT.3	Translator E/F	43. B.1	Telephonist
18. LT.3	Translator F/E	44. C.3	Messenger/storekeeper
19. LT.2	Translator E/F	45. C.2	Messenger
		46. C.3	Chauffeur
	<i>Administration Division</i>	47. C.3	Chauffeur
20. A.4	Legal Adviser/Head of Personnel/ Division co-ordinator	48. C.3	Security Guard
21. B.3	Secretary to the Division	49. C.3	Security Guard
22. B.5	Administrative Assistant	50. C.3	Security Guard
		51. C.3	Security Guard
		52. C.3	Security Guard
		53. C.3	Security Guard
			<i>Agency for the Control of armaments</i>
		1. A.4	Expert

APPENDIX II

*Summary of estimated expenditure and income
of the Secretariat-General for 1992*

	Expenditure /income 1990	Credits approved for 1991 (a)	Credits proposed for 1992	Difference between 1992 and 1991	
	(£)	(£)	(£)	(£)	(%)
<i>Expenditure</i>					
Personnel costs	2 529 443	3 080 020	(b) 3 141 800	61 780	2.01
Travel	91 476	76 600	(e) 112 950	36 350	47.45
Other operating costs	267 051	373 970	(c) 365 400	- 8 570	- 2.29
Purchases	13 939	25 200	22 400	- 2 800	- 11.11
Buildings	96	16 920	(d) 1 500	- 15 420	- 91.13
TOTAL	2 902 005	3 572 710	3 644 050	71 340	2.00
<i>Income</i>					
WEU tax	924 494	1 124 200	1 156 400	32 200	2.86
Other receipts	35 921	26 500	26 500	0	.00
TOTAL	960 415	1 150 700	1 182 900	32 200	2.80
NET TOTAL	1 941 590	2 422 010	2 461 150	39 140	1.62
Pensions	341 197	479 275	399 600	- 79 675	- 16.62
TOTAL	2 282 787	2 901 285	2 860 750	- 40 535	- 1.40
	B (91) 10 Page 14	C-B (90) 28 B (91) 7	B (91) 17 Part II		

Note (a) Includes amounts brought forward from 1991 (B (91) 7).

(b) Includes p.m. for "military cell".

(c) Includes p.m. in respect of Appeals Board.

(d) includes p.m. for Fire Precaution Work.

(e) Includes £ 21 000 "frozen" (B (91) 23).

APPENDIX III

*WEU budget estimates for 1992
Proposed expenditure and income*

	Section A London (£)	Section B Ex-PMO Paris (F)	Section C ACA Paris (F)
<i>Expenditure</i>			
Personnel costs	3 141 800	0	(a) 1 102 400
Travel	(b) 112 950	0	14 500
Other operating costs	365 400	0	2 500
Purchases	22 400	0	0
Buildings	1 500	0	0
TOTAL	3 644 050	0	1 119 400
<i>Income</i>			
WEU tax	1 156 400	0	377 000
Other receipts	26 500	0	0
TOTAL	1 182 900	0	377 000
NET TOTAL	2 461 150	0	742 400
Net pensions	399 600	10 633 500	0
TOTAL	2 860 750	10 633 500	742 400
Budget surplus 1990 (-) (B (91) 10 P.6)	35 664	2 264 476	10 775
Net contributions 1992	2 825 086	8 369 024	731 625
Difference:			
(a) 1992 total compared with approved 1991 budget C-B (90) 28 and including credits brought forward to 1991 (B (91) 7)	- 1.4 %	(c) + 2.9%	(c) + 6.0%
(b) 1992 total compared with approved 1991 budget C-B (90) 28; excluding credits brought forward to 1991 (B (91) 7)	+ 3.14%	+ 2.9%	+ 6.0%

(a) Includes p.m. for removal costs (Part II page 22 para 2).

(b) Includes £ 21 000 "frozen" (B (91) 23).

(c) No credits brought forward.

APPENDIX IV

*Table of establishment
of the Institute for Security Studies*

Post No.	Grade(s) of Post	Function
ISS 1	H.G.	Director
ISS 2	B.4	Assistant to the Director
ISS 3	A.2/A.3/A.4	Research Fellow
ISS 4	A.2/A.3/A.4	Research Fellow
ISS 5	A.2/A.3/A.4	Research Fellow
ISS 6	A.2/A.3/A.4	Research Fellow
ISS 24	A.2/A.3/A.4	Research Fellow
ISS 7	B.3/B.4	Assistant/Shorthand typist
ISS 8	B.3/B.4	Assistant/Shorthand typist
ISS 9	B.3/B.4	Assistant/Shorthand typist
ISS 10	A.4/A.5	Head of Administrative Services
ISS 11	L.3/L.4	Translator/Interpreter
ISS 12	L.3/L.4	Translator/Interpreter
ISS 13	B.4	Administrative Assistant/Shorthand typist
ISS 14	B.4/B.5	Book-keeper
ISS 15	B.4	Information assistant
ISS 16	C.4	Chief Security Guard
ISS 17	C.3	Security Guard
ISS 18	C.3	Security Guard
ISS 19	C.3	Security Guard
ISS 20	C.3	Security Guard
ISS 21	C.3	Security Guard
ISS 22	B.3	Switchboard operator
ISS 23	B.4*	Technical and administrative assistant (building and general services)

* The holder of this post is graded B.5.

APPENDIX V

*Summary of estimated expenditure and income
of the Institute for Security Studies for 1992*

	Expenditure/ Income – second half of 1990	Credits approved for 1991	Credits proposed for 1992	Difference between 1992 and 1991	
	(F)	(F)	(F)	(F)	(%)
<i>Current expenditure</i>					
I. Personnel costs	6 565 881.25	13 748 600	14 624 000	+ 875 400	+ 6.37
II. Travel	101 613.10	300 000	330 000	+ 30 000	+ 10.00
III. Functional expenditure .	249 316.76	1 730 000	1 900 000	+ 170 000	+ 9.83
IV. Operating costs specific to the Institute	431 615.86	820 000	780 000	- 40 000	- 4.88
V. Purchase of furniture and equipment	378 448.70	200 000	140 000	- 60 000	- 30.00
VI. Contribution by the Institute to the joint charges for the building .	1 015 099.71	1 436 100	1 502 100	+ 66 000	+ 4.60
<i>Total: Gross operating costs</i>	8 741 975.38	18 234 700	19 276 100	+ 1 041 400	+ 5.71
<i>Income</i>					
VII. WEU tax	2 245 938.69	4 783 800	5 171 000	+ 387 200	+ 8.09
VIII. Other receipts	- 57 322.50	120 000	120 000	-	-
Operating income	2 188 616.19	4 903 800	5 291 000	+ 387 200	+ 7.90
<i>Total: Net operating costs .</i>	6 553 359.19	13 330 900	13 985 100	+ 654 200	+ 4.91
<i>Pensions</i>					
P. I. Expenditure	-	-	-		
P. II. Income	-	441 000	469 000	+ 28 000	+ 6.35
Net pension income	+ 204 697.97	+ 441 000	+ 469 000 (credit)	+ 28 000 (credit)	+ 6.35
<i>Total: Net expenditure</i>	6 348 661.22	12 889 900	13 516 000	+ 626 200	+ 4.86

APPENDIX VI

RECOMMENDATION 499 ¹*on the budgets of the ministerial organs of Western European Union
for the financial years 1990 (supplementary budgets) and 1991 ²*

- The Assembly,
- (i) Considering that:
- (a) the abolition of the Agencies for Security Questions meant the Secretariat-General bearing the cost of pensions payable to the staff of those agencies and expenditure relating to the operation of the Agency for the Control of Armaments;
 - (b) the Secretary-General consequently submitted two supplementary budgets (the first and the third) during the financial year 1990 to include the abovementioned expenditure in his budget;
 - (c) a "liquidation" budget terminated the management of the former agencies as from 30th June 1990;
 - (d) in the financial year 1990, the Secretary-General strengthened his staff on the basis of a management study conducted by the United Kingdom Foreign and Commonwealth Office, introduced new means of work and included the corresponding credits in a supplementary budget (the second) for 1990 and in the 1991 budget;
 - (e) these measures, representing a growth rate of 15.05% in the budget for 1991, seem fully justified by the increase in work due to the reactivation of WEU and the implementation of the principles set out in the platform of October 1987;
- (ii) Regretting that:
- (a) the WEU Council refused the proposals to strengthen the staff of the Office of the Clerk of the Assembly and authorised the creation of only two new posts on condition one of them was financed by savings elsewhere in the Assembly's operating budget;
 - (b) this decision, justified by "the present climate of financial stringency [which] places severe constraints upon national budgets", is in contradiction with the decisions taken in respect of the Secretariat-General and discriminates against the Assembly;
 - (c) the Rapporteur of the Committee on Budgetary Affairs and Administration had great difficulty in obtaining the budget documents from the Secretariat-General whereas communication of these documents is an obligation for the Council under Article VIII (c) of the Charter and Rule 49 of the Rules of Procedure of the Assembly;
- (iii) Noting that:
- (a) the conclusions of the examination in the Co-ordinating Committee of Government Budget Experts of matters concerning the staff (participation of staff representatives in negotiations on employment conditions and establishment of means for encouraging and facilitating movements of staff from one co-ordinated organisation to another), referred to in Assembly Recommendation 487, have still not been communicated;
 - (b) the Committee on the Budget and the Intergovernmental Work Programme of the Assembly of the Council of Europe has conducted a study of the careers of staff of the Council of Europe and this study sets out the broad lines of a career policy which might be applied to WEU staff,

1. Adopted by the Assembly on 4th June 1991 during the first part of the thirty-seventh ordinary session (4th sitting).

2. Explanatory memorandum: see the report tabled by Mr. Fabra on behalf of the Committee on Budgetary Affairs and Administration (Document 1264).

RECOMMENDS THAT THE COUNCIL

1. Reconsider its position towards the Assembly's requirements, which were set out and duly justified in its draft budget for 1991;
2. Arrange for all documents on budgetary matters, circulated under B, C-B, BR or CR references, to be systematically sent to the Assembly;
3. Communicate to the Assembly its conclusions on staff policy problems;
4. Examine to what extent the proposals contained in the study of the careers of staff of the Council of Europe might be taken into account in the framework of WEU's staff policy.

REPLY OF THE COUNCIL¹***to Recommendation 499***

1. The regular contacts between the Secretariat-General and the President of the Assembly have cleared the way for a mutually accepted compromise solution as to the Assembly's budget for 1991.
2. As the references B, C-B, BR or CR indicate working or classified documents, an automatic presentation to the Assembly cannot unfortunately be envisaged. However, in order to meet the Assembly's increasing information requirements, such documents, or an indication of their content, could be sent to the Assembly at the latter's request, on a case by case basis and when deemed necessary.
3. At the present moment, the Council endeavours to maintain a maximum of flexibility in the formulation of its staff policy in order to cope with the changing challenges to which the organisation has to react. When a final decision has been taken as to the rôle and place of WEU in the European security architecture it would of course become possible to envisage a longer-term staff policy.

1. Communicated to the Assembly on 26th November 1991.

The development of a European space-based observation system

REPORT ¹

*submitted on behalf of the Technological and Aerospace Committee ²
by Mrs. Blunck and Mr. Valleix, Rapporteurs*

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1. Adopted unanimously by the committee.

2. *Members of the committee: Mr. Stegagnini (Chairman); MM. Garrett (Alternate: Lambie), Lopez Henares (Vice-Chairmen); MM. Atkinson, Biefnot, Mrs. Blunck, MM. Böhm, Caccia (Alternate: Mezzapesa), Curto, Dimmer, Mrs. Francese, MM. Lagorce, Le Grand, Lenzer, Menzel, Palacios, Parry, Poças Santos, Gonzales Laxe, Lord Rodney (Alternate: Sir Dudley Smith), MM. Sarens, Tummers (Alternate: Aarts), Valleix, Verbeek, Worms, N. ...*

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

Draft Recommendation
on the development of a European
space-based observation system

The Assembly,

- (i) Welcomes the establishment of the WEU Satellite Centre and the fact that the management team to study conditions for developing a European space-based observation system has started work;
- (ii) Emphasises that this first multinational effort to make use of space to establish a control system for international peace-keeping and security is unique in the world;
- (iii) Underlines the importance of obtaining public support in order to carry out the planned project;
- (iv) Considers the definition of the tasks of the system requires a more intensive, regular dialogue between the Council and the Assembly than has been the case hitherto;
- (v) Recalls its Recommendations 465 and 466;
- (vi) Welcomes the conclusion of the Open Skies Treaty and trusts it will be ratified as soon as possible by all the countries concerned;
- (vii) Is convinced that, in setting up the observation system, WEU should take the fullest possible advantage of the services and experience of the European Space Agency (ESA) in carrying out earth observation programmes;
- (viii) Recalls the work carried out by the IEPG in the context of the Euclid programme on radar technology and satellite observation;
- (ix) Considers it essential for the principle of transparency to be applied to the interpretation of satellite data and for all aspects of the activities of the Centre and observation system as a whole to be subject to parliamentary scrutiny,

THE ASSEMBLY THEREFORE RECOMMENDS THAT THE COUNCIL

1. Design the planned system in such a way as to serve the security of WEU member countries and also to be useful to wider organisations with a European, Atlantic or universal vocation;
 2. Inform the Assembly regularly
 - (a) about each stage of the entry into service of the Satellite Centre, its organogram and the progress of feasibility studies;
 - (b) about criteria governing the choice of space industries to equip the Centre and establish the observation system;
 3. Define
 - (a) the consequences of the Open Skies Treaty for satellite verification and for the tasks of the WEU Satellite Centre;
 - (b) the exact significance of the expression crisis observation and the consequences of closer WEU co-operation in strategic observation for the tasks of the Centre and of the space-based observation system;
- and submit its conclusions to the Assembly;
4. At the earliest possible opportunity, contact the European Space Agency (ESA) in order to work out with it the possibilities for co-operation between WEU and ESA in space-based observation and arrange to be represented at the next meeting of the ESA Council of Ministers in Spain in November 1992;
 5. Contact the IEPG to co-ordinate the work carried out by that group on space technology in the context of the Euclid programme with WEU's activities in this area;
 6. Keep the public better informed about its space policy.

Explanatory Memorandum

(submitted by Mrs. Blunck and Mr. Valleix, Rapporteurs)

I. Introduction

1. The ministerial decision on setting up the WEU Satellite Centre was published on 27th June 1991¹ and, on 18th November 1991², it was announced that a group was being set up to study the feasibility of establishing a medium- and long-term European space-based observation system. It is therefore gratifying that the WEU Council has taken the first steps to give Western Europe an independent space-based intelligence system, as so often advocated by the WEU Assembly³.

2. The time it will take the experts and industrialists to set up this Centre and co-ordinate feasibility studies will probably play in favour of the governments meeting in the WEU Council. They will be tempted to consider that they have been relieved, for quite some time, of a complicated and perhaps embarrassing political problem. The Council might also give a dilatory answer to any request for information, invoking the need to wait for the results of the experts' work.

3. The only additional official information the Council has actually given on space co-operation is to be found in paragraph 2 of its reply to Recommendation 509 where the news is the announcement that preparations have been made to call for tenders for the feasibility study for a WEU satellite system.

4. However, let there be no mistake: the decisions so far taken are but the first steps in a vast undertaking whose conditions and aims are far from having been examined and defined in depth. It should be recalled that, at the symposium organised by the Technological and Aerospace Committee in Rome on 27th and 28th March 1990, Mr. Ter Beek, Netherlands Minister of Defence, rightly recalled that "the realisation of an independent European satellite surveillance system will involve a technical, financial, organisational and political challenge of such magnitude that it may not ever come about".

1. See Appendix I.

2. See Appendix II.

3. See in particular the report by Mr. Fourré on verification: a future European satellite agency (Document 1159, 3rd November 1988), the report by Mr. Malfatti on scientific and technical aspects of arms control verification by satellite (Document 1160, 7th November 1988) and the report by Mr. Lenzer on observation satellites - a European means of verifying disarmament - guidelines drawn from the symposium (Document 1230, 25th May 1990).

5. To the list of efforts that will be required should be added the need - in this area in particular - to be certain to obtain public support, without which the project will be impossible. To obtain this support, the public must first be regularly informed and adequately prepared before major political decisions are taken.

6. Apart from the traditional parliamentary task of supervising the Council's space activities, this report is therefore intended to reaffirm the politically topical nature of the problem raised, sustain public interest and stimulate a public debate with the Council in order to help to solve outstanding questions in an equitable manner.

II. Activities of the WEU Council

(a) The WEU Satellite Data Interpretation and Training Centre

7. In accordance with the decisions taken by the Council on 27th June and 18th November 1991, on 1st January 1992 work started on setting up the Centre in Torrejón under its Director, Mr. Barry Blaydes, a former official of the United Kingdom Ministry of Defence, who has been appointed for a period of three years. The Centre is to come into service in the course of 1992 and is to be officially inaugurated in June, although no exact date has been given.

8. The Centre is a subsidiary body of WEU in accordance with Article VIII, paragraph 2, of the modified Brussels Treaty and will be placed under the authority of the Council. Its managing bodies will be the Director and the Steering Committee.

9. According to paragraph 4 of the decision issued in Vianden on 27th June 1991:

"Each member state will appoint a representative to the Centre's Steering Committee. The latter will lay down technical and financial guidelines to be implemented by the Centre, and be in constant liaison with the national authorities calling upon the Centre's services."

This raises the following questions:

- Who chairs the Steering Committee (e.g. the Director of the Centre)?
- Have national representatives already been appointed?
- Where and how frequently does the Steering Committee meet?

10. The Director of the Centre is now recruiting about fifty staff, including some twenty technicians to interpret satellite images. For the organisation of its activities, the Centre will have operational, computer, staff management, financial and scientific sections.

11. The Centre's budget for the three-year experimental stage is subject to a ceiling of 38.25 million ecus financed by contributions from member states.

12. At the beginning of March 1992, a call for tenders to equip the Centre was made to eighty-five industrial firms in the WEU member countries. Offers have to be sent in before the end of May 1992. Contracts, which will be drawn up under the authority of the Secretariat-General of WEU, will represent an initial sum of about 5 million ecus and will subsequently be completed by a contract worth 5 million ecus for software.

13. Mr. van Eekelen gave the following information on the activities of the Centre when addressing the Parliamentary Space Committee of the House of Commons on 29th January 1992:

"... Ministers have agreed to a step-by-step approach, and in its experimental phase the first three years of the Centre (1992-1994) will be spent on training analysts in the interpretation of satellite imagery... and also in demonstrating the technology. This will be done using data available from commercial sources such as Spot⁴, Landsat⁵ and ERS⁶. The aim will be to achieve a certain amount of integration by pooling knowledge and standardising working procedures. The future of the Centre will be reviewed towards the end of the three-year period.

Subsequently, the Centre could become more operational by using data from satellites with better resolution such as Helios⁷ - due to be launched in 1994. In this context, an MOU has been drawn up under which the Helios partners (France, Italy and Spain) would make data available to the WEU Satellite Centre. This data could then be analysed by the photo-interpreters who have been trained in the Centre, and the results passed back to national capitals.

In its ultimate phase, the Centre could be responsible for operating WEU's autonomous satellite observation capability, currently the subject of the medium- and long-term studies."

4. See Appendix III.

5. See Appendix III.

6. See Appendix III.

7. See Appendix III.

14. This description leaves outstanding a number of questions of a political nature or others which are more technical and organisational. On the last two aspects, it is satisfying to note that the Director of the Centre was willing to inform committee members about work to set up the Torrejón Centre. After a first contact with the Technological and Aerospace committee in Berlin on 1st April 1992, he briefed it at its meeting in Paris on 30th April 1992.

15. Inter alia, it was learned that a group of experts is to set up the Centre and work out a concept for the image interpreters' missions and the organisational structure of the Centre in agreement with the Spanish Government. The necessary work on the premises assigned to the Centre in Torrejón is due to be completed in autumn 1992. There will be eight image stations and a photographic laboratory. Contracts with the industries chosen to equip the Centre are to be concluded by August 1992 and the equipment is to be installed by the end of 1992.

16. The work to be carried out by the end of the year will cost about 9 million ecus. Outstanding questions include the criteria on which industries' tenders for equipping the Centre are examined.

17. Without knowing the result of the examination of industrial tenders, it seems quite right for the Council to give priority to European space industries with a view to enhancing their efficiency and competitiveness, which have increased with time, particularly through European Space Agency programmes. This policy is also, and perhaps more, justified in areas which are still the weak points of European industry, i.e. the development of data processing and interpretation, which is the main vocation of the Torrejón Centre.

18. Political questions include the purpose of the overall system of which the Centre is only one component. The question of its tasks and external relations, for instance, depend on this purpose being determined. On the latter aspect, the text issued on 27th June 1991 says that "the possibilities for future co-operation between the Centre and other corresponding bodies, particularly in Europe and in the United States, on the basis of a balanced partnership, will also be studied". Conversely, when addressing the House of Commons, the Secretary-General of WEU went further and underlined that the abovementioned possibilities "will therefore remain high on our agenda". Is it to be deduced that decisions on co-operation have been taken in the meantime and, if so, what are they?

19. Other questions calling for a political answer include, on the one hand, the geographical area to be covered by the Centre's activities and, on the other, which authority will

determine its tasks, working methods and relations with the future WEU planning cell and decide from which outside sources the Centre should receive data for interpretation.

20. When briefing the committee, the Director of the Centre confirmed that there were still many questions to be settled, including the definition of the Centre's specific tasks and its working methods. It has to be decided whether the Centre will carry out missions in the direct interest of WEU or in that of member countries. It must also be decided whether national cells should be set up and, if so, how they will be integrated in the Centre.

21. According to its Director, the Centre is quite prepared to establish relations with the CSCE Conflict Prevention Centre and with verification mechanisms resulting from the implementation of the Open Skies Treaty. The Director said that, to date, no arrangement had been made with countries and organisations outside WEU and that, as long as no political decision had been taken on the exact missions, the line followed in setting up the Centre was to ensure maximum flexibility in order to meet all sorts of requirements. In this spirit, the Centre was to come into service on 1st January 1993, on which date it would start to use and interpret images from all suppliers of space data with whom arrangements could be made.

22. It is therefore clear that the Centre is going to be commissioned and start the first experimental stage of its work in an atmosphere of uncertainty and in the absence of political decisions on its final aims and missions, which does not facilitate its task. It will be particularly important for the feasibility studies for a European space observation system to produce positive results as soon as possible to give the governments concerned an adequate basis for taking the essential political decisions.

(b) The study management team

23. It emerges from the communiqué issued by the WEU Council of Ministers on 18th November 1991 that "a study group should be formed in 1992 to examine the necessity and desirability of a medium- and long-term realisation of a European space-based observation system. This group will be based in France and have an Italian chairman".

24. Speaking to the WEU Assembly in December 1991, the Secretary-General of WEU said Mr. Leonardo Gagliardi of the Agenzia spaziale italiana had been appointed Chairman of the group, which has its seat at the Direction générale pour l'armement of the French Ministry of Defence in Paris. In the Council's reply to Recommendation 509, this group was called a

"study management team" and was said to have been "set up in early 1992... in order to manage the actual conduct and co-ordination of the industrial studies". According to the same reply, the Study Management Team would be working under the aegis of the Council's ad hoc Sub-Group on Space.

25. When Mr. van Eekelen addressed the Parliamentary Space Committee of the House of Commons on 29th January 1992, he said:

"... an invitation to tender for the main system feasibility study was issued on 6th January,... (total eighty-one firms)... Offers for the contract, which is worth some 4.5 million ecus..., have been requested by 2nd March. The objectives of the study are:

- identification of the satellite system (payload, satellite and ground segment) concepts providing optical, infrared and radar imaging capabilities, which will meet the full set of mission requirements;
- identification of programme steps which will lead to the development of the full operational system;
- comparison of the satellite system concepts and programme steps with respect to capabilities, cost, development timescales and risks."

26. A consortium of about thirty industrial firms under the aegis of a prime contractor, DASA (Deutsche Aerospace AG), answered the call for tenders. If it is awarded the contract, this group will have to carry out feasibility studies as from the beginning of May 1992, covering a two-stage period of about sixteen months. These studies will be co-ordinated by the study management team in Paris. In order to have a more accurate idea of the working methods of this team, the Chairman of the Technological and Aerospace Committee invited its Chairman, Mr. Gagliardi, to give a briefing at the committee meeting on 30th April 1992.

27. In his briefing, Mr. Gagliardi confirmed that the tender submitted by the abovementioned industrial consortium for carrying out the principal feasibility study had been accepted by WEU's ad hoc Sub-Group on Space and that the contract should be signed on 6th May 1992. At the same time, the first stage of the study will be launched and will last until the end of 1992. The second stage will end in October or November 1993 and should lead to concrete proposals for the establishment of a space observation system. Apart from the principal study, consideration is being given to auxiliary studies to examine areas in which specific technical problems might arise. An important problem will be the point of intersection

between the space segment and the ground segment. Close co-ordination between the management team and the Torrejón Centre is therefore planned. The study management team comprises eleven permanent members from national administrations and six non-permanent experts.

28. Problems to be solved in regard to the requirements of an observation system which, initially, was primarily intended to be used for verifying conventional disarmament agreements have so far been concentrated on the need for:

- permanent observation;
- a high rate of repetition;
- great flexibility in the choice of areas observed;
- total coverage of areas of interest;
- speed in obtaining data;
- a high image standard, what is known as resolution ⁸.

29. Where observation technology is concerned, work is being carried out on visible optical systems such as Spot, Landsat and Helios which allow very high resolution but need satisfactory meteorological conditions and sunlight and on infrared optical systems which are useful for ascertaining the operational position of installations (airports, military bases, industrial sites, etc.) which do not depend on lighting. The application of synthetic aperture radar systems (SAR) such as ERS is also being developed. These have all-weather capability and are not dependent on lighting, thus allowing specific objects such as hardened targets to be detected. They can penetrate plant cover.

30. By working out the architecture of the system, consideration might thus be given to combining the various observation techniques, which would also mean using relay satellites.

31. The complete configuration of the system will depend largely on a political decision being taken on the end-use of the entire system, but it is not yet possible to foresee what the content of this decision will be.

III. Consequences of international developments for the establishment of a European space-based observation system

32. When the WEU Council decided to set up a centre for satellite data interpretation and training and to study the feasibility of an independent European space-based observation

8. The resolution or resolving power of equipment on a satellite is an essential pointer to the ability of the satellite to produce visual images of the earth's surface. For a photographic camera, the resolving power may be defined as the minimum distance between two identical small objects when they can still be distinguished as two separate objects.

system, everyone had in mind the lessons of the Gulf war that had just come to an end and which had opened totally new prospects for the use of space for surveillance purposes and for co-ordinating land, air and naval military operations.

33. Meanwhile, in Europe, the process of ratifying the CFE Treaty had started, as had the implementation of the Charter of Paris for a new Europe, signed by the CSCE member countries on 21st November 1990. The latter provided for the institutionalisation of that process and in particular the creation of a conflict prevention centre in Vienna. Germany was reunited, the Warsaw Pact had collapsed but the Soviet Union still existed.

34. Since then, the Soviet Union has been divided into states, some totally independent, others grouped in a Commonwealth of Independent States whose instability arouses fear of multiple crises exacerbated by inter-ethnic disputes, frontier problems and disputes over the right to manage the enormous mass of equipment and troops of the former Soviet army. However, the most serious problem is to handle the non-proliferation of nuclear systems scattered over the territory of the former Soviet Union, and particularly in Ukraine, Kazakhstan and Byelorussia.

35. It is not yet possible to know whether, in the long run, Russia, which considers itself as the inheritor of the Soviet Union, may again prevail as a superpower. At present, it may be said that there is now only one world power, the United States. While the threat to Western Europe that lasted for almost forty years has practically disappeared, the potential risks have on the other hand increased.

36. The outbreak of hostilities between the components of former Yugoslavia gave Europe proof of this and the re-emergence of an arms race in the Middle East and in Europe's southern approaches keep alive the fear that conflicts between regional powers may threaten international peace.

37. With the appearance of medium-range ballistic missiles in several parts of the world, sometimes equipped with arms of mass destruction, remote crises assume new dimensions. Furthermore, the Open Skies Treaty signed on 24th March 1992 will provide new verification possibilities whose consequences for a verification satellite system should be examined.

38. However, disarmament and the large reduction in forces in Europe also mean that Europeans must protect more territory with fewer forces. One result is the need for intelligence means.

39. Yet neither the public document announcing the Council's decision to set up a

WEU satellite centre nor the communiqué issued by the Council on 18th November 1991 sets out the exact missions of the Centre and of the space-based observation system as a whole.

40. However, it emerges from what the Secretary-General told the Parliamentary Space Committee of the House of Commons that, in April 1989, the Council had identified three specific needs for the drafting of a study on the possible use of space technology, i.e.:

- verification of arms control agreements;
- surveillance of crises affecting European security; and
- surveillance of environmental risks.

41. The Secretary-General went on to say:

"The political background to the requirement for the Centre has clearly changed since 1989, particularly in the light of the Gulf war and the feeling that the Europeans need to have better access to information on which to base their decisions in the field of security (or in case of crises), but also more recently the Maastricht declaration whereby WEU's operational rôle will be strengthened by examining '... closer military co-operation complementary to the alliance...' inter alia in the field of '... strategic surveillance'. The emphasis may therefore now be moving away from verification towards crisis monitoring."

42. It is clear that this last remark is of crucial importance and the Assembly, which was the first to call for the creation of a space-based observation system for verification purposes, and the public should insist on clarification. In particular, the meaning of these notions needs to be made clear. There was reference to crisis monitoring in the context of the Centre's three initial missions.

43. Conversely, in the declaration by WEU member states published in Maastricht on 10th December 1991 concerning the operational rôle of WEU, there was reference to strategic surveillance in the framework of closer military co-operation. The WEU Assembly is aware neither of the content of the calls for tenders made to industries nor of the latter's replies. Consequently, it does not know what requirements were expressed for the planned system. However, it cannot be left completely in the dark about the missions envisaged for a system whose achievement needs the support of the public in all WEU member countries and of the national parliaments which vote the necessary budgets.

44. It would appear that public support will be relatively easy to obtain in the area of verifi-

cation and environmental surveillance. However, in the latter case, it is clear that experience in national and European organisations and in the European Space Agency (ESA) in respect of earth observation by satellite raises the question of the expediency of creating additional structures in the framework of WEU. In any event, close co-operation with ESA in this area seems essential.

45. More complex problems will arise when the question of strategic and crisis surveillance has to be tackled, i.e. the military application of observation, which may be considered a new element resulting from the decisions taken by WEU in Maastricht with a view to the organisation being given a more operational rôle. According to information obtained by your Rapporteurs to date, the first feasibility studies are to include all three missions mentioned above. But if, as the Secretary-General said, "the emphasis may... be moving away from verification towards crisis monitoring", it is of crucial interest to the Assembly and the public to know, first, whether the main mandate has been changed or, second, if so, what will be the consequences.

IV. Consideration of the various missions

46. The purpose of this report is not to take the place of the technical experts who have to trace the course to be followed for an independent European observation system to be set up and operated to the satisfaction of those concerned.

47. Nor is it for the WEU Assembly to favour one or other industrial option, but it is perfectly entitled to make known its views on the aim of the undertaking and to ensure that the process that has been started serves a common goal. However, the international situation has changed so much since the WEU Council started to examine more closely the applications of space technology that it might be necessary to review the initial aims.

48. Even if one follows a recommendation made at the Rome symposium on observation satellites⁹ according to which a system of a very flexible concept should be set up that might be adapted to changes in the international situation compared with the original one, it must not be forgotten that, because of budgetary problems in most WEU member countries, any uncertainty about the aim of the project might make it hard to justify, in the eyes of the tax-payer and of national parliaments, pursuing the successive stages of the undertaking.

9. Address by Mr. Rothmeyer, Electronic System Gesellschaft, Germany.

49. In the light of what has been said above, consideration should be given to whether the three initial missions, i.e. verification, crisis monitoring and environmental management, still correspond to real needs.

(a) *Verification*

50. Even after the end of the East-West confrontation, the disbandment of the Warsaw Pact and the break-up of the Soviet Union, verification of the CFE agreements, which are at the ratification stage, retains its full importance. As long as the situation remains unstable in Eastern Europe and the former Soviet Union, it will be necessary, in addition to on-site inspections and air surveillance, to have a means of verification authorised by the CFE Treaty and not considered to be intrusive, i.e. surveillance by satellite.

51. It is important nevertheless to examine the consequences of the signing, on 24th March 1992, of the Open Skies Treaty between the member countries of NATO and of the former Warsaw Pact for verification by space-based means. The Open Skies Treaty will allow member countries to make a specific number of overflights each year – which may not be refused – subject to seventy-two hours' notice¹⁰. This has made several commentators consider that air controls in the framework of the open skies régime offer some advantages compared with a system of observation by satellite, for instance greater efficiency thanks to the use of aircraft with sensitive, less expensive equipment.

52. Consideration of the implications of this treaty, which has to be ratified by all participating countries, would warrant a special report but it may already be expected that the Council will have to decide whether it should extend the mission of the WEU Satellite Centre to include interpretation of images from overflights effected in implementation of the Open Skies Treaty.

53. It would be particularly interesting to know to what extent civil technology can be applied and used for verification by space-based means. According to information obtained to date, it would appear that the experts are divided on this point. On the one hand, one should recall the remarks made by Mr. Goldsmith, representing the European Space Agency (ESA) at the Rome symposium, who said "the agency has built up unique expertise and competence which would allow cost-effective implementation of a European verification satellite programme, taking maximum advantage of ESA's available in-orbit infrastructure and on-ground facilities for satellite testing and data archiving, processing and dissemination". He

10. Cf. *Le Monde*, 22nd-23rd March 1992.

consequently presented ESA as a most appropriate organisation for backing up a European verification satellite programme.

54. If the information your Rapporteurs have obtained is accurate, the European Space Agency is still quite prepared to co-operate with WEU in this area. The agency also considers that its convention¹¹ is no obstacle to such co-operation and that it might assume responsibility for introducing measures to ensure confidentiality and security.

55. On the other hand, the detailed report by the Eucosat association on the proposed European verification satellite agency concludes that a comparison of the capability required for verification with the resolution of civil observation satellite systems that already exist or are expected between now and the year 2000 suggest that these systems do not attain the high resolution levels (metric or decimetric) required for the last two stages of interpreting and analysing military targets.

56. This report nevertheless recognises that the civil sector can use some of the means needed for verification. While it is true that civil and military users have different requirements, particularly in regard to the degree of resolution, information frequency and the required rate of passes over the targets to be observed, there are certainly areas, such as those mentioned by Mr. Goldsmith, where ESA and WEU might co-operate.

57. Moreover, it must not be forgotten that relay satellites will be necessary for continuous transmission of data obtained by observation satellites. The European Space Agency is working actively in this area by developing relay satellite technology (Data Relay Satellite – DRS) which should be operational as from 1996. This is yet another reason why WEU is endeavouring to establish close co-operation with ESA in space-based observation.

(b) *Crisis monitoring*

58. While it is true that the problem of crisis management was among the initial considerations relating to the development of a European space-based observation system, at the outset it was considered to be more of a secondary mission for a system designed above all for the verification¹² of disarmament agreements. There was talk of the principle that the two mis-

11. According to Article II of the Convention of the European Space Agency: "The purpose of the Agency shall be to provide for and to promote, for exclusively peaceful purposes, co-operation among European states in space research and technology and their space applications, with a view to their being used for scientific purposes and for operational space applications systems."

12. Cf. e.g. Eucosat's final report on the proposed European verification satellite agency.

sions would have many common features and that it would be difficult to draw a clear distinction between them. This idea has changed considerably since the Gulf war which, for the first time, brought out all the implications of using space-based means, and in particular satellites, for observing the theatre of operations. The dependence of most European forces on information supplied by American satellites led Europeans to intensify their efforts to find means of becoming more independent in gathering information.

59. As stated above, the need for such efforts was increased by the outbreak of civil war in Yugoslavia and the greater risk of further crises in the Middle East and other parts of the world. The member states of WEU drew the first consequences of this at Maastricht by establishing a link between strategic surveillance and strengthening the operational rôle of WEU and military co-operation between member countries.

60. The Council will soon have to provide explanations and details regarding the significance of this, particularly in view of the remark made by the Secretary-General when addressing the Parliamentary Space Committee of the House of Commons, that the future of WEU space co-operation "will very much depend, in the long run, on whether WEU members recognise a common and autonomous strategic surveillance capability as a priority in the constitution of the defence component of the European Union".

61. Crisis monitoring may be a matter of detecting events foreshadowing a crisis in order to allow diplomatic action to defuse them and of interpreting the salient features of an on-going crisis, also with a view to diplomatic or intelligence action, and also of allowing analysis of a strategic situation prior to a decision to take military action and to provide tactical intelligence for the conduct of military operations.

62. It is hard to imagine a move towards strategic surveillance not having major repercussions on the concept of the space-based observation system. First, there is sure to be overlapping; for instance, verification of the CFE Treaty means covering only part of the earth whereas the satellite designed for this task will be technically capable of observing almost the whole earth¹³, which is essential for crisis monitoring.

63. For the capabilities of verification satellites and the limits on their use for disarmament purposes and crisis monitoring, reference is made to the Eurosat report on the proposed European verification satellite agency:

"A priori, there is no fundamental discontinuity between the verification of disarmament treaties and crisis monitoring.

Both activities imply observation of military equipment and the violation of a disarmament agreement may constitute a crisis in itself. However, there are some significant differences.

In the framework of a disarmament agreement, the satellite is but one component of the verification means. Notifications, exchanges of information and on-the-spot inspections allow its rôle to be confined to detection and general identification. The necessary resolution (1 to 3 m) is therefore often less than that required when observing a crisis, which requires a description and detailed analysis of sites and equipment and hence the use of intelligence satellites. To improve the permanent resolution of an observation satellite would lead, in the framework of disarmament verification, to a very large increase in the amount of data to be processed and consequently the need for more men and equipment. The cost of implementing and operating the system would then rise significantly. A possible solution would be to envisage a satellite with a nominal in-orbit resolution sufficient for the needs of verification but capable of descending exceptionally to lower orbits and thus obtaining images with a better resolution.

The adoption of such a system would, however, mean making certain changes: increasing the capacity of the fuel reserve and improving the command and orbit control system.

The requirements of verification call for passes only every few days, which may be insufficient for monitoring certain crises effectively.

Verification of disarmament agreements does not require such advanced specifications as crisis monitoring, which is usually a matter for intelligence satellites."

64. To understand the principal missions and limits of verification, it must also be recalled that the CFE Treaty relates to troop levels, armoured vehicles and tanks, aircraft and helicopter units limited by the treaty. There is also equipment limited by the treaty which is necessary for the support of these platforms. However, the treaty covers neither naval forces nor nuclear and chemical weapons systems.

65. In trying to ascertain the consequences, it should be specified that the crisis monitoring mission may have the following further implications:

66. In regard to the specific *needs* of observation, what is needed is greater flexibility of observation missions, almost real-time infor-

13. See Eurosat final report, page 85.

mation on inaccessible regions (surveillance, close surveillance, rapid access to critical areas) and very high image resolution.

67. However, intelligence means must be completed by space-based communication systems, monitoring stations, navigation, meteorology and mapping. A special problem is raised by early warning of missile firings, as was seen during the Gulf war when Iraq launched Scud missiles against Israeli targets.

68. For communications, it is mainly France, with the Syracuse system, and the United Kingdom, with the Skynet system, that have military intelligence satellites. It should be noted that these two countries have proposed to Germany, Italy, the Netherlands and Spain that a study be made of a space-based military communications network to operate on a trilateral basis or in WEU. The first consultations on this project, known as the European military satellite for communications (Eumilsatcom)¹⁴, were held in Paris last November.

69. The need for global coverage also means having a larger number of ground-based receiving stations than for verification or the use of geostationary relay satellites which can receive continuous data from reconnaissance satellites and transmit them in real time direct to the processing centre.

70. It must also be borne in mind that the camouflage problem is not the same in areas covered by the verification régime as it is outside these areas. As the Gulf war showed, relatively elementary camouflage techniques can prove very effective against observation satellite systems; in verification areas, additional means of observation, i.e. on-the-spot inspections and overflights, make camouflage more difficult than elsewhere. As soon as an effective satellite crisis monitoring system has been set up, it is therefore to be expected that improving camouflage techniques might be the first concern of certain countries liable to be the target of this type of observation.

71. These examples, which are not exhaustive, show that the establishment of a crisis monitoring system will have major consequences whose broad lines can already be foreseen, even before the experts have completed their in-depth studies. In view of the vast implications of such a project for the fundamental question of the use of space and the need to draw up international and universal rules on the subject, it is very important to know as soon as possible in which direction we are moving and where – apart from the question of cost – the limits should be placed for the military use of space.

14. Cf. e.g. *Le Monde*, 12th December 1991.

(c) *Environmental management*

72. The importance of earth observation in detecting and possibly controlling risks to the environment can but increase. Although environmental questions were not among those initially to be dealt with by Western European Union, they are of general interest and may have major repercussions for international security. In particular, there is the assessment of ecological disasters, either natural or caused by man, such as the Chernobyl nuclear reactor disaster.

73. In this connection, the experience of the European Space Agency (ESA) should be taken into consideration. Inter alia, ESA's programmes cover observation of the ice cap, oceans and continents, and observation of the atmosphere, which provides meteorological information. This is especially the case of the ERS programme (European remote sensing) which uses radar or very high frequency techniques to observe, inter alia, oceans and ice-covered surfaces. Launched on 17th July 1991, ERS-1, ESA's first environmental observation satellite, was declared operational on 27th January 1992. Thanks to the use of synthetic aperture radar (SAR), the satellite was able to transmit the first images each covering an area 100 km square with a ground resolution of about 25 to 30 m. These images were of exceptional quality.

74. At the beginning of February 1992, the Agency gave the go-ahead for the commercialisation and sale of ERS-1 data. In the meantime, ESA has awarded the space industry (Dornier) a contract to build ERS-2, the second European radar satellite, which is to be delivered in spring 1994. It would appear that use of the ERS system by the WEU Centre for Satellite Data Interpretation and Training might prove promising, particularly as the SAR system of the ERS satellite might include, in part at least, specifications for a verification satellite system.

75. It may be deduced from what has been said above that each of the missions has its political importance and that there is considerable overlapping between them, in particular between the civil and military applications of the systems.

V. *Outstanding questions*

76. One question is how the system is to be integrated in a new security order at European and world level.

77. In his address in London on 29th January 1992, the Secretary-General of WEU said that:

“The establishment of an independent European space-based observation system will be consistent with the strengthening

of the European pillar of the Atlantic Alliance, as foreseen in the Maastricht declaration. It is not intended to replace e.g. United States space-based observation capabilities, but to develop a system for the benefit of all concerned."

78. What does "all concerned" mean? To settle the problem of who should benefit from the system, it should be recalled that neither the Centre nor the observation system as a whole are ends in themselves but will, in the long run, have to allow a European satellite agency to be set up with tasks that might vary in the light of the international situation. Whatever their principal missions may be – verification, crisis management or environmental monitoring – it is essential to decide *for whom* the agency is to work.

79. As a WEU instrument, it is essential for it to guarantee the security of member countries of the organisation on the basis of the commitments laid down in the modified Brussels Treaty. In this context, the system will *inter alia* be able to serve as a means of intelligence for the purposes of Article VIII, paragraph 3, of the treaty, for instance by assessing "any situation which may constitute a threat to peace, in whatever area this threat should arise".

80. Since WEU is at one and the same time part of the European Political Union and the European pillar of the Atlantic Alliance, it may be thought that the observation system must also serve the security interest of the Twelve and of the Atlantic Alliance as a whole.

81. However, the question of the participation of other countries concerned, in particular in the Eastern European countries and the CIS, or even elsewhere in the world, goes beyond the framework of the alliances and of the European Union. In a new security order, it is quite conceivable that others may benefit from the European space-based observation system if it can be of use to collective security systems such as the CSCE, with its Conflict Prevention Centre, and/or the United Nations.

82. It may seem particularly desirable for the United Nations to use the services offered by the system, because all rules of behaviour concerning the use of space should be worked out at world level and because all initiatives taken, in particular by France, Canada and Sweden, to set up an international control agency in the framework of the United Nations have so far come to naught.

83. As to how the confidentiality of certain data should be handled in the framework of the system, the principle should be adopted of as much transparency as possible and as much constraint as necessary. If it is necessary to classify certain data confidential, a system must be worked out that prevents this type of activity

from evading parliamentary scrutiny. It must also be borne in mind that the system is intended to enhance international confidence, which requires a high degree of openness and transparency. Finally, the aim of the undertaking – depending on whether it is solely at the service of the alliances or has a universal vocation – will also have an impact on the degree of confidentiality.

84. Another question relates to practical co-operation with other international and national organisations. Initially, it would be desirable for WEU to take advantage of the experience and availability of the European Space Agency to establish fruitful co-operation which may be more than just technical assistance.

85. If the content and conditions of co-operation with ESA are to be defined, more regular contacts must first be established between the two organisations. Moreover, an early solution must be found in order to co-ordinate the space activities of WEU and of the IEPG, particularly in the framework of Euclid. The latter is studying common European priority areas relating *inter alia* to radar technology (CEPA 1) and satellite surveillance technology (CEPA 9).

86. In terms of cost, it is to be expected that the development of a full space-based observation system, i.e. a European satellite agency, will require far more investment than the Council has so far authorised. There are still too many unknown factors, particularly in regard to missions, to be able to draw clear conclusions from the estimates made by the various bodies. However, since, as a result of disarmament, defence budgets are being reduced in most countries, it is essential to explain to the public the need to set up this space-based observation system in order to increase security.

VI. Conclusions

87. With the start of the first stages of work leading to the establishment of a European space-based observation system, WEU has launched a project which, by its nature and magnitude, exceeds anything the organisation has done since its creation. Considered by most member governments of the Council for more than thirty years as being primarily a forum for exchanges of views and consultation, WEU is now beginning to become effectively operational in an area – space – whose importance for the whole of mankind is growing from day to day.

88. Much uncertainty and many difficulties still have to be overcome before this undertaking, which will have fundamental consequences for the rôle and position of Europe in the world and for international security, can be crowned with success. This requires a major

joint effort by all parts of WEU. The Council may be sure that the Assembly will not fail to give its full support, within the limits of its resources, in contributing to the success of this project. However, the Council must allow it to

play an active part in its thinking and in defining the missions to be attributed to the planned system on the basis of a more regular dialogue and more detailed information throughout every stage of the operation.

APPENDIX I

***Ministerial decision setting up a WEU satellite centre
taken at Vianden, Luxembourg, 27th June 1991***

The Ministerial Council,

Recalling its decision of 10th December 1990 on space co-operation within WEU,

Approving the results of the work of the ad hoc Sub Group on Space regarding the setting-up of a WEU satellite centre,

DECIDES AS FOLLOWS

1. A WEU subsidiary body will be set up, in accordance with Article VIII, paragraph 2, of the modified Brussels Treaty, to be known as the WEU satellite centre, hereinafter referred to as the centre.
2. The centre will be placed under the authority of the WEU Council. Its legal personality will not be separate from that of WEU. The centre's managing bodies will be the Director and the Steering Committee.
3. The Director will be appointed for a term of three years by the WEU Council. He will be responsible for the management of the centre. He will exercise hierarchical authority over the centre's staff.
4. Each member state will appoint a representative to the centre's Steering Committee. The latter will lay down technical and financial guidelines to be implemented by the centre, and be in constant liaison with the national authorities calling upon the centre's services.
5. The centre will offer no legal guarantee as to services supplied in accordance with this decision, and WEU will incur no liability to member states by virtue of this fact.
6. The financial resources of the centre will be provided for in a separate budget approved annually by the WEU Permanent Council in accordance with the current financial regulations of WEU. The budget shall be financed by contributions from member states in accordance with a cost-sharing formula agreed by the Council. The centre's budget for the experimental phase will be within a maximum ceiling of 38.6 million ecus, based on an estimate of 30.6 million ecus plus 25% for contingencies.
7. The centre will be established in the territory of one of WEU's member states.
8. The personnel responsible for setting up the centre will be appointed by member states or on the recommendation of the ad hoc group before 1st September 1991. The centre will be established with effect from 1st January 1992 and will enter into operations later that year.
9. At their next meeting, a report reviewing progress on the establishment of the centre, and a draft framework agreement covering access by the centre to Helios data, will be presented to ministers, who will decide on the location of the centre and the appointment of a director.
10. The activities of the centre should be reviewed no later than three years after it has entered into operation, when it will be possible for each member state to reconsider its participation in the centre.

The possibilities for future co-operation between the centre and other corresponding bodies, particularly in Europe and in the United States, on the basis of a balanced partnership, will also be studied.

APPENDIX II

***Communiqué issued at the close of the meeting
of the WEU Council of Ministers held in Bonn
on 18th November 1991***

(Extract)

4. *Operational co-operation among member states*

In the field of space

With the aim of intensifying space co-operation within WEU, and to give substance to the resolutions made at their last regular meeting in Vianden (Luxembourg), ministers decided that the satellite data interpretation and training centre should be established in Spain, with effect from 1st January 1992. They agreed that a British national will be appointed as Director of this centre for a period of three years.

Ministers also decided that a study group should be formed in 1992 to examine the necessity and desirability of a medium- and long-term realisation of a European space-based observation system. This group will be based in France and have an Italian chairman.

APPENDIX III

Satellite programmes

1. *Spot* (earth observation satellite) is the name of a series of civil optical observation satellites placed in circular heliosynchronous orbit. The satellite always passes over the same point of the earth at the same solar time, which allows the same lighting conditions at all times at a given point. The series was developed by the French Centre national d'études spatiales (CNES). Spot-1 was launched in 1986 and Spot-2 in January 1990. Its altitude is 832 km and its orbital cycle 26 days. Its maximum resolution is 10 m in multispectral mode and 10 m in panchromatic mode. It is expected that Spot-4 will be launched in the mid-nineties.

2. *Landsat* is an American series of civil observation satellites on heliosynchronous orbit. They have an altitude of 705 km and an orbital cycle of 16 days. The first Landsat satellite was launched in 1972. On the basis of the United States Land Remote Sensing Commercialisation Act of 1984, Landsat is commercialised by the firm Eosat. Landsat-5, launched in 1984, has a maximum resolution of 30 m. Landsat-6, launched in 1991, should achieve a resolution of 15 m.

3. *ERS* (European remote sensing) is a radar observation satellite developed in the framework of ESA's scientific programme. ERS-1, launched on 16th July 1991, is in orbit at an altitude of 785 km. It uses synthetic aperture radar (SAR) which allows, by day and by night and in all weather conditions, images to be taken of the earth's surface, land areas, coastal areas and ice caps, with a resolution of about 25 m. It is expected that ERS-2 will be launched in 1994.

4. *Helios* is a French programme, launched in 1986, which comprises a series of optical observation satellites for military purposes in which Italy has a 14.1% stake and Spain 7%. Technically, Helios follows the design of Spot. The main differences between Helios and the other system are its higher resolution and the coding of data.

Development of a European space-based observation system

AMENDMENTS 1, 2, 3 and 4¹

tabled by Mr. Fourré

1. In paragraph (i) of the preamble to the draft recommendation, after "WEU Satellite Centre" add, "a first step towards the future creation of a European agency for verification by satellite."
2. In paragraph (vii) of the preamble to the draft recommendation, after "experience" add, "on the one hand," and, at the end of the paragraph, add "and, on the other, of national agencies".
3. In paragraph 1 of the draft recommendation proper, leave out "wider organisations with a European, Atlantic or universal vocation" and insert "any other organisation".
4. At the end of the draft recommendation proper, add the following paragraph:
"Reaffirm its will to set up in successive stages, of which the Satellite Centre is the first step, a European agency for verification by satellite."

Signed: Fourré

1. See 6th sitting, 3rd June 1992 (amendments 1, 3 and 4 negatived; amendment 2 agreed to).

Arms export policy

REPORT ¹

*submitted on behalf of the Technological and Aerospace Committee ²
by Mr. Aarts, Rapporteur*

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Stegagnini (Chairman); MM. Garrett (Alternate: *Lambie*), *Lopez Henares* (Vice-Chairmen); MM. Atkinson, Biefnot, Mrs. Blunck, MM. *Böhm*, *Caccia* (Alternate: *Mezzapesa*), Curto, Dimmer, Mrs. Francese, MM. Lagorce, Le Grand, *Lenzer*, Menzel, Palacios, Parry, *Poças Santos*, Gonzales Laxe, Lord Rodney (Alternate: *Sir Dudley Smith*), MM. Sarens, Tummers (Alternate: *Aarts*), *Valleix*, Verbeek, Worms, N. ...

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

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- I. Declaration by the European Council on areas which could be the subject of joint action (10th December 1991) (extracts) ; Treaty on European Union (7th February 1992) (extracts)
- II. London Economic Summit 1991 – declaration on conventional arms transfers and NBC proliferation (16th July 1991)
- III. European Council – declaration on non-proliferation and arms exports (30th June 1991)
- IV. Declaration of the CSCE Council on non-proliferation and arms transfers (30th January 1992)

Draft Recommendation**on arms export policy**

The Assembly,

- (i) Recalls the international public debate during and immediately after the Gulf war expressing embarrassment regarding earlier large sales of arms to Iraq and calling for reductions in the international sale of armaments;
- (ii) Is preoccupied that continuing uncontrolled international armaments transfers might worsen existing tensions and latent conflicts in a number of world regions;
- (iii) Also fears that economic difficulties among the members of the now defunct Warsaw Pact may encourage the development of the black market in armaments because of the large stocks that exist;
- (iv) Welcomes therefore the declared determination of the CSCE member countries to support the new United Nations Register of International Arms Transfers and to provide it with comprehensive information;
- (v) Underlines the rising danger of nuclear proliferation and know-how and the imperfection of existing international régimes responsible for preventing the dissemination of chemical and biological weaponry and of missile technology;
- (vi) Welcomes therefore the decisions of France and the People's Republic of China to sign the nuclear non-proliferation treaty and of North Korea to join the nuclear safeguards agreement;
- (vii) Also welcomes the decision of the European Community, the United States, Russia and Japan to establish an international Science and Technology Centre in Russia in order to discourage scientists of the former Soviet Union from selling nuclear, biological and chemical know-how to third countries;
- (viii) Recalls the need to restrict arms exports and to harmonise arms export policies and regulations governing dual use items within the European Community prior to the abolition of frontiers and internal controls on 1st January 1993;
- (ix) Also recalls the special responsibility of Western European Union in the arms export area since it has implications for the defence and essential security interests of its member countries;

THE ASSEMBLY THEREFORE RECOMMENDS THAT THE COUNCIL

1. Elaborate and implement the necessary decisions of the European Union for a harmonised arms export policy restricted in accordance with common criteria identified by the European Council in Luxembourg;
2. Take a joint initiative in the United Nations in order:
 - (a) to make the information to be sent in to the United Nations Register of International Arms Transfers a binding obligation for all United Nations member countries and enforceable by sanctions;
 - (b) to call on all United Nations states to join the nuclear non-proliferation treaty and the safeguard agreements making the United Nations Security Council responsible for supervising their observation;
 - (c) to strengthen the IAEA's rôle by increasing its budget, giving it the power of sanctions and placing it under the authority of the United Nations Security Council and the Secretary General of the United Nations;
 - (d) to draw up an international convention in order to complement the nuclear non-proliferation treaty and to prevent the export of nuclear know-how or technology;
 - (e) to call for the early conclusion of a worldwide convention on chemical weapons and to make the chemical list of the Australia Group a worldwide exportation ban list under United Nations supervision;
 - (f) to make the missile technology control régime a worldwide régime;
3. Call upon the next Munich economic summit to held in July 1992 to support vigorously the strengthened rôle of the United Nations in monitoring a worldwide arms export régime;
4. Urge its member countries to provide financial contributions for establishing and operating the International Science and Technology Centre in Russia.

Explanatory Memorandum

(submitted by Mr. Aarts, Rapporteur)

I. Introduction

1. For decades during the cold war, which now belongs to history, considerations regarding arms export policy and transfers of high technology were overshadowed by the East-West conflict and by competition between the western- and Soviet-dominated worlds to win influence in the third world.

2. A new element in the international discussion was introduced following the Iran-Iraq war and, even more intensively, following the invasion of Kuwait by Iraq when some of the allied coalition forces were confronted with the results of the arms export practices of numerous countries and industries which had contributed to the establishment of the impressive war machinery at Saddam Hussein's disposal. Thus the Gulf war rang an almost general alarm call and led to an intensive debate at both national and international levels. Many proposals and declarations with the aim of reaching an effective arms export control régime have been made public, but meanwhile international armaments transfers are continuing.

3. The problem has become even more complex due to various new and decisive factors, including the implementation of the conventional disarmament treaty, the end of the East-West confrontation following the collapse of communism in the Soviet Union and Eastern Europe, German reunification, the transformation of the Soviet Union into a Commonwealth of Independent States, the break-up of Yugoslavia and the rise of nationalism in Central and Eastern Europe and the territory of the former Soviet Union.

4. The first problem arises from the fact that true figures and statistics are difficult to obtain. Whenever a government or institution produces statistical data there is a tendency to select the criteria which present the producer's case to its own advantage. The most respected independent data base on the arms trade is published by the Stockholm International Peace Research Institute (SIPRI). However it is dependent on public sources and does not cover small arms, ammunition, artillery, mortars of a calibre of less than 100mm and support items, sub-systems and components. For illegal arms transfers, no statistics are available.

5. Secondly, the fundamental task of defining the objectives of a possible common régime, is very difficult. It is therefore not astonishing that there are so far no general international rules in the matter. Apart from a number

of special agreements and treaties which will be examined in this report, arms export policy has been considered so far as exclusively a matter for national sovereignty.

6. It may therefore be regarded as a great step forward that the European Council agreed in Maastricht on 9th and 10th December 1991 to list questions relating to nuclear non-proliferation, technological transfers to third countries and arms export controls within the areas in which the European Political Union intends to carry out joint actions on the basis of majority voting¹.

7. These tasks are complicated by the diversity of internal structures in Community member countries with large-scale armaments industries. In some countries, these industries are totally or partly government-controlled, in others not. There is often a conflict between the tendency to liberalise international trade exports (crucial for industrialised countries whose economic development depends on exports) and the wish to prevent an arms race in sensitive areas of the world.

8. A particularly difficult problem is raised by the task of defining the so-called dual-use products which can be used for both civilian and military purposes.

9. It is obvious that the problem of arms export policy cannot be confined to a specific category of weaponry. It would, however, be too ambitious in this report to seek solutions for managing the whole area of nuclear, biological, chemical and conventional armaments transfers and that of dual-use products. Criteria for this report consist of identifying weaponry categories where expert controls seem to be particularly urgent, but also circumstances in which reasonable solutions might be most feasible.

II. The problem of armaments proliferation in the present international environment

10. It is interesting to note that in 1990 worldwide international sales of conventional arms fell by 35% in comparison with 1989² and again declined in 1991³. According to SIPRI, before the full-scale war broke out on 17th January 1991, the crisis in the Gulf had not yet reversed the overall trend towards reductions in arms transfers.

1. See Appendix I.

2. SIPRI Yearbook 1991, page 197.

3. Provisional SIPRI Report, cited in the United States Wireless File No. 50, 16th March 1992, without figures.

11. The following table shows the value of exports of major conventional weapons by fifteen leading exporting countries in the period

1986-90. The decline in 1990 was mainly due to substantial export reductions recorded for the former Soviet Union in that year.

TABLE 1⁴

*The leading exporters of major conventional weapons, 1986-90
The countries are ranked according to 1986-90 aggregate exports.
Figures are in US \$m., at constant (1985) prices*

Exporters	1986	1987	1988	1989	1990	1986-90
1. USSR	14 731	14 916	12 559	12 220	6 373	60 799
2. United States	10 304	12 596	10 503	11 669	8 738	53 811
3. France	4 096	3 011	2 300	2 577	1 799	13 783
4. United Kingdom ..	1 500	1 817	1 401	1 816	1 220	7 752
5. China	1 463	2 553	1 868	874	926	7 684
6. Germany, FR	1 120	676	1 270	716	963	4 745
7. Czechoslovakia ...	497	570	548	437	355	2 408
8. Netherlands	240	265	532	725	152	1 915
9. Sweden	324	489	575	311	115	1 813
10. Italy	457	389	471	169	96	1 582
11. Brazil	150	507	356	152	24	1 189
12. Israel	269	340	127	318	39	1 094
13. Spain	172	139	199	506	74	1 090
14. Canada	317	265	106	54	60	802
15. Egypt	159	194	216	65	33	668
Others	656	1 047	735	900	760	4 097
Total	36 453	39 777	33 767	33 509	21 726	165 232

12. It is understood that conventional weaponry consists mainly of battle tanks, armoured combat vehicles, artillery systems, combat aircraft, attack helicopters, warships, launching and missile systems and their components.

13. There might also be an immense market for light conventional weaponry such as hand guns, but international security is affected first and foremost by the kind of heavy weaponry described previously.

14. Despite the general trend, there are significant indications that a new arms race has begun, particularly in the Middle East. In 1991, Israel was the largest importer in the region, followed by Saudi Arabia, Egypt and Kuwait. Developing countries in the Middle-East, but also in other world regions, particularly in Asia, remain the main beneficiaries of conventional arms contracts although many of them have reduced their imports for lack of currency now that the cost of modern equipment is steadily rising.

15. The evolution of the international conventional arms market has been influenced

recently by several new factors which have their origin mainly in the changed political situation in Europe. One of these factors is the implementation of the CFE Treaty at a time when one of the signatories, the Soviet Union, has been transformed into a Commonwealth of Independent States, while all conventional equipment of the former GDR has come under the control of united Germany as a NATO and WEU member country.

16. Implementation of the CFE Treaty makes it binding on signatories to destroy certain equipment, ranging from battle tanks to attack helicopters, in the Central European region. To ensure that countries concerned are not obliged to destroy relatively modern equipment from the central region, NATO has drawn up plans to transfer some equipment from the central region to allies outside this region in order to modernise their older equipment⁵, for instance to Greece and Turkey.

17. Even if all these transfers are to be carried out in conformity with the CFE Treaty and between allied countries, in some parliaments,

5. See Jane's Defence Weekly, 1st June 1991, and NATO's Sixteen Nations, May/June 1991, Wall Street Journal, 28th February 1992.

4. SIPRI Yearbook 1991, page 198.

governments were asked if the transfer of modern weaponry to include Greece and Turkey was appropriate as long as these two countries had not settled their differences.

18. On the other hand, the then Soviet Union had moved a substantial and undeclared part of its conventional equipment East of the Urals, i.e. outside the Atlantic to the Urals zone, in order to avoid their destruction. The break-up of the Soviet Union makes it most difficult to identify the actual deployment of the enormous amount of equipment and to prevent eventual black market transfers to third countries. After the publication of press reports according to which Russia planned to set up a weapons sales agency to sell weapons on the world market to a value of \$1 000 million⁶, it was announced that the Russian government had approved the creation of a quasi-governmental arms-sales organisation⁷ and that the Russian President had authorised the export of about 1 600 combat aircraft⁸.

19. According to recent press revelations published by SIPRI⁹, an increasing number of Western European firms are advertising Soviet and Eastern European equipment from stocks which are no longer needed. Iran, for instance, was reported to have made major weapons purchases from the former Soviet Union such as an unspecified number of MiG-29 fighters and Su-24 fighter-bombers¹⁰. In Germany the destruction of the major part of the former GDR's military equipment has begun. Nevertheless, at the end of 1991, the German Government authorised the transfer of some naval equipment from the former GDR (five mine-sweepers and two tug boats)¹¹ to Hungary and a number of small calibre arms and ammunition to Finland. Some Eastern European countries, formerly members of the Warsaw Pact, such as Poland, Czechoslovakia and especially Hungary, are interested in acquiring war equipment from the former GDR since their forces mainly use Soviet-made armaments.

20. The Federal Republic of Germany has so far been reluctant in response to the abovementioned demands in order to avoid arguments that such deliveries might contravene the spirit of the CFE Treaty if not its letter. Another reason is that Germany wants to avoid any possibility that these kinds of weapons might reach the warring parties in Yugoslavia (mainly Croatia) via Hungary.

6. The Guardian, 4th February 1992.

7. Jane's Defence Weekly, 15th February 1992.

8. Air et Cosmos No. 1371, week from 23rd to 29th March 1992.

9. Frankfurter Allgemeine Zeitung, 1st February 1992.

10. See International Herald Tribune, 8th-9th February 1992, NZZ, 6th February 1992.

11. International Herald Tribune, 4th-5th January 1992, Frankfurter Allgemeine Zeitung, 4th January 1992.

21. Another problem arising out of the fall in equipment requirements as a result of the CFE Treaty stems from the difficulties defence industries are having in converting from military to civilian production without threatening employment. For instance, these difficulties led the Czechoslovak Government to approve the transfer of 250 T-72 tanks and armoured personnel carriers made in Slovakia to Syria. This delivery was intended to help to finance conversion of the Slovak defence industry. The non-existence of a joint, harmonised European arms export policy was shown when a number of these Czechoslovak T-72 tanks were to be shipped by a German vessel to Syrian importers. German warships stopped the ship because it was not authorised under German export legislation to carry such a cargo¹². Another load of Czechoslovak tanks for Syria on a Danish ship, first stopped by the Danish authorities¹³, was finally authorised by a Danish court to continue its journey¹⁴. Some of the tanks initially shipped by a German vessel were finally transported by a Polish ship to Syria¹⁵.

22. It is obvious that some European and American defence industries are seeking to offset their countries' decreasing demand for weapons by exports on the world market, where they are in competition with each other and with other suppliers such as the People's Republic of China, Israel, Taiwan, South Korea, Brazil, India, South Africa and others.

23. With effect from 1st January 1992, however, both the United States and the former Soviet Union ceased to deliver armaments to the quarrelling parties in Afghanistan as decided by Presidents Bush and Gorbachev on 13th September 1991. However, in view of its reduced defence budget for 1992 and 1993 the United States will continue to provide military assistance to third countries, mainly to Egypt, Israel, the Philippines and Salvador, whereas no such proposals are made for Pakistan¹⁶.

24. Russia has announced a dramatic cut in arms purchases. These would be aimed mainly at keeping some existing military equipment, so that many military firms will have to shut down, according to General Dimitri Volkogonov, adviser to the Russian President¹⁷.

25. Most Western European armaments industries are forced to dismiss large numbers of staff. The French Defence Minister, however, in

12. Frankfurter Allgemeine Zeitung, 1st February 1992. International Herald Tribune, 31st January 1992.

13. NZZ, 7th February 1992.

14. Die Welt, 10th February 1992.

15. Frankfurter Allgemeine Zeitung, 2nd March 1992.

16. Le Monde, 31st January 1992.

17. International Herald Tribune, 25th-26th January 1992.

a reply transmitted on 13th January 1992¹⁸ to a question put by Mr. Alphandéry, underlined that armaments exports, which are an aspect of France's foreign policy, represent a surplus in its trade balance. There was therefore no question of reducing unilaterally governmental financial assistance to French arms industries.

26. France recently agreed to the delivery of three mine-hunters and (under certain conditions) a number of Mirage 2000s as well as a nuclear plant to Pakistan¹⁹. Last December, the French manufacturer Matra signed a contract with South Korea for the delivery of Mistral anti-aircraft missiles. According to Defense News²⁰, other customers for this French system include (apart from some NATO allies) Cyprus, Abu Dhabi, Saudi Arabia, Finland, Qatar, Chile and three Asian countries.

27. In many other European countries the problem of conventional arms exports policy is a subject of internal debate. Whereas, particularly in Germany, Belgium and Italy, export legislation has been tightened (the Italian arms industry in particular has criticised the new legislation), other countries such as Sweden and Norway are reported to be envisaging easing armaments export rules²¹.

28. The East-West conflict has disappeared, and with it the so-called "balance of terror" based on the nuclear stalemate between the two superpowers thanks to which Europe could live in relative security. Meanwhile new areas of regional conflict have emerged in several parts of the world and – for the first time since 1945 – in Central and Eastern Europe – as shown by the implosion of Yugoslavia, as well as in some republics on the territory of the former Soviet Union. The outbreak of a conventional war, which had for decades been ruled out, is now thinkable again. The need for the definition of a common arms export policy and for an effective export control régime is therefore obvious.

29. But is it possible to limit the problem to conventional arms? In 1991 the world was confronted for the first time with an open breach of the nuclear non-proliferation treaty by Iraq, which is a signatory. The disintegration of the Soviet Union has created a danger of their enormous amounts of nuclear weaponry being disseminated.

30. While it might be relatively easy to control strategic systems, there is considerable concern about short-range systems and still more about nuclear artillery and warheads.

Neither is it known exactly where and how to verify their destruction and – even more important – to prevent their illegal transfer abroad. The number of nuclear warheads on the territory of the former Soviet Union was estimated in 1988 at about 33 000²².

31. According to an agreement signed on 22nd December 1991 in Alma Ata between Russia, Kazakhstan, Ukraine and Byelorussia, all nuclear weapons on the territory of Ukraine and Byelorussia are to be destroyed in the long run. All tactical systems deployed on the territory of the non-Russian republics are to be removed by 1st July 1992 to a central installation for destruction. Furthermore, Ukraine and Byelorussia have signed a commitment to accede to the nuclear non-proliferation treaty. All four republics signed a commitment not to deliver either nuclear weapons or nuclear technology to third countries.

32. Nevertheless, Victor Mikhailov, Deputy Minister for Nuclear Power of Russia, recently announced that Soviet stockpiles of nuclear warheads were so enormous that it would be most difficult to control and destroy them in a reasonable lapse of time without western assistance²³. There have even been press rumours in Egypt²⁴ according to which three Soviet tactical warheads had been transferred to Iran by Kazakhstan. However, this was denied immediately by the Russian Ambassador to the United Nations.

33. Meanwhile, difficulties arose between Russia and Ukraine which led the latter to stop temporarily the transfer of its tactical nuclear weapons to Russia for dismantling until Moscow agreed to international controls over the destruction of the systems. There is also uncertainty about the attitude of Kazakhstan regarding its willingness to remove its tactical nuclear systems to Russia²⁵.

34. Then there is the problem of the proliferation of Soviet nuclear know-how. According to recent press reports, several countries, especially Pakistan, Iran, Iraq, Libya and the Peoples' Republic of China but also Cuba, India, Syria and Egypt, are said to be interested in employing former Soviet nuclear scientists and experts. The Pakistani Government recently officially confirmed the country's ability to produce nuclear weapons²⁶.

35. It is well known that India and North Korea are close to becoming nuclear powers.

18. Journal officiel de la République française, 13th January 1992.

19. Le Monde, 19th January 1992.

20. Defense News, vol. 7, No. 4, 27th January 1992.

21. See footnote 20.

22. Frankfurter Allgemeine Zeitung, 6th February 1992. 27 000 warheads according to estimates published on 5th February 1992 by the International Herald Tribune.

23. International Herald Tribune, 5th February 1992.

24. Al Watan Al Arabi of Cairo, January 1992.

25. Frankfurter Allgemeine Zeitung, 2nd April 1992.

26. Frankfurter Allgemeine Zeitung, 8th February 1992.

Other countries in the world might have reasons for wanting to possess nuclear weapons, even without wishing to use them. In an article published in the *Financial Times* on 1st-2nd February, Edward Mortimer recalls the theory of the French General André Gallois, according to which nuclear weapons enable a state to make its national territory an invulnerable "sanctuary" which no one will dare to attack.

36. He then continues that any state in the world may want to deploy nuclear weapons to deter an attack on its own territory by superior conventional forces. There might be other countries in the world endorsing the French theory in the hope that nuclear weapons will make their territory invulnerable. Against this background it is the question "of nuclear proliferation, rather than any conventional threat, which is now worrying for NATO countries" ²⁷.

37. All reports of clandestine trade in nuclear material or know-how are therefore to be watched with great concern. But there are also similar important problems regarding Soviet chemical and biological weaponry stocks and know-how. According to American sources, there are 40 000 tons of chemical agent in the former Soviet republics, much of which is old ²⁸. The United States Defence Secretary, Richard Cheney, said in January 1992 ²⁹ that he did not believe that the Commonwealth of Independent States (CIS) would be able to destroy the enormous chemical potential of the former Soviet Union.

38. But there are also worries about Soviet chemical and biological weapons expertise going abroad. This is also a matter of urgency since there is still no international agreement on banning chemical weapons in the United Nations framework since a number of third world countries still refuse to accept export controls in regard to certain chemical substances.

39. It was therefore good news that the European Community, the United States, the Russian Federation and Japan reached an agreement on 11th March 1992 to promote the establishment, in Russia, of an International Science and Technology Center ³⁰. Its primary focus would be to provide weapons scientists and engineers of the former Soviet Union, particularly those working on weapons of mass destruction, with opportunities to redirect their talents to peaceful activities. One of the major problems in achieving this project will be financial. The parties to the agreement therefore

27. Edward Mortimer, *Financial Times*, 1st-2nd February 1992.

28. *Aviation Week and Space Technology*, 20th January 1992.

29. *Die Welt*, 15th January 1992.

30. United States Wireless File, No. 48, 12th March 1992.

intend to encourage other governments, inter-governmental and non-governmental organisations to participate in the Centre's activities and to provide financial contributions.

40. Quite apart from the special situation arising out of the disintegration of the Soviet Union, the difficult question of handling the export of dual-use systems which can be used for both civilian and military purposes remains on the international agenda as an urgent item. The relative ease with which civilian technologies can be turned into military potentials makes it impossible to manage the proliferation problem only through the creation of a control régime. Technology is permanently evolving which makes it unfeasible to produce regular up-to-date definitions for proscribed dual-use products.

41. An important step for controlling dual-use products was made when, on 3rd April 1992, the United States and twenty-six other countries agreed in the framework of the Nuclear Supplies Group (NSG) to impose export controls on sixty civilian products which could be used for producing nuclear explosives.

III. Arms exports to developing countries

42. According to SIPRI statistics ³¹, in the third world a group of fifteen countries – Afghanistan, Angola, Egypt, India, Iran, Iraq, Israel, North Korea, South Korea, Libya, Pakistan, Saudi Arabia, Syria, Taiwan, and Thailand were among the major arms importers during the period 1986-90. Some of them, such as South Korea, Israel, Saudi Arabia and Taiwan are registered in the third world without being "developing countries".

43. According to a provisional assessment made by SIPRI ³² in 1991, Asia accounted for 35% of world imports of conventional arms, whereas the Middle East and the European Community each accounted for 22%. In the Middle East, Israel and Kuwait increased their armaments imports in 1991 as a consequence of the Gulf war. Israel was the largest importer in the region, followed by Egypt, Kuwait and Saudi Arabia.

44. Still in 1990, arms imports to South Asia were reduced. Although Afghanistan, India and Pakistan remained large importers of weapons, the region was replaced as the major importing region by the Middle East. This development was reversed in 1991 as indicated in the previous paragraph. Countries such as Brunei, Indonesia, Malaysia, Singapore, Taiwan and

31. SIPRI Yearbook 1991, page 199.

32. Quoted in the *International Herald Tribune*, 10th March 1992.

TABLE 2³³

The leading importers of major conventional weapons, 1986-90
The countries are ranked according to 1986-90 aggregate exports.
Figures are in US \$m., at constant (1985) prices

Importers	1986	1987	1988	1989	1990	1986-90
<i>Third World</i>						
1. India	3 729	4 582	3 382	3 754	1 541	16 989
2. Saudi Arabia	2 413	2 400	2 046	1 427	2 553	10 838
3. Iraq	2 484	4 440	2 155	1 177	59	10 314
4. Afghanistan	692	768	1 009	2 183	1 091	5 742
5. Korea, North	1 019	631	1 458	1 276	516	4 900
6. Egypt	1 645	2 379	348	139	206	4 717
7. Syria	1 511	1 172	1 172	336	0	4 191
8. Angola	980	1 140	889	74	508	3 592
9. Korea, South	287	604	987	997	249	3 125
10. Iran	738	704	558	336	578	2 913
11. Israel	446	1 629	507	100	21	2 703
12. Pakistan	609	467	467	760	390	2 693
13. Taiwan	825	575	459	391	178	2 427
14. Thailand	94	644	540	489	558	2 325
15. Libya	1 363	294	78	511	0	2 247
Others	5 279	4 797	3 971	4 306	3 393	21 747
Total	24 114	27 228	20 025	18 256	11 841	101 464

Thailand seem to be determined to increase their military spending substantially over the next few years³⁴.

IV. Existing international arms export control régimes and their imperfections

(a) The nuclear non-proliferation treaty

45. The particularly topical nature of the dangers of uncontrolled transfer of former Soviet nuclear technology and know-how to interested third world countries, such as Libya, Pakistan, but also Malaysia, made it a prominent subject at the conference on security policy held on 9th February 1992 in Munich. It is therefore justified to look at the prospects of the treaty on the non-proliferation of nuclear weapons.

46. The treaty, initiated by the United Nations, was signed on 1st July 1968 and entered in force in 1970. Under normal circumstances, the nuclear non-proliferation treaty is to be reviewed in 1995 – but in view of current developments this date might be too late.

47. The treaty was intended to prevent proliferation of nuclear weapons technology to coun-

tries other than the then recognised nuclear powers, i.e. the United States of America, the Soviet Union, the United Kingdom, France and the People's Republic of China. More than 141 countries acceded to it; most recently France and the People's Republic of China decided to join the treaty. But India, Israel and Pakistan have not signed so far.

48. South Africa signed in June 1991 and Ukraine and Byelorussia have also promised to accede to it. These are encouraging signs but the question arises more and more as to whether the treaty and its control mechanism are still efficient enough.

49. According to Article 3 of the treaty, the International Atomic Energy Agency (IAEA) in Vienna was made responsible for verification. It is stipulated that:

“Each non-nuclear weapon state party to the treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of fulfilment of its obligations assumed under this treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices.”

50. But only 68 countries have concluded safeguard agreements with the IAEA. Most

33. See footnote 31.

34. International Herald Tribune, 10th March 1992.

recently, North Korea, as a party to the treaty has completed a full-scale safeguards agreement. Furthermore, the ability of the IAEA to fulfil its duties arising out of the treaty has been called in question because of financial difficulties. The budget of the IAEA has not been increased for eight years, whereas the quantity of nuclear material to be verified is rising constantly.

51. The IAEA has only verification responsibilities and cannot impose sanctions. Technological developments represent new challenges to the safeguards régime and in order to counter the loopholes in the control system for international nuclear transfer many proposals have been put forward.

52. Since the treaty does not cover the problem of preventing nuclear scientists from being tempted abroad by third world countries, Mr. Genscher, Chairman-in-Office of the WEU Council, proposed:

- providing for countries concerned to take sanctions against any of their nationals taking part in the development of nuclear weapons abroad;
- setting up a fund to compensate nuclear experts who had lost their jobs;
- that the United Nations Security Council decide to isolate any country which tried to acquire nuclear know-how for military purposes.

53. Mr. Genscher also called for an international convention in order to complement the nuclear non-proliferation treaty, under which the signatories would undertake to prevent the export of nuclear know-how or technology³⁵.

54. The French proposal for holding a conference on nuclear forces in the former Soviet Union with the participation of the United States, France, the United Kingdom and Russia has now been accepted by the United States but it is not yet clear whether the other three nuclear republics of the CIS will be invited³⁶.

55. The meetings of five permanent members of the United Nations Security Council (P-5) initiated by France, in July and October 1991, in order to review issues related to conventional arms transfers and the non-proliferation of weapons of mass destruction were held at a time when the consequences of the disintegration of the Soviet Union could not yet be foreseen. Conversely, the participants were feeling the effects of the Gulf war and saw the danger of a nuclear arms race in the Middle East.

56. But their proposals that all countries in that region should submit all their nuclear activ-

ities to IAEA safeguards and refrain from the importation and production of nuclear weapons-usable materials were watered down by the acknowledgment that the right of self-defence guaranteed by the United Nations Charter "implies that states have also the right to acquire means with which to defend themselves".

57. The Five announced that, as from June 1992, they would use common guidelines to address arms transfers. The London economic summit (G-7) on 16th July 1991³⁷ also dealt with the problem of NBC non-proliferation, but only issued a number of recommendations without taking firm decisions, as did the European Council in its declaration on non-proliferation and arms exports published on 30th June 1991³⁸. There is, therefore, for the moment no indication that the urgent problem of dissemination of nuclear material, know-how and technology will find an early solution.

*(b) The Co-ordinating Committee
for Multilateral Export Controls (Cocom)*

58. Control of the proliferation of products of nuclear energy is one of the objectives of the *Co-ordinating Committee for Multilateral Export Controls (Cocom)* but it also covers high technology in a broader sense.

59. Cocom, created in 1949 as a consequence of the cold war, was not based on a treaty but on an unofficial co-ordination agreement including all member countries of the Atlantic Alliance (with the exception of Iceland), as well as Australia and Japan. It was mainly directed against the Soviet Union, its Warsaw Pact allies and a number of other countries belonging to the communist world such as Afghanistan, the People's Republic of China, Mongolia, North Korea, Vietnam and Cuba.

60. Products under Cocom control are, firstly, those destined for the production of nuclear energy, secondly, munitions and other military material and lastly, industrial products with military and civil applications (dual-use products).

61. Apart from compiling and revising the lists of proscribed products, Cocom's function has so far also been to co-ordinate the operational activities of export controls and to examine particular cases where member states are authorised to deliver products subject to the embargo to proscribed countries. Relevant decisions must be taken unanimously.

35. The Independent, 16th January 1992.

36. Atlantic News, No. 2395, 6th February 1992.

37. See Appendix II.

38. See Appendix III.

62. The future of Cocom has already been the subject of several Assembly reports³⁹, and on December 1991 the Assembly adopted Recommendation 510 calling for Czechoslovakia, Hungary and Poland to be removed from the Cocom list of proscribed countries as soon as possible. On 1st May 1992, Hungary was the first country ever to be removed from the Cocom list of proscribed countries.

63. Although Cocom has already replaced its unwieldy industrial list by a core list of items of essential strategic significance, it is now facing fundamental challenges that call in question its whole future as its members have to reconsider the tasks and objectives of the control régime and to whom it should be applied.

64. Apart from the problem of revising the lists of proscribed categories of products a number of ideas have been put forward regarding the transformation of the Group. Some of them are:

- transforming or expanding it from an East-West embargo organisation into a North-South embargo organisation in order to prevent high technology transfers to a number of third world countries to be determined;
- merging Cocom with the Missile Technology Control Régime (MTCR) (see below);
- establishing an entirely new control régime within OECD or the United Nations;
- creating a "permanent conference" of all industrialised nations devoted to arms export controls;
- transforming Cocom into a European export régime in order to harmonise mainly national export legislation.

65. It appears that in the framework of Cocom, too, present concerns are concentrated first and foremost on the problem of preventing the transfer of nuclear, biological and chemical material for military purposes to the third world. It is difficult to predict whether the Cocom member countries at their next high-level meeting in Paris on 1st and 2nd June 1992 will be able to reach an agreement on the future mission of the régime. So far, Cocom was the most restrictive régime compared with other arms exports régimes and there might be a future task in harmonising the various control lists established by different organisations and

those established at national level. Cocom might be given a mandate to elaborate and supervise a future common agreed list.

(c) The Australia Group

66. In the area of chemical weaponry, which is also particularly topical, not only because of the efforts made by third world countries like Libya and Iraq in this direction but also because of the dangers of dissemination of Soviet expertise in the matter, the United Nations conference on the ban on chemical weapons has still not succeeded in reaching an agreement.

67. In 1985, therefore, under the initiative of Australia, a group of countries founded the Australia Group anticipating a future chemical weapons Convention (CWC) These countries are Australia, Belgium, Canada, Denmark, France, the Federal Republic of Germany, Greece, Iceland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, Spain, Switzerland, the United Kingdom, the United States, and the EC as an independent member. In December 1991, Finland and Sweden joined the group. Their goal is to prevent the exportation of certain chemicals which can be of a dual-purpose nature. They have developed an export warning list featuring 50 chemicals. It should be stressed that this list is not an export ban list but that these chemicals need to be given special attention when exported.

68. It is clear that this initiative is only beginning. The member states must control their own chemical exports and as long as there is no chemical weapons convention (CWC), the exportation of dual-purpose chemicals is legal. It is argued that a CWC must be a comprehensive treaty, otherwise it would be of hardly any use. There are still problems over the definition and verification of certain chemical weapons and chemical weapon plants. Chemical plants could be used for both civilian and military purposes, this is hard to verify. An agreement also has yet to be reached on the order of destruction of existing chemical weapons. At the January 1989 Paris Conference on the prohibition of chemical weapons, Arab countries linked the abolition of chemical weapons with the abolition of nuclear weapons by Israel.

69. At the September 1989 Canberra Government Industry Conference against chemical weapons, the chemical industry (of the 66 participating countries) was willing to co-operate with the governments concerning the CWC and the Conference on Disarmament.

70. A CWC is badly needed; as long as this convention does not exist the exportation and production of chemical weapons can continue legally. The first step to abolish and prohibit chemical weapons has been taken by the Aus-

39. Cf. in particular the report on Cocom presented by Mr. Atkinson on 10th November 1989 (Document 1207) and the report on the defence industry in Czechoslovakia, Hungary and Poland presented by Mr. Atkinson on 8th November 1991 (Document 1289).

tralia Group but there are many more steps to be taken. It would be a good idea to make the chemical list of the Australia Group a worldwide exportation ban list, under United Nations supervision, for example.

(d) The Missile Technology Control Régime (MTCR)

71. Another crucial problem is the control of proliferation of all sorts of launching and missiles systems and technologies since they might be used both for conventional and non-conventional warfare. In this area, a number of member countries of the Atlantic Alliance, plus Japan, reached an agreement on the Missile Technology Control Régime (MTCR).

72. After five years of negotiations, the MTCR was signed in 1987 by Canada, France, the Federal Republic of Germany, Italy, Japan, the United Kingdom and the United States. Countries such as Spain, the Benelux countries and Australia joined the régime later, while still others, like Austria, Sweden, Switzerland and the former Soviet Union, have adopted similar export regulations without acceding to the agreement. Israel has also now adopted the provisions of the MTCR and Greece, Iceland, Portugal, New Zealand and Norway have decided to accede soon. Meanwhile, Denmark, Finland and Sweden acceded to the agreement.

73. The MTCR is not an international treaty but an informal agreement which prohibits the export of conventional and nuclear-capable ballistic missiles and restricts exports of related technologies. It is so far the only multinational control mechanism in the matter.

74. The MTCR slowed down significantly the availability of foreign missile technology which is essential to rapid development of emerging regional ballistic missile forces and slowed their progress. For instance, the missile projects of Argentina, Brazil, Egypt, India and Iraq were slowed down by the MTCR. But there are still several countries which are continuing their missile projects. The proliferation of surface-to-surface ballistic missiles is a truly global third world phenomenon, with the most intensive build-up in the Middle East.

75. The MTCR consists of two categories of technologies:

- Category I consists of technologies which are undoubtedly to be used for the purpose of building missiles. The sale of production facilities for Category I products is forbidden under all circumstances.

The ban concerns missiles with a range of more than 300 km and a payload of more than 500 kg. These are the missiles capable of carrying nuclear (or chemical) ordnance.

- Category II concerns dual-purpose products and technologies which may be exported but it is the responsibility of the suppliers to make certain that these products or technologies will not be employed by the developing state to construct ballistic missiles.

76. The MTCR also involves joint collection and assessment of intelligence information with regard to missile proliferation and the co-ordination of actions against those who transgress MTCR guidelines.

77. Though the MTCR provides in principle a strong base to prevent missile proliferation it is still not a perfect control régime:

- There are too few participants; China, Brazil and other countries which already have ballistic missiles or space programmes do not participate in the MTCR. Countries which are refused these technologies by the MTCR members can still turn to non-MTCR members to proliferate ballistic missiles.
- It still allows sales of civilian rocket technology although this is related to military rocket technology. This threatens the agreement because countries which want to proliferate this technology can claim it will be used for civilian purposes only.
- It does nothing about regional ballistic missile forces already in existence.
- It is still too poorly enforced, as it is only an informal agreement. It suggests that participating members should take action against those who transgress the treaty.

78. The Soviet Union, which was initially excluded from the MTCR negotiations, first regarded the MTCR as a second Cocom régime and as a "western cartel" restricting global technological co-operation. But it changed its attitude in 1990 and in the last stage of its existence the Soviet Union co-operated more closely with the MTCR. One of the most important tasks will be to ensure that this co-operation is continued and strengthened by all its successors concerned and by the Commonwealth of Independent States. It is obvious that, without their support and co-operation, the MTCR will never be able to implement effective control over missile technology.

79. Another problem is the attitude of the People's Republic of China, which does not belong to the régime. Although China has given assurances that it will not transfer any more ballistic missiles to the third world, it remains an unpredictable actor in the area of international missiles supplies. According to recent press

reports China is supposedly continuing to sell missile technology to Syria and Pakistan⁴⁰. Nevertheless, Chinese authorities indicated in November 1991 that the country would abide by the provisions of the MTCR if the United States lifted sanctions imposed on the country in spring 1991 in regard to the sale of American satellite parts and high-speed computers. On 21st February 1992, the United States lifted these sanctions against China.

80. It is obvious that export controls alone cannot solve the problem of ballistic missile proliferation. The MTCR agreement does not address the motives of proliferation. In the long run, the spread of ballistic missiles can only be brought under control through measures that address the causes of regional insecurity. As a kind of proliferation is part of the regional arms races, including conventional, chemical and sometimes nuclear weapons, they have to be controlled through regional arms control and disarmament measures. Regional confidence- and security-building measures (CSBMs) can reduce the dangers of missile proliferation, especially in South Asia and South America. In the Middle East the problems are more complicated.

81. In Europe the members of MTCR should urge other European countries to join the régime. They should also tighten their own export legislation. Even better, there should be more co-operation and co-ordination between the European export legislations. This would iron out the differences which still exist in the interpretation of the MTCR agreement.

(e) United Nations embargoes

82. Another means of preventing arms exports is offered by the United Nations Charter, which allows for the possibility of imposing embargoes on particular countries by decision of the Security Council. Recent examples are the embargoes imposed on South Africa, Iraq, Yugoslavia, Somalia and Libya.

83. The first resolution against South Africa was implemented in 1963 but it had little effect in stopping the selling of arms to that country. In 1977, a new resolution was implemented, Resolution 421, which was a mandatory arms embargo resolution and went much further than the first one. But this resolution, too, was not accompanied by any mechanism for international implementation or law enforcement. The sole international control organ set up after the passing of Resolution 421 was the Security Council Special Committee. It was set up to study ways and means by which the embargo could be made more effective and to make rec-

ommendations to the Council. However, it was not provided with special powers and cannot demand information from individual states. It also has no power to impose penalties for breaking the embargo regulations and there is no international court which can deal with such an issue. Thus every aspect of the implementation of the arms embargo against South Africa remained within national jurisdiction.

84. Another problem was the definition problem. Since there was no special list of armaments there was no agreement on what constitutes military technology. Exports of dual-purpose products and technologies were therefore impossible to ban. National governments often had problems in stopping exports of arms and technologies due to their imperfect legislation and control mechanisms.

85. After Iraq invaded Kuwait on 2nd August 1990, Resolution 661 of 6th August called for an embargo on any commodities or products, including weapons or any military equipment (except medicines), for that country. With Resolution 665 of 25th August, law enforcement was implemented. This resolution allowed inspection and verification of suspect cargo en route for Iraq or Kuwait. However, it was easier to implement the embargo imposed on Iraq since it was controlled by warships from the United States and Western European Union member countries.

86. Another example is Resolution 713 of 25th September 1991 by which the United Nations Security Council imposed a weapons embargo on Yugoslavia on the grounds that the civil war there affected the security of neighbouring countries. It is not yet quite clear to what extent this embargo was effective and contributed to a provisional end to hostilities. But it may be said that United Nations embargo measures have shown their usefulness when they have been effectively controlled and supported by military forces. The last cases in this respect were the United Nations weapons embargoes imposed on Somalia by Resolution 733 on 23rd January 1992 and on Libya by Resolution 748 which entered into force on 15th April 1992.

(f) The United Nations Register of International Conventional Arms Transfers

87. The most important universal step so far for establishing a worldwide surveillance system for conventional armaments transfers was undertaken on 9th December 1991 by the United Nations. The United Nations General Assembly adopted, by a very large majority, a resolution on transparency in armaments, requesting in particular the establishment of a *universal Register of International Conventional Arms Transfers*. Its creation was proposed by the European Council on the initiative of the

40. International Herald Tribune, 1st-2nd February 1992.

United Kingdom in particular. There were no votes against with two abstentions (Cuba and Iraq), whereas the People's Republic of China, Burma, Sudan and Vietnam did not take part in the vote.

88. The register, which is placed under the responsibility of the Secretary General, was established on 1st January 1992. All member states are requested to provide the required information on an annual basis by 30th April each year in respect of imports into and exports from their territory in the previous calendar year. The first such registration date is 30th April 1993 for the calendar year 1992.

89. Even though the information to be given is not compulsory and not enforceable by sanctions, the register may be regarded as a very positive step for achieving greater transparency in international arms transfers. It will be essential to convince all United Nations member countries to join this new régime.

90. Furthermore, it will be important for the panel of technical experts set up by the United Nations Secretary General in order to work out technical procedures for the register to adopt criteria for an internationally-agreed data base which could later be used for a compulsory information régime on armaments transfers.

V. The evolution of national arms export policies

91. The imperfection of international rules in the area of armaments exports finds its equivalent in the diversity of national arms policies. It

is not the aim of this report to make an overall comparison of these various policies, but to present a number of striking examples, mainly in Europe, in order to demonstrate the difficulties inherent in bringing about greater co-ordination.

92. The need for more harmonisation has been realised both in the United States and in Europe, particularly in connection with arms transfers to Iraq and with the dramatic changes in Central and Eastern Europe and in the former Soviet Union.

93. Attention will be concentrated on certain major Western European countries which are likely to become partners in a future common European arms export policy, and on the United States as one of the leading armaments exporters.

(a) France

94. In Europe, France is the most important armaments exporter (third in the world) with fourth place in world armaments production. Its defence industry is largely state-controlled.

95. France has repeatedly underlined that its arms export policy is a crucial and decisive factor in providing its industry with a sound basis which is necessary for its independent defence policy. It places all export contracts under the control of an interministerial commission, the "Commission interministérielle pour l'étude des exportations des matériels de guerre" (CIEEMG). Sensitive cases may be submitted to the French President for a decision.

TABLE 3⁴¹

Value of exports of major weapons by France, 1981-90
Figures are SIPRI trend-indicator values, as expressed in US \$m.,
at constant (1985) prices

Recipient	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	Total
Iraq	951	189	778	865	722	757	234	271	79	42	4 888
Saudi Arabia	297	264	58	184	1 069	1 221	424	374	403	306	4 600
India	36	72	40	48	613	761	555	178	143	138	2 584
United Kingdom	190	220	311	265	188	208	88	80	62	58	1 670
Egypt	76	121	363	127	151	163	484	6	0	16	1 507
United Arab Emirates	166	91	41	37	0	0	13	8	617	508	1 481
Spain	304	252	89	15	22	147	125	175	142	153	1 425
Qatar	69	139	281	258	130	42	73	131	50	29	1 200
Argentina	231	256	275	240	138	22	0	0	38	0	1 199
Greece	182	0	0	0	0	0	0	395	444	81	1 103
Peru	315	71	78	32	11	133	243	0	0	0	884
Jordan	0	387	343	0	0	0	30	61	3	0	824
Brazil	94	30	30	47	60	82	178	90	94	61	765
Libya	20	510	140	70	0	0	0	0	17	0	758
Nigeria	122	248	0	120	119	0	6	17	15	30	677

41. Source: Arms export regulations, edited by Ian Anthony, SIPRI 1991, page 70.

96. Following the Gulf war, the French Government admitted in March 1991, after an intensive parliamentary and public debate on France's rôle as one of the major western arms suppliers of Iraq, that the French Parliament should have a say in arms control matters. On 21st March 1991, the French Defence Minister instructed his Secretary of State to supervise all French arms exports. The government promised to hold a regular dialogue with parliament on arms export matters, but the real powers of the French National Assembly in this respect are not yet very developed.

97. France has so far not adopted very strict political criteria which might limit its arms exports. It does not export weapons to countries at war unless they are engaged in self-defence in accordance with Article 51 of the United Nations Charter.

(b) *United Kingdom*

98. The United Kingdom has consistently been among the four largest arms exporting countries in the world, ranking fourth in the period 1981-90. Like France, it encourages arms exports in order to lower the cost of its own military matériel procured from the British arms industry. The Ministry of Defence (MOD) has four sales missions in the world, namely in the United States, India, Saudi Arabia and Malaysia, to facilitate the export of British arms. They are run by an organisation called DESO which comes under the direct authority of the MOD. Around three-fifths of all British arms exports go to third world countries.

99. British arms exports have to be licensed by the Department of Trade and Industry, which consults the MOD and the Foreign Office.

TABLE 4⁴²

Values of exports of major weapons by the United Kingdom, 1981-90
Figures are SIPRI trend-indicator values, as expressed in US \$m.,
at constant (1985) prices

Recipient	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	Total
Saudi Arabia	0	0	8	29	51	174	442	452	930	814	2 898
India	361	529	145	137	140	196	460	343	122	45	2 478
Oman	7	60	168	105	78	5	120	180	100	28	851
Chile	0	266	6	224	0	19	323	6	0	0	844
Indonesia	45	0	38	23	170	230	194	102	0	0	801
Switzerland	0	0	107	214	244	107	0	0	8	113	794
United States	58	0	109	86	151	0	39	12	188	78	720
Denmark	5	0	50	50	60	60	11	0	240	0	476
Nigeria	7	22	44	154	160	30	0	0	0	0	418
Jordan	77	74	108	69	69	0	9	6	0	0	412
Egypt	130	218	2	3	3	3	3	6	6	6	381
Turkey	0	0	0	129	114	115	0	0	8	0	366
Pakistan	0	207	0	0	0	0	0	125	0	0	332
Argentina	324	0	0	0	0	0	0	0	0	0	324
Finland	38	38	38	53	83	0	0	0	40	15	304

Sensitive and dual-use products also have to be controlled; these include certain computers and electronics, communication products, radars and civil aircraft.

100. During the 1980s, an export embargo was imposed against both Iran and Iraq because of the Gulf war. But only products which could prolong the war or make it worse were not to be exported. The British Government also forbade the export of arms to Chile during the Pinochet

régime because of its bad human rights record.

101. The total arms embargo against Iraq, in existence since 1985, is reported to have been violated by a number of British firms. In some cases the firms were punished for doing so. So far, British legislation concerning arms exports has not been adjusted. However, following the establishment of a United Nations conventional arms transfer register, the government intends to bring the necessary legislation before parliament.

102. The United Kingdom, like most other countries, applies human rights criteria in making export decisions. In particular, it allows transfers only of items unlikely to be used for

42. Source: Arms export regulations, edited by Ian Anthony, SIPRI 1991, page 181.

the repression of domestic political opposition. It also makes specific mention of states which support terrorism as proscribed recipients of military equipment.

(c) *Germany*

103. In the period 1981-90, Germany was the sixth largest arms exporter in the world.

TABLE 5⁴³

*Values of exports of major weapons by FR Germany, 1981-90
Figures are SIPRI trend-indicator values, as expressed in US \$m.,
at constant (1985) prices*

Recipient	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	Total
Argentina	54	115	695	764	185	271	125	0	0	248	2 456
Turkey	112	186	180	247	173	130	240	574	208	102	2 152
Netherlands	14	299	299	299	299	303	0	0	0	0	1 513
Greece	187	106	109	150	42	0	0	146	67	4	810
Nigeria	473	72	10	20	88	69	0	0	3	0	735
Switzerland	0	0	0	0	0	0	123	147	147	147	564
Colombia	0	0	266	269	2	0	0	0	0	0	537
Malaysia	0	34	67	320	0	10	0	0	0	0	431
India	0	0	0	0	0	200	18	9	126	30	383
Bahrain	10	10	44	44	0	44	44	158	0	0	354
United Arab Emirates	181	0	0	0	0	0	0	0	0	158	339
Indonesia	144	5	5	30	17	44	43	1	10	14	312
Kuwait	0	0	13	189	88	0	0	0	0	0	289
Norway	0	0	0	0	0	0	0	0	88	176	264
Chile	0	0	0	180	0	2	0	0	9	3	194

104. German arms export policy shows an example of the difficulty of harmonising a liberal policy of foreign trade which endeavours to facilitate the export of German-made products in general, with the implementation of the country's arms export legislation, which is one of the most restrictive in the world. Since, in Germany, the majority of industries concerned are in private hands, export controls were not efficient enough to prevent illegal transfers. Following various illegal deliveries by a number of German firms to countries such as Libya and Iraq of dual-use products in particular which helped these countries to develop their chemical and nuclear capabilities, Germany has recently tightened arms export controls considerably.

105. Under the new bill, a new government agency has been set up to monitor exports in co-operation with customs officials. Investigators will have the authority to open mail and tap telephones in pursuit of evidence against weapons suppliers. Firms found guilty of violating export laws will be subject to heavy fines, and their executives will be subject to imprisonment.

106. Germany's defence industry is relatively small compared with those of France and the

United Kingdom, but it is of significant importance for the German economy. Approximately one-third of its arms exports goes to the third world. Germany is one of the countries that deny export licences for certain products to "areas of tension" as a general policy. However, there is no specific definition of what constitutes an area of tension.

(d) *Italy*

107. The main destinations of Italian arms exports are South America, Africa and the Middle East. Italy was the sixth largest arms exporter, exporting around three-quarters of its total arms exports to the third world. In 1990, Italian arms exports fell to eleventh place. The Italian defence industry itself has been widely restructured.

108. Italy was known to be relatively easy in licensing arms exports but this has changed. A new law of July 1990 prohibits the export of arms when there are security risks involved for Italy or its allies. It is now also forbidden to export arms to countries in a state of war, which violate human rights or are subject to a partial or total United Nations embargo. A certificate of final destination is also needed to obtain a licence, as is in an explanation of the mode of

43. Source: Arms export regulations, edited by Ian Anthony, SIPRI 1991, page 85.

TABLE 6⁴⁴

Values of exports of major weapons by Italy, 1981-90
Figures are SIPRI trend-indicator values, as expressed in US \$m., at constant (1985) prices

Recipient	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	Total
Venezuela	794	524	0	28	100	0	0	0	0	0	1 446
Libya	256	361	313	174	86	0	0	0	0	0	1 190
Peru	44	60	0	174	185	0	19	0	0	0	483
Ecuador	0	77	232	155	0	0	0	0	0	0	465
Nigeria	83	0	7	52	85	19	0	120	0	0	366
Malaysia	0	0	36	36	0	240	0	8	8	8	336
Egypt	28	116	5	21	0	55	103	4	0	0	332
Thailand	0	2	257	0	0	0	21	16	7	0	303
Saudi Arabia	0	0	3	56	2	0	119	94	0	18	291
Argentina	60	0	21	27	13	19	0	10	8	0	158
Spain	9	4	0	0	0	0	46	46	44	0	150
Iraq	0	39	19	40	23	0	4	7	0	0	130
Cyprus	0	0	0	0	0	0	0	40	40	40	120
Greece	46	6	4	4	26	25	5	4	0	0	119
United Arab Emirates	2	20	8	26	20	0	0	30	2	0	109

transport of the arms to be exported, the route and in-between stops.

109. The Interministerial Commission for Trade in Arms (ISO) is to inform the Italian Parliament from time to time about arms exports. The Defence Ministry is to control arms exports. It has a list of companies working in the arms industry and only they are allowed to obtain export licences. The Ministry for Foreign Affairs issues export licences.

(e) *The Netherlands*

110. The Netherlands does not have a big defence industry but is still the ninth largest exporter of arms. More than three-quarters of its arms exports go to third world countries. It specialises in electronics and opticals, aerospace, naval construction, trucks and munitions. A third of its defence products is exported. The Dutch Government is also promoting the export of arms and European co-operation by Dutch firms.

TABLE 7⁴⁵

Values of exports of major weapons by Netherlands, 1981-90
Figures are SIPRI trend-indicator values, as expressed in US \$m., at constant (1985) prices

Recipient	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	Total
Greece	303	303	41	0	0	0	0	22	0	0	669
India	0	0	0	0	0	0	0	16	415	95	525
Indonesia	5	3	0	0	0	102	51	139	102	0	403
Taiwan	0	0	0	0	0	0	200	200	0	0	400
Turkey	41	61	41	41	0	0	0	98	58	27	367
Peru	139	139	0	0	0	0	0	0	0	0	277
Austria	0	0	0	0	39	59	0	0	0	0	98
Thailand	0	0	0	36	0	12	12	12	8	0	80
France	0	0	0	0	0	50	0	0	0	0	50
Côte d'Ivoire	0	0	0	0	0	0	0	0	40	0	40
Kuwait	0	0	0	0	0	0	0	35	0	0	35
Venezuela	0	0	0	0	0	0	0	0	0	27	27
Nigeria	0	0	0	0	24	0	0	0	0	0	24
Iran	12	0	0	5	5	0	0	0	0	0	22
Ecuador	0	0	0	0	0	18	0	0	0	0	18

44. Source: Arms export regulations, edited by Ian Anthony, SIPRI 1991, page 101.

45. Source: Arms export regulations, edited by Ian Anthony, SIPRI 1991, page 118.

111. Arms exports to areas of conflict and politically unstable regions and to countries which do not respect human rights are prohibited. But a number of Dutch firms were involved in the violation of export embargoes on Iraq. The Ministry for Economic Affairs is concerned with licensing arms exports. It is advised by the Ministry for Foreign Affairs. The end-user and end-destination must be mentioned to obtain licences for arms exports to non-NATO members.

112. The Netherlands Government now makes arms export data available to parliament. It will

receive prior notification of major new arms deals; detailed information on the disposal of surplus conventional weapons (disposed of under the CFE Treaty requirements) will be published.

(f) Spain

113. In the decade of 1980-90, Spain became a significant arms exporter, ranking tenth in the world from 1981-90.

114. In 1977, a major reform of the Spanish defence sector was initiated and led to the cre-

TABLE 8⁴⁶

Values of exports of major weapons by Spain, 1981-90
Figures are SIPRI trend-indicator values, as expressed in US \$m.,
at constant (1985) prices

Recipient	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	Total
Egypt	0	0	50	435	50	50	25	50	0	0	660
Morocco	62	62	180	0	0	0	0	36	180	24	543
Mexico	0	163	81	0	0	17	11	0	0	0	272
Argentina	0	41	163	0	0	0	0	0	9	14	226
Turkey	0	0	0	0	0	0	0	0	225	0	225
Iraq	0	38	38	25	25	0	0	0	0	0	125
Chile	13	20	20	0	0	7	14	23	4	14	115
Saudi Arabia	0	0	0	0	20	20	33	10	0	0	83
Jordan	0	0	3	3	0	0	36	27	0	0	69
Indonesia	6	6	4	4	4	4	4	4	8	8	52
Angola	0	0	0	0	11	11	0	0	11	0	33
Zimbabwe	0	0	17	0	0	0	3	11	3	0	33
United States	0	0	0	0	0	0	0	0	28	3	31
Venezuela	6	0	11	0	0	11	0	0	0	0	28
France	0	0	0	0	0	0	0	6	9	7	22

ation of a Central Procurement Agency, followed by an Armaments Advisory Board. On 25th March 1988, the Spanish Cabinet approved the Royal Decree 480/88 which allows only companies registered with the Dirección General de Comercio Exterior to export defence material and dual use products and technologies. The Royal Decree prohibits licences in cases where arms exports are inconsistent with international agreements to which Spain is a party, where Spanish national security might be undermined or where friendly relations with other countries jeopardised. Exports are also prohibited to countries at war and/or countries identified with human rights violations.

46. Source: Arms export regulations, edited by Ian Anthony, SIPRI 1991, page 145.

(g) Belgium

115. The Belgian arms industry is smaller than the Dutch one and Belgium is not among the top fifteen arms exporters. However, it has an important munitions and small arms industry. Around three-quarters of its exports go to the third world, although this proportion is declining as is total Belgian arms production.

116. Belgian authorities were known to be liberal regarding export licences, and though the country had a relatively small arms industry it was one of the centres of the arms trade.

117. To export military matériel Belgian firms had to obtain permission from the Ministry of Defence. The Belgium MOD used to have four criteria for licensing arms exports:

– safeguarding Belgium's economic interests;

TABLE 9⁴⁷

Values of exports of major weapons by Belgium, 1981-90
Figures are SIPRI trend-indicator values, as expressed in US \$m., at constant (1985) prices

Recipient	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	Total
Malaysia	0	0	32	32	32	23	0	0	0	0	117
Turkey	13	62	1	0	0	0	0	0	0	0	77
Uruguay	0	15	0	0	0	0	0	0	0	0	15
United Arab Emirates	0	0	0	0	0	0	0	0	0	0	6
Total	13	78	33	32	32	23	0	6	0	0	215

- safeguarding Belgium's national security;
- international embargoes;
- general principles of law and human rights.

118. In 1991, the Belgian Parliament approved a new bill aimed at applying stricter checks on arms exports. This was in response to charges that Belgium was alone among the major western arms suppliers in lacking any effective legislation on arms sales.

119. The new bill covers the sale and transport of arms and munitions as well as any equipment on technology specifically designed for military use. Under the new legislation, contracts will be examined by an interministerial committee and suppliers must clearly identify the end-users, while arrival of shipments at their destination will be carefully monitored. At the same time,

the government will draw up a list of all transactions for parliament. Penalties for major violations of the new legislation will carry a maximum of five years' imprisonment. It also covers dual-use products.

(h) United States

120. In the United States, the largest armaments exporter after the disintegration of the Soviet Union, many different government bodies are involved in the arms export licensing and control system, and this creates occasional frictions. Political and economic interests often clash. The State Department, the Pentagon and the Department of Commerce do not always share the same ideas on whether a military product is fit for export to certain countries. In the late eighties, the Department of Commerce licensed the export of certain strategic products to Iraq, for example.

TABLE 10⁴⁸

Values of exports of major weapons by United States, 1981-90
Figures are SIPRI trend-indicator values, as expressed in US \$m., at constant (1985) prices

Recipient	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	Total
Japan	1 222	1 472	1 740	1 573	1 652	1 727	1 733	2 146	3 118	2 049	18 434
Egypt	555	1 984	1 769	1 159	871	1 250	1 690	229	133	169	9 811
Saudi Arabia	1 389	1 772	1 048	580	283	990	615	350	94	1 646	8 767
Israel	1 743	1 010	357	339	241	446	1 629	507	93	21	6 385
Spain	151	183	60	13	221	868	1 330	1 330	506	450	5 112
Netherlands	505	626	828	641	504	400	296	154	750	108	4 182
Canada	370	161	666	713	817	707	696	409	168	76	4 784
Germany FR	213	354	354	391	191	360	262	247	864	1 022	4 258
Australia	354	12	556	355	344	557	457	548	636	323	4 142
Korea, South	230	128	248	240	380	246	573	873	996	206	4 120
Taiwan	474	379	491	315	557	768	244	202	361	155	3 946
Turkey	428	68	140	88	271	78	611	520	547	1 006	3 758
Belgium	668	747	312	392	93	26	26	165	181	25	2 635
United Kingdom	393	460	103	556	245	178	155	108	116	238	2 552
Pakistan	6	204	150	485	485	226	163	82	454	145	2 399

47. Source: Arms export regulations, edited by Ian Anthony, SIPRI 1991, page 36.

48. Source: Arms export regulations, edited by Ian Anthony, SIPRI 1991, page 202.

121. Since the beginning of the Gulf conflict, the United States has wanted to restrict exports of chemical and biological material and missile technologies. The scope of chemical and biological controls will be extended to include a broad range of enabling technologies, which, over and above their basic use, could be adapted to make weapons.

122. In March 1991, the American Government announced its intention to enforce stricter legislation with stronger penalties for those violating the new legislation. Three new regulations are proposed:

- a licence will be needed for the export of certain dual-use products to destinations in 28 "high-risk" countries in Eastern Europe, the Middle East and the Far East, plus Cuba and South Africa. Israel, a long-time ally of the United States, is also included.
- The export licence list for chemicals will be raised from 11 to 50 chemicals (the Australia Group list). This already features in the German legislation and the Netherlands is also intending to adopt the list. It is expected that the United Kingdom and Canada will follow suit.
- The American Government will be allowed to take action against companies it judges to have contributed to the production of ballistic missiles in other countries, or which are involved in exporting products to help their production.

123. The American Government wants these unilateral measures to be implemented by the member states of the Australia Group and the MTCR, too. American industry has criticised the measures because they involve disadvantages for the American industry since other countries will still allow the export of the products featured in the new American legislation proposals.

***VI. The creation
of an effective multilateral arms
export control system and its implementation***

124. As long as there are no worldwide agreed moral criteria for the international coexistence of nations and countries it will be difficult to achieve common régimes for armaments exports. Nevertheless the charter of the United Nations could be used as a useful base for developing these criteria. The notion of self-defence recognised in Article 51, which implies that all United Nations member states have also the right to acquire arms with which to defend themselves, should be explained and developed

in the sense of reasonable sufficiency. This principle means that no country should be allowed to arm itself beyond the level needed for self-defence on the basis of the establishment of the universal armaments register. The United Nations is the proper organisation for elaborating and adopting more comprehensive criteria on self-defence.

125. A reasonable arms export policy has to be found in harmonising the sometimes different requirements put forward by foreign and defence interests on the one hand, and those of financial, economic and trade interests, on the other.

126. Such a synthesis is already difficult to achieve on a national level, but it is still more complicated when different national policies have to be harmonised in an international framework. A fundamental condition for such an undertaking is the harmonisation of national interests that differ or are claimed to differ.

127. For Europe, problems of arms exports have special aspects and there are particular circumstances, characterised by the decision of the European Council to create a common foreign and security policy. This of course also affects arms export policy in all its aspects.

128. At their meeting in Maastricht on 9th and 10th December 1991, the European Council issued a declaration on areas in which they intend to carry out common actions. Among these areas, they listed

- questions of nuclear non-proliferation;
- control of transfers of military technology to third world countries; and
- control of arms exports.

129. Decisions on areas for common actions will be adopted by a qualified majority. The European Council asked the ministers for foreign affairs of the Twelve to begin preparatory work on defining the basic elements for common actions up to the date when the treaty on European Political Union enters into force. These preparations will be complicated. Meanwhile, Europe may be confronted with the need to take decisions on current arms export problems.

130. A major condition for the planned common actions in arms export matters on the basis of decisions taken by majority voting is the abolition of Article 223 of the EC Treaty which reads as follow:

" (a) No member state shall be obliged to supply information the disclosure of which it considers contrary to the essential interests of its security;

(b) any member state may take such measures as it considers necessary for the protection of the essential interests of its

security which are connected with the production of or trade in arms, munitions and war matériel; such measures shall not adversely affect the conditions of competition in the common market regarding products which are not intended for specifically military purposes.”

131. But, in fact, the Treaty on European Union signed by the foreign ministers of the Twelve on 7th February 1992 on the basis of the Maastricht summit did not leave out this article. Arms transfers therefore still remain under national responsibility. The big question is therefore how the European Council intends to carry out its plans in this area.

132. On the other hand, harmonisation of the various national export control régimes and legislations should be completed this year, since, as from 1st January 1993, all products will circulate freely within the Community's territory in the framework of the single market. Otherwise the country with the most liberal control system would become the “export centre” of the European Community.

133. So far the European Commission has undertaken a fact-finding mission to collect information on the export control régime maintained by each member country for dual-use products.

134. But the Commission's intentions of making dual-use products subject to Community export controls are controversial since so far these products have been considered to be covered by Article 223 and therefore under strictly national control. On the other hand, all those member countries which have tightened their export rules are interested in having similarly strict legislation introduced throughout the Community in order to avoid competition disadvantages for their industries.

135. But the problem of creating a common Community arms export policy cannot be regarded only from an economic standpoint. Article 223 of the EEC Treaty twice mentions member countries' “essential security interests”. It must be realised that the fundamental condition for a common arms export policy is the harmonisation of all member countries' security interests.

136. This is the most difficult task, for the essential security interests of member countries are very closely connected with their defence policies and this is the area of competence of Western European Union. According to the decisions taken in Maastricht and to the Treaty on European Political Union signed on 7th February 1992,

“the Union requests Western European Union, which is an integral part of the development of the European Union, to

elaborate and implement decisions and actions of the Union which have defence implications.”

137. This rule should be implemented if the European Union intends to draw up a common arms export policy, since its defence implications are obvious. Without harmonising national defence and security interests in the framework of Western European Union, none of the efforts to carry out common actions in arms transfer matters within the Community, including the abolition of Article 223, will succeed. The Council of Western European Union should take up this subject as a matter of urgency. It should also study whether the subject might be linked with examination of the possibility of creating a European armaments agency in the framework of WEU and what its responsibilities might be.

138. In elaborating such a common policy, WEU can rely on the criteria identified by the European Council on 30th June 1991 such as respect for the international commitments of the member states of the Community, in particular the sanctions decreed by the Security Council of the United Nations and those decreed by the Community, agreements on non-proliferation and other subjects, as well as other international obligations; the respect of human rights in the country of final destination; the internal situation in the country of final destination, as a function of the existence of tensions or internal armed conflicts; the preservation of regional peace, security and stability; the national security of the member states and of territories whose external relations are the responsibility of a member state, as well as that of friendly and allied countries; the behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances, and respect for international law; the existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions.

139. But WEU should also adopt a common policy and promote joint initiatives in broader frameworks such as the United Nations in order to contain the dangers of dissemination of nuclear, biological and chemical war matériel, technology and know-how.

140. When the nuclear non-proliferation treaty comes up for renewal in 1995, it should become a treaty of unlimited duration and appropriate means of sanctions. Furthermore, it should be complemented by a convention preventing the export of nuclear know-how and technology. The functioning of the IAEA has to be reinforced on the basis of sound financial means. In Munich, a number of interesting proposals were put forward, for instance to put the Nuclear Control Agency directly under the authority of

the Security Council and the Secretary-General. Thought is also being given to verifying the Baruch project of 1948 which endeavoured to put all kinds of nuclear technology under the control of the United Nations.

141. Since the French proposal for holding a conference regarding nuclear forces in the former Soviet Union has now been accepted by the United States, an early date should now be fixed. It would be essential for all the nuclear republics of the Commonwealth of Independent States (CIS) to participate in the conference.

142. The dangers of dissemination of chemical and biological know-how and material in the third world should also be given urgent consideration. There is now a chance to reach agreement on a comprehensive ban on chemical weapons in the framework of the United Nations disarmament conference, but since its outcome is still not sure, there is an urgent need for emergency measures which should be co-ordinated by the United Nations Security Council. The planned conference proposed by the French President should also deal with chemical problems.

143. At the expert meeting of member countries of the Missile Technology Control Régime (MTCR) which is to be held in Oslo in June 1992, WEU member countries should press to extend the prohibition of the exportation of missiles capable of carrying all types of warheads of mass destruction.

VII. Conclusions

144. Much new thinking will be necessary in order to achieve internationally agreed criteria to be followed in arms export policies so as to ensure that international armaments transfers will no longer contribute to the destabilisation of peace and security in sensitive areas of the world. In Europe such new thinking will be necessary particularly in WEU as a consequence of the Maastricht Treaty.

145. The continuing reluctance of the WEU Council to debate the problems of armaments transfers due to the fact that most member governments envisage a greater rôle for the European Community and the future European Union in these matters must be overcome

because of the obvious implications for the essential security and defence interests of member countries. The crucial problems standing in the way of a harmonised arms export policy must be resolved in WEU and not in the framework of European political co-operation.

146. Regarding the global aspects of the problem, the chances have never been more promising for providing the United Nations and its Security Council with effective powers and competence to draw up, implement and supervise international rules and guidelines for arms exports. Following the establishment of a universal arms register, the development of a comprehensive system of transparency in military questions should be the further task of the United Nations in order to strengthen confidence worldwide.

147. The permanent members of the Security Council, which are at the same time the world's recognised nuclear powers, have a special responsibility to ensure future nuclear non-proliferation. The participation in these efforts of all industrialised non-nuclear powers which have definitely renounced any plans to become nuclear powers is crucial. The rôle of the group of the seven most industrialised countries (G-7) in which both nuclear and non-nuclear powers are united is therefore important. At its next meeting in Munich under German chairmanship, the G-7 should develop and make public the further initiatives they intend to take in the area of non-proliferation and arms export controls after their last declaration in July 1991.

148. Yet there is also a need for reflection within national parliaments on how to ensure that the transparency of information governments have to provide in the matter can be improved. Parliaments should make a joint effort to strengthen their right to be informed on major decisions in the area of armaments exports before such decisions are made and to debate relevant agreements before they are signed. There should be a minimum standard guaranteeing that parliaments exercise democratic supervision in a more effective manner, which should include clearly-defined powers for defence and foreign affairs committees to require officials to appear before them to give information.

APPENDIX I

Declaration by the European Council on areas which could be the subject of joint action*10th December 1991**(Extracts)*

...

The European Council hereby declares that the implementation of joint action, in accordance with the procedures laid down in Article C of those provisions of the Treaty on European Union relating to the common foreign and security policy, is proposed as from the entry into force of the Treaty in areas connected with security, in particular:

...

- nuclear non-proliferation issues;
- the economic aspects of security, in particular control of the transfer of military technology to third countries and control of arms exports.

The European Council invites the Ministers for Foreign Affairs to begin preparatory work with a view to defining the necessary basic elements for a policy of the Union by the date of entry into force of the Treaty.

The European Council furthermore invites the Council to prepare a report to the European Council in Lisbon on a likely development of the common foreign and security policy with a view to identifying areas open to joint action vis-à-vis particular countries or groups of countries.

Treaty on European Union*7th February 1992**(Extracts)*

...

Article J3

The procedure for adopting joint action in matters covered by the foreign and security policy shall be the following:

1. The Council shall decide, on the basis of general guidelines from the European Council, that a matter should be the subject of joint action.

Whenever the Council decides on the principle of joint action, it shall lay down the specific scope, the Union's general and specific objectives in carrying out such action, if necessary its duration, and the means, procedures and conditions for its implementation.

2. The Council shall, when adopting the joint action and at any stage during its development, define those matters on which decisions are to be taken by a qualified majority.

...

Article J4

...

2. The Union requests Western European Union (WEU), which is an integral part of the development of the Union, to elaborate and implement decisions and actions of the Union which have defence implications. The Council shall, in agreement with the institutions of WEU, adopt the necessary practical arrangements.

3. Issues having defence implications dealt with under this Article shall not be subject to the procedures set out in Article J3.

APPENDIX II

*London Economic Summit 1991**Declaration on conventional arms transfers
and NBC non-proliferation**16th July 1991*

1. At our meeting in Houston last year, we, the Heads of State and Government and the representatives of the European Community, underlined the threats to international security posed by the proliferation of nuclear, biological and chemical weapons and of associated missile delivery systems. The Gulf crisis has highlighted the dangers posed by the unchecked spread of these weapons and by the excessive holdings of conventional weapons. The responsibility to prevent the re-emergence of such dangers is to be shared by both arms suppliers and recipient countries as well as the international community as a whole. As is clear from the various initiatives which several of us have proposed jointly and individually, we are each determined to tackle, in appropriate fora, these dangers both in the Middle East and elsewhere.

Conventional arms transfers

2. We accept that many states depend on arms imports to assure a reasonable level of security and the inherent right of self-defence is recognised in the United Nations Charter. Tensions will persist in international relations so long as underlying conflicts of interest are not tackled and resolved. But the Gulf conflict showed the way in which peace and stability can be undermined when a country is able to acquire a massive arsenal that goes far beyond the needs of self defence and threatens its neighbours. We are determined to ensure such abuse should not happen again. We believe that progress can be made if all states apply the three principles of transparency, consultation and action.

3. The principle of *transparency* should be extended to international transfers of conventional weapons and associated military technology. As a step in this direction we support the proposal for a universal register of arms transfers under the auspices of the United Nations, and will work for its early adoption. Such a register would alert the international community to an attempt by a state to build up holdings of conventional weapons beyond a reasonable level. Information should be provided by all states on a regular basis after transfers have taken place. We also urge greater openness about overall holdings of conventional weapons. We believe the provision of such data, and a procedure for seeking clarification, would be a valuable confidence- and security-building measure.

4. The principle of *consultation* should now be strengthened through the rapid implementation of recent initiatives for discussions among leading arms exporters with the aim of agreeing a common approach to the guidelines which are applied in the transfer of conventional weapons. We welcome the recent opening of discussions on this subject. These include the encouraging talks in Paris among the Permanent Members of the United Nations Security Council on 8th-9th July, as well as ongoing discussions within the framework of the European Community and its member states. Each of us will continue to play a constructive part in this important process, in these and other appropriate fora.

5. The principle of *action* requires all of us to take steps to prevent the building up of disproportionate arsenals. To that end all countries should refrain from arms transfers which would be destabilising or would exacerbate existing tensions. Special restraint should be exercised in the transfer of advanced technology weapons and in sales to countries and areas of particular concern. A special effort should be made to define sensitive items and production capacity for advanced weapons, to the transfer of which similar restraint could be applied. All states should take steps to ensure that these criteria are strictly enforced. We intend to give these issues our continuing close attention.

6. Iraqi aggression and the ensuing Gulf war illustrate the huge costs to the international community of military conflict. We believe that moderation in the level of military expenditure is a key aspect of sound economic policy and good government. While all countries are struggling with competing claims on scarce resources, excessive spending on arms of all kinds diverts resources from the overriding need to tackle economic development. It can also build up large debts without creating the means by which these may be serviced. We note with favour the recent report issued by the United Nations Development Programme (UNDP) and the recent decisions by several donor countries to take account of military expenditure where it is disproportionate when setting up aid programmes and encourage all other donor countries to take similar action. We welcome the attention which the Managing Director of the International Monetary Fund (IMF) and the President of the World Bank have recently given to excessive military spending, in the context of reducing unproductive public expenditure.

Non-proliferation

7. We are deeply concerned about the proliferation of nuclear, biological and chemical weapons and missile delivery systems. We are determined to combat this menace by strengthening and expanding the non-proliferation régime.

8. Iraq must fully abide by Security Council Resolution 687, which sets out requirements for the destruction, removal or rendering harmless under international supervision of its nuclear, biological, and chemical warfare and missile capabilities; as well as for verification and long-term monitoring to ensure that Iraq's capability for such weapon systems is not developed in the future. Consistent with relevant United Nations resolutions, we will provide every assistance to the United Nations Special Commission and the International Atomic Energy Agency (IAEA) so that they can fully carry out their tasks.

9. In the nuclear field, we:

- Reaffirm our will to work to establish the widest possible consensus in favour of an equitable and stable non-proliferation régime based on a balance between nuclear non-proliferation and the development of peaceful uses of nuclear energy.
- Reaffirm the importance of the nuclear Non-Proliferation Treaty (NPT) and call on all other non-signatory states to subscribe to this agreement.
- Call on all non-nuclear weapon states to submit all their nuclear activities to IAEA safeguards, which are the cornerstone of the international non-proliferation régime.
- Urge all supplier states to adopt and implement the Nuclear Suppliers Group guidelines.

We welcome the decision of Brazil and Argentina to conclude a full-scope safeguard with the IAEA and to take steps to bring the Treaty of Tlatelolco into force, as well as the accession of South Africa to the NPT.

10. Each of us will also work to achieve:

- Our common purpose of maintaining and reinforcing the NPT régime beyond 1995.
- A strengthened and improved IAEA safeguards system.
- New measures in the Nuclear Suppliers Group to ensure adequate export controls on dual-use items.

11. We anticipate that the Biological Weapons Review Conference in September will succeed in strengthening implementation of the convention's existing provisions by reinforcing and extending its confidence-building measures and exploring the scope for effective verification measures. Each of us will encourage accession to the convention by other states and urge all parties strictly to fulfil their obligations under the convention. We each believe that a successful Review Conference leading to strengthened implementation of the BWC would make an important contribution to preventing the proliferation of biological weapons.

12. The successful negotiation of a strong, comprehensive and effectively verifiable convention banning chemical weapons, to which all states subscribe, is the best way to prevent the spread of chemical weapons. We welcome recent announcements by the United States which we believe will contribute to the swift conclusion of such a convention. We hope that the negotiation will be successfully concluded as soon as possible. We reaffirm our intention to become original parties to the convention. We urge others to become parties at the earliest opportunity so that it can enter into force as soon as possible.

13. We must also strengthen controls on exports which could contribute to the proliferation of biological and chemical weapons. We welcome the measures taken by members of the Australia Group and by other states on the control of exports of chemical weapons precursors and related equipment. We seek to achieve increasingly close convergence of practice between all exporting states. We urge all states to support these efforts.

14. Our aim is a total and effective ban on chemical and biological weapons. Use of such weapons is an outrage against humanity. In the event that a state uses such weapons each of us agrees to give immediate consideration to imposing severe measures against it both in the United Nations Security Council and elsewhere.

15. The spread of missile delivery systems has added a new dimension of instability to international security in many regions of the world. As the founders of the Missile Technology Control Régime (MTCR), we welcome its extension to many other states in the last two years. We endorse the joint appeal issued at the Tokyo MTCR meeting in March 1991 for all countries to adopt these guidelines. These are not intended to inhibit co-operation in the use of space for peaceful and scientific purposes.

16. We can make an important contribution to reducing the dangers of proliferation and conventional arms transfers. Our efforts and consultations on these issues, including with other supplier countries, will be continued in all appropriate fora so as to establish a new climate of global restraint. We will only succeed if others, including recipient countries, support us and if the international community unites in a new effort to remove these threats which can imperil the safety of all our peoples.

APPENDIX III

*European Council**30th June 1991**Declaration on non-proliferation and arms exports*

The European Council is deeply concerned at the danger arising from the proliferation of weapons of mass destruction throughout the world. The recent Gulf war showed the absolute necessity of further enhancing the effectiveness of non-proliferation systems.

The Community and its member states support a strengthening of the régime of nuclear non-proliferation and call for all states to become parties to the NPT. They look to an agreement in the near future on a convention on chemical weapons and to the strengthening of the Convention on biological and bacteriological weapons.

The European Council is also alarmed by the stockpiling of conventional weapons in certain regions of the world. To prevent situations of instability recurring in entire regions as a result of such over-armament, the European Council believes that far-reaching international action is needed immediately to promote restraint and transparency in the transfers of conventional weapons and technologies for military use, in particular towards areas of tension.

The European Council notes with satisfaction that work in progress in the organs of European political co-operation has already, by comparing national policies on arms exports, identified a number of common criteria on which these policies are based, such as:

- respect of international commitments of the member states of the Community, in particular the sanctions decreed by the Security Council of the United Nations and those decreed by the Community agreements on non-proliferation and other subjects, as well as other international obligations;
- the respect of human rights in the country of final destination;
- the internal situation in the country of final destination, as a function of the existence of tensions or internal armed conflicts;
- the preservation of regional peace, security and stability;
- the national security of the member states and of territories whose external relations are the responsibility of a member state, as well as that of friendly and allied countries;
- the behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances, and respect for international law;
- the existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions.

In the perspective of Political Union, the European Council hopes that on the basis of criteria of this nature a common approach will be made possible, leading to a harmonisation of national policies.

The Community and its member states attach particular importance in the framework of their internal consultations and within the competent international fora to transparency in conventional arms transfers. They will attach priority to the establishment of a United Nations register on conventional arms transfers and will table a draft resolution in this sense at the next United Nations General Assembly.

The European Council calls on all states to support this initiative and others which aim to prevent the uncontrolled spread of weapons and military technologies.

APPENDIX IV

***Declaration of the CSCE Council on
non-proliferation and arms transfers******30th January 1992***

The ministers reiterated the commitment of their governments to the prevention of the proliferation of weapons of mass destruction and the control of missile technology. They underlined their willingness to contribute to the ongoing efforts and international co-operation to this end. In this context, they expressed their support for the treaty on the non-proliferation of nuclear weapons and for universal adherence to it. They welcomed the intention of all those CSCE states not yet party to the NPT to accede to it and urged other states, who are not yet party to it, to do so as well. They also renewed their support for the biological weapons convention, welcomed the results of the September 1991 review conference and called for universal adherence to it.

They expressed their view that excessive build-ups of conventional weapons beyond legitimate defensive needs pose a threat to international peace and security in particular in regions of tension. Based on the principles of transparency, consultation and restraint, they declared their commitment to address the threat of excessive accumulations of conventional weapons and committed themselves to exercise responsibility, in particular with regard to arms transfers to states engaging in such excessive accumulations and to regions of tension.

They confirmed their support for and firmly committed themselves to provide full information to the United Nations register of conventional arms. They called upon all other states to take the same action.

They agreed that effective national control of weapons and equipment transfer is acquiring the greatest importance. They declared their readiness to exchange views and to provide mutual assistance in the establishment of efficient national control mechanisms.

They agreed that in this connection the conversion of arms production to civilian production is also acquiring special importance.

The ministers decided that the question of non-proliferation, including the transfer of sensitive expertise, and the establishment of a responsible approach to international armaments transfers should be included as a matter of priority in the work programme of the post-Helsinki arms control process.

Arms control: CSCE and WEU

REPORT ¹

*submitted on behalf of the Defence Committee ²
by Mr. de Puig, Rapporteur*

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1. Adopted in committee by 14 votes to 0 with 4 abstentions.

2. *Members of the committee: Sir Dudley Smith (Chairman); Mrs. Baarveld-Schlaman, Mr. de Puig (Alternate for Mr. Perinat) (Vice-Chairmen); MM. Alloncle, Bassinet, Borderas, Brito, Cariglia, Chevalier, Cox, De Decker, Dees, Durand, Fernandes Marques, Fiandrotti (Alternate: Mezzapesa), Fioret, Fourré, Irmer, Jung, Kelchtermans, Mrs. Lentz-Cornette, MM. van der Linden (Alternate: De Hoop Scheffer), Marten, Moya, Pecchioli, Perinat, Reis Leite (Alternate: Mrs. Aguiar), Scheer, Sinesio, Speed, Steiner, Vazquez, Zierer, N... (Alternate: J. Thompson), N... (Alternate: Sir Russell Johnston).*

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

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Draft Recommendation
on arms control: CSCE and WEU

The Assembly,

- (i) Welcoming the signing of the Maastricht Agreements which give new impetus to the building of the European Union and offer prospects of future joint defence;
- (ii) Aware of the challenge to WEU raised in the Maastricht agreements which make WEU an integral part of the European Union and, in the long run, the instrument of a joint defence policy;
- (iii) Pleased that the Maastricht Treaty and the WEU declaration confirm the rôle of WEU and therefore of its parliamentary Assembly as Europe's paramount defence body both at present and for the foreseeable future;
- (iv) Congratulating the Council and the Secretary-General on the various initiatives taken by WEU in the realm of arms control, notably over verification and for open skies, and pleased generally with the fuller and more constructive answers given to Assembly recommendations;
- (v) Taking into account the development of the peace and disarmament process now under way in Europe and in particular welcoming the 1992 Vienna document as a major contribution to this process;
- (vi) Aware of the importance of current negotiations on European security and arms control being held in the framework of the Helsinki meeting;
- (vii) Following attentively the process of political and military restructuring in the states of the former Soviet Union;
- (viii) Convinced that WEU must take part in the system of peace and security outlined by the organisation and operation of the new CSCE structures and that consequently our own Assembly should take every opportunity to support the development of the CSCE Assembly, both politically and practically;
- (ix) Considering that there should be much greater co-operation between the CSCE and the North Atlantic Co-operation Council, even to the extent of combining the two;
- (x) Recalling Recommendations 481, 513 and 514 and restating in particular two recommendations which it urges the Council to tackle without further prevarication:

“Elaborate and subscribe to a policy of minimum nuclear deterrence which takes account of recent changes but which safeguards European interests;

Encourage member countries and CSCE colleague states to pay greater attention to the environmental problems linked with the destruction of both conventional and nuclear weapons, study and report on avoiding this type of potential pollution, thus ensuring greater transparency in this important domain;”

RECOMMENDS THAT THE COUNCIL

1. Pursue its action to promote peace and disarmament in co-operation with all international organisations dealing with security problems, in particular by encouraging close co-operation between the member countries of WEU so that they may express a joint position during the negotiations at the CSCE conference in Helsinki and future conferences;
2. Afford political and practical assistance to the Central and Eastern European countries in overcoming problems linked with military and strategic reorganisation by helping to speed up the implementation of decisions essential for their full integration in the collective security system being set up in the framework of the CSCE;
3. Establish contacts with the “neutral” countries applying for membership of the European Community so as to examine jointly the evolution of the present situation, the future of European security and progress to be made to meet the commitments entered into in Maastricht;
4. Establish co-operation links with Central and Eastern European countries so wishing;
5. Contribute to the adoption and application of the new confidence- and security-building measures (CSBMs) to be included in the Helsinki final document by co-ordinating member countries' action in this area;

6. Promote the ratification of the CFE Treaty and its immediate application to all the CSCE countries, in particular the new states of the CIS, by taking part in the name of WEU in procedure for information, control and verification of disarmament;
7. Help to apply the Open Skies Treaty by offering the support and means available to WEU, for instance the Torrejón observation satellite centre;
8. Through its deliberations, contribute to planning the future European defence system and the reduction of armed forces to allow the establishment of a true security system corresponding to the new geostrategic situation of the European continent;
9. Resolutely support plans to eliminate chemical and biological weapons and to reduce nuclear weapons, by adopting joint positions, bearing constantly in mind the strict application of the non-proliferation treaty (NPT), encourage the establishment of a register of arms transfers by the United Nations and complete this initiative with measures aimed at limiting arms exports at world level;
10. Take the following immediate steps, under the auspices of the Chairman-in-Office:
 - (a) continue the WEU consultations in Vienna which have proved so effective an impetus for NATO action in the domain of arms control;
 - (b) ensure that such consultations bring a positive approach to helping refine disarmament discussions among the Twelve in Helsinki;
 - (c) further specific arms control initiatives already begun with certain CIS states, notably Russia;
 - (d) include discussion on a possible CSCE security treaty and on open skies co-operation at the forthcoming ministerial meeting between the WEU Nine and the Central and Eastern European Eight;
 - (e) consult the non-WEU members of NATO with a view to establishing the NACC as part of the infrastructure of the CSCE.

Explanatory Memorandum

(submitted by Mr. de Puig, Rapporteur)

I. Introduction

1. In preparing this report, your Rapporteur has been conscious of two special factors:

- (a) that the Defence Committee has shown particular confidence in its Rapporteur on "Arms control negotiations - further initiatives for WEU"¹ by appointing him as its current Rapporteur on "Arms control: CSCE and WEU";
- (b) that in the six months which have elapsed since the last report was produced, the European security scene has evolved considerably, indeed almost beyond recognition. At long last there is a consensus among the Twelve that Western European Union is the organisation to carry out a defence rôle for Europe as part of European Union on the one hand and as the European pillar of the Atlantic Alliance on the other. This has given new impetus for WEU initiatives which, coupled with an enthusiastic Chairmanship of the Council of Ministers, has meant that WEU's voice is being heard more frequently and to more effect.

2. The aim of the present report is to highlight particular developments in the arms control scene, as has become traditional in the series of Defence Committee reports dedicated to aspects of arms control over the last four years, but more particularly to focus on one special aspect which is currently occupying a considerable amount of governmental effort: the CSCE.

3. This report is a follow-up to the one your Rapporteur presented at the thirty-seventh ordinary session of the Assembly in December 1991¹. It relates to arms control and its main topic is the Helsinki conference and its prospects. Following on the previous report, it will review the various aspects of the arms control and disarmament process and survey the various steps currently being taken.

4. Once again, the timing of the session compels your Rapporteur to present the report without waiting for the end of certain important events which would have allowed final conclusions to be drawn on matters which concern the committee. This is above all the case of the Helsinki meeting to be held from 9th to 11th July.

Since your Rapporteur has to present his conclusions to the committee in mid-May and the final draft at the June session, he will have to rely on the information and documentation available right up to the last minute so as to anticipate as accurately as possible the agreements that will most probably be concluded in Helsinki.

5. In any event, since the report has to be adopted before completion of the CSCE negotiations, our conclusions, and especially the recommendations, may be considered as a working paper for the negotiations and thus available in particular to the representatives of the WEU member countries. While the Assembly's timetable will not allow the final results of work at Helsinki to be presented, its recommendations may perhaps be able to play a part in the discussions as decisions of the parliamentary Assembly of the Nine.

6. The complex and delicate CSCE process is part of an overall situation which is also complex and delicate. After the emotion caused by the fall of the Berlin wall and the first enthusiastic steps taken by all concerned to outline an institutional and juridical framework that could master the new situation while guaranteeing peace and security and moving towards widespread disarmament, it is now time to assess the practical problems thus raised. Words are not enough to overcome the enormous problems of all kinds arising in spite of or because of the collapse of the Berlin wall.

7. Although the great political, institutional and strategic revolution that has taken place in recent years, particularly in the Soviet Union, means that considerable progress has been made towards democracy and the termination of the system of blocs, hitherto unthought of new problems and even new risks are emerging. Presumably there is no longer a threat of East-West confrontation; the danger of all-out war in Europe is therefore not now conceivable. Conversely, we are on unknown ground regarding how to control the arms - particularly nuclear - of the CIS countries. Nor should it be forgotten that there are many political conflicts between the former member countries of the Soviet Union and that the risk of local clashes cannot be ruled out, as illustrated by the example of Yugoslavia.

8. The mandate of the Helsinki summit meeting is therefore largely concerned with guarantees to be given to the eastern countries. It is very difficult to ratify treaties such as the Open Skies and CFE Treaties and to adopt confidence-building measures without having

some certainty as to who are the new interlocutors. There must be guarantees and accurate information about the control of nuclear weapons and the division of military forces between former members of the Soviet Union. Without a minimum definition of the factors involved, it is very difficult to ratify treaties when one does not know how or by whom they will be applied in a given area. Hence the main problem in Helsinki is the consolidation of a stable, recognised situation.

9. It is also the future of the CSCE itself that is to be decided in July. Today, the future of that institution is not clear. It seems evident that, although it proved to be a useful instrument in triggering off the events in the East, it cannot yet be given a leading rôle in the spectrum of today's institutions. Decisions will certainly be taken in Helsinki on the Conflict Prevention Centre and other bodies now being contemplated, but since certain states tend to give priority to other institutions such as NATO's NACC for organising East-West co-operation, it is hard to imagine the CSCE becoming the central organisation of the new policy between the West and the Central and Eastern European countries.

10. Beyond the Helsinki process, with its possibilities and limits, there is an international situation which suggests that nuclear and conventional arms reductions will continue and that, if there are no unpleasant surprises in the months and years ahead, a security system will be established on the basis of political commitments, mutual confidence, the controlled limitation of armaments and a defensive concept of military power. Present agreements and the various efforts being made in Geneva, Vienna and Brussels should lead us towards this new system.

11. It is not just a political will for peace that leads to disarmament, it is also the political opinion that the levels of military expenditure in budgets is no longer acceptable; it is also the fact that the traditional enemy no longer exists and economies cannot continue to maintain the military-industrial machine; it is also the conviction that, in the long run, arms sold abroad may be turned against those who supplied them, as was seen during the Gulf war.

12. The present report will analyse present initiatives and the progress being made with the various questions arising in this vast area. The draft recommendation to the Council will try to circumscribe WEU's place in the arms control process by integrating our organisation in the mechanisms for applying the major agreements and associating it with thinking about the future of European security in accordance with the course set in Maastricht.

II. The continuing debate

13. The last debate on arms control matters held in the Assembly took place at the beginning of December 1991. The accent was on nuclear disarmament and the spectacular proposals then emanating from Washington and Moscow. A short six months later these proposals are temporarily forgotten as the Soviet Union's inheritors fight over its bones and jockey for position in the new world order in general and the unsteady CIS in particular. The originator of the proposals is locked into the domestic round where grand international gestures seem to curry little favour with the voters readying themselves for an election battle which is still more than six months away.

14. The range of recommendations adopted by the Assembly in December, while reflecting the main themes of the moment, was reasonably well-balanced:

“ Recommendation 513 on arms control negotiations – further initiatives for WEU

The Assembly,

(i) Aware of the changes affecting peace and security which have occurred in recent years in Europe resulting in major progress in disarmament agreements and offering henceforth unprecedented possibilities for greater reductions in all types of armaments;

(ii) Noting the importance of the agreements achieved so far for the reduction of conventional and nuclear armaments and the monitoring and verification of the ban on certain weapons of mass destruction;

(iii) Welcoming the proposals for radical reductions in nuclear weapons recently made by President Bush and President Gorbachev which represent a major step forward in this area in both qualitative and quantitative terms;

(iv) Welcoming the reduction in nuclear armaments agreed by NATO at its recent meeting in Taormina;

(v) Convinced, however, that the principles reiterated in The Hague platform remain a mainstay of European defence;

(vi) Convinced that the CFE Treaty will be a milestone in the limitation of these armaments and expressing the wish that this treaty be ratified without delay by all countries;

(vii) Considering that there are new prospects of developing conventional disarmament in the framework of the CSCE and of the Atlantic Alliance;

(viii) Recognising the efforts made in the framework of the Geneva Disarmament Conference for a total ban on chemical and biological weapons;

(ix) Aware that WEU has an important rôle to play in backing the process of disarmament and in taking initiatives for its achievement in practice;

(x) Determined for its part to maintain a permanent debate on arms control matters in co-ordination with all appropriate forums,

RECOMMENDS THAT THE COUNCIL

1. Contribute by its action to the advancement of all initiatives for peace and détente now being taken, in particular by endorsing disarmament and arms control proposals;

2. Act continuously to promote a consensus between member countries on disarmament in order to draw positions closer together, harmonise legislation and take joint measures to reduce and control armaments, including the regulation and transparency of arms sales;

3. Ensure that the organisation of peace at European and national level concords increasingly with quantitative and qualitative criteria in defence matters to achieve reasonable minima;

4. Actively support the Bush-Gorbachev proposals to reduce nuclear weapons and efforts to avoid their proliferation, in accordance with the terms set out in the non-proliferation treaty and to obtain a ban on nuclear testing;

5. Elaborate and subscribe to a policy of minimum nuclear deterrence which takes account of recent changes but which safeguards European interests;

6. Continue to press for the banning of the production, deployment and sale of chemical and biological weapons;

7. Resolutely endorse the CFE Treaty by urging member states to ratify it without delay, thus ensuring that WEU sets an example in this respect;

8. Give impetus to the verification agreements so as to be able to establish verification systems and programmes acceptable to all member states;

9. Ensure that the satellite data interpretation centre is integrated into the verification process to be instituted;

10. Implement the necessary procedure for WEU to participate in a co-ordinated manner, in particular with the Atlantic

Alliance and with other responsible bodies in the necessary exchange of information and elaboration of disarmament proposals.

Recommendation 514 on arms control negotiations – further initiatives for WEU

The Assembly,

(i) Welcoming the positive results of the WEU Council of Ministers meeting in Bonn on Monday, 18th November 1991, namely:

(a) the decision to establish the WEU satellite data interpretation and training centre at Torrejón, in Spain, with effect from 1st January 1992;

(b) the decision to form a study group in 1992, in France, to examine the necessity and desirability of a medium- and long-term realisation of a European space-based observation system;

(ii) Pleased that the Council has taken so many of the Assembly's previous recommendations on arms control verification to heart and strongly approving the 18th November communiqué on the subject:

“Ministers took note of the progress made on co-operation among member states on the verification of arms control agreements. In this context, they underlined the link between space co-operation and arms control verification, including verification of the CFE Treaty.

Ministers noted with approval the preparatory steps taken to set up multinational inspection teams as part of the implementation of the verification régime laid down in the CFE Treaty. They approved a set of rules for the co-operation of multinational teams.

They decided to take into account in their subsequent deliberations the possibility of co-operation with all CSCE member states.

The Council welcomed the progress made following the resumption of the open skies negotiations in Vienna, which gives hope for their successful conclusion by the time of the Helsinki follow-up meeting. The ministers continue to attach great importance to accelerating the search for cost-effective solutions in the implementation of an open skies agreement.”;

(iii) Taking account of the new strategic concept defined by NATO at its Rome meeting and its consequences and urging still further practical co-operation between WEU member states to cover all aspects of arms control and disarmament;

(iv) Concerned however that not enough international concertation has been applied to the particular problem of pollution control now urgently required to ensure the safe disposal of both conventional and nuclear weapons;

(v) Welcoming all moves towards a reinforcement of the missile technology control régime and especially the People's Republic of China's recent declared willingness to abide by its provisions,

RECOMMENDS THAT THE COUNCIL

1. Support the Atlantic Alliance's new strategic concept and show that WEU, as the European pillar, is ready to respond to current challenges by producing a specific initiative on arms control which would demonstrate our considerable political, legal and technical capabilities;
 2. Encourage the participants at the Vienna negotiations on conventional forces to reach positive conclusions to be presented at Helsinki in March 1992;
 3. Encourage member countries and CSCE colleague states to pay greater attention to the environmental problems linked with the destruction of both conventional and nuclear weapons, study and report on avoiding this type of potential pollution, thus ensuring greater transparency in this important domain;
 4. In addition to seeking progress on verification, satellite observation, multinational inspection teams and open skies, actively seek a greater respect for the missile technology control régime."
15. The answers to the recommendations, which the WEU Council is required statutorily to give to the Assembly and which reached us on 18th March (514) and 9th April (513), were also reasonably well-balanced in their turn, perhaps reflecting the growing consensus amongst our governments:

"Reply of the Council to Recommendation 513

1. The Council is convinced that the action of WEU member states has greatly contributed to the advancement of recent initiatives for peace and détente. WEU member states have individually wel-

comed initiatives such as those mentioned in Recommendation 513 and in the text of the report "Arms control negotiations - further initiatives for WEU" submitted on behalf of the Defence Committee by Mr. de Puig, Rapporteur.

2. The Council has set out its position in its Reply to Assembly Recommendation 502: "Within the framework of the European Community, WEU member states have, together with Japan, introduced a resolution at the 46th United Nations General Assembly calling for a comprehensive but non-discriminatory register of arms transfers in order to enhance and make worldwide the process of greater transparency in arms transfers with a view to contributing to greater restraint".

3. The ultimate achievement of reasonable minima in the field of defence remains the aim of all WEU member states.

4. The Council welcomes all measures aimed at a reduction of the nuclear arsenals of the United States and the former Soviet Union and is fully aware of the need to prevent the proliferation of nuclear weapons.

5. The formulation of a policy of minimum nuclear deterrence is not at present on the agenda of the Council and its working groups.

6. WEU member states are actively fostering a convention on a global ban on the manufacture, possession and use of chemical weapons, together with an appropriate verification régime. The Council welcomes all measures aimed at the banning of the production, de-deployment and sale of chemical weapons. WEU consultations on proposals to be introduced in the CSCE and alliance frameworks are taking place.

7. Ratification of the CFE Treaty is now the prerogative of the respective national parliaments. The Council views as a priority the inclusion of the CIS states with territory in the area of application (as well as Georgia) into the CFE Treaty.

8. The Council continues to attach great importance to the search for cost-effective solutions in the field of arms control verification.

9. In the communiqué adopted by the WEU Council of Ministers meeting in Bonn on 18th November 1991, ministers "underlined the link between space co-operation and arms control verifi-

cation, including verification of the CFE Treaty". The possibilities of integrating the satellite data interpretation and training centre into the verification process will be examined by the Council and its working groups in due course.

10. The Council welcomes the suggestions made in paragraph 10 of Assembly Recommendation 513 and intends to intensify the existing exchange of information and the elaboration of proposals in the fields of disarmament and verification which takes already place. While discussing the modalities for the implementation of the "Declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance", the suggestions will be borne in mind.

Reply of the Council to Recommendation 514

1. The Council welcomes the results of NATO's Rome summit and subsequent NATO ministerial meetings. In accordance with the declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union but also as the means of strengthening the European pillar of the Atlantic Alliance. This will help Europe's voice to be heard on the world stage. The development of WEU also paves the way for WEU member states to produce "a specific initiative on arms control", if and when deemed necessary. This would of course be done with due regard for the necessary transparency and complementarity between the European security and defence identity and the alliance.

2. WEU member states have called on the participants at the Vienna negotiations on conventional arms to further strengthen stability in Europe by agreeing on measures to limit manpower levels and to conclude successfully the CFE 1a negotiations by the time of the Helsinki follow-up meeting.

3. The Council is aware of environmental problems linked with the destruction of both conventional and nuclear weapons and welcomes all measures for their solution. At present, however, these issues are not on the agenda of the Council and its working groups.

4. The Council is well aware of the need to seek greater respect for the missile technology control régime and for

progress on verification, satellite observation, multinational inspection teams and open skies."

16. A number of comments on the answers are called for, in the hope that a real debate might be possible with the Council...

17. For example, the Council is not quite yet ready to act together totally: 513, paragraph 1, assures the Assembly that the member countries, *individually*, were able to welcome the initiatives mentioned in the report. Why *individually*, and why not collectively, as WEU?

18. Similarly, in 514, paragraph 4, the Council is aware of the need to seek a greater respect for the missile technology control régime, etc., etc. "Aware of the need" is fine, but what action does the Council intend to take, if necessary with others, to make a positive contribution to solving the problem?

19. On two specific recommendations: 513 (5) and 514 (3), the Council merely replies that the subjects are "not on its agenda". Such a reply is extremely disappointing because both the Defence Committee and the Assembly elaborated these particular recommendations after considerable political and practical debate. (They relate respectively to the need for a European policy of minimum nuclear deterrence and to the environmental problems resulting from weapon destruction.) The intention was clearly to recommend that the Council *does* include the subjects in its deliberations. "Not on the agenda" is a non-answer, unworthy of true dialogue, which is why your Rapporteur has seen fit to include both subjects once again in the set of draft recommendations in the hope that the Council will reconsider its first, somewhat inconsiderate answer...

20. Looking back some two years, your Rapporteur was struck by a set of recommendations (481) adopted with a report presented by our colleague, Lord Newall, and entitled "Vienna, disarmament and Western European Union"². As with many of the parliamentary Assembly's reports and recommendations, there is a tendency to be ahead of one's time and these particular recommendations, and to an extent the Council's answer, were both in advance then. It is worth quoting Recommendation 481 and its answer in full, to refresh our memories of what was discussed:

"Recommendation 481 on Vienna, disarmament and Western European Union
The Assembly,

(i) Welcoming the recent developments in Europe which promise a dramatic reduction in East-West tension;

(ii) Considering, however, that the establishment of lasting security greatly depends on decisions which have to be taken forthwith;

- (iii) Aware that the democratic evolution in the countries of Central Europe faces growing problems of internal argument and traditional nationalism;
- (iv) Convinced that progress in the Vienna talks, both on conventional forces in Europe (CFE) and on confidence- and security-building measures (CSBM), is an essential prerequisite for stability and security in Europe;
- (v) Stressing the necessity to continue arms control negotiations immediately after the signing of the first CFE treaty;
- (vi) Certain that further cuts in weapons and force levels in Europe are desirable but that they must be agreed collectively and not decided unilaterally;
- (vii) Noting the convergence of views on arms control between WEU member countries and a growing number of Warsaw Pact countries;
- (viii) Recognising that few nations, in the East or the West, continue to have the financial means to maintain defence spending at former levels;
- (ix) Determined that there must be greater European co-operation in the field of defence and security, especially over arms control in general and verification of agreements in particular;
- (x) Pleased that the NATO nations have tabled a series of measures in Vienna which are setting the pace for the forthcoming CFE treaty;
- (xi) Saddened that the French Prime Minister's proposal of 7th September 1989 that WEU should start a specific programme of immediate co-operation with regard to verification and disarmament has not yet been taken up by the Council;
- (xii) Encouraged, however, by the proposal on 23rd March 1990 by the Minister for Foreign Affairs of the Federal Republic of Germany to create a centre for verification in Europe, which echoes previous French ideas on the necessity for transparency and reciprocal openness;
- (xiii) Recalling that Recommendation 468 proposed the creation of a European observation satellite agency to assist in the verification measures agreed by each member country;
- (xiv) Welcoming the fact that the Council is studying a possible WEU contribution to the CFE verification system based on the enhancement of European capabilities and the pooling of all member country's assets;

(xv) Convinced of the urgent need for a *European verification centre* and struck by the fact that the ideal nucleus for such a body is WEU, plus those other states (signatories of the forthcoming CFE treaty) desiring to take part;

(xvi) Suggesting that the Chairman-in-Office of the Council, together with the Secretary-General, should immediately begin consulting not only member states but other interested nations from both East and West which meet the necessary requirements with a view to their participation in the work of this centre,

RECOMMENDS THAT THE COUNCIL

Take the action necessary to create, under WEU auspices, a *European verification centre* in which all states which meet the necessary requirements, from both East and West, be invited to participate.

Reply of the Council to Recommendation 481

Verification of arms control agreements, whilst remaining a national responsibility, warrants co-operation among states in view of the substantial human, technical and financial resources that it entails.

All states that are signatories to the Treaty on Conventional Armed Forces in Europe will come together in the Joint Consultative Group to ensure that the agreed verification régime operates properly.

At the WEU ministerial meeting on 10th December 1990, ministers approved plans for co-operation among member states, to cover the organisation of inspection exercises among member states, the multinational composition of the teams to verify the Treaty on Conventional Armed Forces in Europe and the priority information of member states on unused inspection quotas opened by each party state under this treaty. WEU is also a useful framework for an exchange of views on the training of inspectors. Furthermore, space co-operation initiated in WEU could cover satellite imagery interpretation for the purposes of verifying arms control agreements.

This co-operation among WEU members, as well as projects initiated with their other allies, should enhance the overall effectiveness of the verification régime and thus make a positive contribution for the benefit of all European states.

WEU countries could also consider the possibility of ad hoc co-operation with those countries of Eastern Europe wishing to co-operate."

21. Of special note is the idea of links with the Central and Eastern Europeans – links which are being developed today and links which your Rapporteur feels might well be developed along technical lines where verification is concerned. Hence a certain number of suggestions for inclusion on the agenda of the WEU ministerial meeting with the eight Central and Eastern European countries (the "Eight") scheduled at present for 19th June.

22. The European verification centre proposal is slowly gathering support and will begin to exist de facto when the WEU Torrejón centre is operational and when the CSCE Conflict Prevention Centre is given the go-ahead to do more than merely observe crises. A European verification centre is a must if we are to be serious about the various treaties we are gaily signing and hoping to ratify in a very short time-frame.

III. WEU action

23. The balance sheet on WEU action on arms control over the past six months is nevertheless much in credit, and the Chairman-in-Office of the Council and the Secretary-General deserve particular praise for their positive actions in a number of forums.

24. As we shall examine later in detail, WEU has been active in CFE, over CSBMs, open skies and in the Conference on Disarmament. With the setting-up of the WEU satellite centre at Torrejón, near Madrid, we have our first operational contribution to make for verification. In fact for CFE verification in particular (multinational teams, training of inspectors, etc.) and for open skies, a series of WEU initiatives have been much appreciated by both the NATO authorities and by the "new democracies".

25. As well as the informal WEU caucuses in Vienna, chaired by the Head of the German Delegations for the CSBM and CFE talks, with other nations included on a regular basis, a workshop for the directors of national verification units was organised in Berlin in March by Germany in its capacity as President of the WEU Council and was open to all CFE signatories; an in-house meeting for WEU heads of national verification units is planned for the beginning of June. The 4th WEU European Session of Higher Defence Studies, held at Ebenhausen near Munich in March, included a specific working group on "WEU and arms control". For open skies, WEU nations met in Moscow on 26th and 27th March to progress joint ideas on the setting-up of flights, etc.

26. These are all very positive moves and they bode well for the future co-ordinating rôle which WEU is being called to play. Your Rapporteur can testify to the dedication of those involved in the negotiations, both in national capitals and on the spot in Vienna and Helsinki, and the committee as a whole was very favourably impressed by the atmosphere of détente and determination to succeed when we met in Vienna at the beginning of March. The focus now is on Helsinki and the fourth CSCE review conference which is why your Rapporteur has been asked by colleagues to highlight the CSCE on this occasion.

IV. The CSCE today

27. The subject of the present report is "Arms control: CSCE and WEU", but it must be remembered that CSCE itself is a much wider set of considerations than mere arms control on its own.

28. Many of us, wearing our "Council of Europe" hats, have been aware of, and some intimately concerned with, such wider considerations, especially concerning human rights. Some of us will be participating in the CSCE Assembly to be held in Budapest from 3rd to 6th July 1992.

29. Your Rapporteur, therefore, considers it appropriate to expand his comments on the CSCE process to set the scene for the recommendations to be put before the Defence Committee and the Assembly and to shine a political spotlight into some of the recesses, ideally dispersing a few shadows and bringing a number of problems into full view. The aim is to put the specific arms control considerations into perspective and, by understanding the context, better prepare the debate for the next plenary session.

30. The Conference on Security and Co-operation in Europe (CSCE) was established in 1975. To date its most glorious moment was the signature of the Paris Charter by the then 35 members in November 1990. At the time opinion was widely divided on the CSCE's scope and future rôle. Now, with the CSCE review conference underway in Helsinki since 24th March 1992, there appears to be more of an inclination to expand the body.

31. In fact, the first decision of this fourth conference was to admit three new members, Georgia, Slovenia and Croatia, to the CSCE. With this decision, the CSCE now counts 51 members. The CSCE originated with 35 participants, dropping to 34 following German unification and rising again to 35 after the entry of Albania in 1991. Membership rose to 38 following the admission of three Baltic states in 1991 and to 48 following the admission of ten republics of the CIS (with the exception of

Russia, which had inherited the USSR's seat) on 30th January 1992 in Prague.

32. It should be recalled that three CSCE conferences have been held since the 1975 Helsinki summit at which the Final Act was adopted:

- in Belgrade from October 1977 to March 1978;
- in Madrid from November 1980 to September 1983, a meeting leading to the adoption of a final document strengthening the protection of human rights and providing a mandate for a conference on disarmament in Europe (the CDE, which concluded an agreement in September 1986 in Stockholm on notification and observation of military exercises);
- in Vienna from November 1986 to January 1989, a conference which enabled adopting another document stipulating new commitments in human rights and which launched two series of negotiations on disarmament, the one which resulted in the treaty on the reduction of conventional forces in Europe (CFE) signed in November 1990 and the one on confidence-building measures (CSBM) whose final document now has to be ratified in Helsinki. An extraordinary summit of the CSCE in Paris in November 1990 led to adoption of the Charter of Paris, providing the CSCE with new institutions.

33. Also, last November in Rome at the NATO summit, and in December in Brussels at the NATO Council meeting, greater CSCE co-operation in arms control, confidence-building measures and monitoring of crises was envisaged.

34. In January this year CSCE foreign ministers met in Prague to prepare for the Helsinki meeting and to discuss the admission of the former Soviet republics, as well as adopting plans to develop CSCE institutions and activities. A résumé of that meeting's conclusions is at Appendix I; the Prague document on the future development of CSCE institutions and structures is at Appendix II.

35. The whole range of subjects of interest to the Assembly (crisis management, conflict prevention, peace-keeping operations, non-proliferation, arms transfers, arms control (CFE especially and CSBMs), open skies, military doctrine and conversion of armament industries) is tackled in these documents.

36. For the first time, WEU per se has been invited to take part in formal CSCE meetings and continuing WEU participation has been confirmed in Chapter IX of the Prague document (Appendix II).

37. In recent months, expansion of the CSCE's rôle has been evident with the establishment of an arbitration mechanism, discussion of possible military peace-keeping forces and the idea of monitoring arms embargoes. The Office for Free Elections has expanded to assist in establishing democratic institutions, and on-site inspections and investigations have been carried out. (Such a mission was sent recently to the troubled former Soviet region of Nagorno-Karabakh.)

(i) CSCE – the view from Berlin

38. One of the staunchest supporters of the CSCE was the Chairman-in-Office of our WEU Council of Ministers, then German Foreign Minister, Hans-Dietrich Genscher. Speaking on Wednesday 1st April 1992 at the Assembly's symposium on "A new security order in Europe", held in the Reichstag, Berlin, he had this to say:

"In the past, the CSCE has played a major rôle in overcoming the division of Europe. Today, it forms the comprehensive framework for consultation and action for the area of co-operation from Vancouver to Vladivostok.

By convening a conference on Nagorno-Karabakh, the CSCE has signalled its determination to bring its peace-making influence to bear in this region, too. At the Helsinki follow-up meeting, its capacity for action, particularly regarding conflict prevention, crisis management and the peaceful settlement of conflicts, must be enhanced. The CSCE must develop from a community of shared values to a community taking joint decisions and action. Stability in Europe means:

- democracy and the rule of law;
- respect for human and minority rights as well as for national boundaries;
- co-operative security structures;
- economic development and social peace;
- protection of the natural sources of life.

That goes for every state and for every people. The West will not fare well in the long term if the East lacks this stability. Every single European and transatlantic institution must contribute to this all-European stability. In Prague, the CSCE's capacity to act in order to safeguard human rights, democracy and the rule of law was strengthened. In the case of unequivocal, grave violations of CSCE commitments which have not been redressed, appropriate measures can be taken by the Council or the Committee of

Senior Officials, if necessary also without the agreement of the state concerned. This progress must now find expression in political practice.

The German proposal for the establishment of a steering committee to support the CSCE chairmanship in Helsinki has met with approval. It could be composed of the CSCE Chairman-in-Office supported by his predecessor and successor in office, as well as three to four particularly interested states. In critical situations requiring urgent action, it will give the participating states which now number 51, increased scope for action. The CSCE instruments must be developed to cover the entire range from "early-warning" to "peace-keeping measures".

In the field of environmental protection, the CSCE must be able in emergency situations to quickly mobilise the existing resources of its participating states. The CSCE needs units with both "blue" and "green" helmets.

In Helsinki I proposed that the CSCE should in future perceive itself as a "regional arrangement" within the meaning of Chapter VIII of the United Nations Charter. This would demonstrate that the CSCE wishes itself to safeguard its interests within the United Nations framework.

The radical changes in Europe afford us the opportunity to develop a new system of co-operative security. In this context, decisive importance attaches to disarmament and arms control. The CFE Treaty must be ratified and implemented by all concerned, including the CIS states involved. The CFE 1a treaty on the limitation of personnel strengths should be completed by the beginning of July this year. In the CSCE region, there must be no excessive arms build-up. This would thwart all efforts towards economic reform and development.

The 1992 Vienna document, which extended the confidence- and security-building measures of the 1990 Vienna document, as well as the Treaty on Open Skies, has established vital new foundations for co-operative security. The follow-up meeting must initiate a new chapter of disarmament as well as confidence- and security-building.

A new negotiating mandate must comprise:

- further confidence- and security-building measures in the light of experiences with the 1990 and 1992 Vienna Documents;

- a reduction of forces in Europe to a level corresponding to the new political situation;
- the opening of continuous dialogue on security issues, which is intended to lead to a code of new basic approaches to security.

The short-range nuclear missiles and nuclear artillery of the United States and the Soviet successor states must be destroyed, as announced in 1991 by President Bush and the former Soviet President Gorbachev. The danger of the proliferation of weapons of mass destruction must now be guarded against with the utmost urgency. This is currently the greatest security risk facing mankind.

- The non-proliferation treaty must at last become universally binding.

The United Nations Security Council must assume the rôle of patron for this treaty. This must be an item of top priority on its agenda.

Advantage must now be taken of the broad consensus on further strengthening the United Nations, particularly as regards this aspect. The same applies to reactor safety.

- Together with the American and Russian Foreign Ministers, I have called for the establishment of a centre in Russia to enable scientists previously employed on the research and development of weapons of mass destruction to now work on eliminating them, and to contribute to greater safety in the peaceful use of nuclear energy. This project is now being realised.

The CSCE member states have committed themselves to participate in the United Nations arms transfer register. This must be supplemented by an agreement on international arms export restrictions.

The export of the East-West conflict to the South has ended. It must not now be replaced by the export of arms. The conclusion of a convention on a global ban of chemical weapons this year remains a high priority."

(ii) CSCE seen from Washington

39. Of course there are nuances in different national viewpoints on the way in which the CSCE process should be developed and no attitude is more nuanced than that of the United States, although perhaps for rather different reasons, as will be examined shortly.

40. Speaking to the Helsinki follow-up meeting on 31st March 1992, the Head of the United States Delegation, Ambassador John Kornblum, had this to say:

“ Our real job in Helsinki is to develop an entirely new definition of European security. This definition should be operational and should speak to the needs of all peoples of the CSCE. It should replace an essentially static concept founded on the existence of two blocs, with a multi-directional and multi-layered idea which makes concrete use of the democratic principles upon which the CSCE is based.

This definition must take account of the great diversity which now characterises the security debate in Europe. To look forward to new challenges, we must devise a security definition which is clear in its goals, but flexible in its methods.

Above all, this new definition should build on the basic agreement on values which now exists among us. It should place human rights and democratic institutions at the operational centre of our activities. Work on the human dimension is not finished, as some may suggest. In reality, we have just moved one step closer to our goal. Once human rights was a centre of dispute among us. Now it has become a common principle. Our next task is to build on our diversity to translate this principle into practice.

The very genius of our CSCE process is this diversity and flexibility. The CSCE does not proceed from the same assumptions as do NATO and the EC, for example. These organisations expand on the sense of security which already exists among their members who share common levels of development and approach.

The CSCE was based upon the assumption that its signatories do not share common approaches. It seeks to create security by expanding areas of consensus among differing points of view. This consensus is translated into action through the political will of its members to succeed in defining common goals.

This underlying principle is as valid today as it was ten years ago. Happily, the confrontation of military forces and ideologies has been overcome. But it cannot be said that all CSCE countries share the same levels of development or approach. The potential for conflict remains real. The need for expanded democratic consensus is more vital than ever.

This fact was demonstrated vividly to us last week with agreement on the conference on Nagorno-Karabakh. The painful search for consensus produced a demonstration of political will by all members which brought about the first concrete result in mediation efforts on this tragic problem.

When thinking to the future, it will be important to keep these examples in mind when considering what is really new about our CSCE:

- it is not “new thinking” to build bureaucratic organisations;
- it is not creative to pursue rules, written or otherwise, which seek to enforce consensus where none exists; and
- it is not forward-looking to seek treaties or agreements to legislate peace which has not first been achieved through the search for political consensus.

These are in fact the methods of the past. History is filled with mutual guarantees, non-aggression pacts and promises of good behaviour.

What is truly revolutionary about the CSCE process is its ability to establish a political process among states of diverse interests and backgrounds and to actually achieve results.

If we wish to do something truly creative at this conference, we will proceed from the foundation provided by the values reflected in the Final Act, using the political process as an operational framework.

Such a goal is much harder to achieve than is agreement on new bureaucratic structures or pieces of paper. If it is to be reached, there must be an evolution of the thinking in western countries as well as in the new democracies to the East.

In particular, we must all cease to view relations within Europe as a sort of zero-sum game, in which the gains of one group must be balanced by losses of another. Our goal now is to take the individual elements of our structure and combine them in a way in which the result is greater than the pieces of the whole.

We believe that this truly new approach to the CSCE should be reflected in a political statement by our summit leaders which builds upon the accomplishments of the past. It should include:

- reaffirmation of the basic values to which the CSCE is attached and application of these values to a new operational framework;

- development of this framework on the basis of principles enunciated at Prague. That is that the Council of Ministers and the CSO central organs collaborate in a political process of increased consultation and concerted action;
 - support for this operational principle of the CSCE through strengthening of the institutions and methods. In this regard, we would support proposals for development of troika or steering group concepts and for expansion and better definition of the rôles of the ODIHR and the CPC. We view our proposal for an economic forum in this same context;
 - focus the work of these institutions on the central task of the CSCE in the post-cold war world. Some persons describe this task as conflict prevention or crisis management. We would expand the definition to talk of the process of managing change. Change is happening and we want it to happen. But it must occur within certain limits. In the years to come, the central political task of the CSCE will be to ensure that change takes place in a positive fashion which supports the development of democratic institutions.
- We agree with those who argue that the CSCE should refine and strengthen its structures to this end. In this regard we think highly of the Dutch proposal on early-warning indicators and welcome the British paper on conflict prevention. We believe that a major result of this conference should be an integrated structure, focused on the ministers and the CSO, which strengthens CSCE's ability to manage change;
- reduce the danger of military confrontation and conflict through agreement on a comprehensive structure for dialogue, negotiation and co-operation in the field of military security. CSCE will become central to the on-going arms control process and thus should establish its own forum for that purpose. This forum should be limited to its specified tasks, however. It should neither become the focus of our conflict-prevention structure, nor should it be the seed of an overall structure for security. Our desire to keep the CPC separate from this forum is based on this overall concept. The CPC should serve all aspects of the council's efforts to manage change. It should not be tied to one segment of the CSCE;

- supplement these operational efforts with continued CSCE projects to attack the underlying causes of tensions. This is the reason for our proposal for a seminar on migration. We agree that further work should also be done on the subject of minorities. Important areas for co-operation exist in the areas of economics, science and technology and the environment. The fields of culture and press and information remain vital to our task;
- deepen the expertise available to the CSCE by expanding opportunities for work with international organisations. Such work should include more possibilities for individual presentations in plenaries and working groups of all CSCE meetings; provision for regular attendance at meetings as observers and co-ordination and co-operation of specific projects agreed at CSCE with existing organisations. We take seriously the mandate of the Prague ministerial to expand contacts with trans-Atlantic and European organisations. We wish it could be put into full effect now, while Helsinki is still underway. Since this seems not to be possible, we will hope for agreement by the end of the meeting. In the meantime, we will monitor the work of the working groups carefully to ensure that all relevant organisations can participate in the various groups which would profit from their experience;
- expand the effectiveness of our work through increasing opportunities for contributions by non-governmental institutions and organisations. CSCE cannot become a club of diplomats. It must increasingly involve the public. If it does not, it will soon lose credibility."

41. Your Rapporteur is pleased to report that the idea of "expanding opportunities for work with international organisations" is already a reality. WEU was invited to make an initial contribution to the CSCE plenary session on Friday 3rd April and the text of the Deputy Secretary-General's address is at Appendix III.

42. The following week the United States Delegation, profiting from the fact-finding mission of your Rapporteur at the CSCE review conference, suggested that WEU should be invited to attend the appropriate working group to continue and expand the dialogue begun in the plenary. We should hope that the idea is taken up for it is only through specific dialogue that the review conference will make definite progress.

(iii) The art of caucusing

43. In passing, your Rapporteur would like to draw attention to a striking aspect of the work methods of "western" delegations contrasted between Vienna and Helsinki. In the days of the two blocs, in spite of the official theory that the nations were all negotiating on an individual basis, there were very many "western" and "eastern" caucuses. With the collapse of the Warsaw Pact and therefore the disappearance of the "eastern" caucus, even the "western" caucus has become less homogeneous and, especially in Vienna, an informal "WEU caucus" has been formed. This is of course in keeping with what was decided and declared by WEU in Maastricht last year, but such caucusing has long been taking place de facto because of the desire over the years of the Defence Committee to consult delegations in what has become a regular round table session whenever the committee meets in Vienna. Not that such meetings have been exclusively WEU-oriented. On every occasion the committee has also been addressed by United States delegations and indeed a large number of other major delegations (a tradition which we have established also in Geneva at the Conference on Disarmament).

44. At our last meeting in Vienna, at the beginning of March, we were delighted that the majority of Chairmen of National Defence Committees from all the European NATO countries were willing and able to accept our invitation to participate, thus allowing both a widening and a deepening of the discussion.

45. Of course, the "widening" versus "deepening" debate may be seen in other contexts also. Which brings us back to Helsinki and a particular problem inherited directly from Maastricht. Foreign policy and security matters are now within the purview of the European Community, and therefore the "caucusing" among Europeans in Helsinki is being conducted at the level of the Twelve. This is not without its problems, however, and each nation has floated its pet idea or ideas of the moment in individual attempts to seize the initiative.

46. For example, among the list of proposals presented for consideration by the Twelve for possible common presentation figure the following:

- *Belgium*: settlement of differences and maintenance of peace;
- *Denmark*: working procedures governing the meetings of the Council (not yet circulated among the Twelve); peace-keeping (with Nordic group and Canada; Sweden has proposed a CSCE permanent force of some 50 000);
- *France*: juridical justification of institutions, agreement on the status of the secretariat, the Conflict Prevention

Centre (CPC) and the Office of Democratic Institutions and Human Rights (ODIHR); mandate for a CSCE security treaty;

- *France/Germany*: conciliation and arbitrage;
- *Germany*: troika and steering committee; regional arrangement (Chapter VIII, United Nations Charter); "green" helmets (environment);
- *Italy*: dialogue with non-participating states;
- *Netherlands*: CSCE High Commissioner for Minorities; CSCE and operational aspects of crisis management and conflict prevention;
- *Spain*: replacement of follow-up meetings by the summit preparatory committee;
- *United Kingdom*: resolving disputes which have the potential to develop into armed conflict; "Code of Practice" (human rights and fundamental freedoms).

47. Most of these ideas are of course very worthy of further consideration but the likelihood is that in Helsinki there will not be time to develop every proposal fully. In years to come it is to be hoped that the mechanics of European Union will encourage the ordering of priorities and the concentrating of effort: the use of "precision guidance" rather than the "shotgun" approach.

48. Hence your Rapporteur's plea for a continuing WEU caucus on matters where the Twelve have agreed to delegate to WEU, namely defence in all its ramifications (and arms control is now an integral part of defence rather than being, as in the past, a "twinkle in the eye" of an undefined future security structure). We are now to implement specifics in the new arms control régimes: we are talking about people, arms, equipment, armies, navies and air forces in real terms - terms which are still the prerogative of national governments, of national parliaments and therefore of the WEU Assembly which is now confirmed by Maastricht as being the only international parliamentary instance in Europe with both the right and the duty to discuss defence matters.

49. Where particular arms control initiatives are concerned (for example over verification methods and co-operation - observation satellites, inspection teams and open skies) WEU is showing that it can take initiatives and follow them through. Such initiatives should be taken further, ideally in partnership with other CSCE members, and WEU should be allowed to take the lead for the Twelve rather than having to

proceed at the pace of the slowest or the most reluctant. (Being a realist, your Rapporteur is aware that this problem is likely to be exacerbated in the future, especially when the EC is expanded and more and more non-NATO members join.)

(iv) A CSCE treaty?

50. Of the proposals for discussion listed above, a number are obviously linked to national stances and are perhaps likely to elicit little support from partners, although little opposition either.

51. One proposal in particular, however, has already led to some polemic and should be examined further in the light of the many affirmations that the CSCE should be developed and given a more solid basis. This is the idea proposed by France of a CSCE treaty.

52. At present the non-treaty CSCE charter and declaration are not binding and therefore cannot fill the security vacuum in Central Europe to provide security guarantees. France, strongly seconded by Russia, has proposed that the CSCE establish a mandate to examine the idea of a specific treaty to establish the norms of good conduct between participant states and agreement on non-aggression.

53. Some transatlantic opposition to the idea is already apparent, especially as such a treaty is perceived as being detrimental to NATO, but your Rapporteur believes that this might be the answer to NATO's problem in not being willing to extend its own guarantees further eastwards. The proposal at least merits greater consideration and would be a very suitable subject for the forthcoming discussion between WEU and the Central and Eastern European "Eight".

54. Meanwhile, two other proposals are eliciting some immediate support: the United Kingdom's suggestions on "Resolving disputes which have the potential to develop into armed conflict" and the Netherlands' ideas on "Operational aspects of crisis management and conflict prevention". The reasoning of both proposals merits reading in full and the national papers are reproduced as Appendices IV (United Kingdom) and V (Netherlands) respectively.

55. Of the two ideas, the Dutch suggestion on "sub-contracting" CSCE action to NATO or WEU has specific application for our own organisation, especially as we move towards a more operational structure (see also the Defence Committee report "WEU: the operational organisation", Rapporteur: Sir Dudley Smith).

56. NATO itself has been understandably enthusiastic about such ideas and indeed the NATO Assistant Secretary-General for Political Affairs, addressing the Helsinki plenary session

on 2nd April 1992, said that "a thorough discussion will take place inside the alliance to reach a consensus among allies on the possibilities of NATO to support future CSCE peace-keeping and peace-enforcement activities by making available its means, such as communications, intelligence, logistics, infrastructure or even forces". (The full text of the address is at Appendix VI.)

57. It may, however, take some time to achieve such a consensus among NATO members, particularly given the past difficulties on agreement for NATO action within area, let alone out of area. WEU's more pragmatic possibilities, politically, under Article VIII of the modified Brussels Treaty, associating other CSCE nations for any given action, as suggested by the Dutch in their paper (Appendix V), would probably prove preferable.

58. Regarding CSCE action in the future, there is one vital aspect which needs immediate consideration. Our governments must tackle the question of whether they continue to assign new rôles to the CSCE while continuing to make available only the present meagre resources for its embryonic institutions. The CSCE secretariat in Prague has a staff of six and has to spend much of its small budget on language provisions. The Warsaw-based Office for Free Elections (OFE), recently renamed the Office of Democratic Institutions and Human Rights (ODIHR), has been given increased duties and also has a staff of six. The Conflict Prevention Centre (CPC) in Vienna has a staff of seven and is now to function as a clearing house and data-bank for information on military forces, budgets and activities. When the Defence Committee, meeting in Vienna at the beginning of March, was briefed by the Director of the CPC, it was obvious that a lack of resources, both human and financial, was hampering the centre's work and potential. It is hardly possible at present to consider the centre as operational for the prevention of any conflict whatsoever: conflict limitation maybe... A positive step by WEU in support of the CPC would be to make available the services of the WEU satellite centre at Torrejón, when operational itself. This would be fully compatible with one of the WEU centre's rôles: helping with crisis management through timely analysis of imagery.

(v) The danger of duplication

59. Throughout its existence WEU has been very careful to emphasise complementarity and to avoid any duplication with other competent institutions, especially NATO. Even with the present surge in recruiting for WEU (Torrejón represents a 50% increase in total staff) the organisation will number only some 150, which is a great deal more than the CSCE, but considerably less than the thousands employed in NATO headquarters and commands. A redistribi-

bution of human as well as financial resources is now called for and a rigorous effort made to avoid duplication.

60. The greatest example of such duplication currently involves NATO and the CSCE, and is fraught with political overtones. The bone of contention is the North Atlantic Co-operation Council (NACC) which is seemingly running on parallel tracks to the CSCE, but with a more powerful engine pulling the train...

61. Originally a United States-German initiative, the NACC began life as a means to bring NATO and the ex-Warsaw Pact nations together. The problem is that it is fast becoming too big for its nest, like the proverbial cuckoo, and risks alienating those it was designed to reassure. In European terms, with the demise of the Soviet Union and with now the inclusion of the Asian republics, the NACC has become a paradox: Asia is in, while a large part of Europe (first and foremost the neutral and non-aligned states) is out.

62. The aims of the NACC are very laudable and its "work plan for dialogue, partnership and co-operation", issued at its meeting in Brussels on 10th March 1992 (see text at Appendix VII) is a model for all possible aspects of co-operation across the range of interests of each and every one of the participants. The work plan has been further refined as a result of the meeting of NACC Defence Ministers and representatives in Brussels on 1st April 1992 (text at Appendix VIII) and a list drawn up of areas for further co-operation in defence-related matters.

63. If duplication with CSCE is to be avoided then there must be urgent discussion between all concerned to agree a reasonable division of labour. This, however, would imply an alignment in membership between the two instances and, if ever we reach such an arrangement, what would be more logical than to merge the CSCE and the NACC? The problem of infrastructure for the CSCE would be resolved at a stroke, the seeming lack of political purpose for NATO also resolved for the longer term...

64. Of course there are wider considerations and many obstacles in the way to be overcome. Not least among these is the uncertain position of the United States. On the one hand, the American view is the simplistic approach of the Wall Street Journal Europe: "NATO has demonstrated that it is an organisation in which diverse nations can work together in harmony on that most serious of all subjects, national security" (3rd April 1992) and going on to assert "The United Nations, the Conference on Security and Co-operation in Europe, Western European Union - none of them could have managed this". (Of course they could not, with

such determined support for the NACC, not to mention quite a sizeable budget as an incentive for "success" when many of the smaller players are not even able to finance permanent delegations to the CSCE...). Quite a contrast with a very different, rather more analytical view from the International Herald Tribune (7th April 1992):

"Europe is going through a phase of extreme instability. Thus, the provision of security remains an issue of central importance. To put it in simplified terms, there are two basic alternatives:

Either NATO remains the western instrument of collective defence, in which case the Conference on Security and Co-operation in Europe has to be developed into an effective system of collective security.

Or NATO develops into an Atlantic/pan-European system of collective security, in which case the function of collective defence of Western Europe has to be performed by the European Community and Western European Union."

65. Whichever development is favoured, the United States must try to ensure that it avoids giving the appearance of dominance in the NACC, which is already causing a number of central and eastern (as well as western) European countries to shy away from a new United States/Russian condominium...

66. That being said, an environment for plain speaking is gradually being installed both in CSCE and the NACC and the latter has been instrumental in furthering considerations to ensure a reasonably rapid ratification of the CFE agreement (although at the time of writing quite a few states had not yet completed the ratification process, let alone deposited that ratification in the Netherlands). Your Rapporteur trusts that, as emphasised in the set of recommendations adopted by the Assembly last December, the CFE Treaty will be fully vetted and agreed well before the Helsinki summit scheduled for 9th and 10th July 1992. The fear is that the Russian President's current trial of strength with the Russian Parliament may have an adverse effect on the ratification process. Implementing the treaty would then prove a near-impossibility and a massive set-back for any hopes of structured international arms control. The other brake on implementation of CFE is the need to share the various treaty-limited equipments between the CIS states. Slow progress is being made at the time of writing.

67. With regard to CSBMs, the 1992 Vienna document, agreed just before the start of the Helsinki review conference, shows what substantial developments there have been regarding the whole range of topics under consideration:

from an annual exchange of military information, including information on military forces, on plans for the deployment of major weapon and equipment systems, on military budgets, unusual military activities, etc., etc., to compliance and verification through inspection. This is the way in which agreed CSBMs will be applied. The 1992 Vienna document marks a significant milestone along the road leading to a safer and more secure structure for European security. Much of the success of the document is due in no small measure to the efforts of the Polish Delegation in Vienna in producing an appropriate draft and steering it through various minefields to general acceptance.

(vi) Open skies

68. The other remarkable success from Vienna is the agreement on open skies signed on the opening day of the Helsinki review conference. The Defence Committee, meeting in Vienna in March 1992, under the auspices of the German Delegation, representing the Chairman-in-Office of the WEU Council, was able to concentrate on the various aspects of these negotiations, where substantive progress was made in a comparatively brief period, with much of the impetus coming from WEU itself. Your Rapporteur is particularly grateful for the very clear statement of the basic principles of the Open Skies Treaty provided by the Head of the German Delegation:

“ 1. The Open Skies Treaty lays down the conditions for air observation of the territory of participating states from Vancouver to Vladivostok. For the first time since the division of Europe came to an end, it sets out in contractual form the new concept of co-operative security and is the expression of a security alliance covering Europe and also the territory of Russia and the whole of North America. The negotiations were exemplary since their resumption at the beginning of November 1991 insofar as, for the first time in the history of arms control, Russia was not treated as an enemy. Each time the Russian Delegation made a serious request, the other parties were prepared to follow it up constructively.

2. In addition to the observation possibilities now afforded by national technical means, i.e. satellites belonging to the few rare states having them, air observation by aircraft equipped with sensors means that co-operation can be started with the following advantages:

- this system can be used flexibly depending on the period chosen, the region to be observed and the necessary itinerary and flight altitude, this being possible over great distances;

- it allows very effective surveillance thanks to sensors which take account of the many kinds of visibility conditions (optical and video cameras, infrared and radar sensors) and have appropriate resolution capability;

- it is significantly cheaper than national technical means; and

- all the states concerned can very quickly have identical data obtained from overflights.

3. The treaty includes the following essential provisions:

- states parties to the treaty agree to other signatory states overflying their entire territory subject to brief notice being given. Flight restrictions are authorised only if air security is at stake;

- it fixes the number of overflights authorised each year, for instance 42 for the United States and for Russia and Byelorussia combined and 12 each for France, Germany, Italy and the United Kingdom. In the first three years, only 75% of overflight quotas will be filled. Signatory states may join together as groups of states, thus pooling their quotas - as in the case of Russia and Byelorussia - or sharing their active overflight rights, as in the case of the WEU countries. The breakdown of active quotas, i.e. the number of observation flights by each signatory state and their aims, is renewed each year by consensus;

- as a general rule, flights must be effected by aircraft belonging to the observer state or group of states. However, the country to be observed has the right to make an observation aircraft available from its own country. Depending on the size of the country observed and the number of aerodromes recorded there, flights are limited to certain maximum distances, for instance 1 200 km for Germany and 4 000 km for the United States;

- sensors on board aircraft, which must be purchased on the market by each participating country without exception, must have an appropriate resolution capability and, in the medium term, allow all-weather, night and day air observation of military activities and installations. This equipment, which must be procured within three years, must include a series of optical and video cameras, synthetic aperture radar and infrared sensors. In the meantime, aircraft will be equipped with less sophisticated sensors;

- data obtained from overflights will also be made available to other signatory states on payment of an appropriate share of the cost;
- as a general rule, the observer country pays for the overflight. However, details still have to be worked out by the Open Skies Consultative Committee;
- initially, the treaty will be signed by the states that played a direct part in the negotiations. Among the successor countries of the former Soviet Union, these are the Russian Federation, Byelorussia and Ukraine. The treaty is open to signature by the other republics. Within six months of the date of entry into force, other member countries of the CSCE may accede. Finally, other countries may be invited to accede to the treaty.

4. In order to contribute to openness and transparency, the aim of the Open Skies Treaty is to record military activities. Its use may subsequently be extended to include verification of arms control agreements, e.g. the CFE Treaty, conflict prevention and crisis management, as well as the protection of the environment.

Europeans consider the Open Skies Treaty plays an important part in monitoring military equipment and activities linked with security outside the area of application of the CFE Treaty and confidence-building measures decided in the CSCE, i.e. on the other side of the Urals. The importance of this aspect is enhanced if one considers that, during the CFE negotiations, the former Soviet Union withdrew to the other side of the Urals large amounts of equipment limited by the treaty. In regard to verification, reference is made to Article XVIII of the CFE Treaty, according to which an air inspection system was to be established. This might now be done on the basis of the Open Skies Treaty.

Open skies flights can help in crisis management. The flexibility of the aircraft and the launching at short notice of open skies flights, possibly jointly, are original ways of ensuring active crisis management. The treaty merely affirms that open skies observation flights may be used for this purpose. The corresponding provisions and decisions will have to be decided by the appropriate CSCE and other international bodies.

Signatory states may submit to the Open Skies Consultative Committee proposals concerning the application of the open skies system in other areas such as pro-

tecting the environment. Joint decisions would then have to be taken on the procurement of the necessary special sensors.

5. The Open Skies Treaty provides for co-operation in groups of states. The WEU countries, on the one hand, and the Russian Federation and Byelorussia, on the other, have opted for this method.

Groups of states may co-operate *inter alia* by:

- pooling their overflight quotas. For this purpose, they may set up a community of states with joint active and passive quotas (Byelorussia and Russian Federation) or use active overflight quotas jointly, while maintaining the individual quotas of the participating states (see the example of WEU at appendix);
- pooling aircraft and sensors;
- sharing expenditure.

Co-operation by groups of states is a major factor in reducing the cost of overflights. The treaty provides for other ways of reducing costs for countries that do not form part of a group:

- participation in overflights carried out by another state or group of states by forming multilateral teams of observers;
- chartering an observation aircraft from another state or group of states in order to carry out an overflight for observation purposes;
- purchasing copies of the images taken during an overflight by another state or group of states.

Thus, all states parties to the treaty can take advantage of the possibilities offered by air observation in the framework of open skies overflights.

6. The treaty provides for the creation of a special body – the Open Skies Consultative Committee – which will have its seat in Vienna and be responsible for implementing, completing and finalising the treaty. Since it was not possible to solve certain essential problems in the treaty such as deciding on costs and methods of calculating the resolution of the sensors before the treaty was signed, the committee was expected to meet for the first time on 30th March 1992.

7. The fact that the treaty was not completed until after the recent political events in Eastern Europe also shows the cooperative nature of the open skies system. In 1990, the two rounds of negoti-

ations held in Ottawa and Budapest on the initiative of President Bush led to no concrete results. The negotiations resumed in Vienna in November 1991 might, on the contrary, serve as a model for the conduct of co-operative negotiations, bearing in mind the new circumstances in Europe. On this basis, it proved possible to draw up in less than four months an extremely complex and highly technical treaty having an impact comparable with that of the CSCE treaty.

8. Taken as a whole, the Open Skies Treaty makes a significant, innovative contribution to the building of joint security structures in the area between Vancouver and Vladivostok. It is the most ambitious confidence-building measure ever drawn up. Twenty-four member states of the CSCE are now associated with it and others will follow. The Open Skies Treaty is a model that might be imitated in other regions of the world in order to increase stability and security."

69. The "WEU example at appendix" refers to the declaration made by the Head of the German Delegation at the Plenary Conference in Vienna on 18th March 1992, which reads:

"On behalf of the Delegations of Belgium, France, Germany, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom, I should like to state that our countries intend to establish, effective from signature of the Open Skies Treaty, a group of parties under Article III, Section II, paragraph 2, of this treaty. We also reserve our right to transform in due course this group according to paragraph 3 of the section referred to.

In this connection I should like to recall the invitation which the member states of WEU have extended to a number of other states in their declaration issued on the occasion of the 46th European Council meeting on 9th and 10th December 1991 at Maastricht."

70. WEU is thus reserving the right to take its co-operation forward in specific terms; the various options include:

- a commonly-funded pool of dedicated aircraft;
- a pool of podded sensors to be shared;
- the use of national aircraft on a rotational basis.

71. As in other contexts, WEU action need not be exclusive and discussions have been continuing to consider Russian proposals for a joint

venture on aircraft, sensors and ground-based processing. Again it is obvious that the WEU satellite centre in Torrejón must be linked to open skies to ensure that maximum benefit is drawn from the complementary nature of the various aerial observation methods involved.

72. Here your Rapporteur must issue a word of caution and echo one of the reservations made by Mr. Tummers in the report he presented to the Assembly on "Disarmament - Reply to the thirty-third annual report of the Council" in December 1988³. Verification is not cheap and implies considerable expenditure before it is possible to achieve even meagre results. This is yet another assault on the infamous "peace dividend" many of us were counting on with the end to the cold war.

73. The cost of providing and equipping the aircraft needed for open skies is likely to be prohibitive for many of the 24 signatory nations. WEU should ensure its practical arrangements provide opportunities for co-operation with other states, particularly those of Central and Eastern Europe, in efforts to find the most cost-effective and practical solutions possible. Again, this would be a suitable subject for discussion for the forthcoming WEU/ "Eight" meeting.

(vii) Manpower negotiations

74. With matters reasonably well-advanced where CSBMs, CFE and open skies are concerned, the "unknown quantity" in the current Vienna negotiations concerns the discussions on manpower: CFE 1a.

75. A number of difficulties have been encountered and the deadline for agreement is now set for the end of the Helsinki meeting. The context for manpower reductions is common, although with no collective provisions and with national limitations likely to prevail. In short, unilateral manpower reductions are likely to overtake everything agreed formally. Some difficulties remain over certain categories of personnel, for example, over those working for various para-military organisations with certain treaty-limited items of equipment. Delegations in Vienna and Helsinki are however reasonably optimistic about success. It will be important to establish agreement here: there are specific implications, especially for those "new" states considering the setting-up of their own armies... Another implication will be for the proposed harmonisation process between the CFE signatories and the other CSCE states. Countries such as Switzerland, Finland, etc., which have traditionally relied on reserve and mobilisable forces ("citizens' armies"), will need particular consideration and provision if they are not to be unduly penalised by a potential CFE 1a agreement on manpower reductions.

V. Arms control: the CSCE and WEU

76. WEU has come a very long way in affirming its own identity with regard to arms control considerations, and your Rapporteur was particularly pleased to see the conclusions of the working group on "WEU and arms control" from the 4th WEU Higher Defence Studies Session held at the initiative of the Chairman-Office of the Council at Ebenhausen near Munich from 23rd to 26th March 1992. The paper prepared by the working group (Appendix IX) gives an account of the progress made by WEU over the years; its conclusion is that there is no foreseeable realm of arms control where WEU should not be involved, if it wishes.

77. As emphasised earlier in the report, WEU has had its identity reinforced as a result of the Maastricht declaration. Discussions in WEU on arms control issues aim at reaching a concerted European position which may serve to increase the impact of member states' voices in NATO and in the Vienna negotiations. Such an idea is fully consistent with the objectives of the Maastricht declaration.

78. Admission of the CIS states to the CSCE was essential for it now commits them to undertake the whole range of CSCE obligations, signed originally by the Soviet Union. The compunction is to ratify and implement the CFE Treaty (and it would be difficult to envisage further arms control measures unless and until the implementation process for CFE has begun). Another "real reason" is to apply all the provisions of the Vienna document: important since it implies extending the geographical scope of the CSBM régime, thus setting a precedent for post-Helsinki negotiations. And regarding that post-Helsinki future, WEU is agreed on the three security functions of the CSCE:

- negotiations to continue on different aspects of arms control;
- a security dialogue amongst nations to lead towards greater co-operation;
- conflict prevention,

although not all nations are agreed on the priority of future discussions, they are all agreed on the need to define the substance for discussion first).

79. As well as planning co-operation in the specific context of open skies, the WEU member countries are currently pursuing co-operation in a number of other areas, particularly where verification for the CFE Treaty is concerned:

- (a) a table has been prepared indicating which inspections member countries are prepared to open to inspectors from other WEU countries during the baseline validation period (the first 120 days after entry into force of the

CFE Treaty), and which countries are interested in participating;

- (b) a set of rules has been proposed for the operation of multinational teams, and these are being introduced into the NATO Verification Co-ordination Committee (VCC) as a WEU contribution;
- (c) the joint training of inspectors is being considered;
- (d) bilateral inspection exercises (active and passive) are being encouraged and views exchanged on the results;
- (e) evaluation visits under the Vienna document (CSBMs) are under consideration, particularly those involving the neutral and non-aligned.

80. When the satellite centre in Torrejón is developed it should have a special contribution to make on verification and the Assembly has always been a fervent supporter of ideas for future co-operation in such realms. The idea of a European verification centre⁴ is still on the table, if not yet on the Council's agenda.

81. As a first step towards setting up such a centre, we should consider inviting the Central and Eastern Europeans to take part in the training phases in Torrejón. Speaking during the Assembly's symposium in Berlin, Mr. Fourné (whose report⁵ for the Defence Committee in 1988 first inspired ideas on WEU acquisition of an observation satellite capability), suggested that Czechoslovakia, Hungary and Poland might appreciate invitations to participate in the training of image interpreters.

82. These ideas fit in very well with proposals to reinforce CSCE structures such as the CPC – practical initiatives to reinforce the notions of complementarity and transparency which have become such important symbols of the new security order in Europe.

83. Which brings us on to the philosophy for the future of arms control within the CSCE: where do we go from here? The delegations in Helsinki are tackling the problem now as they try to produce a mandate for the European security forum to be established this autumn in Vienna. The following chapter attempts to redefine the criteria for the way ahead and your Rapporteur is very grateful for the brainstorming and paper-writing⁶ which took place at Ebenhausen to help formulate ideas.

VI. The new security order in Europe – the political philosophy

84. Past and still continuing political changes in Europe will significantly influence future security developments on the European con-

continent. The era of confrontation as the guiding element of East-West relations over more than 40 years has ended and should be replaced by a process of increasing political co-operation between all CSCE countries. This new political situation and the resulting fundamental changes of the military situation in Europe will have to guide the creation of a framework for the European process of co-operation and negotiations after the CSCE meeting at Helsinki. Under the umbrella of the CSBM agreements, and in particular with implementation of the CFE Treaty, the danger of military confrontation in Europe will have largely disappeared.

85. In view of these new political and military conditions, the terms security and stability in Europe require redefinition, emphasising overall political criteria to a greater extent than in the past. Within the future European political structure it will no longer be possible to quantify stability in Europe mainly on the basis of concrete military factors. The stability of future political relations in Europe will decisively depend on the quality and solidity of a comprehensive political network of co-operative relations and its value for the national interests of all participants. However, even within a functioning and sophisticated system of political co-operation, maintenance of long-term stability in Europe will require establishment of clearly visible and credible risk levels and thresholds for deterring potential disturbing actions by individual participants. But, such thresholds will have to be related rather with political consequences than with military actions. A comprehensive and effective co-operative system which offers clear advantages to all participants will in itself create a serious and effective risk threshold for any country potentially causing instabilities because the resulting national damage would extremely exceed any possible gains.

86. Nevertheless, a more politically accentuated policy for security and stability should not lead to an unbalanced and dangerous underestimation of military components. Even in case of positive developments in the process of all-European co-operation military threats within or against Europe from the outside cannot be excluded. However, possible future military scenarios will differ significantly from those in the past and, thus, may require a reorientation of national military strategies and concepts as well as structural changes within the military forces. This task and the development of concepts for security co-operation and arms control negotiations require a common general understanding of all participants of the future needs for European security and military forces.

87. After the end of East-West confrontation in Europe, in the future new types of threats may occur resulting from increasing tendencies towards nationalism and from single ethnical

groups and minorities fighting for independence. (The proposal by the Netherlands in Helsinki for a "High Commissioner for Minorities" is a positive suggestion which deserves support.) Further potential threats may originate from widening gaps between the standards of life of countries in Europe particularly when these gaps would lead to increased waves of migration. Coping with these new threats would normally require mainly political countermeasures while military response options could even be counterproductive. However, to be effective, political counteractions should be enforced by the availability of adequate and, if necessary, employable military options. Within the process of security co-operation in Europe it will be important to develop a broad spectrum of political will as well as military measures to assure timely and effective common reactions in case such new threats will occur.

(i) Concepts for future co-operation and arms control

88. Under the new political conditions and for meeting the ambitious political expectations with regard to future developments in Europe it is necessary to define broader and more comprehensive objectives and concepts for the new process of co-operation and arms control than in the past. In the case of CFE the objective was limited to the elimination of military threats and imbalances and to the establishment of numerical parity in most critical weapon systems and equipment between the two bloc systems in Europe. The CSBM negotiations were specifically directed towards confidence- and security-building in the military area. In contrast, a concept for the future process must also cover, in addition to far-reaching arms control elements, security co-operation as a second component. It also has to observe the requirements for a broad and long-term political approach. On the basis of the new political situation in Europe negotiating procedures will have to differ from those in the past: negotiating with each other will have to replace the former system of negotiating against each other; attempts to gain unilateral advantages will be counterproductive to the given overall objective. In future, effective stability may be achieved only through balanced arrangements without discriminating against any participant. These fundamental criteria will not only influence structure and working conditions of the new forum but also character and content of initiatives and proposals for the negotiations. Aiming at effective European co-operation it is important to create and structure the new forum in a way to provide an effective platform for co-operation and which would contribute to stability by its mere existence.

89. For effective implementation of the given political objectives it is necessary to base the concept for the European process of co-

operation and negotiations after Helsinki 1992 on the long-term requirements for far-reaching all-European political co-operation. Thus, within this concept and the broad spectrum of tasks the establishment of effective co-operative structures in Europe as well as actions and measures focusing on stability and co-operation will be of special priority. These politically and substantially ambitious missions can, however, hardly be realised within a limited time-frame. A greater number of tasks and measures may be achieved only after favourable political conditions and the necessary degree of co-operation have been established. Therefore, the future process of co-operation and negotiations must be based on a comprehensive and long-term concept allowing for a phased and step-by-step approach and flexible implementation during the course of the talks and negotiations, but, without dictating the number and duration of phases in advance. More concrete tasks and guidelines may be defined during the process before entering the respective work phase.

(ii) Tasks and structure of the future forum

90. Based on the political intentions for future developments in European security there are three basic tasks guiding the structure of the new European forum: first, the various missions within the context of security co-operation; second, continuation and further development of conventional arms control negotiations; and, third, conflict prevention and conflict management. In addition, the special requirement to establish effective and permanent conditions for dialogue may be considered a further element. However, while the first three tasks will fundamentally influence the basic structure of the forum, dialogue is a more procedural component which should guide the work in all areas and may have to be addressed specifically in the working procedures for the negotiations. Dialogue should be established in conjunction with concrete objectives and closely linked to the substance of work in the three areas.

91. In practice and because of common political aims there will be numerous interdependencies between the three structural elements of the new forum, i.e. security co-operation, arms control negotiations, and conflict prevention/management. The close linkages require inclusion of these three components into a common overall structure. However, they also open up a number of different options for substructures and the distribution of responsibilities within the new forum. A clear subordination of these task-oriented elements under a single and superior forum will secure close co-operation and co-ordination between these substructures and allow for some overlapping of responsibilities, thus providing some flexibility

for mission assignment to the different working bodies. This idea would allow future discussions to become "regionalised" or "sectorised" while maintaining an overall structure. WEU itself is beginning, for example, to pay special attention to the Mediterranean area where the proposal to institute a CSCM (Mediterranean) régime is gaining credence.

92. Development of the internal structure of the forum should however be guided mainly by mission-oriented criteria. In this context, it is of fundamental importance to differentiate between tasks which require negotiations for binding agreements with commitments directed towards improving stability in the future and tasks which focus primarily on present and actual critical security scenarios in Europe. This second criterion applies to the specific mission of conflict management, at least as far as common reactions to actually developing or already existing crises are required. Therefore, the Conflict Prevention Centre, being the responsible instrument for these tasks, should be kept separate from bodies mainly negotiating future-oriented measures and commitments. This general organisational differentiation has the advantage that long-term directed negotiation activities in the fields of structured security co-operation and arms control cannot be interfered and disrupted by actual crises or conflict situations. However, effective conflict prevention cannot be restricted to coping with actual conflict scenarios only. In addition, it is important to negotiate and agree on forward-looking pre-emptive measures and commitments. This requirement will have to be met by specific measures or by an effective interlocking network of commitments in the areas of security co-operation and arms control. Thus, while actual conflict management should be within the competence of the Conflict Prevention Centre the formulation of conflict preventing measures should fall under the responsibilities of the negotiating bodies.

93. There will be some substantive linkages between measures for security co-operation and those for arms control. In the past co-operative measures were part of arms control negotiations, in particular of the CSBM talks. But, under the new and much more far-reaching political objectives and different military effects and consequences there are basic conceptual differences between these two tasks. The overall concept of arms control aims at limiting and restricting military potentials and their activities. In contrast, future measures for security co-operation may support and organise common military activities and even include agreements on multinational military structures and potential employments of international forces. In view of these differences, for the future it cannot be excluded that sometimes contradictions between arms control interests and requirements for

security co-operation may occur. In this case a political decision with allocation of priorities will be necessary.

94. In the future implementation and verification of treaties and agreements may lead to additional work requirements calling for special working bodies within the structure of the new forum. This may occur in particular if the present work of the Conflict Prevention Centre and the CFE Consultative Group were to be combined and centralised. Under these circumstances it may become preferable to establish, as part of the forum, a separate instrument responsible for all questions of implementation of agreements. Later, and if required, this body could also be tasked with planning and organisation of multinational military activities on the basis of potential agreements in the field of security co-operation.

95. Security co-operation, arms control, conflict prevention, and treaty implementation are to be seen as complementary elements within a closely interrelated network. Priorities for work may be decided on the basis of the actual situation and political needs. The new European forum should be structured as an organisation entity and all its elements must provide a platform for co-operative work and open dialogue between all participants (hence your Rapporteur's earlier suggestion of aligning NACC membership with the CSCE and even of the NACC providing part of the formal infrastructure for the CSCE).

(iii) Consequences of the new political situation for future negotiations

96. European negotiations after the CSCE follow-up meeting 1992 in Helsinki will be an integral part of the CSCE process. Thus, organisation and working procedures for these negotiations will closely follow existing CSCE rules. On this basis, structure and procedures of the future process will lean more on past CSBM talks than on the CFE negotiations which still reflected the bloc-to-bloc concept. These formal conditions will have a particular impact on some key elements of future arms control negotiations such as quantitative reductions and limitations of military forces of the participants including the neutral CSCE countries (as discussed previously). Consequently, future arms control negotiations will require approaches focusing on national commitments for each member country concerned and will exclude further numerical calculations on the basis of alliances or blocs of states. These new terms will fundamentally influence format and substance of future arms control proposals as well as working and negotiating procedures within the forum. In contrast to the bloc-to-bloc concept used in CFE for the new arms control process it will be impossible to define balance and stability on the basis of quantitative calculations of military forces.

97. Another fundamental element of the framework for the new European process after Helsinki 1992 is the question of the geographical area of application for future agreements. The ambitious political objectives and the participation of all CSCE countries in the negotiations would conceptually lead to the conclusion that, as a rule, agreed measures and commitments shall be applied to the whole territory of all member states. However, depending on objectives and substance of specific initiatives or measures an attempt to include the territories of North America, the Asian part of the Soviet Union and Eastern Turkey may lead to unsolvable political and substantial problems in the negotiations. External political and military requirements of countries with territories outside Europe may often stand in contrast to European regional interests. Trying to adjust proposals in a way that their application to a wide geographical area becomes acceptable to all participants may finally lead to non-effectiveness. On the other hand, it must be assumed that several European participants may accept specific measures and commitments only if they will be applied to the whole territory of all CSCE countries. Under these circumstances it is unlikely to reach consensus on a solution which will generally apply to all future agreements to the total geographical area of all member states. But, even if such an agreement could be achieved, a general application of this wide area may lead to a significant reduction of the possible range of acceptable commitments during the future process. In contrast, a general limitation of the geographical area to the European region from the Atlantic to the Urals would not sufficiently meet the political intentions of the new process and the requirements of European security. Moreover, it does not appear necessary to lay down formally such a restrictive solution for the geographical area because for a number of potential measures application to the total territory of all participants may not be critical and would largely enhance the effects of the commitments. Decisions on the geographical area of application could be made for each negotiated measure individually by taking into account its specific content and objective. This was demonstrated particularly in the context of open skies.

98. Under the premise of avoiding the isolation of specific groups of countries or individual member states only a comprehensive conceptual approach aiming at balanced solutions for the region as a whole and for all participants could meet the political objectives. This fundamental requirement must guide the development of a comprehensive framework for political and security co-operation and arms control for the future. The concept for the new European negotiations must be related to the entire area of application without regional dif-

ferentiation. In this context, it is of particular importance to avoid a general fixation of geographic subregions and commitments which may lead directly or indirectly to different security conditions in specific European areas. However, this principle should not exclude special solutions for individual groups of states or neighbouring countries in case of particular security interests or requirements (e.g. CSCM). But, such agreements shall be limited to actual needs and must neither set a precedent for subsequent negotiations nor turn out into a general division of Europe into a lasting system of geographical subregions.

(iv) Terms of reference for the European forum

99. The substance of the terms of reference for the new forum will be decisively directed by the overall political objectives for the future process and by conceptual preconditions resulting from the composition of participants. The ambitious and comprehensive political aims for developing a European system of stability and co-operation call for a long-term and open-ended approach. This premise will not allow detailed advanced formulation of substance and definitive conditions for the entire negotiation process. General terms of reference must, therefore, observe the requirement for phased negotiations by providing an overall framework which leaves sufficient flexibility for covering developments and needs during the course of a presently still unpredictable process. Attempts to formulate more detailed guidance on the basis of vague assumptions and predictions carry the danger of leading frequently to a need for substantially revising or supplementing the existing terms of reference during the course of the process which may cause significant delay or even interrupt the negotiations.

100. The terms of reference should apply to the entire forum and generally cover all its structural components. They will have to describe the internal organisation of the forum as well as relationship and rules for co-ordination between the subordinated elements responsible for structure security co-operation, arms control negotiations, and conflict prevention. In this context, it will be necessary to underline the importance of a close working connection between these three components of the process. In addition, the terms of reference will broadly have to address objectives, tasks, and responsibilities of each of the three elements. By formulating the terms of reference, close co-ordination and adjustment of guidance for the two bodies responsible for security co-operation and arms control negotiations will need particular attention.

(v) Negotiating objectives for structured security co-operation

101. Agreements on effective measures for security and military co-operation will con-

stitute a fundamental requirement for the development of a co-operative political system in Europe. Therefore, negotiations of commitments in the field of structured security co-operation must receive high priority within the post-Helsinki process. In the past, some measures with co-operative character were already addressed during the CSBM talks and new initiatives in this area may be built on this experience and use some of the existing agreements as starting points. Measures of co-operation should concentrate on establishing effectively functioning multinational political and military organisations as a platform for dialogue and common planning and preparation for mutual political and military activities and actions. In addition to the primary effect of such measures of providing instruments and options for common political action they also contribute significantly to European stability not only by forcing intensive exchanges of views between participants but also by establishing international relationships. And this is precisely the specific rôle WEU could and should be undertaking – indeed is beginning to undertake.

102. A concept for negotiations on structured security co-operation may cover a wide spectrum of measures. Specific initiatives could be directed towards formal commitments for international exchanges of civilian and military students at national political and military colleges and academies. Measures could aim at establishing and organising multinational schools or academies for the training of key civilian and military personnel in international affairs and in preparation for their future work in international European organisations. Such permanent European training centres could also be used for scientific study and research on international political and military problems and for organising and conducting high-level seminars and conferences. An immediate parallel is evident with our own WEU Institute for Security Studies and the Maastricht proposal to transform it into a European Security and Defence Academy.

103. In the specific field of military co-operation, negotiations should aim at formal agreements for exchanging military personnel of various levels between national military organisations (c.f. the Assembly's recommendations in Document 1183, "State of European security – intervention forces and reinforcement for the centre and the north", 26th April 1989, Rapporteur: Mr. Speed). Establishing permanent liaison teams at high-level national military headquarters may be also be considered. Such teams could be formed on a multinational basis, or, possibly more realistic, may be exchanged bilaterally between neighbouring countries, as is already taking place, notably between France and Germany. The spectrum of

potential measures may also cover high-level multinational military staffs or headquarters for planning and, if necessary, organising international personnel exchanges, common military training, and multinational exercises. These staffs could be responsible for planning, organising and employing multinational military formations for specific international tasks such as immediate support in case of natural catastrophes in Europe. Multinational military staffs could also act as co-ordinating bodies for international air transport requirements and for the organisation and execution of larger-scale information visits as well as observation and verification missions. This is of course precisely what we are starting to do in WEU with the new operational structure.

(vi) Areas for future arms control negotiations

104. As for approaches in the field of structured security co-operation, the concept for future arms control negotiations must observe the implications of a long-term process. A greater number of important arms control measures may be realisable only in later phases of the process and after establishment of the required political and security preconditions in Europe. Thus, within the spectrum of measures for possible arms control initiatives, negotiating priorities should be allocated. In this context, a transfer of existing agreements and treaties into the new forum by integrating as necessary all participating states into these commitments will be fundamental for forming a firm platform for the continuation of conventional arms control in Europe. In practical terms this applies to the CSBM agreements, but, in particular to the CFE Treaty. These tasks should receive high priority from the very beginning of new arms control negotiations. Extension of application of the CFE Treaty to all participants of the new process should, however, be restricted to those elements of the treaty which are indispensable as a basis for follow-on negotiations and agreements. But, these activities must not lead to comprehensive revisions of existing commitments in which case a success may be highly unlikely and controversial discussions could result in long lasting delays of new arms control talks in a refusal of the CFE Treaty.

105. Within future arms control stabilising measures should become a central element already in an early phase of the negotiations. These measures should be considered as continuation and extension of former confidence- and security-building measures. Proposals in this field may concentrate initially on such areas which are not or not sufficiently covered by existing measures. For example, future stabilising measures may cover various activities of military forces including exercises, movements and activation of reservists. They could also deal with peacetime deployments and sta-

tioning of forces, potential peacetime preparations for war, and with key logistical and service support components. By supplementing numerical limitations of military forces in Europe these measures represent an important element in the course of enhancing security and stability in Europe.

106. For the objective of further restraining potential offensive military operations arms control measures aiming at guiding or restricting critical elements of military structures should become another major component of a negotiation concept. These measures should be directed towards establishing military structures of mainly defensive character. However, this task must be balanced against possible future requirements in the field of security co-operation and, particularly, against potential operational needs for multinational European forces. There are two main areas on which structural measures may concentrate. First, commitments could aim at limitations on specific and critical offensive elements within the national military structures and, second, they could focus on controlling and restraining the grade of operational readiness of military forces in peacetime.

107. Quantitative reductions and limitations of military forces and equipment will continue to play a major and indispensable part in the future negotiations because agreements leading to a visible lowering of military potentials are of particular political and public interest. Thus, the concept for the new talks will have to address measures or at least provide clear prospects for the continuation of quantitative arms control. However, as mentioned earlier, defining commonly-usable parameters for a calculation of numerical reductions and limitations of the national forces of all participants creates an almost insurmountable problem as long as a mutually-acceptable starting platform does not exist. A basis for calculating subsequent reductions of national force levels could be established by using CFE national entitlements, in particular, when present non-signatories will have joined the specific parts of this treaty by formal limitations of their own national military equipment covered by CFE. Such a platform would open options for calculating further decreases of national force levels on the basis of equal percentages. This underlines the fundamental importance and high priority of initiatives for extending the necessary elements of the CFE Treaty to all future participants in the negotiations. In addition to equipment limited by the CFE Treaty other force elements may be covered by formal and agreed reductions and limitations. In this case it will also be necessary to establish a commonly-acceptable numerical starting level. This may be achieved in the most practical way by calling for and accepting national restrictions proposed by each partic-

ipant for its own forces. Subsequent reductions could then follow the same rules used for equipment already limited under CFE. In view of the positive political developments in Europe and the time required for implementation of the CFE Treaty further force reductions and limitations may not receive high priority within the total concept for the new process. However, in this context, political, conceptual, and operational criteria will have to be balanced against each other. But, for political and public reasons it seems indispensable to stress the importance of quantitative reductions and limitations from the very beginning of the new arms control process. The concept must at a minimum provide clear long-term prospects.

108. There is an increasing interest for including qualitative criteria and limitations for military weapons and equipment in future arms control negotiations. On the one hand it is obvious that quantitative force limitations could be critically undermined and neutralised by qualitative technological improvements. On the other hand, definition and formulation of acceptable and effective criteria and parameters for qualitative restrictions will lead to very complex and often unsolvable problems. Options for effectively restraining qualitative arms developments require in most cases extension of control into industrial research and development. Technological research programmes, however, do not normally allow a clear identification of whether results will later be used for military or civilian purposes or both. It seems unlikely that industrial countries participating in the negotiations are prepared to throw open their national technological research and development programmes. However, even in case of favourable conditions it will be extremely difficult to define and, in particular, verify qualitative technological parameters critical for combat effectiveness of weapon systems. Under these conditions it may not be possible to develop intrusive and effective measures for qualitative arms control. As an alternative and for a first step into this new arms control field the negotiating concept may focus on measures for information and notification of developments, production and employment of specific military equipment only. Such commitments could contribute at least to openness and transparency in this area.

VII. Conclusion: The road to disarmament

(i) Nuclear

109. After the major proposals already adopted (START, Paris Conference) and the proposals and counter-proposals made by President Bush and President Gorbachev, which were described in the previous report, the critical stage has now

been reached when action has to be taken and consideration given to new steps for the immediate future.

110. There now seems to be a desire to make considerable reductions in nuclear strength, perhaps down to a strict minimum, in the framework of a vast system of arms control and verification. However, the speed and magnitude of these reductions depend on certain guarantees and a solution being found to problems which are still only too evident.

111. First, there will be no unilateral nuclear disarmament without the agreement of the various powers possessing nuclear weapons. One of the main questions relates to developments in the countries of the former Soviet Union. Four republics have strategic nuclear warheads and eleven have tactical warheads. Although Mr. Gorbachev's proposal was very reasonable and was endorsed by everyone, he is no longer in power and the intentions of those concerned tend to obscure the situation. How is it possible today to destroy a large part of the nuclear arsenal? Apart from the general wish for disarmament and a reduction in nuclear weapons, no concrete action has been recorded in this area in recent months: there is thus a stalemate.

112. Account must be taken of the fact that nuclear reductions first require arms control, a highly developed technical capability (it is not easy to eliminate radioactive material) and an economic structure that can cope with the enormous cost of these operations. The countries of the former Soviet Union fulfil none of these conditions. Arms are not under the control of a single authority but are, on the contrary, dispersed. It is doubtful (and this is moreover the opinion of very well-informed Russians) whether the countries of the former Soviet Union have technology that allows such material to be treated correctly. Nor do we yet know what final decisions will be taken on the sharing of nuclear power in that part of the world nor what political programmes will be adopted by those who can decide on the future of such armaments. For the time being, the implementation of nuclear agreements and plans depends on the situation in the East.

113. As it is suspected that nuclear weapons are proliferating in other countries, this too may hold up real reductions in nuclear arsenals. According to SIPRI, there are known to be other secret nuclear countries and there is very widespread concern about transfers of nuclear technology to potentially destabilising countries. The danger of proliferation exists. Whether it stems from the hundreds of scientists who have left, or wish to leave, the eastern countries or from the disappearance – and clandestine export – of materials and components, this danger will help to delay the implementation of major reduction measures in the immediate future.

114. It is nevertheless important to note that major unilateral initiatives have been taken even so. First, research and production programmes have almost stopped in the United States, the United Kingdom and France and it is assumed that, for urgent economic reasons, the former Soviet Union has started to withdraw some of its tactical warheads and that a few countries have also stopped nuclear tests. There seems to have been a general consensus on the decision to destroy short-range missiles and nuclear artillery munitions.

115. Your Rapporteur also wishes to underline what Mr. Genscher said about the non-proliferation treaty. He said it must be universally binding and that the United Nations Security Council must be the defender of this treaty. Consequently, arms reductions must be completed by political and juridical undertakings allowing inspection and verification.

(ii) Arms production and trade

116. It is clear that substantial, real disarmament will never be achieved if the production and sale of arms is continued. Any international steps to eliminate a large stock of weapons and any plans for a system of defensive security and sufficient minima depends on a radical reduction of production and very strict export controls.

117. Everyone knows that the production and sale of arms are very profitable economic operations. For years, arms exports have been part and parcel of industrial or economic progress in certain countries. This applies to leading exporters such as the United States, the Soviet Union, France, the United Kingdom and China and, to a lesser extent, Czechoslovakia, Belgium, Australia, Italy, Denmark, Brazil and Spain. Moreover, the production of arms for the domestic market, which avoided the high cost of imports, allowed the arms industries of many countries to be developed to an extraordinary extent.

118. This arms race, which was apparently economically profitable during the years of local conflicts throughout the world and overarmament resulting from the cold war have become disastrous for peace and for the economies of the exporting countries. There is no need to recall to what extent some governments regretted their exports to Iraq. In the end there was a war that we had to pay for.

119. Furthermore, a point was reached when arms production showed a surplus. Once the cold war was over, the prospect of large-scale disarmament and opposition by citizens to continued arms exports to the third world led to a crisis in the military-industrial system. The problem is particularly serious because the technical sophistication of arms requires considerable investment.

120. The days of high profits are therefore over. The problem to be solved as a matter of urgency is the conversion of a large sector of the military industry to a civil industry and this is not easy to achieve. It will lead to unemployment for many workers in the factories concerned. It means difficult reorientation towards other sectors of production and large-scale investment, particularly in research and training. It will be impossible to do all this with a minimum of rationalisation if market forces alone are allowed a free hand. A conversion programme will succeed only if based on an immense effort that only a government can guarantee. Hence there are many reasons why arms production and trade should be stopped short, the first of which is very simple: if we continue to produce weapons, arms reduction will never take place. Second, as the Rome Club said, it is sheer madness to sell guns for immediate profit to someone who may intend to kill the seller. Finally, our economies cannot allow themselves to maintain such a developed military-industrial sector with the permanent risk of bankruptcy. Naturally, too, there are arguments of a peaceful nature which should dominate.

121. To cut back the production and sale of arms, control measures must obviously be taken in parallel with disarmament agreements, which have a direct, decisive influence. In Berlin, Mr. Genscher reminded us that states participating in the CSCE have undertaken to subscribe to the United Nations register of arms transfers. This register must now be completed by restrictions on exports of arms applicable at world level.

122. At WEU level, information and control systems should be developed with a view to a joint strategy for reducing and limiting the arms trade and promoting a review of plans for the sale of arms in each of our countries on the basis of restrictive criteria. There should also be more controls of exports of arms and arms-related technology, particularly so-called dual-use materials that are sometimes exempt from control.

(iii) Chemical and biological weapons

123. As stressed in the first report, it took years for the Geneva disarmament conference to draw up the first agreements totally banning the use, production and stockpiling of these types of weapons of mass destruction. The text of a convention exists which might be adopted.

124. Negotiations are being continued and the positions of the WEU and CSCE countries in principle concord with these proposals. The difficulty lies in ascertaining whether chemical industries are producing weapons. However, it is apparently quite possible to carry out such controls from a technical standpoint and industries would be very willing to have a juridical

instrument that might spare them suspicion about their production.

125. While, on the political side, declarations in favour of a total ban on these weapons are unanimous, it should be pointed out that, in practice, many unilateral steps have been taken. At the summit meeting in May and June 1990, the United States and the Soviet Union signed an agreement on destroying 5 000 tons of chemical weapons over a ten-year period (1992-2002) and ending all production as from the coming into force of the treaty. This text also recommends that states having chemical weapons should follow this example by destroying their reserves.

126. Destroying such weapons is a very complicated operation. It is expensive and raises technical and environmental problems. It is estimated that the complete destruction of North American arsenals in 1997 might cost \$ 3 000 million. For the former Soviet Union, the operation would cost twice this amount.

127. The problem of the proliferation of such weapons is disturbing. They do not cost much to produce and it is believed that about twenty countries now have some types of chemical weapons. It is therefore urgent to speed up multilateral negotiations. In this connection, the German presidency has announced that the conclusion of a convention on the worldwide elimination of this type of weapon is a priority aim for this year.

128. In the light of the above and in the knowledge that the negotiating process in Helsinki will be at its height during the period when the present report is scheduled for debate (with the Helsinki summit still a month away, on 9th and 10th July 1992), your Rapporteur has formulated a set of very reasonable recommendations for the WEU Council. They are commended to colleagues and to the wider public of our nations who are our electors and they are designed to help ensure a positive approach in our continuing search for a more stable and secure Europe.

1. "Arms control negotiations - further initiatives for WEU", Document 1288 and Addendum, 7th and 27th November 1991, Rapporteur: Mr. de Puig.

2. Document 1223, 24th April 1990, Rapporteur: Lord Newall.

3. Document 1158, 3rd November 1988, Rapporteur: Mr. Tummers.

4. "Vienna, disarmament and Western European Union", Document 1223, 24th April 1990, Rapporteur: Lord Newall.

5. "Verification: a future European satellite agency", Document 1159, 3rd November 1988, Rapporteur: Mr. Fourré.

6. Especially "Security co-operation and conventional arms control in Europe post-Helsinki", Wolfgang Heydrich.

APPENDIX I

*CSCE Council meeting, Prague, 30th-31st January 1992**Summary of conclusions*

I.

1. The Council of the CSCE held its second meeting in Prague on 30th and 31st January 1992.
2. The ministers welcomed Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Ukraine and Uzbekistan as participating states, following receipt of letters accepting CSCE commitments and responsibilities from each of them.
3. The ministers granted observer status to Croatia and Slovenia in the CSCE process.
4. They welcomed as guests of honour the representatives of the heads of the following international institutions and organisations: United Nations; United Nations Economic Commission for Europe; Council of Europe; Western European Union; North Atlantic Treaty Organisation; Organisation for Economic Co-operation and Development.

II.

5. The ministers had political consultations on the transformation in Europe – the rôle of the CSCE and the contribution of European and other institutions, on the strengthening of CSCE institutions and structures and orientations for the Helsinki follow-up meeting. They adopted with immediate effect the Prague document on the further development of the CSCE institutions and structures.

III.

6. The ministers agreed that the Helsinki follow-up meeting should be an important milestone in the development of the CSCE process and should provide a clear vision for its future course. Representatives to the follow-up meeting should, in particular, be guided by:
 - the CSCE's comprehensive concept of security and stability, which includes human rights, political, military, economic and environmental components;
 - the important rôle of the CSCE in fostering democratic development and fully integrating participating states into the network of shared CSCE values, principles and norms and its

rôle in promoting a stable security environment in Europe;

- the importance of a thorough implementation review, particularly in the area of human rights and fundamental freedoms, which will take account of the new situation in Europe and the enlarged number of CSCE participating states;
- the objective of the CSCE to prevent conflict and consolidate peace through eliminating the root causes of tensions, by attaining in particular full respect for human rights, including those inscribed in the CSCE provisions on national minorities, by building democratic institutions and by fostering economic and social progress;
- the need to strengthen the capacity of the CSCE to contribute to a peaceful solution of problems involving national and ethnic communities and minorities which could lead to tensions and conflict – both within and between states – including possibilities for “early warning”;
- the need for further development of the CSCE's capability for conflict prevention, crisis management and peaceful settlement of disputes;
- the need to strengthen the effectiveness of CSCE institutions by matching their functions more closely to the achievement of these objectives.

IV.

7. The ministers had a comprehensive discussion on the Yugoslav crisis. They welcomed the cease-fire agreements reached under the auspices of the United Nations, which are in the process of implementation, and renewed their strong appeal for strict compliance with those agreements.

The ministers also warned against any extension of the present conflict.

They reaffirmed their support for the efforts undertaken by the Secretary-General and the Security Council of the United Nations, and reiterated the need to create the conditions for an early deployment of United Nations peace-keeping forces on the basis of the resolution of the United Nations Security Council number 727 on Yugoslavia. They endorsed the concept

of the United Nations peace-keeping operation and expressed their hope that it would facilitate the political settlement of the Yugoslav crisis.

The ministers reiterated the commitment of the participating states to seek a peaceful and lasting settlement of the crisis, in accordance with the commitments and provisions of the CSCE and the equally legitimate aspirations of all the peoples concerned. The ministers agreed that this requires from all the concerned parties:

- respect for international obligations with regard to the rule of law, democracy and human rights;
- guarantees for the rights of ethnic and national communities and minorities, in accordance with the commitments subscribed to in the framework of the CSCE;
- respect for the inviolability of all borders, whether internal or external, which can only be changed by peaceful means and by common agreement;
- commitment to settle by agreement all questions concerning state succession and regional disputes;
- guarantees for the absence of territorial claims towards any neighbouring state including abstention from hostile propaganda activities that would, inter alia, promote such territorial claims.

The ministers reiterated the determination of their states to co-operate closely in search for a comprehensive solution to the crisis, in particular to refrain from any action impeding these goals. They stressed the special need for dialogue and enhanced co-operation between neighbouring states to this end.

The ministers expressed their profound concern about the humanitarian aspects of the crisis. They insisted that all parties involved allow emergency aid to reach all people and communities in need. They declared their support for all efforts, in particular those by the humanitarian agencies of the United Nations, to facilitate the return to their homes of all persons displaced by the hostilities who desire to do so.

They reminded all those responsible for acts of violence and for violations of cease-fire agreements that under international law they are personally accountable for their actions that are in contravention of relevant norms of international humanitarian law.

The ministers fully endorsed the efforts of the Committee of Senior Officials including those undertaken within the framework of the mechanism for consultation and co-operation with regard to emergency situations.

The ministers expressed their appreciation for the activities of the monitor mission

and recalled their support for the Conference on Yugoslavia, and its Chairman, taking place under the sponsorship of the European Community and its member states, expressing the hope that agreement on a global settlement of the Yugoslav crisis, including all issues under consideration by the conference, will soon be reached.

A CSCE human rights rapporteur mission visited Yugoslavia and submitted its report. Taking into account the conclusions of this report, the ministers expressed their view that the human rights situation including the situation of national minorities in Yugoslavia should be kept under review by the CSCE, and that full use should be made to that end of the various CSCE mechanisms, including, if necessary, other missions. They requested the Committee of Senior Officials at its next meeting to examine the need for further action.

V.

8. Ministers expressed their concern over new signs of intolerance, aggressive nationalism, xenophobia and racism. They recalled the importance of non-discrimination and stressed the need to build their societies according to the basic values of the CSCE.

Ministers requested the Helsinki follow-up meeting to address the need to ensure full compliance through appropriate means with commitments to protect individuals and groups from racial, ethnic and religious discrimination.

VI.

The ministers also came to the following conclusions:

9. The ministers reaffirmed that the CSCE has a vital rôle to play in the building and consolidation of a new Europe. The contribution that the CSCE has to make to the fostering of political stability and security is indispensable. The CSCE, with its comprehensive mandate and wide participation, constitutes a unique forum for security negotiations.

10. The ministers stressed that the CSCE also has a prominent rôle to play in the evolving European architecture and that the challenges facing Europe call for multi-faceted forms of co-operation, and a close relationship among European, transatlantic and other international institutions and organisations, drawing as appropriate upon their respective competences.

They requested their representatives at the Helsinki follow-up meeting to study further ways and means of fostering such co-operation

with a view to enhancing its effectiveness and to avoid duplication.

VII.

11. The ministers adopted the declaration on non-proliferation and arms transfers.

12. They stressed that the establishment, by 1992, from the conclusion of the Helsinki follow-up meeting, of new negotiations on disarmament and confidence- and security-building open to all participating states – as well as of a broader security dialogue and of effective mechanisms for conflict prevention – will mark an important step in consolidating a new co-operative order in Europe. They assessed the progress made so far in the informal consultations in Vienna for the new forum. They requested that these consultations be accelerated and that their conclusions be transmitted to the Helsinki follow-up meeting at its beginning.

13. They agreed that the CFE Treaty forms an important element for stability and security in Europe. They called upon all signatories and all relevant newly independent states to take all the necessary steps to ensure the early entry into force of the treaty.

14. They assessed the progress made so far in the negotiations in Vienna.

They instructed their representatives at the negotiations on confidence- and security-building measures to conclude them prior to the opening of the Helsinki follow-up meeting with a substantial new CSBM package.

They expressed the hope that an Open Skies Agreement will be ready for conclusion in time for the opening of the Helsinki follow-up meeting.

They welcomed the determination of the participants in the negotiation on conventional armed forces in Europe to conclude, in connection with the entry into force of the CFE Treaty, an agreement limiting the personnel strength of their conventional armed forces within the area of application in time for the Helsinki follow-up meeting. In this context they stressed the need for the early participation of the relevant newly independent states in these negotiations.

15. They took note of the discussion at the Second Seminar on Military Doctrine held within the framework of the Conflict Prevention Centre.

VIII.

16. They took note and endorsed, as appropriate, the results of:

- the Geneva meeting of experts on national minorities;

- the Moscow meeting of the conference on the human dimension of the CSCE;

- the Oslo seminar of experts on democratic institutions.

17. They noted the report of the rapporteur mission to Albania.

18. They noted with satisfaction that the CSCE communications network is now operational and they expressed their expectations that full use will be made of it. They expressed special thanks to the Netherlands for the key rôle which that country had played in establishing this network.

19. The ministers agreed that, in the light of the conclusions of the rapporteur missions to new CSCE states and of any requests received from them, and from other states recently admitted to the CSCE process, informal consultations under the direction of the Chairman of the CSO should take place at Helsinki, during the follow-up meeting, in order to establish the modalities for a programme of co-ordinated support to such states, through which appropriate diplomatic, academic, legal and administrative expertise and advice on CSCE matters could be made available.

20. Ministers encouraged the establishment and strengthening of independent chambers of commerce in countries in transition to open market economies, to function as a point of contact for private business and financial interests, and to encourage entrepreneurial activity. Ministers would welcome the development and expansion of the activities of the International Chamber of Commerce in this area in co-operation with other institutions undertaking similar work.

21. Ministers took note of a proposal to invite a high level group of legal experts from CSCE participating states to elaborate a draft statute for a CSCE conciliation and arbitration body, taking into account the work already done within the CSCE. They welcomed the intention to submit this draft to the Helsinki follow-up meeting.

22. They agreed that the next meeting of the Council will be held in Stockholm in early December 1992. They will seek to confirm the specific days for this meeting at the opening of the Helsinki follow-up meeting based on the proposal of the host country (3rd-4th December 1992).

23. Recalling that the heads of state or government decided in the Charter of Paris to meet on the occasion of the CSCE Helsinki follow-up meeting, the Council proposed that the summit meeting should be held over two days beginning on 9th July 1992.

APPENDIX II

*CSCE Council meeting, Prague, 30th-31st January 1992**Future development of CSCE institutions and structures*

1. The ministers reaffirmed their commitment to pursue actively all the objectives set out in the Charter of Paris for a New Europe, and their determination to further strengthen CSCE institutions and structures for this purpose. To this end, they took the following decisions and established certain guidelines for the discussions at the Helsinki follow-up meeting.

I. Overview and co-ordination

2. Between meetings of the CSCE Council, the Committee of Senior Officials will be responsible for overview, management and co-ordination and will act as the Council's agent in taking appropriate decisions.

3. In order to increase its effectiveness, the Committee of Senior Officials will meet more regularly, at least every three months. In conformity with the Charter of Paris and building on established practice, the Committee of Senior Officials may delegate tasks to other CSCE institutions or to open-ended ad hoc groups of participating states with a precise mandate.

II. Political consultations

4. In order to further strengthen the political consultation process, the Committee of Senior Officials may set aside certain meetings, or parts thereof, for addressing previously agreed specific issues. Other relevant policy-level officials could attend such meetings.

5. The facilities of the CSCE communications network will be made available to the Chairman-in-Office of the Committee of Senior Officials for transmission of urgent messages relevant to the work of the committee.

III. Human dimension

6. The ministers agreed that monitoring and promoting progress in the human dimension remains a key function of the CSCE.

7. Issues related to the human dimension will therefore be considered by the Council or the Committee of Senior Officials whenever necessary.

8. In addition, meetings of a short duration may also be decided upon by the Committee of

Senior Officials to address clearly-defined issues. Results of such meetings will be submitted to the Council through the Committee of Senior Officials for consideration or decisions as required.

9. In order to extend practical co-operation among participating states in the human dimension, the ministers decided to give additional functions to the Office for Free Elections which will henceforth be called the Office for Democratic Institutions and Human Rights.

10. Under the general guidance of the CSO, the Office should, inter alia:

- organise a short CSCE meeting at the seat of the Office for Democratic Institutions and Human Rights to address implementation of CSCE human dimension commitments every year in which a follow-up meeting does not take place. The Helsinki follow-up meeting will work out the organisational modalities for such meetings;
- serve as an institutional framework for sharing and exchanging information on available technical assistance, expertise, and national and international programmes aimed at assisting the new democracies in their institution-building;
- facilitate contacts between those offering such resources and those wishing to make use of them;
- develop co-operation with the Council of Europe in order to make use of its data-base of such resources and services;
- establish contacts with non-governmental organisations active in the field of democratic institution-building, with a view to enabling interested participating states to make use of their extensive resources and expertise;
- facilitate co-operation in training and education in disciplines relevant to democratic institutions;
- organise meetings and seminars among all participating states on subjects related to the building and revitalisation of democratic institutions, such as a short seminar on free media and, at an appropriate time, one on migration. These meetings and seminars will be held in Warsaw unless otherwise decided.

11. In order to avoid duplication of work specially in the fields enumerated above, the ministers directed the Office to work closely with other institutions active in the field of democratic institution-building and human rights, particularly the Council of Europe and the European Commission for Democracy through Law.

12. The CSO will on an annual basis examine the need for meetings and seminars on the human dimension and democratic institutions and will establish a work programme.

13. The ministers requested the Helsinki follow-up meeting to further specify the task of the Warsaw Office and to decide how the human dimension activities of the CSCE may be further carried forward.

14. The Office for Democratic Institutions and Human Rights is designated as the CSCE institution charged with the tasks in connection with expert and rapporteur missions according to the Document of the Moscow meeting of the Conference on the Human Dimension of the CSCE.

15. The Office for Democratic Institutions and Human Rights will be connected to the CSCE communications network.

IV. Safeguarding human rights, democracy and the rule of law

16. The Council decided, in order to develop further the CSCE's capability to safeguard human rights, democracy and the rule of law through peaceful means, that appropriate action may be taken by the Council or the Committee of Senior Officials, if necessary in the absence of the consent of the state concerned, in cases of clear, gross and uncorrected violations of relevant CSCE commitments. Such actions would consist of political declarations or other political steps to apply outside the territory of the state concerned. This decision is without prejudice to existing CSCE mechanisms.

17. The Council requested the Helsinki follow-up meeting to consider further modalities in applying this decision.

V. Economic co-operation

18. The ministers agreed on the need to continue their efforts to strengthen the focus of CSCE on the transition to and development of free-market economies as an essential contribution to the building of democracy.

19. To this end, they agreed to establish an economic forum within the framework of the CSO. The CSO would convene as the economic

forum to give political stimulus to the dialogue on these topics, to suggest practical efforts for the development of free-market systems and economic co-operation, and to encourage activities already underway within organisations such as the Organisation for Economic Co-operation and Development (OCDE), the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD) and the United Nations Economic Commission for Europe (ECE). The forum will meet periodically in Prague and can invite contributions to its meetings by those European and transatlantic organisations relevant to the subject under discussion. It was agreed that the first meeting of the economic forum would be in early 1993.

20. The ministers agreed that the Helsinki follow-up meeting will consider appropriate further measures to promote discussions in the framework of the CSCE on economic co-operation and related topics.

VI. Crisis management and conflict prevention instruments

21. The Council agreed that the capabilities of the CSCE to engage in crisis management and conflict prevention and resolution should be improved.

22. To this end, the Council requested the Helsinki follow-up meeting to study possibilities for improving the following instruments:

- fact-finding and rapporteur missions;
- monitor missions;
- good offices;
- counselling and conciliation;
- dispute settlement.

23. In this context the Helsinki follow-up meeting should also give careful consideration to possibilities for CSCE peace-keeping or a CSCE rôle in peace-keeping.

24. Provision should be made for the further operational implementation within the CSCE of decisions by the Council or the Committee of Senior Officials.

25. Tasks may be delegated to the Chairman-in-Office of the Committee of Senior Officials, to the Consultative Committee of the Conflict Prevention Centre or to open-ended groups of participating states of an ad hoc character. In each case a precise mandate and arrangements for reporting back should be established.

Conflict Prevention Centre

26. In addition to the tasks already given to the Conflict Prevention Centre in the supplementary document of the Paris Charter and in

the summary of conclusions of the Berlin meeting of the CSCE Council, the functions and working methods of the CPC are enhanced as follows:

27. The Consultative Committee will serve as a forum in the security field wherein the CSCE participating states will conduct comprehensive and regular consultations on security issues with politico-military implications. In this context, any participating state may, in order to reduce the risk of conflict, promptly raise an issue which in its view has such implications. This is without prejudice to later decisions on the structure of a new security/arms control forum and the relationship it may have to the CPC.

28. The Consultative Committee will serve as a forum for consultation and co-operation in conflict prevention and for co-operation in the implementation of decisions on crisis management taken by the Council or by the CSO acting as its agent.

29. The Consultative Committee has the authority to initiate and, with the assistance of the CPC secretariat, execute fact-finding and monitor missions in connection with paragraph 17 of the Vienna Document 1990 (mechanism for consultation and co-operation as regards unusual military activities).

30. The Consultative Committee, with the assistance of the CPC secretariat, will execute any additional tasks assigned to it by the Council, or by the Committee of Senior Officials acting as its agent. This will include full responsibility in the implementation of such tasks. The Consultative Committee will report in an appropriate manner on the implementation of these tasks to the Committee of Senior Officials.

31. The Consultative Committee will develop general guidelines for the implementation of its operational tasks including, in due time, those that may be assigned to it by the Helsinki follow-up meeting and in the future.

32. In addition to the existing support to the implementation of CSBMs, the CPC will fulfil other functions as regards the implementation and verification of agreements in the field of disarmament and arms control, if so requested by the parties to those agreements and agreed upon by the Consultative Committee.

33. The Consultative Committee may at any time draw the attention of the Committee of Senior Officials to a situation which it considers requires the consideration of the Committee of Senior Officials.

34. The Consultative Committee will meet regularly, as a rule at least once a month. Working schedules should be flexible and addi-

tional meetings may be held, in the light of circumstances and future requirements.

35. The Consultative Committee may establish subsidiary working bodies, including open-ended ad hoc groups entrusted with specific tasks.

36. The regular meetings of the Consultative Committee will be chaired in alphabetical rotation. The Chairmanship will rotate immediately after the last regular meeting in every month.

37. The Chairman of the Consultative Committee and the Chairman of the Consultative Committee of Senior Officials will maintain contact with each other.

38. The Chairman of the Consultative Committee or his representative will attend meetings of the Committee of Senior Officials which are relevant to the tasks of the CPC.

39. In accordance with the paragraph on "CSCE relationship with international organisations", European, transatlantic and other international organisations, such as the North Atlantic Treaty Organisation (NATO), Western European Union (WEU) and relevant United Nations bodies, will be invited to make appropriate contributions to future seminars organised by the CPC.

40. The Helsinki follow-up meeting should also examine further how the CSCE could co-operate with other international organisations in these fields.

VII. Parliamentary Assembly

41. In the interest of encouraging an active dialogue with the CSCE Parliamentary Assembly, the Chairman-in-Office of the Council will be in contact with the Chairman of the Committee of Heads of Delegation of the Assembly in order to explore possible interest in the presence of the Chairman of the Council at the Budapest meeting of the Assembly in July 1992. The Chairman of the Council will be prepared to make himself available to report on the work of the CSCE; to answer parliamentarians' questions in this regard; and to take note of parliamentarians' views for subsequent transmission to the Council.

VIII. Non-governmental organisations

42. The Council requests the Helsinki follow-up meeting to strengthen relations between the CSCE and non-governmental organisations, in order to increase the rôle of non-governmental organisations in implementing

CSCE goals and commitments. In particular, the follow-up meeting will develop opportunities and procedures for meaningful non-governmental organisation involvement in the CSCE and possibilities for non-governmental organisations to communicate with CSCE structures and institutions, recalling inter alia the texts on non-governmental organisations agreed by the Sofia and Moscow meetings and by the Oslo seminar.

***IX. CSCE relationship
with international organisations***

43. The Council of Europe, ECE, NATO, Western European Union, OECD, EBRD, EIB and other European and transatlantic organisations which may be agreed will be invited to make contributions on the basis of CSCE precedent and practice to specialised CSCE meetings where they have relevant expertise.

44. To ensure full co-ordination, the ministers would welcome it if the above organisations would inform the CSCE secretariat annually of their current work programme and of the facilities available for work relevant to the CSCE.

X. Relations with non-participating states

45. The Council requests the Helsinki follow-up meeting to recommend practical ways to establish a flexible dialogue between the CSCE and interested non-participating states or groups of states, for example through contacts between the said states and the Chairman-in-Office of the Council or of the Committee of Senior Officials.

***XI. Financial arrangements of the CSCE
and cost-effectiveness***

46. The Council requested the Helsinki follow-up meeting to develop procedures which would ensure greater predictability and transparency of the costs of CSCE meetings and other activities. Measures to provide for increased cost-effectiveness should also be examined.

47. States proposing to host future CSCE meetings will present draft budgets along with their proposals. Detailed provisions in this respect will be developed at the Helsinki follow-up meeting.

APPENDIX III

CSCE follow-up meeting, Helsinki

*Address by WEU Deputy Secretary-General
(3rd April 1992)*

Mr. Chairman, Ladies and Gentlemen,

It is a privilege indeed to address this plenary session of the Helsinki CSCE follow-up meeting. In this "initial contribution" on Western European Union, I will outline WEU's rôle and place in the new European security environment as well as fields of co-operation already existing between CSCE and WEU.

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The origins of WEU date back to 1947, when the United Kingdom and France signed a bilateral alliance against a possible resurgence of military threat. One year later, this alliance was extended to include the Benelux states and was given the name of "Brussels Treaty Organisation". When Germany and Italy joined in 1954, the organisation became "Western European Union".

A short time earlier, the European Defence Community – and thus the first attempt at creating a European Political Union – had failed. WEU was intended to bind the Federal Republic of Germany to defence commitments with its West European neighbours and provide for Germany and Italy to join NATO. WEU was thus one of the main foundations for Franco-German reconciliation.

In the preamble to the modified Brussels Treaty, the WEU member states stated as their principal aims:

- to afford assistance to each other, in accordance with the Charter of the United Nations, in maintaining international security and peace and in resisting any policy of aggression;
- to promote the unity and to encourage the progressive integration of Europe;
- to associate progressively, in the pursuance of these aims, other European states inspired by the same ideals.

In 1988, a protocol for the accession of Spain and Portugal was signed. Thus, the total WEU membership was brought to nine of the twelve EC member states.

The decision-making organ of WEU is the Council which at ministerial level consists of the Foreign and Defence Ministers of the member

states. The activities of the Council are supported by a Secretariat-General in London.

The Council has its institutional counterpart in the WEU parliamentary Assembly, which adopts recommendations to be forwarded to the Council, to which parliamentarians may also submit written questions. Thus, WEU has a democratic parliamentary basis with consultative functions.

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The dramatic changes in the European security environment over the past three years have obliged all European organisations with competence in the fields of security and defence to review their objectives and relationships to each other. At its Rome summit in November 1991, the Atlantic Alliance recognised that the rôles and responsibilities of the Europeans would be enhanced. The alliance thus supported the development of the European security and defence identity in both the EC and WEU frameworks.

At its summit in Maastricht in December 1991, the European Community also recognised that further political integration was necessary for the Twelve to be a pole of stability in Europe. It is in this dual context that the declarations agreed by WEU member states at Maastricht define WEU's rôle as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance.

The Maastricht Treaty's provisions on a common foreign and security policy have indeed paved the way for the European Union to embrace a common defence policy which might in time lead to a common defence.

In the first stages, however, it is for WEU as the European Union's defence component to formulate a common European defence policy and to carry forward its concrete implementation through the further development of its operational rôle. WEU will therefore elaborate and implement decisions and actions of the European Union which have defence implications.

It is in the very nature of the relationship between European Union and WEU that WEU membership must be open to the member states of the European Union. Accordingly, these states are being invited to accede to WEU on

conditions to be agreed, or to become observers if they prefer. Simultaneously, invitations are being extended to other European member states of the North Atlantic Alliance to become associate members of WEU, enabling them to participate fully in WEU's activities.

The approach adopted by Western European Union in its relations with the European Union and with the Atlantic Alliance clearly conforms to the principle of "mutually reinforcing institutions". Consequently, the respective networks of solidarity created by Articles V of the Brussels and the Washington Treaties are complementary.

As to WEU's future relationship with the North Atlantic Alliance, the planned closer concertation of WEU member states within the alliance will enable Europeans to make their voice heard in the alliance more effectively than before. Efforts by WEU member states to create a European defence identity will also help consolidate the European pillar of the Atlantic Alliance. The transatlantic partnership requires co-operation between WEU and the alliance based on the principles of transparency and compatibility. The shaping of WEU's relations with the European Union and the Atlantic Alliance is now well underway. The same applies to the implementation of the measures to strengthen WEU's operational rôle listed in the Maastricht declarations of the Nine.

Already during its period of reactivation, Western European Union progressively grew into an operational rôle. In two Gulf crises, it has proved its ability to act and to co-ordinate successfully member countries' military efforts. Progress has also been made in such significant fields as space and verification. A WEU satellite centre has been established in Spain this year and feasibility studies are being carried out to assess the possibilities for developing an autonomous satellite observation capability. In the field of verification, WEU member states are co-operating in the implementation of the CFE and Open Skies Treaties.

In the very near future, co-operation among WEU member states will become even more operational in the politico-military field and in the military field proper. The immediate priority is to strengthen WEU's operational rôle by examining and defining appropriate missions, structures and means, including those in the military field proper, covering in particular:

- the establishment of a WEU planning capability;
- closer military co-operation among WEU member states, notably in the fields of logistics, transport, training and strategic surveillance;
- military units answerable to WEU.

These arrangements will be fully compatible with the military dispositions necessary to ensure the collective defence of all allies.

Three broad categories of mission for WEU member countries' forces acting collectively have been identified; humanitarian, peace-keeping and crisis management. In these fields WEU forces could in the future be ready to respond to requests from the CSCE.

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In view of the radically transformed environment, great effort is being made to include the Central and Eastern European states as well as the members of the Commonwealth of Independent States in a pan-European peace order. WEU is rising to the challenge of new forms of co-operation with the emerging democracies of Central and Eastern Europe and has certainly not been idle as far as contacts with these democracies are concerned.

The Charter of Paris marked the opening of a new era in Europe, an era of confidence and co-operation. It was in this spirit that the WEU Council of Ministers proposed to the new democracies that a dialogue be initiated. Together with a representative of the Presidency, the WEU Secretary-General has undertaken fact-finding missions to Hungary, Czechoslovakia, Poland, Bulgaria and Romania, as well as to the three Baltic states. Furthermore, since July 1991, special information links have been established with the embassies of the five Central and Eastern European states and the WEU Secretariat-General, as well as between the governments of those states and the respective embassies of the WEU Presidency. These official links have been underpinned by related activities of the WEU Institute for Security Studies in Paris. As early as 1990, the WEU Assembly was initiating regular contacts with the countries of Central and Eastern Europe by inviting observers from these countries to attend the Assembly's sessions.

At its meeting in Bonn on 18th November 1991, the WEU Ministerial Council decided to invite the Foreign and Defence Ministers of Bulgaria, Czechoslovakia, Hungary, Poland, Romania, as well as of the three Baltic states of Estonia, Latvia and Lithuania to a special meeting with the members of the Council. This will provide an opportunity to discuss and decide the strengthening of the existing relations. In this way WEU's consultation partners will be able to acquaint themselves with the future security and defence policy of the European Union as well as with the development of the European pillar of the Atlantic Alliance.

Through its active rôle in strengthening and consolidating co-operation with the five

Central and Eastern European countries as well as with the three Baltic states, WEU is making a significant contribution to stability, security and peace on the European continent. Its activities in this respect, as well as those to the same end undertaken by the Atlantic Alliance and the European Community, are both complementary and mutually supportive. Thus, these activities again follow entirely the pattern of "mutually reinforcing" institutions.

Simultaneously, practical co-operation between CSCE and WEU has been initiated. WEU is prepared to make its collective experience available to the CSCE and exchange

information and documents. WEU was also able to contribute last February to one of the two seminars sponsored by the Conflict Prevention Centre, namely on the topic of the rôle of armed forces in democratic societies. Working links have been established between the two secretariats which will be further developed to underpin the process of co-ordination and co-operation.

In conclusion, let me assure you that WEU as the defence component of European integration and as the means for strengthening the European pillar of the Atlantic Alliance is ready for broad co-operation with the CSCE.

APPENDIX IV

*CSCE follow-up meeting, Helsinki**Resolving disputes which have the potential to develop into armed conflict
(United Kingdom Delegation)**Introduction*

1. This paper sets out the United Kingdom's suggestion for handling the related issues of crisis management and conflict prevention at the Helsinki follow-up meeting. It draws on the Yugoslav experience, and starts from two basic premises:

- mechanisms will have to be tailored for individual disputes/conflicts but require a broad political consensus about the circumstances in which they should be used; and
- an important part of this consensus is the will to use (and accept) agreed procedures and mechanisms: simply defining new mechanisms will not necessarily achieve anything.

2. The paper looks at three aspects of the overall problem of resolving disputes which have the potential to develop into armed conflict:

- (a) Early warning: mechanisms for conflict resolution were not established for Yugoslavia until too late: we need to think more about prophylactic diplomacy in the CSCE or by friends of the disputing parties to get them to address their differences before they erupt in warfare.
- (b) Political crisis management: the key to resolving any dispute will be to offer a political framework within which the parties can try to settle their differences: the Carrington conference and associated Badinter commission have undertaken this rôle in the case of Yugoslavia.
- (c) Operational conflict prevention: an outbreak of fighting on the ground will frustrate the political process. A variety of mechanisms can be used to try to preserve stability, ranging from small fact-finding missions through to peace-keeping forces. These should not be seen as an end in themselves, but as a complement to the political process.

3. This paper concentrates on situations in which the parties to a dispute are not already actively and constructively seeking a solution,

but can still be influenced by peer pressure to engage in a process to try to find one. It does not address situations in which one or more parties remain obdurate, despite the political and economic pressures brought to bear: the imposition of solutions to essentially political problems is unlikely to leave the parties satisfied with the result, and therefore risks failing to remove the cause of tension. The paper also concentrates on disputes which have a real potential to develop into armed conflict: to cast the net any wider risks including a large number of e.g. environmental and economic disputes which could overload the system.

4. The paper distinguishes between "states" and "parties" involved in a dispute. Issues with the potential for armed conflict within the CSCE area are unlikely to be confined to state-to-state affairs, and the involvement of all relevant parties (e.g. minorities or component parts of states) will be important if any solution is to stick. But it is also difficult to see how a dispute resolution mechanism could work successfully against the wishes and without the co-operation of the state(s) centrally involved. The paper therefore proposes leaving the initiation of any procedures to member states of the CSCE, but involving all relevant parties in the resolution of the dispute itself.

A comprehensive framework

5. A comprehensive framework which will define the capabilities of the CSCE in conflict prevention, dispute settlement and crisis management should constitute the following elements:

(a) Preventive action (early warning)

6. The Committee of Senior Officials (CSO), as the principal political organ of the CSCE, acting under the authority of the Council of Ministers, should have the key position in dispute resolution. It should be able to address a situation within the CSCE area which has the potential to develop into armed conflict before it does so. The initiative for the CSO to do this could come from a state directly involved in the dispute, or from the Chairman-in-Office of the CSCE Council (on the basis of previously agreed criteria), or from a group (perhaps 12 or 13) of states not directly involved. The CSO could also consider assessments of human rights related sit-

uations prepared by independent experts, as foreseen in the Moscow mechanism. The CSO should discuss the dispute, and identify what mechanisms or procedures would be best suited to resolving it. This amounts to using, in adapted form, the existing means (e.g. the emergency mechanism) to call the CSO into session as a precursor to the flexible use of the procedures available under the Valletta mechanism for peaceful settlement of disputes.

7. The Consultative Committee of the Conflict Prevention Centre (CPC) can already address (as agreed at the Prague Council meeting) more strictly military security issues raised by any participating state in order to reduce the risk of conflict.

8. In whichever of the two fora an issue is originally raised, responsibility for dealing with it should depend on whether the action required is of a political or operational character or both. The CSO should take responsibility for political activity, the CPC for maintenance of stability on the ground. The most effective approach would be to maximise the use of the CSO, on the more political level, before military security issues had begun to complicate the dispute. This might not, however, always be possible.

(b) Political crisis management

9. Once the CSO has decided that a dispute should be addressed, ideally before an outbreak of hostilities on the ground (using the procedure outlined in (a) above, but if not, as soon as possible after armed conflict has broken out) the CSO acting on behalf of the Council of Ministers should retain responsibility for the overall task of resolving the dispute. In many circumstances, it will be necessary to establish a tailor-made procedure, which would operate (like the Carrington conference) under the general supervision and oversight of the CSO, rather than expecting the CSO itself to direct the process from day to day (a task for which the CSO would by its nature not be well suited). The tailor-made procedures might include: a round table conference, arbitration, conciliation, independent rapporteur missions, etc. (in effect, a more imaginative use of the possibilities offered by the Valletta mechanism). The procedures chosen would have to be adapted to the particular circumstances of the dispute. Those acting on behalf of the CSO for directing the procedure chosen would, for example, have to retain the freedom of determining how to proceed, including on such key issues as which states or minority groups should be regarded as parties to the dispute.

10. No state would be compelled to cooperate with such missions or to accept them on its territory. But willingness to do so would be regarded as an important factor in the relationship between the state concerned and other

CSCE participants. Peer pressure and acceptability in the CSCE community of nations would therefore be used as important incentives both to participation in the early warning system and to keeping those involved engaged in the process of seeking a resolution to the dispute.

(c) Operational conflict prevention

11. Political dispute resolution is made much more difficult if there is instability on the ground. Monitor missions or peace-keeping forces rapidly become very long-term commitments if the momentum towards a political solution to the dispute is not maintained. In the case of the CSCE, the overall responsibility for making sure that both sides of the conflict resolution framework were operating in tandem would have to rest with the CSO. But co-ordination of and authority over activities intended to help to maintain stability on the ground is better in the hands of a permanent body.

12. Oversight of activities on the ground should retain the intergovernmental character of the CSCE, and should therefore rest with the Consultative Committee of the CPC, and not with a new international organisation. It is possible to envisage a variety of ways in which specific activities on the ground might be decided on: the CSO might request the Consultative Committee of the CPC to put a particular mechanism into effect: it might alternatively request the Consultative Committee to consider which of the various mechanisms available to it was most appropriate to the circumstances on the ground.

13. The Consultative Committee should be in a position to consider a number of possibilities, ranging from the existing unusual military activities mechanism with the possibility of fact finding missions, to establishing a more permanent presence on the ground through observer or monitor missions, which might in turn and if necessary also be able to broker localised or more general ceasefires. There might also be a need for a peace-keeping force.

14. For the smaller scale activities, which do not require a large headquarters and command staff, the Consultative Committee might ask the Director of the CPC or a single nation or group of nations to make the necessary arrangements. For larger scale activities, given that there already exist military structures within Europe with the potential for peace keeping, it does not seem necessary for the CSCE to create its own peace-keeping capability. If it were decided that a peace-keeping force was necessary, the participating state, through the CSO or the Consultative Committee, might request an existing group of nations (e.g. NATO or WEU) with the requisite military structure or experience to make its resources available for the operation

which could also include participation by other CSCE countries, and to have delegated to it the running of the operation, under the oversight of the Consultative Committee. In this, as in the case of smaller scale activity, because the activity is being undertaken on behalf of the CSCE, costs should be shared among all CSCE participants. Alternatively, the Consultative Committee might conclude that the resources to mount the necessary peace-keeping force did not exist within the CSCE. In these circumstances the Council of Ministers or CSO would have to decide whether to refer the matter to the United Nations.

Division of responsibilities

15. Maintaining stability on the ground is a necessary complement to the political process of resolving a dispute. But it requires different techniques and activities, and a different kind of political authority and oversight. In our view, it makes sense to place the overall task of resolving the dispute with the CSO acting on behalf of the Council of Ministers, and to leave to the Consultative Committee of the CPC the task of co-ordinating or overseeing activities designed to enhance or maintain stability on the ground.

APPENDIX V

*CSCE follow-up meeting, Helsinki**Operational aspects of crisis management and conflict prevention
(Netherlands Delegation)*

For some time now the Netherlands has been strongly advocating that the CSCE would draw upon relevant existing organisations, and more in particular on the North Atlantic Treaty Organisation or Western European Union, when considering future activities in the field of crisis management and conflict prevention. This background paper provides further information on our proposal.

A. Peace-keeping in Europe

The last few years have witnessed on the one hand the decline of the risk of large scale wars, but, at the same time, the emergence of other types of crises, which could easily turn into armed conflicts. Recent events in Yugoslavia and Nagorno-Karabakh have been regrettable examples. It is therefore hardly surprising that the need to make a more effective use of instruments of crisis management is felt even stronger. The CSCE Ministerial Council in Prague and the opening statements of many representatives have underlined this view, and stressed the need to develop adequate peace-keeping instruments.

Peace keeping is an instrument of crisis management and conflict prevention which as such has not often been used so far in Europe. If interpreted in a broad sense it includes a range of activities involving military personnel, such as monitor and observer missions, but also more extensive operations. It may be called upon more often when other instruments of early warning, conflict prevention or political crisis management have been frustrated by the outbreak of an armed conflict.

So far the only organisation with actual experience in peace keeping has been the United Nations. Although their peace-keeping activities have often had a high degree of success, the burden of such operations becomes ever more cumbersome for the United Nations. While peace-keeping operations worldwide tend to increase, so do the logistical and financial constraints. Nor can it be taken for granted that a peace-keeping mandate can always be obtained in the United Nations Security Council. The need to develop a proper CSCE rôle in peace keeping in Europe along with other instruments of crisis management and conflict prevention, is therefore hardly contested nowadays.

B. CSCE and interlocking institutions

The notion that the CSCE process could draw upon existing institutions which offer a comparative advantage in a particular field is in fact as old as the CSCE itself. Examples of this principle of complementarity are the ECE, the OECD, the Council of Europe and the EC (in particular concerning the monitoring operations in Yugoslavia). A pragmatic, problem-oriented approach should eventually lead to the application of this concept of interlocking and complementary institutions also in the field of security. It is that very same approach that has resulted in the decision of the Council of Ministers in Prague that we should examine further how the CSCE could co-operate with other international organisations in the field of crisis management and conflict prevention. Drawing upon the specific expertise of existing institutions would avoid duplication, make use of already existing infrastructures, and would thus be logical and (last but not least) cost effective.

*C. Why NATO or WEU?**1. NATO*

The old perception held in some countries of NATO as a potentially threatening organisation has disappeared over the past years. Instead, NATO is now widely recognised as the most effective military alliance in Europe (and probably worldwide). It has adapted its own strategic approach and extended the hand of friendship through the creation of the North Atlantic Co-operation Council.

We believe that at this stage NATO is the only organisation which has the infrastructure, politico-military resources and operational capability to implement a CSCE mandate for peace keeping at short notice and in a really cost-effective way. One could take advantage of some of the military potential which NATO has at its disposal in order to both mount and sustain operations in this field. Moreover, NATO's military expertise could also be made use of in monitoring or observer missions, in controlling arms embargoes (imposed by CSCE) or eventually as interposition forces.

In principle, its procedures and military structure could help to provide a basis for conducting well-organised and effective missions.

Thereby, preparation time would be significantly reduced and duplication of national efforts could be avoided. Moreover, it would dispose of the necessity to set up a new integrated structure on an ad hoc basis.

From a NATO point of view any peace-keeping operation would be considered a relatively simple and limited operation. A peace-keeping force hardly ever exceeds 10-15 thousand men (the manpower of one division). Even in the case of large-scale mission, it would mainly involve light (motorised) infantry units and their support units. Neither would logistical support be complicated in relation to the overall set-up of the alliance. If so requested, NATO could prepare itself for both the planning and execution of peace-keeping missions, including the development of operational and support concepts, the development of (standard) procedures in the field of operational decision-making, command and control, communications, logistics, training, etc.

2. WEU

Although WEU has not developed a similar military infrastructure as NATO, its organisation may also be called upon to perform functions in relation to crisis management and conflict prevention. It would still hold a strong comparative advantage over strictly national contributions in these fields. Moreover, WEU has decided, in conjunction with the EC decisions of Maastricht, to further develop its own operational capability, including the establishment of a defence-planning cell and is already studying ways and means to contribute to peace keeping. If so requested it could certainly consider to expand its activities further in this field.

D. An exclusive mandate?

It has never been the intention of the Netherlands to suggest that NATO or WEU be a "standard peace keeper" for CSCE. A decision by the CSCE Council to involve interlocking institutions such as NATO or WEU in peace-keeping operations (or other missions in the field of crisis management or conflict prevention) should always be made by consensus and on a case-by-case basis.

Nor would NATO or WEU operate on an exclusive basis. Any mission that would involve NATO or WEU should be open to direct participation, to any extent requested, by other participating states. The EC monitor mission in Yugoslavia serves as a good example of how co-operation with other states in such a mission could take place.

On the other hand any request from CSCE would need the approval of the institution concerned. Although both organisations are made up by countries participating in the CSCE process, this concept of a double authorisation is important at least as far as the modalities of the missions are concerned. Not all NATO or WEU members would necessarily participate directly in the mission. Furthermore, peace-keeping or other missions should not distract the interlocking organisations from their own core functions and therefore should be considered by the organisations themselves before agreed upon.

In order for NATO and WEU to prepare themselves for possible missions in the field of crisis management and conflict prevention, a decision of principle from CSCE would be required. On that basis a system of stand-by forces, earmarked and trained for peace-keeping missions could eventually be set up.

APPENDIX VI

*CSCE follow-up meeting, Helsinki**Address by NATO Assistant Secretary-General for Political Affairs
(2nd April 1992)*

The Secretary-General of NATO, Mr. Wörner, has gladly accepted the invitation you extended to the North Atlantic Treaty Organisation. He has asked me to convey to you his greetings and best wishes for a successful meeting, which holds great importance for the future of Europe and to make as an initial contribution the following presentation.

Europe is going through a period of great change and transformation, a change we all wanted and worked for. Since December 1989, the North Atlantic Treaty Organisation has repeatedly stated that its goal is a Europe whole and free governed by democracy and human rights, by co-operation and partnership. The alliance has done much to bring about this new Europe. My presence here addressing this distinguished Assembly of the CSCE is one expression of the change and the changed environment we live in.

1. *The transformed alliance*

The alliance has successfully adapted to these changes. The process of transformation launched in July 1990 at the London summit by stretching out the hand of friendship and co-operation to the former adversaries of the Warsaw Pact, had reached an important stage at the Rome summit in November 1991, after only 15 months. Our former policy of deterrence and of vigilant safeguarding of peace has been turned into a policy of maintaining stability by co-operation and actively shaping the new environment. This required a dramatic change of the political and military concepts of the alliance.

The transformed alliance

- adopted a new strategic concept emphasising the need for enhanced crisis management capabilities;
- reduced its force levels substantially and altered its military structures to more mobile and more flexible forces better suited to meeting their new tasks;
- encouraged the creation of a stronger European pillar of the alliance through WEU and the European Political Union;
- and, most importantly of all, developed a new and ever closer relationship with the countries of Central and Eastern

- Europe including the republics of the former Soviet Union.

Through the liaison concept and the newly formed North Atlantic Co-operation Council, we have created effective as well as flexible instruments to further enhance consultation, dialogue and co-operation. It is the goal of the alliance to give those countries practical advice and assistance in areas where the alliance has a special competence and expertise, to help them overcome the difficulties of transition, and to provide them with a security forum.

As in the past, NATO will be first and foremost an organisation that provides for the common defence of its members. If it could not continue to do this effectively, it would have less to offer its new partners in Central and Eastern Europe. NATO is a source and an anchor of stability. It projects stability well beyond its borders. The strength and vitality of the alliance derives from its effectiveness as a group of nations with shared values and interests and a long track record of co-operation. The four core functions of the alliance remain:

- to provide one of the indispensable foundations for a stable security environment in Europe;
- to serve as a transatlantic forum for allied consultations on any issue that affects its vital interests;
- to deter and defend against any threat of aggression;
- to preserve a strategic balance within Europe.

More than ever NATO's strategy stresses the co-operative dimension of security. The path of co-operation which NATO has chosen has the potential for further evolution. We are in a dynamic process.

NATO is a central part of an emerging Euro-Atlantic security architecture. It provides the essential transatlantic link as demonstrated by the significant presence of North American forces in Europe.

2. *The concept of mutually reinforcing institutions*

The dissolution of the bipolar order of the cold war era has led to an increased importance

of international organisations. The challenges we face and we will have to face in the times ahead in this new Europe cannot be comprehensively addressed by one institution alone. The transition of the Central and Eastern European countries to democracy and to market economy is proving to be more difficult, protracted and painful than many had expected. Therefore, unrest and instability are likely to be with us for many years to come. The tasks of building a co-operative and peaceful Europe are too complex to be handled by one organisation.

Therefore, the heads of state and government of the NATO member countries decided at their meeting in Rome on 7th-8th November 1991 to work towards a new European security architecture within a framework of interlocking, mutually reinforcing institutions which complement and support each other. The CSCE, NATO, the EC, WEU and the Council of Europe should all be part of this architecture. At the North Atlantic Council meeting on 19th December 1991, ministers expressed their determination to ensure that the alliance will play its full part in this framework.

The CSCE has a central rôle to play in this development. As stated also in paragraph 9 of the summary of conclusions of the CSCE Council in Prague, it provides the necessary overarching pan-European structure. Today we have a real opportunity to make the CSCE a timely, effective pan-European forum for security dialogue, co-operation and the peaceful settlement of disputes. But if we are to help build democratic institutions, prevent economic collapse and continue to reduce tensions in Europe, we need a co-ordinated, mutually reinforcing division of labour among the CSCE, NATO, the EC and WEU. What we have to aim for is a coherent approach that enables us, in any given situation, to determine from a broad and flexible range of instruments the most suitable one to achieve our objectives. These organisations must all contribute to promote co-operation and provide the stability we need. They should be able to co-operate in a way which allows them to compensate for one another's deficiencies and draw on one another's assets. Institutional rivalries and restrictive interpretations of individual rôles can only delay rather than accelerate and simplify the achievement of specific objectives.

It is already apparent that our views are more and more converging. The CSCE Council concluded in Prague "that the challenges facing Europe call for multi-faceted forms of co-operation and a close relationship among European, transatlantic and other international institutions and organisations, drawing as appropriate upon their respective compe-

tences". What we have to do today is to see how we can make this concept more operational. It will not work if its member institutions are compatible only in theory but have no day-to-day interaction or regular practical co-operation.

The alliance is also establishing closer links with the European Community institutions and with WEU as the future defence component of the European Union. The alliance welcomes the objective of developing WEU as a means of strengthening the European pillar of the Atlantic Alliance.

3. NATO's relationship with the CSCE

Both organisations, NATO and the CSCE, have served different purposes in the past; but they always had a common goal: a democratic, free and co-operative Europe.

NATO has always considered the CSCE the overarching framework of Europe's architecture and has actively contributed to its shaping and its work. The CSCE is the only forum that brings together European and North American states under one common code of human rights, fundamental freedom, democracy, rule of law, security, and economic liberty.

The alliance has actively contributed over years to the arms control and disarmament process. It has actively carried forward the negotiations through well defined concepts and proposals. The unified approach of NATO member countries was to a large extent instrumental for the successful conclusion of agreements like the CFE Treaty and the CSBM Agreements.

Throughout the last years, the alliance has acted as source of ideas and of diplomatic initiatives for strengthening the CSCE. The CSCE institutions established at the Paris Summit of November 1990 were precisely those the allies had advocated in the London summit declaration of 5th-6th July 1990:

- the Conflict Prevention Centre;
- the Committee of Senior Officials;
- the Office of Free Elections;
- the CSCE Secretariat in Prague.

At the Rome summit in November 1991, the heads of state and government of NATO countries stressed again their deep commitment to strengthening the CSCE process and their will to intensify their efforts to enhance the rôle of the CSCE. They called for a consolidation and further development of the abovementioned institutions and structures to help ensure full implementation of the Helsinki Final Act, the Charter of Paris and other relevant CSCE documents and thus to permit the CSCE to meet the new challenges which Europe will have to face,

in particular with a view to effective action in line with its new and increased responsibilities for crisis management and peaceful settlement of disputes. They adopted initiatives to reinforce the CSCE emergency mechanism by giving a more permanent rôle to both the Committee of Senior Officials and the Conflict Prevention Centre and by suggesting that more means be given to implement CSCE decisions.

We are now establishing a more practical co-operation between NATO and the CSCE. Last December, alliance foreign ministers agreed to exchange information and documents with the CSCE and declared their readiness to make the collective experience of the alliance available to the CSCE. Following the conclusions of the meeting of the CSCE Council in Berlin, they looked forward to the alliance contributing to future CSCE meetings on subjects in which it has relevant expertise. On these lines, NATO was able to contribute in February to two seminars sponsored by the Conflict Prevention Centre on the topics of defence conversion and the rôle of armed forces in democratic societies. Working links have also been established and are to be further developed between the NATO international staff and the CSCE secretariat to assist the process of co-ordination and co-operation.

The North Atlantic Co-operation Council, which brings together the North Atlantic Council and 19 states formerly belonging to the Warsaw Pact, has opened a new era of partnership and is contributing to the achievements of the objectives of the CSCE without prejudice to its competence and mechanisms. The programme of consultation and co-operation which the alliance has developed with the countries of Central and Eastern Europe will reinforce the CSCE and not erode it, as some suggest. Consultations and co-operation in this framework will focus on security- and defence-related issues where NATO members can offer their experience and expertise. These activities are designed to aid in fostering a sense of security and confidence in these countries and to help transform their societies and economies, making democratic change irreversible. This in turn will strengthen their ability to fulfil their CSCE commitments. The security gains which we will achieve through the NACC process will be for all members of the CSCE. This process – even admitting some overlap – neither competes with nor duplicates the CSCE. The work plan which we have recently adopted illustrates this clearly. It focuses on the co-operation partners' needs, and the alliance's ability to help in such areas as:

- the civilian control of armed forces;
- the military doctrines and budgets;
- the defence conversion;
- the conceptual approaches to arms control.

4. NATO's contributions to the follow-up meeting and to the CSCE in the future

(a) Contributions to arms control, disarmament and the broad security dialogue

The establishment of new negotiations on arms control, disarmament and confidence and security building as well as of a broader security dialogue and of effective mechanisms for conflict prevention and crisis management at the Helsinki summit, will mark an important step in consolidating a new co-operative order in Europe.

As in the past, the North Atlantic Alliance is determined to play its full part in support of this process and in shaping the new co-operative order. The Helsinki Meeting will offer, as the alliance heads of state and government stated at their meeting in Rome, a unique opportunity to move this process energetically forward. The preparatory negotiations started at this follow-up meeting are therefore of the greatest importance. NATO has followed closely and contributed actively to the informal preparatory consultations in Vienna. The Norwegian draft proposal for a mandate for future negotiations reflects broad elements of consensus among allies as they have emerged from the consultations.

At the North Atlantic Council meeting in December, foreign ministers set out broad policy objectives for the new process and a work programme for the first phase. All this suggests that NATO, through its internal consultations and its common proposals, will be a source of initiatives and actively involved in the weeks leading up to the Helsinki CSCE summit and thereafter. A High Level Task Force of experts of our member nations is fully engaged in working on the substance of a work programme. We therefore look forward to continued NATO contributions to the relevant working groups 1 and 2 in order to participate as much as possible in their work.

Besides contributions through jointly developed new conceptual approaches and new common proposals, the alliance is actively contributing:

- to a hopefully timely ratification and implementation of the CFE Treaty by the successor states concerned of the former Soviet Union through an informal High Level Working Group which resulted from the inaugural NACC meeting in December 1991;
- to the control and elimination as well as non-proliferation of nuclear weapons in the republics of the former Soviet Union by monitoring the situation and by co-ordinating the individual

assistance of allies through a newly set up ad hoc group;

- to the delivery of humanitarian aid to republics of the former Soviet Union and the Baltic states by making available the transport co-ordination capabilities in the Senior Civil Emergency Planning Committee;
- to improving mutual understanding on defence issues by offering special courses, open to all CSCE states, at the NATO schools in Rome and Oberammergau.

NATO's most important contribution to the goal of a co-operative order is of course its contribution to stability and security in Europe:

- by being an effective alliance and an anchor of stability capable of projecting stability beyond its borders;
- by security-related dialogue and partnership in the North Atlantic Co-operation Council.

(b) Contributions to conflict prevention and crisis management

There is a general consensus that the conflict prevention and crisis management capabilities of the CSCE need to be improved and rendered more effective. Conflict prevention is key to a peaceful, prosperous development in Europe, to the success of our goal of a co-operative Europe whole and free. The alliance has pronounced itself at the Rome summit in favour of strengthening the institutions of the CSCE, including the Conflict Prevention Centre. It stands ready to support them. It will be important for the CSCE to be able to manage potential crises so as to prevent them from developing into conflicts.

NATO is ready to contribute further to special seminars of the Conflict Prevention Centre in areas where it has relevant expertise. We were happy to be able to meet, through the contribution of the Canadian Government, a request by the present Chairman of the CSCE for a plane to assist a CSCE rapporteur mission in Nagorny-Karabakh.

The issue of further contributions to the Conflict Prevention Centre has not yet been discussed within the alliance. Possible contributions through the sharing of information, through communication facilities, through monitoring of missions of unusual military activities or through assistance in the field of verification by linking the common database, inspection co-ordination and support elements of NATO's

Verification Co-ordinating Committee and NATO's Verification Support Staff with the Conflict Prevention Centre, would have to be considered on request of the CSCE.

NATO has gained over the years experience in crisis management. It had to handle a number of crises of a different kind. The alliance's new strategic concept, which was adopted at the Rome summit last November, defines risks to allied security as multi-faceted in nature and multi-directional, resulting in the first instance from adverse consequences of instabilities that may arise from serious economic, social and political difficulties, including ethnic rivalries and territorial disputes, the same kind of crises and risks with which the CSCE is today confronted. NATO can contribute to help manage those crises by political means through the intense consultation process and joint approach in the North Atlantic Council. But also the North Atlantic Co-operation Council could effectively serve as a forum for crisis management through dialogue and consultation. In fact, this is one of the purposes behind its creation.

Last week, at the ministerial opening session of this meeting, several ministers expressed the idea that the CSCE should turn to other organisations, among them to NATO, to draw on their capabilities for crisis management and peace keeping. These suggestions were followed in Brussels with great interest and attention. Similar views have been expressed at NATO by some member nations in the past months. A thorough discussion will take place inside the alliance to reach a consensus among allies on the possibilities of NATO to support future CSCE peace-keeping and peace-enforcement activities by making available its means, such as communications, intelligence, logistics, infrastructure or even forces.

Let me conclude by reassuring you that in this as well as other tasks raised by the conference, we will keep in mind the Rome Declaration on Peace and Co-operation containing the following principal statement: "The challenges we will face in this new Europe cannot be comprehensively addressed by one institution alone, but only in a framework of interlocking institutions tying together the countries of Europe and North America. Consequently, we are working toward a new European security architecture in which NATO, the CSCE, the European Community, WEU and the Council of Europe complement each other... This interaction will be of the greatest significance in preventing instability and divisions...". Four weeks before the Helsinki summit, the North Atlantic Council will meet in ministerial session in Oslo. This issue is likely to be on the agenda.

APPENDIX VII

*NACC work plan for dialogue, partnership and co-operation
(10th March 1992)**Introduction*

1. The ambassadors of the countries represented in the North Atlantic Co-operation Council (NACC), in fulfilment of the request by ministers at the inaugural NACC meeting in Brussels on 20th December 1991 to develop a more institutional relationship of consultation and co-operation, have agreed to the following work plan beginning in 1992. The number and levels of activities to be implemented in 1992 are approved. The topics and activities listed in this plan reflect a dynamic process which will evolve through practice. The work plan could, if necessary, be revised by the ambassadors or under their authority.

2. Our work will encompass two aspects: intensified consultations on the part of the Central and Eastern European countries with the North Atlantic Council, NATO's various specialised committees, and the Military Committee; and a range of co-operative activities. Both aspects are designed to promote dialogue, partnership and co-operation on security and related issues. The topics we have listed for political consultation are described in general terms to permit all participants to raise political and security related issues of concern or interest to them.

3. In both aspects of our work, we will base ourselves on the NACC declaration of 20th December 1991, as well as the Rome declaration of the NATO heads of state and government of 8th November 1991 and the communiqué of NATO foreign ministers of 19th December 1991. The focus of our consultations and co-operation will be on security and related issues, such as defence planning, conceptual approaches to arms control, democratic concepts of civilian-military relations, civil-military co-ordination of air-traffic management, the conversion of defence production to civilian purposes and enhanced participation in NATO's "third dimension" scientific and environmental programmes. We will also co-operate actively in disseminating as widely as possible information about NATO in the countries of Central and Eastern Europe, inter alia through diplomatic liaison channels and embassies of NATO member countries.

4. NATO allies have committed themselves to providing appropriate resources to finance our co-operative activities. NACC co-operative activities are agreed by the NACC partners; they

may involve the participation of all or only some of them. Accordingly, some activities may be funded by individual nations.

*Political and security-related matters**Topics:*

- Political and security-related matters;
- Conceptual approaches to arms control and disarmament.

Activities:

- Consultations of the Political Committee with co-operation partners, including as appropriate with experts, as a rule every two months.

*Defence planning issues and military matters**Topics:*

- Principles and key aspects of strategy including crisis management, defensiveness, sufficiency and flexibility;
- Issues of defence planning;
- Force and command structures;
- Military contribution to conceptual approaches to all arms control and disarmament issues;
- Views on military exercises;
- Democratic concepts of civilian-military relations;
- Planning, management and analysis of national defence programmes and budgets;
- Concepts and methods of training and education in the defence field.

Activities:

- Consultations of the Military Committee in a co-operation session at chief of staff level, and other MC meetings with the co-operation partners and consultations in other appropriate forums;
- Military contacts including high-level visits, staff talks and other exchanges;
- Participation by co-operation partners in special and/or regular courses at the

NATO Defence College and at the NATO School (SHAPE) at Oberammergau.

Defence conversion

Topic:

- Defence conversion, including its human dimension.

Activity:

- Defence conversion seminar organised by the Economic Committee, inter alia with a view to identifying the possibility of further co-operation in this field.

Economic issues

Topic:

- Inter-relationship of defence expenditure and budgets with the economy.

Activities:

- Consultations of the Economic Committee in sessions reinforced by experts with co-operation partners every three months;
- Economic colloquium on external economic relations of co-operation partners;
- Defence economics workshop.

Science

Topic:

- Enhancement of participation of co-operation partners' scientists in NATO science programmes.

Activities:

- Meeting of the Science Committee with counterparts from co-operation partners' countries once a year;
- Attendance at advanced study institutes and advanced research workshops (800 scientists from co-operation partners' countries);
- Participation in the collaborative research grants programme (40 grants);
- Proceedings of NATO's scientific meetings to a central library in each co-operation partner's country;
- Intensive courses in co-operation partners' countries (30 courses);

- Visits of experts to co-operation partners' laboratories (8 visits);
- Linkage between NATO and co-operation partners' laboratories (10 grants);
- Science Committee seminar on the mobility of scientists.

Challenges of modern society

Topics:

- Defence-related environmental issues;
- Pilot studies of interest to co-operation partners.

Activities:

- Meeting of the Committee on the Challenges of Modern Society with counterparts from co-operation partners' countries once a year;
- Seminar on the military rôle in environmental protection;
- Participation of co-operation partners' experts in pilot study meetings;
- Pilot study on defence base clean-ups;
- Pilot study on protecting civil populations from toxic material spills during movements of military and other dangerous, defence-related goods;
- Pilot study on existing cross-border environmental problems emanating from defence-related installations and activities.

Dissemination of information

Topic:

- Dissemination of information about NATO in the countries of co-operation partners.

Activities:

- A meeting of the Committee on Information and Cultural Relations (CICR) with co-operation partners;
- Information about NATO will be disseminated as widely as possible in the countries of co-operation partners, inter alia through diplomatic liaison channels and embassies of NATO member countries;
- Visits to NATO by selected groups (46 groups);
- Sponsorship of a number of co-operation partners' representatives to attend seminars in allied countries (50 representatives);

- Co-sponsorship with co-operation partners of one major seminar;
- NATO speakers' tours to co-operation partners' states (9 tours);
- Limited expansion to 60 fellowships of democratic institutions fellowships programme;
- Special issue of NATO Review with focus on co-operation partners;
- Increased dissemination of NATO documentation in co-operation partners' states.

Policy planning consultations

Topic:

- A mid- and long-term foreign and security policy issue; such an issue

might include the formulation of foreign policy in a democratic state.

Activity:

- A meeting of NATO's Atlantic Policy Advisory Group with co-operation partners.

Air traffic management

Topic:

- Civil/military co-ordination of air traffic management.

Activity:

- A seminar with participation of co-operation partners to follow up the October 1991 CEAC seminar, inter alia with a view to identifying the possibility of further co-operation in this field.

APPENDIX VIII

*Statement issued after the meeting of NACC Defence Ministers,
Brussels, 1st April 1992*

1. We NATO Defence Ministers and Representatives of Belgium, Canada, Denmark, Germany, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Turkey, United Kingdom, the United States, and the Defence Ministers and Representatives of Armenia, Azerbaijan, Belarus, Bulgaria, the Czech and Slovak Federal Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Russia, Tajikistan, Ukraine and Uzbekistan met today in Brussels for the first time¹. We considered how we could deepen dialogue and promote co-operation between us on issues that fall within the competence of Defence Ministers.

2. Much has already been done to develop the partnership between our countries. The Rome Declaration of the North Atlantic Alliance and the work plan for dialogue, partnership and co-operation of the North Atlantic Co-operation Council as well as bilateral contacts and exchanges in the defence field provide an excellent basis for further progress. Today, in a spirit of friendship and goodwill, we discussed the contribution which we, as Defence Ministers, can make to this process in order to promote our common objectives.

3. The positive changes in the security environment of recent years have major implications for the organisation of our defences. In this context, we are determined to achieve early entry into force without renegotiation and full implementation as soon as possible of the CFE Treaty and expect to see the treaty in force by the time of the Helsinki summit in July. In the interest of further strengthening security and stability in Europe, we also support the determination of the participants in the CFE 1a negotiations to reach, in connection with the entry into force of the CFE Treaty, an agreement to limit the personnel strength of their conventional armed forces in time for the Helsinki summit at the end of the CSCE meeting. We welcome the Open Skies Treaty and the Vienna CSBM Document 1992 as major new steps towards greater openness and confidence-building in the security field. Complementary bilateral and regional efforts aimed at achieving enhanced confidence and security can also make a positive contribution.

1. Kazakhstan attended as an observer. Turkmenistan, although unable to be represented, has indicated that it wishes to be associated with this statement.

4. We all agree on the importance of the safe, responsible and reliable control of the residual nuclear arsenals. We took note of the assurances given in this regard with respect to the reliability, security and single control of the nuclear weapons of the former Soviet Union. We equally took note of the intention of the states concerned to join the Treaty on Non-Proliferation of Nuclear Weapons as soon as possible as non-nuclear weapon states. We confirm the need to ensure full respect for the treaty and to contribute in all possible ways to efforts aimed at preventing proliferation of nuclear weapons and other weapons of mass destruction.

5. Many of us are faced with major restructuring of defence efforts and some are addressing basic issues of defence organisation and planning for the first time. All of us can benefit from an intensification of contacts and co-operation. It is therefore with satisfaction that we note the progress which has already been achieved through an extensive visits programme, discussions, courses and frequent military contacts at all levels. But more can and will be done. To this end our chiefs of defence staff will meet on 10th April 1992 in the framework of the first meeting of the Military Committee in co-operation session. It will be the beginning of a regular series of meetings at the highest military level.

6. Furthermore we have agreed that:

- a high level seminar on defence policy and management will be held covering the rôle and constitutional position of armed forces in democratic societies, as well as strategic concepts and their implementation; a key purpose will be to identify specific issues to be pursued during subsequent co-operation in defence-related matters;
- an initial workshop will address practical aspects of defence management and the reform and restructuring of armed forces. This will be followed up by several panel tours to capitals conducted by small groups of experts as well as by participation of co-operation partners in relevant NATO training;
- a workshop will be held to provide an opportunity to share experiences and to identify the most suitable practices and

work methods for the environmental clean-up of defence installations;

- small teams of civilian and military defence experts, drawn as appropriate from several alliance countries, could be sent, on request, to countries desiring advice. These teams will be made available as quickly as possible to assist in ministries of defence or other areas in the defence establishment and will be prepared to stay in place as necessary. Detailed arrangements for meeting the needs of co-operation partners can be pursued in the Group on Defence Matters;
- further agreed activities of mutual interest in our field of responsibility will be organised in the framework of the Group on Defence Matters and reported to us or our representatives on a regular basis. The Group on Defence Matters could also act as a clearing house for proposals for co-operation in the defence field, including bilateral or multilateral activities not necessarily involving all of us.

The aim is not only to increase mutual understanding and confidence among us, but also to provide practical assistance on defence-related matters at a time of profound transformation and transition. NATO members have promised to make available for this purpose the considerable expertise and experience they have developed in defence-related issues. The list at annex, which is not intended to be exhaustive, provides an initial basis for discussion of areas for co-operation in defence-related matters.

7. We have entered a new era of partnership amongst our states. The resulting improved understanding and transparency will help develop patterns of co-operation and create conditions that encourage peaceful solutions to political problems. We are determined to grasp this opportunity to deepen our relationships, enhance security and contribute to the evolving process of a Europe whole and free. In our capacity as Defence Ministers we shall therefore play a full part in dialogue, partnership and co-operation. We shall meet to review the progress of work in the defence field annually or more frequently should circumstances warrant it.

ANNEX

Areas for further co-operation in defence-related matters

The following is a list of possible areas for co-operation in defence-related matters. There are various ways in which they could be

addressed: seminars, workshops, panel tours, courses, bilateral or multi-lateral co-operation. Some topics will be most suited to military contacts, others dealt with primarily through civil channels; many will involve joint activities. As well as acting as a clearing house for proposals for co-operation, the Group on Defence Matters could also help organise activities in the following areas. The list is not intended to be exhaustive, but it could form the basis for a future work programme including practical activities.

- Military strategies: including discussion of concepts such as defensive sufficiency, stability, flexibility and crisis management.
- Defence management: the planning and management of defence programmes in democratic societies, to include accountability, financial planning, programme budgeting and management, research and development, equipment procurement procedures, personnel management.
- The legal framework for military forces: the establishment of a constitutional framework, the position of armed forces in a democracy, the democratic control of armed forces and civil-military relations, parliamentary accountability.
- Harmonisation of defence planning and arms control: the consequences of arms control for defence planning, the rôle of military forces in verification, proliferation, resource implications of CFE.
- Exercises and training: the philosophy, format, requirements and standards of training and exercises.
- Defence education: organisation of education for both military and civilian defence personnel.
- Reserve forces: mix of active and reserve forces, force structures, training.
- Environmental protection: the military and the environment, protection, conservation, clean-up of facilities.
- Air traffic control: military contribution to air traffic management.
- Search and rescue: military contribution to search and rescue activities.
- Military contribution to humanitarian aid: practical experiences, planning, co-ordination, civil-military co-operation.
- Military medicine: organisation and practical issues (occupational health, preventive measures, hospital management, medical supply, education).

APPENDIX IX

*Fourth WEU Session of Higher Defence Studies
(Ebenhausen, 23rd-26th March 1992)*

Conclusions of Working Group on WEU and arms control

(a) The past

1. The working group began by considering the extent to which arms control has figured in the history of WEU. From an introductory paper presented by its Chairman, the group noted that protocols on arms control and force levels had been included in the original 1948 Brussels Treaty and that the modified treaty of 1954 contained stipulations regarding, for example, the minimum force levels which the United Kingdom would be required to maintain in Europe.

2. The group noted that WEU had, throughout its history, had a procedural and substantive interest and involvement in arms control matters. It was not, however, until the Rome Declaration of 1984 that arms control appeared on the WEU agenda *in its own right*. The reaction of the United States to this development was sceptical and unwelcoming and it was partly this, perversely, which pushed WEU into greater involvement in arms control matters. An even greater impetus for the development of a European opinion on arms control matters came in response to the Reykjavik summit of 1986.

3. The WEU platform of 1987 cited arms control and disarmament as a WEU policy objective. Significantly, WEU made no attempt to play an *operational* rôle in arms control matters, preferring instead to remain a forum for the harmonisation of the security policy interests – arms control among them – of the member countries.

4. The Newall report of April 1990 recommended the creation of a “European verification centre”. Although there is still some way to go in this area, the establishment of the satellite centre is one achievement which should be borne in mind.¹

5. The contribution to be made by WEU to the arms control work of the CSCE, NATO, the Twelve and the CSCM has been noted in a number of documents produced over the last year or so².

1. “Vienna, disarmament and Western European Union”, Document 1223, 24th April 1990, Rapporteur: Lord Newall.

2. See letter Genscher/Dumas, February 1991; Document 1271, 13th May 1991.

6. Although WEU is interested and active in arms control matters, it has to be said that there is no independent WEU arms control agency. Arms control work completed under the auspices of WEU is dependent upon the contributions of member states.

(b) The present

7. The latest and most explicit initiative was that made at the autumn session of the WEU Assembly on 10th December 1991. Following the initiative of Mr. de Puig (Spain), Rapporteur, the Assembly made four clear recommendations on arms control matters to the Council:

“1. To take action to encourage consensus among member countries on this subject and to take joint measures of arms reductions and control, including measures ensuring the regulation and transparency of arms sales;

2. To prepare a policy of minimum nuclear deterrence;

3. To ensure that WEU’s satellite data interpretation centre is integrated into the verification process;

4. To enable WEU to participate in the preparation of disarmament projects³.”

8. The Rapporteur continues to exert pressure on behalf of the Assembly, and it is now highly likely, the group felt, that arms control and disarmament will remain on the agenda of the WEU Council. In this respect, the group felt that the following comments from Mr. Holthoff’s paper on the previous day were relevant here:

“A clear link exists between the co-operation of WEU member states on space and their co-operation on arms control. With the growing importance of arms control and verification in the new security environment, it is only logical for WEU to be increasingly used by member states as a forum for concertation and

3. See “Arms control negotiations – further initiatives for WEU”, Document 1288, 7th November 1991, Rapporteur: Mr. de Puig.

co-operation on verification. This has resulted in practical arrangements for co-operation within WEU on implementing the CFE Treaty verification régime.

Moreover, a set of rules for co-operation among multinational inspection teams under the verification régime laid down in the CFE Treaty has been approved and have been introduced as a contribution to NATO discussions. The search for cost-effective ways of implementing an Open Skies agreement remains high on the agenda. The possibility of co-operating with all CSCE member states is envisaged."

(c) The future

9. As far as WEU's involvement in arms control in the future is concerned, the group worked its discussion around four questions.

10. It is unreasonable to pretend that arms control is entirely a practical matter. Some thought has to be given to the abstract, theoretical aspects of the subject if only to acknowledge that the context in which arms control has been thought to operate and which legitimised arms control, has changed fundamentally, if not disappeared. It is important, also, to have some clear idea of what we expect arms control to provide. The first question, therefore, is "Is there a future for arms control in and for Europe?". The group found several reasons for continuing an arms control process, and these fell into three groups.

11. The first group, which might be called "cold war residual tasks", would involve such things as the ratification, entry into force and verification of CFE, and the promulgation of the Non-Proliferation Treaty – "traditional" arms control which still has a rôle.

12. The second group, "alternative arms control", could involve such things as rationalising arms control by improving co-operation between those states involved in, say, a verification régime; making arms control more cost-effective. There could be emphasis on manpower ceilings, following the German example of a 375K ceiling, unilaterally implemented. There could be work on the reduction on military budgets, on public awareness and on arms exports.

13. The third and final group, "old problems revisited", was in response to doubts that although the cold war might be over, the threat of a massive conventional, chemical and nuclear war in Europe might not be. The CIS republics are discovering the joys of having their own armed forces – these must be observed and controlled. In other words, there still seems to be scope for arms control to contribute to enhanced

security and stability in an inherently unstable environment; the familiar tasks of arms control.

14. The second question we addressed was "Should WEU have a rôle in arms control at all?". The main aim of this part of the discussion was to tackle the possible problem of duplication of institutions and of effort. We began by noting the vast array of institutions, initiatives, binding treaties, loose arrangements and so forth. We noted that there was hardly any common ground as far as membership of these bodies, etc., is concerned. There is, clearly, a danger of duplication.

15. Our first observation was slightly casuistical inasmuch we noted that if WEU is to continue as an institution with a voice of its own (i.e. not simply as the sum of its parts), concerned with security matters, and if we have agreed that arms control – a "security matter" – is here to stay, then it is inconceivable that WEU should not have an arms control rôle.

16. We noted that, if WEU is to live up to the promises of Maastricht, then it must anticipate an arms control rôle since there are initiatives – such as the EC Working Group on Conventional Arms Exports – which WEU will be expected to absorb or at least become involved in.

17. We felt that, if we changed our expectations of arms control, we might find that it would contribute to constructive dialogue with the CIS and would therefore be worth maintaining in its own right.

18. We noted that NATO cannot do everything and that there was scope for the preparation of a specifically European response to a given issue which could then either inform NATO or even prompt it into action. The danger of caucusing would have to be resisted but NATO is big – and likely to get bigger – and there is a case for sub-regional work of this sort.

19. The East-West confrontation has gone and it is important that Europeans take the opportunity to ensure that their interests are secured as a new balance is devised.

20. We felt that involvement of WEU in arms control matters – representing an "old guard" in a new Europe/world – could act as a moderating influence and as a means of protecting our countries' interests in possibly irresponsible times ahead.

21. Having established that WEU does have an arms control rôle, at least for the foreseeable future, the next question was "How should WEU's work in arms control be organised?". We felt that the object of WEU should not be to create a kind of caucus within NATO or CSCE, for example, but should be a mechanism for co-ordinating WEU members' views where it

was felt that these views could add something to the debate or where there seemed to be a danger of overlooking WEU members' interests. We envisaged two rôles for WEU where arms control is concerned: first as a European pillar complementing and strengthening NATO; second as a permanent "inner ring" or "ginger group" to push arms control matters and to take the lead where specifically European interests were involved.

22. Where security matters are concerned – arms control included – WEU cannot challenge the primacy of NATO, it should be complementary. There may, of course, be arms control and security issues which concern WEU but not NATO, and there would in such cases be no conflict between the institutions.

23. The final question we addressed was "Which arms control and disarmament subjects should WEU concentrate upon or specialise in?"

24. It will come as no surprise that the group could *not* think of an arms control subject, where Europe was concerned, which WEU should not become involved in. The proviso, however, was that WEU should only make a contribution or become involved in those cases where the interests of the WEU member states were not being pursued in, for example, the CSCE or NATO.

25. On one level – the verification of the CFE Treaty – the group had no doubt that WEU will continue to have constructive involvement. WEU contributes to three levels of the verification process. First, as far as satellite verification is concerned, we have already seen that the satellite centre has a part to play. Second, in terms of CFE aerial inspection and, subsequently, open skies, WEU is already working towards greater co-operation and cost-effectiveness. Finally, WEU is also contributing to the rationalisation of ground inspection efforts.

In all, this is an excellent rationalisation for a WEU arms control effort which the EPC, for example, does not offer.

26. We felt that WEU could usefully be involved in the arms control aspects of the new CSCE mandate and of the CSCM mandate. At 51, the CSCE is beginning to become unwieldy and there is certainly scope for regionalisation and specification – WEU is in an ideal position to assist in this way.

27. We felt that WEU could become involved in consultations to establish mutually-acceptable and lower force levels – in the CIS for example. Where necessary, where it was felt that a specifically European contribution could be made, WEU could, for example, act in an advisory capacity to the NACC.

28. We saw that WEU could contribute to the subject of reconstitution and build-up of forces, by instituting some sort of formal dialogue.

29. We noted the importance of various United Nations arms control régimes and we felt that WEU could have a valuable rôle in promoting, in relations with the CIS and the third world, for example, the United Nations Register of Conventional Arms Transfers, the United Nations Standardised Reporting System on Military Expenditures and the exchange of Objective Information on Military Matters, currently being debated at the Conference on Disarmament. In this vein, WEU could turn its attention to wider matters such as transparency and openness in all military and security matters, to technology transfers, to armaments production, conversion, and to the contentious issue of qualitative disarmament.

30. Finally we saw a prime rôle for WEU in ensuring that WEU members' interests and opinions on arms control matters were heard and respected in bilateral discussions between the United States and the CIS.

WEU: the operational organisation

REPORT ¹

***submitted on behalf of the Defence Committee ²
by Sir Dudley Smith, Chairman and Rapporteur***

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1. Adopted in committee by 9 votes to 5 with 0 abstentions.

2. *Members of the committee: Sir Dudley Smith (Chairman); Mrs. Baarveld-Schlaman, Mr. de Puig (Vice-Chairmen); MM. Alloncle, Bassinet, Borderas, Brito, Cariglia, Chevalier, Cox, De Decker, Dees, Durand, Fernandes Marques, Fiandrotti (Alternate: Mezzapesa), Fioret, Fourré, Irmer, Jung, Kelchtermans, Mrs. Lentz-Cornette, MM. van der Linden, Marten, Moya, Pecchioli, Perinat, Reis Leite (Alternate: Mrs. Aguiar), Scheer, Sinesio, Speed, Steiner, Vazquez, Zierer, N... (Alternate: Lord Newall, N... (Alternate: John Thompson).*

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

Draft Recommendation
on WEU: the operational organisation

The Assembly,

(i) Welcoming and endorsing the WEU declaration made at Maastricht on 10th December 1991, whereby member states agreed on the need to develop a genuine European security and defence identity and a greater European responsibility on defence matters;

(ii) Pleased that member states are decided to strengthen the operational rôle of WEU in the longer-term perspective of a common defence policy within the European Union which might in time lead to a common defence;

(iii) Delighted at the reaffirmation, therefore, of WEU's paramount rôle as the unique instrument to express Europe's defence identity, and determined to continue to provide the parliamentary dimension required to oversee WEU's operational responsibilities;

(iv) Confident that the setting up of the WEU Satellite Centre in Torrejón will enable WEU to play a fuller operational rôle in co-operation with all other bodies concerned with verification, crisis management and environmental control;

(v) Recalling recommendations:

- 456 on naval aviation;
- 469 on the state of European security – intervention forces and reinforcement for the centre and the north;
- 488 on the consequences of the invasion of Kuwait: operations in the Gulf;
- 493 on the consequences of the invasion of Kuwait: continuing operations in the Gulf region;
- 498 on the Gulf crisis: lessons for Western European Union;
- 502 on arms control: force reductions and the rôle of multinational units;
- 505 on the rôle of women in the armed forces;
- 512 on operational arrangements for WEU – the Yugoslav crisis,

as well as Written Question 294 put to the Council by Mr. De Hoop Scheffer on 17th December 1991;

(vi) Gratified that so many of its recommendations above have been accepted by the Council, at least in part, and trusting that all its recent recommendations, touching on the operational aspects of WEU, will now be re-examined with a view to implementation within WEU's new operational context;

(vii) Conscious that as long as a minimum nuclear deterrent is to be maintained by any WEU member state it should remain effective and credible;

(viii) Considering that Europe's arms procurement needs would be best served by creating a European Armaments Agency which would associate all European countries so wishing,

RECOMMENDS THAT THE COUNCIL

1. Take the necessary decisions at the next ministerial meeting to give substance to the WEU declaration at Maastricht by:

- (a) agreeing the arrangements for setting up a WEU military planning cell with appropriate and detailed terms of reference;
- (b) deciding the parameters for closer military co-operation in the fields of logistics, transport and training, and giving the necessary mandate for action to the relevant WEU bodies;
- (c) confirming the need for a committee of WEU chiefs of defence staff and considering the creation of a WEU military committee;
- (d) progressing the idea of earmarking certain forces for WEU and giving particular consideration to the creation of a European rapid action force to comprise elements of the future European corps and airmobile units from those WEU member nations possessing such forces;

2. Investigate as a matter of priority the various areas for possible WEU action once an operational organisation is in place;

3. Define the status and responsibilities of associate members and observers to include the possibility of participation in WEU's operational activities (notably the work of the Torrejón Centre) and also give due consideration to including other NATO states or European Community associates in WEU operations on an ad hoc basis;
4. Ensure that the WEU satellite centre in Torrejón establishes firm links with:
 - (a) the WEU military planning cell to be established in Brussels;
 - (b) NATO's Verification Co-ordinating Committee;
 - (c) the CSCE's Conflict Prevention Centre;
 - (d) the Open Skies Consultative Committee;
5. Set up a defence representatives procurement sub-group to examine ways to bring WEU and IEPG closer together, instituting a special liaison with the IEPG secretariat in Lisbon;
6. Include co-operation on armaments production on the agenda for discussion with the new democracies of Central and Eastern Europe;
7. Encourage France and the United Kingdom in co-operation if possible to maintain an effective and credible minimum nuclear deterrent and, in parallel, consider the desirability of instituting a WEU "nuclear consultation group" to give practical expression to the principles of nuclear deterrence reiterated in the Hague Platform as well as helping to define a European opinion on nuclear disarmament and anti-proliferation measures;
8. Ensure that all arrangements aimed at giving a stronger operational rôle to WEU are discussed with the Atlantic Alliance to make them fully compatible with present and future military dispositions designed to safeguard allied collective defence and institute channels of communication to maintain such transparency and complementarity between NATO and WEU.

Explanatory Memorandum

(submitted by Sir Dudley Smith, Chairman and Rapporteur)

I. Introduction

1. It was clear well before the Maastricht summit that the member countries of Western European Union were prepared to develop WEU as an operational organisation. A number of very positive decisions were taken at the WEU Ministerial Council on Monday 18th November 1991 and it was this set of decisions which enabled WEU to make its declaration at Maastricht on 10th December in response to the call by the Twelve in the Treaty on European Union.

2. If there were any doubts in the minds of our governments and Council on the need to create an operational organisation for WEU, they were certainly dispelled by the reports and recommendations prepared for the plenary session of the Assembly and the debate held in Paris in the first week of December. First and foremost among the reports dealing with operational matters was that presented on behalf of the Defence Committee by our colleague, Mr. De Hoop Scheffer¹, and it was this set of specific recommendations, building on the remarkable series of reports produced during the Gulf crisis², which the Council has most taken to heart, both in formulating the declaration at Maastricht and in its work subsequently.

3. As the foremost European parliamentary Assembly concerned with foreign policy and security matters in the particular realm of defence, we must congratulate the WEU Council and the Secretary-General for seizing the initiative in this way and producing a very positive state of affairs with the present consensus amongst our nations. Thereby, we have maintained the strength of the principles enunciated in the modified Brussels Treaty of 1954 and their restatement in the Hague Platform of 1987. We must be vigilant that our countries, which together are the most committed to such strong principles of security and defence, do not allow these principles to become diluted.

II. A sovereign defence

4. In the important speech he made on 24th March 1992 to open the fourth WEU European Session of Higher Defence Studies held in Ebenhausen near Munich, Mr. Charles Goerens, former President of the Assembly, alluded to the fact that defence is still the first sovereign duty of the state. Our colleague, Mr. Fernando Amaral, in his forthcoming report for the Com-

mittee for Parliamentary and Public Relations³, asserts:

“clearly, security and defence responsibilities in our countries are the sole responsibility of the central authorities and national parliaments”.

5. The first and most crucial move of many of the newly-independent states of the CIS, not least the Ukraine, has been to set up a national army to demonstrate and help preserve that independence. The idea of a common army, answerable to a number of masters, has foundered right from the start.

6. It is clear that our own governments are generally in agreement with such sentiments and that the prospect of a European Defence Community acting in parallel with the Economic Community is still as distant a prospect as ever... Or is it? There are some signs that maybe chinks are appearing in the hitherto solid armour of sovereignty over defence. For some years now there has been talk of rôle-specialisation in Europe, although few countries have been willing to give up specific capabilities in the hope that an ally would come to the rescue in the event of an emergency.

7. Of course multinational and bilateral units have been set up, mobile forces created, especially under the authority of the Atlantic Alliance. But the alliance is only the sum of its parts and when it has been a question of engaging those forces, (e.g. for the possible defence of Turkey, by sending the Allied Mobile Force (Air) (AMF(A)), or sending the NATO AWACS aircraft (registered in Luxembourg) forward), it has been a question of purely national approval for action, with national parliaments particularly vociferous in defence of their own self-interest.

8. Can matters be otherwise? Mr. Relus Ter Beek, the Dutch Defence Minister, says maybe they can. Addressing the International Relations Society of the Netherlands on Tuesday 31st March, he painted a picture of a Dutch army which would no longer be “national”, “autonomous” or even “whole”. According to *Le Monde* of 4th April 1992, Mr. Ter Beek said that the idea of national sovereignty was outdated and that growing internationalisation and Europeanisation had to be taken into account. This meant that the Netherlands would never have to act alone, (unless perhaps in Aruba or the Dutch Antilles), but always with and as a complement to others – which meant no further need for an army comprising all arms nor large mobilisable reserve forces.

9. At first sight, this seems a remarkable example of forward thinking and indeed in a sense it is. But, of course, the statement must be seen in context and that context is economic. The Minister went on to say that extensive reductions in the forces would be announced in the autumn and also that national service itself might be abolished. (A parallel was evident in Belgium in 1989 when General Charlier produced his far-seeing plan to structure Belgian force reductions.)

10. Economic imperatives are producing pressures on all our national defence budgets and provide much of the rationale behind the new-found need to co-operate. Only now however are some governments beginning to accept the recommendations⁴ the Assembly has been making, urging consultation and co-operation rather than unilateral measures when it came to reductions in budgets.

11. Of course the pressures for force reductions are not only economic – the international context is very different from that when, say, the Lisbon force goals or the size of the British Army of the Rhine (BAOR) were agreed. And with the transforming of “threat” into “risk”, longer warning times, increased security as a result of arms control agreements, greater possibilities for mutual verification and the various confidence-building measures which have been decided, we may be assured of a more secure Europe.

12. To go further and assert that national defence is no longer necessary and that we may all entrust our defence to others is a quantum leap which Maastricht did not even attempt to tackle, beyond affirming that:

“The common foreign and security policy shall include all questions related to the security of the European Union, including the eventual framing of a common defence policy, which might in time lead to a common defence.”

III. No neutrality?

13. It is particularly important to realise that there were such limits to what was agreed by the Twelve at Maastricht, especially when one comes to consider the implications for enlargement of the Community. Three of the candidate countries for membership have hitherto referred to themselves as “neutral”, although for varying reasons (i.e. Austria, Finland and Sweden); two others are “non-aligned” (i.e. Cyprus and Malta).

14. In the present international context the notion of neutrality is not valid and indeed one of the countries concerned, Sweden, is said to have banned the word from any official text. All

three countries, as well as Switzerland, have assured the Defence Committee on its recent visits that neutrality is either in the process of being abandoned or would be abandoned given the necessary vote in national parliaments.

15. In spite of these changes and the fact that another hitherto “neutral” country, Ireland, is already in the Community and technically eligible therefore for full membership of WEU (provided the strong principles of the modified Brussels Treaty and the Hague Platform are accepted), a number of our nations seem to be indicating that applicant states for the EC, as well as being obliged to accept the Rome and Maastricht Treaties, must declare themselves willing to abandon not only their “neutrality” but any pretence at an independent status on defence. This, if true, is a particularly paradoxical position given the inability of the present Twelve to go any further at Maastricht on defence than the limited consensus which obtained.

16. It should also be remembered that if Austria, Finland and Sweden are members of the EC according to plan by the beginning of 1995, they will play a notable part in the review of Maastricht scheduled for 1996. An eminent Finnish parliamentarian and expert on international relations, Mr. Paavo Lipponen, speaking at the Assembly’s symposium on a new security order in Europe in Berlin in March 1992, as well as reminding his audience that with Finland’s accession the Community would gain 1 300 kms of border with Russia, said that in 1996 his country would doubtless have its own opinion on what the Community’s defence policy should be. Such a thought should be very salutary for the present members who should also be aware that the doors of WEU are in the process of being opened for the first time to a number of countries who are not, nor are ever likely to be, members of NATO...

IV. The nuclear future

17. One of the main reasons why a number of countries will be most unlikely to subscribe to WEU in the immediate future is the existence of the nuclear principle at the heart of our defence doctrine. In his report for the Defence Committee⁵, our colleague Lluís Maria de Puig, rehearsed the reasoning behind the necessity to maintain a policy of minimum nuclear deterrence and even develop such a doctrine in a European context. The WEU Council has sadly put the idea into the category of “too difficult” which is why we shall return to the charge in the further report for the Defence Committee which Mr. de Puig is also preparing, on arms control: CSCE and WEU. The Council of WEU must accept its responsibility in the matter. We are not suggesting here that all our members should

possess nuclear weapons or even allow them necessarily to be stationed on their soil. We are saying that the present Western European nuclear powers, Britain and France, must retain a nuclear capacity, on behalf of Europe, and should explore ways together of maintaining an effective minimum deterrent.

18. This has been the majority view within the Defence Committee and also the prevailing view among all the national defence committees with whom we have had dealings of late. The most recent such meeting was with representatives of the Bundestag's Defence Committee in Bonn at the end of January 1992 when we were greatly impressed with the all-party consensus on the need to keep a minimum capability for nuclear deterrence within WEU.

19. In Britain there is no move to abandon the strategic deterrent although, with the recent withdrawal of one Polaris ballistic missile submarine from service some time before the Trident-equipped successor is to be commissioned, there is at least a theoretical diminishing of capability. In France, the nuclear programme is slowing somewhat with the new government's decision unilaterally to cease nuclear testing in the Pacific, although the SSBN capability itself has been enhanced of late.

20. The present conjuncture would therefore indicate that this is the moment for the two countries to tighten and rationalise their co-operation in the nuclear domain and indeed the French President, in his inimitable style, remarked in January of this year that it was only a matter of time before the nuclear question might have to be tackled in a European context. And two other French defence specialists, Mr. Jacques Baumel, who is a very active member of the WEU Defence Committee and also a member of the Assemblée Nationale's Defence Committee, and Mr. François Fillon, until recently a member of the WEU Defence Committee and a former Chairman of the Defence Committee in the Assemblée Nationale, have both urged that the nuclear issue be brought to the forefront of the debate on European security.

21. Mr. Fillon has developed the Defence Committee's recommendation, introduced by Mr. de Puig in December⁶, to propose a "nuclear consultation group", under the auspices of WEU, to discuss four themes:

- “ 1. the establishment of a joint approach to the rôle of deterrence with the aim of defining a European nuclear concept;
2. the study of the configuration of strategic arsenals and their compatibility with jointly-agreed concepts;

3. the study of methods of consultation in the event of recourse to nuclear weapons;
4. the definition of a disarmament and anti-proliferation policy.”

This initiative is worth pursuing if only to make the nuclear question, which has hitherto been a guiding principle of WEU, into a practical consideration. However, it is highly unlikely that either Britain or France would ever abandon their sovereign right to decide the use of their weapons to any European organisation even if a "common defence" might be agreed in the future.

22. In passing it should be recalled that the United Kingdom's strategic nuclear deterrent force is only "assigned" to NATO, which means that it is the NATO Nuclear Planning Group which determines possible targets. The decision for actual use remains purely national. Similarly with France, except that of course the designation of potential targets is also purely national. The United States maintains both systems with less than half its SSBN force being "assigned" to NATO.

23. Given the changes over the past three years, the task of designating possible targets for any of the nuclear powers must be increasingly difficult as the question of "who are we deterring from what?" is nearly impossible to answer. The idea therefore of minimum nuclear deterrence remains theoretical or at least "tous azimuts" in Europe where it is easier for us than for Americans or Russians to understand (although not necessarily condone) the desire of the Ukrainians to maintain their own minimum nuclear deterrent...

V. The parliamentary dimension

(a) National parliaments

24. Your Rapporteur has already asserted that defence remains a national prerogative after Maastricht. We therefore need to maintain a national parliamentary control over defence issues and yet at the same time develop a European viewpoint – increasingly so, in fact, as WEU assumes an operational rôle.

25. Defence budgets are voted by national parliaments; WEU's budget emanates from national governments who maintain a tight control over it, insisting, even in the present climate of expansion in WEU's rôle post-Maastricht, on the strait-jacket of zero growth in real terms for the existing components (Assembly, Secretariat-General and Institute). In fact the advent of the satellite centre in Torrejón implies a doubling of the total budget and it is hoped that over the coming years adequate provision will be made by governments to allow the whole organisation to fulfil its vocation.

26. Through the various provisions of the modified Brussels Treaty, the WEU Assembly has played a vital rôle in exercising strong parliamentary control over the whole organisation. That control must be linked with the rights of national parliaments over defence matters which is why the WEU parliamentary Assembly must remain linked to the same national parliaments, as now.

27. In fact we should be seeking even greater links at home with special relationships established by our various committees (Defence, Political, Technological and Aerospace) with similar committees in national parliaments. The Defence Committee in the WEU Assembly has been assiduous in developing such links with a definite policy of joint parliamentary meetings in national capitals as well as regular invitations to chairmen of national defence committees to take part in our own meetings (such as the meeting held in Vienna last March to consider developments there in the various arms control forums). These invitations are usually also extended to those European members of NATO who are not yet members of WEU, so, for example, as well as our own national chairmen in Vienna in March, we were delighted to welcome chairmen or their representatives from Denmark, Norway and Turkey.

28. Such occasions give an ideal opportunity for discussion on a wider basis and, in the case of the Vienna meeting, allowed members to receive a first hand account of attitudes in non-member parliaments towards WEU membership.

29. This national dimension is so important that should our Assembly, after WEU enlargement, find that its present premises, notably the parliamentary chamber, are too small to accommodate plenary sessions, then serious consideration should be given to holding sessions in national capitals on a rotational basis. This would have the particular advantage of putting WEU into the eye of the electorate (although, interestingly, for the recent national election in Britain, mention was made in numerous election addresses of the fact that such and such a sitting member served also on the national delegation to Western European Union and the Council of Europe).

(b) The Council of Europe (C of E)

30. All our WEU members are of course also members of the Council of Europe which deals with a further dimension of the European ethos, ranging from human rights to migration problems to cultural matters and wider considerations of democracy. The operational organisation of WEU should become acquainted with these aspects which can influence European security and potentially provoke the various crises to which WEU may have to respond. We,

as parliamentarians in both WEU and the Council of Europe, must be alive to the possible benefits of such dual-membership for both organisations.

(c) The North Atlantic Assembly (NAA)

31. A small number of our members are also members of the North Atlantic Assembly, the interparliamentary body which, although not established by the Washington Treaty, performs a very effective rôle as watchdog on NATO. The great advantage of the NAA has been that it was until recently the only defence-related parliamentary body which brought the North Americans into close contact with their European colleagues. Of late the NAA has opened its doors to the Central and Eastern Europeans and now to the CIS states, and has thus encouraged NATO itself to form the North Atlantic Co-operation Council (NACC).

32. Our Defence Committee has a long tradition of joint meetings with the NAA's Defence Committee and indeed, building on the very successful joint meetings held last year in Geneva (WEU) and Madrid (NAA), it has recently been agreed to invite the Chairman, on a reciprocal and regular basis, to major meetings of the sister committee. This gives a parliamentary dimension to the organic link with NATO determined in Article IV of the modified Brussels Treaty and goes a long way to complementing the intergovernmental relationship between WEU and the Atlantic Alliance agreed at NATO's summit in Rome last year and confirmed by WEU in the declaration at Maastricht.

33. The NAA has been very supportive of the nascent CSCE Assembly and has now made available the services of its own secretariat to help establish a CSCE Assembly secretariat. If NAA membership were ever expanded to coincide with all the countries represented in the CSCE Assembly, then perhaps thought might be given to merging the two bodies, along similar lines to the suggestion made by Mr. de Puig in his report⁷ regarding the relationship between CSCE and the NACC.

(d) The CSCE Assembly

34. The WEU Assembly was invited to the meeting in Madrid last year when the outline agreement on forming a CSCE Assembly was decided. We trust that we shall be represented in Budapest at the beginning of July this year when the first true CSCE Assembly meets. In parallel, we should try and ensure that, when national delegations are agreed in our parliaments, a reasonable number of WEU parliamentarians are included. In the United Kingdom for example it is hoped to have a delegation in the ratio: 1/3 WEU/C of E; 1/3 IPU; 1/3 NAA.

35. This idea will be of growing importance as WEU develops its operational potential as a complement to the CSCE itself, particularly in the realms of verification, Open Skies and crisis management.

(e) The European Parliament

36. The only parliamentary body with which our governments at Maastricht urged us to co-operate more closely was paradoxically the European Parliament. "Paradoxically" for this is the only body which hitherto has systematically refused any reciprocity to us, although during the mid-1980s the Defence Committee of the WEU Assembly managed to exchange observers for a short period. Of late we have accepted observers once again, this time admitting them to plenary sessions of the Assembly and according the right to speak. Sadly, there has still been no sign yet of reciprocity, apart from two invitations to appear before the parliament's Security and Disarmament Sub-committee addressed to the WEU Secretary-General and to an Assembly rapporteur.

37. The Assembly's Presidential Committee has therefore decided to try and clarify matters at the highest level and it is very much hoped that success will ensue for there are many matters concerning European common foreign and security policies which now come within the remit of both the WEU parliamentary Assembly and the European Parliament and we could very well exchange ideas of mutual interest to mutual advantage.

38. All the foregoing parliamentary relationships – national, C of E, NAA, CSCE Assembly and European Parliament – are of growing importance given the operational resurgence of WEU and your Rapporteur intends recommending that the Assembly charges the Committee for Parliamentary and Public Relations to keep us all regularly informed of developments.

VI. The operational rôle of WEU

39. The WEU declaration at Maastricht includes a specific page, entitled "Operational rôle of WEU" which reads:

"WEU's operational rôle will be strengthened by examining and defining appropriate missions, structures and means covering in particular:

- WEU planning cell;
- closer military co-operation complementary to the alliance in particular in the fields of logistics, transport, training and strategic surveillance;

- meetings of WEU chiefs of defence staff;
- military units answerable to WEU.

Other proposals will be examined further, including:

- enhanced co-operation in the field of armaments with the aim of creating a European armaments agency;
- development of the WEU Institute into a European Security and Defence Academy.

Arrangements aimed at giving WEU a stronger operational rôle will be fully compatible with the military dispositions necessary to ensure the collective defence of all allies."

40. Your Rapporteur intends taking each aspect in turn to shed as much light as possible on what has already been agreed by the Council, what is in the process of agreement and what remains to be discussed. The first element to note is that these are WEU intentions as a result of WEU's own initiatives – these are in no way WEU "proposals" to be agreed by the Twelve or the Sixteen. WEU's autonomy is thus preserved and must be jealously guarded for the foreseeable future.

(a) WEU planning cell

41. Since the operational days of Western Union in the old Brussels Treaty Organisation of the early 1950s came to an end with the signing of the modified Brussels Treaty in 1954 and all operational aspects were transferred to NATO, there have been few occasions when WEU needed a formal planning cell. In fact it is only of late, as the situation in Central Europe has evolved so much and lessened the need for a concentration of defence on our own soil, that WEU has had to plan anything beyond the realm of the verification régime we oversaw for some thirty-two years.

42. When we did need to prepare operational plans, during the first Gulf crisis involving a threat to freedom of navigation as a result of the Iran-Iraq war in 1987-88 and then during the major Gulf crisis resulting from Iraq's attempted annexation of Kuwait, in 1990-91, we were reasonably content to make ad hoc arrangements and rely on the tried and tested procedures which we had developed over the years in NATO.

43. As time has progressed and it has become obvious that WEU has a particular vocation to act to preserve European interests and maybe even on behalf of the United Nations or, potentially, the CSCE, our governments have realised that a fully-fledged planning cell would make a great deal of sense to provide the most cost-effective way of trying to foresee crises which

might involve WEU and planning an adequate response. Not that all our governments have progressed the idea at the same speed...

44. The consensus now is for a planning cell some thirty-five to forty strong, comprising active service personnel from the armies, navies and air forces of our countries. The peacetime commander of the cell is likely to be of three-star rank (Vice-Admiral/Lieutenant-General) with a one-star deputy (Commodore/Brigadier) as chief of staff.

45. As active duty personnel on normal tours of duty (two/three years) the staff of the cell will be paid by national governments. The cell is likely to be colocated with the Secretariat-General when established in Brussels but be answerable direct to the WEU Council.

46. As a result of the declaration at Maastricht, it was the WEU Chiefs of Defence Staffs meeting in Bonn on 27th January 1992 who tasked the WEU presidency with developing the necessary terms of reference for the military planning cell (MPC).

47. The cell will be responsible for developing contingency plans for operations in which WEU forces might be involved, as agreed by the Council, and therefore should:

- (a) keep a list of forces likely to be allocated to WEU for specific operations;
- (b) develop plans for exercises;
- (c) establish the relevant command, control, communications and intelligence (C³I) requirements, including the necessary standard operating procedures (SOPs).

48. It is not intended to give the MPC a command function, but instead to designate a military commander for any specific WEU action in the light of those countries who contribute forces for the action and to form a joint headquarters (JHQ) under the aegis of the WEU Council.

49. In consultation with national military authorities the WEU Council will give overall direction on planning options and priorities, although your Rapporteur believes that it may be preferable to form a Military Committee by appointing military representatives (MILREPs) to advise the WEU Permanent Council on a regular basis. (This is particularly important as the majority of the Permanent Council will probably be special appointees, independent of both NATO and the Twelve.)

50. The MPC will obviously have to ensure close co-ordination with relevant NATO bodies and a permanent liaison with nations. In addition, it should establish links with both the

United Nations and CSCE, as required, and especially with WEU's satellite centre at Torrejón (plans will have to be drawn up for strategic surveillance for specific operations) and with other WEU bodies such as those involved with arms control and verification, Open Skies and armaments co-operation. An appropriate protected communications system will be a must.

51. The cell should comprise at least five specific sections:

- Policy and Plans;
- Operations and Exercises;
- Standard Operating Procedures;
- Communications;
- Logistics and Administration.

52. The MPC should serve as a focus for WEU contingency planning among our nations, with NATO (especially liaising with reaction force headquarters and planning staffs) and other appropriate international organisations such as the United Nations or the EC.

53. As for the intended time-scale for the establishment of the MPC, it is likely that the next meeting of the chiefs of defence staffs (CHODS) scheduled for 20th May 1992 in Bonn will approve the draft terms of reference for the MPC and possibly designate the first MPC Director and Deputy Director. This would allow ministerial endorsement at their meeting planned for 19th June and ensure that the MPC would be operational in October or November this year, with a full staff in place by next spring.

54. In parallel with the MPC, it is intended to create a small military advice cell to serve on the Secretary-General's own staff and France in April has already nominated and appointed a Colonel to the WEU's London office. One or two further appointments from other countries may follow.

55. When researching WEU's original operational organisation your Rapporteur came across an interesting detail. Apparently the Western Union operational planning structure in the early 1950s included a United States military liaison office...

56. The Defence Committee has already proposed⁸ that Canada and the United States be invited to nominate ambassadors to WEU. It might be worth suggesting that a North American military liaison office be also established in Brussels to provide a link with the United States Central Command in particular.

(b) Closer military co-operation complementary to the alliance in particular in the fields of logistics, transport, training and strategic surveillance

57. The Assembly has been pressing for greater military co-operation within WEU and especially in the fields mentioned here. Your

Chairman as Rapporteur for the Technological and Aerospace Committee has produced two reports⁹ which deal *inter alia* with the special requirements and urgent need for closer military co-operation in the domain of military airlift (a crucial necessity for any largish-scale WEU operation). It is however in the realm of strategic surveillance that matters are the most advanced.

58. Ever since that first report¹⁰ for the Defence Committee by our colleague, Jean-Pierre Fourré, advocating a WEU observation satellite agency, was adopted by the Assembly in December 1988, the idea has been progressed slowly but surely¹¹ until today the WEU's satellite data interpretation and training centre is now seeing the light of day at Torrejón near Madrid. The primary purpose of the centre, as outlined by Mr. Barry Blaydes, the first Director, when he addressed the Defence Committee at its meeting in the Reichstag, Berlin, on Thursday 2nd April 1992, will be:

- the training of photographic interpreters;
- treaty verification;
- crisis monitoring;
- environmental monitoring.

In addition, research would be undertaken with a view to further developing observation techniques.

59. At present a project team has been constituted to oversee a series of practical measures:

- establishing the centre's status in negotiation with the Spanish Government;
- detailing the terms of the lease for the Torrejón site;
- carrying out the building work necessary for early occupation of the site;
- purchasing appropriate equipment;
- staff recruiting and selection.

A number of issues on policy and strategy remain to be resolved:

- the provenance of the imagery to be used (the centre's terms of reference include various possibilities for aerial imagery);
- tasking and methodology;
- links with other agencies;
- geographical area to be covered;
- tasking mechanisms.

60. It seems obvious to your Rapporteur that co-operation with other bodies, such as the WEU military planning cell, the CSCE's Conflict Prevention Centre, the Open Skies organisation (the satellite centre's terms of reference include analysis of all types of aerial imagery, not just satellite-derived), etc., etc., will be essential. In addition, as underlined by Mr. de Puig in his report¹², it would be a very fine gesture if the WEU Council invited its Central

and Eastern European neighbours to take a part in the work of the centre, perhaps even encouraging them to form a satellite centre of their own in the longer term.

(c) Meetings of WEU CHODS

61. These meetings were held regularly as the Chiefs of Staff Committee of Western Union in the early 1950s. They began again in modern times during the French presidency of WEU as a result of the Gulf crisis in 1990/91. It is obvious to your Rapporteur that such meetings are the military complement to meetings of ministers of foreign affairs and defence. Ideally the CHOD meetings should come approximately a month before WEU ministerials, so as to allow proper staffing of appropriate recommendations to ministers. In addition, there should be ad hoc meetings in times of crisis (c.f. the Gulf).

62. The Defence Committee was especially grateful to General Klaus Naumann, Chief of Staff, Federal Armed Forces, for the detailed debriefing given to members in Bonn on the day following the first CHODS meeting of the German presidency.

(d) Military units answerable to WEU

63. For the present the main unit likely to be "answerable to WEU" is the European corps, founded by France and Germany and which those two countries hope to have operational by the beginning of 1995. Other countries, notably Spain and Belgium, have shown interest in the corps, although some adjustment would be necessary to produce a "double hatting" arrangement so that Spanish and Belgian forces could serve in both NATO's rapid reaction corps and in the European corps.

64. To begin with the European corps will comprise the original Franco-German Brigade and a French and a German division with France's contribution being the 1st Armoured Division, which under original plans was to have been withdrawn from Germany. The three brigades of each division will be constructed so as to offer capabilities ranging from light airborne to heavy mechanised units.

65. The corps will have its headquarters in Strasbourg and three main missions:

- (a) as a contribution to WEU for peace-keeping operations under the aegis of the United Nations or CSCE;
- (b) as an element of NATO forces for defence of the NATO area, under NATO's operational control but not command (this was already the status of the Franco-German Brigade);
- (c) for humanitarian tasks (perhaps wearing Mr. Genscher's "green helmets").

66. On the face of it Germany is thus signing up for commitments it cannot fulfil, supposedly because of its restrictive constitution. It remains to be seen when and whether such a paradoxical situation may be remedied.

67. The idea of a European corps is very positive and responds to the Assembly's desire to see specific forces earmarked for WEU. What is required now is an initiative by some of the other WEU nations to broaden the concept of "forces answerable to WEU". What about the United Kingdom/Netherlands amphibious landing force, for example, as a specialist multinational contribution? And what is needed most critically is some sort of air mobile force, heliborne in the field with an effective attack helicopter capability, backed up by armour – the idea in fact of the European rapid action force long-cherished by the Assembly.

68. It would be very remiss of your Rapporteur to neglect the naval element also: the Defence Committee will therefore be making a special study over the coming months of the possibilities for naval co-operation among the WEU nations.

69. Other proposals which the WEU ministers have promised to examine further include:

(e) Enhanced co-operation in the field of armaments with the aim of creating a European armaments agency

70. The Assembly has long since suggested a rapprochement between WEU and IEPG to create a European armaments agency and this is now proving much more than merely a possibility. Three years ago, the Assembly, noticing that there was no international parliamentary input whatsoever to oversee the work of the IEPG, suggested to the then President of the IEPG (who just happened to be co-Chairman of the WEU Council, Mr. George Younger, the then British Secretary of State for Defence) that an annual report should be forwarded by IEPG to WEU. In spite of the slight disparity in membership between the two bodies the idea was accepted. Now we are talking about bringing the IEPG under the aegis of WEU to create the European armaments agency and indeed, at the IEPG meeting in Oslo on 6th March 1992, it was Norway in particular (not a WEU member) which was proposing that the idea be studied and the necessary action prepared.

71. With other countries already starting to queue in the hope of being associated with such a European armaments agency (e.g. Sweden) the sooner the process begins the better. The Technological and Aerospace Committee is following developments very closely and will be reporting to the Assembly in due course.

(f) Development of the WEU Institute into a European Security and Defence Academy

72. The WEU Assembly was enthusiastic about holding European Sessions of Higher Defence Studies right from the start (at the "Institut des Hautes Études de Défense Nationale" in Paris in the autumn of 1988). We strongly seconded the then French Prime Minister, Mr. Michel Rocard, when at the opening of the first session he proposed that WEU should create an Institute for Security Studies. The Institute is nearly two years old and the proposal to develop it into a "European Security and Defence Academy" might even involve creating a teaching body to teach higher defence studies on a permanent basis.

73. While your Rapporteur would be in favour of such a move, the European sessions (there was one in Brussels in 1989, another at Wilton Park in the United Kingdom in 1990, and the fourth, although somewhat truncated compared with the others, has just taken place at Ebenhausen near Munich) should continue in different countries of the WEU alliance, thus ensuring that each country in turn is able to draw attention to its own security problems or particularities. The WEU Security and Defence Academy might well assume responsibility for the continuity of such sessions (which should be organised over a period of a week, ideally, to allow frank discussion). Shorter one or two day WEU seminars might be arranged as in the past for those who cannot spare the time to attend slightly longer sessions. Participation should be encouraged from all sectors of society and courses arranged both in our different nations and at the academy's headquarters.

74. Running such a scheme would obviously be more expensive in both monetary and manpower terms than running the present largely research-oriented Institute. It occurs to your Rapporteur that a similar scheme to the WEU planning cell might be envisaged for staffing the academy: i.e. detaching a specialist from each of our national "defence academies" ("Institut des Hautes Études de Défense Nationale", Royal College of Defence Studies, etc.) for a specific period on "national" pay along the same lines as those serving in the WEU planning cell.

75. As well as proving eminently cost-effective, the idea would combine the advantages of bringing new thinking into the WEU Academy as well as providing the necessary expertise to run seminars and short courses "at home and abroad" while still allowing the present research activities to be continued.

76. In passing it should be mentioned that there is now a good deal of untapped talent among those who have attended the WEU Higher Defence Studies Sessions and the Association of Alumni should be used increasingly to maintain and develop links.

VII. Further operational considerations

77. Over the past four years the Defence Committee of the Assembly has maintained the pressure on the WEU Council to urge greater operational co-operation. A plethora of reports and recommendations have been adopted as the result of careful research and detailed debate, both in committee and in plenary sessions and it is well worth revisiting some of these reports with an eye to reviving some of the ideas which were obviously ahead of their time. Among such reports figure:

- Naval aviation (Rapporteur: Mr. Wilkinson);
- Disarmament - Reply to the thirty-third annual report of the Council (Rapporteur: Mr. Tummers);
- Verification: a future European satellite agency (Rapporteur: Mr. Fourré);
- State of European security - intervention forces and reinforcement for the centre and the north (Rapporteur: Mr. Speed);
- The future of low flying (Rapporteur: Mr. Klejdzinski);
- Vienna, disarmament and Western European Union (Rapporteur: Lord Newall);
- Consequences of the invasion of Kuwait: operations in the Gulf (Rapporteur: Mr. De Hoop Scheffer);
- Consequences of the invasion of Kuwait: continuing operations in the Gulf region (Rapporteur: Mr. De Hoop Scheffer);
- The rôle of women in the armed forces (Rapporteur: Mrs. Baarveld-Schlaman);
- Operational arrangements for WEU - the Yugoslav crisis (Rapporteur: Mr. De Hoop Scheffer).

VIII. Current operational problems

78. Mention was made right at the beginning of the present document of the last report on operational matters submitted to the Assembly in December 1991. There are two pieces of unfinished business left over from that time, one of which, although still current, has lost its place in the headlines, the other always present. The subjects are the continuing United Nations embargo against Iraq, and "Yugoslavia".

79. Regarding the United Nations embargo which is still continuing in the Gulf region and especially the Red Sea, French, Australian and United States ships are presently engaged in embargo operations and have been ever since the cease-fire a year ago. Both Australia and the United States have approached WEU to ask for help in the area but so far only France is con-

tinuing to respond (the United Kingdom has resumed its Armilla patrol in the Gulf itself, but the embargo is conducted mainly in the Strait of Tiran).

80. On behalf of the Defence Committee, Mr. De Hoop Scheffer placed the following written question in front of the Council on 17th December 1991:

"Urgently to ask what action the WEU Council intends taking to co-ordinate further European support for the continuing United Nations maritime embargo on Iraq which at present France, Australia and the United States (in the Red Sea) and Great Britain (in the Gulf) are experiencing difficulty in applying alone."

and received the following answer on 5th March 1992:

"In reply to Written Question 294 put to the Council by Mr. De Hoop Scheffer" urgently to ask what action the WEU Council intends taking to co-ordinate further European support for the continuing United Nations maritime embargo on Iraq", the Council would like to state that the issue raised by the honourable parliamentarian is under consideration. Whenever appropriate, additional information will be made available to the Assembly".

(When would the answer have come had the question not been "urgent"?)

81. Since when there has been no news from the Council. The Australians have extended their time on task but now understandably wish to withdraw home. Also understandably, they do not wish to leave a hole in the embargo arrangements. The Council should respond rapidly and positively to this direct request which implies very little threat probability for any ship any of our nations decides to contribute.

82. The other subject "Yugoslavia" poses more of a problem. WEU was of course involved in the planning for a possible peace-keeping operation before Croatian and Slovene independence. Those plans were passed to the United Nations which now has a multinational force in place. The problem is that the United Nations force is not able to indulge in "active peace-keeping" operations.

83. Your Rapporteur understands that the United Nations is considering requesting WEU to help by organising a force for peace-keeping operations in Bosnia-Herzegovina. The idea was discussed on 15th April 1992 by the Assembly's Presidential Committee which urged the Council to take action. To date no sign has yet emanated from the Council which only a short time ago was assuring the Assembly that the sit-

uation in the ex-Yugoslav republics was being kept under constant review... (No sign, that is, apart from the announcement, on 27th April of the resignation of the Chairman-in-Office of the WEU Council.)

84. In a related interview for the BBC's World Service, your Rapporteur reiterated the thought which he feels sure will find an echo amongst his

colleagues: "Will Europe ever be in a position to organise itself to take positive action to assure its own security, even within Europe?"

85. The present report outlines the practical measures currently in hand to make WEU an operational organisation. But such moves are nothing without the political will and resolve necessary to give them life and substance.

1. "Operational arrangements for WEU - the Yugoslav crisis", Document 1294, 27th November 1991, Rapporteur: Mr. De Hoop Scheffer.

2. "Consequences of the invasion of Kuwait: operations in the Gulf", Document 1243, 20th October 1990; "Consequences of the invasion of Kuwait: continuing operations in the Gulf region", Documents 1248 and 1248 Addendum, 7th November and 4th December 1990.

3. "Regional parliaments and the regional dimension of security".

4. e.g. "Disarmament - Reply to the thirty-third annual report of the Council", Document 1158, 3rd November 1988, Rapporteur: Mr. Tummers; "Current aspects of arms control: the Western European position - reply to the annual report of the Council", Document 1182, 25th April 1989, Rapporteur: Mr. de Beer.

5. "Arms control negotiations - further initiatives for WEU", Document 1288, 7th November 1991, Rapporteur: Mr. de Puig.

6. Document 1288.

7. "Arms control: CSCE and WEU", Rapporteur: Mr. de Puig.

8. "Operational arrangements for WEU - the Yugoslav crisis", Document 1294, 27th November 1991, Rapporteur: Mr. De Hoop Scheffer.

9. "Weaponry after the Gulf war - new equipment requirements for restructured armed forces", Document 1272, 14th May 1991, and "Arms and equipment for a European rapid action force", Document 1292, 27th November 1991, Rapporteur: Sir Dudley Smith.

10. "Verification: a future European satellite agency", Document 1159, 3rd November 1988, Rapporteur: Mr. Fourré.

11. "Scientific and technical aspects of arms control verification by satellite - reply to the thirty-third annual report of the Council", Document 1160, 7th November 1988, Rapporteur: Mr. Malfatti; "Observation satellites - a European means of verifying disarmament - guidelines drawn from the symposium", Document 1230, 25th May 1990, Rapporteur: Mr. Lenzer.

12. "Arms control: CSCE and WEU", Rapporteur: Mr. de Puig.

WEU: the operational organisation

AMENDMENTS 1 and 2 ¹

tabled by Mrs. Baarveld-Schlaman

1. In paragraph 1 of the draft recommendation proper, leave out sub-paragraphs (a) to (d) and insert:
“deciding the parameters for closer military co-operation in the fields of logistics, transport and training and considering an eventual mandate for action.”
2. In paragraph 6 of the draft recommendation proper, after “production” add “and reduction”.

Signed: Baarveld-Schlaman

1. See 4th sitting, 2nd June 1992 (amendment 1 negatived; amendment 2 agreed to).

WEU: the operational organisation

AMENDMENTS 3 and 4¹

tabled by Mr. Moya on behalf of the Socialist Group

3. In the preamble to the draft recommendation, leave out paragraph (vii).
4. In the draft recommendation proper, leave out paragraph 7.

Signed: Moya

1. See 4th, 2nd June 1992 (amendments negatived).

WEU: the operational organisation

ADDENDUM TO THE REPORT

*submitted on behalf of the Defence Committee
by Sir Dudley Smith, Chairman and Rapporteur*

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- V. Final Communiqué from the ministerial sessions of the NATO Defence Planning Committee and the Nuclear Planning Group, Brussels (27th May 1992)

Rapporteur's remarks

1. In the days following the adoption of the main report on "WEU: the operational organisation" (Document 1307, 13th May 1992) have come a series of important meetings and pronouncements which will all have a far-reaching effect on the operational arrangements for WEU and which your Rapporteur feels should be brought to the attention of colleagues in the Assembly: hence this Addendum.

2. On *Thursday 14th May 1992* the new British Secretary of State for Defence, Malcolm Rifkind, speaking at the Centre for Defence Studies, King's College, London, gave particular and positive British support to WEU's operational vocation by announcing a scheme whereby national units might be earmarked for WEU. (See Appendix I.)

3. At their meeting under German chairmanship in Bonn on *Wednesday 20th May 1992*, the WEU Chiefs of Defence Staff reached broad consensus both on their own rôle and on the terms of reference and staffing for the WEU planning cell to be established in Belgium this autumn. The planning cell will be responsible for studying contingencies for a variety of humanitarian, crisis-management and peace-keeping rôles. An Italian officer, General Marcello Cantabiano, is likely to be appointed Director with a French General as his Deputy. The CHODS also discussed the creation of a

military advisers group for the Council to provide a military counterpart to the Permanent Representatives. The CHODS' recommendations will be considered by ministers at the WEU Ministerial Council on Friday 19th June.

4. *Thursday 21st May* saw the first formal meeting between the Permanent Representatives of WEU and NATO, thus giving substance to the Declarations made in Rome (NATO) and Maastricht (WEU) and beginning the process of transparency and complementarity called for by your Rapporteur in the draft recommendations. (See Appendix II.)

5. The Franco-German summit, held in La Rochelle on *21st and 22nd May*, resulted in a major declaration by President Mitterrand and Chancellor Kohl in which they formally announced the creation of the European Corps and invited other members of WEU to participate. The two leaders stressed the "Eurocorps" rôle at the service both of WEU and NATO. From what the Defence Committee has learnt about the likely status and composition of the Corps, your Rapporteur believes that we should congratulate both French and German ministries of defence on the practical steps being taken to implement the overarching political decision. France in particular has not received due credit for the significant progress made in moving

towards a possible reinsertion into NATO operational arrangements. (See Appendix III.)

6. *Monday 25th and Tuesday 26th May* saw other significant meetings: Eurogroup ministers in Brussels seeking a link with WEU, NATO Defence Ministers in Brussels to consider putting NATO at the disposal of the CSCE, and EC Foreign Ministers in Lisbon to consider measures designed to help end the conflict in the states of the former Yugoslavia:

- (a) The Eurogroup members of the Defence Planning Committee were particularly enthusiastic about bringing the Eurogroup under the aegis of WEU and found a particularly felicitous formula to ensure "Eurogroup members who are not members of WEU the possibility to participate fully in its activities, and to retain the same rights and responsibilities as they currently enjoy for any functions transferred to WEU from other European security organisations". The parallel also with the IEPG and the likely association with WEU is worth underlining. The fact that the next Eurogroup Chairman, (the Italian Defence Minister) from 1st July 1992, will also be co-Chairman of the WEU Council adds to the likelihood that fusion of the two bodies will take place within the next year. (See Appendix IV.)
- (b) The Defence Planning Committee (France is not a member) agreed on the principle of making NATO's resources and organisation available for peace-keeping on behalf of the CSCE. However, this idea would require agreement by all 16 allies and the test will come on Thursday 4th June when the complete NATO Council meets in Oslo to examine such considerations as well as to redefine NATO's command structures. (See Appendix V.)

- (c) The European Community's meeting in Lisbon on Tuesday 26th May decided to seek specific United Nations sanctions against Serbia over the continuing fighting in Bosnia-Herzegovina. Obviously such sanctions are to be economic and political to begin with, but the use of military force has not been ruled out. Speaking on the BBC Newsnight programme, on Friday 22nd May, the WEU Secretary-General, Mr. Willem van Eekelen, called for the necessary military planning to enforce such an embargo in general and in particular to keep open Sarajevo airport to allow humanitarian relief to reach its destination. Your Rapporteur concurs with such sentiments and believes that with a comparatively minimal engagement of sea and air forces it should be possible to bring the various belligerents to their senses and at the same time demonstrate Europe's resolve for action. It will be for the Assembly in plenary session to decide the course of action it believes WEU should now be pursuing - even before the permanent operational organisation is in place. Are we pragmatic enough to tackle the problem?

7. On a personal note, it would be quite remiss of your Rapporteur not to acknowledge the considerable help and specific briefing furnished by the German, British and French ministries of defence for the preparation of Document 1307. Bonn, holding the presidency of the WEU Council, has been more than punctilious in its courteous treatment of WEU's parliamentary Assembly in general and the Defence Committee in particular and deserves particular congratulation from us all for carefully guiding ideas on WEU's operational organisation from conception to present near-realisation.

APPENDIX I

*Speech by Rt. Hon. Malcolm Rifkind, QC, MP,
Secretary of State for Defence,
to the Centre for Defence Studies, King's College, London,
on 14th May 1992*

*A decade of change in European security**The European scene*

Like everything else, the way we think about our defence is having to adapt to the rapidly changing political and security scene in Europe. I want tonight to talk about the changes we see. How NATO is adapting and the kind of contribution we think Europe – particularly Western European Union (WEU) – can make to Europe's own defence and to the common effort.

.....

Western European security

Let me look ahead now and focus upon the security arrangements which we shall share in NATO and the future European Union.

The intense, monolithic threat to our security of the cold war epoch is being replaced by new, more complex risks.

At a time of change and unpredictability, Europe will be wise to sustain those institutions – above all NATO – which firmly engages North America in collective western security.

But at the same time it will be right also for European partners to play a proportionately greater part in securing our own defence.

NATO

Let me begin with changes in NATO. What is most striking to me is the vigour and vitality shown by NATO in adapting itself to changed circumstances over the past two or three years.

With the end of the cold war there were many who predicted an end to NATO, or who claimed that its integrated military structure no longer had a *raison d'être*. Instead, thanks to a process of constructive debate, involving all the alliance members, NATO's policies and strategy have been thoroughly overhauled.

The Rome NATO summit last November saw the completion of the alliance's new strategic concept. This published document sets out clearly the rôle which NATO will play in the future – a document moreover, in the preparation of which all NATO allies (including France – a point which strikes me as very welcome) participated fully, and to which they all put their signatures.

NATO has, also, overhauled its military strategy and force structure to meet the changed strategic environment and the more diverse set of risks now facing us all. Central to this process has been the creation of the Allied Command Europe Rapid Reaction Corps, a multinational formation with a major and militarily highly effective European component: so far 10 European countries are participating, as well as a substantial United States contribution. The corps, operational this autumn, will provide NATO with a flexible means of responding quickly and effectively to crises ranging from instability on its borders to all out aggression.

These developments illustrate a continued commitment by all NATO's 16 members to the future of the alliance. They exemplify the resilience of NATO: its ability to adapt itself in the face of events and its vital importance to the future of defence both European and trans-Atlantic.

The creation of the North Atlantic Co-operation Council which held its first meeting in Brussels on 20th December, added an important new dimension. Now in this forum the 16 members of NATO are joined by the countries of the former Warsaw Pact (which finally breathed its last in the summer of last year) in a new consultative institution. Nations once ranged against each other are now keen to understand and learn from each other.

All the republics of the Commonwealth of Independent States, the Baltic States and the five Eastern European countries which once belonged to the Warsaw Pact are now members.

More recently, in April Defence Ministers and their Chiefs of Defence of these countries met to extend the dialogue further.

The nations of Central and Eastern Europe clearly see NATO as important as a bulwark of stability in a changing continent and as a beacon of the determination of Western democratic countries to maintain the power of free democratic values in Europe.

Let us now look specifically at Western European defence. I have begun with changes in NATO, because our European defence policy has two important premises:

- First, NATO will continue to be what Chancellor Kohl recently called, “the

anchor of European security". It remains the primary instrument of western collective defence for the allies. It is the essential forum for consultation and policy-making on their security and defence commitments under the Washington Treaty. In addition, NATO will increasingly play a crucial rôle in broader European security. It will be active in security consultations, arms control, and where necessary peace-keeping efforts on the continent. NATO offers a means for a richer and more stable Western Europe to help spread democracy, military reform and security to its Eastern neighbours and the countries of the former Soviet Union. As such, it will be at the centre of the institutions that will in future contribute to the peace and stability of the continent as a whole.

- Second, the United States is going to stay in Europe. I have just returned from Washington and I know that the United States wishes to remain in Europe. The United States makes a vital contribution to European security through NATO, its new rôle in the CSCE, and through the leadership which it has given recently in the crucial area of nuclear arms reduction and non-proliferation.

Rôle of Western European Union

Given this, how can a stronger Europe and the United States work together in future to assure peace and security throughout the continent, and the defence of NATO members? That is the question I want now to focus on in the rest of my speech.

It involves looking ahead as NATO did at its Rome summit last November. NATO leaders reaffirmed then that development of a European security identity and defence rôle will reinforce the integrity and effectiveness of the alliance.

This approach was reflected in the Maastricht Treaty which presages the emergence of a European Union with implications for the way we think about and organise defence. NATO will remain the corner-stone of European defence and ultimate guarantor of the defence of the European Union. Within that framework, we should expect a number of gradual but major changes ahead.

First, it was agreed that the European Union's Common Foreign and Security Policy should include the eventual framing of a common defence policy, which must be compatible with NATO.

Second, it was also made clear that the building up of a specifically European capability

in defence will be achieved gradually and must be through Western European Union. For those not familiar with it, I should explain that WEU is an autonomous body of European countries founded under its own treaty in 1948 and with long-standing links to NATO. It will remain independent of both the European Union and NATO, but with close links to both.

One crucial purpose of developing WEU must therefore be to strengthen the European pillar of the alliance.

We believe that it is time for a practical step forward in European defence in accordance with what we agreed at Rome and Maastricht. European allies should now extend their ability to make a contribution to international crisis resolution: to peace keeping; and to help with specifically European concerns where NATO is not involved.

The specific rôles and missions which would seem to be appropriate for WEU include:

- responses to threats to European interests in Europe when NATO chooses not to be engaged, I must say that I find it hard to conceive of significant combat operations in Europe where NATO would not be involved. More likely are,
- international crisis management outside Europe where there are specific European interests to be safeguarded,
- peace-keeping operations in Europe or elsewhere under United Nations or other bodies with the authority to act,
- humanitarian and rescue missions, inside and outside Europe.

One of the most valuable potential prizes to be gained through a more substantial and co-ordinated European Defence effort would be the ability to bring a more coherent European military contribution to the support of wider western security interests. This would be right in itself, in furtherance of European interests, and would be of value to our United States allies, with whom we would in all probability be working closely in such circumstances. This was what happened eventually in the Gulf in 1990-91. We were lucky then to have time to make ad hoc arrangements: for the future we need to be able to move quickly if needed.

Let me explain how we think the new European defence identity can be developed within WEU and organised so as to maintain the core functions of NATO, while giving impetus to collective European defence efforts. These ideas are the British contribution to a consensus which we hope will emerge at the WEU Ministerial meeting next month.

We think it essential that all WEU partners should be involved on an equal footing, and that the authority for deployment and command of European forces in cases where NATO is not involved should come collectively from the Council of Ministers of WEU.

WEU member states should make relevant forces available to WEU, drawing on those with NATO or national rôles. Missions by European forces where NATO is not involved – including any operation flowing from the Common Foreign and Security Policy – should be planned and executed under the authority of WEU as a whole. We should therefore get ahead with planning for a variety of contingencies, recognising that there will always be a political decision of governments at the time whether to sanction or participate in a specific operation.

WEU forces should now be drawn from existing assets – i.e. by “double-hatting” NATO or other national forces for use by WEU on such agreed missions. This would mirror the way United States forces in Europe are assigned both NATO and national rôles. It is both undesirable and unnecessary to rival that of NATO. Indeed it is difficult to see how standing forces or a standing command structure would be possible without conflicting with the primary obligation to NATO of those forces assigned to them.

Forces made available to WEU should cover as full a range of capabilities as possible, including land, sea and air forces. I shall say more in a minute to illustrate the type of forces which the United Kingdom could consider putting at WEU's disposal.

The contingency planning for WEU military operations would be carried out by a central WEU Planning Cell located in Belgium with close links to the WEU Secretariat which is also to move to Belgium by 1st January 1993. This Planning Cell would, with the guidance of the WEU Chiefs of Staff, recommend to the WEU Council how the forces available to WEU might be packaged and commanded to carry out anticipated tasks. In consultation with NATO, it would also make plans for exercising those capabilities when approved by the WEU Council.

We should make every effort to emphasise multinational military formations. This is increasingly happening in NATO, and is the right pattern for WEU. The United Kingdom has long sustained with the Netherlands a joint amphibious force. France and Germany have been developing a joint land force unit. NATO is developing multinational reaction forces with Britain, the Netherlands, Germany and Belgium as participants in a multinational division.

Partners should be encouraged to contribute according to their capabilities. Some have

particular expertise in deploying forces outside Europe. Let them work together. Some have particular naval capabilities. Some have more plentiful infantry and lighter forces suited to humanitarian and peace-keeping tasks. There will probably be a need for rotation of some responsibilities (for example, four countries might take on part of a peace-keeping force contribution for six months every two years). Some allies have constraints, which we understand, on their participation in operations outside the NATO area. A flexible approach making maximum use of existing assets, will be the most practical way of proceeding.

For real work to begin it is important for WEU countries to identify the range of assets we can each contribute on which the planners in WEU will then be able to draw in defining forces appropriate to particular contingencies. I hope that within the next few months, all partners will declare a number of their units available to WEU.

The approach which the United Kingdom advocates is to sustain the clear assignment of allies' forces to NATO while at the same time providing an ability to employ them for WEU purposes when that seems necessary. A decision to do so would require prior consultation with NATO, of course. But I am sure that we can devise a mechanism for “double-hatting” our forces so that they can be used for WEU purposes when they are not simultaneously required for their NATO assignments. We thereby greatly strengthen our ability to respond to security problems but without duplicating force structures which would be politically dangerous, unaffordable – and make no military sense.

In a conflict or crisis within Europe, decisions on the appropriate response will of course be taken in the North Atlantic Council. NATO would deal with threats to alliance territory directly, using the command structures set up under SACEUR and the forces assigned to him by the nations. However, it is conceivable that some situations might arise on which a consensus view was reached within NATO that a purely European response was more appropriate – for example in the case of humanitarian aid in a natural disaster.

In a crisis arising elsewhere where Europe's interests were engaged, it would be open to the WEU Council to determine upon a European response in its own right. There should be prior consultation within NATO both because this would make prudent common-sense and to establish that any forces to be used were not simultaneously required for NATO assignments.

It is right to set out these mechanisms for decision-making and consultation clearly. Even outside Europe, action by European states in a

given situation is likely more often than not to be in concert with a response by the United States – because the identity of interests between Europe and the United States in defence and security matters is so strong. The Gulf conflict bears this out. So one should beware of emphasising separateness for its own sake. Rather, I stress again the potential prize of a more effective Western European response in any future crisis – alongside the United States and other allies.

Let me now say something in more detail about how a WEU force might be assembled on the basis I have described. I stress that I am speaking illustratively here, on subjects about which we are consulting closely with our allies.

First, any WEU-sponsored operation, whether humanitarian, peace-keeping or military intervention, would require a static Joint Headquarters (JHQ) for command and control. We believe that WEU should take advantage of such headquarters offered by a variety of nations as being available to meet the needs of a specific situation. For example, we in the United Kingdom have two locations that have already proved themselves in war and could be made available for any foreseeable WEU task. At Northwood our joint maritime/land/air HQ masterminded the Falklands Conflict, whilst the United Kingdom contribution to the recent Gulf war was commanded from our other joint HQ at High Wycombe. Both JHQs have extensive command, control, communications and intelligence facilities and stand ready to support any WEU operation. Our mobile Joint Forces Headquarters, which deploys forward for in-theatre command and control, was well-proven in both the Falklands and the Gulf conflicts and could also be made available to WEU if desired – such an arrangement would be both efficient and economic avoiding the unnecessary cost and duplication of creating new, separate WEU HQ structures. Other countries will have similar examples of what they could contribute. The whole point is that the effort should be a common one, and led on different occasions by those with the resources most appropriate to the task.

Turning to availability of forces, WEU operations may require the provision of land forces. Here the United Kingdom could make a useful and substantial contribution on the basis which I have described. Since our modern army is designed as a professional, multi-rôle force, it is ideally equipped to adapt to any of the three main task areas facing WEU – humanitarian, peace-keeping or military intervention.

We are also involved, with our Belgian, Dutch and German colleagues, in the NATO

Multinational Division (Central), a highly mobile division to which the United Kingdom contributes 24th Airmobile Brigade, forming up over the next two years. This is the kind of multinational formation which might be highly relevant to WEU purposes where not required by NATO (which would, of course, have to agree to its release for that purpose).

Maritime forces are an important tool in crisis management and are likely to feature high on any WEU shopping list. At the lower end of the spectrum they can enforce an embargo, carry out drug interdiction and immigration control operations or conduct general surveillance and deter and counter threats to European interests. Maritime forces can also be used to evacuate European and other nationals from a trouble-spot. In addition to the contributions which could be made by a number of European navies, the well-practised United Kingdom/Netherlands Landing Force, could, for example, be a candidate for a range of WEU operations.

The Gulf war vividly demonstrated the rôle of air power in a major conflict. There is a range of tasks in which European air forces might play a part. In our own case, in addition to the rapid deployment of peace-keeping or intervention forces, our air transport aircraft have frequently been to the fore in humanitarian tasks, for example when providing much needed food supplies to Ethiopia and Northern Iraq.

The essential message here is that WEU should have available to it a variety of forces and capabilities: the Franco-German Corps may be one of these. There will also be many others. As long as they operate under WEU and are compatible with our NATO obligations, the alliance will be strengthened.

I have set out here some views on how we can give real impetus and substance to European defence over the next five years or so. What I have suggested represents for us an exciting challenge and could enable Western European Union to make a decisive contribution to the peace and security within the trans-Atlantic partnership which we enjoy in NATO. It will give Europe more flexibility and capability of action without breaking the bonds of consultation and military organisation which keep NATO together.

I hope that WEU partners will share our approach and will join the United Kingdom in responding to WEU requirements. This would enable us to complement NATO's strengths, and could contribute to a solid defence in future: a strong European pillar, in a strong alliance.

APPENDIX II

*Meeting of the North Atlantic Council with the Western European Union Council
(21st May 1992)*

The North Atlantic Council in Permanent Session today held its first formal meeting with the Council of Western European Union at NATO Headquarters. This meeting is part of the implementation of the decisions taken by the member states of WEU in Maastricht and alliance Foreign Ministers meeting in Brussels last December. The two Councils discussed the current relationship between the two organ-

isations and ways of strengthening their practical co-operation. Both Councils agreed that the establishment of closer working ties between the two organisations is an essential part of implementing the alliance's concept of a framework of mutually reinforcing institutions. It will also strengthen the European pillar of NATO while contributing to the development of a European security and defence identity.

APPENDIX III

*Declaration on the creation of a Franco-German army corps
officially announced at the Franco-German Defence and
Security Council meeting in La Rochelle on 22nd May 1992¹*

The strengthening and extension of Franco-German military co-operation in a European context, as a follow-up to the joint initiative by the President of the Republic and the Chancellor on 14th October 1991, were at the hub of the work at the seventh meeting of the Franco-German Defence and Security Council held in La Rochelle today, 22nd May 1992.

On the basis of detailed proposals by the two ministers of defence, the Council decided to set up a major unit with a European vocation and to start the build-up phase. Setting up this corps will help to give the European Union its own military capability and shows the will of states participating in the corps to assume, in the framework of a European Union that will eventually have a joint defence policy, their responsibilities in regard to security and peace-keeping. In this European context, France and Germany invite as many member states of WEU as possible to participate in the European corps.

National contributions to this unit do not affect existing obligations to other organisations. The European corps will help to strengthen the Atlantic Alliance.

The missions of the European corps will be set in the framework of the European Union with due respect for national constitutional limits and the provisions of the United Nations Charter.

The corps may be used for the joint defence of the allies in application of Article 5 of the Washington Treaty or Article V of the Brussels Treaty. It may also be given peace-keeping or peace-restoring missions and be used in humanitarian operations. A headquarters to assure the build-up will be set up as from 1st July 1992. The operational availability of the corps, at least for French and German units, is planned for 1st October 1995.

1. Unofficial translation.

APPENDIX IV

***Eurogroup Statement
(25th May 1992)***

8. We confirm our support for the development of WEU as the defence component of the European Union and a means to strengthen the European Pillar of the Atlantic Alliance. We welcome the development by WEU of its operational capabilities and rôle in ways compatible with the alliance. We underline the need for transparency and complementarity between WEU and the alliance. We attach particular importance to arrangements to give those

Eurogroup members who are not members of WEU the possibility to participate fully in its activities, and to retain the same rights and responsibilities as they currently enjoy for any functions transferred to WEU from other European security organisations. We also look forward to the establishment of close working links between WEU and the alliance. We affirm our intention to assist in this process wherever possible.

APPENDIX V

*Final communiqué from the ministerial sessions of the NATO Defence Planning Committee
and the Nuclear Planning Group, Brussels
(27th May 1992)*

1. The Defence Planning Committee and the Nuclear Planning Group of the North Atlantic Treaty Organisation met in Ministerial sessions in Brussels on 26th and 27th May.

2. In the new political and strategic environment in Europe, we reaffirm the need to develop fully the potential of dialogue and co-operation within all of Europe in order to help defuse crises and prevent conflicts, recognising that the allies' security is inseparably linked to that of all other states in Europe.

3. We attach importance to the achievement and implementation of arms control agreements as a means of enhancing our collective security. We look forward to the CFE extraordinary conference in Oslo next month providing the basis for ratification of the CFE Treaty and its entry into force in time for the Helsinki CSCE summit. Full and early implementation of the CFE Treaty is an essential element of a stable and secure Europe. We also look forward, in connection with the entry into force of the CFE Treaty, to early agreement on CFE 1A, and to the implementation of the Open Skies Treaty.

4. In adapting to the changing European security environment, the alliance has now entered a new era of co-operation in which we are playing a full and active rôle. A first meeting of NATO Defence Ministers with co-operation partners took place on 1st April and was followed by a meeting of NATO Chiefs of Defence Staff with their counterparts on 10th April. These meetings successfully advanced the process of co-operation by offering practical advice and assistance. Preparations are well under way to develop an initial co-operation programme in defence-related matters involving seminars, workshops and the provision of expert assistance. To start our programme, we plan to hold a seminar on the rôle of armed forces in democratic societies early in July, with further activities to follow later in the year.

5. As was agreed in Rome and Maastricht, NATO remains the essential forum for consultation and agreement on policies bearing on the security and defence commitments of its members under the Washington Treaty. The alliance's core security functions remain unchanged, including NATO's fundamental responsibility for the defence of allied territory. The continued presence in Europe of forces from North America remains indispensable in this respect.

6. We reaffirm our support for the development of WEU as the defence component of the European Union and a means to strengthen the European pillar of the Atlantic Alliance. We welcome the enhancement of WEU's operational capabilities in ways which will be compatible with and complementary to NATO's collective defence arrangements, and which will help to ensure the necessary co-operation and mutual transparency between the political and military structures of the two organisations. In this context we noted that, in accordance with the Maastricht Declaration, the WEU member states are engaged in identifying forces answerable to WEU drawing on those with NATO or national rôles. We stressed the importance of maintaining existing assignments to NATO of forces being considered for use by WEU, recognising that the primary responsibility of these forces is to meet the collective defence commitments of the alliance, under the terms of the Washington Treaty. We agreed that, as the transformation of the alliance proceeds, we intend to preserve the operational coherence we now have and on which our defence depends. Giving all European members of the alliance the possibility of fully participating in WEU activities will also be an important element of the relationship between the two organisations. We look forward to the further development of the European Security and Defence Identity, strengthening the solidarity and cohesion of the transatlantic partnership.

7. In the light of the current discussions concerning the strengthening of the CSCE process through co-operation with existing organisations, we exchanged views on the contribution that NATO might make in support of the conflict prevention and crisis management mechanisms currently being developed by the CSCE. We looked ahead to the outcome of the forthcoming meeting of the North Atlantic Council and the CSCE summit in July. We would be prepared to consider ways in which resources and expertise within the alliance might, if it so decides, be made available for CSCE peace-keeping activities.

8. During our discussions we also expressed our deep concern over the conflicts in the former Yugoslavia, and in Nagorno-Karabakh and beyond, including Nakhichevan. We express our strong support for the various efforts of the United Nations, the CSCE and the European Community to end the fighting and bring about

peaceful settlements. We appeal to the parties involved to end the conflicts.

9. The alliance is continuing to implement its strategic concept. In particular, we are introducing new force and command structures. In our Defence Planning Committee meeting we reviewed the restructuring and significant overall reduction of our conventional forces. Work on the restructuring of the main defence forces is well under way. Particular progress has been made towards establishing the alliance's new reaction forces. The flexibility and mobility of these forces make them ideally suited for rapid and selective employment, to assist in crisis management or to respond to aggression. Our multinational standing naval forces will constitute the core of our maritime reaction forces. Last month we inaugurated the new standing naval force in the Mediterranean which takes its place alongside the long-established standing naval forces Atlantic and Channel. The ACE reaction forces planning staff and the reaction force air staff will become operational by October 1992 and spring 1993 respectively. The headquarters for the ACE rapid reaction corps will have an initial operational capability by October 1992, building up to full operational capability by 1995. The headquarters of the multinational division (central) will become operational in 1994 and that of the multinational division (south) in 1995.

10. We are streamlining existing structures and procedures and we will continue with our efforts to achieve further savings in order to make best use of future scarce resources. In this context, we approved a new command structure for Allied Command Europe and Allied Command Atlantic down to principal subordinate command level. This will provide leaner command and control arrangements while maintaining their effectiveness and their essential contribution to the strategic unity and cohesion of the alliance. When these changes are implemented, the reductions in the number and size of NATO military headquarters will achieve manpower savings in the order of 20%. Issues concerning the southern region, including command arrangements below the principal subordinate command level, are subject to further study.

11. We noted with approval the new force goals, which will guide the implementation of the new force structure, and that current national plans are to a large extent in line with them. However, further work is needed, in particular in the areas of support, mobility, interoperability, readiness and availability and reconnaissance and surveillance capabilities. We expect that planning for the new structure will be completed in the 1994 planning cycle. As we implement the new structure, resource constraints will reinforce the need for an even greater co-ordination in formulating priorities both nationally and within the alliance.

12. Crisis management principles and procedures are being developed in line with the enhanced emphasis placed on crisis management in the strategy. Planning for the implementation of the new reinforcement concept, which sets out the requirement for selective and flexible build-up and draw-down of forces, is now under way as a matter of priority.

13. We agreed that the equitable sharing of responsibilities and the effective use of defence resources remain key objectives. In this context, we discussed the progress which has been made in a fundamental review of the NATO infrastructure programme. Recognising the importance of North American reinforcements in alliance strategy, we agreed that operations and maintenance costs of prepositioning to support such external reinforcements are in principle eligible for common funding. Individual projects will be considered on their merits alongside other eligible projects in the normal manner for funding within available NATO budget resources. We noted that work is proceeding to ensure that armaments co-operation activities reflect the guidelines set out in the strategic concept. In order to improve further the value obtained from constrained resources, we are following through the initiative to improve the conditions of NATO defence trade.

14. In light of the risks posed by the increasing proliferation of ballistic missiles, we discussed ballistic missile defences against this potential threat. We agreed to intensify alliance consultation in this area.

15. In our Nuclear Planning Group meeting we reviewed the implementation of the decisions taken at our meeting in Taormina, Sicily, and at the Rome summit. The substantial reduction and restructuring of the alliance sub-strategic nuclear forces are progressing well. We also discussed progress in furthering the initiative to reduce strategic nuclear forces announced by President Bush in January 1992, to which President Yeltsin's response has been largely favourable.

16. We welcome recent announcements that all tactical nuclear weapons of the former Soviet Union have been consolidated on Russian territory in accordance with the Alma Ata and Minsk accords. We look forward to the earliest possible ratification and implementation of the landmark Strategic Arms Reduction Treaty. In parallel we also look forward to the early accession of Ukraine, Belarus and Kazakhstan to the Non-Proliferation Treaty as non-nuclear weapon states. We reaffirm the need for all countries to contribute in all possible ways to prevent the proliferation of nuclear weapons and other weapons of mass destruction.

17. The safety, security and reliable control under a single unified authority of the nuclear weapons of the former Soviet Union and the

storage and elimination of warheads in accordance with reciprocal commitments made by Presidents Bush and Gorbachev last year, and reaffirmed by President Yeltsin, are a matter of key concern to all of us. In this regard we have offered help and a number of allies are already actively engaged in providing such assistance.

18. Allied security has improved significantly in recent years but uncertainties and instabilities remain in Europe and in its periphery. Our col-

lective defence planning arrangements, together with the transatlantic link, political solidarity and strategic unity, which are the unique features of the alliance, are fundamental to maintaining future stability and security. Our aim for the future is to maintain these principles as we implement and sustain our new force and command structures. The success of these efforts is an integral part of the alliance's wider objectives of promoting stability and increased co-operation throughout Europe.

WEU after Maastricht

REPORT ¹

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

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Stoffelen (Chairman); Sir Geoffrey Finsberg, Mr. De Decker (Vice-Chairmen); MM. Aarts, Alegre, Beix, Caro, De Hoop Scheffer, Fabra, Feldmann, Forni, Foschi, Goerens, Lord Kirkhill, MM. Kittelmann, Koehl, Lord Mackie of Benshie, MM. Martinez, Martino, Müller, Péciaux, Pieralli, de Puig, Reddemann, Rodrigues, Roseta, Seeuws, Soell, Thyraud, Ward, Wintgens.

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

Draft Recommendation
on WEU after Maastricht

THE ASSEMBLY welcomes the fact that the treaty drawn up in Maastricht in December 1991 permits the member countries of the European Community to take a decisive step towards establishing a European Union meeting the requirements of an economic and monetary union and capable of developing a joint foreign and security policy;

It wishes this treaty to be ratified by all member countries;

It is satisfied to note that the strengthening of WEU and the development of its activities are taking their place in the process of setting up the union;

It considers, however, that the wording of the declarations by the nine member countries of WEU is not precise enough;

It notes that the WEU Council will consequently have to take forthwith a number of important decisions;

It also notes with satisfaction that the decisions taken in Maastricht give the WEU Council the ability to take initiatives in external and joint security policy matters;

It recalls that the Maastricht Agreements are but one stage in the building of the European Union and that priority should still be given to setting up a union with substantial powers in the area of external and security policy;

It further recalls that no time-limit has been set for the validity of the modified Brussels Treaty;

It emphasises that the modified Brussels Treaty makes WEU an instrument for maintaining peace throughout Europe;

IT THEREFORE RECOMMENDS THAT THE COUNCIL

Implement without delay, in areas within its purview, the decisions contained in the nine-power declarations in Maastricht and to this end:

1. Make it known that the modified Brussels Treaty remains one of the juridical bases of the union and that WEU, as it exists in its ministerial and parliamentary bodies, is, in parallel with the organs of the European Union, a part which will have its place in the European structure;
2. Decide without delay the points to be considered in negotiations leading to the accession to WEU of each of the member countries of the European Community that apply for membership so as to ensure that accession signifies that new members adopt in full the principles guiding the joint foreign and defence policy, thus allowing WEU to intervene, if necessary, to apply them;
3. Explain what is meant by the status of observer for those countries if they do not accede to WEU;
4. Explain what is meant by the status of associate member of WEU for countries which are not members of the Community;
5. Draw up proposals for countries associated with the European Community to be involved in some of WEU's operational activities;
6. Make it abundantly clear to what extent accession to the Community may be granted to countries which do not intend to join WEU;
7. Arrange forthwith the synchronisation of dates and places of meetings and the harmonisation of WEU's working methods with those of the European Union without, however, reducing the number and importance of specifically WEU ministerial meetings;
8. Proceed here and now with installing the Permanent Council in Brussels and specify which responsibilities will then be assigned to the permanent representatives of member countries to NATO and to the European Community respectively;
9. Continue to develop a defence and security policy for WEU in accordance with the treaties in force;

10. Examine how it is possible to organise the development of effective methods for conflict prevention, the restoration of peace, crisis management and the peaceful settlement of disputes for use in the framework of the CSCE, the European Political Union or the United Nations;
11. Have a directive drawn up and adopted on exports of armaments by member countries in the light of the decisions taken by the European Council in the context of joint foreign and security policy;
12. Follow up quickly the intention expressed in Maastricht to set up a European armaments agency in the framework of WEU, associate the activities of the IEPG closely with those of WEU in this area and, with this in mind, continue to transmit to the Assembly the annual report of the IEPG;
13. Associate the European Commission with the activities of that agency;
14. Set all the bilateral initiatives of its members clearly in the institutional framework of WEU;
15. Instruct a working group to examine Europe's requirements in respect of deterrence in the new circumstances with a view to defining a European concept of the rôle of nuclear weapons and developing consultations between its members on the possibility of resorting to such weapons;
16. Seek agreement with NATO on adapting to the new European security requirements the application of reciprocal "transparency" between the two institutions in accordance with the principles laid down in Article IV of the modified Brussels Treaty in both political and operational matters;
17. Specify the conditions for "complementarity" between WEU and NATO, in particular in regard to exchanges with countries which are not members of these organisations, in connection with possible operations designed to maintain peace inside and outside Europe;
18. Establish procedure for consultations at an appropriate level prior to NATO ministerial meetings on matters on the agenda of those meetings;
19. Pursue exchanges with those Central and Eastern European countries which so wish with a view to ensuring that the progressive rapprochement of those countries with the European Union is extended to include defence matters;
20. Ask signatory states to correct the error in paragraph 6 of Article J.4 of the Maastricht Treaty noted in its reply to Written Question 297 before the text is submitted for ratification;
21. Noting that the Assembly believes that the period of fifty years laid down in Article XII of the modified Brussels Treaty starts from the ratification of the 1954 Agreements while the Council considers the starting date is 1948,

THE ASSEMBLY STRONGLY URGES

That the issue be referred to a group of independent European legal experts for arbitration.

Draft Order

***on co-operation between the Assembly of WEU
and the European Parliament***

The Assembly,

Welcomes the fact that the heads of state or of government of the member countries of WEU, meeting in Maastricht, decided to encourage "closer co-operation between the parliamentary Assembly of WEU and the European Parliament";

Considers that such co-operation is necessary and that it can be based only on the principles of equality between the two assemblies, the granting of reciprocal advantages and respect for responsibilities and procedure specific to each of them;

Believes that periodical meetings between committees of the two assemblies responsible for political affairs would allow useful exchanges of views on matters of common interest,

INSTRUCTS ITS PRESIDENT

1. To examine, with the President of the European Parliament, the conditions in which such co-operation might be organised by the two assemblies;
2. To inform the Assembly of the conclusions of that exchange of views so that, accordingly, the Chairman of the Political Committee may take appropriate follow-up action.

Explanatory Memorandum

(submitted by Mr. Goerens, Rapporteur)

Introduction

1. The Assembly decided to spend most of the first part of its thirty-eighth session examining the decisions taken at the European Council meeting in Maastricht on 9th and 10th December 1991, either by the Twelve or by the nine member countries of WEU, relating to the latter's special responsibilities, i.e. security and defence. Everything indicates that at the meeting of the Council of Ministers to be held in Germany on 19th June a large number of measures will have to be taken to implement the Maastricht decisions, thus making it possible for the Assembly, which is to meet early in June, to convey its views to the Council at a particularly favourable time. Your Rapporteur has started to gather the maximum amount of information for the preparation of this document and will endeavour to continue to do so throughout the coming weeks so as to submit a draft report to the committee that takes the utmost account of progress achieved in preparing for that meeting.

2. Since certain aspects of the "Declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance", adopted in Maastricht on 10th December 1991, are to be handled by other rapporteurs, be it in the Political Committee, the Defence Committee or the Technological and Aerospace Committee, your Rapporteur will concentrate more on the truly political aspects of the declaration. However, since he believes that the measures adopted in Maastricht in regard to the security and defence of Europe form a whole, he will not rule out examining here matters that are to be studied in greater detail by others but whose mention seems essential to an overall political appraisal.

3. Moreover, his examination will not be confined solely to the nine-power declaration on the rôle of WEU which was, in fact, adopted in the presence of representatives of the other three countries participating in the Maastricht meeting and probably takes account of their views. He notes the existence of another nine-power declaration, entitled "Declaration of the member states of Western European Union issued on the occasion of the 46th European Council meeting on 9th and 10th December 1991 at Maastricht". Whereas one deals more precisely with the activities of WEU, the other addresses more specifically matters relating to

relations between WEU and countries which are not at present members. Then the text adopted by the Twelve, modifying the treaties setting up the European Community, also tackles a number of matters concerning either WEU directly, in particular Article J.4 of Title V, or foreign policy, security and defence, where it concerns the activities of our organisation indirectly. These matters cannot be overlooked.

4. There is some ambiguity about the nature of the decisions taken at the Maastricht summit meeting on security and defence matters. Whereas the Twelve adopted a treaty amending earlier treaties which is, as such, subject to signing and ratification, the Nine expressed themselves only in two declarations which do not necessarily seem subject to such procedure. Nevertheless, Mr. Genscher, receiving Assembly committees in Bonn on 28th January, told them that this declaration was part of the Maastricht *Vertragswerk*, a word which should apparently be translated into English by "constitutive part of the treaty". He obviously wished to underline the existence of a juridical link between the two texts, but the nature of this link is far from clear.

5. Your Rapporteur therefore put Written Question 295 to the Council, as follows:

"The Chairman-in-Office of the Council told the Assembly committees meeting in Bonn on 28th January 1992 that the declaration by the nine member countries of WEU, adopted in Maastricht on 8th December 1991, was part of the Maastricht "*Vertragswerk*". Can the Council say how, from a legal standpoint, the nine-power declaration can be considered an integral part of the Maastricht agreements?"

6. The Council's reply to this question is relatively clear, since it distinguishes between *Vertragswerk*, which relates to a series of agreements "closely related politically to the Maastricht Treaty" and the treaty proper. This should mean that these nine-power documents are not part of the treaty and are not subject to ratification since the Twelve merely "noted" them. Any remarks your Rapporteur, the committee or the Assembly may make about these documents is in no way therefore an assessment of the treaty itself and cannot be considered as expressing reservations about the ratification of the treaty.

7. If, on the other hand, we consider the content of these declarations, it has to be noted that they contain no precise commitments com-

parable to those implied by a treaty text. They show a certain collective will, elements of a programme and deadlines rather than decisions in the strict meaning of the word and, at the meeting on 28th January, Mr. Genscher insisted strongly on the "dynamic" nature of a document which opens the door to the future rather than closing negotiations.

8. The will expressed in the nine-power declarations is the will to establish a European security identity. This is quite obviously a major step forward. However, what remains vague is the body of this identity. The first comments obtained by your Rapporteur from various authorities responsible, in a national or international framework, for implementing the decisions taken lead him to believe that, although it was possible to reach agreement on the wording of this text, such agreement did not include a real consensus on certain aspects of the shape that should emerge when the text is implemented. Everything indicates, on the contrary, that a series of special negotiations have been started or are to be started in various frameworks on the implementation of the Maastricht decisions. Indications obtained by your Rapporteur in various capitals confirm, he believes, that the interpretation of the nine-power Maastricht declaration varied noticeably from one country to another. There are serious reasons to think that, just as the evolution of the intergovernmental conference was deeply influenced by events outside twelve-power Europe – the disintegration of the Soviet Union, the war against Iraq or the Yugoslav crisis – future negotiations might be influenced by events yet difficult to foresee. These include the applications announced by several countries for membership either of the European Economic Community or of WEU or of both, and the favourable reactions of member governments to these candidatures will be a major factor. Thus, on 20th March, Finland, after Austria and Sweden, applied for membership of the European Community. There was support for this candidature although Finland stated that it intended to maintain its policy of neutrality. According to an interview granted to *Le Monde* of 28th February 1992 by Mr. Esko Aho, Prime Minister of Finland, following his recent talks with Mr. Mitterrand in Paris he had the feeling that France would support a Finnish request for membership of the EEC and that a positive solution was possible in regard to neutrality and defence. He said the essential point of neutrality would be maintained: Finland wished to be free of military alliances and retain an independent defence. It is clear that the admission of neutral countries to the Community places limits on the ability of the European Union to develop a common external and security policy and that its relations with WEU might be affected. It appears to rule out the early alignment of the Community and

WEU referred to, admittedly rather vaguely, in the texts adopted in Maastricht.

9. The Maastricht decisions clearly do not anticipate the possible shape of the defence organisation of Europe in the medium or long term. Measures taken in this area are to be re-examined in 1996, when everything in the treaty proper forms an agreement which will become final the day it is ratified. There is thus no need to extrapolate any assessments that may be made about the security and defence aspects in order to pass overall judgment on the Maastricht Treaty. The latter is clearly a major step towards the establishment of a European Union with a single market, likely to develop joint monetary and social policies, in which the powers of the European Parliament would be spelled out and increased. It gives that union considerably greater responsibilities and means in foreign policy and joint security and ratification procedure in each member country must relate mainly or exclusively to all these forms of progress.

10. Consideration of defence-related decisions led your Rapporteur to make a number of criticisms. The draft recommendation he proposes is intended to give the Council, in the light of these criticisms, indications about the Assembly's views, not on the Maastricht Treaty itself, but on the guidelines it thinks the Council should follow in interpreting the two declarations by the WEU member countries. The present document must not therefore be considered as discouraging ratification of the Maastricht Agreements as this would correspond neither to the views expressed by the committee nor to those of the Rapporteur. It is part of normal exchanges between the Assembly and the WEU Council.

II. WEU in the European Union

(a) Principles

11. The introduction to the declaration on the rôle of WEU specifies that "WEU will form an integral part of the process of the development of the European Union". The words used leave considerable room for interpretation. It might have been thought that WEU would be part of the European Union, allowing its relations with the other organs of the union to be relatively clearly established. But to say that it forms part of the process merely repeats what was already specified in the Preamble and Articles I, II and III of the 1954 modified Brussels Treaty, or even Articles II and III of the 1948 Brussels Treaty. What has changed since those dates is the Community, which did not exist in 1948, was only the ECSC in 1954 and then included only six of the nine present members of WEU. However, by declaring themselves resolved "to promote the unity and to encourage the progressive inte-

gration of Europe", the signatories of the modified Brussels Treaty were already committing themselves not only to "forming an integral part of the process" leading to the European Union but to being the initiators of this process, which was effectively the case. Your Rapporteur therefore finds the wording used by the Nine in Maastricht quite inadequate and regrets that they did not say simply that WEU was an integral part of the union. As worded, the Maastricht declaration is a wager on the future and wishes of the contracting parties, but not a juridical act.

12. Two reasons may have deterred them from doing so: on the one hand, the fact that three of the Twelve are not members of WEU and, on the other, the idea some might cherish that the European Union should become totally merged with the Community. Your Rapporteur will examine the first consideration later but will deal here with the second one.

13. Everyone is aware that the preparation of the Maastricht meeting was dominated by discussion about the more or less federal nature of the future Europe, a discussion which was confused by the fact that the very word federal does not seem to have been understood in the same way in countries with different political traditions. This would appear to be why preference was given to the word union, which is less rich in historical and cultural connotations, to define the objective set by the Twelve. However, the difficulty that the diplomats were thus able to avoid when they had to draft texts resurfaced once these texts were adopted and had to be translated into legal acts. The real problem is whether the governments, and behind them the nations of Western Europe, are prepared to hand over to a common authority responsibility for their external and defence policies in the same way as they decided to do for the management of their economies. For the time being, they have given a clearly negative answer to this decisive question, but the declaration suggests that this might not be so in a more or less distant future and that, in any event, the matter would have to be reopened in 1996, and then in 1998, the date which the WEU Council has arbitrarily fixed as the legal date when each of the signatory states of the modified Brussels Treaty shall have the right to cease to be a member.

14. In point of fact, the answer to any question about the future of European defence depends far less on a greater or lesser degree of good will on the part of the governments than on the overall evolution of international relations. If, in the coming years, a new international order is to be established, placing the forces of a large number of countries at the service of the law, including those countries with considerable military strength, as President Bush announced during the Gulf crisis, there will be nothing to

prevent envisaging the pooling of European armed forces, their use being determined by the will to maintain an international and European order on which there is a broad consensus.

15. In a speech to the Netherlands International Relations Society on 31st March 1992, Mr. Relus Ter Beek, Netherlands Minister of Defence, referred to this prospect and underlined that he believed that thinking in terms of national sovereignty was a thing of the past, which led him to consider that the Netherlands would do well to assess the independence of its armed forces in the light of growing internationalisation and Europeanisation. In other words, he ruled out any special use of Netherlands forces which must no longer be seen as a complete, autonomous army but as the Netherlands' contribution to multinational operations in the framework of WEU, NATO, the CSCE or the United Nations.

16. This declaration, announcing the launching of a specific programme in the autumn, is somewhat similar to the Charlier Plan which Belgium adopted in 1989. It is based on an interesting vision of the future of Europe. However, it leaves certain questions open, particularly when it draws a parallel between actions under the aegis of WEU, NATO and the United Nations, since forces engaged in these three cases will not necessarily need to be of the same kind. Secondly, it seems to consider the disappearance of threats to Western Europe to be a well-established fact, although there is still much uncertainty about the evolution of the risks that Europe may have to face. Finally, it would appear that other WEU member countries, for reasons your Rapporteur will refer to later, are having great difficulty in ruling out any national military action of their own. The Netherlands Minister himself says it must remain possible for the Netherlands army to be used in the Netherlands Antilles and Aruba. Mr. Ter Beek's speech nevertheless has the merit of clarifying the debate by drawing the full consequences of what might be a European Union embracing joint defence as referred to in the Maastricht declaration: the option offered to Europe is presented clearly. The Europeans' answer was not given in Maastricht.

17. If progress towards the achievement of a new international order were to be compromised, or merely delayed, as is to be feared, the aim would first be to bring about unity of views and a joint will among the members of the union. The question arises whether twelve-power Europe, or a fortiori an enlarged Community, could summon up sufficient will to allow rational use of the force for the sake of a cause about which there were differences over the nature of the challenge or how it should be countered. Events in Yugoslavia, hard on the heels of those in the Gulf, but also the crises in

Zaire, Chad and the Falklands, showed that, until now, only national states were capable of this, even if the principles underlying their action were more or less accepted by all and even if the states which so decided were prepared to co-ordinate their action. Events will tell us whether the situation will have evolved sufficiently in 1996 or 1998 to allow the achievement of integrated defence in a Europe which will probably no longer be limited to twelve countries.

18. It seems probable that this integration will be necessary for everything involving the most advanced and expensive technologies and it is gratifying that the Nine took a number of initiatives likely to lead to this. Presumably, however, certain member states will be anxious to retain a national military capability or the possibility of not participating in operations decided by others. Any European defence organisation will probably have to be arranged to take account of this dual requirement, as the Nine did in Maastricht by leaving WEU its own features but developing its ability to take action.

19. There would be no point in speculating here on the likelihood and rate of such an evolution. What emerges from the Maastricht declaration is that Europe, as it exists in the eyes of the Twelve, intends "in the longer term perspective of a common defence policy within the European Union" that WEU should assume "greater... responsibility in defence matters", which amounts to saying that, in the defence area, the modified Brussels Treaty is still the cornerstone of European defence.

(b) The treaty

20. This is the basis on which relations between WEU and the European Union are viewed, both in the text amending the treaties and in the declarations concerning WEU. In the treaty, the European Union is no longer considered as a process but as an immediate reality, including institutions of which WEU is not considered to be an integral part, since the WEU Council has to be in agreement with those bodies to "adopt the necessary practical arrangements". It must therefore be understood that the documents adopted in Maastricht refer to two different concepts of European Union, one in the making, in the building of which WEU is participating, and the other a real one in which it does not participate. The Council throws no light on this problem when it states in its reply to Written Question 296 that relations between WEU and the European Union described in Article J.4 are "essentially of a political nature", which means nothing. It is regrettable that the governments used the same word to designate two quite distinct concepts: such a process does not help to make a public,

which is entitled to be properly informed, understand better the notion of European Union.

21. At least Article J.4 of Title V of the Maastricht Treaty tries to set out the relations which should, in the immediate future, be established between WEU and the union as it now exists, specifying in paragraph 1 that:

22. (a) "The common foreign and security policy shall include all questions related to the security of the union, including the eventual framing of a common defence policy, which might in time lead to a common defence".

23. However, this paragraph is obscure because of the distinction it draws between defence policy and defence as such. How far does the area of the defence policy extend? It apparently includes the decision to resort to force. But is it envisaged, then, that there can be a decision to resort to force distinct from the decision to take part in such action? There was in fact some sign of this during the Yugoslav crisis when, in September 1991, a body, meeting in the WEU framework, drew up possible options for using the armed forces of certain member countries only. However, it is doubtful whether such a sharing of political and military responsibility can be systematised. It seems to have been precluded in steps taken to set up a Franco-German army corps, whether or not enlarged to include other countries. Your Rapporteur can but regret that the Assembly has received so little information on what was undertaken in the cases of Yugoslavia and the army corps, thus leaving it with few means of understanding that part of the Maastricht decisions. It will, however, be able to note that the governments have entered into no commitment in the framework of the treaty concerning possible common defence although some parts of the nine-power declaration suggest this.

24. (b) According to paragraph 2, "the union requests" WEU "to elaborate and implement decisions and actions of the union which have defence implications. The Council shall, in agreement with the institutions of WEU, adopt the necessary practical arrangements".

25. This wording makes it difficult to grasp the difference between "implementing decisions and actions" for which WEU would be responsible and the "practical arrangements" to be made by the union. At least, one might envisage a contrary, logical procedure, such as was used during the Yugoslav crisis, i.e. the European Council entrusting WEU with the implementation, in areas within its purview, of directives it adopts. It should also be stressed that this procedure does not rule out another, that of decisions taken *proprio motu* by the WEU Council which the union does not, therefore, replace.

26. (c) According to paragraph 3, "issues having defence implications dealt with under this article shall not be subject to the procedures set out in Article J.3". The latter article relates to "procedure for adopting joint action in matters covered by the foreign and security policy" in the framework of the European Council, thus retaining the full validity of procedure worked out in the context of the application of the modified Brussels Treaty.

27. (d) Paragraph 4 lays down that "the policy of the union... shall not prejudice the specific character of the security and defence policy of certain member states" or "the obligations of certain member states under the North Atlantic Treaty". This provision corresponds perfectly to what WEU has always done, but it hardly seems compatible with references to "a common defence policy" or even "common defence" referred to in paragraph 1 of Article J.4, unless it was foreseen that in the long run all members of the Community will have acceded to the Washington Treaty or that the latter no longer implies any particular commitments. It is difficult to think that either of these possibilities will obtain a consensus among the Twelve.

28. (e) The same is true of paragraph 5, which states that "the provisions of this article shall not prevent the development of closer co-operation between two or more member states on a bilateral level, in the framework of WEU and the Atlantic Alliance, provided such co-operation does not run counter to or impede that provided for in this title". This wording may be interpreted either as referring to co-operation explicitly carried out in the framework of the two alliances or as placing on the same footing bilateral co-operation and co-operation in the framework of the alliances. In the latter case, this article would, however, place a limit on co-operation resulting from the application of the North Atlantic Treaty since the latter must not "run counter to or impede" European co-operation, whereas the previous paragraph makes the freedom of the European union subordinate to the compatibility of its decisions with those taken in the framework of this treaty.

29. (f) Paragraph 6 says that "with a view to furthering the objective of this treaty, and having in view the date of 1998 in the context of Article XII of the Brussels Treaty, the provisions of this article may be revised... on the basis of a report to be presented in 1996 by the Council to the European Council, which shall include an evaluation of the progress made and the experience gained until then".

30. This paragraph, at first sight innocuous, since it is in any event for the contracting parties to revise any treaty whatever, is of great interest because of the underlying thoughts it expresses. These are revealed in the following words:

31. "Having in view the date of 1998 in the context of Article XII of the Brussels Treaty": as

everyone knows, the Brussels Treaty is no longer in force since it was modified by the 1954 Paris Agreements, but the Article XII in question is an article of the modified Brussels Treaty taken from Article X of the Brussels Treaty. The governments continue, therefore, to encourage confusion between the two treaties as your Rapporteur has already had the opportunity to underline, because, if it is the modified Brussels Treaty that is referred to, the date indicated would be 2004 and not 1998. This text shows clearly that the governments take as a basis, for political reasons, a text which has not been in force for thirty-eight years, attributing to it paragraphs from another text, in order to evade the commitments into which they entered in 1954.

32. Your Rapporteur thought it useful to put Written Question 297 to the Council, as follows:

"Can the Council explain why Article J.4, paragraph 6, of the Maastricht Treaty (called D.6 in the declaration on the rôle of WEU) refers to Article XII of the Brussels Treaty, when that treaty had only ten articles and, in any event, it is quite clearly Article XII of the modified Brussels Treaty?"

Is the aim of the signatory governments not to make it believed that the Brussels Treaty is still in force so as to bring forward the date on which it will be possible for them to escape the commitments into which they entered in 1954?"

Do they consider it right to refer to a date (échéance in the French text) in regard to this treaty, whatever this date may be, when the article in question provides merely for the right of each signatory to cease to be a party to the treaty provided one year's notice has previously been given?"

33. In its reply, the Council admits that this paragraph of the treaty contains what it describes as a "minor inaccuracy", which is not the opinion of your Rapporteur. Whatever its importance, the Council must have the error corrected so that it is not ratified by signatory countries and cannot serve as an argument for those who are against ratification. This mistake had already been made in Article Y.15.4 of the draft treaty drawn up by the European Commission and was noted by your Rapporteur in paragraph 82 of Assembly Document 1261. It has to be deduced that either the mistake is a voluntary one and is a deliberate step to conceal the governments' true intentions or that not one person among all those who took part in drawing up the text adopted in Maastricht had read our Assembly's report, which can but give the impression that the work it accomplishes is of little avail in face of the Council's indifference.

34. As your Rapporteur already pointed out in paragraphs 76 to 81 of Document 1261, the change of numbering in the articles of the 1948 treaty by that of 1954 has never been a basis for the Assembly's argument that the 1954 treaty was a new treaty. It considers that the treaty signed by other countries and having other aims (creation of WEU, establishment of relations between that organisation – which cannot be confused with the Western Union of 1948 – and NATO, introduction of armaments control) cannot be considered to be just an amendment of the 1948 treaty. It notes that, for purely political reasons, the Council has decided otherwise. The unanimity of the nine governments allows it to take such a decision, but it does not authorise it to attribute to the Assembly arguments that it has never advanced in order not to answer those it does endorse.

35. It should indeed be recalled that neither Article X of the Brussels Treaty nor Article XII of the modified Brussels Treaty fixes a deadline for one or other treaty but merely a date as from which each of its signatories shall have the right to cease to be a party to one and then the other treaty. What seems to be indicated by this wording is that, contrary to the declaration that WEU is an integral part of the process of European Union, it is on the winding up of WEU and the abrogation of the modified Brussels Treaty that some governments intend to base tomorrow's European Union. There might be some defence for this if they were determined to establish a real union in the security and defence area. Yet paragraphs 3, 4 and 5 of Article J.4 show that this is not at all the case. Some countries seem anxious to retain a free national hand in this area. Others appear to wish to maintain NATO preponderance. Still others intend to limit any action by WEU to the implementation of orders from the United Nations or even the CSCE. All these attitudes are perfectly legitimate. What is not legitimate is to act as if it was the (modified) Brussels Treaty that was an obstacle to the achievement of a true union when it is the governments themselves that do not agree to define the European defence that they all declare they wish to achieve.

36. The words "on the basis of a report to be presented in 1996 by the Council to the European Council" must be compared with the end of the declaration on the rôle of WEU: "WEU will re-examine the present provisions in 1996. This re-examination will take account of the progress and experience acquired and will extend to relations between WEU and the Atlantic Alliance." Nothing would seem more logical than this decision to instruct each institution to report in 1996 on how the Maastricht decisions have been applied. However, taken literally, it means the governments of the nine WEU member countries will report – to whom, if not to the governments of the three Com-

munity countries that are not yet members: Denmark, Greece and Ireland? – on the activities of WEU and that, all together, they will in turn report to themselves. In view of the Council's habitual preponderance in the framework of WEU and that which Maastricht accords the Council in the framework of the European Union, it would indeed be a fallacy to consider WEU or the European Union as entities separate from the governments of which their respective councils are composed.

37. The date of 1996 when the Council should report on "progress made" is also curious, since the Council of the Community is asked to report on progress along lines that are in fact to be found in the declaration of the Nine and not in that of the Twelve and which concern WEU and not the Community. It is true that the WEU Council is also instructed to present a report on the same subject at that date.

38. "May be revised" obviously means nothing but suggests that the governments hope that the difficulties they are now encountering in establishing a European defence organisation will have been resolved. Would it not have been wiser to try to solve these difficulties in existing frameworks rather than to consider destroying those frameworks without having solved them?

39. If one compares the text of that article of the treaty with the declaration of the Nine, one can but note a twofold approach on the part of the ministers:

- organising WEU so as to allow Europe to meet the challenges facing it due to the new situation, at both political and operational level, by making WEU "the European defence identity", "the military arm of the Community" or "an integral part of the process of the development of the European Union";
- preparing the winding-up of WEU, in the hope, no doubt, in some cases, but probably not all, of transferring to others the responsibilities attributed to WEU by the modified Brussels Treaty.

40. Your Rapporteur considers this approach contradictory in both form and substance. He would think it infinitely more reasonable to keep to the principle that each aspect of European Union is handled on its own merits on the basis of facts that seem difficult to evade. This would mean associating existing organisations in the union, taking as a basis the various founding treaties and not seeking to put an end to those treaties. This is the formula adopted in Maastricht for the immediate future and included in the declaration on the rôle of

WEU. However, the formula loses part of its value since there are vague, imprecise hints that it will be reviewed in the relatively near future.

(c) Non-member countries of WEU

41. It is evident that the question of a possible enlargement of WEU was one aspect of the problem, particularly as Greece, which applied for membership of WEU several years ago, seems to have brought pressure to bear on the Twelve by threatening not to accede to the Maastricht Treaty, which would have doomed the meeting of heads of state or of government to failure, if it was not admitted to the organisation. As a result invitations were addressed to the three member countries of the EEC that are not members of WEU to apply for membership. This invitation justifies the plan to merge WEU and the Community in order to achieve a European Union but seems hardly likely to help to prepare the common defence policy proposed by the Twelve in view of the considerable differences between these three countries' views of their own security and that of Europe and how the other nine countries view what they intend to carry out together. As far as your Rapporteur knows, neither Ireland nor Denmark has yet decided to apply for membership and the public seems, to say the least, divided in those two countries on this matter.

42. As for Greece, whose application for membership was most energetic, its relations with Turkey already raised a problem. The attitude it adopted in preventing the Twelve from jointly recognising the Republic of Macedonia, as the other eleven members wanted, shows another major difference between Greece and its partners on an external policy matter. What is serious here is not so much the nature of the concern expressed by Greece as the tone of the words in which it is expressed. On the one hand, there is frequent reference to a *casus belli* in this connection and, on the other hand, there are suppositions concerning the machiavellian plots of countries reputed to be hostile to Greece and liable to use Macedonian irredentism against it. There seems to be a deep rift between the concepts of relations between European countries which are widespread in Greece and the concept voiced by Mr. Ter Beek of a Europe where "thinking in terms of national sovereignty is a thing of the past". In any event, it may be wondered how Greece might use the strengthening of its international position which would be the result of accession to WEU. Some statements by its ministers in the Greek Parliament are not quite the same as those made to the Assembly by Mr. Mitsotakis, Prime Minister of Greece, in December 1991. The resignation of the Greek Minister for Foreign Affairs, Mr.

Samaras, in April 1992 may make the Greek approach more moderate, but your Rapporteur has not yet been able to discern any easing of their position. The Nine seem to be finding it relatively difficult, which is quite understandable in the circumstances, in agreeing on the definition of points to be discussed in the negotiations with Greece and it is probable that they will have to take a decision on this matter at the ministerial meeting on 19th June.

43. The question then facing them will be whether they consider priority should be given to strengthening the cohesion and activities of WEU as they decided in Maastricht or rather to the geographical and then institutional alignment of WEU and the Community as they also decided in Maastricht. It seems difficult to believe that the second option would help to carry out the first. There is every reason to fear that this is nevertheless what was envisaged in Maastricht, even if it was not clearly adopted.

44. According to an Agence France-Pressé dispatch from Athens dated 4th March 1992:

"At a meeting organised by a Greek economic review, Mr. van Eekelen, former Netherlands Minister of Defence, underlined that WEU was going to adapt certain key rules such as that of military assistance to member countries in the light of commitments entered into at the Maastricht summit meeting, its links with NATO and the new international situation."

Such a statement by the Secretary-General of WEU brings out very clearly the difficult situation in which the governments have placed themselves: they are believed to be considering making Greece's accession to WEU subject to reservations in regard to the application of the modified Brussels Treaty, and especially its Article V, i.e. significantly weakening the scope of the alliance. If confirmed, this comment would throw particularly disturbing light on the notion of the 1998 "deadline" for the modified Brussels Treaty, referred to elsewhere.

45. In fact, here the governments encountered a series of contradictions that they solved only by not considering that it is for really pertinent reasons that Ireland and Denmark have not yet acceded to the modified Brussels Treaty and that Greece's candidature had not been followed up. Your Rapporteur fears that, even if Ireland and Denmark were induced to join WEU and Greece's candidature were accepted, none of the reasons that have kept those three countries outside WEU would be changed and their possible accession would therefore merely mean that divergences that are now outside WEU would move to the inside. In any event, it is doubtful whether this will facilitate the emergence of a European defence identity.

46. Furthermore, according to the nine-power declaration concerning the enlargement of WEU, "states which are members of the European Union are invited to accede to WEU on conditions to be agreed in accordance with Article XI of the modified Brussels Treaty, or to become observers if they so wish". This text says nothing about countries that have applied for membership of the Community: will they have to make the same choice? Will they be required to join WEU? Will they be asked nothing? Statements made on behalf of certain WEU member countries clearly indicate that those which wish to be neutral will not be forced to make a radical change in their external policies. But then the gap separating the Community from the defence policy pursued by WEU might grow and not close up, as would seem to be implied by the decision to proceed to a re-examination of defence problems in 1996 "having in view the date of 1998".

(d) Practical decisions

47. It is from these assumptions that would seem to stem the practical decisions taken in Maastricht for organising relations between WEU and the political union. If one is to believe the nine-power declaration on the rôle of WEU, their aim "is to build up WEU in stages as the defence component of the European Union", wording that throws little light on the question whether this means the union such as it is or the union as a process. Conversely, it is worth noting that the Nine:

- (i) do not consider WEU as it now is as a satisfactory edifice for exercising the rôle it has to play;
- (ii) consider Maastricht as only the start of a process that will have successive stages.

48. With this in mind, it is quite logical for WEU to try to develop a "working relationship" – hence not a *de jure* relationship – with the European Union. The following measures were taken to this end:

49. (a) "*Synchronisation of the dates and venues of meetings and harmonisation of working methods.*" It may be assumed that the synchronisation of meetings mainly concerns meetings of the Council at ministerial level as effectively practised during the Gulf and Yugoslav crises. This seems obvious when it is a matter of implementing "at the request of the European Union... decisions and actions of the union which have defence implications", in which case it is normal for the WEU Council of Ministers to meet at the close of meetings of the Twelve. However, it should be ensured that this practice does not lead to a reduction in the number and importance of specifically WEU

ministerial meetings in which the ministers of defence take part and which tackle matters relating to the working of the organisation, particularly its operational aspects. Holding two ordinary ministerial meetings each year, with the participation of the ministers of defence, with a specifically WEU agenda, has been one of the strong points of the reactivation of WEU which must be retained, and nothing links these meetings with meetings of the ministers for foreign affairs of the Twelve.

50. The harmonisation of working methods is already a fact with the development of twelve-power political co-operation, now common foreign and security policy. This was based on the principle of the independence of member states, which concerted their external policies in the framework of the Twelve. Insofar as Article J.3 of the Maastricht Treaty modified this practice, the question might arise of bringing WEU's working methods into line with the new procedure for political co-operation. However, Article J.4, paragraph 3, of the treaty, indicates quite clearly that such procedure does not concern security and defence, which is not commensurate with this section of the declaration of the Nine.

51. (b) "*Establishment of close co-operation between the Council and Secretariat-General of WEU on the one hand, and the Council of the union and Secretariat-General of the Council on the other.*" This seems perfectly logical and balanced and should raise no special problem once the WEU Council and its secretariat have been transferred to Brussels. However, such co-operation will be meaningless if the WEU Permanent Council, with its new composition, is not a truly political organ and confines itself to supervising the management of the organisation.

52. (c) "*Harmonisation of the sequence and duration of the respective presidencies.*" This too seems a sensible measure but complicated to apply as long as the same countries are not to be found in both institutions. A plan is known to have been drawn up to solve this problem, insofar as it can be solved.

53. (d) "*Arranging for appropriate modalities so as to ensure that the Commission of the European Community is regularly informed and, as appropriate, consulted on WEU activities in accordance with the rôle of the Commission in the common foreign and security policy as defined in the European Union Treaty.*" This also seems to raise no particular problem, insofar as these are not obligations but legitimate intentions, designed to be applied in "an appropriate" manner and "as appropriate".

54. (e) "*Encouragement of closer co-operation between the parliamentary Assembly of WEU and the European Parliament.*" This, on the

contrary, raises a series of questions that your Rapporteur will examine in a special chapter. He merely wishes to underline here that this is merely "encouragement" and not a decision, so as to leave the assemblies concerned full freedom of action and that the WEU Assembly is described as "parliamentary", a fact that has until now not been given due consideration.

55. Finally, the declaration includes a series of "other measures" which, apart from the transfer of the Council's seat from London to Brussels, refers to the composition of the Permanent Council, indicating that "*member states may draw on a double-hatting formula, to be worked out, consisting of their representatives to the alliance and to the European Union*". By using this wording, member states leave each other full freedom to be represented as they see fit in the WEU Council. During the period leading up to Maastricht, they seem to have made this matter a symbolic one, some wishing to stress the priority they give to the European Union by having the WEU Council composed of permanent representatives of member countries to the Community, others being anxious to show that they consider NATO is still the principal European security organisation by having it consist of permanent representatives to that organisation. The result has been a disagreement that the Franco-German proposal, taken up in the nine-power declaration, tried to solve by this rather unsatisfactory wording which may not allow the WEU Permanent Council to play the rôle that might be expected of it.

56. Both these solutions would have had a number of advantages and a few drawbacks. If the Council is composed of representatives to the EEC, and more precisely those taking part in the common foreign and security policy, this would have allowed WEU to be more firmly linked to the Community institutions and would have probably ensured proper liaison between the common foreign and security policy and implementing measures taken in the framework of WEU, but it would not have given the same guarantees of what the declaration calls the "operational rôle of WEU", while the NATO representatives would have introduced the elements necessary for achieving the openness the governments intend to establish between WEU and the common foreign and security policy. To compose the Council of representatives to the former in some cases and the latter in others would not be satisfactory because WEU's military activities would then be too divorced from its political activities and the management of the organisation. In the solution adopted, the word "and" is completely ambiguous, particularly by not specifying whether it is for each country to choose which of its representatives should take part in each type of meeting. It might thus combine the drawbacks of all the systems without offering the advantages. It is to be

hoped that the Council will manage to take a reasonable decision, since the Maastricht declaration does not seem to close the debate.

57. If we attempt to make an overall appraisal of WEU's relations with the European Union, as laid down in the various documents adopted in Maastricht, it has to be noted that there are still important differences of views between the governments. These decisions may in fact be interpreted in two ways:

58. (a) The European Union exists and has three distinct elements: the Economic Community, the Political Union and WEU, each with its own bases and being subject to the higher authority of the European Council. The decisions taken in Maastricht aim to give greater coherence to these elements, to co-ordinate their activities and to strengthen each of them within its own area of responsibilities. This interpretation obviously holds for the next few years. The reference to deadlines in 1996 and 1998 indicates that at least some of the Twelve do not consider it will prevail in the future. However, it may be thought that events – the probable enlargement of the Community, a less rapid evolution of public and governmental opinion than was thought, not to speak of the considerable number of unforeseeable factors in the present situation in Europe – will make very relative the "decision" to take on those dates decisions that could not be taken in Maastricht. The reply to Written Question 295 suggests that the Council has ruled out this interpretation.

59. (b) The European Union will exist only by merging the Community, the Political Union and WEU in a single federal-type institution. Maastricht is then merely a stage, in the end quite a modest one, in the process which should lead up to it, and the deadline for decisions which might have been taken there has been postponed until 1996 and 1998. However, this concept runs into three difficulties: several countries do not appear to endorse it, the probable enlargement of the Community will delay its achievement still further – just as its achievement will make further enlargement more difficult – and, above all, it would very probably be achieved at the expense of the community nature of Europe and to the benefit of a confederal-type system, because the weight of intergovernmental bodies would inevitably be increased at the expense of that of more integrated bodies.;

60. It is just as if the Maastricht negotiators managed to dress up, in acceptable terms for everyone, two different interpretations of what they intend to achieve in Europe. This did not prevent them taking several effective and useful practical decisions to strengthen Europe in general and WEU in particular. However, they deferred until better times the definition of a true European programme, with no guarantee

that such time would ever come, at least within the limits they set themselves. Your Rapporteur has every reason to think that the arguments for and against a federal Europe, which were a feature of 1991, considerably weakened the negotiators' ability to strengthen Europe in the security and defence area, where Maastricht expressed more or less specific intentions rather than decisions.

(e) Co-operation in armaments matters

61. While the respective responsibilities of WEU and the Community in security and defence are clearly separate, thus leaving little doubt about the limits of the mandate given to the Commission to take immediate "common action", this is not so for armaments matters. Indeed, the establishment of the single market on 1st January 1993, with the abolition of frontiers and internal controls, forces thought to be given to its application to strategic items and armaments.

62. If strategic items mean items of any kind that might be used for military purposes, it may be considered that they are not covered by the exception made in Article 223 of the Rome Treaty. Just as the Commission had to draw up a list of chemical products whose export the Community would limit, it seems logical that it should have to draw up a list of strategic items whose export it would reserve the right to control in order to ensure that Europe did not become a purveyor to countries that might use them either for maintaining order at home or to back up their foreign policy. The case of Iraq showed how much responsibility Europe bore in not regulating or controlling the export of such items.

63. On the other hand, Article 223 is obviously valid for "armaments", i.e. items used directly and normally by armies, without any decision being taken on the question of their sale on external markets. It must therefore be ascertained whether member countries are prepared to restrict their freedom of action in this area and to hand over to the Community the right to draw up a list of items whose export would be limited, subject to political and military considerations and, finally, controlled by the Community. It should be recalled that, to date, such exports have been limited and controlled only by individual member states and not by the Community or an international organisation. Even for nuclear items, controls by the Vienna agency are confined to civil activities that might have implications in the military sector. It is clear that any progress towards drawing up a common foreign and security policy must include the preparation of common directives on the export of armaments, otherwise it would be purely rhetorical. The only question arising is

whether it is for the Commission to draw up such lists or whether the Council, on the basis of Article 223, intends to have them drawn up by another body.

64. In industrial policy matters, the Commission takes considerations of quite another kind as a basis for claiming responsibilities. Since circumstances in general make it necessary to convert part of the armaments industries, it now has a number of levers that it can use to intervene, be they financial instruments, regional policy or using the special fund. This question was tackled by the Ministers of Industry of the Twelve in Lisbon on 21st March. They noted that almost none of the armaments industries of member countries were in regions targeted by Community aid, which would have meant, for conversion assistance for some of them, taking decisions that the ministers were not prepared to take.

65. The Community nevertheless has good reasons for insisting on the fact that many industries produce for both the military and the civil sector. Consequently, in the open European market effective in 1993, they will benefit from the fact that, on their national armaments markets, they have guaranteed outlets which give them an unfair advantage over purely civil industries on the European market and which may, as has sometimes been the case, enable them to escape the financial consequences of ill-advised options made in the civil sector. In a nutshell, the fact that armaments industries are outside Community jurisdiction is a major factor of distortion in the common industrial policy.

66. The problem is further complicated by the question of relations between Europe and the United States. In the armaments sector, the balance of trade between Europe and the United States is permanently tipped in favour of the latter. This does not prevent it bringing strong pressure to bear on the European members of the Atlantic Alliance to maintain and, if possible, increase this advantage by frequently linking the presence of American forces in NATO which guarantee European security with the opening of the markets of European countries to American armaments. In other words, GATT principles are applied in this area to the benefit of the United States, whose arms procurement is quite naturally drawn from its national industries, whereas these principles are not applied to armaments within the Community. Inter alia, this was the purpose of the proposal submitted to NATO at the end of 1991 by the United States Permanent Representative, Mr. Taft, which aimed at establishing a code of good conduct for public procurement.

67. The problem thus facing the Community is twofold. On the one hand, it must make the principle of Community preference prevail at

the expense of national preference, by making countries give up certain habits such as relying on the complex relations between their national institutions in the defence area and their national industries. It must also give valid reasons for this Community preference vis-à-vis the outside world in order to safeguard Europe's specific character. In short, it is a matter of transferring to the Community national practices that are particularly well rooted in countries with a strong armaments industry, in particular France and the United Kingdom.

68. The Commission of the Community is particularly badly placed to achieve this because its refusal, for reasons that it is not for your Rapporteur to judge, to allow the French firm Aérospatiale and the Italian firm Alenia to buy the Canadian firm de Havilland in November 1991 aroused strong doubts about the Commission among a number of continental European industrialists as they suspected it, rightly or wrongly, of giving priority to considerations of free competition rather than to others which laid greater emphasis on the defence of European industries and their ability to expand. Those industries, many of the largest of which have links with their countries' political authorities, have since been even more careful than in the past not to come under the thumb of supranational authorities having no responsibilities in defence matters. There is no doubt that they have a considerable influence on their governments and, in particular, their defence ministries.

69. This aspect of the problem has clearly not escaped the European Commission, which seems to have given up considering armaments policy as part of the common industrial policy but seems determined to seek more subtle ways of associating them with it. Thus, the decision taken by the Nine in Maastricht on "enhanced co-operation in the field of armaments with the aim of creating a European armaments agency" might give the Commission a means of having a say in this matter without claiming to dictate it. It is therefore particularly regrettable that, in this area, the European governments have been so incoherent since, after setting up the WEU Standing Armaments Committee in 1955, then NATO's Eurogroup and then the Independent European Programme Group, they abolished the Standing Armaments Committee in 1988 only to return, in 1991, to the idea of setting up a European armaments agency, without defining the nature of its relationship with the IEPG.

70. The IEPG ministerial meeting held in Oslo on 6th March 1992 underscored the need to avoid duplication between that group and the future WEU agency and also the need to co-ordinate efforts. "Ministers agreed that the IEPG's rôle and place in the future European security architecture needed to be examined in depth and tasked National Armaments

Directors (NADs) to continue their work in this area, and to report accordingly." From this point of view, it seems evident that the WEU agency will have to be open to all IEPG member countries, as the Maastricht declaration on the association of the European member countries of NATO seems to indicate, and that, on the other hand, the IEPG will have to continue along the path it embarked upon in 1991 by transmitting its annual progress report to the WEU Assembly. In other words, it must affirm itself more as part of a European security architecture. It seems prepared to do this. A merger of the two bodies for co-operation in armaments matters should not therefore run into any great difficulties.

71. Yet information that your Rapporteur has been able to obtain about what the governments expect of this agency suggest that it will be a long time before there is unanimity on its rôle. According to Mr. Sillard, Délégué général pour l'Armement at the French Ministry of Defence, writing in the December 1991 issue of the magazine *Armements*, although admittedly on the eve of Maastricht:

"The desirable evolution of the institutions is simple: common action in armaments matters must at one and the same time be given political legitimacy and made an instrument for action.

Political legitimacy because, at European level, we must not set up uncontrolled bureaucracy whose action would not proceed from instructions from responsible political authorities nor be included in the framework of defence and industrial policies negotiated between European nations.

An instrument for action, for instance in the form of an agency on the lines of the European Space Agency, since experience has shown us that, in the absence of such an instrument and of a common financing mechanism, some joint actions, such as Euclid in the framework of the IEPG, may find it hard to take off.

In practice, a three-level organisation, placed under WEU, should, in the framework of the common foreign and security policy of the European Union, allow European action in armaments matters to be decided and managed:

- the first level would be that of the ministries of defence;
- the second would be that of the national armaments directors (in the form now used by the IEPG);
- the third would be that of an agency, which should also be as light as possible and, according to the principle of

subsidiarity, itself manage only affairs that could not be attributed to existing national agencies.”

72. Conversely, other countries apparently wish to set up as soon as possible, in the framework of WEU, an armaments agency with strong authority allowing it to avoid state authority and going as far as exercising a monopoly in arms procurement for member countries' armies.

73. It therefore seems that wording used in Maastricht, in this sector as in many others, is in any case inadequate to guide a European security and defence policy properly. It is quite clear that, in an area in which the Commission has a say under the texts in force, its rôle and place have not been defined sufficiently. There would seem to be infinitely more grounds for the Commission, in the framework of the responsibilities it already exercises, to be required to take its place, alongside the governments, in any European body, even if based on the modified Brussels Treaty, tackling questions relating to the procurement of armaments, than for Community bodies to claim to intervene in defence matters. It is difficult to understand why the Maastricht negotiators did not admit this.

(f) The nuclear question

74. Finally, Maastricht did not tackle an essential aspect of Europe's defence policy, i.e. its nuclear dimension. It seems impossible to consider a European security identity without including the nuclear dimension in one way or another. It is integrated into the NATO framework but not into that of WEU, since the United Kingdom has no commitments in regard to its armaments not stationed on the mainland of Europe, and France has eluded its commitments in this connection from the very start of its nuclear force. Furthermore, one can hardly expect these two countries to hand over to others, including a European organisation of which they may be members, the right to decide on the use of these weapons obtained at great cost and the use of which they have mastered, which is not at all the case of their partners.

75. Your Rapporteur therefore wishes to quote a proposal by a French parliamentarian, a former member of our Assembly, Mr. François Fillon, in an article published in *Le Nouvel économiste* of 6th March 1992:

“The only realistic course is to envisage real Europeanisation of our nuclear personality. This would consist – together with our British allies – of giving our partners an ultimate security guarantee in conformity with the new perception of our essential interests in Europe.

In concrete terms, on the initiative of France Europeans might agree to create a nuclear consultation group. The institution designated to receive this new forum would be Western European Union. Four topics might be discussed:

1. establishment of a joint approach to the rôle of deterrence with the aim of defining a European nuclear concept;
2. study of the configuration of strategic arsenals and their compatibility with jointly-agreed concepts;
3. study of methods of consultation in the event of recourse to nuclear weapons;
4. definition of a disarmament and anti-proliferation policy.”

This proposal is worthy of attention since it seems likely to meet the twofold requirement of integrating the nuclear aspect into a European defence system and retaining specific national features which now seem difficult to circumvent.

76. Here, too, WEU seems to be the only instrument capable of meeting Europe's defence requirements. The Maastricht negotiators pretended to ignore this essential question and referred to a 1998 “deadline” for the modified Brussels Treaty. But is this not tantamount to condemning an institutional edifice that ignores such an important dimension of the problem of European defence?

77. To conclude this chapter on relations between WEU and the Community, your Rapporteur will therefore voice a series of regrets, accompanied by a few proposals. The regrets include:

- (i) the fact that the governments failed to choose between two concepts of the European Union, making nebulous the picture they give of the future of that union, at least in the security and defence areas;
- (ii) the fact that the governments did not recognise that the modified Brussels Treaty was already one of the bases of the European Union;
- (iii) the fact that the enlargement of WEU was envisaged solely from the standpoint of aligning WEU with the Community, no account being taken of the specific requirements of a European defence organisation;
- (iv) the fact that differences over the concept of the nature of the European Union did not allow them to define clearly the relationship between WEU and the other bodies of the European union;

- (v) the weakness of the nine-power declaration in regard to co-operation in armaments matters;
- (vi) the fact that the nuclear aspect was not tackled.

78. In the main, his proposals are as follows:

- (i) without prejudice to what the European Union will be in a future, the timing and content of which cannot yet be fixed, it should be considered that it is already a reality and that WEU is one element of it, even if all the member countries of the EEC are not members;
- (ii) defence matters must be examined in their own light and not in that of the image of a European Union one might dream about;
- (iii) the enlargement of the Community must consequently be handled in terms of the ability of the candidates to accede to the Rome Treaty and the enlargement of WEU in terms of the possibility of their acceding to the modified Brussels Treaty. This must not rule out the prospect of countries which could at present accede to only one of the treaties acceding to all the activities of the European Union;
- (iv) relations between WEU, common foreign and security policy and the EEC must be based on treaty-imposed commitments and on the need to develop exchanges between these elements of the union;
- (v) WEU must set up an agency for co-operation in the production of and trade in armaments that takes account of the current European situation and which encompasses the IEPG but allows the European Commission to play a part so that it may ensure the interests of the common industrial policy;
- (vi) finally, WEU must have a framework in which the nuclear aspects of Europe's defence can be tackled, both by the two European nuclear powers and by all their partners.

79. None of these proposals is contrary to the Maastricht decisions, but they all interpret them in what seems to be a reasonable manner likely to be endorsed by all. Claiming to set up, within a short space of time, a European Union which scorns these facts certainly means condemning WEU in the more or less long term, but probably also is leading Europe to failure.

III. WEU and NATO

(a) Principles

80. The question of relations between WEU and NATO is different to that of its relations with the European Union because they are two institutions of the same type, based on treaties which do not challenge the sovereignty of signatory states and one of which, the modified Brussels Treaty, specifies the nature of relations between WEU and NATO. Article IV of the latter treaty describes the framework for these relations in a manner that would be satisfactory if NATO were, for its part, bound by similar commitments to those to which the Nine subscribed since it specifies that "the high contracting parties and any organs established by them under the treaty shall work in close co-operation with the North Atlantic Treaty Organisation". This article adds that "recognising the undesirability of duplicating the military staffs of NATO, the Council and its Agency will rely on the appropriate military authorities of NATO for information and advice on military matters". Although, in 1954, such information was mainly that needed for the control of armaments, this article applies equally well to military information relating to other matters provided NATO wishes to supply the information requested. NATO for its part is obliged, by its resolution for the implementation of section IV of the final act of the London Conference, dated 22nd October 1954, only to ask WEU's agreement to possible increases in the level of forces of WEU member countries assigned to it, which is not something the governments currently have in mind. Consequently, to affirm that "WEU is prepared to develop further the close working links between WEU and the alliance and to strengthen the rôle, responsibilities and contributions of WEU member states in the alliance" is not enough to confirm WEU's rôle as a European security and defence identity if, on the alliance side, a parallel will is not shown in respect of WEU. However, although the United States has several times expressed gratification that its European allies were organising themselves to increase their share in the common defence, particularly during the Gulf war, and stressed that it would prefer this rôle to be played by WEU rather than by the European Community, it has in no way committed itself vis-à-vis WEU and the least that can be said is that its approach in this connection seems hesitant.

81. To say that "the objective is to develop WEU as a means to strengthen the European pillar of the Atlantic Alliance" takes up, without saying so, old but ambiguous wording. In a manner of speaking, WEU really was this pillar when, in 1954, it allowed the Federal Republic of Germany to join the alliance and subse-

quently guaranteed that member countries respected their undertakings in regard to forces and armaments, because it thus allowed the unreserved participation of the European members of the alliance in the NATO integrated military system until 1967. It then ensured France's participation in joint security that Article 5 of the Washington Treaty did not guarantee sufficiently. The notion of European pillar of course became far more vague once the NATO military system stopped being the cornerstone of the western security system and NATO was no longer the framework for Europe's main actions in favour of joint security. Through its intervention in the Gulf and its study of the conditions for possible action to restore peace in Yugoslavia, WEU certainly helped to fulfil the common political aims of the members of the alliance in close agreement with the United States, but its actions were outside NATO.

82. In truth, it seems difficult for WEU to affirm itself undeniably as the European pillar of the alliance as long as the alliance has not expressed the aims it intends to pursue far more clearly than it has done since 1989 and defined the means it intends to use. The NATO summit meeting in Rome in November 1991 admittedly allowed progress to be made by underlining that, in the military field, NATO limited its responsibility to the defence of member states' territory. This paved the way for the development of WEU's operational instruments whose broad lines were traced in the Maastricht declaration on the rôle of WEU and which has since been started. But many aspects of NATO's future political direction, its military restructuring, particularly in regard to the number of American forces to be maintained in Europe, are still too unclear for it to be possible today to say what the rôle its European pillar will be. At the beginning of 1992, its Secretary-General and members of several governments said that NATO might take action at the request of the CSCE, which is after all possible if all the member countries agree. Some even believed NATO might give permanent guarantees for the maintenance of peace in Eastern Europe, thus forming the military arm of the CSCE. Mr. Wörner, for his part, has denied using this expression. In fact, this concept would amount to saying that NATO would no longer be based on the Washington Treaty alone, a hypothesis that cannot at present be endorsed.

83. The decision taken by Canada on 26th February 1992 to withdraw all its forces stationed in Europe, apparently without consulting its allies beforehand, while reserving the right to redeploy them there if necessary, together with the large reduction in United States forces in Europe also make the debate difficult since it is just when the American participation in the joint military effort is being reduced that the

United States and Canada are saying they wish to turn NATO in new political directions. One may wonder what authority they will have to do this in such circumstances and, in particular, what would be the basis of their participation in the CSCE, hitherto justified by their military presence in Europe.

84. Nevertheless, in Maastricht the WEU countries defined the nature of their relationship with NATO in two words: "transparency" and "complementarity", which conforms perfectly to Article IV of the modified Brussels Treaty but leaves room for many interpretations, as the committee was able to note during its visit to the United States in February 1992, as did your Rapporteur during his talks in several capitals.

85. "*Transparency*" is obviously essential to the smooth running of the two alliances whose basic objective ensuring the security of Europe (for the Atlantic Alliance, one should simply add "and of North America") – is identical and which have the same members, at least as regards most European members of the alliance. But what does this notion mean exactly? Your Rapporteur was able to discern two different interpretations of what this term might cover:

86. According to some – and no one will be surprised that it was in France that your Rapporteur learned this – transparency merely means that the representative of the chairmanship-in-office of WEU reports to the North Atlantic Council on discussions in the WEU Council. It is quite clear that this interpretation is considered restrictive and not very satisfactory by countries which are not members of WEU, particularly the United States, since it seems to foster the creation of a European bloc within NATO. The latter would thus perhaps feel forced to take note of decisions taken by only some of its members to which the others would have to subscribe or reject, which might seriously jeopardise the smooth running of NATO.

87. In this sense, the creation of an operational planning cell by the military headquarters of the WEU countries, included in the Maastricht decisions, raises a particular problem because it was decided to set up a small cell which should apparently not exceed three persons for each member country and probably fewer for the smaller countries and therefore be incapable, on its own, of conducting all the studies necessary for planning the use of WEU forces in a large number of eventualities. The effectiveness of this cell will therefore be largely linked with the possibility of its being able to use NATO information, procedure worked out in NATO and much of NATO planning. In this connection, a nine-power decision is obviously not binding on the other members of the Atlantic Alliance so they should reach agreement with their partners on the requirements of mutual "*transparency*".

88. On the American side, on the other hand, while the prospect of possible action specific to WEU seems acceptable or even, in some cases, desirable, it is not intended that such initiatives should be taken without prior agreement between the WEU countries and their allies in NATO, particularly the United States. This is quite conceivable since any action by certain members of the alliance may have serious repercussions on all the allies. It is therefore considered that transparency implies direct consultations between the United States and each member of WEU prior to any collective decision. The United States admittedly seems to prefer a European defence organisation in the framework of WEU to greater political integration such as the Community might wish to achieve, but its concept seems to leave little room for the establishment of a European defence identity, except on a case-by-case basis, and at execution level only.

89. The International Herald Tribune of 9th March published an analysis of a broad new policy statement that is in its final drafting stages at the Department of Defence in Washington. This document, taking as a basis the idea that the United States must do all it can to prevent the emergence of a rival great power, is very wary about any European defence identity outside NATO and includes the following statement: "We must seek to prevent the emergence of European-only security arrangements which would undermine NATO." The American authorities have since made a multitude of declarations designed to minimise the impact of this document which cannot be considered as authoritative. It is nevertheless clear that it reflects views which are widespread in the Pentagon. Such a concept makes NATO a mere instrument of American policy, the main aim of which would be to maintain overwhelming United States preponderance, which can obviously only encourage the Europeans, insofar as they do not a priori identify their security policy with that of the United States, to acquire their own means of defining and implementing this policy.

90. In any event, it is a matter of knowing at what level this transparency should be set: between two intergovernmental institutions, close to each other, or between Europe and the United States? Both would obviously be desirable, but they must both be based on reciprocity. The nine-power declaration refers only to transparency between institutions, which means that it should be fixed through agreement between NATO and WEU on the content of which the WEU Council must give its views. It leaves open the question of relations between a European Union able to define a defence policy of its own and the United States.

91. *The notion of "complementarity"* also needs to be made more explicit. Article IV of the

modified Brussels Treaty makes WEU a complement to the Atlantic Alliance but in a context corresponding to the situation in 1954, when the threat represented by the Soviet Union and its allies took priority over all other security considerations. However, events since 1989 make it likely that the challenges Europe may have to face will be quite different: the Gulf and Yugoslav crises and the decisions taken by NATO in Rome suggest that many occasions may arise when WEU's rôle will no longer be only to enhance the cohesion of the Atlantic Alliance but to act in the light of objectives assigned to it either by the European Council or by the WEU Council.

92. Naturally, in NATO there is a tendency to think that the complementarity between the two organisations would come into play only if NATO decided not to take action, as was the case for the Gulf in August 1990 and for Yugoslavia in July 1991. This would make WEU action subject to a case-by-case decision by NATO but the effect would be to reduce vastly the value of the instrument that WEU can offer the European Union and to limit its ability to plan specifically European action. If one takes account of the NATO decision to consider military action only to defend the territory of its members, this, on the contrary, paves the way for the possibility of considering other forms of action in the framework of WEU: intervening to implement resolutions adopted by the Security Council or even by the CSCE and decisions taken by the Twelve or the Nine. Your Rapporteur has noted, however, that the text circulated by NATO in Rome is now contested even by some of those who adopted it on that occasion.

93. WEU's subordination to the European Union, as outlined both in the Maastricht Treaty and in the nine-power declaration, means WEU must have the wherewithal to exercise its due rôle, i.e. use member countries' national forces for tasks defined by the WEU Council, just as NATO can call on the same forces for tasks on which its sixteen member countries have agreed. The development of WEU military structures will inevitably lead to a reshaping of the NATO command structures which should allow Europe, urged by the Americans to make a larger financial contribution to NATO, to exercise greater responsibilities in the alliance at both political and military level. Thus, in the future, WEU might envisage playing a rôle of European pillar of the alliance, the importance of which is underlined in several of the Maastricht preparatory documents.

94. Clearly, the nature of the complementarity between WEU and NATO will have considerable repercussions on the operational aspects of WEU's activities since, if a possible WEU intervention were to be limited to cases

where NATO decided not to act, there would be no need to set up real permanent military structures for WEU, while a prior sharing of responsibilities, in conformity with the kind of undertakings entered into in the Washington Treaty and with what is allowed by Article VIII of the modified Brussels Treaty, would open the way to their implementation. Such sharing might give priority to WEU for everything relating to regions outside the area defined by the North Atlantic Treaty.

95. In reality, it is on the basis of decisions taken by the Nine in the operational field, particularly the planning cell, the creation of bi- or multinational units and the development of European co-operation in logistics, strategic transport and space observation and of how military headquarters have started to follow them up that it may be deduced that the Maastricht decision implies that the Nine have effectively decided to create a European defence identity. The reality of this affirmation of identity and the nature of complementarity between WEU and NATO will depend on how they actually follow up these very vaguely worded decisions.

96. Conversely, NATO's activity since the ministerial meeting in Rome suggests that, finding it hard to accept the limitation of its military rôle agreed by the governments, it is trying to compensate for this by political initiatives. The Washington Treaty obviously does not give them the necessary juridical basis to play the rôle of setting the stage for détente, entente and East-West co-operation that NATO seeks to assume in the NACC (North Atlantic Co-operation Council). The North Atlantic Council, for its part, has marked the limits of these initiatives by refusing any enlargement of NATO to include former members of the Warsaw Pact that had applied. It is certainly quite understandable that NATO did not agree to shoulder new commitments towards them and that it did not wish to appear to be taking advantage of the dismantling of the pact to extend its area of deployment eastwards, which could have led to hostile reactions on the part of the Soviet Union's successor republics, which might have felt threatened. However, some of Mr. Wörner's remarks seem to indicate that NATO might offer the Eastern European countries security guarantees without clearly specifying their nature or the basis for commitments by member countries. However, it is to be feared that the development of an active NATO policy in areas not covered by the Atlantic Alliance may weaken NATO in its own sector – its guarantee for the security of member countries – and jeopardise its strongest point: the cohesion of the allies. This came about on the basis of a treaty of defensive alliance. It may be wondered whether it will be able to continue for long if the allies intend to base it on the swings and round-

bouts of a policy stretching from Vancouver to Vladivostok in the conditions resulting from the collapse of the Soviet Union.

(b) Institutional measures

97. In these conditions, the political and institutional decisions taken by the Nine in Maastricht to improve the cohesion of the Atlantic Alliance seem inadequate to meet present requirements.

98. (i) To say that "WEU member states will intensify their co-ordination on alliance issues which represent an important common interest with the aim of introducing joint positions agreed in WEU into the process of consultation in the alliance which will remain the essential forum for consultation among its members and the venue for agreement on policies bearing on the security and defence commitments of allies under the Washington Treaty" evokes, in what are admittedly hardly comprehensible terms, a position which it seems difficult to reconcile with the views of Washington. If this sentence can be given any meaning, it would be that WEU would be made responsible, before NATO gives its views, for defining the requirements of a European defence policy. There are very serious reasons to doubt whether many governments would abide by such an intention from the moment the United States Government seriously made known its opposition which it did little to conceal from the Political Committee during its recent visit and that it might intervene in many cases.

99. (ii) To say that "where necessary, dates and venues of meetings will be synchronised and working methods harmonised" with those of NATO will be difficult to reconcile with the similar declaration made about meetings of the European Council.

100. (iii) To say that "close co-operation will be established between the Secretariats-General of WEU and NATO" would imply that details should be given about what such co-operation, which has existed since 1954 for matters relating to WEU's control activity, should henceforth cover. It is, in particular, regrettable that there is no reference to the nature of relations between the WEU planning cell and NATO.

101. (iv) The words used in the declaration concerning WEU's external relations leave room for many interpretations. After inviting members of the Community to accede to the modified Brussels Treaty, it says that "simultaneously, other European member states of NATO are invited to become associate members of WEU in a way which will give them the possibility to participate fully in the activities of WEU". This seems to mean that the ministers drew a distinction between participation in the

activities of WEU and unreserved accession to the modified Brussels Treaty, which they had never openly envisaged before. Your Rapporteur himself proposed that such a solution be sought, not for the member countries of NATO but for three Central European countries associated with the European Community to which he regretted WEU had offered nothing. To his way of thinking, the purpose should be to organise ad hoc co-operation with those countries on matters for which both sides considered this would be beneficial. The text adopted in Maastricht refers to an as yet undefined status and to participating "fully" in the activities of WEU none of which would therefore still be linked with the application of Article V of the treaty which, in present circumstances, seems possible but would no longer be so should the day ever come when NATO no longer fulfilled its own military rôle of ensuring the defence of the territory of member states. However, in view of Iceland's strong strategic dependence on the United States, it should be recalled that only two countries seem really concerned by these proposals, i.e. Turkey and Norway. However, the former has constantly stressed, inter alia when Minister Inan addressed the grouped committee meeting in Palermo in April 1991 and when President Özal addressed the session of the Assembly in June 1991, that it was applying only for full, complete membership of WEU. When the committee visited the United States, the American authorities warned it about the possible dangers for the cohesion of the alliance of any solution that gave Turkey a different status from that granted to Greece.

102. One way or another, any enlargement of WEU, any association of a non-member country and any guarantee that WEU wishes to give to a collective security system, or to any state whatever, would mean WEU actually having the logistic and operational capabilities that it now lacks. It is certainly contemplating this, but it is still far from having achieved it. Can it be thought that any country would be prepared to enter a system of close military co-operation with countries that did not really guarantee its security? Would it not have to seek co-operation with other, more reliable allies? The question is at least worth raising. It seems highly unlikely that WEU can play the rôle of federator of Europe in defence matters if it does not develop its operational capabilities accordingly.

103. Your Rapporteur believes, however, that, where relations between WEU and NATO are concerned, while the governments started, in Maastricht, through the operational decisions they took, along the road to real complementarity between the two organisations, their concern to handle in a parallel, if not identical, manner relations between WEU and NATO and between WEU and the European Union made them try to solve extremely complex political

and institutional problems with texts that are too lacking in detail, without taking due account of difficulties of which they were nevertheless well aware. To claim that "treaties and agreements corresponding with the above proposals [i.e. concerning the enlargement of WEU and granting the status of associate member] will be concluded before 31st December 1992" makes even more difficult negotiations which have not yet started and which are to deal with statuses that have not yet been defined and which, in any event, will be extremely delicate. This is tantamount to not leaving the time or means to tackle the real problems and to solve them, insofar as possible, at the level of hard facts.

(c) The political and institutional dimensions of operational measures

104. It is not your Rapporteur's task to deal here with the operational aspect of the decisions taken by the Nine in Maastricht, but he wishes to mention the political and institutional dimensions of some of them and, in particular, the one that has been criticised the most: the creation, on the basis of a Franco-German initiative, of a European corps open to those WEU member countries wishing to take part. The question raised in that connection is whether the creation of such a corps really came within the framework of WEU and whether it was destined to effect a rapprochement between France and the NATO integrated military command or the contrary.

105. The rare information your Rapporteur has been able to glean on the first contacts between military headquarters in connection with this army corps makes him think that these questions are not pertinent since:

106. (i) A distinction should be drawn between a direct military command and forces assigned to a command in time of crisis. In fact, SHAPE does not exercise direct command over the forces assigned to it but, in particular through exercises, provides for the use of forces effectively under national command if the governments so decide. The creation of integrated military commands does not, in fact, replace Article 5 of the Washington Treaty which created no automaticity for the possible intervention of member countries' armed forces. These military headquarters are simply intended to show that, if they decide to act together, the signatory countries of the alliance are prepared to do so, hence the deterrence exercised by NATO towards the Warsaw Pact until 1989, because the Soviet Union had no doubt that all the allies would decide to intervene in the event of aggression. The presence of their armed forces on German territory meant that any major attack against Western Europe would involve the forces of all these countries.

107. (ii) In the new situation, this deterrence has diminished because the evidence of such a decision has diminished. NATO has tried to remedy this weakening by advocating the creation of multinational forces, i.e. by accentuating the multinational aspect of the corps assigned to it, without this changing the conditions for using the national contingents of which these units are composed. From this point of view, the Franco-German decision fully conforms with the wishes expressed by NATO, but France is absolutely entitled to underline that it follows the line of the French concept, while Mr. Stoltenberg, then German Minister of Defence, was equally right to affirm in The Hague on 26th February that Germany and France agreed that the future European army corps should be able, in certain conditions, to serve the alliance defence concept and play a rôle within NATO forces.

108. (iii) Assigning this corps to a possible WEU command would be like assigning it to a NATO command and would not call this in question since Article IV of the modified Brussels Treaty rules out the two command systems competing with each other.

109. (iv) Mr. Stoltenberg said the decision on the final structures should be taken only after discussion with the other members of WEU. In this case, WEU intervention does not concern the operational assignment of the corps but only its organisation. It is intended to underline WEU's military cohesion but does not create obligations different from those set out in the modified Brussels Treaty. Thus, cases might be foreseen, such as those of certain forces assigned to NATO during the Gulf crisis, when participating countries would take out units of this force for a specific action in the context of national policy or of WEU.

110. Moreover, your Rapporteur wishes to recall that the idea that the WEU Institute for Security Studies would become an "academy" is still very unclear as long as its new duties have not been spelled out. Would it be a training establishment? Intended for whom? It would certainly not be without interest to set up, in the framework of WEU, an institution to prepare those responsible for national defence in member countries to tackle the problems they will have to handle in their European dimension. However, the ministers' decision on this point should be made more explicit.

111. As can be seen, the nature of co-operation between WEU and NATO raises no questions of principle. However, it must be thought out again to take account of the new international situation and the wording of the nine-power declaration, be it "transparency", "complementarity" or "academy", is not enough. The Council will have to be more precise and give them real content, which it cannot do without

agreement with NATO. The prevailing uncertainty about NATO's new guidelines might well delay such an agreement.

IV. The WEU Assembly and the European Parliament

(a) Present ambiguities

112. The declaration of the nine member countries of WEU adopted in Maastricht on 9th December 1991 includes the decision that:

"WEU will take the following measures to develop a close working relationship with the union:

.....

– encouragement of closer co-operation between the parliamentary Assembly of WEU and the European Parliament."

113. Receiving Assembly committees in Bonn on 28th January 1992, Mr. Genscher, Chairman-in-Office of the Council, said he would welcome any initiative the Assembly might take in this sense.

114. There is every reason to welcome the intentions expressed by the Nine because they meet the concerns constantly voiced by the Assembly since the adoption of its Order 55 in December 1981 and the nature of their approach since their decision is expressed in terms that leave the Assembly full latitude to act as it sees fit.

115. The operative text of Order 55 (Document 894) included the following paragraph:

"The Assembly,

.....

1. INVITES the President of the Assembly to contact the President of the European Parliament to ensure

(a) that invitations are sent regularly to observers from the European Parliament to attend sessions of the WEU Assembly and to observers from the WEU Assembly to attend sittings of the European Parliament when the agenda includes debates on matters affecting Europe's security;

(b) that a standing committee drawn from both assemblies is set up by the most appropriate means to ensure harmonisation of their work;"

116. This document was transmitted by Mr. Fred Mulley, then President of the Assembly, as a result of which Mr. Piet Dankert, then President of the European Parliament, sent him, on 31st March 1982, the decision taken by the

enlarged Bureau of the European Parliament on 28th January 1982, which read as follows:

- “ The enlarged Bureau,
- having regard to the respective responsibilities of the two assemblies;
 - considered that it was not necessary to institutionalise relations with the Assembly of WEU, but
 - considered that observers could be sent by either assembly whenever the debates in the European Parliament or the Assembly of WEU were of interest to either institution; ”

117. This answer limited significantly the possibilities of co-operation between the two assemblies since, as President Mulley stressed to the Presidential Committee, commenting on Mr. Dankert's answer on behalf of the European Parliament:

- “ (1) the latter held far more meetings;
- (2) its rules of procedure precluded observers speaking;
- (3) members of the Assembly would hardly be inclined to attend meetings of the European Parliament if they could not take part in its debates. ”

118. The Presidential Committee therefore “ agreed to invite the European Parliament to arrange to be represented by two observers at the next session, quite apart from any observers the political groups might appoint ”. This invitation was repeated for each session of the Assembly. Until 1990, the European Parliament rarely answered but, since then, has done so regularly. There were no reciprocal invitations, however. The European People's Party Group of the European Parliament has also sent a delegation to some of the WEU Assembly's sessions.

119. Conversely, the creation of a Security and Disarmament Sub-Committee of the Political Committee of the European Parliament allowed its Chairman to invite the President of the WEU Assembly to attend its meetings twice. He was represented by Mr. De Decker on 26th April and 19th December 1985 and by Mr. Pécriaux in 1988. They were able to explain the WEU Assembly's views to the sub-committee, while Mr. Pierre Bernard-Reymond, member of the sub-committee, was invited to attend meetings of the WEU Assembly's Committee on Defence Questions and Armaments. However, the decision taken in 1985 to instruct Mr. De Decker and Mr. Bernard-Reymond to organise permanent liaison between the two assemblies was not followed up.

120. On 18th April 1991, Mr. Pontillon, President of the WEU Assembly, wrote to Mr. Baron

Crespo proposing a meeting intended to lead to an agreement on introducing exchanges between the two assemblies on a reciprocal basis, but circumstances prevented such a meeting taking place and, on 11th December 1991, President Baron Crespo wrote to Mr. Pontillon asking him to postpone any new initiative until after the Maastricht agreements. Mr. Pontillon's state of health prevented him taking any further initiative during the first quarter of 1992.

121. In February 1992, your Rapporteur was invited to take part, as an Assembly rapporteur, in a forthcoming meeting of the Security and Disarmament Sub-Committee of the Political Committee of the European Parliament. He thought he should make his acceptance subject to a decision by the Presidential Committee so that the new relationship between the WEU Assembly and the European Parliament might be based on an overall decision by the Assembly and not on specific initiatives. At its meeting on 15th April, the Presidential Committee decided to make its acceptance subject to agreement being reached between the presidents of the two assemblies on their activities overall.

122. Apart from all the difficulties normally linked with co-operation between two parliamentary assemblies based on different treaties, each with its own rules of procedure adapted to its nature and specific vocation and elected by different means, there is in fact a fundamental difference that affects relations between the two assemblies.

123. The European Parliament, elected by universal suffrage, willingly considers that it is the only parliamentary assembly capable of speaking in the name of the European Community and that its task is to handle all questions likely to come within the purview of a European Union of which the Community would be the only basis. In other words, it intends to handle matters relating to the application of the modified Brussels Treaty and the functioning of WEU. Thus, on 25th March 1988, after hearing Mr. Pécriaux, Mr. Poettering, Chairman of the Security and Disarmament Sub-Committee handed a declaration to the press that included a proposal in regard to the WEU Assembly, asking why should the present WEU national representatives not be joined by the members of the European Parliament elected by member countries. One may wonder what the reaction of the European Parliament would have been if the WEU Assembly had proposed that the members of the European Parliament should be joined by the representatives of the parliaments of the WEU member countries responsible for representing them in our Assembly.

124. In reality this proposal was tantamount to contesting the justification of Article IX of the modified Brussels Treaty and, if followed up,

would have meant the representativity of members of the WEU Assembly being based on two distinct principles, which would have removed the Assembly's democratic legitimacy. In the mind of the person who made the proposal, such a move was just a step towards the pure and simple annexation of the WEU Assembly by the European Parliament.

125. In spite of Mr. Dankert's proposal in 1982 on exchanges of documents between the two assemblies, the European Parliament sent only to the Secretary-General of WEU, and not to its Assembly, two texts it had adopted, one on 9th October 1990 in which it asked that WEU not be reactivated and the other on 6th November 1991 which:

“suggests that in the meantime transitional measures should be taken in order to prepare the ground for a smooth and gradual incorporation of WEU activities into the scope of the European Community competences;”

126. The European Parliament's response to approaches made on behalf of the WEU Assembly, the procedure it uses for communicating texts it adopts and the content of its resolutions leave little doubt about its ideas. This is a perfectly coherent attitude of refusing to recognise the WEU Assembly as a body competent to handle matters relating to the security of Europe.

127. This is confirmed by Resolution A3-0123/92, adopted on 7th April 1992, in which the European Parliament “draws attention to the following major shortcomings in the new treaty which... provides for defence matters to be delegated to WEU without providing for appropriate parliamentary control of the activities of this organisation”. This quite clearly means that the WEU Assembly does not provide “appropriate parliamentary control”, either because it does not apply the modified Brussels Treaty or because the latter is considered irrelevant. In the light of this resolution, one can well understand why the European Parliament finds it so distasteful to establish, with the WEU Assembly, the exchanges advocated in the nine-power Maastricht Declaration on a basis acceptable to our Assembly. It is not so easy to understand the juridical basis underlying this attitude.

128. It is to be feared that the Maastricht decisions may provide further arguments for those who want our Assembly to disappear. In Written Question 296, our colleague, Mr. De Decker, gave an excellent definition of the problem they raise, as follows:

“Title V of the Maastricht Treaty on European Union contains ‘provisions on a common foreign and security policy’. Article J.4, paragraphs 2, 5 and 6, refer to

the activities of WEU. According to Article J.11, paragraph 1, the provisions referred to in Articles 137, etc., ‘of the treaty establishing the European Community shall apply to the provisions relating to the areas referred to in this title [V]’. However, according to Article 137, the European Parliament ‘shall exercise the... powers which are conferred upon it by this treaty’.

Can the Council say, therefore, what powers the Maastricht Treaty attributes to the European Parliament in regard to the application of the modified Brussels Treaty and how these powers can be reconciled with those attributed to the WEU Assembly in Article IX of the latter treaty?”

129. The Council's reply to this question is most unsatisfactory, in particular when it compares the “essentially... political nature” of WEU's relations with the European Union, as established by Article J.4 of the treaty and the nine-power declaration, with *de jure* relations. One may wonder about the purpose of a treaty which does not establish a right. Furthermore, while it recognises that “the Maastricht Treaty on European Union does attribute certain powers to the European Parliament in regard to its application”, the Council says that “in the opinion of the Council, this does not in any way impair the rôle attributed to the WEU parliamentary Assembly by virtue of Article IX of the modified Brussels Treaty”, which is obvious. Why then, does it make the reservation implied by its use of the word “opinion”? It does not say, as Mr. De Decker had asked, what are these powers or, *a fortiori*, how they can be reconciled with those the modified Brussels Treaty attributes to the WEU Assembly. By not answering this essential question, it does not make it easier to encourage closer co-operation between the two assemblies as it advocates in this reply since such co-operation can be based only on a clear picture of the powers and responsibilities of one and the other.

130. Mr. De Decker's question was particularly pertinent since some governments appear to be considering, when the deadline of 1996 or 1998 is reached, not a merger of WEU and the European Community which they realise has little chance of being feasible, but an approach that seems to advance towards the European Union without really committing them. The WEU Assembly might thus be sacrificed on the altar of an emerging European Union and its responsibilities transferred to the European Parliament. This would mean revising the modified Brussels Treaty. However, by referring to a 1998 time-limit for the treaty, the governments have paved the way for making such a transfer on that date without revising a treaty that would

become null and void without their having to take any particular decision.

131. Obviously, such an attitude on the part of these governments and of the European Parliament is not likely to facilitate co-operation between the two assemblies. On the one hand, the WEU Assembly considers that, in Article IX of the modified Brussels Treaty, it was given an unchallengeable mandate and, on the other, it believes it has an important rôle to play in establishing a European Union which is in accordance with the letter of the texts adopted in Maastricht. In particular, it should be recalled that its responsibilities concern the full application of the modified Brussels Treaty and not just the activities of the WEU Council, which gives it the right to receive from the governments of member countries information on the application of the treaty, even if this is carried out by bodies not dependent upon the WEU Council. This would be the case for any body set up by the Twelve to handle defence, security or armaments questions, without this affecting the right of the European Parliament to supervise such bodies within the framework of its own responsibilities.

132. The WEU Assembly has always been perfectly aware that it could not remain isolated from the other European parliamentary bodies. This is due to its own Charter, the modified Brussels Treaty, by which, in 1954, the high contracting parties laid the foundations for what was to become the European Economic Community by declaring, in Article I, that they "will so organise and co-ordinate their economic activities as to produce the best possible results, by the elimination of conflict in their economic policies, the co-ordination of production and the development of commercial exchanges". The WEU Assembly welcomed the strides since made by the European Community and has strongly encouraged all attempts to establish a European political union. This means that, far from considering as competitive steps taken since 1973 to develop a twelve-power foreign policy, it has unreservedly welcomed all that has been done in this sense right up to the Maastricht agreement in which it saw, in spite of certain weaknesses referred to in this report, an extension of responsibilities and improvement in the procedure of the European Union in perfect conformity with its own views.

133. It is of course aware that there are still obstacles to WEU coming fully into line with the European Union, including the fact that three of the member countries of the Community do not yet play a part in WEU. However, it noted that, in Maastricht, the nine member countries expressed their intention to hold negotiations with the other three members of the Community to allow them to join WEU in 1992 if they really wish to do so. It did not wait

for the governments to call for this before inviting parliamentary observers from the member countries of the Community to its sessions with the right to speak if they so wished. Moreover, everyone knows that not all the member countries of the Community have the same view of the possibility of resorting to force to safeguard peace inside or outside Europe and that the rôle they attribute to nuclear weapons in a strategy based on deterrence is far from identical. Now that the Twelve have decided to tighten Community links in areas within the purview of the Economic Community, these considerations preclude any thought of handling defence questions without taking into account the fact that control of the policy of sovereign states can be exercised only by the parliaments of those states.

134. These are the facts on which any thinking about the parliamentary organisation of twelve-power Europe must be based since it is not enough to note that the latter has a democratic deficit and to advocate strengthening the powers of the European Parliament in order to correct this. This approach is fully valid in areas that are clearly the responsibility of the Community. It would not be very effective in areas that are a matter for member states' prerogatives and decisions, as is the case of defence. Only the parliaments of those countries can exercise essential democratic control over their governments, inter alia by voting budgets, which are still national. It is the delegations from those parliaments that are able usefully to scrutinise the requirements of joint security and to echo relevant European requirements in the national political dialogue.

135. Taking note of these facts and drawing the consequences for parliamentary activities does not mean setting aside the prospect of a wider, more united Europe. On the contrary, endeavouring to have each assembly retain its own prerogatives now that the speed of developments rules out risky wagers about the future means that account is being taken of the impetus that the various European assemblies have managed to give to the establishment of a union in the last few decades. However legitimate it may be, the concern to co-ordinate or even unify parliamentary Europe would probably lead only to a weakening of parliamentary authority, even in the framework of the Twelve and, a fortiori, in an all-European context.

(b) The WEU Assembly in the European Union

136. Looking towards the future of the European parliamentary system, it would appear that only the development of European political unity will allow coherent parliamentary activity to be organised, which does not mean that it must be concentrated in the hands of a single

assembly. Following the Maastricht decisions, there will be a progressive rapprochement between countries that are not yet members and the European Union which seems, more than ever, to be the hub round which Europe's unity can be achieved. There are also signs that a new line is about to be drawn between areas that are the direct responsibility of the Community and those which remain a matter for member states but where co-ordination of national policies will be increasingly essential.

137. It is evident that the decision really to set up a European Union with its own constitution might call in question all of today's European institutions, be it those of WEU or those of the European Community. Neither the WEU Council nor the Assembly, in their present form, would have a place there. But in that case the European Commission as it is now constituted and operates would have to make way for a true European government, with all the responsibilities that implies, and the European Parliament should be given new powers but also be elected in a uniform manner throughout the territory of the union.

138. We have of course not reached that stage and the union, as it now exists and seems likely to be for a long time to come, can only be a juxtaposition of separate institutions, each with its own legal basis. At parliamentary level, the concern shown by the governments in Maastricht to anticipate what such a union might be can be given effect by the juxtaposition of two assemblies, giving a picture of what a European Union might be, as it will, in any event, not be able to avoid a bicameral type of parliamentary supervision. The main task of one of the European assemblies, elected by direct universal suffrage, should be to supervise the European executive in areas within its purview. The other, drawn from state parliaments, should first work to co-ordinate national policies. These priorities devolving upon each of the assemblies in no way detract from the existence of a vast area, in particular that of foreign and joint security policy, where two-level supervision will remain desirable.

139. In due time, procedure must be worked out for establishing a bicameral system that is not confined to a sharing of responsibilities between the two assemblies. However, the European Union of future years, and probably future decades, will have to remain under dual parliamentary supervision which might give each of the two assemblies the right to express a qualified opinion on matters within the purview of the other.

140. It is on this basis that we should, here and now, seek to bring about co-operation between the WEU Assembly and the European Parliament, as advocated in Maastricht. The aim of a bicameral system would obviously not be to

limit the right of each assembly, in accordance with its own procedure, to express its views on all aspects of European affairs but to give it instruments for a dialogue with the executive authority that are the best suited to its vocation. In present circumstances, application of the treaties in their present form is the only basis for the process of European Union to which the Maastricht decisions refer.

141. It is in the light of such a concept of the European parliamentary system that the WEU Assembly, as part of the only European organisation with defence responsibilities, is now tackling problems linked with the progressive unification of Europe. Determined to encourage the opening of WEU's door to all European countries which wish to join it and have decided to guide their external policy and internal evolution in a direction that allows the security guarantees offered by the modified Brussels Treaty to be extended to them, the WEU Assembly wishes to play an active part in all exchanges designed to promote the parliamentary dimension of the new order of peace and security now being established in Europe.

142. Confirmation by the governments represented in Maastricht that WEU is part of the European unification process alongside the Community gives its Assembly the firm conviction that it has a major rôle to play in developing a parliamentary system that meets the needs of a Europe that is to respond to the appeal from the East.

143. For these reasons, the WEU Assembly cannot, as matters now stand, approach its relations with the European Parliament other than on a basis of equality and reciprocity. It can but note that the European Parliament does not give observers from any other parliamentary assembly the right to speak. It should give observers from the European Parliament a status corresponding to the one that that assembly can give its own. However, while the more or less symbolic presence of observers is a sign of the mutual interest of each assembly in the work of the other, it is not a real exchange.

144. In view of the differences between the context of the European Parliament and that of the WEU Assembly, if relations between the two assemblies are to be limited to necessarily unequal participation in public sittings and if the fundamental problems are not tackled as frankly as possible, they can but lead to incidents and hostile or ambiguous declarations detrimental to the future of the European Union.

145. Account must be taken of the fact that each of the two assemblies derives its existence and legality from the treaty or treaties that gave birth to it. This was usefully spelled out by the French Constitutional Council in its decision of

9th April 1992, in which it considered that the provisions of the Maastricht Treaty relating to the European Parliament were compatible with French constitutional law, basing its conclusion in particular on the following considerations:

- (i) according to Article E of the treaty on the European Union, the European Parliament exercises its attributions in the conditions and for the purposes foreseen, on the one hand in the provisions of the treaties setting up the European Communities and subsequent treaties and acts modifying and completing them and, on the other hand, in the other provisions of the treaty on the European Union;
- (ii) it is laid down that the European Parliament, like the other Community institutions, acts within the limits of the attributions conferred on it by each of the abovementioned treaties;
- (iii) furthermore, the treaty on the European Union does not have the consequence of changing the juridical nature of the European Parliament, that the latter is not a sovereign assembly with general responsibilities and the vocation to compete with the exercise of national sovereignty and that the European Parliament belongs to a juridical order of its own.

These preambular paragraphs have the merit of clarifying a legal situation that public opinion seems to find rather vague. Insofar as they correspond to the views of the other member countries, which is not yet expressed clearly enough, these views place the European Parliament and the WEU Assembly on the same footing. In these conditions, while exchanges of views are desirable for both, they must be confined to keeping each other informed and lay no claim to establishing a system of joint decisions.

146. On this basis, it would seem that the only way to allow a true dialogue to be developed, while respecting each other's prerogatives, would be to hold joint meetings between the committees of the two assemblies that deal with matters concerning both WEU and other parts of the European Union, which is the case for the Political Committee and Technological and Aerospace Committee of the WEU Assembly and the Political Committee and Industrial Affairs Committee of the European Parliament but, at the present juncture, not for the Defence Committee. These meetings might be held once or twice a year, alternating between the seats of the two assemblies, with an agenda agreed in advance by both parties. Without dealing

directly with reports prepared by one or other assembly, this agenda might include documents prepared by one or other of the committees concerned covering questions being examined by both of them, so that the exchange of views is held between knowledgeable parliamentarians and leads quickly to reports being prepared by each of the committees. A typical example today would be a joint meeting between the committees to examine the action to be taken on the Maastricht decisions concerning security and armaments questions. These meetings might be the subject of a press communiqué adopted by joint agreement by the two committee chairmen concerned.

147. Such a proposal would have the advantage of satisfying the governments by showing that the Assembly is prepared to follow their encouragement and, for its part, to give substance to the Maastricht decisions. It would also be a test of the good will of the European Parliament and, in any case, leave it the onus for a possible failure, and prepare a future for the European Union in which the WEU Assembly would have its place.

V. Conclusions

148. Close examination of the texts adopted in Maastricht leads to the conclusion that the nine WEU governments, or even the twelve Community governments, did not take sufficient account, in the case of matters relating to security and defence, of the juridical bases on which they intend to organise the European Union to which they constantly refer nor the realities of today's Europe which, in the years ahead, will probably not evolve in a direction likely to facilitate the establishment of a true union. They will, of course, find an excuse in view of their uncertainty when the extremely rapid transformations that have been taking place in Europe in the last three years have to be taken into account. They are having to face up to contradictory necessities such as enhancing the cohesion of Community Europe and enlarging it and ensuring the security of part of the land mass extending from Cadiz to Vladivostok, if not the whole of the northern hemisphere, without letting the smaller organisations which have guaranteed Europe's security in the last half-century be swallowed up. It should be no surprise that, faced with the immensity of the problems to be solved, under pressure from the proliferation of crises arising in the Middle East, Yugoslavia and the former Soviet Union, they were unable to present a really satisfactory plan.

149. The divergences between the views of those concerned obviously mean reaching compromises and no government can be blamed for not having been able to impose its own views. Each step towards the European Union will

inevitably require compromises. However, in Maastricht, they do not always seem to have been real compromises, that is to say, the adoption of joint positions where each country renounced some of its requirements in order to have others accepted. In many cases, they concealed opposing views without any real attempt to overcome them. The references to deadlines such as 1996 or 1998 were then mainly intended to postpone decisions that the governments were unable to take in 1991. It is just as if some thought they could commit others more than they wanted by choosing ambiguous words such as "union" or by a labyrinth of references from one article to another, from one document to another or even from one institution to another. If this is really so, these are shabby and illusory procedures. Who can believe that serious progress will be made towards European Union on the basis of misunderstandings and vague words? In certain areas, particularly in regard to relations between WEU and NATO, it was possibly wise to postpone any real decision for a few years, on the one hand because NATO has not yet clearly defined its future rôle and, on the other, because certain orientations with operational implications should allow WEU to gain more grist in the next few years.

150. This is not so for relations between WEU and the various aspects of the European Union, including the parliamentary aspect, since here the governments do not seem to have been able to take a real decision on what they intended to achieve in the framework of the European Union when that would have been possible. Everyone knows that there was a debate in 1991 about the more or less federal nature of the union. No decision was reached and it would appear that it is here that the most conflicting reservations were wrapped in the most obscure wording.

151. The real question seems to be: do the governments intend, in 1998, to create a federal European system embracing all the responsibilities that normally belong to a federation? Are they prepared, at that time, to set up the federation's political institutions, i.e. a responsible government? If so, this means that, between now and then, they must refuse negotiations on further accessions to the Community, start without delay to draw up constitutional texts and warn the public of the magnitude of what they are undertaking.

152. If, as your Rapporteur thinks, this is not the true position, it seems essential for Europe to adapt existing organisations to its new situation, as the Community has done with the association of Czechoslovakia, Hungary and Poland and as the Nine have started to do by increasing WEU's operational activities and also allowing each parliamentary assembly to exercise its own responsibilities. It is by applying the treaties that

the governments can give Europe as it now is the possibility of taking its due place in the world.

153. The idea that Europe might indefinitely progress solely by means of dynamic movements and institutional mechanisms, or by the contamination of ill-defined responsibilities no longer corresponds to the realities of today. The resolution already quoted, adopted by the European Parliament on 7th April 1992 (A3-0123/92), includes the following passage:

"The European Parliament... instructs its responsible committee to complete its preparation of a draft constitution as set out in its resolution of 11th July 1990 on the European Parliament's guidelines for a draft constitution for the European Union through procedures involving the national parliaments as provided for in the final declaration of the conference of the parliaments of the European Community of November 1990 in Rome."

This means that the European Parliament sees the need to give the future of the European Union a true constitutional basis. The WEU Assembly can but endorse this view and it should be its task to prepare, if possible in consultation with the relevant committee of the European Parliament, the bases for such a constitutional plan for the area within its purview.

154. However, where WEU is more specifically concerned, the way the governments have put forward the "1998 deadline" is difficult to reconcile with their proclaimed will to "strengthen WEU". This would mean revising the modified Brussels Treaty, as the Assembly proposed in Recommendations 490 and 504 which the Council has never answered properly. The governments preferred to act as if this revision was superfluous because of the "1998 deadline". However, there is no reason to assume that, during the present decade, the situation will be more favourable to establishing a federal Europe than it was in December 1991. On the contrary, everything points to increasingly strong pressure for a rapid enlargement of the Community and to the fact that the new accessions will slow down the strengthening of Community Europe. Because the governments did not unhesitatingly seize this opportunity, it is to be feared that, rather than advancing towards defence Europe, in this area Maastricht paved the way if not for diluting the European security system guaranteed by the modified Brussels Treaty, at least for a long period during which the notion of European Union will lack a firm structure.

155. Indeed, it cannot be hoped that the operational measures decided upon or mentioned in Maastricht will be able to replace a firm juridical framework for ensuring Europe's security, particularly if – as the Council admits

is possible in its reply to Recommendation 511 in regard to the Central European countries, and as the Maastricht declaration suggests in regard to NATO member countries, as certain neutral countries envisage today, countries that are not members of WEU are asked or allowed to take part in some of WEU's operational activities in the framework of the subsidiary bodies of the Council. It is more than ever clear that the security of Europe as a whole is part of WEU's vocation. In the uncertain circumstances that may be expected sooner or later, a sound alliance between nine countries which, with no particular ambition in Europe, can devote their efforts solely to maintaining peace, inter alia by providing backing for the CSCE or the United Nations, is an important guarantee for peace and security throughout Europe, just as the existence of a prosperous Economic Community brings hope of development and prosperity throughout the European continent.

156. The Maastricht Treaty proper seems to meet this second requirement. The declarations by the Nine do so only in part for the first, and the future of defence Europe, at least in the present decade, will depend on how the WEU Council implements them, in particular at its ministerial meeting on 19th June. The aim of the draft recommendation included in this document is to allow the Assembly to say how it intends the Council to do this.

VI. The discussion in committee

157. Your Rapporteur submitted a working paper to the Political Committee in Berlin on 2nd April 1992 and then a draft report in Paris on 15th April. Without refuting his arguments, the committee expressed the wish that he tone down his criticism so that, in adopting the present report, the committee would not appear to be supporting those who, in certain countries, are opposed to the ratification of the Maastricht Treaty. Your Rapporteur, who for his part has campaigned actively for ratification of the treaty, made two successive revisions of his initial text to take account of the committee's concern, which he shares. However, he was careful to ensure that these revisions did not mean leaving out any critical remarks that he considered well-founded and which, moreover, relate mainly to the nine-power declarations alone, which are not required to be ratified. He did not wish to bow to the arguments of those who held that it was not always good to tell the truth or to conceal the problems that he thought were raised by the nine-power decisions. He has endeavoured to present these questions in such a way as to appear not as obstacles to ratification but as a basis for the recommendations he proposes to address to the Council.

158. Most of the questions put to the ministers relate to the vagueness of their declarations

about the structures of WEU and the rôle it should play. In other words, these are matters normally to be found on the WEU Council's agenda concerning which the Assembly has the right and duty to make recommendations to the Council. It has the opportunity to do so prior to the ministerial meeting planned for 19th June and would be quite wrong not to do so. Your Rapporteur has therefore endeavoured to guide his thinking, as the committee requested him, towards positive conclusions intended for the Council.

159. The same is true of what he says about the Assembly's relations with the European Parliament. The purpose was not to conceal the difficulties in the way of the necessary dialogue between the two assemblies but to set out, in a draft order, which moreover corresponds to the decisions taken by the Presidential Committee on 15th April, how the WEU Assembly intends to solve them in order to achieve the exchanges desired by the ministers and which the Assembly has always wanted.

160. Moreover, some committee members stressed, rightly in your Rapporteur's opinion, the urgency of WEU responding to the problems now facing the organisation of European security and considered the recommendation proposed by the Rapporteur should allow the Assembly to help to overcome them. Others underlined that WEU as it exists could offer Europe, at the appropriate time, the means of overcoming difficulties which might not be solved in the framework of the European Union as set up in Maastricht. One member said the word "Western" in WEU's title made it inappropriate for meeting the needs of security that should concern the whole of Europe. Your Rapporteur willingly accepts this remark but believes it is difficult here and now to set the limits of territories to which it is possible and desirable to extend in the near future the security system offered by WEU. Titles can always be changed once agreement is reached on the nature and content of this system, which will still take some time.

161. The present report can be read only if it is borne in mind that the Maastricht Treaty is a step towards the establishment of a European Union and as such must be ratified. However, considerable progress still has to be made and this cannot be confined to a sharing between systems now operating: it must lead to the rational organisation of Europe and a new division of responsibilities between member states and the union and between the various parts of that union. It is because we know that Europe is faced with a long and difficult test that, in applying the decisions taken in Maastricht, the WEU Council should be asked to show determination and rigour which, in areas within the purview of WEU, were lacking during

the preparatory period. Your Rapporteur therefore submits to the committee an analysis of the defence-related texts adopted in Maastricht that he has tried to make as detailed as possible, together with a draft recommendation

and draft order which seek to convey to the Council the Assembly's views on how the nine-power declaration should be implemented so as to meet the present requirements of European security.

A new security order in Europe

REPORT ¹

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

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on a new security order in Europe

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APPENDIX

Opinions expressed at the symposium

1. Adopted unanimously by the committee.

2. *Members of the committee: Mr. Stoffelen (Chairman); Sir Geoffrey Finsberg, Mr. De Decker (Vice-Chairmen); MM. Aarts, Alegre, Beix (Alternate: Baumel), Caro, De Hoop Scheffer, Fabra, Feldmann, Forni, Foschi, Goerens, Lord Kirkhill, MM. Kittelmann, Koehl, Lord Mackie of Benshie, MM. Martinez, Martino, Müller, Pécriaux, Pieralli, de Puig, Reddemann, Rodrigues, Roseta, Seeuws, Soell, Thyraud, Ward, Wintgens.*

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

Draft Recommendation
on a new security order in Europe

The Assembly,

- (i) Concerned about the revival of ethnic, territorial, nationalist and other conflicts in Central and Eastern Europe;
- (ii) Aware that the young and still fragile democracies in this region are all encountering serious economic crises resulting from the transformation of their societies and economies;
- (iii) Recalling the principles of the November 1990 Charter of Paris in which all signatories confirmed their intention to maintain freedom of expression for all and respect for the rights of minorities;
- (iv) Regretting the failure of CSCE attempts to solve conflicts, but noting the efforts being made at the Helsinki follow-up meeting to enhance the capability of the CSCE for conflict prevention, crisis management and the peaceful settlement of conflicts;
- (v) Welcoming the Treaty on European Union which should allow the member countries of the European Community to take a decisive step towards establishing a European Union meeting the requirements of an economic and monetary union and capable of developing a joint foreign and security policy, which might in time lead to common defence;
- (vi) Noting that the decisions taken at the Maastricht summit give the WEU Council the ability to take initiatives in external and joint security policy matters;
- (vii) Underlining that the common foreign and security policy, and the accompanying further definition of WEU's rôle and the development of a common European defence policy will in the future also help to prepare Europeans to assume their responsibilities and contribute to the management of international crises and contingencies in which military assets could be required;
- (viii) Recalling that the positive aspect of the two Gulf exercises in 1987-88 and 1990-91 has demonstrated that WEU can act as an effective European forum for establishing political concertation and practical co-operation among member countries in crisis situations in which their security interests are affected;
- (ix) Considering that Western Europe has a vital interest in present developments in Central and Eastern Europe insofar as the foundations are now being laid for parliamentary democracy and a market economy in nations which should eventually be able to join the European Union, in order to give greater assurances of peace and security for the whole of Europe;
- (x) Recalling Recommendation 500 on the consequences of developments in Central and Eastern Europe for European security, adopted by the Assembly on 5th June 1991,

RECOMMENDS THAT THE COUNCIL

1. Starting this year, associate the Czech and Slovak Federal Republic, Hungary and Poland with WEU;
2. Conclude a peace-keeping agreement with those countries and accordingly hold, at least twice a year, a meeting of the Council enlarged to include their ministers for foreign affairs and defence;
3. Also hold, at least once a year, consultations at ministerial level extended to the Baltic countries, Bulgaria and Romania;
4. Establish in WEU an automatic mechanism for mobilising politico-military consultation in order to react to serious crises in Central and Eastern Europe;
5. Endow WEU with the permanent structures it needs to reach joint decisions in consultation and co-operation with NATO and, where necessary, effectively to implement ad hoc contingency plans, tailored to possible theatres of operation, including those within Europe;
6. Take all preparatory measures needed to provide WEU peace-keeping and peace-restoring forces at short notice if they are required for CSCE or United Nations operations on European territory and for WEU operations in the framework of agreements as mentioned in paragraph 2 of this recommendation.

Explanatory Memorandum

(submitted by Mr. Caro, Rapporteur)

I. Introduction

1. Little more than a year ago, the Political Committee adopted a report on the consequences of developments in Central and Eastern Europe for European security. Since then, the wind of change has not calmed down but has turned rather into a tornado and even violence has become more routine than exception.

2. After a failed coup in Moscow on 19th August 1991, the Soviet Union ceased to exist in December of last year, making way for independent states which became associated in a commonwealth that was a pallid reflection of the former centralised state. Since then, however, many mutual rivalries between the different republics have prevented the CIS from becoming a coherent body with a consistent policy and it appears to be little more than a mechanism for controlled disintegration. Within the different independent republics, ethnic strife, mixed with religious conflicts and emerging nationalist movements have caused the further implosion of the former Soviet empire. A third of the former Soviet Union, or seven million square kilometers, supporting 30 million people is in turmoil¹. There is bloodshed in regions which are hardly known in Western Europe, such as in Ingushetia, Abkhazia and the Ferghana Valley. Other regions are only too well known because of outright war with armed units, such as in Nagorno-Karabakh, South Ossetia and the Trans-Dniestr Republic.

3. Yugoslavia is being torn to pieces in one of the most repugnant outbursts of violence that Europe has witnessed, powerless, on its own territory. In spite of the efforts of the EC, the CSCE and the United Nations, the drama is continuing unabated with its succession of death, human, economic and social disaster.

4. Together with the old and new nations on the territory of the former Warsaw Pact, NATO has established the North Atlantic Co-operation Council which has already met in a constructive atmosphere, establishing a work plan for dialogue, partnership and co-operation. At the CSCE follow-up meeting in Helsinki, discussions are being held to reinforce this organisation's conflict-prevention and peace-keeping capability. The Maastricht Treaty is preparing for the European Union with a joint foreign and security policy of which WEU will be the defence component.

5. A symposium on a new security order in Europe organised by the WEU Assembly allowed an assessment to be made of the present

situation. The WEU Institute for Security Studies kindly provided a document on security and defence in Central and Eastern Europe which focused specifically on the situation in Bulgaria, the Czech and Slovak Federal Republic, Hungary, Poland and Romania.

6. The present report tries to draw lessons from this symposium, which was held in Berlin from 31st March to 2nd April 1992. Opinions expressed at the symposium on the fundamental conditions for a new security order in Europe, security concerns and needs in Central and Eastern Europe and general views on the future security structure are summarised in the appendix to this report.

II. The structures of European security

7. In the following section, an effort is made to examine succinctly the specific contribution each of the three circles of institutional activity can make to the progressive development of security in Europe.

A. The Conference on Security and Co-operation in Europe (CSCE) – Opinions expressed at the symposium and review of the situation

8. The CSCE covers the widest circle including all the nations, from Vancouver to Vladivostok, which have solemnly declared to share common values and principles.

9. The CSCE started its work in 1973 with an agenda covering a wide range of issues including security, economic and technological co-operation, human rights, culture and information. A major event in its existence was the signing of the Helsinki Final Act in 1975, in which the participating states agreed to keep the abovementioned issues under review by means of periodic follow-up meetings, the last of which is currently being held in Helsinki from 24th March until 9th July.

10. After the revolutions of 1989, a summit was held in Paris in November 1990 to reorient the CSCE's work and provide a framework for more intensive political consultation. The agreements reached at this summit were laid down in the Charter of Paris.

11. The Paris summit decided that foreign ministers should meet at least once a year and that a Committee of Senior Officials should support their activity. It also set up three small institutions to support the work of the CSCE:

- the secretariat, based in Prague, which supports meetings of the foreign min-

isters and senior officials and which at the same time is a repository for information from the participating states;

- the Conflict Prevention Centre in Vienna, which promotes implementation of agreed confidence- and security-building measures.
- the office for free elections in Warsaw, which disseminates information on elections in participating states, and helps to arrange useful contacts such as observer missions from parliaments.

12. Meanwhile, the CSCE has steadily expanded its membership. While the Helsinki Final Act was signed by thirty-five states, this number dropped to thirty-four after German unification and rose to thirty-eight with the admission of Albania and the three Baltic states in 1991. Russia inherited the USSR's seat and ten newly independent republics of the former Soviet Union increased the number to forty-eight in January 1992. The admission of Georgia, Slovenia and Croatia on 24th March last brought total membership of the CSCE to fifty-one and the end may not yet be in sight with more new republics in Eastern Europe declaring their independence.

13. It is a well known fact that from the beginning the CSCE has operated with two basic rules. One is that all its documents and agreements represent political commitments, not legal obligations. The other is that it can decide only by consensus.

14. Obviously, when the CSCE started in the 1970s, there was no other way to make it work. Since the end of the cold war, however, these basic rules are increasingly experienced as obstacles on the way towards great efficiency in ensuring peace and security in Europe.

15. As regards the consensus rule, a number of incursions have already been made.

16. At the Vienna follow-up meeting, which was held in 1986-89, it was agreed that one state could enquire of another about questions "relating to the human dimension of the CSCE", such as human rights, family reunification, freedom of information etc. and that the other would respond. In addition, states could agree to bilateral meetings to discuss such issues and could inform other participating states of the situation, permitting subsequent discussion at an appropriate CSCE meeting. This became known as the conference on the human dimension (CDH or "Vienna") mechanism.

17. This conference on the human dimension procedure was completed in September 1991 when the participating states decided to allow independent experts to be involved. A state which has a relevant problem can invite these experts to establish facts and give advice. If

another state suggests that such experts be invited, and the suggestion is not acted upon, it can then initiate a mission itself with the support of five other states. Moreover, if a particularly serious and urgent threat to CSCE commitments on human rights, democracy and the rule of law has arisen, a mission is established if ten states call for one.

18. In 1990, a procedure was agreed according to which one participating state can ask for an explanation of unusual military activities in another state and, if necessary, call for a meeting of interested participating states to be held within 48 hours. The state on whose territory the activity is occurring cannot block such action.

19. In 1991, the participating states agreed on procedure for the peaceful settlement of disputes. This procedure can be activated whenever required by all the parties. However, in some limited cases of disputes it can be activated by just one party, or another CSCE state, which wishes to promote a settlement.

20. An important new procedure was decided when the CSCE Council of Foreign Ministers agreed in June 1991 that meetings could be called at short notice to discuss matters of urgent concern. Such a meeting can be held if the state calling for it has the support of twelve others. At the same time, however, reference was made to the principles set out in the Helsinki Final Act, among which is the principle of non-intervention in the internal affairs of a particular state. Still, decisions can be made only by consensus.

21. Finally, it should be mentioned that at their Prague meeting in January 1992, the CSCE Foreign Ministers confirmed that a single state cannot block CSCE decisions regarding the protection of fundamental values.

22. In order to obviate the lack of legal obligations, France has now proposed to prepare the adoption of a "security treaty of the CSCE" which would provide a legally binding basis for the obligations taken in the framework of the CSCE.

23. The French Minister for Foreign Affairs also said the negotiations should cover three other points, i.e. the juridical shape to be given to the CSCE's security undertakings, the definition of supplementary rules of conduct and the search for more security guarantees for all participating states in liaison with the CSCE's conflict prevention mechanisms.

24. At the symposium, Mr. Genscher pointed out that at the Helsinki follow-up meeting, the CSCE's capacity for action, particularly regarding conflict prevention, crisis management and the peaceful settlement of conflicts must be enhanced. He ventured that the CSCE

must develop from a community of shared values to a community taking joint decisions and action.

25. Germany has now proposed to establish a steering committee to support the CSCE chairmanship, to be composed of the CSCE Chairman-in-Office, supported by his predecessor and successor in office as well as three to four particularly interested states. This would provide increased scope for action in critical situations.

26. Mr. Genscher said that the CSCE instruments should be developed to cover the entire range from "early-warning" to "peace-keeping" and even environmental protection. He repeated his proposal, made in Helsinki, that the CSCE should in future perceive itself as a "regional arrangement" within the meaning of Chapter VIII of the United Nations Charter.

27. Mr. Egon Bahr noted that the CSCE was lacking the military instruments which it might need to guarantee previously agreed cease-fires or other agreements between conflicting parties brokered under its authority. He said that Chapter VIII of the United Nations Charter, to which Mr. Genscher had referred, could not be read without Chapter VII, which had never been implemented. This chapter contained articles to establish a Military Staff Committee with regional sub-committees and obliged all United Nations members to make troops available to the Security Council. Now that the East-West conflict was over, Mr. Bahr hoped that the United Nations would set about implementing the possibility of creating regional arrangements and agencies as mentioned in Chapter VIII with the provisions set out in Chapter VII. It would mean that Europe would have a collective system of security before a global system was established. It would also mean having a general staff for this system and all the member countries providing troops under a joint supreme command.

28. Mr. van Eekelen argued that the CSCE should now be endowed with appropriate mechanisms for conflict prevention and resolution, especially with regard to minorities and border disputes, but also with such mechanisms for negotiations on arms control measures on an equal footing. The definition of a statute for minorities in the framework of the CSCE was one indispensable element which could form the basis for international reaction to stifle ethnic conflicts. He said that the advantage of the CSCE with its broad mandate as set out in the three baskets was that it offered two related assets: it could respond to non-military threats and it reflected the common interest of European security. It could play a significant rôle in the control of arms exports.

29. The Secretary-General stressed that the CSCE's mission could not be entirely fulfilled

unless the relationship between the CSCE and the United Nations was defined so that it could be known when and how the CSCE could be entrusted with peace-keeping operations. NATO and WEU could be given specific mandates by the CSCE in that respect. Being the only structure with the political legitimacy to intervene across the territory of the now defunct Warsaw Pact, it should quickly be endowed with the necessary resources to perform its rôle.

30. Mr. Skubiszewski agreed that the CSCE should be able to call on other organisations to take up specific tasks for and on behalf of the CSCE as well as in collaboration with the CSCE.

31. Finally, Mr. van Eekelen made it clear that a successful extension of CSCE competence in the future had to go hand in hand with strengthening the partnership between Western Europe and North America.

32. Indeed, it should be noted that in the framework of the Helsinki follow-up meeting, many constructive and positive proposals had been made in order to reinforce the CSCE and on which the Helsinki summit, to be held from 9th to 11th July 1992, would decide.

33. Apart from the abovementioned proposals, reference should be made here to a proposal by the Dutch Foreign Minister, Hans van den Broek, supported by both Mr. Genscher and the Russian Foreign Minister, Mr. Kozyrev, to appoint a CSCE High Commissioner for Minorities, who could be called in by parties in case of tension, with the possibility of accomplishing missions on the spot. The High Commissioner should provide early warning and early action to prevent conflicts.

34. France and Germany have proposed establishing a Court of Arbitration in the CSCE framework which could play an important rôle in preventing or solving conflicts and differences.

35. At the opening session of the Helsinki follow-up meeting at the end of March 1992, Foreign Ministers of all the CSCE nations already agreed on the principle that the CSCE should be given a peace-keeping capability, but there is still no consensus on the peace-keeping forces which should enable it to play this rôle. Suggestions for NATO or WEU to make such forces available are now being examined.

36. Of late, a new development has been set in motion, laying the foundations for further enhancement of the CSCE's rôle as an organisation which can provide stability, peace and security.

37. While in the Helsinki Final Act one of the cornerstones and principles was the sovereignty of its member states and non-interference in internal affairs of states, this is now increasingly open to doubt and pertinent questions. Recent

events in Eastern Europe have demonstrated that there is tension between the sovereignty of a state and rights of minorities if they are not sufficiently respected by that state. Indeed, this issue is the main cause of tension, civil war and violent conflicts in the whole of Eastern Europe and it needs close attention.

38. At the Moscow meeting of the Conference on Human Dimension in September 1991, the Foreign Affairs Minister of the Soviet Union, Boris Pankin, stated that the principle of non-interference had to be reconsidered. The same conference decided to establish new procedures, as said earlier, which can be initiated without consensus and even without the agreement of the state under challenge. It was also established that human rights, fundamental freedoms, democracy and the rule of law were an international concern.

The Rapporteur's conclusions

39. The CSCE should apparently be the most appropriate organisation to take further steps for protecting minority rights. It should determine compatibility between the rights of minorities and their protection with state sovereignty. It should also define clearly under what circumstances the CSCE can intervene in the internal affairs of a member state in order to prevent disputes leading to open conflict or even to stop violence.

40. A policy seeking to encourage the principle of self-determination for all minorities could but contribute to a deterioration of already disturbed relations in many parts of Eastern Europe. As Mr. Egon Bahr said, there are two pillars to CSCE policy: the principle that existing national frontiers must not be changed and the rights of minorities and individuals.

41. The European Community is the optimum example of how different nations, each with its own culture and minorities, can co-operate and exercise their sovereignty with others. It is therefore perfectly justified to encourage newly-independent nations to settle internal differences by peaceful means.

42. Your Rapporteur strongly favours an enhanced rôle for the CSCE in the maintenance of security in Europe for a number of reasons. First and foremost because the CSCE covers a territory from Vancouver to Vladivostok and includes virtually all the nations concerned, also the traditionally neutral Western European nations.

43. Next, because it is essential for the CSCE to retain its original political feature that it has managed to assert in spite of political or ideological disputes among its members. The fact that these disputes have disappeared in no way means the CSCE, drifting towards demagoguery stemming from the new geopolitical situation, is

becoming a European gadget whose worthwhile spin-off still has to be demonstrated. As for the NACC, it has to be ascertained that the risks of overlapping with the CSCE do not call into question its proclaimed usefulness.

44. Third, because intervention by the CSCE based on its legitimate authority can strengthen the chances of success of any measures designed to avoid or settle conflicts.

45. It was in this spirit that several speakers at the symposium said a number of procedures in the CSCE would have to be tightened in order to enhance its ability to prevent conflicts, manage crises and settle conflicts peacefully, but there seems to be wide agreement to do this. The Helsinki follow-up meeting is bound to provide positive results in this area.

B. NATO and the North Atlantic Co-operation Council

46. At the symposium, relatively little attention was paid to NATO and the North Atlantic Co-operation Council (NACC). Do speakers as a matter of courtesy adapt their addresses to please the host organisation? Whatever may have been the case, there is reason to examine the rôle of NATO and NACC in the framework of Europe's security because they have an important rôle to play.

47. In the absence of convincing answers, it would not seem essential for the Council to grant the NACC any more than a limited rôle in the framework of responsibilities outside the NATO area.

48. The "arms of peace" acquired by Europeans have been completed, as already stated, by the NATO-instigated NACC. What will be the usefulness of this new organisation, how will it be geared into the present institutional system, what sharing of or increase in responsibilities will ensue and, finally, last but not least, what guarantee will it possibly be able to give of active co-responsibility on the part of the United States? These questions spring to mind and were raised by some of the participants in the symposium.

49. The declaration on peace and co-operation issued at NATO's summit in Rome in November 1991 sealed a process in NATO to transform the military alliance into a more political organisation, adapting it to the changed geostrategic situation. One important decision was the proposal to establish a North Atlantic Co-operation Council in order to develop a more institutional relationship of consultation and co-operation on political and security issues with Central and Eastern European nations.

50. Initially, NACC's most important rôle as seen by NATO's member states was to discuss with all the nations concerned the control of the

former Soviet Union's nuclear weapons and to support the process of ratification and implementation of the CFE Treaty. To this last purpose, a working group composed of NATO's high level task force and representatives of the former Warsaw Pact countries was established. At the same time it was thought that NACC could give the countries of Central and Eastern Europe a sense of improved security through dialogue with the Atlantic Alliance.

51. This new body met for the first time in Brussels in December 1991 at the level of ministers for foreign affairs. In an official statement after their meeting, the ministers said that it was their "common objective to contribute to the enhancement of European security by promoting stability in Central and Eastern Europe." They also confirmed that "security is indivisible and the security of each of our countries is inextricably linked to that of all states participating in the CSCE."

52. The NACC agreed on a framework of co-operation and consultation, including annual ministerial meetings, bimonthly meetings among ambassadors, and other meetings when these are warranted. The NACC also agreed to focus on security and related defence planning, conceptual approaches to arms control, democratic concepts of civilian-military relations, civil-military co-ordination of air traffic management and the conversion of defence production to civilian purposes.

53. An extraordinary meeting of the NACC at Foreign Ministers level was held on 10th March 1992 in order to include newly independent republics of the former Soviet Union among its participants, bringing the total number of members of NACC to 35. The ministers agreed to a comprehensive work plan for dialogue, partnership and co-operation, including an ambitious list of topics and an indicative list of activities.

54. As regards the CFE Treaty, the NACC ministers issued the following statement reflecting their genuine and justified concern for this important issue:

"4. We are committed to early entry into force without renegotiation and full implementation as soon as possible of the CFE Treaty and fully endorse the efforts underway in the informal High Level Working Group to this end. We believe that the CFE Treaty will be an important milestone in the enhancement of stability and improvement of security in Europe and that, therefore, it will open the way to future arms control within the CSCE and to co-operative security in Europe. Ministers concerned expect to see the treaty in force by the time of the Helsinki summit in July. An important step towards

achieving this result will be an extraordinary conference, to be held in connection with the next NACC meeting in Oslo, among all parties, providing the basis for the entry into force.

5. In the interest of further strengthening security and stability in Europe, we also support the determination of the participants in the CFE 1a negotiations to reach, in connection with the entry into force of the CFE Treaty, an agreement to limit the personnel strength of their conventional armed forces in time for the Helsinki summit at the end of the CSCE meeting."

55. The ministers called on the Foreign Minister of Czechoslovakia, Jiri Dienstbier, holding the rotating presidency of the CSCE, to hold talks with his counterparts from Armenia and Azerbaijan to try to mediate the dispute over Nagorno-Karabakh.

56. On 1st April 1992, a first meeting was held of the NATO Defence Ministers with their NACC counterparts from Central and Eastern Europe. France, which is not a member of NATO's Defence Planning Committee, did not participate in this meeting. At that meeting, the United States Defence Secretary, Dick Cheney, made a number of proposals which went even beyond the ambitious first co-operation programme agreed upon at the 10th March ministerial meeting of NACC.

57. At the symposium, Mr. Robert Hunter did not expect any security guarantees to be provided by NATO through enlargement of membership in the foreseeable future for the following reasons:

- it would be difficult to gain political support in Western Europe for enlarging NATO because there is little likelihood of aggression from the former Soviet Union;
- most of the NATO allies do not want to risk weakening the strength of the co-operation they have developed or NATO's capacity to take decisions by taking in new members;
- some West Europeans believe that adding new members to NATO without including republics from the former Soviet Union could create tensions with these republics that do not now exist;
- the people of the United States are not prepared to accept the enlargement of NATO, especially at a time when there seems to be little or no military threat.

58. Altogether it may be concluded that there are more political risks than advantages in trying to enlarge NATO at a time when there is no compelling security need to do so.

59. Mr. Hunter, admitting that the desire of Central and Eastern European nations to join NATO would be difficult to deal with, argued that there would be a solution for these nations' problem if their motives were understood. He argued that there was more than just their concern about security and that their primary concern was to be part of the western family of nations and people. They wished to share politics and the culture of ideas. This could be done by bringing them formally into NATO, but he thought that the Central and Eastern European countries could be more firmly and more clearly brought into the West by making them members of the European Community. This would also mean bringing them into WEU while at the same time developing WEU into a much more mature and robust institution.

60. Mr. van Eekelen pointed out that for the time being, NACC provided Central and Eastern European nations an association with an organisation offering a security and collective defence guarantee. He added that NACC was the appropriate body for mitigating the effects of the break-up of the Soviet Union, particularly in arms control. NACC was also providing valuable assistance in transforming the defence establishment and making it compatible with democratic society. He continued, however, that the existence of NACC should not dilute the security commitment, for it was precisely that aspect that Central and Eastern European countries wished to see maintained. Nor should it weaken the relationship between the European pillar of the Atlantic Alliance and North America. NACC's main rôle was to complement the CSCE process in creating a zone of stability from Vancouver to Vladivostok.

61. Your Rapporteur agrees that the NACC can play a very useful rôle in maintaining a continuous dialogue between its participants on a number of issues as mentioned in the work plan adopted by the foreign ministers. It can certainly offer NATO's experience and expertise to all partners as they face the difficult task of reorganising their defence efforts along democratic lines. It should take great care not to duplicate the work already being done in the CSCE.

62. There are, however, two questions where NATO cannot provide a positive answer to Central and Eastern European nations: membership of NATO and firm security guarantees.

63. The American attitude as regards security guarantees was clearly expressed by the United States Secretary of State, James A. Baker, when on 28th April, he declared that the United States was not willing to extend a formal security guarantee to Ukraine and Kazakhstan in the event of a nuclear crisis. Asked whether the United States would promise to defend these republics

with military force, he replied: "No". He said that the United States would bring the issue to the United Nations Security Council if Ukraine or Kazakhstan was ever threatened with a nuclear attack after they relinquished their nuclear weapons.

64. Another indication of American reluctance to be involved in European conflicts is the recent United States refusal to support a proposed new peace-keeping operation in Bosnia-Herzegovina.

65. The NACC itself, in its statement of 20th December 1991, provided the key to its concept of pan-European security by saying: "As stated in the joint declaration of Paris, security is indivisible and the security of each of our countries is inextricably linked to that of all states participating in the CSCE."

66. Your Rapporteur takes the view that at this stage the CSCE is the only really pan-European organisation able to provide an institutional framework for security for the entire territory from Vancouver to Vladivostok.

67. It should not be forgotten that participation in the NACC is limited to member states of NATO and to those nations situated within the territory of the former Warsaw Pact. Of 51 CSCE member states, 15 do not participate in NACC, and there is little chance or need for these nations to seek such participation.

68. Finally, it should be repeated here that for more than forty years NATO has played an indispensable and primordial rôle in providing peace and security for the territory of all the member states. Even if the main threat that was the reason for its creation has disappeared, there are still too many residual risks for the transatlantic allies not to continue their long-standing partnership in NATO. The Rome declaration on peace and co-operation is a perfect guide for transatlantic partnership in the years to come and every single paragraph is once again fully endorsed here.

69. In this, your Rapporteur is in full agreement with Mr. van Eekelen when, at the symposium, he said:

"Any temptation to dilute the Euro-Atlantic relationship must be desisted. One of the legacies of the welcome revolution of 1989 is the unknown, the uncertainty and unpredictability of developments. With an American presence, Europe will be more stable and secure than without it. Western Europe and America must stay together and rely on their community of values and purpose, their joint success in facing both the manifest challenges of today and the unforeseen challenges of tomorrow. The stronger our ties remain in the West, the

more effective our common Ostpolitik will be and the more realistic our ambition to create a pan-European security architecture.”

C. The Western European circle – Opinions expressed at the symposium and review of the situation

70. The Western European circle consists of the European Council, European Communities, European Political Co-operation and Western European Union which, according to the decisions taken at the Maastricht summit in December 1991, are all part of the process leading to the European Union now being developed. Apart from further developing economic integration, which will now be completed with the establishment of a monetary union, the Treaty on European Union has also established a common foreign and security policy with provisions for a common defence policy, making WEU an integral part of the development of the union, responsible “to elaborate and implement decisions and actions of the union which have defence implications.”

71. Article J4, paragraph 1, of the Treaty on European Union reads as follows: “The common foreign and security policy shall include all questions related to the security of the union, including the eventual framing of a common defence policy, which might in time lead to a common defence”.

72. For a detailed discussion of WEU after Maastricht and its relations with the European Union and NATO, reference is made here to the report “WEU after Maastricht”, submitted by Mr. Goerens on behalf of the Political Committee.

73. Suffice it here to say that the European Union represents the most complete and closely knit framework for co-operation between states and it is gradually extending its influence and control to almost all areas of administrative concern in a modern state.

74. There can be no doubt that the Western European circle is the pre-eminent pole of stability, prosperity and democracy in Europe. For most, if not all Central and Eastern European countries, it is a shining example, also because it combines a market economy with sufficient state controls and social legislation to blunt the sharp edges of unlimited economic liberalism. The fact is that the decisions to develop a common foreign and security policy, which might in time lead to a common defence makes the European Union the ideal framework to satisfy virtually all the needs felt by the Central and Eastern European nations.

75. There can be little surprise therefore that many of these nations have made it clear that they wish to conclude association agreements

with the EC in the foreseeable future, with a view to being admitted as full members of the European Union if the conditions are met.

76. At the symposium, Mr. Zdenko Pirek, Deputy Minister for Foreign Affairs of the Czech and Slovak Federal Republic, left no doubt that the EC had a key rôle to play. He said that the EC, being a pole of attraction for all new European democracies, must lay down the norms of democracy and economic openness which no Central or Eastern European nation could afford to ignore.

77. Mr. Pirek indicated that in the past, the EC had admitted Greece, Portugal and Spain as members, notwithstanding the high cost, because it was considered necessary to consolidate democracy in these countries. Something similar should be done now for specific countries of Central and Eastern Europe without necessarily providing immediate admission to the EC. He warned that the establishment of a European Union with relative economic stability and peace could not be accomplished if at the same time the rest of Europe was prey to instability or even serious disturbances.

78. Mr. Pirek recognised that, in view of the great differences in economic levels, the EC would not be able to admit all the other countries of Europe within the foreseeable future. Premature admission would not be in the interest of these countries and it would be harmful for the EC both institutionally and structurally. In order to be able to cope with its all-European responsibility it must be developed and strengthened internally. On the other hand, it should not at the same time relegate its European neighbours behind an invisible welfare wall but on the contrary should integrate them into the European whole through co-operation in the economic, political, monetary, scientific, cultural, environmental, transport and security fields.

79. As regards the European Community, Mr. Genscher pointed out that growing integration towards a European Union must go hand in hand with further extension. There was no longer room for any separate development in Europe. He therefore called for:

- immediate consideration of the Austrian, Swedish and Finnish applications for admission;
- the conclusion of association agreements with Bulgaria, Romania, the Baltic states and all states which emerge from the former Yugoslavia, along the lines of those with the Central European states, in principle including the possibility of subsequent membership of the European Community;
- the development of a new instrument for shaping the relations of the Euro-

pean Community with the CIS states. Such agreements must go beyond the customary trade and co-operation agreements and include political dialogue. They should also envisage close co-operation in the energy, transport and communications sectors. In the medium and long term, co-operation with these states would also benefit the Community. It was indispensable for European stability.

80. As mentioned earlier in the present report, Mr. Robert Hunter, Vice-President of the Center for Strategic and International Studies in Washington, believed that the countries of Central and Eastern Europe could be firmly and clearly brought into the West by making them members of the European Community. Indeed, when that happened, he thought they would be less concerned to become full members of NATO. This also meant bringing new EC members, including Central and Eastern European states, into Western European Union – the security partner of the EC – while also developing WEU into a much more mature and robust institution.

81. Mr. Skubiszewski argued that because of the complexity of the problems involved, the Central European countries associated with the EC wished to co-operate closely with WEU at the earliest possible stage. One possible step would be to grant them – if they so wished – a special status with WEU, which could be the status of observer or associate member as mentioned in the Maastricht declaration of the nine WEU member states. This would be in complete accordance with the preamble of the modified Brussels Treaty, where the contracting parties state their resolve “to associate progressively in the pursuance of these aims other states inspired by the same ideals and animated by the like determination”.

82. The Under-Secretary of State, Mr. Joo, made it clear that indeed the three Central European countries intended to draw closer to WEU, first through observer status, and later as associate members, which eventually might meet WEU's endeavours to widen its membership. A regular dialogue and co-operation with WEU was needed on crisis prevention and resolution, arms control and proliferation, while co-ordinating with WEU the implementation of the CFE Treaty, possibly with special emphasis on verification and monitoring activities. Mr. Joo proposed the regular participation of Central and Eastern European representatives and experts in the working groups and other parts of WEU in order to promote the principle of civilian oversight of the armed forces and to strengthen military professionalism in the region. In order to contribute to genuine partnership and bring full integration closer, diplo-

matic relations should be established while the existing parliamentary links with the WEU Assembly should be developed further.

83. Mr. Genscher said that in the wake of the radical political changes taking place in Central and Eastern Europe as well as the former Soviet Union, WEU had now also made contact with Czechoslovakia, Poland, Hungary, Romania, Bulgaria and the Baltic states. Regular contacts had been established between the ambassadors of these countries in London and the WEU Secretariat-General. He added that the German presidency intended to develop these approaches further at an extraordinary Council meeting before this summer with the participation of the Central and Eastern European states. Under the German presidency, immediately after Maastricht, WEU had started preparations for the implementation of the decisions taken there. The partners were agreed that these must be advanced as quickly as possible independently of the ratification of the treaty on European Union.

84. Mr. van Eekelen pointed out that in a potentially volatile context, WEU had to show that it was aware of the security concerns of its new Central and Eastern European partners. Dialogue was no longer enough; WEU should be ready to go further, pondering on the political feasibility and desirability of a special relationship with those countries. He also made it clear that the European Union in the making would not be a closed shop. Managing its enlargement would be a major concern for its member states during the 1990s. All applicants would have to accept in full the Maastricht “acquis”, including the prospect of a common defence. The association agreements with the Visegrad countries were a move in this direction.

85. The Secretary-General further said that for the time being, WEU seemed to have reached the outer limits of its circle of relations with the countries of Central and Eastern Europe. Geographical extension would not be consonant with WEU's European perspective and at the same time would duplicate what NACC had set out to achieve. WEU member countries intended to develop further their multilateral consultation and co-operation, building on the fact-finding missions and regular exchanges of information now taking place through the presidency. WEU could provide a function in parallel to the political dialogue planned under association agreements with the European Community, which were of a new kind and contained a political charter. This could be done in the framework of more specific bilateral “special relationships”. The next substantive step would be a joint meeting with foreign and defence ministers. Joint seminars under the auspices of the WEU Institute for

Security Studies, as well as meetings of experts, were becoming a regular feature of the new links.

86. It was crucial not to disappoint the nations of Central and Eastern Europe, but to invite them to join us in defining a new common approach to the solution of all their security-related problems.

The Rapporteur's conclusions

87. In your Rapporteur's opinion, the European Union, offering gradual association with and membership of Central and Eastern European nations is the most valuable asset for future peace and security in Europe. It has unique features which no other international organisation can offer. The combination of an integrated internal market, common economic interests and a common foreign and security policy with a defence component guarantee the protection of common values and of virtual common interests in accordance with a common European political agenda which will increasingly be homogeneous. Of course, extension of the structures now being developed to become the European Union should not be accomplished if the consequence is to weaken and dilute them in an entity that would not be homogeneous enough to agree on a common cause.

88. Western Europe should therefore proceed cautiously and progressively, taking fully into account the will shown by new partners to play a full part in the work we have undertaken.

89. Nations that are aspiring to become part of the Western European family of democratic nations should take into account that apart from meeting a number of economic conditions, they will also have to agree upon conditions which are considered essential in a community of civilised and stable democratic nations.

90. In the first place, they will have to accept the political map of Europe as it now is and with all the injustices it includes. On the other hand, they must accept the existence of minorities on their territory and guarantee their rights, including cultural rights, so that this political geography may be tolerable to all.

91. Secondly, they will have to adapt their legitimate national interests to the common requirements of peace and co-operation in Europe.

92. Thirdly, they will also have to agree the exercise of their sovereignty in other fields.

93. Finally, what conclusions should it draw from the abovementioned for its policy regarding Central and Eastern European countries? In view of the close relationship created by the Treaty on European Union between WEU and the European Community, a member country of the union can no longer be neutral.

94. In practical terms, your Rapporteur takes the view that enlargement of the EC should go hand in hand with enlargement of WEU. In the same way, association agreements with European countries concluded by the EC should be completed by similar agreements between those countries and WEU. Here, it can only be deplored that, as a result of horse-trading at the Maastricht summit, associate status has been reserved for non-WEU European states which are members of NATO, thus opening the door for confusion from the outset. This being so, your Rapporteur prefers to speak of association with WEU, wording already used in Recommendation 500. This association should first be established with the three Visegrad countries: the Czech and Slovak Federal Republic, Hungary and Poland. It should include co-operation with WEU at all possible levels, similar to the associate status offered to European NATO member states shortly to be defined and it should be formalised by the end of 1992 at the latest. The next step would be to follow the same procedure as regards the three Baltic states, Bulgaria and Romania as soon as the EC has concluded association agreements with these countries.

95. In the meantime, both the WEU Institute for Security Studies and the WEU Assembly will have to play their rôle as bridges towards the establishment of formal special relationships with these nations, along the lines of activities which are by now familiar to all of them.

96. Ultimately, this process will logically have to lead to full membership of the European Union, including both EC and WEU, with the far-reaching and binding security guarantees formulated in the modified Brussels Treaty.

III. Conclusion

97. It has been rightly pointed out that the end of the cold war also heralded the end of the era of hegemonic defence systems and the beginning of a new one with decentralisation and complementarity.

98. Russia, subject to strong centrifugal forces and in the middle of a long and painful process of economic reform, can no longer be the pivot of a security system and is, rather, a source of instability. The United States is confronted with relative decline and can less easily act without international diplomacy and co-operative action.

99. In agreement with its transatlantic allies, the time has come for Europe to assume greater responsibility for its own defence and security. After so many years of voluntary – and for Central and Eastern European nations involuntary – political and military protection and tutelage in world affairs, it will not be easy to take this full responsibility, especially in the

current era of turmoil and revolutionary change. Europe as a whole will have to develop its new security through a learning process, but it can rely upon loyal friends and it does not have to start from scratch. There is a number of organisations providing a more or less structural framework in which to operate. The fact that there is overlapping and redundancy – more benevolently called complementarity – between the different organisations should be seen rather as an advantage. If it does not enhance efficiency, it may contribute to effectiveness because there are more strings to the bow.

100. For the near future, neither NATO nor WEU can offer full membership to any of the Central and Eastern European nations. They realise this and they have shown their comprehension.

101. In the foreseeable future, three mutually reinforcing circles will have to provide a framework for security for the whole of Europe by marshalling their efforts: first, the CSCE, reinforced with an enhanced capability for conflict prevention, crisis management and peaceful settlement of conflicts; second, the NACC, offering NATO's experience and expertise to all partners in their task to reorganise their defence efforts along democratic lines with NATO providing the classical protection of the area covered by the Washington Treaty; third, WEU with possible support from other allies in providing military forces to support CSCE activities in conflict prevention, peace-keeping and possibly even peace-enforcing in Central and Eastern Europe, at the same time providing a special relationship for those nations in Central and Eastern Europe which are on their way to full membership of the European Union through association agreements with the EC.

102. It is well known that the issue of security guarantees is pivotal for a number of Central and Eastern European countries. Here, WEU,

especially because of its position as the defence component of the European Union, will have to accommodate at least the most urgent concerns. In the framework of the association with WEU of certain Central and Eastern European countries, WEU should conclude a peace-keeping agreement with those countries having concluded an association agreement with the EC. This peace-keeping agreement should contain provisions for regular and urgent consultations at the level of senior officials and the Council of Ministers on all questions relating to the internal security of the WEU non-member states which have signed the agreement. It should also contain provisions to legitimate operations of WEU peace-keeping forces, always in co-operation with national forces of the non-member country which has asked for assistance in order to prevent an internal conflict or maintain internal peace. At the same time, WEU should take all preparatory measures needed to provide WEU peace-keeping forces at short notice.

103. Security guarantees, as mentioned in Article V of the modified Brussels Treaty, can be provided only in the more distant future and in a closely knit, all-embracing framework of common values and interests. This framework must embrace not only the protection of common values, presupposing a high degree of homogeneity in opinions on politics, democracy and the rôle of the state in society and social-economic life, but also the protection of common vital interests, based on the notion of common economic and geopolitical interests.

104. Only membership of the European Union can offer this combination of shared values, integrated markets, common economic interests and a common foreign and security policy leading eventually to the organisation of European defence. Although Europeans know that it will take years to build this framework, they are determined to accomplish it.

APPENDIX

*Opinions expressed at the symposium**I. Basic presumptions
for a new security order in Europe*

1. At the symposium, Sir Geoffrey Howe pointed out that during the cold war, Western European nations did not meet the single existing threat primarily by their own efforts, but by the power and resources of a superpower protector, the United States. The most relevant, he continued, was that the peculiar conjunction of circumstances (American economic predominance, superpower rivalry, nuclear deterrent theory and the ideological division of Europe), which had effectively frozen the post-war status quo of Europe between 1945 and 1991, had now disappeared entirely. The "normality" to which Europe was now returning was one in which Western Europe could and would obviously wish to reassume greater responsibility for its own security.

2. The example of the European Community, to which Central and Eastern European nations looked with ambition, had been successful in taming nationalism without suppressing patriotism, in sharing sovereignty without destroying the nation and in setting the market to work for a stable, democratic society.

3. Referring to his own experience with events in the former Soviet Union, Sir Geoffrey Howe ventured that the Commonwealth of Independent States, far from being an agency for the effective survival of key structures of the Soviet Union was proving to be a mechanism for its controlled disintegration.

4. He discerned six conditions for peace, which could be summarised as follows:

- (i) Continuing transatlantic partnership. Even if the shape and size of the United States commitment to Europe change, interest in each other's security will remain joint and mutual.
- (ii) Europeans must do more for their own defence and take more responsibility for their own destiny. This means that a significant defence spending must be maintained, including the defence structure and the industrial and military base.
- (iii) The right synthesis must be forged between the European and Atlantic dimensions of Europe's defence. The decisions taken at the Rome and Maastricht summits have made clear

that WEU will be the vehicle for strengthening European defence. It will maintain the strategic unity of the alliance by welcoming all European allies as full or associate members, and develop a genuine operational rôle compatible with that of NATO.

- (iv) A coherent system must be established very soon which will offer to the new democracies of Eastern and Central Europe the prospect of "greater security from the far from illusory dangers of external intervention by force in their territory".
- (v) A truly effective mechanism must be developed for preventing, resolving and managing disputes short of war. NATO and WEU could well provide the necessary effective peace-making and peace-keeping capacity.
- (vi) Means must be found to ensure that the benefits of Western European prosperity and democracy are shared throughout the continent: material help, market access and economic help, association with, followed by membership of the EC, and for some maybe membership of NATO. There should also be teams of experts who could energise, instruct and enhance the administrative structure of recipient governments.

5. Later, Mr. Krzysztof Skubiszewski, Minister for Foreign Affairs of Poland, enumerated certain realities which should be borne in mind when thinking about European security:

- The breakdown of bipolarism, which did not mean that benevolent domination by one power was an established fact. Without further elaborating the issue, he added that in his view, "we do face, under the circumstances, a debate on world leadership."
- After the cold war, contemporary security relations in Europe were like concentric circles progressing from the stable nucleus of the EC, WEU and NATO countries to the most unstable peripheries, a situation which was to last beyond the year 2000.
- Security was increasingly built through co-operation and less through dominance, deterrence or military force.

- European security could be built only on a system of shared values as expressed in the preamble to the modified Brussels Treaty: "democracy, personal freedom and political liberty, the constitutional traditions and the rule of law."
- Through their increased and deepened co-operation states are interdependent, also for their security.

6. Mr. Robert Hunter, Vice-President of the Center for Strategic and International Studies in Washington, pointed out that the most important steps to be taken to promote security in Central and Eastern Europe are:

- to develop democratic pluralistic societies and governments;
- to create successful economies based on market principles;
- to contain and resolve ethnic, national and religious disputes and conflicts.

7. In fact, all other speakers at the symposium agreed that these were the main objectives for peace and security which had to be ensured in Europe.

8. Mr. Egon Bahr, Director of the Peace Research Institute of the University of Hamburg, said it was essential for Russia to be part of a European security system because he wanted the whole of its territory to remain under control. A Russia beyond the Urals that was under no obligation to limit its armed forces and armaments was unacceptable. If Russia were to remain free to have as many armed forces as it liked, there would be no preventing Ukraine and Belarus from doing the same, setting off a chain reaction in their neighbour countries.

II. The security concerns and needs in Central and Eastern Europe

9. In order to obtain a more detailed picture of security concerns and needs in Central and Eastern Europe, various speakers were asked to give their views on these issues with specific regard to their own region. These views are summarised in the following paragraphs.

A. Security concerns of the Baltic states, Lithuania, Latvia and Estonia

10. Mr. Audrius Butkevicius, Minister of Defence of Lithuania, argued that there are four main threats to the security of the Baltic states:

- instability on the territory of independent republics now belonging to the CIS which is already leading to terri-

torial and ethnic conflicts and may in the future lead to disregard or violation of the sovereignty of the Baltic states;

- the presence of former Soviet troops on the territory of the Baltic states;
- the unstable economic situation, causing an unprecedented growth in crime rate, unemployment and possibly also resulting in mass migration to Western Europe with the Baltic states unoblingingly fulfilling a rôle as transit states;
- ecological disaster, more specifically connected with safety risks of nuclear power stations, built by the former Soviet Union.

11. It is quite clear that the continuing presence of former Soviet troops on their territory is a predominant problem for the Baltic states. They consider these troops to be an uncontrollable and an independent political force. Moreover, they argue that the former Soviet troops are a source of environmental pollution, illegal arms and explosives sales and social problems, while they are overburdening the economic communications and energy infrastructure. Mention is made of many other activities of these troops which are considered to be flagrant violations of the Baltic states' sovereignty. Negotiations between the Russian republic and the Baltic states on a possibly quick withdrawal of all former Soviet troops have started, but they have not yet yielded any final results.

B. Security concerns of South Eastern Europe

12. In the opinion of Mr. Adrian Nastase, Minister for Foreign Affairs of Romania, no distinction should be made between the different sub-regions in Europe as regards their security needs. He insisted on a global approach of Eastern Central Europe's security problems. He clearly denounced implicit projects in some new European sub-regions to reach separate military agreements not only because they would run counter to the new spirit of dialogue, partnership and co-operation in Europe but also because their limited membership would not enhance the security of their initiators but rather induce legitimate concern among their neighbours, erode transparency and favour suspicion. Arguing that the emergence of a new no-man's land in Central Europe should be prevented at any price, he suggested that the nations in that region should be related to the European Community as soon as possible and be given high priority in any aid programme.

13. Instability in the former Soviet republics was a particular security risk and Mr. Nastase mentioned the situation in Moldova, where the state of emergency had been declared and

fighting had broken out following the proclamation of a Trans Dniestr republic by the Russian and Ukrainian minority, living mainly on the left bank of the Dniestr. He hoped that a solution could be found through a mechanism of political consultation established by the Ministers for Foreign Affairs of Moldova, the Russian Federation, Ukraine and Romania, but at the time of writing this report, no progress has yet been made in finding a solution. He warned that it would be a great error to conceive the Balkans, traditionally called the powder keg of Europe, as being a problematic periphery that should be isolated from the rest of Europe. Europe cannot be safeguarded from the multiple and contradictory pressures in the Balkan area by endeavouring to "detach" it from the continent where it belongs. On the contrary, an unreluctant investment in the security of the Balkans with its increased geostrategic significance as a bridge between two different worlds was a *sine qua non* for the new European security order.

14. The establishment of the "Black sea economic co-operation area" was an important step in the direction of positive co-operative behaviour which eventually could lead to a "chain of stability" in the Balkans. Mr. Nastase thought that the time was ripe for the Balkan countries to start building, before the end of this century, an institutional framework called "Balkan Forum" to promote co-operation based on CSCE principles which, with strong support from the existing European and Euro-Atlantic institutions, could help to bring all the nations in that area into the democratic European family.

C. The security problems of Central Europe

15. The Hungarian Under-Secretary of State for Defence, Mr. Rudolf Joo, noted with satisfaction that the contacts being established in the military and diplomatic fields all over Europe might help to lay the foundations of a new co-operative security system. He argued that Central Europe was a separate geographical cultural entity to be mentioned separately. The notion of security itself had become more differentiated, comprising ever more non-military aspects.

16. Among others, he stressed that most of the new security risks resulted from the disintegration of the two multi-national states, the Soviet Union and Yugoslavia, and from the multiplication of ethnic conflicts throughout the region. Movements of national self-determination had entered a new stage of development with an unexpected impetus, which was being experienced most directly in Central and Eastern Europe. The emergence of new states and the redefinition of existing states emphasised the importance of ethnic minority

problems in the region. Violent ethnic clashes showed that respect for human and minority rights was an integral part of international collective security and that the international community should play a greater rôle in dealing with local ethnic conflicts.

17. The civil war in Yugoslavia had led to continuous violations of Hungary's airspace and borders and the arrival of a large number of refugees – all serious threats to the country's security. Refugees from Eastern and South-Eastern Europe, but also from third world countries constituted a challenge to Central European countries' untested immigration policy and their fragile economic and social balance. The danger of ecological catastrophes through nuclear power plants and other industrial establishments with inappropriate safety standards presented new kinds of security risks in the region. In the former Soviet Union, disputes between some successor states about the exact borderlines and the division of the common military inheritance bore the seeds of serious future conflicts. It was of key importance for the emerging new states to commit themselves to the nuclear non-proliferation treaty and the treaty on conventional forces in Europe (CFE), which should come into force as soon as possible.

18. Mr. Joo emphasised that regional co-operation between the Czech and Slovak Republic, Hungary and Poland, the three Central European Visegrad countries, was based on extensive historical and present-day similarities. In particular, they shared a geostrategic position between a stable and an unstable Europe, they had transformed their political and economic system in similar ways, and they had similar problems in facing new security risks and giving their armies a reasonable defence capability. The Under-Secretary also emphasised that the Visegrad co-operation was not directed against any other state and did not aim at forming a closed bloc. On the contrary, the three countries were interested in gradual integration into the European and Euro-Atlantic community and in the creation of a comprehensive security system on the continent.

19. In more general terms, the threats to European security as formulated by both the Polish Foreign Minister, Mr. Krzysztof Skubiszewski and the Secretary-General of WEU, Mr. Willem van Eekelen, can best be summarised as follows:

- the resurgence of the tendency to slow down the nation-building processes on the peripheries of Europe by the traditional techniques of military superiority and intimidation;
- a revival of ethnic, territorial, nationalist and other conflicts fraught with powerful feelings of enmity;

- unstable power structures and deeply-entrenched economic crises resulting from the transformation of political systems in the new democratic states;
- the danger of ecological disaster brought about by unresolved environmental issues;
- the dangers of uncontrollable migration resulting from one or more of those situations;
- the threat of nuclear proliferation.

20. The Secretary-General, Mr. van Eekelen, immediately added to this that the nuclear challenge in all its aspects deserved to be high on the agenda. He ventured that it was in the interest of all Europeans to:

- secure the withdrawal, storage and destruction of the Soviet nuclear arsenal,
- eliminate the risk of proliferation both inside and outside the CIS;
- thoroughly reassess the requirements of nuclear deterrence on the European continent.

21. Speaking on the economic aspects of European security, Mr. Zdenko Pirek, Deputy Minister for Foreign Affairs of the Czech and Slovak Federal Republic, expressed appreciation for the aid provided by western nations, not only in the framework of an association agreement with the EC, but also in that of the G-24, IMF and EBRD. He thought, however, that the still existing economic gap between Western Europe on the one hand and Central and Eastern Europe on the other now constituted the greatest security problem of Europe as a whole. Assistance should be provided by all existing western institutions in their specific field of action.

22. In his opinion, western assistance to convert the arms industries of ex-communist countries, diminish environmental pollution and improve the energy and transport infrastructure would greatly enhance economic security.

III. Security structures to be developed

23. Mr. Skubiszewski rightly pointed out that the primary target of European diplomacy was to ensure the indivisibility of security in the whole of the continent and the linkage between the security of each state with that of every other state.

24. According to Mr. Skubiszewski, at the moment, the nature of the security relations in Europe was basically heterogeneous. The different existing organisms and institutions bore a responsibility for making European security a reality and their complementarity must be

developed. In fact, co-operation between the various security structures had become one of the priority issues in the present debate, but to arrive at a satisfactory result, a long-term vision was needed.

25. Sir Geoffrey Howe ventured that because of looming conflicts in the new Eastern Europe, common security and foreign policies towards the rest of the world should be developed in the planned European Union. Very close consultation and partnership with the United States should be maintained and increasingly be developed with Japan. The new-found strength and sense of purpose of the United Nations should be sustained and supported.

26. Mr. van Eekelen pointed out that the Yugoslav crisis had provided a test case that the CSCE, NATO, the European Community and WEU were not very well suited for dealing with a real crisis. Despite their fairly well-developed crisis management capability, the lack of political legitimacy had prevented them from intervening.

27. Mr. Robert Hunter was confident that both NATO and WEU had important rôles to play in European security, including the security of the countries in Central and Eastern Europe. The NATO Rome summit communiqué had made it clear that a choice need not be made between the two when it endorsed a "new European security architecture in which NATO, the CSCE, the European Community, WEU and the Council of Europe complement each other."

28. Mr. van Eekelen thought it would be premature to attempt a description of the rôle of a European Union in the development of pan-European security structures because the Maastricht summit had heralded only the beginning of the creation of that union. He argued that Europeans would have to place the emphasis on "marshalling their efforts", particularly in the three mutually-reinforcing circles of institutional activity: the pan-European circle, by strengthening the CSCE process and institutions; the Euro-Atlantic circle, through the Atlantic Alliance and the NACC; the Western European circle, evolving towards a union bringing together the European Council, Western European Union, European Political Co-operation and the European Commission.

29. One of the main questions Europeans would soon have to answer was how and when the Nine, Twelve or even Fourteen could influence the shaping of the European security agenda and offer common means of action to bring about respect for principles and a code of behaviour agreed by all the states concerned. At present, conflict prevention was an overriding priority, but at the same time there was an urgent need for arbitration mechanisms as supporting measures.

A new security order in Europe

AMENDMENT 1¹

tabled by Mr. Atkinson

1. At the end of the draft recommendation proper, add a new paragraph:
“ 7. Urge, in the light of continuing conflicts in the former Yugoslavia and Soviet Union, the leaders of the CSCE at the forthcoming Helsinki summit to review current machinery for the prevention of conflict and the peaceful resolution of disputes, with a view to establishing a process of binding arbitration and peace enforcement. ”

Signed: Atkinson

1. See 2nd sitting, 1st June 1992 (amendment agreed to).

A new security order in Europe

AMENDMENTS 2 and 3¹

tabled by Mr. Hardy

2. At the end of paragraph (iv) of the preamble to the draft recommendation, add:
“and suggesting that increased concentration should be directed to these approaches”.
3. In paragraph (viii) of the preamble to the draft recommendation, leave out “effective”.

Signed: Hardy

1. See 2nd sitting, 1st June 1992 (amendment 2 agreed to; amendment 3 withdrawn).

New Euro-American relations

REPORT ¹

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

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1. Adopted in committee by 10 votes to 0 with 2 abstentions.

2. *Members of the committee:* Mr. Stoffelen (Chairman), Sir Geoffrey Finsberg, Mr. De Decker (Vice-Chairmen); MM. Aarts, Alegre, Beix, Caro, De Hoop Scheffer, Fabra, Feldmann, Forni, Foschi (Alternate: Stegagnini), Goerens, Lord Kirkhill, MM. Kittelmann, Koehl, Lord Mackie of Benshie, MM. Martinez, Martino, Müller, Péciaux, Pieralli, de Puig, Reddemann, Rodrigues (Alternate: Mrs. Aguiar), MM. Roseta, Seeuws, Soell, Thyraud, Ward, Wintgens.

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

Draft Recommendation

on new Euro-American relations

The Assembly,

- (i) Agreeing that the development of a European security identity and defence rôle, reflected in the further strengthening of the European pillar within the alliance, will reinforce the integrity and effectiveness of the Atlantic Alliance and that the enhancement of the rôle and responsibility of the European members is an important basis for transforming the alliance;
- (ii) Noting that NATO's Rome declaration on peace and security calls for a new security architecture in which NATO, the CSCE, the European Community, WEU and the Council of Europe complement each other;
- (iii) Convinced that the Atlantic Alliance will be of lasting value as long as it provides the essential transatlantic link, demonstrated by the significant presence of North American forces in Europe;
- (iv) Recognising that the development of WEU as the instrument for a common European security and defence policy is a logical and inevitable consequence of a determined effort by European countries to achieve greater integration;
- (v) Convinced that the creation of genuine multinational forces in a European framework, which could be deployed in both NATO and WEU operations, is the best guarantee for future security in Europe;
- (vi) Considering that in some quarters in the United States there is still uncertainty due to lack of insight into and understanding of the motivation of Western European nations for developing a specific European security and defence identity, notwithstanding the multiple exchanges and consultations taking place in the different existing organs and institutions of the Atlantic Alliance;
- (vii) Recognising the useful rôle being accomplished by the WEU Institute for Security Studies in making European views known to the foreign policy and defence community in the United States;
- (viii) Aware that, notwithstanding the repeated assurances given by the present American administration, there is uncertainty over the level and corresponding effectiveness of American troops based in Europe;
- (ix) Recalling that, in Rome, all NATO member states pledged to support all steps in the countries of Central and Eastern Europe towards reform and to give practical assistance in helping them to succeed in this difficult transition;
- (x) Considering the apparent growing anomaly between the determination of the United States to exert political influence on developments in Europe and its diminishing will and ability to maintain a military presence and financial-economic commitments in Europe;
- (xi) Considering that notwithstanding the recent Canadian decision to withdraw all its forces from Europe, Canada remains committed to NATO and Europe's security by retaining the ability to send contingency forces and must therefore be included in the transatlantic dialogue with WEU,

RECOMMENDS THAT THE COUNCIL

1. Define more clearly, in consultation with its transatlantic allies, the respective rôles of the armed forces of NATO, WEU and the United States in maintaining security and peace in Europe;
2. Establish with the United States more clearly-defined criteria for the maintenance of United States forces in Europe;
3. Continue to support the rôle of the WEU Institute for Security Studies in making European views on security better known across the Atlantic, also by publishing and disseminating more widely the results of its work;
4. Co-ordinate more closely the policy of allied partners on both sides of the Atlantic to satisfy the security needs of the new democracies in Central Europe, while recognising that, for the moment, no formal security guarantees can be provided;

5. Take account of the fact that a new concept of security means developing capabilities allowing the deployment at the appropriate time of political, as well as diplomatic, economic, financial and military means for peace-keeping and peace-restoring;
6. *(a)* Reinforce the joint allied political instruments in order to make sure that, in crisis prevention, a joint assessment can be made as a precondition for co-ordinated action;
(b) Establish a joint high level group consisting of political, diplomatic, economic and military experts in order to make up to date threat assessments and develop adequate models to respond to such threats.

Explanatory Memorandum

(submitted by Mr. Soell, Rapporteur)

I. Introduction

1. Especially in the twentieth century, the vicissitudes of history have forged a very close relationship between North America and Western Europe. The second world war with its aftermath, the cold war, resulted in an Atlantic Alliance which has proved to be the strongest framework ever built by nations to defend democracy and maintain peace and security. Both the United States and Canada had proved that no price was too high for them to re-establish peace in Western Europe. With its Marshall Plan, the United States enabled the liberated countries and even its one-time enemy to restore their economies and prosperity. During the blockade of Berlin in 1948, it showed its determination to yield not one inch to Soviet domination.

2. Altogether, the almost fifty years of Atlantic Alliance have created a lasting relationship based on mutual understanding, shared values and common interests which is a shining example of stability, peace and prosperity for all nations in the world. The end of the cold war, however, obliged the Atlantic partners to re-evaluate their rôles and responsibilities in the framework of a completely new geostrategic environment. Meanwhile, it cannot be denied that in recent years this process had already started under the different heading of burden-sharing, initially at the initiative of the United States. In both NATO and WEU, agreement has now been reached that Europe should shoulder greater responsibility for the maintenance of peace and security on its own territory. On the other hand, there is also agreement that the United States should continue to play an important rôle in the security and defence of Europe. It is in the common interest of all partners for transatlantic links to remain and – where possible – to be reinforced.

3. All the partners of the transatlantic community share the opinion that only peace and stability are a sound basis for prosperity in the world. To many it may seem idealistic to speak of establishing a new world order, but the idea makes sense, especially on the basis of equal partnership and the common values of democracy and freedom.

4. Now that the strategic situation in Europe has undergone radical changes while a part of the continent still is subject to political turmoil, there is reason enough for a positive reassessment of transatlantic relations. Apparently, some elements of this relationship are subject to

tensions and they deserve close examination in order to see how the situation can be improved in an atmosphere of close co-operation between allies where both can win. All this is being done in the conviction that a strong Atlantic Alliance has been the foundation of peace, security and prosperity in Europe and that this alliance can only continue to thrive if there is sincere co-operation in equal partnership between both sides of the Atlantic.

5. After the recent NATO and EC summit meetings in Rome and Maastricht respectively, the Political Committee of the Assembly, attaching the greatest possible value to a continued close Atlantic partnership, therefore decided to focus on this subject in the present report, in which a number of issues considered of topical interest will be covered.

6. First of all, an attempt has been made to determine which elements form the basis of American foreign policy. It will be shown that, through American history, it is possible to discern some guiding principles that have been crucial in inducing political leaders to take decisions, the priorities obviously changing according to prevailing circumstances.

7. Several current issues in transatlantic relations will then be discussed, such as security, trade, ballistic missile defence, aid to Central and Eastern Europe and developments in Canada. Relations with Japan will also be dealt with, because it is thought to be in the interest of both the United States and Europe to co-operate in these matters.

8. Finally, conclusions will be drawn, and an attempt made to set out some policy guidelines.

II. The United States President's comment on Maastricht

9. On 11th December 1991, one month after NATO's Rome summit and one day after the EC summit in Maastricht, President George Bush made a statement which seems to sum up every aspect of United States policy towards Europe as follows:

“ We welcome the historic steps toward economic and political union agreed to by the leaders of the European Community in the Netherlands... The results of the EC summit in Maastricht represent a milestone which we celebrate along with our European partners. The United States has

long supported European unity because of our strong conviction that it was good for Europe, good for the Atlantic partnership, and good for the world. I have made clear from the outset of this administration my view that a strong, united Europe is very much in America's interest. A more united Europe offers the United States a more effective partner, prepared for larger responsibilities.

Europe's steps towards unity will strengthen our renewed Atlantic Alliance. NATO's endorsement at the Rome summit of a 'European pillar' underscores the additional responsibility which the European allies are assuming in the protection of shared vital interests and values. At Maastricht, the EC requested Western European Union, whose members are in both NATO and the EC, to serve as the vehicle for increased European responsibility on defence matters. We are pleased that our allies in Western European Union in turn decided to strengthen that institution as both NATO's European pillar and the defence component of the European Union. NATO will remain the essential forum for consultation among its members and the venue for agreement on policies bearing on the security and defence commitments of the allies under the Washington Treaty.

A strengthened EC has a vital rôle to play in assuring a stable and prosperous Europe and a humane world order. Already today, the European Community and its member states are taking a major rôle, working with us, to help the citizens of Central and Eastern Europe transform their societies. Our Atlantic partnership is equally essential in supporting the movement toward freedom and democracy in what we have known as the Soviet Union. But, our co-operation with the new Europe goes farther. The European Community stands with us as a partner in the search for peace in the Middle East, and against difficult odds, it continues to labour with our support for a peaceful solution to the war in Yugoslavia. The evolving monetary unity and single market of the EC promises new economic vitality for Europe. With this comes new investment possibilities and markets for American business as well as new competition. We welcome these developments, but we also expect that the new Europe will assume new responsibilities for maintaining and strengthening the world economic system. This means working with us to bridge our bilateral differences, to expand an open global trading system by

successfully concluding the Uruguay Round, and to avoid the dangers of protectionism.

America can take pride in its contributions to Europe's success. The United States engagement on that continent had yielded many benefits for the Europeans and for us. Those benefits remind us that our interests do not stop at our shores. We are intimately connected to what happens in Europe and beyond. Now, we are getting an even stronger European partner. I therefore speak for all of America when I send best wishes to the members of the European Community for their new steps toward integration."

10. Essentially, the statement says that United States support for a strong united Europe is in the United States's interest because Europe is a more effective partner and can assume greater responsibilities. The United States is happy with the development of WEU as Europe's defence arm, but NATO is the essential forum for security and defence, just as the Atlantic partnership is essential in the process of transforming the former Soviet Union. A united Europe should not be protectionist and should favour GATT and help to bring the Uruguay round to an early conclusion. The United States has an interest in what is happening in Europe.

11. In terms of congratulations, the statement reflects the most positive attitude towards Europe in American foreign policy thinking. Even so, it does not hide certain ambiguities in the American attitude. In other words, too often it seems that even after so many years of close alliance between the United States and Western Europe there are still misunderstandings over each other's intentions which in general are sincere as they intend to promote the interest of the country or countries concerned and the well-being of its or their population.

III. Guiding principles of United States foreign policy

12. Starting with the early Puritan settlers, many Americans were, and still are, convinced that they have a special rôle to play in the world and this notion took an even stronger hold after independence was won in 1784. They considered America and later the United States as the "elect nation" or "redeemer nation", "commissioned to bear the light of liberty and religion through all the earth"¹.

13. This vision did not fade with time, as testified by Woodrow Wilson, who said in 1919:

1. Arthur M. Schlesinger Jr., *Foreign Policy and the American character* (Foreign Affairs, Fall 1983).

“America is the only idealistic nation in the world” with “a spiritual energy in her which no other nation can contribute to the liberation of mankind”.

14. Even the Vietnam war did not change this opinion. Still in 1982, President Reagan declared that he had always believed that “a divine plan placed this great continent between the oceans to be found by people from every corner of the earth who had a special love of faith and freedom”.

15. As typical representatives of a rational age, the founding fathers of the United States such as Thomas Jefferson and John Adams believed that states responded to specific national interests. At the same time, they believed that international order depended on preserving an equilibrium among competing national interests. In Europe, they saw a balance of power, the maintenance of which they considered to be the safeguard of American independence.

16. During the Napoleonic wars, this idea made Jefferson write: “It cannot be to our interest that all Europe should be reduced to a single monarchy.” He did not at all like to see “the whole force of Europe wielded by a single hand”. His successors acted according to these principles of freedom and national interest when they liberated Europe from the Nazi domination and when they protected it against the Soviet threat of hegemony.

17. Because of a strong puritan tradition, the United States has never claimed that it entered or started a war because of national interests or balance of power reasons. Such reasons do not appeal to public opinion. Both Woodrow Wilson and Franklin D. Roosevelt couched their appeals to war in terms of natural idealism.

18. In the Gulf war, the redemption idea was translated into the aim of “throwing the bad guy out”. However, this aim was attained only partially, and President Bush declared that he did not wish to imperil one American life to impose democracy on Iraq.

19. The still prevailing opinion that the United States was born for world leadership was perfectly voiced by former President Richard Nixon in his last book *Seize the Moment*: “We are not mere passengers on the voyage of history. We are its navigators. We have the opportunity to forge a second American century.”

20. Since the Declaration of Independence in 1776, Americans have agreed that the United States must be the beacon of human rights to an unregenerate world. How this mission should be implemented has been subject to different interpretations ever since, but in the early days of its existence, when the United States still had little

ambition and opportunity to be a world power, the prevailing opinion in the country was that it should redeem the world not by intervention, but by example.

21. In 1977, Secretary of State Cyrus Vance made an attempt to define human rights which should be protected in today’s world as a matter of priority, distinguishing three categories:

- (i) the right to be free from government violation of the integrity of the person;
- (ii) the right to the fulfilment of vital needs such as food, shelter, health care and education;
- (iii) the right to civil and political liberties.

22. Especially in recent decades, it has been less easy for the American administration to agree on the priorities in pursuing a human rights policy. Like many European nations, it soon had to admit that it is impossible to pursue human rights objectives in precisely the same way for all countries. Moreover, the propagation and protection of human rights is only one of several different elements in American foreign policy which at times may have to be subordinated to other factors, vital interests or values.

23. Quite naturally, the United States as a state is engaged in self-preservation, which means that its first duty is to protect its citizens and borders against possible threats and security risks or against potential enemies. Like all other nations, it will try to maintain its power and international status. The informal American empire in its present form was mainly created by the state which was seeking to guarantee physical security for its citizens. Obviously, trade followed wherever the state established its power or influence, but it was not the state’s first objective. When, in the nineteenth century, the United States gradually transformed itself into a great nation, it had to compete with the other existing great nations in the world in order to establish or maintain its position. In that framework, “raison d’état” has always been one of the main elements of the United States’ quest for influence in world politics.

24. After a first short-lived European engagement during the first world war and in the subsequent few years, the United States’ quest for durable world-wide power and influence only really got going at the end of the second world war, when the cold war and containment policy imposed a world-wide struggle against communism at all levels.

25. Especially in the twentieth century, United States foreign policy has always been influenced by two competing views of world order:

- the universalist view, by which all nations share common values and interests in all the affairs in the world. Here, national security would be guaranteed by an international organisation;
- the sphere-of-interest view, by which each great power would be assured by the other great powers of an acknowledged predominance in its own area of special interest. In this view, national security would be guaranteed by the balance of power.

26. In fact, these two views are not completely incompatible, and it appears that peace has been maintained by a combination of the two.

27. Even after the Yalta conference in February 1945, Roosevelt, who combined Wilsonian universalism with a perception of vital strategic interests, still had great hope that Yalta, where foundations were also laid for a United Nations organisation, would spell the end of the system of unilateral action, spheres of influence, exclusive alliances, balances of power and so on. At the same time, the composition of the Security Council – the United Nations's main operative organ – with its five permanent members was an implicit recognition of the continuing existence of important regional powers who, through procedures chosen in the Charter, could maintain their influence in their own sphere of interest.

28. John Foster Dulles also argued that the great threat to peace after World War II would lie in sphere-of-influence thinking and he insisted on American participation in all policy decisions for all territories in the world. In this framework, it may be mentioned that Geir Lundestad, a historian of the cold war that immediately followed has defined American universalism as “the effort by the United States, having secured its own sphere of influence in the western hemisphere, to discourage the establishment of equivalent spheres of influence by other powers”. The example of Soviet dominance in Eastern Europe, which has only just ended, has clearly shown that the last objective could not be obtained during the cold war.

29. On the other hand, it is not very difficult to notice a clear discrepancy between the American passion for universalism when it is applied to territory far from American shores and the pre-eminence the United States accords its own interests nearer home.

30. Significantly enough, domestic economic strains and the inward-looking mood of American voters are at present limiting the range of United States foreign policy just at a moment when many nations are looking to the United States for leadership. But it could be observed that these nations may be wrong in still

seeing the United States as the rich and powerful nation which is willing to guarantee the security of any country while at the same time paying the cost of their economic recovery. The last assumption in particular appears to be wrong in the case of Central and Eastern Europe.

31. The United States is no longer the world's paymaster-general. In some of the most urgent cases, such as commitments to United Nations peace-keeping forces and the International Monetary Fund, the United States now has problems in meeting commitments similar to those which could easily be met in earlier days. Indeed, there is very little financial elbow room for the government. In the fiscal year 1993, the United States budget deficit is expected to reach \$400 billion.

32. In conclusion, it should be noted that reasons of state, or the conviction that humanity can and should be redeemed from all evil, vicissitudes and hazards to live in a world of happiness and justice, the protection of human rights and the notion of being the world's leader are still firmly rooted in the American foreign policy practice.

33. At the moment, however, the United States is discovering that national interests eventually set limits to missionary passions. It no longer has the power to achieve great objectives in the world by itself. An effective foreign policy requires the financial, material and moral co-operation of allies, but there nevertheless remains an innate need to play the rôle of ultimate leader, as demonstrated in the Gulf war and at the conference on financial support to the Commonwealth of Independent States (CIS).

34. Under these circumstances, the European nations, in particular the member states of the EC and WEU should take the opportunity to co-operate closely with their North American ally in order to respond to the challenges of a post-cold war world.

IV. The Pentagon's brainstorming over a new world order

35. In February 1992, a Pentagon planning document was published in the press containing seven different war scenarios which were meant to serve as the foundation for long-term budget planning and determining the number and kind of troops which should be maintained. The document contains scenarios for hypothetical conflicts in the Gulf, the Korean peninsula, in both regions simultaneously, the Baltic, Panama and the Philippines and a major conflict with a single nation or coalition of nations which would emerge at the turn of the millennium “to adopt an adversarial security strategy and develop a military capability to threaten United

States interests through global military competition”.

36. The Pentagon rightly pointed out that these scenarios, the first detailed military plans drafted by the United States for the post-cold war era, were meant to be illustrative of potential threats, not predictive. At the same time it appeared that on the basis of such scenarios the Pentagon will try to stall, if not to reverse, the downward trend in defence spending by the mid-1990s.

37. At a hearing by the Senate Armed Services Committee on 20th February, several senators challenged some of the scenarios and they announced that they would be critical when discussing the Pentagon's proposed \$281 billion defence budget for the fiscal year 1993, beginning on 1st October 1992.

38. These scenarios, even if they draw comments and criticism, may be considered a rather harmless example of war contingencies being prepared in any defence ministry in the world in order to have a more or less sound basis for the planning of equipment, troop levels and budgets. But, at the beginning of March 1992, a much more revealing document came to light.

39. The Pentagon's new defence planning guidance was leaked to the press, apparently in its final drafting stage, after having circulated among the Defence Secretary's principal deputies. According to the covering memorandum, the Chairman of the Joint Chiefs of Staff, General Colin L. Powell, as well as all four military chiefs of staff and the civilian service secretaries had read in full and responded to the draft and forwarded their comments on it². The document's statements were developed in conjunction with the National Security Council while its drafting was supervised by Paul D. Wolfowitz, the Pentagon's Under-Secretary for Policy. The defence planning guidance is an internal administration policy statement prepared every two years and distributed to military leaders and Pentagon officials to instruct them on how to prepare forces, budgets and strategy. It is to be combined with the scenarios for possible future conflicts referred to earlier in this chapter.

40. According to the draft defence planning guidance as reviewed by high level officials, part of the United States' mission would be to convince “potential competitors that they need not aspire to a greater rôle or pursue a more aggressive posture to protect their legitimate interests”. The draft continued that the United States “must sufficiently account for the interests of the advanced industrial nations to discourage them from challenging our leadership or seeking to overturn the established political and economic order”.

2. International Herald Tribune, 12th March 1992.

41. A quick look at the world's advanced industrial nations can only lead to the conclusion that this statement is aimed at both Japan and Western Europe.

42. The document heralds the less visible victory at the end of the cold war which is “the integration of Germany and Japan into a United States-led system of collective security and the creation of a democratic ‘zone of peace’”.

43. At the same time, however, it suggests that nuclear proliferation, if unchecked by superpower action, could tempt Germany, Japan and other industrial powers to acquire nuclear weapons to deter attack from regional foes, which could start them down the road to global competition with the United States and, in a crisis over national interests, military rivalry. Implicitly, the draft planning guidance foresees building a world security arrangement that pre-empts Germany and Japan from pursuing a course of substantial rearmament, specially nuclear armament, in the future.

44. It should clearly be said here that those parts of the draft planning guidance suggesting German or Japanese attempts to acquire nuclear weapons make little sense. One wonders why the Pentagon has officials with such unrealistic minds if it wishes to be taken seriously by the United States administration and its allies in the world. Did more than forty years of post-war history in both Germany and Japan still not provide enough proof that these countries have a deeply convinced distaste for militarism, for military crisis solution and even more so for nuclear weapons? Moreover, every well-informed United States citizen, and Pentagon officials should be among the first, is well aware of the fact that in the post-war period both countries have counted among the most reliable United States allies in security questions. The German Government, reportedly angered by the abovementioned suggestions in the draft planning guidance, clearly felt embarrassed that it had to make a statement to declare that it had no intention of acquiring nuclear arms, at the same time making an effort to minimise the importance of the Pentagon draft study in the best possible way.

45. The draft planning guidance further deems important “the sense that the world order is ultimately backed by the United States”. Coalitions are said to “hold considerable promise for promoting collective action” but at the same time it expects future coalitions to be ad hoc assemblies, often not lasting beyond the crisis being confronted and in many cases carrying only general agreement over the objectives to be accomplished.

46. It considers that “a substantial American presence in Europe and continued cohesion within the western alliance remain vital”. It

then continues that, to avoid a competitive relationship from developing, the United States "must seek to prevent the emergence of European-only security arrangements which would undermine NATO". In their quest for United States influence on developments in Europe apparently the Pentagon planners are not able to come to terms with the fact that in the longer term, the lack of United States financial commitment in Eastern Europe will logically lead to a diminishing of its political influence.

47. The Secretary-General of WEU, Mr. Willem van Eekelen, has rightly said that seeking to prevent the emergence of European-only security arrangements would be in contradiction with what the United States and Europe had agreed in Rome, which is that Europe should develop a European security identity within NATO.

48. To help stabilise economies and democratic development in Eastern Europe, the draft calls on the European Community to offer membership to Eastern European countries as soon as possible. Here, the Pentagon planners seem to ignore the proportion of the financial burden which full membership might impose upon the EC, apart from the fact that most Eastern European countries are as yet far from having reached the basic stages of a modern democracy and even less the degree of a fully developed democratic and market economy system which is absolutely essential for membership of the EC. Moreover, it should be noted that within the EC there is a complex debate on deepening or widening which is still at an early stage. Nevertheless it would be helpful if in the foreseeable future – within the next two years or so – the EC could provide a clear estimate of the planned date of full membership for the first candidates among the former European communist nations, in particular the Central European countries, even if that date were beyond the year 2000.

49. Obviously, there can be little wonder that, after the press publication of the draft defence planning guidance, officials from the White House, State Department and even the Pentagon rushed either to criticise it or to try to minimise its importance. Admiral David E. Jeremiah, Vice-Chairman of the Joint Chiefs of Staff, who recently referred to the preparation of this policy document in public, now stated that the draft was in contradiction with the common allied defence doctrine of the past 45 years and for the future and that the United States did not pursue a unilateral rôle as a superpower.

50. The Pentagon spokesman said that the final document would not assert that United States military power should be used in the future to both prevent or deter the emergence of regional "competitors" in Western Europe,

Asia and in the former Soviet Union. Questioned further on this issue, the spokesman said that "we seek to prevent the emergence of a hostile power, a hostile superpower". Otherwise, however, he said that the document's basic thrust mirrored the public statements and congressional testimony of the United States Defence Secretary and the Chairman of the Joint Chiefs of Staff.

51. Here, it is important to note that there are also administration officials arguing for a diminished unilateral United States military rôle, for more emphasis on collective internationalism in the framework of the United Nations, regional alliances and for a strategy to engage the military establishments of former adversaries in such new collective security arrangements.

52. Understandably, many congressmen and senators had difficulty in seeing the United States in an exclusive rôle as the world's policeman, which would also impose the maintenance of a large defence budget.

53. Indeed, the most fundamental obstacle to the implementation of the draft document's objective of United States world unilateral leadership is the administration's inability to pay for it, which is very unlikely to change in the coming years in view of the attitude of the American voters.

54. But the draft planning guidance also reveals a lack of insight into the relative position of the United States in today's world. The cost of the United Nations-supported military operations in the Gulf war, where the United States armed forces played by far the most important rôle, was largely paid for by other nations, which together contributed \$54 billion out of a total cost of \$61.1 billion of the United States share in the operations. Some of the nations mentioned in the document as a possible target of future United States military action might be less prepared to pay if such action were aimed at themselves. It should be mentioned here that the United States political and military leadership in the first decades after the second world war was a direct consequence of industrial and economic accomplishments which were unique in the world at that time. In a democracy, military power cannot impose itself for long if it is not backed by economic performance.

55. President Bush put it rightly, when he addressed a joint session of Congress on 6th March 1991: "...security does not come from military power alone."

56. While in Washington, the committee had a discussion with Bruce Weinrod, Deputy Assistant Secretary for European and NATO Policy in the office of the Secretary of Defence, who, to the committee's satisfaction, made far more cautious statements on transatlantic security relations.

57. He assured the committee that European security concerns are also vital for the United States. Even if a massive Soviet invasion of Europe is no longer to be expected, NATO is still the United States' key security linkage with Europe and the United States intends to remain involved in Europe's security and to maintain a meaningful military presence in Europe as long as this is desired by the Europeans.

58. The United States supports the development of a new European security and defence identity, but it hopes these European institutions and structures will not detract from NATO's cohesiveness. The United States is pleased with the spirit of discussion and openness in which this development is taking place. If there is to be more than one institution in Europe, with military responsibilities, these should be clearly worked out and distinguished. Defence forces with a dual-hatted command – one for NATO and one for WEU operations – are not ruled out, but the solutions found should be workable and acceptable, both militarily and politically. It is important that Europeans develop their own military capability, but this should on no account undermine NATO.

59. According to the United States, there are technically no impediments in the North Atlantic Treaty which would prevent out-of-area activities and the allied rapid reaction corps is tailored to fit such situations exactly. Here, it should be noted that the European allies until now have maintained a more restrictive interpretation of the North Atlantic Treaty³.

60. The United States recognise that other possibilities for out-of-area operations are:

- (i) an ad hoc coalition, making use of NATO experience and capabilities;
- (ii) another institution such as WEU, which could borrow and utilise NATO capabilities.

61. In United States eyes, the United Nations has developed positively, which can make it a useful instrument for use in certain conditions. However, it has still not yet reached a stage where the United States and other countries could not act without its support.

3. It should be noted here that paragraph 13 of the strategic concept of the alliance, as approved at the NATO summit in Rome, referring to out-of-area risks, reads as follows: "Any armed attack on the territory of the allies, from whatever direction, would be covered by Articles 5 and 6 of the Washington Treaty. However, alliance security must also take account of the global context. Alliance security interests can be affected by other risks of a wider nature, including proliferation of weapons of mass destruction, disruption of the flow of vital resources and actions of terrorism and sabotage. Arrangements exist within the alliance for consultation among the allies under Article 4 of the Washington Treaty and, where appropriate, co-ordination of their efforts including their responses to such risks."

62. In some situations, vehicles other than the United Nations may be needed. The United Nations is not yet organised to carry out major military operations. The substantial cost of major operations as in Cambodia and Yugoslavia is not easily met by an organisation that is living under financial strain.

63. The ballistic missile proliferation of recent years has led to an increased interest in SDI derivative programmes, not only in the United States but also in Russia and other countries. Anti-ballistic missile defensive systems are now being discussed between the United States and those countries interested, including Russia and other European nations, but no decisions have been taken yet as regards co-operation.

64. The American Defence Secretary is still cautious about potential developments in the former Soviet Union. In that region, security problems have not yet disappeared.

65. According to the NATO summit meetings in Copenhagen and Rome, the security of the Atlantic Alliance is inseparably linked to that of all other states in Europe. Mr. Weinrod said, however, that it is as yet too early to offer a full solution. NATO membership cannot be offered to Central and Eastern European countries at present. These countries should start by paying attention to the development of democracy and a market economy. If that transition is accomplished successfully, their security will be of even more concern to the West. One of the main concerns of the Bush administration right now is that American public opinion sees a clear linkage between economy and security engagements in Europe (see Chapter V).

66. Here, one is tempted to comment that some currents in the United States administration appear to disregard the immense problems faced by many Central and Eastern European countries in their transformation to a market economy. Full western engagement in Eastern European security problems is required in order to prevent nations which feel at risk having to invest money in their defence rather than in their economy.

V. Discussions at the State Department and the National Security Council

67. In Washington, the committee had exchanges of view with officials at the State Department and the National Security Council which are highlighted in the present chapter.

A. Discussion with Ambassador Bartholomew, State Department

68. Talking about relations between NATO and WEU, Ambassador Bartholomew said the United States had no hard rule or recipe. Prac-

tical links should be established at all levels. The idea of dual-hatting – armed forces operating under NATO or WEU command according to circumstances – should now be examined in depth.

69. The United States should be enlightened about the rôle and responsibilities of WEU as regards Europe and Eastern Europe. Flexibility was a standing requirement for any security and defence arrangement in today's world.

70. WEU's decision to offer full membership of WEU to EC member states and associate membership to European NATO allies not members of the EC was not seen as the best possible solution. It was the more puzzling since there was one EC member not belonging to NATO and more such countries were to be expected with Austria, Sweden, Finland and others knocking on the door.

71. Turkey should not be left alone, especially since south of the former Soviet Union a whole array of republics with a basically Islamic and Turkish culture was emerging. Exclusion of Turkey from a new European security framework would be a very unsatisfactory arrangement.

72. Ambassador Bartholomew said that with the development of Germany and the economy of Western Europe as a whole in mind and comparing it with a partly adverse economic situation in the United States, Europeans might well decide themselves how to support developments in Central and Eastern Europe. The problems in that region are too vast to be solved by one nation. On the other hand, the United States has a deep feeling of responsibility and, as is also felt in Eastern Europe, the massive concentration of assets and capabilities in the United States may make a difference if that nation throws its weight in. It may be said that the United States has not yet shown enough imagination in finding solutions for Eastern Europe's problems, but considerable progress is being made in finding new ground. More is to be done, but the situation requires careful handling and it must come naturally.

73. The main reasons for the United States to remain committed to Europe and its security are the vast concentration of human and physical resources and the deep conviction that Europe continues to be the cultural and spiritual home of the United States. In the years to come there will be strong public pressure on resources and engagement, but the old days of isolationism will not return.

74. In Ambassador Bartholomew's opinion, the fundamental conditions for maintaining a United States nuclear deterrence have not changed and there is a continuing need for French, United Kingdom and United States nuclear forces. The size of the United States and

CIS nuclear forces can still be reduced considerably without endangering security. It is not for the United States to determine which nuclear power should remain, but the CIS should preferably not be allowed to split into different nuclear powers. The Ambassador considered a complete halt to nuclear proliferation most unlikely.

75. Answering a question that notwithstanding the United States and NATO's official endorsement of a European security and defence identity, the United States remains basically reticent, Ambassador Bartholomew said that there are fewer ambiguities in the United States position towards WEU than among members of WEU themselves.

76. Working out the Maastricht decision to develop WEU as the defence and security branch of the European Union, many questions and problems will be encountered and Europeans will have to solve them.

77. The particular capability of WEU is recognised by the United States, but it should be noted that WEU is only now coming into its own. Under these circumstances, Ambassador Bartholomew concluded, both Europeans and Americans have questions to ask, which should not be considered as reservations.

B. Discussion with David Gompert, National Security Council

78. Mr. Gompert made it clear from the outset that the United States administration has no plan to disengage from Europe. Political events in recent years have clearly demonstrated that the United States engagement to Europe was fruitful. A healthy political debate in the United States on budget deficits, the state of the economy and the best possible use of resources should not be confused with a quest for isolation. The only possible outcome of the debate is that the United States will respect its responsibilities and obligations.

79. Isolationism and protectionism are potentially not necessarily connected. It cannot be denied that there is a serious threat of protectionism if the Uruguay round fails to yield satisfactory results, but the United States will not walk away from its obligations.

80. Mr. Gompert admitted that in the post-war period there has certainly been a dominating United States influence in Europe, imposed by specific circumstances, but this influence was not exploited in any way. With the cold war over, it does not match United States interest to continue its dominating influence in Europe.

81. In 1991 a vigorous effort was made to restructure NATO because of the serious questions being asked about the usefulness of NATO

in a new era. It had to be adapted to the new situation in Eastern Europe and take on a more political rôle. The restructured NATO should continue to be the focal point of transatlantic relations and security and the United States thought that its allies felt as strongly about this and they did themselves. Mr. Gompert stressed that the United States does not believe that the restructuring of NATO precludes the renewing of structures outside NATO.

82. CSCE is playing a crucial rôle as anchor for democracy in the new independent republics of the former Soviet Union and the principal vehicle for locking these nations into western standards in the behaviour of nations. Moreover, it can make a unique contribution to crisis management and solution. Crisis prevention is supposed to be another important CSCE rôle. At the moment, CSCE has a number of defects, such as the right of any member to oppose action, and other shortcomings. The United States is not opposed to making it more responsive and an opportunity may be missed if that does not happen. If Europeans wish to develop CSCE into a full organisation, the United States has no objection.

83. Mr. Gompert said that he was well aware of concern in Europe over a politically dominant United States which is the sole remaining superpower. It should however be noted that the United States is eager to develop partnership and coalition because it is not a unilateralist. Problems facing the world are so vast that partnership is the only way to handle them. Europe is second to none of the United States' other possible partners, more specifically because they know each other well, there is a high degree of trust and a high commonality of interests and values.

84. The United States is well aware that Western Europe is increasingly showing its decisiveness with an increasing sense of a common agenda. In the United States there is no aversion to such a cohesive agenda, but rather a strong affinity.

85. Partnership between the United States and Western Europe is particularly important in the following issues:

- (i) the transformation of the now independent republics of the former Soviet Union into democratic nations with free market economies;
- (ii) the instabilities along the southern rim of Europe, including North Africa, the Middle East and the southern republics of the former Soviet Union. Weapons proliferation and Islamic fundamentalism in those areas are to be watched carefully;

- (iii) the world economic system. The EC has a responsibility to ensure that the world trading system, offering great opportunities for co-operation, can survive.

86. The new notion of partnership was not invented by the United States to associate others with the defence of purely United States interests. In the Gulf war and on other occasions the United States did not turn its back on European interests. In the Arab-Israeli peace conference framework, the United States has encouraged the EC to play a rôle and in discussions with the EC about this and other similar subjects, the United States is very open.

87. Mr. Gompert continued by saying that WEU fits in as the focal point for Western European defence co-operation. Obviously there is still a lot of misunderstanding about United States policy towards Europe's defence identity. If, however, Europeans could take a step back and look at what the United States did, they would see that the United States' objective was to create conditions for a European defence identity to be established. The whole issue was examined in order to determine what should be the basic principles for making it work and the potential obstacles that should be removed. At the same time NATO was being restructured to replace United States domination by equal partnership of all participants.

88. The United States understanding of the Maastricht decisions is that WEU should be developed into a defence and security organisation which could act for Europe in cases other than provided for in the North Atlantic Alliance. It is not understood to be a successor to NATO.

89. The United States is fully prepared to continue its commitment to Europe and it does not want to divide United States and European security. There is a need to sort out the respective responsibilities of both NATO and WEU.

90. In Central and Eastern Europe, many problems still remain unsolved, among which are the security problems. The North Atlantic Co-operation Council (NACC) is one of the institutions created to respond to certain needs of Eastern European countries. It can help to reform and adapt their military structures and organisations. It is certainly not the Eurasian security structure which some have taken it for.

91. NACC can offer some specific and detailed help. In the framework of NATO and NACC, a fruitful discussion about security guarantees and membership is not possible, but security needs and problems in general can be discussed.

92. As far as WEU is concerned, Mr. Gompert said, it is right to make contacts with the new democracies and the United States encourages a maximum of co-operation. The United States does not like to see exclusive clubs being established.

93. The United States has no immediate answer to the situation in North Africa as it is developing now. For a longer-term strategy to be developed, it would look towards the EC. The United States has an interest in that area, but it is convinced that for a number of reasons the Europeans have a more detailed knowledge of the issues at stake such as a certain danger of fundamentalism and integristism, partly because of the poor shape of some North African economies and socio-political structures. The United States does furthermore not appreciate that in some of these countries certain parts of the population are being exploited for political purposes.

94. Mr. Gompert expressed special concern over the Libyan leader, Mohammar Kadhafi, who is not trusted by the United States and whose country is not considered to be part of the community of nations as long as it is under his exclusive leadership.

95. Proliferation of weapons of mass destruction in South Asia is a matter which received the greatest possible attention in the United States. Together with the EC it is trying to curb the proliferation and use of dangerous technologies in that part of the world. Co-operation in this area is improving.

VI. A new world order and collective security, dream or reality?

96. Reporting on the situation in the Gulf on 11th September 1990, President Bush made an important statement at a joint session of the United States Congress. Unfolding his ideas on United States foreign policy for the future, the President said that the crisis in the Gulf offered "a rare opportunity to move toward a historic period of co-operation." He said that a new world order could emerge, based on the following principles: the rule of law, the world's nations' recognition of shared responsibility for freedom and justice, respect by the strong for the rights of the weak. Putting it differently, he stated that America and the world must and will "defend common vital interests.... support the rule of law...(and) stand up to aggression."

97. In his State of the Union address on 29th January 1991, the President said that "the long-held promise of a new world order" should be fulfilled. He added: "The United States bears a major share of leadership... Among the nations of the world, only the United States of America has both the moral standing, and the means to

back it up." He continued: "This is the burden of leadership... and the strength that has made America the beacon of freedom in a searching world." Nevertheless, in his 11th September 1990 statement he had already recognised the existence of one flaw which could stand in the way, when he said: "To revitalise our leadership capacity, we must address our budget deficit – not after election day, or next year, but now."

98. Now, almost two years after the new world order proposal, it may be asked if any progress has been made. Is there a chance to establish a system of collective security? Do common vital interests exist and are they the same for all nations of the world? How about the United States' leadership? These and other related questions will be discussed in the present chapter.

99. First, the budget deficit which, according to the President, must be addressed now "to revitalise our leadership capacity". Apparently, here the United States failed. While in September 1990, the projected deficit for the fiscal year 1991 was \$232 000 million, the Congressional Budget Office estimated that the fiscal year 1992 deficit would be \$362 000 million, the highest ever. The latter figure includes a \$60 000 million for the savings and loan bailout and the current surplus in the social security fund.

100. The Congressional Budget Office predicts that the underlying deficit – without bailout costs – will drop from \$307 billion in 1992 to \$219 billion in 1995 and then steadily increase to reach \$432 billion in 2002. Little hope for real improvement.

101. A Federal Reserve Bank study has meanwhile concluded that the budget deficits of the 1980s held United States economic growth below what it would have been without such deficits. If deficits continued to depress private savings, the report added, economic growth would be held down by about 6% by the year 2000. Currently, presidential candidates are all but ignoring the long-term deficit problem. The Congress is also not induced to cut the deficit, saying that such acting could hamper a recovery of the economy. Altogether, it can be concluded that in the years to come, the United States will face – most probably growing – budget deficits which will negatively influence its leadership capability.

102. Is the concept of world leadership still valid in today's world? This question can only be answered in the light of the post-war development of international relations. Immediately after the second world war, the world was subject to a bipolar system which was dynamic at the fringes of both spheres of influence, but which was stable otherwise, with security mainly dependent on the military dimension of the equilibrium.

103. With the accelerating process of decolonisation, an increasing number of countries sought to assert their independence through non-alignment and alongside the existing differences between East and West, discrepancies between North and South became apparent. The two superpowers remained the principal forces for determining the degree of stability in the world, but more powers were at work, to name only the OPEC countries, who, in the 1970s, managed to upset the world's economy by manipulating their oil exports.

104. At the same time, both Western Europe and Japan with South East Asia have reached economic maturity and this has affected the relative strength of the United States economy. The dissolution of the Soviet Union, therefore, has not provoked the end of a bipolar and the emergence of a unipolar world where all nations follow the guidance of one world leader. On the contrary, it has brought to light a new pattern of international relations which was emerging gradually but the influence and importance of which had long been overshadowed by the military aspects of security preoccupations of many nations. Since the disappearance of the Soviet empire, among the concerns of many nations the military dimension of their security has begun to play a less overwhelming rôle than their economic prosperity and trade relations. Obviously, there are now three poles of attraction in the world with trade, economy and political stability based on a democratic system being the prior incentive for the remaining nations to establish or improve relations: the United States, the EC and Japan. There can be little doubt that stability in their own region or direct neighbourhood is a priority concern for each of these three poles.

105. Of these three poles, only the United States has a long established and adequate full range of instruments, both political and military, at its disposal in its own region and elsewhere in the world. Moreover, it has experience since it has for long exercised a practically unchallenged political, economic and military leadership rôle in its own region as well as in Western Europe and East Asia.

106. This situation now seems to be changing gradually for two important reasons. First, the United States' ability to carry the financial burdens of world leadership has obviously diminished and is still continuing to do so. Second, in trying to attain its objective of a new world order, the United States will have to rely on multinational diplomacy and the financial if not military commitment of other nations, as Secretary of State James Baker stressed again recently.

107. The next question is what the President meant by common vital interests. What are vital interests, do nations have common vital

interests and when are they vital enough to take common action? According to a widely accepted interpretation, the vital interests of a nation are threatened if a development has a direct, immediate and substantial connection with that nation's physical survival, political independence or domestic freedoms. The existing Atlantic Alliance is supposed to protect the signatory nations from the threat to such vital interests.

108. Protection against external threats of the entire area covered by the North Atlantic Treaty is a clearly-defined objective. NATO being a regional security arrangement, its European members understandably insist that the armed forces assigned to NATO can operate only within the area covered by the North Atlantic Treaty.

109. Matters become infinitely more complicated if one tries to build a world order on the assumption that all the nations of the world share common vital interests. It is quite obvious that at this state of history, many differences in economic development, religious, social, cultural and political beliefs and opinions still constitute as many barriers to the establishment of world-wide common vital interests.

110. If the President meant to say that a restricted number of nations in the world, in particular its traditional democratic allies will defend common vital interests, there may even then still be a long way to go. For instance, the European allies were far less concerned with the situation in Nicaragua than the United States which saw its vital interests threatened by the Sandinist régime. On the other hand, the United States kept clear of direct involvement in the Yugoslav crisis which it preferred to leave to the Europeans to deal with, since it took place in their backyard. Still, many Europeans interpreted the American lack of interest in the Yugoslav crisis as a signal of the use of double standards in American foreign policy. In their opinion this lack of interest was the more astonishing since the crisis occurred in a country with a long Mediterranean coastline and situated between two member states of the Atlantic Alliance. The early presence of the United States Sixth Fleet would most probably have contributed to a rapid limitation of the conflict's scale. This criticism would not be fair if it is not balanced by European self-criticism. The Europeans, who felt most concerned by the Yugoslav crisis, were themselves not capable of acting jointly and effectively. Early decisive action in the framework of the EC using political, diplomatic and economic means could have averted the open military conflict. It should be noted that the deterioration of existing rivalries between different nationalities into open conflict was announced as early as 1989 by the events in Kosovo.

111. Iraq's invasion of Kuwait resulted in an almost world-wide coalition but it has rightly been pointed out that this coalition on the basis of United Nations resolutions was a unique case where the defence of different vital interests of a number of nations went hand in hand with the protection of values and principles mentioned in the United Nations Charter.

112. Apart from agreed collective security interests, all allies involved in this operation against Saddam Hussein's Iraq had their own specific self-interests. Altogether it seems very unlikely that any comparable occasion will arise in the future.

113. Common vital interests therefore exist, but the prevailing restrictive interpretation of this notion is not a sound basis for the maintenance, even less the establishment, of a new world order.

114. Did the President mean to say that at least common vital values are shared by the nations of the world? Such common values exist, they have been codified in the Charter of the United Nations and all nations having signed the charter recognise that respect for them should be promoted and encouraged. However, despite the existence of the United Nations and its Charter for more than forty years, a new world order has not yet come about.

115. Another important question which still remains to be answered is what to do if the establishment of a new world order requires interference or enforcement, even by military means.

116. Here it should be borne in mind that the principle of non-interference in a state's internal affairs was one of the great issues in negotiations leading to the Helsinki Final Act of 1975, the basic document of the CSCE. At that time, all western nations were extremely satisfied to have eliminated the Brezhnev doctrine. Moreover, both the EC countries and Japan, for constitutional or other reasons, would be extremely reluctant to use military force for other purposes than the defence of vital interests.

117. Is a new doctrine being developed allowing interference in a state's internal affairs if it is in the interest of democracy, human rights and free trade? Who will determine whether these issues are at stake? The Security Council of the United Nations, the CSCE? It should be noted that even these well respected bodies are partly composed of nations with an undemocratic, dictatorial or authoritarian government.

118. For the majority of the world's nations there is a considerable gap in signing a solemn charter and putting its principles into practice on its own territory. Moreover, different cultures have a different interpretation of codified values and principles. Even for nations cam-

aigning for a new world order it is not easy to act according to one and the same standard.

119. Clearly, the development of a new world order as seen by the American President will take many years. But since the rule of law and justice in a prosperous and peaceful world is a common interest of both the United States and Europe, they should co-operate closely in every possible way to attain this objective, preferably through peaceful means.

VII. Trade and security

120. At the last annual Munich conference on security policy in February 1992, all United States speakers agreed that at the moment no issue was more important than achieving a satisfying agreement in the GATT Uruguay round.

121. Vice-President Dan Quayle called trade a security issue, adding that an agreement in GATT was "absolutely critical...to the security of Europe, the security of the United States and the security of Asia." Indeed, while going out of his way to play down the importance of isolationism and protectionism in American politics, he ventured that "Effective national and international security has to have co-ordination between political, military and economic security".

122. Republican senators speaking at the same conference were much more outspoken on a linkage between trade and security. Senator William S. Cohen said that the "prevailing view" in the United States was that NATO was "no longer necessary, relevant or affordable" and that "few are willing to pay for what they perceive to be another's security". He predicted that the alliance would become a "mainly European organisation". He said there was little support in the United States Congress for the Bush administration plan to keep 150 000 troops in Europe. A more likely figure would be 75 000.

123. Senator Richard G. Lugar later declared that in his opinion, Europeans did not understand how far they had to move on trade, adding: "If they do not back down, it could undermine NATO and American participation in the alliance." Secretary-General Manfred Wörner said that if the trade issue was not resolved "we risk a profound crisis in the transatlantic alliance".

124. There can be little surprise that the abovementioned remarks - characterised as "megaphone diplomacy" by the United Kingdom farm minister John Gummer - drew sharp rebukes from all over the EC, even if in general it may be willing to compromise at the GATT talks.

125. President George Bush understandably then sought to quash European agitation over the Munich remarks by saying that a successful conclusion of the Uruguay round and a strong United States commitment to NATO were separate questions. He went further by taking strong exception to the view of Republican Senators that there was little support in Congress for the White House plan to maintain 150 000 troops in Europe. Among other things he said "We have set the proper level, and we are going to stay with the level we have set... We have a disproportionate responsibility for world peace....We are not going to let this be set by a lot of politicians. We are going to do what is right for the national security". Here the President may have been carried away by his sincere convictions, but the constraints of domestic policy may force him to alter these views.

126. The administration will have considerable difficulty in maintaining its defence planning for the 1990s and alternative defence budgets are already being worked out at the Pentagon containing far more reductions. In that framework American troops in Europe may not be sacrosanct.

127. In a first response to the Bush administration's defence planning for the 1990s, the Chairman of the House Armed Services Committee, Les Aspin, Democrat of Wisconsin, on 23rd February 1992, proposed to cut a minimum of \$50 billion more over the next five years until 1997 than the \$50 billion cut now being proposed by the White House. Even with Mr. Aspin's minimum of an extra \$50 billion budget cut, the army would lose three more active duty air wings and the navy about 90 ships, including half of the attack submarine force. It should be noted that among Democrats, Mr. Aspin appears to be pursuing a centrist proposal for additional military reductions and his plan is likely to attract substantial support.

128. Later, the chairman of the Senate armed services committee, Senator Sam Nunn, Democrat of Georgia, made a proposal to cut the defence budget over the next five years by \$30 to 35 billion more than proposed by the White House. In his proposal, Senator Nunn called for reducing the number of United States troops stationed in Europe to "well below" the 150 000 in the administration's plan. He also suggested that the Pentagon's plan to maintain a large number of troops ready to go into battle at any time was unnecessary since a lot of these forces "cannot be shipped in 60 to 90 days anyway."

129. Finally, the proposals for immediate sharp cuts in the 1993 defence budget were not adopted in Congress, primarily because of fears of job losses in the arms industry and divisions among Democrats who failed to reach agreement about whether to apply savings from military programme to domestic programmes or

to reduce the deficit. Nevertheless, Senator Nunn is still calling for military spending to be reduced by \$30 to 35 billion more by the end of 1997 than the administration had proposed, which is close to Representative Aspin's last target of \$41 billion in additional cuts. Thus, although the first skirmish has been won by the administration, the main battle is still to come and, when it comes next year, it will create new uncertainties.

130. In recent months, the Supreme Allied Commander Europe, General John R. Galvin, has repeatedly advised against reducing the American presence in Europe below 150 000 men, arguing that an army corps with all other supporting military is the minimum to maintain a credible three-dimensional air/land battle capability.

131. In Washington, representative Norman Seisisky, Democrat of Virginia, told the political committee during talks in Congress that a minority of the House democratic caucus had already taken the view that Europeans should pay for American troops stationed in Europe.

132. Even if the American administration is denying the direct link between trade and security, the basic message still stands. There is general agreement among United States taxpayers that there is no longer a compelling need to bear the brunt of maintaining a large military alliance for the sake of Europeans who are rich enough to pay for their own defence.

133. For many reasons, the American Government wishes to continue to have an important political say in determining the course of developments in Europe, but if a political presence is not accompanied by a comparable military and economic engagement, sooner or later its arguments will lose weight.

134. It has been argued that with new developments in military technology, the United States will be less dependent on foreign bases for United States forces and that a threat to pull back to home bases is more credible now than ever in the past. But this is only partially true. Even for a modern high tech military force to be credible, numbers and local presence count. Space-based weapons such as a GPALS system are no doubt less dependent on foreign bases, but theoretically this would be available in its first phase only in 1996 and it is certainly not a cure for all ills. The Gulf war has clearly demonstrated that whatever high technological destructive violence is coming from the air, the final job has to be done by ground troops.

135. An increasing number of Americans apparently finds it difficult to see a direct threat to the vital interests of the United States in Western Europe with the cold war belonging to the past and - according to the United States Defence Secretary's own words - the Russian or

other former Soviet republics no longer able to mount an attack on Western Europe.

136. However, the prevailing opinion in Europe still is that if the United States is prepared to conduct relations with its allies on the basis of truly equal partnership it is not only in the European's but also in the United States' own interest to remain engaged in Europe's security politically, militarily and economically.

VIII. GATT and the Uruguay round

137. Security or no security, the Uruguay round has now been dragging on for almost too many years and increasingly it reminds one of a never-ending tango with as many steps taken forward as backward and an occasional turn of the partners to please the onlookers.

138. While the United States nowadays takes the stance of being the promotor of worldwide free trade and open markets, it should be remembered that the United States also has had an impressive record of protectionism with the solid support of its business community and the approval of most farmers.

139. Only when the Roosevelt administration came to power in 1933, bills were proposed to lower tariffs and to gain access to foreign markets through reciprocal trade agreements under heavy protest from the business community and the Republicans. Cordell Hull, then Secretary of State, was convinced that "unhampered trade dovetailed with peace; high tariffs, trade barriers and unfair economic competition with war".

140. This ultimately led to the signing of the General Agreement on Tariffs and Trade on 30th October 1947, which came into force on 1st January 1948. At the moment, there are 103 signatory states. GATT's twofold mission is to regulate international trade in order to guarantee its security and stability and to promote trade liberalisation through periodical rounds of multilateral trade negotiations.

141. In fact it was not until the 1980s that foreign trade assumed real importance for the modern United States economy, accounting for nearly 20% of the gross national product.

142. The Uruguay round started in September 1986 in Punta del Este at the initiative of the United States and is the eighth round of negotiations since the signing of the GATT.

143. Over the years, the EC's common agricultural policy (CAP) had increasingly become a bone of contention for the United States. This growing irritation was also caused by problems in its own agriculture.

144. From the 1970s onward, there has been massive investment in American farming, stimulated by prognoses of a future massive imbalance between food requirements of the world population and agricultural production. Indeed, it cannot be denied that famine has struck some regions, especially in Africa, but often the real reason was civil war and ethnic strife or both.

145. In fact, the earlier pessimistic prognoses have not come true because agricultural production in the third world has increased. As a consequence, American farmers could not export successfully to these predicted markets and what made things even worse for them, some third world countries became their competitors on the world market. There can be little wonder that, for the United States, the CAP, which also built some high protectionist fences at the EC's frontiers, should be one of the issues of the Uruguay round.

146. It should be noted that the debate over agriculture is not purely a United States whim. Its successful outcome is also a sine qua non for many other countries of both the developed and the developing world among whom the Cairns group of farm-exporting states is also prominent, which has for a long time criticised the EC's agricultural protectionism.

147. Apart from a number of other things, the Uruguay round envisages bringing within the GATT framework agriculture and textiles and clothing, two long-established exceptions which accounted for 10.1 and 5.3% of total world trade in 1990. It also envisages establishing an agreement on trade-related aspects of intellectual property rights which would, for the first time, provide multilaterally-agreed protection of intellectual property.

148. The EC's agricultural commissioner, Ray MacSharry, has made proposals for reforming the CAP which have been under discussion for more than a year without any progress being made. Mr. MacSharry has basically proposed to reduce considerably the price of agricultural products, now far above world market prices, combined with a system of direct income compensation for farmers, provided that they reduce their production.

149. There is little doubt that agriculture is all important to a successful outcome of the Uruguay round. Three key issues are remaining: should the EC accept quantitative limits on its volume of subsidised exports, which it still does not accept; should the income compensation payments now envisaged in the Commission's reform proposals be put in the GATT's "green box" for non-distorting subsidies, on which the EC insists and can United States cereal substitute exports to the EC be controlled.

150. In many comments on GATT negotiations, one finds the impression that the EC is the black sheep of the free trade world community with an unmatched system of trade barriers and subsidies. For the sake of clarity, it should be noted here that in recent years the United States has also generated uneasiness with its own trade policy practice, not always in accordance with the standards of the free and open market which it claims to uphold.

151. When the United States forged a bilateral trade agreement with Japan in January 1992, the EC competition commissioner, Sir Leon Brittan, accused the United States on the grounds that this example would "erode" the multilateral world trading system so strongly advocated by the United States itself and that it would bolster trade tensions. He said that there was "mounting evidence that the United States is drifting toward a preference for managed trade".

152. Indeed, the United States itself does not have a clean record as regards protectionism. It maintains a collection of quotas, tariffs and other barriers which reflects lobbying by different industries and national security concerns.

153. The Reagan and Bush administrations have limited imports of steel and computerised factory machines, created customs processing fees for incoming merchandise and tightened controls on imports of sugar-based foods and natural-fibre clothing.

154. While the United States was exerting strong pressure for more concessions to be made in the Uruguay round, GATT on 12th March 1992 published a report which was quite critical of United States trade policy. The report noted growing concern about the erosion of basic GATT principles by regionalism, bilateralism, unilateralism as well as various forms of "managed trade".

155. GATT is particularly worried over the potentially adverse effects of preferential regional trading arrangements, such as the proposed North American Free Trade Arrangement (NAFTA) between Canada, Mexico and the United States, which is expected to be concluded in 1992, and the various deals with Central and South American countries envisaged under the "Enterprise for the Americas Initiative". In this framework, a possible complex network of preferential programmes could further undermine the most favoured nation principle.

156. United States unilateral action is another problem. In the Uruguay round, the United States has refused to abandon its right to take unilateral measures as part of an accord on a speedier and more effective multilateral disputes settlement procedure, even if it has pledged not to use Section 301 of its 1988 Trade

Act before the new GATT procedures are exhausted.

157. The United States is also accused of frequently using its anti-dumping and countervailing duty actions, with more than 200 orders in force in mid-1991. Even if such actions do not always come into effect, they generate uncertainty and have induced many trading partners to voluntarily restrain exports, to price their goods "defensively" or to conclude bilateral deals with the same effect. Research suggests that nearly half of all anti-dumping and countervailing duty investigations have been terminated by bilateral pacts.

158. GATT's findings obtain support in two recent American studies⁴ which have clearly demonstrated that the United States does not always maintain its principle of a free and open market.

159. It should be noted that Uruguay round negotiators take the general view that the United States has obtained a much better deal than it could have hoped for in the draft accord on intellectual property. Many nations, including the developing countries, have made important concessions which are still being criticised by the United States pharmaceutical and film industries.

160. On the other hand, the EC says that the United States is seeking wide exemptions for the sectors of maritime transport, financial services, air transport and basic telecommunications, together - according to the EC - accounting for three-quarters of world service trade. On 25th March 1992, the United States ambassador to GATT made it clear that the exemptions his country was seeking for maritime transport and civil aviation were not negotiable.

161. A continuing dispute has opposed the United States and the EC over government payments to the Airbus consortium. The United States said that the European state subsidies have helped Airbus to gain a market share from its United States rivals. The EC counterargued that United States aerospace companies benefit from big government payments made for the development of military aircraft. On 1st April 1992, both parties agreed tentatively to restrict subsidies to the commercial aircraft industry. The agreement limits both direct production supports and indirect subsidies such as the benefits to civil aviation flowing from defence contracts. Direct subsidies to Airbus would be limited to about 33% of total new development costs, while benefits from indirect United States Government subsidies could not exceed 5% of a

4. James Bovard: *The Fair Trade Fraud*, St. Martin's Press, 1991. Richard Boltuck and Robert E. Litan (ed.): *Down in the Dumps. Administration of Unfair Trade Laws*, Brookings Institution, 1991.

company's civil aircraft sales. The tentative agreement, applying to all civil aircraft with more than 100 seats, still needs approval by United States authorities and EC governments.

162. When on 13th January 1992 the 108 nations participating in the Uruguay round conditionally accepted a 436-page draft package of accords covering all areas of negotiation, the European Community said that "substantial improvements would have to be made in the agriculture text calling for cuts in farm support".

163. But there are also other countries, in particular Japan, which are dissatisfied with the agriculture text. Japan does not want to open its rice market and is refusing to bargain over farm products on the grounds that guidelines have not yet been fixed.

164. Trying to be more objective, away from the occasional bellicose declarations which accompany many such negotiations, it can be established that in world trade, there has also been a clear tendency towards protectionism in recent years. A recent study has demonstrated that 20 out of a total of 24 OECD member states are pursuing a more protectionist trade policy at the moment than was the case ten years ago. Almost 28% of all developed countries' imports from developing countries are subject to non-tariff barriers. The UNDP estimates that only 7% of all exports from developing countries can be traded in full accordance with GATT regulations.

165. It seems of little use for the EC and the United States to blame each other for the present deadlock in the Uruguay round. It can be established that in the United States public opinion assumes, not without reason, that Europe is becoming increasingly independent, which makes it more intransigent in negotiations.

166. On the other hand, the United States too easily ignores the completely different structure of agricultural production in Europe, where social and ecological issues are very important in public opinion. Obviously, the increasing United States trade surplus with the EC is another good reason to search for a fair compromise in the ongoing negotiations.

167. It should be said that the United States showed its underestimation of the degree of European integration and Franco-German solidarity in these matters when it expected the German Chancellor to convince the French President of the need to compromise on agricultural policy in the framework of the Uruguay round. Gradually there will be less chance to play EC member countries off against one another in international negotiations. Chancellor Kohl, returning from his latest visit to

Washington, made this clear when – referring to the trade negotiations – he stated: "I am not ready to put pressure on one member of our Community. It is a common affair and we should not single out one country."

168. Now that all earlier deadlines have been missed there is need for a political breakthrough in the main bilateral market access negotiations between the United States and the EC to unblock the talks on both agriculture and industrial goods. It is hoped that both parties notwithstanding their objections based on national or internal political considerations will find a solution, which in the longer term will benefit both themselves and the rest of the world.

IX. Trade and security: United States relations with Japan and East Asia

A. Trade

169. In recent years, Japan has frequently been the focus of United States entrepreneurial anger. Strong pressure has been exercised by the business world on the administration in Washington to protect the American industry against Japanese penetration in the United States market. Even if the issue is well known, it may be useful here to recall some facts and figures which illustrate the threatening economic strength of Japan.

170. Japan accounts for two-thirds of the entire economy of Asia and its economy is twice the size of that of Germany. If present trends continue, Japan's output of goods and services could well equal that of the United States early in the next decade. Despite a tripling of the yen's value against the dollar in the last twenty years, Japan still has a trade surplus and, in 1992, this is expected to exceed \$100 billion, the largest ever and the twenty-fifth surplus in twenty-five years.

171. From 1985 to the end of 1990, Japan exported \$596.2 billion in long-term investments. Even if these investments are now diminishing and money is being drawn back into the country, it does not mean that Japan is getting poorer or losing its ability to influence the global financial markets. It will no doubt remain the world's largest creditor nation.

172. The great Japanese firms are positioning themselves to profit from changes in the world's economy which will follow the end of the cold war. In 1990, the value of overseas production by Japanese firms was about \$165 billion, equal to about half Japan's total annual exports. By the year 2000, the annual output of corporate Japan will exceed \$1 trillion.

173. In 1991, Japan's trade surplus with the world amounted to \$103 billion, and it is expected to grow in 1992. The United States

deficit with Japan is expected to total \$42 billion for the fiscal year ending in March 1992, up 10% on the previous fiscal year. Automobiles and related products are responsible for three-quarters of the \$42 billion trade deficit.

174. According to the United States Labour Department, Japanese factory workers' productivity has risen more than twice as fast as their United States counterparts over the past thirty years.

175. A recent opinion poll demonstrated that almost 80% of the Americans considered the Japanese to be their rivals while a minority saw them as partners.

176. Altogether there were many reasons for President Bush to do something about Japan, especially in a presidential election year. In the framework of an extended Asian tour in January 1992, he paid a four-day state visit to Japan to discuss trade and security issues. When he left Washington for his tour, he said that his primary object was to "relentlessly pursue our mission to create jobs and restore prosperity for all Americans."

177. Originally, President Bush's visit to Japan was planned for November 1991, just before the 50th anniversary of Japan's attack on Pearl Harbour in order to reaffirm their mutual dependence and shared responsibilities for maintaining peace and prosperity in the region. The President had to postpone his visit after strong criticism that he preferred foreign policy to fixing the national economy. In order to leave no doubt about his objective, he was accompanied by eighteen United States corporate leaders, among whom were the chairmen of the Ford Motor Co., Chrysler Corp. and General Motors. While these American companies together had just 0.3% of the Japanese market with 18 000 cars sold in 1991, Japanese car makers accounted for 30% of new car sales in the United States. In the same year, Germany sold 120 000 cars in Japan. The three American car firms are registering their biggest losses since 1983 and in December 1991 General Motors announced plans to close 21 factories cancelling 74 000 jobs.

178. The results of the visit were meagre. Together, the United States and Japan signed the Tokyo declaration, a solemn if not grandiloquent text over "enhanced mutual understanding and shared interests" in which the two governments declare "to join in a global partnership based on these enduring values to help build a just, peaceful and prosperous world and to meet the challenges of the twenty-first century."

179. More important for the Americans was a down-to-earth action plan defining various market-opening measures. The Japanese Government promised to take steps to increase

market access in Japan for different products such as computers, paper products, flat glass and semiconductors. More specifically, nine Japanese car manufacturers pledged that they would increase their buying of United States produced car components from about \$9 000 million in 1990 to about \$19 000 million in 1994, up only \$1 000 million as compared to an earlier agreement. A total of 23 Japanese companies have announced that they are planning to increase their level of imports from the world by \$10 000 million dollars in 1993 as compared to 1990.

180. To all observers, the concessions now made by Japan appeared too meagre and uncertain either to affect the economy or ease tensions. Even United States negotiators conceded that Japanese pledges of improvements in trade balances were either below White House expectations or were too murky and tentative to be readily measured. It seems that both Japan and the United States had ignored two rules used in many US-USSR cold war summits: never commit leaders to negotiations until the main issues have been resolved, and remember that broad principles are important but that the devil is in the details.

181. No doubt, the United States should continue its pressure to expand market access in areas where it has competitive products such as chemicals, pharmaceuticals, car parts, medical equipment and software. But the real problem is elsewhere and other solutions are needed for a durable improvement to take place. It is well known that the United States, accusing Japan of market access restrictions, employs protective measures for many of its own agricultural products and has extracted "voluntary restraints" for the export from Japan of such products as textiles, televisions, steel and cars. Japan's Prime Minister Kiichi Miyazawa has rightly pointed out that there are problems with America's management and work ethic.

182. American specialists have also rightly pointed out that the United States may have to restructure its tax laws and financial markets in order to develop strong companies able to think long-term. Critics note that many of the United States' large companies have changed ownership, been reorganised and laid off employees so often that they do not have the company loyalty, experienced people or capital comparable to Japanese standards, which are first requirements to be able to compete.

183. Understandably, the early reactions from the EC were critical, and a Commission spokesman made it known that certain elements in the United States-Japan agreement "might be discriminatory against non-signatories of the agreement, notably involving the purchase of United States cars and car parts." The Commission further said that it had no problem with

bilateral agreements, but that it wanted comparable agreements with Japan.

184. Later, when Japanese officials were in Brussels to provide the EC with details of Tokyo's recent agreement with the United States, the Commission warned Japan not to strike bilateral deals with the United States that might lose the EC its toehold in the Japanese market and raise its trade deficit with Japan. According to Japanese statistics, the EC deficit rose from \$18 billion in 1990 to \$27 billion in 1991.

185. The Commission conceded that the cause of the EC's rising deficit with Japan lay more with the nature of the goods traded and the structure of the Japanese market than with the relatively few specific tariffs and obstacles Japan still imposes on imports. Half of the EC deficit stems from Japanese exports of mass-market cars, telecommunications, electronic data-processing and components. Successful EC exports to Japan such as luxury cars, high-value textiles and alcohol are much more sensitive to fluctuations in the economy.

186. It appears that in a number of their trade disputes with Japan, the United States and Europe have common interests and the best way out would certainly be to negotiate common solutions through global trade talks in the framework of GATT.

B. Security in East Asia

187. A quite different, but at least equally serious subject is security in the Pacific and East Asia, where the United States is playing an important rôle in maintaining the balance of power. During the cold war, with a permanent threat of communist expansion, the heavy United States presence in Asia was primarily based on the presumption that stability in that region was in the United States' own interest. This basic idea did not change with the end of the cold war, even if the security environment has since improved.

188. At present, North Korea's nuclear programme is causing concern inside and outside Asia. In particular, Japan has expressed uneasiness about North Korean ballistic missiles. No doubt Japan is in a position to help promote stabilisation in North Korea by helping it to develop its economy and it has contributed to improving relations between the two Koreas.

189. But there is also China with a number of internal political problems by no means yet settled and unrest at its frontiers with now independent former Soviet republics due to ethnic strife and migration. Moreover, the long-term consequences of growing Chinese economic power for regional stability cannot easily be predicted.

190. The Russian Federation with its vast territory in Asia will continue to have an influence in the region and it will remain a source of instability as long as the many ethnic and territorial disputes have not been settled. Cambodia, where a fragile peace process has been set in motion, is still a potential powder keg for the Indochinese region. In the whole Asian region, the United States has still some 130 000 troops, deployed mainly in Japan and South Korea.

191. The Defence Secretary, Richard Cheney, has declared that he did not expect further significant reductions in Asia or the Pacific for the time being after the 12% reduction in American forces in Japan and South Korea until the end of 1992. Some adjustments are being made, also because the Americans have been told by the Philippines that they will have to leave the Subic Bay naval base by the end of 1992. On the other hand, the United States now has agreements with Singapore giving their ships and fighter aircraft the right to port calls for operations and repair. The same military calling rights are being sought in Malaysia, Thailand and Indonesia.

192. The question remains what the United States really has in mind for the future, knowing that important cuts in the defence budget are still ahead in the years to come. Will it retain its bilateral defence agreements in that area or will it try to forge a multilateral security system?

193. Most Asians consider the American military presence as vital for security in that region. Nevertheless, the present downward pressure on the United States defence budget is certain to intensify the debate over United States troops abroad including those in Asia and the Pacific. Still, at the moment it seems unlikely that the United States will close its military bases in Japan and South Korea which are part of long-standing bilateral security treaties. It is generally agreed that a United States military disengagement from East Asia under present circumstances might create a dangerous power vacuum.

194. Nevertheless, United States relations with Japan and its other allies in that area also need to be redefined because of the great changes that have taken place in their economic relations. Maintaining redefined bilateral security commitments with its long-standing allies, the United States could stimulate the establishment of a regional forum on security, including China and Russia which could address issues such as arms limitation and the peaceful settlement of disputes, similar to what the CSCE is trying to do in Europe.

195. The United States would like Japan to be more helpful in international operations and in the Tokyo declaration both countries declared that in the next Gulf-like emergency the United States and Japan must act as fully co-operating

partners. But the Japanese constitution, which binds the self defence force strictly to the defence of national territory, has not yet been changed. In fact, the United States should be reluctant to stimulate the development of a stronger military capability in Japan. It would frighten other nations in that area and also be in complete contradiction with the general conviction in many nations that arms control is a better policy for enhancing security than re-armament. It would also neglect the fact that since the second world war Japan has consciously managed to limit the rôle of its armed forces to minimum requirements.

196. In the 1970s and 1980s, Japan strengthened its military capabilities to cope with the perceived Soviet military threat. It did so, however, in close liaison with the United States, which, since the second world war, has had a considerable military presence in East Asia for reasons mentioned above. At the end of 1991, the United States had more than 40 000 troops stationed in Japan.

197. Since the Japanese constitution forbids recourse to war unless it is to protect Japanese home territory against attack, it has no offensive weapons such as nuclear arms, long-range bombers, aircraft carriers or large landing ships in its arsenal.

198. At the moment, it has neither the capability nor the motivation to try to achieve a militarily dominant position in East Asia.

199. While the authorised number of military service personnel is 274 000, the actual number in 1991 was only 234 000. The navy has 170 ships, the largest of them 60 destroyers, and 14 diesel-electric submarines. The air force has 330 advanced jet fighters but it has no capacity for in-flight refuelling.

200. In January 1992, Japan's Prime Minister announced that the government was considering cuts in its defence forces in response to the end of the cold war and the reductions in United States and former Soviet military forces. He said that the defence agency had started a review of personnel and hardware which could lead to cuts in the mid-1990s. The government has proposed to raise defence spending in the financial year starting in April by 3.8%, the lowest increase in over 30 years.

X. The earth summit

201. While much attention is being paid to political and economic problems in Central and Eastern Europe, one easily gets the impression that the even greater problems of the developing countries have almost been forgotten. Yet, the transatlantic relationship could also be used to forge solutions for important problems which can be dealt with only at world level. One

example is the United Nations Conference on Environment and Development (UNCED) or Earth Summit, to be held in Rio de Janeiro in June 1992, where 140 nations will meet.

202. In preparation for this summit, negotiators from 143 countries have reached agreement on the text of a global warming treaty which commits the participating nations to reduce the amount of carbon dioxide and other so-called greenhouse gases emitted by their industries and vehicles. However, the treaty does not set specific targets to be met by governments because of the refusal of the United States, the world's largest emitter of carbon dioxide, to accept such targets. Together, the industrialised nations produce three-quarters of the world's carbon dioxide emissions. The United States is opposing quantitative targets and timetables as proposed by the EC for emissions of carbon dioxide and other gases responsible for global warming because it believes that stabilisation by 2000 would damage its economy which is heavily dependent on fossil fuels. On the other hand, industrialised nations are still reluctant to give developing countries preferential non-commercial access to technology which would enable them to solve pollution problems in their expanding industry.

203. The UNCED estimates that the global action plan for environmental protection to be agreed upon in Rio de Janeiro will cost some \$ 130 billion, mainly to be paid for by the industrialised countries in the Northern hemisphere. It should however be said here that the same group of nations has been spending about 70% of the world's arms expenditure. Bearing this in mind, it could be argued that savings resulting from defence budget cuts should at least partly be used for this global action plan.

204. In a wider framework, there is also great scope for improving trade relations between industrialised and developing nations. As has been noted earlier, almost 28% of all the imports of developed countries from developing countries are subject to non-tariff barriers. Moreover, the UNDP estimates that only 7% of all exports from developing countries can be traded in full accordance with GATT regulations.

205. For these and many other related problems, solutions may not come easily, but there seems to be no way out other than through positive co-operation between the industrialised nations where both the EC, the United States and Japan could give the lead if they are serious in their declared policy to improve living conditions for the world's population.

XI. Financial and humanitarian aid to the CIS

206. While there can be little disagreement over the question whether the now independent

republics which used to be part of the Soviet Union need help, there is no common opinion on what kind of help they need and even less about how much. It is a thorny issue for which the United States has been less eager than Europe to provide financial support. Clearly, the United States is primarily concerned with security issues related to the control of nuclear arms on the territory of the former Soviet Union.

207. The United States administration seems very reluctant to offer significant financial help to the Russian republic in its current state of uncertainty and economic collapse. On 12th March 1992 President Bush, defending his policy towards Russia against allegations made by former President Richard Nixon said that the United States was going through a period of constrained resources. He further said that he supported the idea of contributing to an international stabilisation fund for the Russian rouble, but that his advisers were still reviewing the matter. Apparently, Washington does not want to spend much money in a country where nobody knows what is going to happen next. It might turn out to be a gamble which will be criticised at home.

208. On the other hand, the United States has been very strong in public relations. On 22nd and 23rd January it organised an international conference on aid to the former Soviet Union republics in Washington.

209. At the occasion of the Washington conference, the European Commission published an inventory of foreign aid to the former Soviet Union republics since September 1990. Of all foreign non-private aid, the EC and its member states provided 75% with Germany in the lead position, having pledged \$45.8 billion or 57%. The United States was providing 5.7% and Japan 3.1%. The total amount of aid promised since September 1990 was \$79.8 billion, which included all different types of public aid such as emergency aid (food and drugs), technical assistance, support for balance of payment, export credits and credit guarantees, the two last accounting for almost half of all promised aid.

210. The German total included \$8.4 billion for the withdrawal of Soviet army troops from former East Germany and the construction of temporary housing for them back home. The argument used by United States officials and others that this part of Germany's financial effort should not be considered as aid because it was pledged in exchange for Moscow's consent to German unification does not seem to be fully justified. All nations, including the United States, that committed financial resources to help the former Soviet republics did it also for reasons of self interest. The purpose of all aid is to prevent chaos and to support a smooth tran-

sition to truly democratic government and an open market economy in order to maintain peace in a region with a high potential of dangerous crises.

211. When, in December 1991, the United States proposed holding an international conference to discuss how best to meet ongoing humanitarian needs over the course of the next year in the republics of the defunct Soviet Union, European countries reacted with mixed feelings. In particular Germany, by far the largest donor, and France were upset about what they saw as Washington's bid to get the political kudos for an aid programme mostly funded by others.

212. In the EC, it had not yet been forgotten that the United States did not respond when its president proposed an international conference on aid to the same republics in the context of the Group of Seven in September 1991. It was noted that the EC Commission was charged two years ago with the co-ordination of international aid programmes for reforming East European nations but that the United States, while participating in the programme, had been slow to commit funds.

213. It was also said that in July 1991, when France and Germany had proposed providing speedy international assistance in credits and technology to prevent a collapse of Soviet oil and gas production, the United States was reluctant to respond positively.

214. One of the United States administration's objectives for the conference was to win approval for NATO to become a clearing-house for emergency aid, keeping track of aid delivery and trying to match donors' offers with the needs of different localities. This, it was thought, could give new political visibility to the military organisation.

215. All in all, the run up to the aid conference was a new demonstration of the uneasiness and hesitation among western allies to react adequately to the changes which have taken place since the cold war. Flexible relations, adapted to the new international environment are still in the making. The end of the cold war might well lead to lesser United States influence on developments in Europe and a weightier Western Europe with a new rôle for Germany in that framework. Presumably, it will take some time for such new relations to settle down.

216. Under these circumstances, the Washington conference yielded only modest results. There was no agreement over which organisation should take the lead in the aid effort. At least an inventory was made of all the different aid operations under way and desired in food aid, medical aid, housing, energy and technical assistance.

217. Together with the United States, Germany proposed creating an international research centre which should employ the nuclear specialists of the CIS republics in order to prevent the proliferation of nuclear weapon expertise. No decision was taken at that stage, but in March 1992 a firm decision, including financial commitments for the establishment of a research centre was taken.

218. In order to follow up what will be done, after the Washington conference, a second conference, organised by the EC, will be held in Lisbon in May 1992 and a third one, to be hosted by Japan, in the summer.

219. Meeting in Brussels on 2nd March 1992, the European Community foreign ministers told the European Commission to allow the International Monetary Fund to take the lead in organising macro-economic aid to former Soviet republics.

220. Later, on 11th March 1992, the IMF announced that Russia alone needs about \$12 billion in food donations, debt relief and other financing during 1992. Of this amount, \$5 billion are covered by existing commitments made by western nations. It also said that a \$6 billion rouble fund stabilisation would be needed with the objective of bolstering confidence in the rouble and stabilising it when it is freely convertible.

221. Taking the view that the IMF will provide too little help, and too late to prevent further economic and political destabilisation in key CIS republics, the Commission thinks that the EC should give the world the lead in stabilising the longer-term economic future of the CIS. It also thinks that the EC should widen the scope of the CIS aid conference which it will chair in Lisbon in May for it to deal with structural, not just emergency aid.

222. Meanwhile, the EC finance ministers decided to let the IMF take the lead, admit Russia and the three larger members of the CIS in April and set the conditions for stabilising their economies. The ministers refused to soften their legal terms for the EC's pending food credit of ecu 1.25 billion to the CIS. Any CIS borrower must agree to submit to court action in the event of default on repayment. Should Russia insist on its "sovereign immunity" from court action, the EC loan would go ahead to CIS republics which had agreed to waive this right. Settlement of the responsibility of the individual independent republics of the CIS for past Soviet debt, totalling \$68 billion by end-1991, was another EC precondition for new lending to the CIS republics.

223. Early in March this year, former President Richard Nixon strongly criticised the United States administration for what he called its

pathetic support of the democratic revolution in Russia. He found the \$3.75 billion in commercial credits to buy American grain and a "photo-opportunity international conference of 57 foreign secretaries that was long on rhetoric but short on action" inadequate, and the sending of 200 Peace Corps volunteers "mere tokenism" if applied to Russia. In a Senate hearing, the United States ambassador in Moscow, Robert Strauss, found it amazing that a subject as important as what the United States ought to be doing with respect to the republics of the former Soviet Union had not been the subject of an appreciable discussion at all.

224. President George Bush, challenged by these declarations, responded that "we must find a way to square the responsibilities of world leadership with the requirements of domestic revival". He therefore preferred not to comment on the \$1 billion United States contribution to an international fund to stabilise the Russian rouble still being discussed in the administration and the \$12 billion increase, proposed by the administration but stuck in Congress, in United States resources for the International Monetary Fund which would mainly be used for aid to Russia.

225. At the end of March, however, the Bush administration had begun preparing a comprehensive aid package for the republics of the former Soviet Union, and in Congress political support for a major new aid programme had grown considerably after former President Nixon's outspoken comments.

226. Germany has made serious efforts to reach agreement among the Group of Seven (G-7) industrialised nations of which it currently has the chairmanship on a comprehensive economic aid programme for Russia before the next G-7 summit in Munich, in July 1992. Apart from the rouble stabilisation fund, it takes the view that western aid should be concentrated on agriculture, infrastructure and nuclear safety. At the same time, Germany will make a serious attempt to co-ordinate technical assistance in the G-7 framework in accordance with its conviction that aid competition between western nations should be avoided at all cost.

227. In a dedicated attempt to win support for President Boris Yeltsin's economic reform programme in Russia, the Group of Seven industrialised nations (G-7: Canada, France, Germany, Italy, Japan, the United Kingdom and the United States) announced on 1st April 1992 that it had agreed on the outlines of a \$24 billion aid package for Russia alone; \$6 billion for a rouble stabilisation fund and \$18 billion in aid over the next three years for Russia's balance of payment deficit. This aid programme would be carried out by the World Bank, IMF and EBRD with the IMF as leading

organisation. The new programme would be implemented in four phases: formal Russian membership of the IMF in April, final agreement between the Russian Government and the IMF on an economic adjustment programme in May, the first credit tranches for the balance of payment deficit coming in June and the establishment of the rouble stabilisation fund this summer. Similar, but less expansive aid programmes would be offered to the other CIS republics in the near future. It was said that the United States would contribute a fifth to a quarter of the \$24 billion, but there is uncertainty over the details of this contribution.

228. President Bush announced the participation of the United States in the G-7 and other aid efforts. However, the timing of his announcement coincided with a major statement on foreign policy by Bill Clinton, the most likely democratic candidate for presidential elections. At the same time, the President tried to minimise the impact of the United States contribution on the United States budget. Mindful of strong public opposition to foreign aid, President Bush said that the new package was "not a tremendous amount of money" beyond credits which had been pledged earlier. Indeed, new financial engagements announced were said to amount to only \$3 billion.

229. A radiation leak at the Sosnovy Bor nuclear station near St. Petersburg on 24th March called attention to the major unsolved problem of nuclear reactors with questionable safety in Eastern Europe and especially in the former Soviet Union. Altogether, there are 58 nuclear reactors operating in former Soviet territory providing around 15% of the energy used in that region with another 27 under construction. Of the 58 operating reactors, 16 are Chernobyl design light water gas-cooled reactors, called RBMKs. Some others are Koslody design, called VVER-230.

230. According to the German environment minister, there is no alternative but to shut down all the RBMK reactors. Others insist that also the VVER-230 reactors should shut down. This would cause serious problems for many republics which have few alternative energy sources.

231. The other solution would be to upgrade the salvageable reactors to western standards, while replacing those beyond repair, but the estimated cost of this operation is believed to exceed \$50 billion.

232. Current programmes which the United States and EC have launched in an effort to reduce the danger at the most unsafe reactors are far too modest to even start solving the problem. The EC confirmed in 1991 that it would set aside around 50 million ecus to

improve nuclear safety in the former Soviet Union, of which 8 million ecus would be allocated to the RBMKs and the rest to improving the VVER-230 reactors.

233. A first worry of western allies has been to provide weapons scientists and engineers of the former Soviet Union, in particular those who possess the skills and knowledge related to weapons of mass destruction, with opportunities to redirect their talents to peaceful activities. This would also help to prevent such scientists contributing to the proliferation of such weaponry.

234. Together with the Russian Federation, the EC, Japan and the United States have therefore decided to promote the establishment, in the Russian Federation, of an International Science and Technology Centre. Among other things, this centre would contribute to efforts to eliminate weapons of mass destruction and to support basic and applied research in environmental protection, energy production and nuclear safety. While the United States and the EC have each pledged to contribute \$25 million, Japan has not yet committed itself to a fixed amount.

235. Some specialists in the United States say that the future of President Yeltsin's government is very uncertain, that his economic reform policy is not radical enough to guarantee positive results, or that there is still enough to be done at home before spending taxpayers' money abroad. All these ideas lead to the prevailing opinion that, at the moment, financial aid to the republics of the former Soviet Union should not be too generous. Even if Europeans share the opinion that, in the former Soviet Union, there is much administrative chaos and a lack of economic reform, which has made them more cautious in their aid programmes, they are in general less reluctant to provide financial aid for economic recovery. It may well be that peace and prosperity in that region is vital for Europe's security but Americans claim to share exactly the same opinion.

236. The United States' plea that the West has a duty to respond to the historic opportunities created by the new Russian revolution, while stopping short of a commitment to substantial United States financial aid makes many Europeans feel weary. In fact, the State Department prefers to call it "collective engagement".

237. However, if there is a sincere conviction in the United States that it should provide substantial assistance to the former Soviet republics in all possible ways and if it was prepared to pay for it in accordance with the size of its economy and the scale of its political ambitions, the best solution for the allied countries united in the G-7 would be to co-ordinate their efforts to the full in the framework of the G-7 or of the Group of 10 avoiding any national competition.

XII. NATO and European security

238. To put it simply, NATO was invented to guarantee security for Western Europe, in particular to keep the Americans in, the Soviets out and the Germans down. With the cold war over and economic relations changed, these basic assumptions for NATO have been turned completely upside down.

239. The Soviet Union no longer exists and communism has been renounced as a viable system for developing a modern and competitive society and the ex-Soviet troops are being withdrawn from the territory of the ex-Warsaw Pact allies. Germany has become an economic power with world-wide trade connections and it is fully integrated into the European and allied framework. The two post-war parts of the country have been reunited but the financial and other efforts required to bring the eastern part up to western standards should not be underestimated; they will continue to cause immense problems for the next ten to fifteen years. In general, Western European nations which have acquired considerable economic power through the increasing co-ordination of their economic policy through the EC are far more self-confident. Meanwhile, the United States is struggling with an economic recession and considerable budget problems. It has decided to withdraw some of its troops from Europe and, apparently, the end of these troop reductions is not yet in sight.

240. At the Rome summit in November 1991, a serious effort has been made to adapt NATO to the entirely new security environment in Europe. In the Rome Declaration, it was recognised that:

“The challenges we will face in this new Europe cannot be comprehensively addressed by one institution alone, but only in a framework of interlocking institutions tying together the countries of Europe and North America. Consequently, we are working toward a new European security architecture in which NATO, the CSCE, the European Community, WEU and the Council of Europe complement each other.”

241. Regarding the European security identity and defence rôle, it was stated among other things:

“The development of a European security identity and defence rôle, reflected in the further strengthening of the European pillar within the alliance, will reinforce the integrity and effectiveness of the Atlantic alliance. The enhancement of the rôle and responsibility of the European members is an important basis for the transformation of the alliance... We

welcome the perspective of a reinforcement of the rôle of WEU, both as the defence component of the process of European unification and as a means of strengthening the European pillar of the alliance, bearing in mind the different nature of its relations with the alliance and with the European political union.”

242. A North Atlantic Co-operation Council has been established where not only Foreign and Defence Ministers but also officials on different other levels of NATO and Central and Eastern European countries can meet, in the first place to salvage the CFE Treaty. Other issues such as conversion, relations between military and civilians, defence planning and defence budget control are also being discussed and there have already been several meetings in this framework. All European NATO member states have fully and wholeheartedly agreed with the results of the Rome summit. This has not altered the fact that they will continue to follow up their logical desire to complete their increased economic power with more liberty, to take their political destiny in the world in their own hands and to determine their own future in the framework of the European Union.

243. It should be noted here that recent developments after the Rome summit have raised the question of whether it would not be useful to make a new, more detailed, threat analysis and an adapted common assessment of the instruments required to face these threats, making use of the full array of “interlocking institutions tying together the countries of Europe and North America” as expressed in the Rome Declaration.

244. At the moment there may be reasons why the traditional American engagement in Europe will diminish. There are sound economic considerations of cost effectiveness, not isolationism, which motivate both Democratic and Republican voters and legislators to redistribute economic means. The United States administration will try to continue a long-standing policy of military and political engagement in Europe as long as possible, but if the United States cannot afford to continue its military presence and to provide sufficient economic and financial support to Central and Eastern Europe, the political influence is bound to wane since these are complementary elements that can be effective only in combination.

245. Such a development would be a natural consequence of changing parameters in the geostrategic context. There is no reason therefore to perceive it as a dramatic development in transatlantic relations which some try to deny or ignore and for which others, feeling ashamed that it may happen, are trying to find a culprit. It would be far better to discuss such possible future developments openly, without

finger-pointing, in order to manage smoothly a gradual process and forestall sudden surprises.

246. Mention should be made here of an interesting development which clearly shows the positive attitude of the European allies in shouldering more responsibilities and reinforcing the links between the Atlantic allies. France and Germany have now reached agreement on the further development of their Eurocorps project involving significant concessions on both sides which meet long-term United States objectives of getting France more involved in NATO and securing German support for multinational operations outside Europe. French officials have agreed to German demands that a binational force of about 25 000 soldiers should come under the operational control of NATO headquarters in the event of war in NATO's European heartland. Bonn and Paris hope to add units from other European WEU members and build a defence cornerstone for European political unity.

247. The new military unit would have three basic missions:

- to respond to aggression against allied territory under Article 5 of the Treaty of Washington (NATO) and Article V of the modified Brussels Treaty (WEU);
- to operate in order to maintain or re-establish peace;
- to provide humanitarian assistance abroad.

XIII. Global protection against limited strikes (GPALS)

248. In 1983, President Reagan surprised many specialists on nuclear strategy with his sensational strategic defence initiative (SDI). With this programme and the accompanying necessary research effort, the President envisaged forcing a technological breakthrough in the field of energy weapons and the high-performance computers. The main objective of a partly space-based system was to provide a world-wide, leak-proof protective umbrella against intercontinental ballistic missiles. The President also argued that an anti-ballistic missile system, according to many a violation of the 1972 IBM Treaty, if shared by all traditional nuclear powers, would enhance security in the world. Mutual nuclear deterrence would lose its sense and give way to a positive protection against mass destruction. The United States proposals to its NATO allies and the Soviet Union to co-operate in SDI met with a lukewarm and mostly negative response and international co-operation in this framework was a failure. As years went by, the SDI programme was continu-

ously adjusted, inter alia for technological and financial reasons. Later, when the Soviet Union responded very positively in negotiations over the control of nuclear weapons and a massive nuclear attack appeared unlikely, the original scheme and objective were quietly abandoned while the research programme continued to receive funding.

249. With the Gulf war in full operation, the United States administration seized the opportunity to present a detailed proposal for a newly-adapted SDI programme, called GPALS, or global protection against limited strikes. At that time, Israel, Saudi Arabia and coalition troops were the target of Scud missile attacks launched by the Iraqi armed forces and all the frantic efforts made to destroy incoming Scuds with Patriot missiles which were then said to be extremely successful, subsequently appeared to have been successful examples of psychological warfare.

250. The main reason for unveiling the GPALS initiative was that the proliferation of ballistic missiles was perceived to be a threat to the United States territory and also to United States forces stationed overseas as well as allies and friends of the United States. Currently, eighteen countries possess a ballistic missile capability and the United States ventures that the figure could be twenty-four nations by the year 2000.

251. At an initial total estimated cost of \$45 billion and an estimated operational cost of \$5 billion a year, GPALS would consist of three different layers: the first dedicated to defence against theatre or tactical ballistic missiles, the second against strategic ballistic missiles and the third against ballistic missiles with ranges greater than several hundred miles. The different elements of the system would be:

- a mobile system of ground radars and antimissile missiles, called theatre missile defence which can be deployed temporarily or permanently in crisis areas all over the world;
- a system of 750 missiles, of two different types, E²1 or GB1, deployed on United States territory to protect the United States against a limited strike of 100 or 200 nuclear warheads at the most; this system will be supported by ground radars, optical sensors and "Brilliant Eyes" satellites;
- a system of 1 000 space-based weapons, called "Brilliant Pebbles", which will destroy automatically any missile in space within their reach.

252. The Russian President, Boris Yeltsin, has already declared that his country is prepared to participate in the GPALS programme and that Russia, while wishing to maintain the ABM

Treaty, is prepared to consider changing the treaty if such changes could reinforce stability in the world. It is said that Russian participation could indeed make a positive contribution to the programme, among others in the field of space-based nuclear power reactors, which the United States badly needs for its ballistic missile defence systems.

253. This was confirmed when the United States authorised the purchase of a Russian Topaz II space nuclear reactor, together with some kilogrammes of plutonium 238 for space power supplies and four thrusters for manoeuvring space vehicles to a total amount of \$14.3 million. The reactor would be bought by the Department of Defence and located at the University of New Mexico for experiments. In a comment on the purchase, the White House spokesman said – ironically or not – “these transactions clearly signal our desire to normalise trade with the new states”, adding that the Topaz II “will give us access to new technology at a significantly lower cost than if we were to try to develop it ourselves.”

254. At the Wehrkunde Conference in Munich in February 1992, Vice-President Quayle urged the European allies to co-operate actively in the development and deployment of GPALS because ballistic missiles constitute a greater potential threat for Europe than for the United States. According to United States estimates, at the end of this decade some fifteen third world countries would be able to produce their own nuclear weapons. This estimate may be slightly exaggerated, but it should be admitted that there is a proliferation of ballistic missile technology and it is extremely difficult to establish a leak-proof world-wide régime to stop or control this proliferation. In that framework, it should be examined whether GPALS could be one of the cornerstones of a non-proliferation policy.

255. It should be noted, however, that enthusiasm in the United States Congress for costly strategic and theatre missile defences is fast diminishing. According to the General Accounting Office, using estimates of the SDI organisation, it has been found that the cost of building GPALS and continuing related advanced technology work would be \$110 billion until 2005, of which \$20 billion have been spent prior to 1991. It is very unlikely that the proposed 31% increase for SDI and related theatre and tactical missile defence programmes as asked by the administration for the fiscal year 1993 budget will be granted. Important budget cut proposals have already been put forward in both the House of Representatives and the Senate (see chapter V, paras 108 and 109).

256. Congress will certainly question the administration on the effectiveness of the technologies being developed and on the cost-benefit ratio. It will also wish to assess how serious the

ballistic missile threat is compared to others. In the budget debate, the GPALS programme will have to compete with many other major defence programmes which are under threat.

257. In response to United States efforts to sell participation in the GPALS programme to its European allies, France was the first to give a straight answer.

258. After initial talks in Washington, France announced that it will increase its co-operation with the United States in military space questions, but it stressed that this decision has nothing to do with GPALS, which France considers to be the result of a still not well-defined strategic concept.

259. France is opposing GPALS, saying that the development of such a system will sharpen the differences between North and South or between the developed and the developing countries. Another argument, used less openly, is that GPALS might be capable of neutralising the French strategic nuclear force and thus considerably diminish France's influence and credibility as an independent leading country with its own policy in the Middle East and Africa.

260. Other NATO countries have reacted cautiously and most of them have asked for more information.

261. Questions are being asked which sound familiar from earlier SDI discussions. What is the use of a limited protection which offers little defence against missiles launched from submarines, requiring full control of complicated high technology or against poor man's delivery systems such as the “suitcase”? Will it really reduce the risks caused by proliferation and, if only partial, would that justify the high cost of the system? Will allies be prepared to pay large amounts for the development of high technologies if they are not to be allowed to share the key technologies of a new system? Will partners of the United States in the programme have full and instantaneous access to GPALS data on missile activity? Whose interests will be served first in a global system with participants who do not always agree on objectives and solutions?

262. If GPALS is meant to prevent emerging countries from developing and building a missile system to guarantee their own security, what can be done to satisfy the legitimate security requirements of these nations? Would the ultimate solution be to try to convince nations which are now developing their own ballistic missile system to participate in multilateral or world-wide agreements to eliminate such missiles? Or would the only way be to knock out their capabilities in such areas by military force, as Israel once did when it destroyed Iraq's Osirah reactor in 1981 and as is being considered once again regarding Iraq?

263. The existing non-proliferation treaty will expire in 1995 and early negotiations have been started for renewing it. This will not be easy if the aim is to have an effective non-proliferation régime. The interests of all nations concerned will have to be re-examined. In that framework it may be useful to recall here some parts of the proposal made by Bernard Baruch, United States representative to the United Nations Atomic Energy Commission, at the first meeting of that Commission on 14th June 1947. Mr. Baruch announced that the United States Government would propose the creation of an international Atomic Development Authority (ADA) to which would be entrusted all phases of the development and use of atomic energy. Among other things, he said:

“ We must provide the mechanism to assure that atomic energy is used for peaceful purposes and to preclude its use for war. To that end we must provide immediate, swift, and sure punishment of those who violate the agreements reached by the nations. Penalisation is essential if peace is to be more than a feverish interlude between wars... When an adequate system for control of atomic energy, including renunciation of the bomb as a weapon, has been agreed upon and put into effective operation, and condign punishments set up for violations of rules of control, we propose that (1) manufacture of atomic bombs shall stop; (2) existing bombs shall be disposed of pursuant to the terms of the treaty; and (3) the Authority shall be in possession of full information as to the ‘ know-how ’ for the production of atomic energy... There must be no veto to protect those who violate their solemn agreements not to develop or use atomic energy for destructive purposes. ”

At present, these words still are topical.

264. The last question to be asked here is if Europe should consider to build its own limited anti-ballistic missile capability in order to protect its southern flank?

265. In June 1991, the Assembly adopted Recommendation 501, in which it recommended that the Council

“ Instruct the Committee of Chiefs of Defence Staff of WEU to examine in detail the consequences of future allied force structures and the lessons of the Gulf war for European military co-operation, in particular with a view to studying (among other subjects) the ballistic missile threat on Europe’s southern flank and a possible subsequent common European requirement for an anti-ballistic missile capability. ”

266. In its reply to the recommendation communicated to the Assembly on 12th November 1991, the Council stated:

“ The Ministerial Council on 27th June 1991 in Vianden tasked the WEU Defence Representatives Group to ‘ spell out and assess, in liaison with the Special Working Group, proposals to make co-operation more operational both in the politico-military field as well as in the military field proper, covering among other things tasks and the requirements for co-ordination and planning structures’. In this framework, the structures and the lessons of the Gulf war will be considered. ”

267. Since then, the Assembly has received no further news regarding the Council’s opinion on the ballistic missile threat to Europe’s southern flank and a possible subsequent common European requirement for an anti-ballistic missile capability. In view of the United States invitation to participate in GPALS, it may be useful to establish a common European opinion and response in the WEU framework.

XIV. Canada

268. In a major statement in September 1991, the Canadian Minister of National Defence, Marcel Masse, announced the result of Canada’s Defence Policy Review, which led to considerable reductions in Canada’s armed forces. The minister said that his country would continue to adhere to its long-standing priorities in the defence field, in particular:

- defence, sovereignty and civil responsibilities in Canada;
- collective defence arrangements through NATO, including Canada’s continental defence partnership with the United States;
- international peace and security through stability and peace-keeping operations, arms control verification and humanitarian assistance.

269. He gave assurances that there was no question of contemplating a less than total commitment to NATO and he hoped that Canada would continue to participate in the collective defence arrangements emerging across the Atlantic. With regard to developments in the international situation it was considered both necessary and possible to reduce the number of Canadian troops in Germany, but a limited number of forces would be maintained there.

270. As the Prime Minister declared in Berlin on 14th June 1991: “ Canada will not be withdrawing completely from Europe. Canadian

forces will remain as long as there is a residual threat to European and Canadian security and as long as we are needed and welcome." At that time, Canadian forces in Europe had a military strength of approximately 6 600 and a civilian work force of approximately 4 400 employees, of which about 2 600 were paid from public funds. Of the 4 400 civilians, approximately 3 100 were Canadians and the remainder were Europeans.

271. The 1991 Defence Review directed that, before 1995, Canada would reduce its military force in Germany to approximately 1 100. The withdrawal of Canadian forces in Europe was to be a two step process whereby Canada's commitment of land and air divisions would first be reduced to a brigade and an air group with an interim strength of approximately 2 500 to 3 500 in 1992-93. Major combat units would be withdrawn by 1994. Thereafter, the Canadian forces base in Baden-Soellingen will close in 1994 and the Canadian forces base in Lahr in 1995.

272. According to the Prime Minister, Canada would maintain in Europe a task force of 1 100 troops, whose rôle and location would be determined after consultations with allies and NATO authorities.

273. Only a few months later, the 1992 federal budget brought new reductions in defence expenditure with consequences for Canada's commitments in Europe. The budget brings forward by a year the closure of two military bases in Germany: the Baden-Soellingen base will now close in 1993 and the Lahr base in 1994. In addition, the budget has cancelled the undertaking to maintain a task force of about 1 100 troops in Europe. However, Canada will retain the capability to send contingency forces, stationed in Canada, consisting of a brigade group and two squadrons of CF-18s, anywhere in the world, including to Europe, should the need arise. At the Defence Ministry, it was stressed that all Canada's other commitments to NATO and Europe will be respected: a battalion of Canadian forces will be prepared to deploy to Norway with the Allied Command Europe mobile force (Land) or the composite force, Canadian aircrew will continue to serve aboard the AWACS of NATO's airborne early warning force, Canadian destroyers and frigates will continue to sail with the standing naval force Atlantic, other Canadian maritime forces will still patrol the North Atlantic and support of allied training in Canada will continue.

274. Finally, it was stressed that Canada would continue its strong support of ongoing peace-keeping operations and observer missions. It would also continue to maintain standby forces for participation in other multilateral peace-keeping tasks. These standby forces, which normally would be in addition to personnel already involved in ongoing peace-keeping activities,

include a battalion, along with associated communications and air transport elements. It was noted that Canada has served in every United Nations peace-keeping operation to date, and is currently serving in 13 peace-keeping missions, plus the CSCE-sponsored, EC-led, monitoring mission that is currently underway in Yugoslavia.

275. As could have been expected, NATO was concerned about this new strain on transatlantic relations. It has asked Canada to drop its plans to withdraw all its troops from Europe. Failing this, NATO believed it should agree to earmark certain home-based forces for the defence of Europe in case of crisis. However, NATO had little hope that any positive results would be achieved.

276. This can only be confirmed by the committee's experience in discussions with Canadian parliamentarians, who were far more concerned with problems in fishery and agriculture than with defence and security. All political parties represented in parliament agreed on the withdrawal of Canadian troops from Europe but they argued that this should not be seen as disengagement from NATO, to which they still feel strongly committed. It was thought that apart from NATO, a useful rôle in maintaining peace in Europe could be played by WEU, CSCE and the United Nations while many important changes were taking place in Central and Eastern Europe. Ideas were not very articulate about complementarity, co-ordination and how each of these organisations should play its own rôle. Europe would certainly have to take more responsibilities in guaranteeing its own security but that should not lead to the exclusion of its transatlantic partners from the discussion on these issues.

277. Both parliament and government in Canada stressed that the process of deepening and widening European co-operation and integration could not replace the transatlantic ties. The opportunity NATO offered for sitting at the same table with European nations to discuss all important security issues was highly valued in Canada.

278. At the Ministry of External Affairs it was stressed that transatlantic relations were extremely important for Canada in order to prevent the emergence of a world with different inward-looking continents. Constructive multi- and bilateral relationships should therefore be maintained. In particular, Canada's links with NATO, CSCE and the EC are important. At the end of the cold war, Canada recognised at an early stage that the balance in NATO's activities would shift from military to more political activities and it claims to have played a leading rôle in the negotiations which led to NATO's London and Rome declarations. It strongly supports the NACC, which is closely attending to

the process of ratifying and implementing the CFE Treaty. Canada considers the development of a European defence identity to be a logical consequence of Europe's efforts towards integration. It understands that this should lead to a stronger and more coherent European voice in NATO, but at the same time it hopes that this development will always be complementary to and not competitive with NATO. In this respect, Canada was satisfied with the decisions taken in Maastricht, where transparency and complementarity were key words for relations between NATO and WEU. Finally, the view was expressed that Canada is strongly in favour of improving conflict prevention instruments in the framework of CSCE.

279. In trying to draw a conclusion from Canada's current attitude, it is difficult not to be critical, notwithstanding the conviction that Canadians have been deeply involved in liberating Europe from fascist rule. During the second world war and the cold war Canada demonstrated its close commitment to Europe's security. It seems, however, that the current painful budget problems have caused an illogical change in its long-standing direct link with Europe's security. With a full retreat of Canadian troops, it no longer makes much sense for Europeans to maintain the supporting infrastructure for a long time. Under such circumstances, even the minimum level of symbolic presence no longer exists notwithstanding pledges that contingency forces stationed in Canada could be sent anywhere in the world, including to Europe, should the need arise. One cannot but think that the determination not to be excluded from discussions and decisions on security in Europe is not matched by the same degree of military engagement. Sooner or later, this kind of anomaly undermines the credibility of a country's policy.

XV. Conclusions

280. In the present report, an effort has been made to examine a number of issues which are at the moment playing a rôle in relations between the transatlantic partners. Some of the issues, such as the rôle of different alliances and institutions for security in Europe, are discussed in more detail in the report on a new European security order by Mr. Caro, also on behalf of the Political Committee.

281. It should be noted that the task of the rapporteur has not been facilitated by the fact that 1992 is a presidential election year in the United States, which has a strong impact on the

political debate. Even foreign and security policy issues are often reduced to marginal items, only to be assessed on their consequences for purely domestic policy and for the taxpayers' burden. This factor does not contribute positively to a balanced debate and the Rapporteur is aware of this. On the other hand, the committee has been able to discuss transatlantic relations with officials who are less exposed to the direct heat of the domestic political debate, which enabled them to provide a more balanced and thoughtful opinion on the current state of transatlantic relations.

282. A false note in the committee's visit to Washington was, as usual, the lack of a serious discussion with Congressmen. Especially now that many of them are making sensational statements on the links between trade and security, the American military presence in Europe and other related issues, an exchange of views at parliamentary level would have been useful.

283. At this juncture in history, an intensive debate between the Atlantic partners on the development of their relationship is needed more than ever. The dust of more than forty years of cold war thinking should be brushed off and, in close co-operation, innovative solutions should be found for the many problems we are facing together.

284. Although in this report, the approach to some issues may be frank, it should not be interpreted as being negative. On the contrary, it is thought that possible tensions in the long-standing Atlantic relationship can be averted or neutralised only if the causes, possible consequences and related issues are discussed in an atmosphere of openness and without mutual recriminations.

285. The main conclusion of the report should be that there is vast scope for co-operative action among the transatlantic allies. It is emphasised that this co-operative action should not be limited to military matters. In the post-cold war era, the importance of other areas of action is greatly increased, in particular political, diplomatic and economic activities. Concerted action by the Atlantic allies in different, complementary fields can greatly enhance their success in trying to establish a more peaceful and prosperous world.

286. Moreover, transatlantic co-operation should not be limited to NATO and NACC. At present, no single international organisation can handle all the world's problems alone. There are vast opportunities for the allies to act together in all the different international institutions.

New Euro-American relations

AMENDMENT 1¹

tabled by Sir Geoffrey Finsberg and Mr. Ward

1. At the end of paragraph (v) of the preamble to the draft recommendation, add:
“insisting in this connection that, in accordance with the Maastricht Agreement, the Franco-German Eurocorps must be placed under WEU authority and that its arrangements must strengthen the alliance military structure.”

Signed: Finsberg, Ward

1. See 5th sitting, 3rd June 1992 (amendment agreed to).

Composition of political groups
Rule 39, paragraph 4, of the Rules of Procedure

REPORT ¹

*submitted on behalf of the Committee
on Rules of Procedure and Privileges ²
by Mr. Thompson, Chairman and Rapporteur*

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Political groups

Draft Order

on the composition of political groups

The Assembly

INVITES the Committee on Rules of Procedure and Privileges to examine whether there should be a change in the minimum number of representatives or substitutes required to form a political group, bearing in mind the ratio to be established between this number and the total number of representatives to the Assembly.

1. Adopted unanimously by the committee.

2. *Members of the committee: Mr. Thompson (Chairman); Mr. Amaral (Vice-Chairman); Sir Geoffrey Finsberg, MM. Jessel, Ottenbourgh, Lord Kirkhill, MM. Cuco (Alternate: Mrs. Guirado), Junghanns, Mrs. Aguiar.*

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

Explanatory Memorandum

(submitted by Mr. Thompson, Chairman and Rapporteur)

I. Rôle and means of political groups

1. Representatives and substitutes to the Assembly, initially members of national delegations, may form political groups.
2. As stated in the report by Sir Geoffrey Finsberg (Document 1133, paragraph 7): "The aim of political groups is to co-ordinate the action and representation of the ideas of parliamentarians who share certain political views."
3. Under the Assembly's Rules of Procedure, the only rule relating to the composition of political groups is a quantitative one: a group must have at least nine members. There is no requirement for several nationalities to be represented.
4. At present, the Assembly has four political groups which have the *de jure* right to be represented in the Presidential Committee by a delegate who is generally the chairman (see appendix).
5. A motion tabled by Mr. Pannella with a view to setting up a joint group of all representatives and substitutes not belonging to a political group was negatived by the Committee on Rules of Procedure and Privileges because such a group, being essentially heterogeneous, could hardly adopt a joint position on problems raised.
6. Since 1960, the political groups have had a budget in order to exercise their duties. The funds allocated to them are included in the Assembly's overall budget. These funds consist of a fixed amount for each group plus a further sum calculated on the basis of the number of members belonging to each group.
7. The accounts of the political groups are subject to a verification procedure which ensures the autonomy of the political groups in the Assembly and guarantees the autonomy of the Assembly's budgetary management in WEU. Each group's budget is therefore verified by the auditors appointed by it in accordance with its own legal criteria and then transmitted to the Office of the Clerk of the Assembly for inclusion in the Assembly's overall accounts.

II. Minimum number of members of political groups

8. A political group would not be able to make effective use of the means placed at its dis-

posal if it did not have enough members. The Rules of Procedure therefore set a minimum of nine members. It may seem paradoxical to ask for this minimum to be lowered a few years after an increase in the number of representatives to the Assembly following the accession of Portugal and Spain.

9. However, the Unified European Left political group represents a trend in the Assembly which has its specific features and is anxious to retain the means of action and expression at its disposal. It therefore proposes that the minimum number of members of political groups be reduced to six.

10. This seems a tiny figure if compared with the number of members of the other three political groups. It would nevertheless ensure that the members of the group, even if reduced to six, have the essential advantage of being represented in the Presidential Committee.

III. Conclusion

11. Democracy requires that any tendency and opinion, even sparsely represented, may voice its views. However, a minimum number of members must continue to be required for a group, through its representation in the Presidential Committee, to be able to play a *de jure* part in the organisation of the Assembly's work and, through its budget, to have practical facilities.

12. It would seem difficult to reduce this number. If a tendency or opinion is not endorsed by more members, the corresponding views must be expressed in the Assembly or in committee through the normal channels of democracy, i.e. by the individual right to intervene and table amendments and motions in the Assembly or in committee. There can be no claim to play a *de jure* part in running the Assembly's affairs. Its influence would be measured by the force of its arguments and its ability to convince its supporters.

13. After discussion, the committee reached the unanimous conclusion that the motion before it should be negatived and the draft order in this report presented to the Assembly.

APPENDIX

***Political groups
(April 1992)******1. Federated Group of Christian Democrats and European Democrats***

Chairman: Mr. Caro

Members: 93

2. Liberal Group

Chairman: Mr. De Decker

Members: 29

3. Socialist Group

Chairman: Mr. Stoffelen

Members: 74

4. Unified European Left Group

Chairman: Mr. Pieralli

Members: 13

Action by the Presidential Committee

REPORT

*submitted on behalf of the Presidential Committee
by Mr. Caro, former President of the Assembly*

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1. In spite of the illness of the President of the Assembly, and then his death, the Presidential Committee was able pursue its action unflinching and with no break in continuity because, with courage to which tribute should be paid, Mr. Pontillon, to the very end, imparted his energy and European convictions on our work and Mr. Sinesio, when the time came, adroitly assumed the duties of Acting President in accordance with the Rules of Procedure. It was in these exceptional conditions that the Presidential Committee accomplished its twofold political and administrative task.

2. In political matters, the Presidential Committee had two main aims. One was to allow the Assembly to make its voice heard in the debate about the Maastricht agreements. The second was to enable it to propose to Western Europe, in the process of unification, a policy that allowed it to play its new rôle in the context of greater Europe, the Atlantic Alliance and the complex system of European and Euro-Atlantic institutions.

3. In administrative matters, the Presidential Committee had to take account of the Council's rejection of the Assembly's budgetary proposals and to seek new procedures allowing a more harmonious dialogue to be developed with the Council in the future on the financial conditions in which the Assembly has to carry out its tasks.

I. Political action

4. Within the framework of its responsibilities, the Assembly intends to direct its political action towards establishing the European Union. It is for the Presidential Committee to give it the means to do so. We therefore made major changes in the initial agenda for the present session and postponed until the second

part of the year reports which did not directly relate to measures to be taken following the signing of the Maastricht agreements. In accordance with the twofold concern that I have just mentioned, it first had to be ensured that problems raised by the new shape of Western Europe could be examined. This is the aim of the reports by the Political Committee on WEU after Maastricht, by the Defence Committee on WEU: the operational organisation and by the Technological and Aerospace Committee on the development of a European space-based observation system. The debates then had to be organised in the new context surrounding the emerging European Union: the Political Committee has examined the security problems of the Central and Eastern European countries and the organisation of new relations between Europe and the United States, the Defence Committee has defined the respective contributions of the CSCE and WEU to arms control and the Technological and Aerospace Committee is reporting on arms export policy.

5. In this way, the Presidential Committee has endeavoured to ensure that the Assembly's contribution to the post-Maastricht debates is clearly defined and that its conclusions form as coherent a whole as possible.

6. In preparation for these debates, the Assembly decided in June 1991, following a report that I had the honour to present to it, to organise a symposium bringing together leading authorities in order to pinpoint the hopes that the Central and Eastern European countries may place in our institutions and to assess the nature of the assistance we can give them and in what conditions.

7. Convinced of the need to deepen relations with those countries, Robert Pontillon expended his remaining strength on organising the symposium on the new conditions for European security which was held in the building of the

former Reichstag in Berlin from 31st March to 2nd April.

8. He died a few days before the symposium was opened. This event, which he should have presided and which, it is generally agreed, was a great success, was seen as a tribute to his memory.

9. The Assembly is particularly grateful to the eminent speakers who took part. They were generally ministers for foreign affairs or defence, chairmen of parliamentary committees or very high-level experts. Their ideas, observations and proposals were brilliantly summed up by our General Rapporteur.

10. If I may make a personal comment, I will say that, as Rapporteur on the new security order in Europe, I had the valuable advantage of benefiting from the mass of information that emerged from the symposium. The wealth of views expressed is a source to be exploited for a long time to come.

11. There will be a sequel to this symposium since there must be a response to the interest it aroused in the eastern part of Europe.

12. The Presidential Committee wished to give priority in the programme of work for the second half-year to the visits planned by the Defence Committee to Central and Eastern Europe. Our fruitful, cordial relations with the government authorities and our parliamentary colleagues in those countries will certainly be enhanced by this visit. Other initiatives must be taken vis-à-vis the countries of Central Europe.

13. However, the policy guiding our Assembly's relations must not be limited to organising bilateral meetings. We must also make our views known to international bodies that share our concerns and ensure that we co-operate with them in order to attain our common aims.

14. Thus, the Presidential Committee examined the relations that should be established, following the Maastricht agreements, between our Assembly and the European Parliament, the North Atlantic Assembly and the new Assembly of the CSCE that is to meet in Budapest in the first week of July.

15. Where the European Parliament is concerned, the Presidential Committee believed the nature of the Assembly's relations with it should be examined closely in the light of the Maastricht agreements and that, for this purpose, contacts should be established at the highest level. Our Assembly's Political Committee was instructed to deal with this matter in Mr. Goerens's report on Europe after Maastricht. The Political Committee set out its views in a draft order which will be submitted to the Assembly for approval. Thus, such a crucial

question as the organisation of parliamentary scrutiny of the security policy of the bodies that will make up the European Union will be the subject of a debate in plenary session during which the members of the Assembly will be able to compare their views.

16. The Presidential Committee also examined relations with the North Atlantic Assembly. The Chairman of the Defence Committee recalled his committee's relations with the latter's Defence and Security Committee. The Acting President of the Assembly thought the principle of regular meetings between the Presidents of the two assemblies should be maintained and asked the Chairman of the Defence Committee to travel to Canada to represent the Acting President at the meeting of the North Atlantic Assembly and, on his behalf, to invite the President of that Assembly, Mr. Rose, to attend our forthcoming session as an observer.

17. Finally, the Presidential Committee made the necessary arrangements to promote close co-operation between our Assembly and the future Assembly of the CSCE. Mr. Pontillon had explained our views on this matter at the preparatory meeting held in Madrid in April 1991. The Presidential Committee has instructed its Acting President to recall them.

18. The Assembly, which is responsible for participating at parliamentary level in the establishment of a European security and defence identity, is anxious to make known to all the appropriate bodies its positions on problems linked with the establishment of an order of justice and peace throughout Europe and on the rôle WEU might play in this connection. Aware of the importance that the Assembly of the CSCE cannot fail to achieve once instituted, we believe the two assemblies should keep each other regularly informed of the topics and results of their discussions and that exchanges of views should be held between their steering bodies on each other's plans. Our joint aim should be to allow the two assemblies to organise, as effectively as possible, the convergence of the action they take in the framework of their respective responsibilities.

19. Our relations with the Assembly of the CSCE will necessarily be based on joint concerns relating to the situation in the Balkans. The Presidential Committee was extremely dismayed by developments in the ethnic conflicts in the territories of the former Yugoslavia. At its meeting on 15th April, it expressed the wish that the WEU Council set up as soon as possible a force to carry out peace-keeping operations in Bosnia-Herzegovina. It proposes to continue, in the interval between sessions, to follow attentively developments in the unfortunate regions at our door where Western Europe has so far not

measured up either to its ambitions or to its responsibilities.

20. The Presidential Committee did not confine itself to following Eastern European problems. In application of Order 79, it instructed the Political Committee to try to strengthen relations with the United States and Canada because, while one of our political committees is received in the United States each year by a few members of the Administration and Congress, it is a long time since anyone from either body has agreed to address the Assembly. The Chairman of the Political Committee informed the Presidential Committee of the meagre attention apparently paid to the letter which the late President of the Assembly sent to the leaders of the two houses of Congress. The Canadian parliamentarians should be thanked for the warm welcome they extended to our delegates, but their preoccupation with fishing and agriculture diminish somewhat the attention they pay to European security problems since Canada's decision to withdraw its armed forces from Europe.

21. Nevertheless, the Chairman of the Political Committee said he hoped the Assembly would manage to establish a better relationship with the United States Congress and deepen its dialogue with the Canadian Parliament. It is in this sense that the Political Committee will continue its endeavours.

22. Finally, it should be recalled that, at the Petersberg on 28th January 1992, the Presidential Committee met Mr. Genscher, then Chairman-in-Office of the Council. The topics covered related to the application of the decisions taken at the Maastricht conference, problems raised by the disintegration of Yugoslavia and the establishment of a new security order in Europe.

23. Mr. Genscher answered as fully as possible the many questions put to him. The conclusions we drew from these talks are set out in the committee reports.

II. Administrative action

24. At the last session, the Presidential Committee approved the position adopted by the Committee on Budgetary Affairs and Administration and the Assembly and adopted an

amended budget that contained no requests to create the posts intended to adapt the Office of the Clerk to the new tasks incumbent upon it. However, it was agreed that the Assembly reserved the right to renew its initial proposals in its budget for 1993. The increase in the tasks assigned to WEU is necessarily reflected in the work of the Assembly.

25. The Presidential Committee is therefore preparing to examine with the Committee on Budgetary Affairs and Administration the financial implications of the inevitable increase in the burdens stemming from its activities. The budget for next year will have to allow the Assembly to develop its relations not only with the member countries of the European Union but with many NATO and Central and Eastern European countries and with various international bodies.

26. In application of Order 80, the Presidential Committee instructed the Chairman of the Committee on Budgetary Affairs and Administration to contact the Secretary-General to try to obtain the Council's agreement to new procedure for approving the budget that would be more rapid and based on an examination of political aims and not just technical arrangements. It is to be hoped that the budgetary dialogue with the Council will soon relate to the political considerations underlying our budget and not to details of financial estimates set out under the various headings covering the various activities of the Assembly.

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27. In endeavouring to provide the Assembly with the best conditions for tackling its debates, the Presidential Committee was aware of the importance of what was at stake. The Assembly is to give its views on the organisation of Western Europe on the eve of the WEU and NATO ministerial meetings, at a time when the European defence identity is developing a new outline and when violent crises in neighbouring countries are forcing us to re-examine the conditions of European security.

28. The conclusions drawn by the Assembly from the debates that are about to start will guide the work of the Presidential Committee until the December session.

Replies of the Council to Recommendations 506 to 515 and Resolution 84

RECOMMENDATION 506¹

on Europe and the Yugoslav crisis²

The Assembly,

- (i) Deploring the constant worsening of the civil war that is tearing Yugoslavia apart;
- (ii) Considering that pursuit of the war is endangering peace throughout Europe;
- (iii) Considering that it is for WEU, under Article VIII, paragraph 3, of the modified Brussels Treaty, to help to restore peace in Yugoslavia to the best of its ability;
- (iv) Welcoming the fact that the Community and member states have called on the WEU Council to implement the military aspects of the policy defined by the Twelve;
- (v) Considering that the commitment of the European Community, in agreement with the CSCE and with the subsequent support of the Security Council, allowed the peace conference to be convened in The Hague in which all the parties to the conflict are taking part and which may lead to a political solution to the Yugoslav crisis;
- (vi) Deploring, however, that this co-ordination has not yet allowed a real, lasting cease-fire to be achieved as a prelude to a return to peace in Yugoslavia;
- (vii) Expressing the hope that the mission assigned to Lord Carrington will succeed in the near future;
- (viii) Gratified that the Council duly informed NATO and the CSCE of the results of its meetings but deploring the fact that it neglected to inform the Assembly,

RECOMMENDS THAT THE COUNCIL

1. Decide upon and implement without delay effective measures to ensure respect for the embargo on all supplies of arms to Yugoslavia decided upon in Security Council Resolution 713;
2. Proceed immediately to prepare the possible implementation of each of the various options considered on 30th September to help to ensure respect for a cease-fire once it becomes effective;
3. Strengthen its organisation and ability to intervene to ensure Europe's security and urge the Security Council and the CSCE to give a further mandate to WEU to facilitate a return to peace;
4. Continue to associate any European countries that might make a contribution with all appropriate action to secure a cease-fire and eventual peace in Yugoslavia;
5. Use all appropriate means to bring pressure to bear on the parties to the conflict to ensure the success of the conference in The Hague on peace in Yugoslavia;
6. Continue to inform NATO and the CSCE of its decisions;
7. Inform the Assembly without delay of the results of each of its ministerial meetings.

1. Adopted by the Presidential Committee on 15th October 1991 in application of Rule 14, paragraph 2, of the Rules of Procedure.

2. Explanatory Memorandum: see the report tabled by Mr. Goerens on behalf of the Political Committee (Document 1283).

REPLY OF THE COUNCIL ¹

to Recommendation 506

1. The evolution of the Yugoslav crisis and the preparation of a possible active WEU contribution to its resolution continues to be under consideration by the Council and its working groups. The Assembly's recommendations have been examined in this framework. They fundamentally coincide with the Council's approach to the problem.

2. The Yugoslav crisis has been discussed by the Ministerial Council at its ordinary meetings on 27th June and its extraordinary meetings on 19th September and 29th October 1991. On the basis of a ministerial mandate, an ad hoc group of experts and a military joint contingency study group have elaborated plans for a possible WEU peace-keeping support once the indispensable conditions for such action are met. At their last meeting on 29th October, ministers agreed that this is at present not the case. A WEU engagement in Yugoslavia is only practicable if all Yugoslav conflict parties agree to it and a truce with the perspective of lasting has been firmly established.

1. Communicated to the Assembly on 13th January 1992.

RECOMMENDATION 507¹***on the evolution of WEU's public relations²***

The Assembly,

- (i) Considering that the public's interest in WEU's future rôle and function has never been so high as in the second half of 1991;
- (ii) Deploring that neither the Council nor member governments have so far been able to explain adequately in public the organisation's achievements and contributions, particularly during the Gulf crisis, in order to avoid misunderstanding among the European and American public;
- (iii) Considering that the Council's reply to Recommendation 494 is insufficient;
- (iv) Noticing that the two parts of the thirty-sixth annual report and the first part of the thirty-seventh annual report of the Council contain no mention of the Council's public relations activities,

RECOMMENDS THAT THE COUNCIL

1. Consider again the Assembly's proposals made in Mr. Pontillon's Written Question 285 and in Recommendation 494 and in particular:
 - publish basic information documents for widespread circulation in all member countries and in North America;
 - create a WEU periodical in the official languages of the member countries;
 - urge member governments to release more information about the activities of the various WEU bodies;
2. By implementing an effective communications campaign, provide a clear public explanation of WEU's position in the present international debate on its future rôle and place in the European and Atlantic framework;
3. Instruct the Secretary-General to implement his reported plan to circulate a booklet on WEU in the languages of all member countries for the use of pupils in the senior classes of secondary schools;
4. Study the possibility of circulating other information documents with the assistance of the WEU Institute for Security Studies;
5. Resume its information to the Assembly on its public relations activities in its annual reports as used to be the practice;
6. Earmark sufficient funds for a study of a general communications strategy and the wherewithal to implement it.

1. Adopted by the Assembly on 2nd December 1991 during the second part of the thirty-seventh ordinary session (8th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Ewing on behalf of the Committee for Parliamentary and Public Relations (Document 1286).

REPLY OF THE COUNCIL¹

to Recommendation 507

The Council welcomes the keen interest shown by the Assembly in the evolution and development of WEU's public relations. It greatly appreciates the numerous innovative proposals and constructive criticisms contained in Assembly Recommendation 507 and in the report on "the evolution of WEU's public relations" submitted on behalf of the Committee for Parliamentary and Public Relations by Mr. Ewing, Rapporteur. The Council concurs, in principle, with the Assembly that WEU's public relations effort should be commensurate with the perspective of an expanded rôle for the organisation.

However, in the opinion of the Council, WEU's public relations can be developed only gradually, in line with the organisation's evolution. For 1992, no supplementary funds for WEU's public relations are available under the operating budget.

At the same time, the Council feels that the positive impact of public relations efforts already made by the Secretariat-General and by the Institute should not be underestimated. The Secretariat-General continues to concentrate on the dissemination of background information and on liaison with the press while the Institute focuses on the academic community. In the opinion of the Council, this approach has yielded results, though scope for improvement remains. For instance, a close scrutiny of the press analyses prepared by the Secretariat-General's press section (regularly transmitted to the Assembly as an annex to the information letter from the Secretary-General of WEU on the activities of the intergovernmental organs) reveals that the – admittedly quite numerous – ill-informed articles on the organisation are being increasingly counter-balanced by a growing number of well-researched and accurate articles on the development of the organisation's activities.

The Council will bear in mind the proposals and suggestions contained in Recommendation 507 and place the question of enhancing WEU's public relations on its agenda in due course.

1. Communicated to the Assembly on 5th March 1992.

RECOMMENDATION 508¹***on WEU's external relations – the enlargement of WEU²***

The Assembly,

- (i) Considering that upheavals in Central and Eastern Europe since 1989 make it necessary to re-examine the organisation of the security of Europe as a whole and in particular Western Europe;
- (ii) Noting that the rôle of WEU in the organisation of European security must be redefined in the context of the process of a Community policy and adapting NATO strategy to the new situation in Europe and the world;
- (iii) Considering that the accession of further countries to the modified Brussels Treaty should be considered after the rôle of WEU has been redefined;
- (iv) Noting that the nine member countries are unanimous in considering that the Atlantic Alliance is and must remain the essential framework of western defence in Europe;
- (v) Considering that NATO is not at present in a position to take direct action outside the area defined by the North Atlantic Treaty nor to respond effectively to certain threats to peace in Central or Eastern Europe, but recalling that it is essential that measures taken by WEU in such cases, in accordance with Article IV of the modified Brussels Treaty, should guarantee Euro-American cohesion,

RECOMMENDS THAT THE COUNCIL

1. Explore and set in motion the best possible machinery for co-operation with the European countries which so wish, while bearing in mind that, in present circumstances, it would not be wise to invite formally countries which are not members of the Atlantic Alliance to accede to the modified Brussels Treaty in application of its Article XI;
2. Encourage the participation of European countries so wishing and fulfilling the necessary conditions in those of WEU's activities and institutions which, not involving the application of Articles IV and V of the treaty, concern the implementation of Article VIII;
3. Prepare to invite other European countries to co-operate with members of WEU in diplomatic or military action designed to keep the peace in Europe;
4. Prior to any engagement of forces under the aegis of WEU, hold consultations with NATO to ensure the smooth running of the Atlantic Alliance.

1. Adopted by the Assembly on 2nd December 1991 during the second part of the thirty-seventh ordinary session (9th sitting).

2. Explanatory Memorandum: see the report tabled by Sir Geoffrey Finsberg on behalf of the Political Committee (Document 1284).

REPLY OF THE COUNCIL ¹***to Recommendation 508***

1. In its reply to paragraphs 1 and 2 of Recommendation 508, the Council wishes to quote from the declaration of the member states of Western European Union issued on the occasion of the 46th European Council meeting on 9th and 10th December 1991 at Maastricht, in which the member states of WEU agreed the following: " States which are members of the European union are invited to accede to WEU on conditions to be agreed in accordance with Article XI of the modified Brussels Treaty, or to become observers if they so wish. Simultaneously, other European member states of NATO are invited to become associate members of WEU in a way which will give them the possibility to participate fully in the activities of WEU. The member states of WEU assume that treaties and agreements corresponding with the above proposals will be concluded before 31st December 1992." Since mid-December 1991, discussions on the implementation of this declaration of the member states of WEU issued on 10th December 1991 and on the modalities for new members, observers and associate members have been on the agenda of the Council and its Special Working Group. Information on the outcome of these discussions and their follow-up will be made available in due course. It is expected that the forthcoming June session of the WEU Assembly and the next regular meeting of the WEU Council of Ministers on 19th June 1992 will provide opportunities for informing the Assembly.

2. While the Council does, in principle, not exclude the possibility of extending invitations to other countries to co-operate with members of WEU in possible " diplomatic or military action designed to keep the peace in Europe ", such measures can be contemplated only in the context of the specific situations which would warrant WEU action and cannot be decided in advance as a matter of principle. The desirability of extending such invitations would have to be decided on a case-by-case basis. For WEU to become active in possible " diplomatic or military action to keep the peace in Europe ", the specific political preconditions would of course have to met. The Council also wishes to recall to the Assembly the reservations it expressed in its reply to Recommendation 475 and which it considers remain just as valid now as then.

3. The declaration of the member states of Western European Union which are also members of the European union on the rôle of WEU and its relations with the European union and with the Atlantic Alliance specifies in paragraph 4: " The objective is to develop WEU as a means to strengthen the European pillar of the Atlantic Alliance. Accordingly WEU is prepared to develop further the close working links between WEU and the alliance and to strengthen the rôle, responsibilities and contributions of WEU member states in the alliance. This will be undertaken on the basis of the necessary transparency and complementarity between the emerging European security and defence identity and the alliance. WEU will act in conformity with the positions adopted in the Atlantic Alliance. "

1. Communicated to the Assembly on 5th March 1992.

RECOMMENDATION 509¹

on the activities of the WEU Council²

The Assembly,

- (i) Satisfied that WEU has enabled Europe to play an active part in applying the measures decided upon by the Security Council for establishing a new, peaceful order in the Middle East;
- (ii) Noting with satisfaction that the Council has undertaken to provide the Community with the means they may require for possible action to promote peace in Yugoslavia;
- (iii) Noting with satisfaction that, during the year, the Council has developed the means available to governments for co-ordinating their action in areas within the purview of WEU;
- (iv) Considering that the various proposals concerning the future of European security that have been presented at the intergovernmental conference all assign a major rôle to WEU both as the European pillar of the Atlantic Alliance and as the military organisation of the Twelve;
- (v) Welcoming the fact that the successive French and German presidencies made considerable progress in these areas;
- (vi) Welcoming the fact that, at its ministerial meeting in Vianden on 27th June 1991, the Council took useful decisions for adapting WEU to the new requirements of European security;
- (vii) Regretting however that the Council, at the level of the Permanent Council, applies only in a limited manner its commitments under Article IX of the modified Brussels Treaty and, in particular:
 - (a) by sheltering behind formalist considerations so as not to answer the Assembly, as has frequently been the case, and especially in its replies to Recommendations 479 and 490 and Written Question 288;
 - (b) by taking liberties with the facts as was the case in several respects in its replies to Recommendations 490 and 494 and in the first part of its thirty-seventh annual report;
 - (c) by resorting to generalities and vague phrases as in its reply to Recommendation 492;
 - (d) by breaking away from its obligations under the modified Brussels Treaty as in its replies to Recommendations 490 and 491;
- (viii) Regretting further that the public is still insufficiently informed of the activities of WEU,

RECOMMENDS THAT THE COUNCIL

1. Examine without delay the adaptation of WEU that has become necessary due to the transformation of Europe, the development of the European Community's external and security policy and the reorganisation of NATO and inform the Assembly of its conclusions but not relinquish in favour of institutions other than WEU decisions concerning the application of the modified Brussels Treaty, as it appears to be envisaging in its reply to Recommendation 490;
2. Set up the WEU satellite data interpretation centre without delay and quickly define the conditions for developing Europe's observation satellite capability;
3. In consultation with NATO, study attentively command structures allowing forces assigned to NATO or to national commands to be used for missions defined by WEU, taking into account the lessons learned from the Gulf crisis and the Yugoslav question;
4. Study the disarmament proposals made by the United States and the Soviet Union in October 1991 in order to ascertain Europe's security requirements and make it possible for Europe to play a much more active rôle in disarmament matters;

1. Adopted by the Assembly on 3rd December 1991 during the second part of the thirty-seventh ordinary session (10th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Roseta on behalf of the Political Committee (Document 1285).

5. Define areas in which consideration might be given to countries that are not members of WEU, including Greece, Norway, Turkey and certain Central European countries, being associated with the activities of the Council or of its subsidiary organs;
6. Not neglect the application of Article IX of the modified Brussels Treaty, which makes the Assembly an essential organ of WEU, and to this end:
 - (a) Ensure that it replies pertinently to the Assembly's recommendations and written questions and in particular:
 - (i) not take as a pretext for refusing to reply the fact that the Assembly, which it keeps inadequately informed, is not always able to word its texts in a manner it considers pertinent;
 - (ii) ensure that it does not give credence to statements not very close to reality;
 - (iii) ensure that the English and French texts of its replies correspond as accurately as possible;
 - (iv) give sufficiently precise and detailed replies to precise and detailed recommendations;
 - (v) respect the law embodied in the modified Brussels Treaty in its decisions and in its replies to the Assembly;
 - (b) To allow a true dialogue between the Council and the Assembly, ensure that:
 - (i) its replies to recommendations reach the Assembly in time for it to be able to study them before the sessions following their adoption, i.e. within three months of being communicated to the Council;
 - (ii) its replies to written questions reach the Assembly within a reasonable lapse of time;
 - (iii) its half-yearly reports reach the Assembly within three months of the end of each half-year;
 - (c) Transmit to the Assembly those of its discussion papers, reports and proposals which are not secret, as is normally done by the European Community authorities in the case of the European Parliament and as it did on 22nd February in the case of the working paper submitted to it by the Secretary-General;
 - (d) Inform the Assembly of progress made with the study on Europe's development of a means of strategic, maritime and air transport;
 - (e) Inform the Assembly of the nature and aim of the military group on Yugoslavia set up in Metz;
 - (f) Apply its own decision of 13th November 1989 concerning the WEU Institute for Security Studies:
 - (i) by communicating to the Assembly "the results of the Institute's unclassified work", including "discussion papers on topical subjects" and "reports ... on the seminars it had arranged";
 - (ii) by not opposing the Institute giving the Assembly opinions on topical questions;
7. Implement as soon as possible the decision to which all the governments have agreed on moving the seat of the Permanent Council to Brussels and having that body formed of the permanent representatives of member countries to the European Community;
8. Instruct the Secretariat-General to prepare and circulate to the press a periodical information bulletin on the activities of WEU.

REPLY OF THE COUNCIL ¹

to Recommendation 509

1. The ministers of foreign affairs of WEU member states met in the margins of the 46th European Council meeting on 9th and 10th December 1991 at Maastricht. They adopted a declaration of the member states of Western European Union issued on the occasion of the 46th European Council meeting on 9th and 10th December 1991 at Maastricht and a declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance, which adapt WEU in the light of the new situation.

2. With the aim of intensifying space co-operation within WEU, and to give substance to the resolutions made at their regular meeting in Vianden (Luxembourg), ministers decided in Bonn on 18th November 1991 that the satellite data interpretation and training centre should be established in Spain, with effect from 1st January 1992. They agreed that a British national should be the Director of this centre for a period of three years.

Already at their regular meeting in Vianden, ministers decided to task the ad hoc Sub-Group on Space to pursue studies on the possibilities for medium- and long-term co-operation on a European satellite observation system. Subsequently, a group of experts on satellite studies was tasked to analyse the need for studies to be performed by industry and for national establishments. This group of experts prepared a request for proposals for a WEU satellite system study.

A Study Management Team was set up in early 1992 in accordance with the ministerial decisions of 18th November 1991 in order to manage the actual conduct and co-ordination of the industrial studies. The Study Management Team works under the aegis of the ad hoc Sub-Group on Space, is based in France and has an Italian chairman.

3. The Council remains aware of the importance of questions such as those mentioned in paragraph 3 of Recommendation 509. Discussions on such issues will be placed on the agenda of the Council and its working groups in the process of implementing the declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance ”.

4. The Council's position on Europe's rôle in arms control and disarmament matters is explained in its replies to Recommendations 513 and 514.

5. As regards the definition of “ areas in which consideration might be given to countries that are not members of WEU, including Greece, Norway, Turkey (...) being associated with the activities of the Council or of its subsidiary organs ”, the Council wishes to recall the terms of the declaration of the member states of Western European Union issued on 9th and 10th December 1991 at Maastricht, in which WEU member states agreed that: “ States which are members of the European Union are invited to accede to WEU on conditions to be agreed in accordance with Article XI of the modified Brussels Treaty, or to become observers if they so wish. Simultaneously, other European member states of NATO are invited to become associate members of WEU in a way which will give them the possibility to participate fully in the activities of WEU. The member states of WEU assume that treaties and agreements corresponding with the above proposals will be concluded before 31st December, 1992. ”

6. The Council acknowledges the vital rôle played by the Assembly in the reactivation of WEU and the impetus given by the Assembly to the definition of WEU's rôle and place. The Council remains fully aware of the implications of Article IX of the modified Brussels Treaty.

In its replies to recommendations and written questions, the Council continues to make every effort to give the Assembly information which is as accurate and precise as it can be, respecting the constraints of classification. The Council also remains aware of the time constraints the Assembly faces in its dialogue with the Council. In co-operation with the Secretariat-General, the Council is trying to streamline the procedures for replying to Assembly recommendations and written questions so that the Assembly committees can take them into account in preparing reports for their next session. However, it should be borne in mind that consultation among the Nine is necessary if the Assembly is to receive a maximum amount of information. The Council will try to do its utmost to reply to Assembly recommendations and written questions within a few months of their official receipt.

¹. Communicated to the Assembly on 5th March 1992.

The Assembly has full access to the Institute's unclassified work. While the Council does not object, in principle, to the rôle of the Institute being extended to giving opinions to the Assembly on topical questions, requests for such opinions should be sent first to the Secretary-General who will transmit them to the members of the Council. The Council will then decide on a case-by-case basis and instruct the Institute's Director accordingly.

It should be recalled that, at its meeting on 12th December 1991, the Permanent Council reviewed the various aspects of relations between the parliamentary Assembly of WEU and the Institute for Security Studies. On this occasion, the Permanent Council asked Mr. Roper to prepare an annual report for the Assembly and a periodical document allowing the latter to be kept informed of those of the Institute's plans which are of interest to WEU parliamentarians. These documents will be sent to the President of the parliamentary Assembly by the Council. As has been the rule since July 1990, the Assembly and the Office of the Clerk will continue to be invited to designate representatives to attend the Institute's "open" seminars. Finally, the Council has agreed that the Institute should prepare a document setting out thoughts for the symposium to be held by the Assembly in Berlin next March.

The information on the conclusions of the Permanent Council meeting on 12th December 1991 as regards relations between the WEU Institute for Security Studies and the Assembly were sent to Senator Robert Pontillon, President of the WEU Parliamentary Assembly, on 16th December 1991, in a letter from the Secretary-General.

7. In accordance with Chapter D, paragraph 6 of the declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and the Atlantic Alliance, as a consequence of measures set out in this document and "in order to facilitate the strengthening of WEU's rôle, the seat of the WEU Council and Secretariat will be transferred to Brussels". The arrangements for implementing this measure are currently under discussion, and the Assembly will be informed in due course.

8. The Council states its position on the Assembly's proposals for enhancing WEU's public relations in its reply to Recommendation 507.

RECOMMENDATION 510 ¹

on the defence industry in Czechoslovakia, Hungary and Poland ²

The Assembly,

- (i) Aware of the complete economic reform from a centrally-planned economy to a market economy now taking place in Czechoslovakia, Hungary and Poland, here also to be referred to as the Triangle;
- (ii) Recognising that the Triangle, in the framework of the former Warsaw Pact, was obliged to develop a large defence industry with considerable armaments and equipment production and several hundred thousand employees;
- (iii) Aware that the traditional export markets for this defence industry, mainly the former Warsaw Pact allies and third world countries formerly in the Soviet Union's sphere of influence, have virtually collapsed overnight;
- (iv) Conscious that, due to arms control, severe budget cuts and restructuring of the national armed forces, the home market of the Triangle's defence industry has also shrunk dramatically, with immediate negative consequences for its production level;
- (v) Aware that massive unemployment in many of the Triangle defence industry's establishments will lead to a complete collapse of those regions where they are the exclusive generator of economic activity and the basis of the social and cultural structure as is often the case;
- (vi) Recognising that conversion in a narrow sense, insofar as it means turning defence manufacturing companies fully or partially into manufacturers for the civilian market, will mainly have to depend on private enterprise initiatives;
- (vii) Understanding that the Triangle countries, after more than forty years of complete dependence and submission, have a legitimate interest in an autonomous defence capability linked to the maintenance of a national defence industrial base;
- (viii) Conscious that the Triangle countries have pledged to stop arms exports to areas of tension and terrorist organisations;
- (ix) Recognising that the Triangle countries will gradually have to adapt their armed forces and defence equipment to their new security needs and to their future rôle in a larger European security framework;
- (x) Aware that, in the foreseeable future, Czechoslovakia, Hungary and Poland are bound to be full members of the European Community and that in parallel they will be included in a future European security and defence system;
- (xi) Aware that the defence ministers of the member countries of the Independent European Programme Group (IEPG) recently initiated appropriate contacts between the IEPG on the one hand and, on the other hand, Western European Union and the European Community, both engaged in the elaboration of the future European security architecture;
- (xii) Convinced that for the Triangle nations the IEPG as a European forum is an ideal framework to start harmonising their operational requirements and re-equipment time-scales, while offering them, through a concerted European military research programme and cost-effective defence equipment programmes, a fair chance to adapt their slimmed down defence industry to new circumstances and include it in European collaborative efforts;
- (xiii) Recalling that, notwithstanding considerable liberalisation in the Cocom export control régime, in particular regarding Czechoslovakia, Hungary and Poland, these countries are still among the proscribed countries of Cocom,

1. Adopted by the Assembly on 3rd December 1991 during the second part of the thirty-seventh ordinary session (11th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Atkinson on behalf of the Technological and Aerospace Committee (Document 1289).

RECOMMENDS THAT THE COUNCIL

1. Urgently call for negotiations between Cocom and Czechoslovakia, Hungary and Poland to remove these countries from the list of proscribed countries as soon as possible;
2. Promote the participation of Czechoslovakia, Hungary and Poland in the activities of the Independent European Programme Group (IEPG) as an ideal framework to gain familiarity with procurement procedures for democratically-controlled armed forces, in particular with a view to including them in:
 - (a) those regular meetings of government officials known as the "European sessions for armament managers", organised with the objective of exchanging information relating to the operation of organisations in charge of arms procurement;
 - (b) the work of Panel I, which would help them to harmonise their equipment requirements with other European nations and to identify potential projects for collaboration;
3. Urge all member states to respond positively to requests for advice on re-training, the acquisition of new skills, conversion, special help for self-employment and the establishment of small businesses, attracting new industries and developing employment opportunities by establishing enterprise zones.

REPLY OF THE COUNCIL¹***to Recommendation 510***

1. The issue of releasing Czechoslovakia, Hungary and Poland from any residual proscriptions under the Cocom régime will have to be examined primarily in the Cocom framework.
2. The promotion of participation by Czechoslovakia, Hungary and Poland in the activities of the IEPC will have to be examined primarily in the framework of this body. However, the Council shares the Assembly's concern about the need to familiarise the newly-democratic countries of Central and Eastern Europe with procurement procedures for democratically-controlled armed forces, and would like explicitly to welcome all efforts undertaken in this sense, whether in bilateral or appropriate multi-lateral frameworks.
3. WEU is an intergovernmental organisation and the WEU Council is thus not in a legal position to comply with the Assembly's request. However, the Council is aware of the crucial importance of those forms of economic assistance to the Central and Eastern European countries as described in Recommendation 510.

1. Communicated to the Assembly on 5th March 1992.

RECOMMENDATION 511¹*on European union and developments in Central and Eastern Europe*²

- (i) THE ASSEMBLY notes that, while events in summer 1991 both in the Soviet Union and in Yugoslavia do not directly endanger the security of WEU member countries, they significantly increase the risks to Europe's security.
- (ii) It hopes the meeting of the European Council in Maastricht will allow a decisive step to be taken towards co-operation between WEU and the Community in the framework of a European union.
- (iii) It welcomes the fact that the various proposals made at the intergovernmental conference on external policy and security and the decisions taken by the North Atlantic Council in Rome tend to strengthen the rôle assigned to WEU in ensuring the maintenance of peace throughout Europe.
- (iv) It reiterates the advice given by the Presidential Committee to the WEU Council of Ministers and the intergovernmental conference that "parliamentary control of the measures by which WEU shoulders Europe's new security and defence responsibilities must remain the task of the WEU Assembly which is composed of delegations from national parliaments whose attributions in this respect are unchanged".
- (v) It considers that, at the present juncture, the modified Brussels Treaty provides more than ever the juridical basis for European co-operation in defence and security matters and it regrets that the Council has not yet agreed to give it any indication about the course it intends to follow in revising the treaty.
- (vi) It notes with satisfaction that, at its meeting on 18th November, the Council decided to set up operational bodies meeting some of the requirements implied by WEU's new responsibilities.
- (vii) It welcomes the fact that NATO has taken decisions to strengthen the CSCE and started to organise a permanent dialogue with all the countries which were members of the Warsaw Pact and that the Council has decided to organise parallel action.
- (viii) It notes, too, that the Federal Czech and Slovak Republic, Hungary and Poland have started to take coherent action in all areas leading to their association with Western Europe but also that they are expressing serious concern about their security.
- (ix) It recalls the urgency of implementing its Recommendation 506 on Europe and the Yugoslav crisis.

IT THEREFORE RECOMMENDS THAT THE COUNCIL

1. Meet at ministerial level the day after the meeting of the European Council in Maastricht to prepare the adaptation of WEU to the new situation created by the decisions taken by the North Atlantic Council in Rome and by the Maastricht meeting, with particular regard to:
 - (a) the organisation and command of WEU forces earmarked for the defence of Europe, and their co-ordination with NATO;
 - (b) the organisation and command of possible WEU rapid action outside the NATO area or in the framework of United Nations or CSCE decisions;
 - (c) the necessary revision of the modified Brussels Treaty;
 - (d) defining the respective rôles of the IEPG and a future WEU armaments agency;
 - (e) moving the Permanent Council and the Secretariat-General to Brussels in order to help WEU to carry out its share of responsibilities in decisions on external and security policy matters taken by the European union and to develop co-operation between WEU and NATO along the lines of the Presidential Committee's advice of 26th March 1991.

1. Adopted by the Assembly on 4th December 1991 during the second part of the thirty-seventh ordinary session (13th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Goerens on behalf of the Political Committee (Document 1293).

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2. Propose forthwith to the Federal Czech and Slovak Republic, Hungary and Poland:
 - (a) participation in meetings of the Council when matters relating to the security of Central and Eastern Europe are discussed;
 - (b) association with the activities of the WEU satellite centre for everything relating to the verification of the CFE Agreement;
 - (c) the possibility of participating in the activities of the IEPG and all forms of European co-operation in armaments matters.
 3. Propose to Hungary, and any country making a formal request, the posting of military observers to Hungarian territory, in the area of its frontier with Yugoslavia, in order to record any further violation of Hungarian territory or air space by Yugoslav belligerents.
 4. Take without delay the necessary military and naval measures to enforce the embargo on certain supplies to Yugoslavia and the Yugoslav republics decided by the Twelve on 8th November.
 5. Co-ordinate as soon as possible humanitarian operations for Yugoslav civilians and afford them naval protection.
 6. Establish the necessary co-operation between member countries with a view to their participation in a peace-keeping force in Yugoslavia as soon as the conditions exist for making this legitimate under the authority of the United Nations.

REPLY OF THE COUNCIL ¹*to Recommendation 511*

1. The ministers of foreign affairs of WEU member states met in the margins of the 46th European Council meeting on 9th and 10th December 1991 at Maastricht. In the light of the North Atlantic Council in Rome and the ongoing Maastricht meeting, they adopted two declarations. Their implementation will adapt WEU as an institution to the new situation now prevailing in Europe.

The Council shares the Assembly's views on the importance of issues such as those raised in paragraphs (a) and (b) of Recommendation 511. As of early 1992, they were on the agenda of the Council and its working groups as part of the discussions on the practical arrangements for implementing the declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and the Atlantic Alliance. The Council will take every opportunity to inform the Assembly as work on these aspects proceeds.

2. In accordance with the measures agreed at the WEU Council of Ministers in Bonn on 18th November 1991, the foreign and defence ministers of Bulgaria, Czechoslovakia, Hungary, Poland and Romania will be invited early in 1992 to participate in a special meeting with the members of the Council. With a view to this special meeting, further measures for enhancing contacts and co-operation with the Central and Eastern European countries – in addition to those already agreed on 18th November 1991 – are under consideration. The Council took note of the Assembly's suggestion to associate countries such as the Federal Czech and Slovak Republic, Hungary and Poland with the activities of the WEU satellite centre.

In this context, the Council wishes to recall that on 18th November 1991, in that part of the communiqué dealing with operational co-operation among member states in the field of arms control verification, ministers "decided to take into account in their subsequent deliberations the possibility of co-operation with all CSCE member states."

The possibility of Czechoslovakia, Hungary and Poland participating in the activities of the IEPG will have to be examined primarily in the IEPG framework.

3. In view of the rôle which would be played by the United Nations in a possible peace-keeping effort in Yugoslavia, "formal requests" which countries neighbouring Yugoslavia might make for the "posting of military observers", as specified in paragraph 3 of Recommendation 511, should be addressed primarily to the United Nations.

4. The desirability and feasibility of rôles for WEU in "taking military and naval measures" in the context of the crisis in Yugoslavia will be assessed, if and when necessary, in the light of the evolving situation in Yugoslavia and of efforts made in this context by the European Community and the United Nations.

5. At the WEU Council of Ministers on 18th November 1991, a declaration on Yugoslavia was adopted which specified that "WEU countries are prepared to participate in operations in order to establish humanitarian corridors". The possible implementation of this proposal, and the desirability and feasibility of rôles for WEU in possible humanitarian operations of other types will be assessed, if and when necessary, in the light of the evolving situation in Yugoslavia and in the light of efforts made in this context, especially by the United Nations.

1. Communicated to the Assembly on 5th March 1992.

RECOMMENDATION 512¹*on operational arrangements for WEU – the Yugoslav crisis*²

The Assembly,

- (i) Recalling its Recommendation 506 on Europe and the crisis in Yugoslavia;
- (ii) Welcoming the series of initiatives taken by the WEU Council to help support the continuing search for a lasting peace in Yugoslavia;
- (iii) Congratulating the Council especially concerning the prompt actions taken to prepare the possible options for a WEU peace-keeping force and in particular France for making available the necessary facilities at Metz to allow the WEU joint contingency study group to function effectively;
- (iv) Pleased that some member countries are prepared to participate in operations to establish humanitarian corridors and that Italian and French ships are already involved in evacuating children and the wounded;
- (v) Supporting the efforts of WEU member states in the United Nations Security Council in favour of a resolution concerning peace-keeping operations in Yugoslavia and stressing the readiness of WEU nations to give practical support to such operations, in addition to making available to the United Nations details of the contingency planning work already carried out by WEU;
- (vi) Reiterating the warning that the stationing of peace-keeping forces should not sanction the seizure of any territory by force;
- (vii) Convinced that the achievements of WEU over the past three years in creating the necessary ad hoc operational structures to meet different contingencies with pragmatic and practical solutions augur well for the important new rôles soon to be devolved to the organisation;
- (viii) Considering that all the various proposals concerning the future organisation of European security assign a major operational rôle to WEU, both as the European pillar of the Atlantic Alliance and as the defence dimension for the coming European union;
- (ix) Convinced that there must now be a rationalisation and concentration of WEU;
- (x) Stressing the importance of adequate and appropriate operational structures, together with a realistic budget, for all component parts of WEU,

RECOMMENDS THAT THE COUNCIL

1. Continue every effort to find a peaceful solution to the Yugoslav crisis, supporting the continuing initiatives of the European Community, the CSCE and the United Nations;
2. Make all the necessary preparations to ensure that appropriate forces would be ready to take part in peace-keeping operations, preferably under the authority of the United Nations, given the right conditions, in particular concentrating on command and control arrangements, rules of engagement, communications, intelligence and logistics;
3. Encourage all member states to take part in humanitarian operations, whatever may have been previous limitations on action outside traditional areas – “all of one company” should be the example set by WEU nations;
4. Instruct the joint contingency study group to examine urgently the most effective ways of:
 - (a) grounding all military aircraft in Yugoslav air space;
 - (b) using electronic counter measures (ECM) to best effect;

1. Adopted by the Assembly on 4th December 1991 during the second part of the thirty-seventh ordinary session (13th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. De Hoop Scheffer on behalf of the Defence Committee (Document 1294).

- (c) imposing effective arms and oil embargos on all Yugoslav belligerents (even to the extent of helping control landward frontiers by offering to second police and/or customs officers to third countries);

and make available the results of such studies to the United Nations and other bodies as appropriate;

5. In the light of experience of both the Gulf and Yugoslav crises and in the knowledge that WEU will be given a definite rôle to play as an operational organisation complementary to both the Atlantic Alliance and the European Community, take the necessary preliminary measures:

- (a) to move the seat of the Permanent Council to Brussels and form the Permanent Council itself by "double hatting" either NATO Permanent Representatives, or EC Permanent Representatives, or with a combination of the two;
- (b) institute a planning staff as urged by the Assembly in Recommendation 502 and ensure that it maintains a liaison link with both the Atlantic Alliance and European union;
- (c) invite the United States and Canada to appoint an Ambassador to Western European Union;
- (d) form a military advice group of nine experts on detachment for normal lengths of appointment, to provide the military expertise necessary for the Secretariat-General and to ensure continuous liaison with national defence ministries;

6. Give the necessary political and military impetus to the above by:

- (a) convening an extraordinary Council meeting after Maastricht;
- (b) convening a further meeting of WEU Chiefs of Defence Staff early in the New Year;

7. Help the four countries (France, Germany, Belgium and Spain) which have decided to form a European army corps, to be headquartered in Strasbourg, to elaborate ideas so that such a unit will be compatible with proposals regarding a European rapid action force;

8. Ensure that appropriate provisions are made concerning

- command, control, communications and intelligence;
- transport;
- logistics;
- standardisation, if possible, or at least interoperability of equipment used by multinational units;
- common procurement (e.g. through links with the IEPG and the Eurogroup);

9. Seek to develop military satellite communication systems within WEU, as suggested by the French Defence Minister, Mr. Joxe, on 6th and 7th November 1991, and associate non-member countries such as Canada and Norway (which have already expressed an interest) with not only this project, but also the satellite data interpretation and training centre and in addition the study on a European space-based observation system;

10. Examine the possibility of making a WEU concerted contribution when it comes to disaster relief, pollution control, protection of cultural heritage and crisis management generally, thus ensuring that WEU expertise is used to best advantage.

REPLY OF THE COUNCIL¹***to Recommendation 512***

1. The Council welcomes initiatives and efforts aimed at arriving at a peaceful solution to the Yugoslav crisis, especially those undertaken in recent months by the Secretary-General and the Security Council of the United Nations and the continuation of the Conference on Yugoslavia. The Council attaches the greatest importance to the early deployment of the United Nations peace-keeping force referred to in United Nations Security Council Resolution 724.

2. Since the beginning of 1991, developments in the Yugoslav crisis and preparations for a possible active contribution by WEU to its solution were under discussion by the Council and its working groups, in the light of the possible deployment of the United Nations peace-keeping force referred to in United Nations Security Council Resolution 724. As stated in the Council reply to Assembly Recommendation 506, "a WEU engagement in Yugoslavia is only practicable if all Yugoslav conflict parties agree to it and a truce with the perspective of lasting has been firmly established". The Assembly will be informed as to any outcome in due course.

3. As regards the request formulated in paragraph 3 of Recommendation 512, the Council's position has not changed: co-ordination of the action of armed forces of WEU countries can certainly be envisaged under the auspices of WEU. Nevertheless, the provision of contingents for humanitarian or peace-keeping operations is a matter to be decided nationally by those countries. It is not WEU's responsibility to announce in advance that member states are prepared to co-ordinate such action. Any national decisions to commit forces should be taken with due regard for the overall political context, which is in fact a matter for EPC.

4. The Joint Contingency Study Group has examined in detail the options and measures deemed necessary in the context of the Yugoslav crisis. In accordance with the declaration on Yugoslavia adopted by the WEU Council of Ministers in Bonn on 18th November 1991, details of the contingency planning work already done by WEU experts were made available to the United Nations on 18th November 1991. If it is considered necessary, WEU contingency planning will be further adapted in the light of the changing situation in Yugoslavia and the efforts undertaken by the United Nations Security Council and the United Nations Secretary-General.

5. In accordance with Chapter D, paragraph 6 of the declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance, as a consequence of measures set out in this document and "in order to facilitate the strengthening of WEU's rôle", "the seat of the WEU Council and Secretariat will be transferred to Brussels". The arrangements for the implementation of this measure are currently under discussion. The Assembly will be kept informed of the outcome to this discussion and further action.

Paragraph 7 of the abovementioned declaration reads: "Representation on the WEU Council must be such that the Council is able to exercise its functions continuously in accordance with Article VIII of the modified Brussels Treaty. Member states may draw on a double-hatting formula, to be worked out, consisting of their representatives to the alliance and to the European Union."

Chapter C, paragraph 5 of the same declaration mentions a WEU planning cell in the context of the strengthening of WEU's rôle "by examining and defining appropriate missions, structures and means". The precise agreements for the implementation of this provision are currently under discussion by the Council and its working groups, and the potential for "a liaison link with both the Atlantic Alliance and European Union" will have to be addressed in the process.

The Council took note of the Assembly's suggestions as to extending an invitation to the United States and Canada to appoint ambassadors to WEU.

The question of reinforcing the Secretariat-General with military expertise at the seat of the organisation is currently under active consideration by the Council and its working groups. Information on the results of these discussions and possible follow-up action will be made available to the Assembly as soon as possible.

1. Communicated to the Assembly on 5th March 1992.

6. A meeting of the ministers of foreign affairs of WEU member states was convened on 10th December 1991 in the margins of the European Council meeting in Maastricht. They adopted a declaration of the member states of Western European Union issued on the occasion of the 46th European Council meeting on 9th and 10th December 1991 at Maastricht and a declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance. Chapter C, paragraph 5 of this second declaration mentions meetings of WEU chiefs of defence staff in the context of the strengthening of WEU's rôle "by examining and defining appropriate missions, structures and means". WEU chiefs of defence staff of the WEU member countries met on 27th January 1992 in Bonn.

7. The Council and its working groups are actively considering ways of developing WEU's operational rôle, including the identification of military units answerable to WEU, of which the corps proposed by France and Germany will be one. However, the Council regrets that at the time of formulating its reply to Recommendation 512, it has not yet been able to give further details as discussions are still under way. In this context, the Council would also like to draw the Assembly's attention to Chapter C, paragraph 5 of the declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance which in the context of the strengthening of WEU's rôle "by examining and defining appropriate missions, structures and means", mentions in the second indent "closer military co-operation complementary to the alliance in particular in the fields of logistics, transport, training and strategic surveillance". The proposals to be "examined further" include "enhanced co-operation in the field of armaments with the aim of creating a European armaments agency".

8. The ad hoc Sub-Group on Space will discuss the possibility of additional forms of co-operation in the field of space and the desirability and practicability of associating other countries in the light of the Maastricht decisions in due course.

9. The Council took note of the Assembly's suggestions in paragraph 10 of the recommendation. If the fields mentioned in paragraph 10 should be included in the co-operation within WEU, then the Council wishes to draw the Assembly's attention to the validity of the reservations expressed in Council reply to Recommendation 475.

RECOMMENDATION 513¹*on arms control negotiations – further initiatives for WEU*²

The Assembly,

- (i) Aware of the changes affecting peace and security which have occurred in recent years in Europe resulting in major progress in disarmament agreements and offering henceforth unprecedented possibilities for greater reductions in all types of armaments;
- (ii) Noting the importance of the agreements achieved so far for the reduction of conventional and nuclear armaments and the monitoring and verification of the ban on certain weapons of mass destruction;
- (iii) Welcoming the proposals for radical reductions in nuclear weapons recently made by President Bush and President Gorbachev which represent a major step forward in this area in both qualitative and quantitative terms;
- (iv) Welcoming the reduction in nuclear armaments agreed by NATO at its recent meeting in Taormina;
- (v) Convinced, however, that the principles reiterated in The Hague platform remain a mainstay of European defence;
- (vi) Convinced that the CFE Treaty will be a milestone in the limitation of these armaments and expressing the wish that this treaty be ratified without delay by all countries;
- (vii) Considering that there are new prospects of developing conventional disarmament in the framework of the CSCE and of the Atlantic Alliance;
- (viii) Recognising the efforts made in the framework of the Geneva Disarmament Conference for a total ban on chemical and biological weapons;
- (ix) Aware that WEU has an important rôle to play in backing the process of disarmament and in taking initiatives for its achievement in practice;
- (x) Determined for its part to maintain a permanent debate on arms control matters in co-ordination with all appropriate forums,

RECOMMENDS THAT THE COUNCIL

1. Contribute by its action to the advancement of all initiatives for peace and détente now being taken, in particular by endorsing disarmament and arms control proposals;
2. Act continuously to promote a consensus between member countries on disarmament in order to draw positions closer together, harmonise legislation and take joint measures to reduce and control armaments, including the regulation and transparency of arms sales;
3. Ensure that the organisation of peace at European and national level concords increasingly with quantitative and qualitative criteria in defence matters to achieve reasonable minima;
4. Actively support the Bush-Gorbachev proposals to reduce nuclear weapons and efforts to avoid their proliferation, in accordance with the terms set out in the non-proliferation treaty and to obtain a ban on nuclear testing;
5. Elaborate and subscribe to a policy of minimum nuclear deterrence which takes account of recent changes but which safeguards European interests;
6. Continue to press for the banning of the production, deployment and sale of chemical and biological weapons;
7. Resolutely endorse the CFE Treaty by urging member states to ratify it without delay, thus ensuring that WEU sets an example in this respect;

1. Adopted by the Assembly on 5th December 1991 during the second part of the thirty-seventh ordinary session (14th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. de Puig on behalf of the Defence Committee (Document 1288).

8. Give impetus to the verification agreements so as to be able to establish verification systems and programmes acceptable to all member states;
9. Ensure that the satellite data interpretation centre is integrated into the verification process to be instituted;
10. Implement the necessary procedure for WEU to participate in a co-ordinated manner, in particular with the Atlantic Alliance and with other responsible bodies in the necessary exchange of information and elaboration of disarmament proposals.

REPLY OF THE COUNCIL¹***to Recommendation 513***

1. The Council is convinced that the action of WEU member states has greatly contributed to the advancement of recent initiatives for peace and détente. WEU member states have individually welcomed initiatives such as those mentioned in Recommendation 513 and in the text of the report on arms control negotiations – further initiatives for WEU, submitted on behalf of the Defence Committee by Mr. de Puig, Rapporteur.
2. The Council has set out its position in its reply to Assembly Recommendation 502: “ Within the framework of the European Community, WEU member states have, together with Japan, introduced a resolution at the 46th United Nations General Assembly calling for a comprehensive but non-discriminatory register of arms transfers in order to enhance and make worldwide the process of greater transparency in arms transfers with a view to contributing to greater restraint ”.
3. The ultimate achievement of reasonable minima in the field of defence remains the aim of all WEU member states.
4. The Council welcomes all measures aimed at a reduction of the nuclear arsenals of the United States and the former Soviet Union and is fully aware of the need to prevent the proliferation of nuclear weapons.
5. The formulation of a policy of minimum nuclear deterrence is not at present on the agenda of the Council and its working groups.
6. WEU member states are actively fostering a convention on a global ban on the manufacture, possession and use of chemical weapons, together with an appropriate verification régime. The Council welcomes all measures aimed at the banning of the production, deployment and sale of chemical weapons. WEU consultations on proposals to be introduced in the CSCE and alliance frameworks are taking place.
7. Ratification of the CFE Treaty is now the prerogative of the respective national parliaments. The Council views as a priority the inclusion of the CIS states with territory in the area of application (as well as Georgia) into the CFE Treaty.
8. The Council continues to attach great importance to the search for cost-effective solutions in the field of arms control verification.
9. In the communiqué adopted by the WEU Council of Ministers meeting in Bonn on 18th November 1991, ministers “ underlined the link between space co-operation and arms control verification, including verification of the CFE Treaty ”. The possibilities of integrating the satellite data interpretation and training centre into the verification process will be examined by the Council and its working groups in due course.
10. The Council welcomes the suggestions made in paragraph 10 of Assembly Recommendation 513 and intends to intensify the existing exchange of information and the elaboration of proposals in the fields of disarmament and verification which already takes place. While discussing the modalities for the implementation of the declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance, the suggestions will be borne in mind.

1. Communicated to the Assembly on 5th March 1992.

RECOMMENDATION 514¹

on arms control negotiations – further initiatives for WEU²

The Assembly,

(i) Welcoming the positive results of the WEU Council of Ministers meeting in Bonn on Monday, 18th November 1991, namely:

(a) the decision to establish the WEU satellite data interpretation and training centre at Torrejón, in Spain, with effect from 1st January 1992;

(b) the decision to form a study group in 1992, in France, to examine the necessity and desirability of a medium- and long-term realisation of a European space-based observation system;

(ii) Pleased that the Council has taken so many of the Assembly's previous recommendations on arms control verification to heart and strongly approving the 18th November communiqué on the subject:

“ Ministers took note of the progress made on co-operation among member states on the verification of arms control agreements. In this context, they underlined the link between space co-operation and arms control verification, including verification of the CFE Treaty.

Ministers noted with approval the preparatory steps taken to set up multinational inspection teams as part of the implementation of the verification régime laid down in the CFE Treaty. They approved a set of rules for the co-operation of multinational teams.

They decided to take into account in their subsequent deliberations the possibility of co-operation with all CSCE member states.

The Council welcomed the progress made following the resumption of the open skies negotiations in Vienna, which gives hope for their successful conclusion by the time of the Helsinki follow-up meeting. The ministers continue to attach great importance to accelerating the search for cost-effective solutions in the implementation of an open skies agreement. ”

(iii) Taking account of the new strategic concept defined by NATO at its Rome meeting and its consequences and urging still further practical co-operation between WEU member states to cover all aspects of arms control and disarmament;

(iv) Concerned however that not enough international concertation has been applied to the particular problem of pollution control now urgently required to ensure the safe disposal of both conventional and nuclear weapons;

(v) Welcoming all moves towards a reinforcement of the missile technology control régime and especially the People's Republic of China's recent declared willingness to abide by its provisions,

RECOMMENDS THAT THE COUNCIL

1. Support the Atlantic Alliance's new strategic concept and show that WEU, as the European pillar, is ready to respond to current challenges by producing a specific initiative on arms control which would demonstrate our considerable political, legal and technical capabilities;

2. Encourage the participants at the Vienna negotiations on conventional forces to reach positive conclusions to be presented at Helsinki in March 1992;

1. Adopted by the Assembly on 5th December 1991 during the second part of the thirty-seventh ordinary session (14th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. De Puig on behalf of the Defence Committee (Document 1288 Addendum).

3. Encourage member countries and CSCE colleague states to pay greater attention to the environmental problems linked with the destruction of both conventional and nuclear weapons, study and report on avoiding this type of potential pollution, thus ensuring greater transparency in this important domain;

4. In addition to seeking progress on verification, satellite observation, multinational inspection teams and open skies, actively seek a greater respect for the missile technology control régime.

REPLY OF THE COUNCIL¹

to Recommendation 514

1. The Council welcomes the results of NATO's Rome summit and subsequent NATO ministerial meetings. In accordance with the declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance, WEU will be developed not only as the defence component of the European Union but also as the means of strengthening the European pillar of the Atlantic Alliance. This will help Europe's voice to be heard on the world stage. The development of WEU also paves the way for WEU member states to produce "a specific initiative on arms control", if and when deemed necessary. This would of course be done with due regard for the necessary transparency and complementarity between the European security and defence identity and the alliance.
2. WEU member states have called on the participants at the Vienna negotiations on conventional arms to further strengthen stability in Europe by agreeing on measures to limit manpower levels and to conclude successfully the CFE 1a negotiations by the time of the Helsinki follow-up meeting.
3. The Council is aware of environmental problems linked with the destruction of both conventional and nuclear weapons and welcomes all measures for their solution. At present, however, these issues are not on the agenda of the Council and its working groups.
4. The Council is well aware of the need to seek greater respect for the Missile Technology Control Régime and for progress on verification, satellite observation, multinational inspection teams and open skies.

1. Communicated to the Assembly on 5th March 1992.

RECOMMENDATION 515¹***on arms and equipment for a European rapid action force²***

The Assembly,

- (i) Aware of the decision of NATO's Defence Ministers to establish a multinational Allied Command Europe rapid reaction corps;
- (ii) Aware of the declaration on European security and defence issued jointly by Italy and the United Kingdom on 4th October recommending that WEU members develop a European reaction force;
- (iii) Aware of the Franco-German initiative of 14th October on security and defence in the European union recommending the creation of military units under WEU's responsibility;
- (iv) Convinced that there is an irreversible trend towards more political responsibilities for Europe on the international scene in the context of a political union;
- (v) Recognising that a political union with a common security policy also implies a stronger European defence identity in the longer-term perspective of a common defence policy;
- (vi) Conscious that now and in the future the United States defence budget is and will be subject to considerable restraints which, as a consequence, will increasingly limit the possibilities for European armed forces to rely on United States equipment;
- (vii) Recognising that WEU member countries will be obliged to provide the full range of equipment needed for an operational and effective European rapid reaction force, in particular including an autonomous strategic and tactical airlift capability;
- (viii) Aware that major equipment procurement programmes are long-term projects requiring timescales up to 15 to 20 years before coming to fruition,

RECOMMENDS THAT THE COUNCIL

1. Instruct the committee of chiefs of defence staff of WEU to examine urgently the possible contributions of all member countries which have agreed to participate in a future European rapid action force in order to harmonise the arms and equipment of this force at an early stage;
2. Urge the Defence Representatives Group to proceed energetically with its study of a European sea- and airlift capability and include in this study the possibility of establishing a European strategic airlift command in the WEU framework.

1. Adopted by the Assembly on 5th December 1991 during the second part of the thirty-seventh ordinary session (14th sitting).

2. Explanatory Memorandum: see the report tabled by Sir Dudley Smith on behalf of the Technological and Aerospace Committee (Document 1292).

REPLY OF THE COUNCIL¹***to Recommendation 515***

The Council agrees with the Assembly on the topicality and importance of the questions raised in Assembly Recommendation 515. Both the Council and its working groups devote a substantial amount of time to their thorough consideration and analysis. Information on the outcome of the discussion and its follow-up will be fed into the ongoing institutional and political dialogue.

In this context, the Council wishes to comment upon Chapter C "Operational rôle of WEU" of the declaration of the member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance: "WEU's operational rôle will be strengthened by examining and defining appropriate missions, structures and means", covering, inter alia, "closer co-operation complementary to the alliance in particular in the fields of logistics, transport, training and strategic surveillance". Furthermore, the proposals to be "examined further" in the context of this declaration include "enhanced co-operation in the field of armaments with the aim of creating a European armaments agency". The Council is of the opinion that the implementation of the abovementioned declaration will ultimately contribute to greater harmonisation of arms and equipment of military forces. This will happen only after an assessment by IEPG of all the implications of the Maastricht agreements.

The WEU chiefs of defence staff discussed at a first meeting after Maastricht on 27th January 1992 options for an increased operational rôle of WEU. They examined possibilities for regular CHOD meetings, for military units answerable to WEU as well as for the creation of a WEU military planning cell. As decided in Maastricht the reflection on these issues will be carried on in the framework of WEU.

The desirability and feasibility of setting up new bodies in the WEU framework, such as a European strategic airlift command will have to be examined taking into account the discussion by the DRG of the conclusions of a bilateral study undertaken by France and Germany in the framework of the appraisal of the lessons to be drawn from the Gulf conflict.

1. Communicated to the Assembly on 26th March 1992.

RESOLUTION 84¹***on the situation in East Timor²***

1. While affirming its commitment to defending the freedom and democracy of nations in accordance with international law, the Assembly condemns the massacre in East Timor on 12th November and the continuous violence of the occupying Indonesian forces.
2. From the outset of annexation, the occupying Indonesian forces were faced with resistance from the population of East Timor. In sixteen years, this has led to the death of 200 000 Timorese.
3. In face of a policy of forced annexation by the Indonesian Government, constituting a crime of genocide, which is being pursued and is worsening, the Assembly considers the international community must take further action to bring about conditions in which the people of East Timor may exercise the right to self-determination and independence. This right is recognised by the Charter of the United Nations and resolutions of that organisation's Security Council and General Assembly, the Council of Europe, the Inter-Parliamentary Union, the European Parliament and also by the Conference of Non-Aligned Countries.
4. To this end, the parliamentary Assembly of WEU calls upon the Indonesian Government:
 - (a) to stop all violence and violation of international standards guaranteeing respect for human rights and the right of peoples to self-determination and independence;
 - (b) to withdraw armed forces from the territory of East Timor and create the political conditions necessary for the free exercise of self-determination;
 - (c) to open up the territory of East Timor effectively and immediately and allow international aid and human rights organisations and United Nations missions to exercise their humanitarian activities there and assess the situation in regard to the violation of human rights.

The Assembly asks all member states:

- (i) to place an immediate embargo on arms for Indonesia;
- (ii) to suspend immediately military support to Indonesia.

1. Adopted by the Assembly on 5th December 1991 during the second part of the thirty-seventh ordinary session (14th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Brito on behalf of the Political Committee (Document 1298).

REPLY OF THE COUNCIL ¹

to Resolution 84

The Council took note of Assembly Resolution 84 on the situation in East Timor. The Council wishes to recall and reaffirm in this context the importance it attaches to the worldwide respect for human rights and expresses its hope that a just, comprehensive and internationally-acceptable settlement may be achieved, in accordance with the principles of the United Nations Charter, thus fully respecting the legitimate interests of the East Timorese. The Council expresses its support for the efforts of the United Nations Secretary-General to promote talks between the governments of Indonesia and Portugal designed to achieve such a settlement.

1. Communicated to the Assembly on 5th March 1992.

*Written questions 290 to 298 and replies of the Council***QUESTION 290**

*put to the Council by Mr. Roseta
on 15th October 1991*

Can the Council give the Assembly information about the proposed reform of co-ordination that, according to the first part of its thirty-seventh annual report, it approved during the first half of 1991?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 23rd January 1992*

The new regulations relating to the system of co-ordination were approved by the WEU Council on 3rd May 1991 [CR(91) 9, VIII, 1] after prior approval by the Councils of the Organisation for Economic Co-operation and Development, the Council of Europe and the North Atlantic Treaty Organisation.

These new regulations were subsequently approved by the European Space Agency on 4th June 1991 and by the Council of the European Centre for Medium-Range Weather Forecasts on 19th June 1991. They came into force on that same day. As is usual for co-ordinated rules, they will be published in the next annual review book of the co-ordinated organisations, which will be printed as soon as the new salary scales as at 1st July 1991 are finally approved. A copy of the new regulations, in advance of their official publication, is attached.

QUESTION 291

*put to the Council by Mr. Roseta
on 15th October 1991*

In the first part of its thirty-seventh annual report, the Council says it "welcomed the fact that the points raised by the Assembly" in Palermo on 26th March 1991 "on the future of European co-operation in security and defence questions"... "had been taken into account in the debate which it was itself currently conducting on the rôle of WEU in the new European security architecture". The Assembly in turn must welcome this coincidence.

Does the Council not believe further coincidences should be fostered by keeping the Assembly informed of its deliberations just as it is informed of those of the Assembly as soon as the agenda of the next session of the Assembly is published?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 23rd January 1992*

In reply to Written Question 291, the Council wishes to recall and confirm the commitment which it made in its reply to Assembly Recommendation 503: "(...) communication between the Council and the Secretariat-General on the one hand and the Assembly on the other has steadily improved in line with WEU's reactivation. While bearing in mind the need for confidentiality, the Council considers that possibilities for further improvements in the exchange of information with the Assembly could be explored as WEU becomes more operational".

QUESTION 292

*put to the Council by Mr. Roseta
on 15th October 1991*

According to the first part of the thirty-seventh annual report, the Council's decision of 11th July 1991 on United Kingdom forces stationed on the mainland of Europe has "already [been] forwarded to the Assembly".

Can the Council say when this was done?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 23rd January 1992*

At the meeting of the Permanent Council on 26th June 1991, the United Kingdom representative commented to his counterparts on the proposals made by Her Majesty's Secretary of State for Defence as regards British forces stationed on the mainland of Europe. On 11th July 1991, the Permanent Council had a debate on the matter and took note of the United Kingdom's intentions in this respect. This Council debate was mentioned in the Secretary-General's information letter to the Assembly which the Secretary-General sent to Senator Robert Pontillon, President of the Parliamentary Assembly of Western European Union, on 23rd October 1991.

The second part of the thirty-seventh annual report of the Council to the Assembly on the activities of the Council will further address the topic in depth. It is by mistake that the footnote on page 17 of the first part of the annual report mentioned that a Council decision

had been forwarded to the Assembly. In fact, the Council only took note of the British proposals on 11th July 1991.

QUESTION 293

*put to the Council by Mr. Roseta
on 15th October 1991*

According to the first part of the thirty-seventh annual report of the Council, "the co-ordination within WEU... covered the following areas:

-
- land and air deployments and action,
- general naval support operations during the hostilities,"

Can the Council give details of WEU co-ordination in these two areas?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 23rd January 1992*

Pursuant to the ministerial decision of 18th September 1990 to set up further forms of co-ordination – in addition to the co-ordination of naval forces of WEU countries (cf. paragraph 7 of the communiqué of 18th September 1990) – in the field of land and air deployments and action, a co-ordination framework was defined in joint specific guidelines on logistic support for ground and air forces deployed in the Gulf region. The guidelines on logistic support covered the fields in which there was a need for co-operation (transport, medical support and technical support), laid down the rules of command and provided for co-ordination with the forces of third countries deployed in the region. Logistic co-operation in the ground and air sector covered mainly the means of transport between Europe and the zones of deployment, convoy safety, in-flight refuelling and technical support. Those member states which decided to deploy ground and air forces not only co-operated among themselves but also received support from other member states in the fields of transport, medical assistance and technical support.

A network of military points of contact similar to the naval points of contact was also set up and the French Presidency established a specific unit at the joint armed forces headquarters to facilitate exchanges of information. As far as general naval support operations during the hostilities were concerned, joint specific guidelines – drawn up to complement the joint specific guidelines for co-ordination action

by WEU countries to enforce the naval embargo – were adopted and applied by the forces of participating WEU countries, the aim being to ensure maximum efficiency in co-ordinating their naval forces involved in implementing UNSCR 678. The following tasks were envisaged:

- direct operations against Iraqi forces (escort and naval gunfire support),
- general support operations (air defence and mine counter-measures, protection of off-shore installations, participation in medical evacuations, in evacuation of, or assistance to, refugees and protection and control of sea traffic).

In this latter context, it was agreed that a WEU co-ordinator – in the first instance, the French Indian Ocean Commander Alindien – would carry out the overall co-ordination of the naval forces made available to it by WEU member states.

QUESTION 294

*put to the Council by Mr. De Hoop Scheffer
on 17th December 1991*

Urgently to ask what action the WEU Council intends taking to co-ordinate further European support for the continuing United Nations maritime embargo on Iraq which at present France, Australia and the United States (in the Red Sea) and Great Britain (in the Gulf) are experiencing difficulty in applying alone.

REPLY OF THE COUNCIL

*communicated to the Assembly
on 5th March 1992*

In reply to Written Question 294 put to the Council by Mr. De Hoop Scheffer "urgently to ask what action the WEU Council intends taking to co-ordinate further European support for the continuing United Nations maritime embargo on Iraq", the Council would like to state that the issue raised by the Honourable Parliamentarian is under consideration. Whenever appropriate, additional information will be made available to the Assembly.

QUESTION 295

*put to the Council by Mr. Goerens
on 11th February 1992*

The Chairman-in-Office of the Council told the Assembly committees meeting in Bonn on 28th January 1992 that the declaration by the nine member countries of WEU, adopted in

Maastricht on 8th December 1991, was part of the Maastricht "Vertragswerk".

Can the Council say how, from a legal standpoint, the nine-power declaration can be considered an integral part of the Maastricht agreements?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 21st April 1992*

1. The two WEU declarations adopted by the Nine in Maastricht do form "an integral part" of the Maastricht "Vertragswerk" (the term "Vertragswerk" denoting a "set of agreements", a "treaty package" encompassing a treaty itself, its Final Act as well as any annexes). However, both WEU declarations are documents of the Nine, not of the Twelve. They are annexed to the Final Act of the Maastricht Treaty and the conference of the representatives of the governments of the member states of the European Community "notes" them.

2. The two WEU declarations are closely related politically to the Maastricht Treaty and can only be understood in its context. This is clearly reflected in the fact that Article J.4 of the Maastricht Treaty on European Union is quoted in full in the declaration of the Nine "on the rôle of Western European Union and its relations with the European Union and with the Atlantic Alliance".

QUESTION 296

*put to the Council by Mr. De Decker
on 9th March 1992*

Title V of the Maastricht Treaty on European Union contains "provisions on a common foreign and security policy". Article J.4, paragraphs 2, 5 and 6, refer to the activities of WEU. According to Article J.11, paragraph 1, the provisions referred to in Articles 137, etc., "of the treaty establishing the European Community shall apply to the provisions relating to the areas referred to in this title [V]". However, according to Article 137, the European Parliament "shall exercise the... powers which are conferred upon it by this treaty".

Can the Council say, therefore, what powers the Maastricht Treaty attributes to the European Parliament in regard to the application of the modified Brussels Treaty and how these powers can be reconciled with those attributed to the WEU Assembly in Article IX of the latter treaty?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 21st April 1992*

1. WEU is referred to as "an integral part of the development of the Union" in paragraph 2 of Article J.4 relating to the common foreign and security policy of the Treaty on European Union. Moreover, the Nine have extended an invitation to states which are members of the European Union "to accede to WEU on conditions to be agreed in accordance with Article XI of the modified Brussels Treaty, or to become observers if they so wish".

2. The relationship between WEU and European Union described in Article J.4 relating to the common foreign and security policy of the Treaty on European Union as well as in Chapter A "WEU's relations with European Union" of the declaration of the Nine "on the rôle of Western European Union and its relations with the European Union and with the Atlantic Alliance" is essentially of a political nature and cannot be seen as implying that Western European Union is identifiable in legal terms with the European Union.

3. The Maastricht Treaty on European Union does attribute certain powers to the European Parliament in regard to its application. In the opinion of the Council, this does not in any way impair the rôle attributed to the WEU parliamentary Assembly by virtue of Article IX of the modified Brussels Treaty. The Council remains fully aware of the WEU parliamentary Assembly's independence and its powers, as expressed in the Charter of the Assembly, which is in itself an application of the provisions of Article IX of the modified Brussels Treaty.

4. In accordance with the declaration of the Nine "on the rôle of Western European Union and its relations with the European Union and with the Atlantic Alliance", the Council wishes to reiterate its encouragement for any measures the WEU parliamentary Assembly might take in order to achieve closer co-operation with the European Parliament.

QUESTION 297

*put to the Council by Mr. Goerens
on 13th March 1992*

Can the Council explain why Article J.4, paragraph 6, of the Maastricht Treaty (called D.6 in the declaration on the rôle of WEU) refers to Article XII of the Brussels Treaty, when that treaty had only ten articles and, in any event, it is quite clearly Article XII of the modified Brussels Treaty?

Is the aim of the signatory governments not to make it believed that the Brussels Treaty is still in force so as to bring forward the date on which it will be possible for them to escape the commitments into which they entered in 1954?

Do they consider it right to refer to a date (*échéance* in the French text) in regard to this treaty, whatever this date may be, when the article in question provides merely for the right of each signatory to cease to be a party to the treaty provided one year's notice has previously been given?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 21st April 1992*

1. References to the modified Brussels Treaty contained in the declaration on Western European Union leave no doubt as to the fact that Article XII of the treaty of economic, social and cultural collaboration and collective self-defence, signed at Brussels on 17th March 1948, as amended by the protocol modifying and completing the Brussels Treaty, signed at Paris on 23rd October 1954 – and not a non-existent “Article XII” of the treaty signed in Brussels on 17th March 1948 – is meant in paragraph 6 of Article J.4 of the Treaty on European Union. The Council is grateful to the Honourable Parliamentarian for drawing its attention to this minor inaccuracy.

2. A change in the numbering of the Treaty Article relating to the common foreign and security policy quoted in the declaration of the Nine “on the rôle Western European Union and its relations with the European Union and with the Atlantic Alliance” became necessary after the Twelve had introduced such a change in the text of the Maastricht Treaty on European Union prior to the signing of its Final Act on 7th February 1992.

3. Article XII of the treaty of economic, social and cultural collaboration and collective self-defence, signed at Brussels on 17th March 1948, as amended by the protocol modifying and completing the Brussels Treaty (commonly referred to as the modified Brussels Treaty) provides that the treaty shall “remain in force for fifty years” after which “each of the High Contracting Parties shall have the right to cease to be a party thereto provided that he shall have previously given one year's notice of denunci-

ation.” The period of 50 years specified in Article XII of the modified Brussels Treaty, formerly Article X of the treaty signed in Brussels on 17th March 1948, runs from the date on which the treaty of economic, social and cultural collaboration and collective self-defence, signed at Brussels on 17th March 1948 came into force, i.e. 25th August 1948, the date of the deposit of the last instrument of ratification. Indeed, a change in the numbering of an article does not constitute grounds for considering this to be a new provision. This position of the Council has already been explained in Council reply to Written Question 288.

4. The date of 1998 referred to in paragraph 6 of Article J.4 of the Treaty on European Union and regarding the modified Brussels Treaty has to be seen in the context of the abovementioned Council position.

QUESTION 298

*put to the Council by Mr. De Decker
on 14th May 1992*

The Council's reply to Written Question 296 raises the following additional questions:

1. What is meant by the fact that Article J.4 of the Maastricht Treaty is “essentially of a political nature” and that it is not “identifiable in legal terms”, when it is part of a treaty that has been signed and submitted for ratification? Is it a policy or a treaty that has to be ratified?

2. Can the Council say what are the “powers” attributed to the European Parliament, referred to in paragraph 3 of its reply, and whether it endorses the opinion of the French Constitutional Council that the European Parliament has only the responsibilities defined by the treaties attributing them?

3. Can the Council say whether the fact that it refers in paragraph 3 of its reply to its “opinion” means that it is based on a political option and not on the juridical certainty that the text of the modified Brussels Treaty appears to justify?

REPLY OF THE COUNCIL

No reply has yet been received from the Council.

***Second part of the thirty-seventh annual report
of the Council to the Assembly of WEU***

(1st July - 31st December 1991)

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I. Introduction

In terms of the activities of the WEU ministerial organs, the second half of 1991 was marked by the fruitful culmination of the debate that had been initiated on the rôle and place of the organisation in creating a European security architecture. This debate had been officially launched by the Ministerial Council on 22nd February 1991 (see first part of this report).

There were a number of important contributions to the debate on the rôle of WEU in the European security architecture: in June, the Spanish Foreign Minister presented a paper (see first part of this report) and, in October, there were two bilateral initiatives: an Anglo-Italian declaration on European security and defence and a letter from President Mitterrand and Chancellor Kohl containing proposals on the political union and the rôle of WEU. The deliberations that ensued from these initiatives cul-

minated in the drafting of the declaration of member states of Western European Union which are also members of the European Union on the rôle of WEU and its relations with the European Union and with the Atlantic Alliance, issued in the margins of the European summit in Maastricht on 10th December 1991, and of Article J.4 of the Treaty of Maastricht on European Union.

In Maastricht, WEU member states decided that "WEU will be developed as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance. To this end, it will formulate common European defence policy and carry forward its concrete implementation through the further development of its own operational rôle".

The Special Working Group was mandated to draw up detailed proposals on co-ordination between WEU and the European

Union and the Atlantic Alliance with a view to the Ministerial Council on 19th June 1992.

WEU's continuing work on concrete forms of co-operation in the field of security was given fresh impetus by the mandate given to the Defence Representatives Group to formulate and evaluate proposals in the military field. The two main proposals were to establish a planning cell, and to identify military units answerable to WEU and their tasks.

The Maastricht summit placed the future enlargement of WEU at the heart of the organisation's political work. The decision reached there was to open out to all European Community member states, while offering those European states that are members of the alliance but not of the Community the status of associate member with a view to strengthening the European pillar of the alliance. A definition of the rights and obligations of future members, associate members and observers will be finalised on the occasion of the Ministerial Council on 19th June 1992.

II. Follow-up on events in the Gulf

Delegations continued with their exchange of information and concertation on the situation in the Gulf, both through the WEUCOM network and at Council and working group meetings.

(i) Mine-clearance operations

The Presidency forwarded to the United Nations Secretary-General and President of the Security Council, on behalf of WEU member states, the text of a declaration regarding the end of WEU mine-clearance operations in the Gulf. This text was issued in United Nations document no. 22825.

(ii) Withdrawal of forces deployed in Iraq

The Council Working Group met informally on 12th July for an exchange of information on member states' plans concerning the withdrawal of their forces from Northern Iraq, the maintenance of certain forces in Turkey and the way they envisaged relating these forces to the activities of the United Nations.

(iii) Council replies to Assembly recommendations

The Council's replies to Assembly Recommendations 498 and 501 on the Gulf crisis – lessons for Western European Union and weaponry after the Gulf war – new equipment requirements for restructured armed forces, were forwarded to the Assembly on 12th November 1991.

III. Situation in Yugoslavia

On the initiative of the German Presidency, a Permanent Council was convened on 5th July to consider the situation in Yugoslavia and consult as to the rôle that WEU might have to perform.

A further Council meeting on the subject was held on 7th August, with observers from Denmark and Greece, who had been invited as members of the European Community. Member countries agreed to continue to consider possible concrete contributions they might make to the maintenance of an agreed ceasefire, taking into account the efforts made in other international fora, such as the EC and the CSCE.

On 16th September, the German Presidency convened an Extraordinary Ministerial Council meeting on Yugoslavia for 19th September in The Hague, following a ministerial meeting of the EPC. The other Community member states, together with Turkey and Norway, were invited as observers. Ministers took note of the recommendation made by the Community and its member states to the effect that WEU should explore ways of supporting the activities of Community monitors so that they could perform their task in greater security and thus make a more effective contribution to the peace-keeping effort.

Ministers decided that this was not a military intervention. They confirmed the conditions formulated by the EPC, which should be met before strengthening the monitor mission: an effective cease-fire and agreement of all the Yugoslav parties. They envisaged obtaining the endorsement of the CSCE and the United Nations Security Council.

They decided to establish close co-operation in preparation for any measures that WEU might take, and also to set up an ad hoc group consisting of representatives of foreign and defence ministries.

The ad hoc group, in the course of two meetings in Bonn, drew up a report for ministers.

Ministers were convened by the German Presidency to a meeting on 30th September (the other Community member states together with Canada, Norway and Turkey attended this meeting as observers). WEU ministers noted the ad hoc group's report and decided that the group should continue and expedite its work so that WEU would be able at any time to implement decisions reached by the Ministerial Council.

At the Extraordinary Council meeting on WEU's rôle and place in the European security architecture held in Bonn on 29th October, ministers were briefed on the work of the ad hoc

group and the sub-groups of experts, as well as of the Joint Contingency Study Group (JCSG) set up in Metz.

They agreed that the prerequisites for any action by WEU had still not been met and asked the Presidency to decide on future work.

Meeting in ordinary session in Bonn on 18th November, ministers adopted a declaration on Yugoslavia (see Annex 1), in which they pointed out that WEU member states were prepared to provide practical support for a peace-keeping operation in Yugoslavia as soon as the relevant decisions had been taken.

Details of the contingency plans drawn up by JCSG were forwarded to the United Nations.

The last meeting of the ad hoc Group on Yugoslavia convened in the period covered by this report was held in November. The Permanent Council was given a report and has continued to monitor developments in the situation. The delegation representing the Netherlands Presidency of the Twelve has kept the Council informed of activities within the framework of the Community.

The Assembly was kept regularly informed of the Council's activities in this field by the German Presidency.

IV. Contacts with the countries of Central and Eastern Europe

(i) The Council monitored the implementation of measures adopted by ministers at Vianden on 27th June 1991, i.e.

- regular contacts were established between the Embassies of Czechoslovakia, Hungary and Poland in London and the WEU Secretariat. The embassies of the Presidency in those countries also made contact with the host governments;
- fact-finding missions to Bulgaria and Romania took place in November;
- the second seminar for officials responsible for politico-military affairs was held on 28th-29th November 1991 under the aegis of the WEU Institute for Security Studies. Participants from Bulgaria and Romania were also invited to attend;
- the WEU Institute has already awarded its first study awards to young researchers from Central and Eastern European countries.

(ii) On 18th November in Bonn, ministers decided on the following measures:

- to invite the foreign and defence ministers of the countries of Central and Eastern Europe to attend a special meeting with the members of the Council;
- to extend the regular contacts between the embassies in London and WEU Secretariat to Bulgaria and Romania;
- to arrange for the organisation of seminars in these countries by the WEU Institute for Security Studies;
- to extend the WEU Institute's study award programme;
- to arrange fact-finding missions for the Presidency and the Secretariat-General in the Soviet Union and, if they were interested, to the Baltic countries.

The development of these relations with the countries of Central and Eastern Europe will be decided in the light of decisions to be taken on WEU's future rôle.

Ministers stated their belief that these measures being planned by WEU and similar initiatives by the Atlantic Alliance and European Community were complementary and mutually reinforcing.

V. Council activities

Except in the case of special meetings on certain specific subjects, the agenda for Council meetings regularly includes a briefing on working group meetings, as well as an item on "Topical questions". The Permanent Council monitored the preparation of decisions reached at the level of Ministerial Councils and their follow-up, as well as the work of the WEU Institute for Security Studies and the Assembly; it has reached decisions on budgetary and administrative matters, taking the views of the Budget and Organisation Committee into account.

1. Topical questions

(i) The Council monitored developments in the situation in Yugoslavia, details of which are given in III above.

(ii) It also consulted on the end of the WEU mine-clearance operations in the Gulf and the withdrawal of forces deployed in the region.

(iii) *Situation in the former Soviet Union/CIS*

The Council regularly monitored major political events occurring in the former Soviet Union/CIS.

(iv) It was kept informed of special activities carried out by certain delegations in the field of

European security, as well as the Secretary-General's activities abroad.

2. Activities of the intergovernmental organs

(i) Council working groups

At each of its meetings the Council took note of the results of the latest meetings of the working groups, commenting on them where appropriate.

(ii) WEU Institute for Security Studies

The Secretary-General asked the Director of the Institute to attend Council meetings whenever the agenda made his presence useful.

The Director reported to the Council on the main activities of the Institute from July 1990 to June 1991 and from July to September 1991, as well as on the programme of activities for the first half of 1992.

The Council approved the Institute budget for 1992.

It asked the Secretary-General, on the proposal of the Director of the Institute, to appoint Mr. Mathias Jopp to the post of Research Fellow from 1st April 1992.

3. Reduction in United Kingdom forces stationed on the mainland of Europe

At its meeting on 11th July 1991, the Permanent Council, pursuant to Article VI, Protocol no. II, of the modified Brussels Treaty, and in full awareness of the view of the Supreme Command, Allied Forces Europe, took note of the United Kingdom's intention to reduce forces on the mainland of Europe, including Germany, as stated in a letter dated 16th June 1991 to the Secretary-General from the United Kingdom Secretary of State for Defence, Mr. Tom King. Mr. King and General Galvin, SACEUR, were informed of this on 12th July.

VI. Activities of the Special Working Group (SWG), in separate meetings and in joint meetings with the Defence Representatives Group (DRG)

1. Joint SWG/DRG meetings

The SWG met on two occasions jointly with the DRG to prepare for the European Council at Maastricht and the follow-up action to be taken.

2. SWG meetings

The SWG considered what action should be taken following the Ministerial Council in Vianden.

(i) It continued its discussions on WEU's rôle and place in the new European security architecture and WEU's relations with the European Community and Atlantic Alliance.

It prepared for the work by ministers on these themes at their meetings on 29th October and 18th November.

On the latter occasion, ministers asked the SWG to complete its work before the conclave of European Community foreign ministers on 2nd December.

It was at the European Council meeting in Maastricht on 10th December 1991 that the foreign ministers of the Nine then adopted the two declarations, the text of which is set out in Annexes 3 and 4 attached.

(ii) The SWG also consulted on questions pertaining to the CSCE and disarmament, especially in the post-Helsinki period, CFE 1a and open skies. It also embarked on discussions as to WEU's possible rôle in peace-keeping operations.

(iii) In the light of these developments, they consulted as to the content of the post-Helsinki arms control negotiations and their institutional framework.

VII. Activities of the Defence Representatives Group

1. Withdrawal of coalition forces from Northern Iraq

In July delegations exchanged information on the withdrawal of their forces stationed in Northern Iraq.

2. WEU's operational rôle

The group considered possible tasks for WEU operational capabilities and the resulting requirements, as well as the requirements for co-ordination and planning structures. It also studied European requirements for strategic mobility.

The group was briefed on the work of the Joint Contingency Study Group on the Yugoslav crisis.

Following the Bonn Ministerial Council on 18th November, the group considered new tasks that might be envisaged for WEU's operational capacity and aspects relating to WEU's planning cell.

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* *

The Verification Experts Group provided for the co-ordination and proper conduct of the opening up of national inspection teams.

Experts also exchanged information on the training of inspectors and on bilateral inspection exercises.

The experts on Open Skies continued their search for an efficient solution regarding practical co-operation on the implementation of an agreement.

VIII. Activities of the Mediterranean Sub-Group

During the period covered by this report, the Mediterranean Sub-Group met twice.

1. In accordance with the mandate it had been given, the group continued its discussions on the proposals regarding security in the Mediterranean, in particular in the light of the principles it considered to be likely to contribute to the settlement of security questions in the region.

(i) It followed with interest the progress made within the "5 plus 5" Group and has been kept informed of progress with the CSCM project, bearing in mind the new prospects offered by the third, multilateral phase of negotiations on the Middle East.

(ii) On 5th November 1991, the Netherlands Presidency of the European Community outlined to the group the main points emerging from the Middle East Peace Conference which opened in Madrid on 30th October 1991.

2. The group considered the suggestion made at the Extraordinary Ministerial Council on 29th October 1991 to consider what might be the procedures for contacts between WEU and the countries of the Maghreb.

Opening up such a dialogue would provide a better insight into the security expectations of the states concerned.

The group also wished to pursue its discussions on this subject and to submit draft concrete proposals to the next ordinary meeting of the Ministerial Council.

3. The group continued its exchange of information on regional situations affecting member states' security interests in the Mediterranean basin, namely:

- conflict in Yugoslavia and tension in the Balkans;
- the Arab Maghreb Union;
- Sahara;
- Cyprus.

4. The group continued its study of the military situation in the Maghreb.

IX. Activities of the ad hoc Sub-Group on Space

The ad hoc Sub-Group on Space devoted its efforts to preparing for and following up the decisions reached by the Ministerial Council in Bonn on 18th November, following the decisions that had been taken by the Council in Vianden on 27th June (see the first part of this report), and to setting up the WEU satellite centre for a three-year experimental period and launching feasibility studies for a WEU satellite system.

The items on its agenda included the mandate for, and organisation of, the personnel responsible for setting up the centre, budget and staff questions and drafting a memorandum of understanding on Helios.

A project team was set up to consider applications for the location of the centre and its staffing from the technical viewpoint.

In Bonn on 18th November, ministers decided:

1. that the WEU satellite centre would be established in Spain with effect from 1st January 1992,
2. that a United Kingdom national would be appointed as Director of the WEU satellite centre for a period of three years with effect from 1st January 1992,
3. that the multinational team responsible for managing the long-term studies would be based in France and headed by an Italian.

X. Activities of the WEU Institute for Security Studies

1. Research staff

The Institute's fifth research fellow, Roberto Zadra, took up his post on 1st July 1991. Ursel Hoppe left the Institute at the end of August; Mathias Jopp was appointed with effect from April 1992, and Peter Schmidt from the Stiftung Wissenschaft und Politik, Ebenhausen, was invited to spend the intervening six months at the Institute.

2. Documents intended for the Council and its working groups

(i) The Institute prepared several discussion papers on topical subjects for the Council and its working groups: "The security of Europe after 19th August", "The influence of recent events in the Soviet Union on the future of arms control", "The impact of the restructuring of the Soviet Union on the implementation of the CFE Treaty" and "The impact of the upheavals

in the East on the European security and defence identity”.

(ii) The Institute forwarded reports to the Council on the seminars it had arranged, as well as its first annual report for the year 1st July 1990 to 30th June 1991 and the quarterly report for the period 1st July to 30th September 1991.

3. Seminars

The Institute organised the following seminars during the second half of 1991:

- “Security and stability in the Western Mediterranean” held in Lisbon and organised jointly with the Instituto de Estudos Estrategicos e Internacionais, 11th-12th July;
- “Military aspects of European integration” 25th-26th October, bringing together a group of retired military officers;
- First meeting of the defence industries task force, 28th-29th October;
- A joint workshop with the Forschungsinstitut der DGASP and the RIIA on the future of arms transfers, 19th-20th November;
- “The Soviet revolution and its impacts on European security”, 22nd-23rd November;
- “Political union and security institutions after the revolutions in the East”, 25th-26th November;
- The second seminar for officials responsible for politico-military affairs in WEU governments with their counterparts from Central and Eastern Europe, 28th-29th November.

4. Institute rencontres

The second meeting in this series of occasional meetings of a study group of specialists on European security was held on 26th September, and a discussion on the future of European and Atlantic security institutions was introduced by Ambassador Hans von Ploetz, the German Permanent Representative to NATO.

A meeting for an invited audience addressed by the Secretary-General on European security in a changing world, followed by a round table with a number of leading specialist European journalists, was held on 5th November.

5. Meeting for members of the Council

The Institute invited members of the Council to a meeting during the Assembly session, on 2nd December, to discuss topics of

current concern. In addition working lunches were held for the Permanent Representatives’ deputies and for the secretaries to the Assembly parliamentary delegations.

6. Fellowships and study awards

Three holders of Institute fellowships, coming from WEU member countries, spent short periods at the Institute during the second half of 1991: Bob van den Bos from the Netherlands, Eric Ramacle from Belgium and Ettore Greco from Italy.

Study awards for researchers from Central and Eastern Europe to spend time at West European research institutes were made to two people from Poland and one from Czechoslovakia.

7. Publications

(i) Chaillot papers

The third Chaillot paper, “European security integration in the 1990s” was published in November.

(ii) Quarterly newsletter

The second and third issues were published in July and October respectively.

8. Other activities

The Director and research fellows took part in a number of conferences and seminars organised by other institutes, and received visitors from a wide range of countries.

XI. Administrative and budgetary questions

1. The work of the Secretariat-General changed direction and intensified due to the Gulf crisis and the changes occurring in the political and economic structure of Eastern Europe. At the end of the year, the declarations made by WEU member states in Maastricht also marked a turning point for the organisation and to an extent mapped out its development over the next few years. On this occasion, ministers decided to transfer the seat of the WEU Council and Secretariat from London to Brussels.

All these developments had repercussions on the organisation’s workload and administration. During the year, the WEU Council met at ministerial level on six occasions and the Permanent Council had 19 meetings in London, two of them enlarged. The budgetary effects of the additional meetings and the growing number of official missions were reflected in the Secretariat-General’s budget. In point of fact, it

has been possible to absorb these costs by a reassignment of credits, avoiding the need to call for additional funds.

2. For the WEU Institute for Security Studies, 1991 was the first budget year since it was established on 1st July 1990 in the premises of the former WEU ministerial organs in Paris. Its budget and administration are separate from those of the Secretariat-General although it is subject to the same Staff Rules and Financial Regulations. The Institute employs 24 people, all of them in Paris.

3. The Council accepted the political need for an increase in Assembly staff – a direct consequence of WEU's enlargement following the accession of Spain and Portugal – while pointing out that the climate of financial austerity was imposing severe restrictions on national budgets. The Council accepted the staffing increase directly linked with enlargement, within the limits of an overall budget representing a 4.1% increase in the operating budget by comparison with 1990; following a period in which there was an exchange of views between the Council and the Assembly, the latter agreed to a 5.5% increase in its operating budget compared with the figures for 1990. The Council officially approved this budget in October 1991 and the Assembly ratified it in December 1991 at its 37th ordinary session (second part).

4. WEU's Ministerial Council decided, in June 1991 and in November of that year, to set up a WEU satellite centre for a three-year experimental period at Torrejón (Madrid); it would have a maximum budget of 38.2 million ecus for those three years.

At the same meeting in November 1991, the Ministerial Council decided to give the Secretariat-General a 4.5 million ecu budget to finance a feasibility study for a WEU satellite system and associated studies; technical management would be provided by a multinational pilot team operating in Paris.

5. Following several years' negotiations, the revised co-ordination regulations were approved by all the Councils of the co-ordinated organisations and came into force in 1991. They are not in fact new regulations as their "predecessor" never officially existed. Rather, they are a preliminary attempt at official regulation in this field.

Under the regulations, three committees have been set up, the first bringing together national representatives, the second representatives of the secretaries-general and the third staff

representatives; the committees may meet separately or jointly. In the latter case, they pass recommendations to be put to councils.

If unanimity is not obtained, the chairman may nonetheless send the recommendations to the councils, stating each group's position.

The new regulations, which may be revised after three years, have immediately helped to expedite the work of co-ordination, as evidenced by the form of approval of at least eight reports during the first year of implementation. This greater efficiency bodes well for the triennial review of the salary adjustment procedure, which has to be approved by 31st May 1992 at the latest.

6. The Agency for the Control of Armaments (ACA), with a staff of one, is maintained in accordance with Protocol No. IV. It is housed on the premises of the WEU Institute and its operating expenses are borne by the Secretariat-General.

XII. Activities of the Public Administration Committee (PAC)

The Public Administration Committee's two annual meetings were held in Toledo on 14th and 15th March and London on 10th October 1991.

Members of the Assembly may consult the minutes of these meetings in the Office of the Clerk.

The 40th meeting of government officials was held at the European Institute of Public Administration, Maastricht, on 14th-18th October 1991. The theme was "The implications for the organisation of public administration in WEU member states of a changing security environment".

Participants examined the potential implications of changes in the international security environment for the organisation of public administration, including policy structures, in WEU member states, both domestically and with respect to international organisations.

The seminar was opened by the WEU Secretary-General and chaired by Ambassador Charles Rutten (retired), former Permanent Representative of the Netherlands to the EC. Apart from EIPA faculty members, the invited speakers included experts from ministries, other institutions and intergovernmental agencies.

ANNEX 1

WEU COUNCIL OF MINISTERS

*Bonn, 18th November 1991**Declaration on Yugoslavia*

Ministers noted with interest the report by Mr. van den Broek, on behalf of the Netherlands EC Presidency, about the recent developments in Yugoslavia, and the efforts of both Lord Carrington and Mr. Cyrus Vance, the special envoy of the United Nations Secretary-General.

Ministers expressed their growing concern about the situation in Yugoslavia. Ministers appealed once again to all parties immediately to cease hostilities. They took note with dismay of the violations of cease-fire agreements, especially by the JNA and Serbian irregulars attacking the cities of Vukovar and Dubrovnik. In this context, they recalled and confirmed the repeated statements by EC foreign ministers that under no circumstances will territorial changes brought about by force be recognised.

Ministers stressed that, above all, the civilian populations threatened by the unprecedented violence must be assisted as quickly as possible. In this context, ministers welcomed the support given by some member states to UNICEF's efforts to provide assistance for Yugoslav children and to allow for their possible evacuation. WEU countries are prepared to participate in operations in order to establish humanitarian corridors.

Ministers expressed their firm support for the efforts of the three WEU members on the

United Nations Security Council in favour of a United Nations Security Council resolution concerning a peace-keeping operation in Yugoslavia.

Recalling the conditions necessary for such an operation, namely an agreement by all parties concerned and an effective cease-fire, ministers expressed the readiness of WEU countries to give practical support to such an operation as soon as the relevant decisions had been taken.

They stressed that the stationing of peace-keeping forces must not in any way sanction the seizure of territory by force.

Ministers expect parties in Yugoslavia to create the appropriate conditions for a United Nations peace-keeping effort. They expressed their hope that the United Nations Security Council would rapidly adopt the necessary resolution.

The WEU Secretariat will make available to the United Nations details of the contingency planning work already done by WEU experts.

The Presidency will convene another meeting of the ad hoc group on Yugoslavia further to develop and adapt WEU's plans in anticipation of a United Nations resolution.

ANNEX 2

WEU COUNCIL OF MINISTERS

*Bonn, 18th November 1991**Communiqué*

1. At their regular meeting in Bonn on 18th November 1991, the foreign and defence ministers of WEU member states issued a declaration on Yugoslavia (annexed).

2. *Rôle and place of WEU in the security architecture*

In the run-up to the meeting of the European Council in Maastricht, ministers discussed in depth the place and the specific rôle of WEU in the future European security architecture. They underlined the great importance of shaping the security and defence dimension of the European unification process. Ministers noted with satisfaction that, in the Rome Declaration on peace and co-operation and through the adoption of a new strategic concept, the heads of state and government of the Atlantic Alliance, meeting on 7th and 8th November 1991, had taken far-reaching decisions which will also give strong impetus to the development of the European security and defence identity.

Ministers reiterated the objective of developing WEU as the defence component of the European unification process and as a means of strengthening the European pillar within the alliance. They were able to bring closer their positions, in particular on three points:

- future rôle and specific tasks of WEU;
- the definition of WEU's future relationship with the European Union;
- transparency and complementarity between European security and defence identity and the Atlantic Alliance.

Ministers decided to charge the Special Working Group of WEU to complete their work on this subject before the next Conclave of the EC foreign ministers on 2nd December.

In the light of ongoing discussions, the Presidency will decide, if necessary, on an additional extraordinary ministerial meeting.

3. *Relations with the countries of Central and Eastern Europe*

Ministers reaffirmed their intention to help consolidate peace and stability in Europe by enhancing the dialogue on security and co-operation between WEU and the countries of Central and Eastern Europe, including the Baltic

states and the Soviet Union. They considered the measures undertaken since April 1990, and particularly since the meeting of the Council in Vianden in June 1991, to be constructive steps in this direction.

Ministers resolved that the next measures should be as follows:

- the foreign and defence ministers of Bulgaria, Czechoslovakia, Hungary, Poland and Romania will be invited to participate in a special meeting with the members of the Council;
- seminars in these countries organised by the WEU Institute for Security Studies;
- expansion of the WEU Institute scholarship programme;
- fact-finding visits by the Presidency and Secretary-General to the Soviet Union and to the Baltic states, if the latter are interested.

The further development of this relationship will be decided in the light of decisions to be taken about the future rôle of WEU.

Ministers expressed the conviction that these measures envisaged by WEU and the similar endeavours by the Atlantic Alliance and the European Community are mutually complementary and reinforcing.

4. *Operational co-operation among member states*

In the field of space

With the aim of intensifying space co-operation within WEU, and to give substance to the resolutions made at their last regular meeting in Vianden (Luxembourg), ministers decided that the satellite data interpretation and training centre should be established in Spain, with effect from 1st January 1992. They agreed that a British national will be appointed as Director of this centre for a period of three years.

Ministers also decided that a study group should be formed in 1992 to examine the necessity and desirability of a medium- and long-term realisation of a European space-based observation system. This group will be based in France and have an Italian chairman.

In the military field

Ministers noted studies submitted by the working group consisting of representatives of the defence ministries in association with the WEU Special Working Group on the operational organisation of co-operation within WEU both in the politico-military field and in the military field. They mandated the groups to pursue their studies further in the light of the results of the forthcoming European summit in Maastricht.

In the field of arms control verification

Ministers took note of the progress made on co-operation among member states on the verification of arms control agreements. In this context, they underlined the link between space co-operation and arms control verification, including verification of the CFE Treaty.

Ministers noted with approval the preparatory steps taken to set up multinational inspection teams as part of the implementation

of the verification régime laid down in the CFE Treaty. They approved a set of rules for the co-operation of multinational teams.

They decided to take into account in their subsequent deliberations the possibility of co-operation with all CSCE member states.

The Council welcomed the progress made following the resumption of the open skies negotiations in Vienna, which gives hope for their successful conclusion by the time of the Helsinki follow-up meeting. The ministers continue to attach great importance to accelerating the search for cost-effective solutions in the implementation of an open skies agreement.

5. *Security in the Mediterranean*

Ministers took note of the report by the Secretary-General of WEU on the work of the Mediterranean Sub-Group. They asked the sub-group to address in its future studies the question of developing contacts between WEU and the Maghreb states.

ANNEX 3

MAASTRICHT, 10th December 1991

Declaration

*of Belgium, Germany, Spain, France, Italy, Luxembourg,
the Netherlands, Portugal and the United Kingdom of Great Britain
and Northern Ireland, which are members of Western European Union
and also members of the European Union*

on

*the rôle of Western European Union and its relations with
the European Union and with the Atlantic Alliance*

Introduction

1. WEU member states agree on the need to develop a genuine European security and defence identity and a greater European responsibility on defence matters. This identity will be pursued through a gradual process involving successive phases. WEU will form an integral part of the process of the development of the European Union and will enhance its contribution to solidarity within the Atlantic Alliance. WEU member states agree to strengthen the rôle of WEU, in the longer-term perspective of a common defence policy within the European Union which might in time lead to a common defence, compatible with that of the Atlantic Alliance.

2. WEU will be developed as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance. To this end, it will formulate common European defence policy and carry forward its concrete implementation through the further development of its own operational rôle.

WEU member states take note of Article J.4 relating to the common foreign and security policy of the Treaty on European Union which reads as follows:

- “ 1. The common foreign and security policy shall include all questions related to the security of the European Union, including the eventual framing of a common defence policy, which might in time lead to a common defence.
2. The Union requests Western European Union (WEU), which is an integral part of the development of the European Union, to elaborate and implement decisions and actions of the Union which have defence implications. The Council shall, in agreement with the institutions of WEU, adopt the necessary practical arrangements.

3. Issues having defence implications dealt with under this Article shall not be subject to the procedures set out in Article J.3.
4. The policy of the Union in accordance with the present Article shall not prejudice the specific character of the security and defence policy of certain member states and shall respect the obligations of certain member states under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework.
5. The provisions of this Article shall not prevent the development of closer co-operation between two or more member states on a bilateral level, in the framework of WEU and the Atlantic Alliance, provided such co-operation does not run counter to or impede that provided for in this Title.
6. With a view to furthering the objective of this Treaty, and having in view the date of 1998 in the context of Article XII of the Brussels Treaty, the provisions of this Article may be revised as provided for in Article N(2) on the basis of a report to be presented in 1996 by the Council to the European Council, which shall include an evaluation of the progress made and the experience gained until then.”

A. WEU's relations with European Union

3. The objective is to build up WEU in stages as the defence component of the European Union. To this end, WEU is prepared, at the request of the European Union, to elaborate and implement decisions and actions of the Union which have defence implication.

To this end, WEU will take the following measures to develop a close working relationship with the Union:

- as appropriate, synchronisation of the dates and venues of meetings and harmonisation of working methods;
- establishment of close co-operation between the Council and Secretariat-General of WEU on the one hand, and the Council of the Union and General Secretariat of the Council on the other;
- consideration of the harmonisation of the sequence and duration of the respective Presidencies;
- arranging for appropriate modalities so as to ensure that the Commission of the European Communities is regularly informed and, as appropriate, consulted on WEU activities in accordance with the rôle of the Commission in the common foreign and security policy as defined in the Treaty on European Union;
- encouragement of closer co-operation between the parliamentary Assembly of WEU and the European Parliament;

The WEU Council shall, in agreement with the competent bodies of the European Union, adopt the necessary practical arrangements.

B. WEU's relations with the Atlantic Alliance

4. The objective is to develop WEU as a means to strengthen the European pillar of the Atlantic Alliance. Accordingly WEU is prepared to develop further the close working links between WEU and the alliance and to strengthen the rôle, responsibilities and contributions of WEU member states in the alliance. This will be undertaken on the basis of the necessary transparency and complementarity between the emerging European security and defence identity and the alliance. WEU will act in conformity with the positions adopted in the Atlantic Alliance.

- WEU member states will intensify their co-ordination on alliance issues which represent an important common interest with the aim of introducing joint positions agreed in WEU into the process of consultation in the alliance which will remain the essential forum for consultation among its members and the venue for agreement on policies bearing on the security and defence commitments of allies under the North Atlantic Treaty.
- Where necessary, dates and venues of meetings will be synchronised and working methods harmonised.

- Close co-operation will be established between the Secretariats-General of WEU and NATO.

C. Operational rôle of WEU

5. WEU's operational rôle will be strengthened by examining and defining appropriate missions, structures and means, covering in particular:

- WEU planning cell;
- closer military co-operation complementary to the alliance in particular in the fields of logistics, transport, training and strategic surveillance;
- meetings of WEU chiefs of defence staff;
- military units answerable to WEU.

Other proposals will be examined further, including:

- enhanced co-operation in the field of armaments with the aim of creating a European armaments agency;
- development of the WEU Institute into a European security and defence academy.

Arrangements aimed at giving WEU a stronger operational rôle will be fully compatible with the military dispositions necessary to ensure the collective defence of all allies.

D. Other measures

6. As a consequence of the measures set out above, and in order to facilitate the strengthening of WEU's rôle, the seat of the WEU Council and Secretariat will be transferred to Brussels.

7. Representation on the WEU Council must be such that the Council is able to exercise its functions continuously in accordance with Article VIII of the modified Brussels Treaty. Member states may draw on a double-hatting formula, to be worked out, consisting of their representatives to the alliance and to the European Union.

8. WEU notes that, in accordance with the provisions of Article J.4 (6) concerning the common foreign and security policy of the Treaty on European Union, the Union will decide to review the provisions of this Article with a view to furthering the objective to be set by it in accordance with the procedure defined. WEU will re-examine the present provisions in 1996. This re-examination will take account of the progress and experience acquired and will extend to relations between WEU and the Atlantic Alliance.

ANNEX 4

MAASTRICHT, 10th December 1991

Declaration

*of Belgium, Germany, Spain, France, Italy,
Luxembourg, the Netherlands, Portugal
and the United Kingdom of Great Britain
and Northern Ireland,
which are members of Western European Union*

“The member states of WEU welcome the development of the European security and defence identity. They are determined, taking into account the rôle of WEU as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance, to put the relationship between WEU and the other European states on a new basis for the sake of stability and security in Europe. In this spirit, they propose the following:

States which are members of the European Union are invited to accede to WEU

on conditions to be agreed in accordance with Article XI of the modified Brussels Treaty, or to become observers if they so wish. Simultaneously, other European member states of NATO are invited to become associate members of WEU in a way which will give them the possibility to participate fully in the activities of WEU.

The member states of WEU assume that treaties and agreements corresponding with the above proposals will be concluded before 31st December 1992.”

The situation in Yugoslavia

REQUEST FOR A DEBATE UNDER URGENT PROCEDURE ¹

tabled by Mr. De Decker and others

In view of the worsening situation in the former Yugoslavia and the decisions taken by the United Nations Security Council, Mr. De Decker and ten others ask the President to arrange for a debate to be held on this question at the present session under urgent procedure.

Signed: De Decker, Feldmann, Konen, Mackie of Benshie, Kempinaire, Dees, Roseta, Aguiar, Reis Leite, Fernandes Marques, Poças Santos

1. See 1st sitting, 1st June 1992 (urgent procedure agreed to).

Application of United Nations Resolution 757

MOTION FOR A RECOMMENDATION ¹

tabled by Mr. Caro and others with a request for urgent procedure

The Assembly,

- (i) Recalling Recommendations 506, 511 and 512 on the Yugoslav crisis;
- (ii) Anxious that the peoples concerned should no longer be exposed to the terrible suffering which is currently prevailing, especially in Bosnia-Herzegovina and Croatia;
- (iii) Wholeheartedly endorsing United Nations Resolution 757, voted in the Security Council on Saturday 30th May 1992;
- (iv) Determined to ensure that the trade and oil embargo designed to bring Serbia and Montenegro to realise the errors of their actions should prove effective;
- (v) Strongly supporting the WEU Secretary-General's appeal for European action and calling for the application of Article VIII of the modified Brussels Treaty;

URGENTLY RECOMMENDS THAT THE COUNCIL

Take immediate steps to invoke Article VIII of the modified Brussels Treaty and prepare appropriate action by WEU states to help apply United Nations Resolution 757.

Signed: Caro, De Decker, de Puig, Martino, Newall, Dudley Smith, Geoffrey Finsberg, Diaz de Mera, Reddemann, Sinesio, Colombo, Lopez Henares, Roseta, Feldmann, De Hoop Scheffer, Bassinet, Martinez, Brito, Palacios, Fourré, Pécriaux, Stoffelen, Guirado, Garcia Sanchez, Gaits, Autain

1. See 1st sitting, 1st June 1992 (urgent procedure agreed to).

Rule 39, paragraph 4, of the Rules of Procedure

MOTION FOR A DECISION¹

tabled by Mr. Pieralli and others

The Assembly authorises the Presidential Committee, in exceptional cases, to waive the provisions of Rule 39, paragraph 4, of the Rules of Procedure.

The decision of the Presidential Committee must be taken unanimously. It will be valid for one year and may be applied only to a parliamentary group that already exists in the Assembly.

Signed: Pieralli, Rubbi, Martino, Colombo, Benassi, Gabbuggiani, Pecchioli, Mesoraca, Greco, Roseta

1. See 2nd sitting, 1st June 1992 (motion referred to the Committee on Rules of Procedure and Privileges).

Application of United Nations Resolution 757

DRAFT RECOMMENDATION ¹

*submitted on behalf of the Defence Committee ²
by Mr. De Hoop Scheffer, Rapporteur*

The Assembly,

- (i) Recalling Recommendations 506, 511 and 512 on the Yugoslav crisis;
- (ii) Anxious that the peoples concerned should no longer be exposed to the terrible suffering which is currently prevailing, especially in Bosnia-Herzegovina and in Croatia;
- (iii) Wholeheartedly endorsing United Nations Resolution 757 voted in the Security Council on Saturday, 30th May 1992;
- (iv) Determined to ensure that the trade and oil embargo designed to bring Serbia and Montenegro to realise the errors of their actions should prove effective;
- (v) Strongly supporting the WEU Secretary-General's appeal for European action and calling for the application of Article VIII of the modified Brussels Treaty,

URGENTLY RECOMMENDS THAT THE COUNCIL

Take immediate steps to invoke Article VIII of the modified Brussels Treaty and prepare appropriate action by WEU states to help apply United Nations Resolution 757. Further measures should be considered if Resolution 757 does not have the desired effect.

1. Adopted unanimously by the committee.

2. *Members of the committee: Sir Dudley Smith (Chairman); Mrs. Baarveld-Schlaman, Mr. de Puig (Alternate: Moya) (Vice-Chairmen); MM. Alloncle (Alternate: Jeambrun), Bassinet, Borderas, Brito, Cariglia, Chevalier, Cox, De Decker, Dees (Alternate: Tummers), Durand, Fernandes Marques, Fiandrotti (Alternate: Fassino), Fioret, Fourré, Irmer (Alternate: Feldmann), Jung (Alternate: Masseret), Kelchtermans (Alternate: Sarens), Mrs. Lentz-Cornette, MM. van der Linden (Alternate: De Hoop Scheffer), Marten, Lord Newall, MM. Pecchioli, Perinat (Alternate: Cuco), Reis Leite, Scheer (Alternate: Antretter), Sinesio, Speed, Steiner, J. Thompson, Vazquez (Alternate: Bolinaga), Zierer.*

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

Application of United Nations Resolution 757


AMENDMENT 1¹

tabled by Mr. Feldmann

1. At the end of the draft recommendation proper, add a new paragraph:
“ Take immediate initiatives to ensure that war criminals will be judged following the guidelines of the proposal of the Parliamentary Assembly of the Council of Europe of May 1992. ”

Signed: Feldmann

1. See 4th sitting, 2nd June 1992 (amendment agreed to).

IMPRIMERIE  ALENÇONNAISE
Rue Édouard-Belin : 3^e trimestre 1992
N° d'ordre : 22534

PRINTED IN FRANCE