



**Assembly of Western European Union**

# **PROCEEDINGS**

**FORTIETH ORDINARY SESSION**

**FIRST PART**

**June 1994**

**I**

**Assembly Documents**

**WEU**

**PARIS**





**Assembly of Western European Union**

# **PROCEEDINGS**

**FORTIETH ORDINARY SESSION**

**FIRST PART**

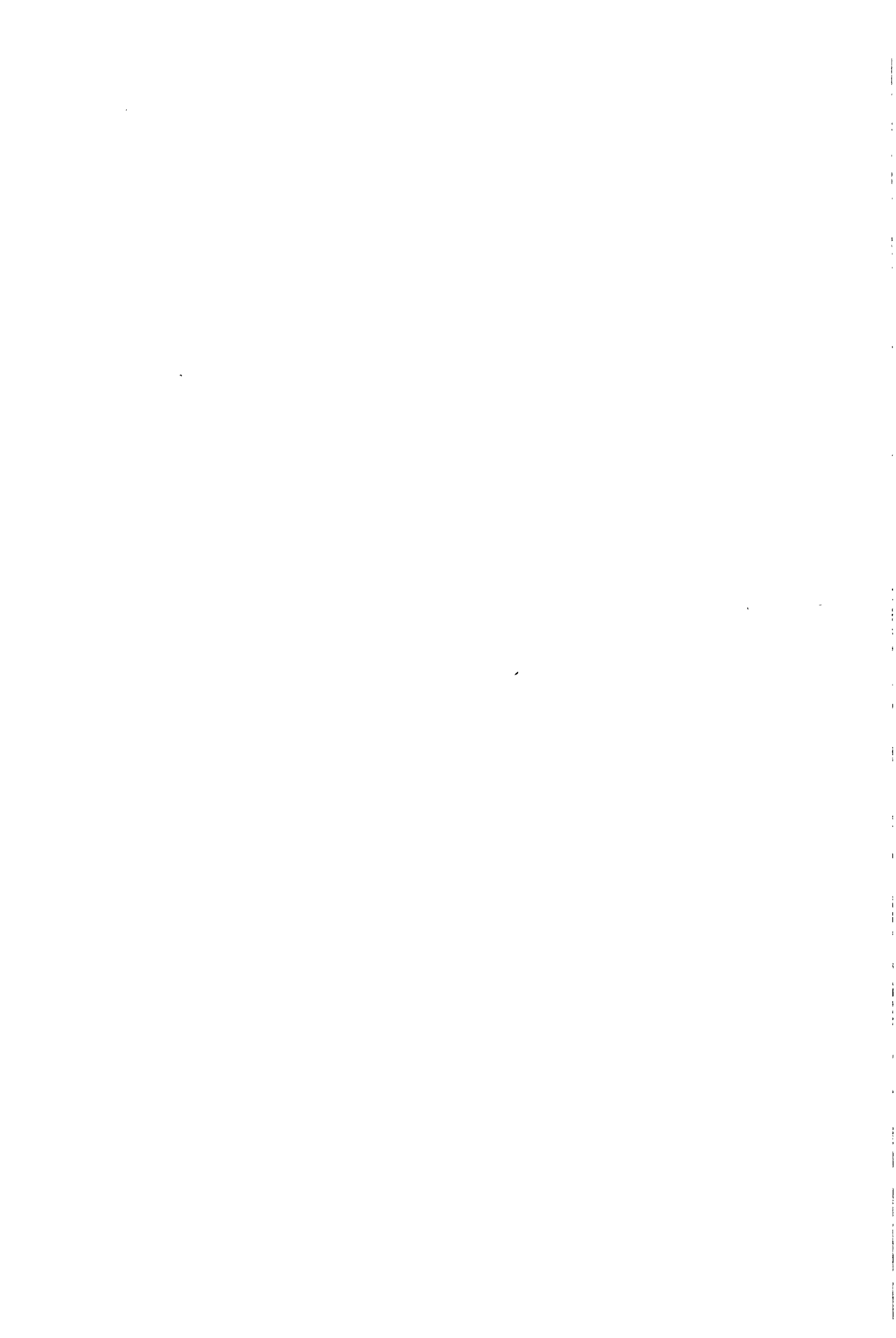
**June 1994**

**I**

**Assembly Documents**

**WEU**

**PARIS**



**The proceedings of the first part of the fortieth 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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## LIST OF REPRESENTATIVES BY COUNTRY

### BELGIUM

#### Representatives

MM. BIEFNOT Yvon	PS
KELCHTERMANS Lambert	CVP
KEMPINAIRE André	VLD
Van der MAELEN Dirk	SP
PÉCRIAUX Nestor	PS
SARENS Freddy	CVP
SEEUWS Willy	SP

#### Substitutes

MM. De DECKER Armand	PRL
GHESEQUIÈRE Ferdinand	CVP
LAVERGE Jacques	PVV
MONFILS Philippe-J.F.	PRL
OTTENBOURGH Yvan	CVP
THISSEN René	PSC
WINTGENS Pierre	PSC

### FRANCE

#### Representatives

MM. ALLONCLE Michel	RPR
BAUMEL Jacques	RPR
BIRRAUX Claude	CDS
BOUCHERON Jean-Michel	Socialist
COLOMBIER Georges	UDF
COUVEINHES René	RPR
DUMONT Jean	Ind. Rep.
GALLEY Robert	RPR
GEOFFROY Aloys	UDF
GOUTEYRON Adrien	RPR
JACQUAT Denis	UDF
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JUNG Louis	UCDP
KASPEREIT Gabriel	RPR
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SCHREINER Bernard	RPR
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VALLEIX Jean	RPR

#### Substitutes

MM. BONREPAUX Augustin	Socialist
BRANGER Jean-Guy	UDF
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DANIEL Christian	RPR
DECAGNY Jean-Claude	UDF
DENIAU Xavier	RPR
Mrs. DURRIEU Josette	Socialist
MM. EHRMANN Charles	UDF
HUNAUT Michel	RPR
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### GERMANY

#### Representatives

Mr. ANTRETTNER Robert	SPD
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Mr. BÖHM Wilfried	CDU/CSU

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BÜHLER Klaus	CDU/CSU
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von SCHMUDE Michael	CDU/CSU
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Mrs. TERBORG Margitta	SPD
MM. VOGEL Friedrich	CDU/CSU
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#### Substitutes

MM. BINDIG Rudolf	SPD
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Mrs. LUCYGA Christine	SPD
MM. LUMMER Heinrich	CDU/CSU
MAASS Erich	CDU/CSU
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SCHEEER Hermann	SPD
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### ITALY

#### Representatives

MM. AGNELLI Arduino	Socialist
ANDREOTTI Giulio	Chr. Dem.
BENVENUTI Roberto	PDS
BOSCO Rinaldo	Northern League
De CAROLIS Stelio	PRI
COLOMBO Vittorino	Chr. Dem.
FERRARINI Giulio	Socialist
FOSCHI Franco	Chr. Dem.
LECCISI Pino	Chr. Dem.
MANISCO Lucio	Ref. Com.
MANNINO Calogero	Chr. Dem.
PAIRE Giacomo	PLI
PARISI Francesco	Chr. Dem.
PECCHIOLI Ugo	PDS
PIZZO Pietro	Socialist
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RODOTA Stefano	PDS
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#### Substitutes

MM. BATTISTUZZI Paolo	PLI
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CICCIOMESSERE Roberto	Radical
COVI Giorgio	PRI
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FERRARI Bruno	Chr. Dem.
GOTTARDO Settimo	Chr. Dem.
GUZZETTI Giuseppe	Chr. Dem.
LECCESE Vito	Verdi



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<b>Representatives</b>			
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<b>SPAIN</b>			
<b>Representatives</b>			
MM. ALVAREZ Francisco CUCO Alfons FABRA Juan Manuel HOMS I FERRET Francesc LOPEZ HENARES José Luis LOPEZ VALDIVIELSO Santiago MARTINEZ Miguel Angel de PUIG Lluis Maria ROMAN Rafael SAINZ GARCIA José Luis SOLE-TURA Jordi VAZQUEZ Narcis		People's Party Socialist People's Party C.i.U. People's Party People's Party Socialist Socialist Socialist People's Party Socialist United Left	
<b>Substitutes</b>			
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<b>UNITED KINGDOM</b>			
<b>Representatives</b>			
MM. ATKINSON David BANKS Tony COX Thomas Dame Peggy FENNER Lord FINSBERG Mr. HARDY Peter Sir John HUNT Sir Russell JOHNSTON Lord KIRKHILL Mr. LITHERLAND Robert Lord NEWALL MM. RATHBONE Tim REDMOND Martin Sir Dudley SMITH Sir Keith SPEED Sir Donald THOMPSON MM. THOMPSON John WARD John		Conservative Labour Labour Conservative Conservative Labour Conservative SLD Labour Labour Conservative Conservative Labour Labour Conservative Conservative Conservative Labour Conservative	
<b>Substitutes</b>			
Mr. ALEXANDER Richard Sir Andrew BOWDEN MM. CUMMINGS John CUNLIFFE Lawrence DAVIS Terry DICKS Terry Earl of DUNDEE Mr. DUNNACHIE Jimmy Sir Anthony DURANT Sir Peter FRY Dr. GODMAN Norman Baroness GOULD of POTTERNEWTON Baroness HOOPER MM. HOWELL Ralph HUGHES Roy Lord MACKIE of BENSHIE MM. MARSHALL Jim TOWNEND John		Conservative Conservative Labour Labour Labour Conservative Conservative Labour Labour Conservative Labour Labour Labour Conservative Conservative Labour Labour Conservative	

## AGENDA

**of the first part of the fortieth ordinary session  
Paris, 13th-16th June 1994**

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**I. Report of the Council**

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

**II. Political questions**

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| 1. WEU in the process of European Union – reply to the thirty-ninth annual report of the Council | <i>Report tabled by Mr. Ferrari on behalf of the Political Committee</i> |
| 2. European security: crisis-prevention and management   | <i>Report tabled by Mr. de Puig on behalf of the Political Committee</i> |

**III. Defence questions**

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|---|---|
| 1. The rôle and future of nuclear weapons   | <i>Report tabled by Mr. De Decker on behalf of the Defence Committee</i>          |
| 2. The WEU Planning Cell – reply to the thirty-ninth annual report of the Council | <i>Report tabled by Mrs. Baarveld-Schlaman on behalf of the Defence Committee</i> |
| 3. An operational organisation for WEU: naval and maritime co-operation           | <i>Report tabled by Sir Keith Speed on behalf of the Defence Committee</i>        |

**IV. Technological and aerospace questions**

The European armaments agency – reply to the thirty-ninth annual report of the Council	<i>Report tabled by Mr. Borderas on behalf of the Technological and Aerospace Committee</i>
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**V. Budgetary questions**

Opinion on the budgets of the ministerial organs of Western European Union for the financial year 1994	<i>Report tabled by Mr. Covi on behalf of the Committee on Budgetary Affairs and Administration</i>
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**VI. Rules of Procedure and Privileges**

Amendments to the Charter and Rules of Procedure of the Assembly in view of the creation of a status of associate member	<i>Report tabled by Lord Finsberg on behalf of the Committee on Rules of Procedure and Privileges</i>
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**VII. Parliamentary and Public Relations**

Parliamentary co-operation with the countries of the WEU Forum of Consultation	<i>Report tabled by Sir Russell Johnston on behalf of the Committee for Parliamentary and Public Relations</i>
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**ORDER OF BUSINESS**

**of the first part of the fortieth ordinary session  
Paris, 13th-16th June 1994**

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**MONDAY, 13th JUNE**

**Morning**

Meetings of political groups.

**Afternoon 3 p.m.**

1. Opening of the first part of the fortieth 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 fortieth ordinary session.
7. Address by Mr. van Eekelen, Secretary-General of WEU.
- 8 The European armaments agency – reply to the thirty-ninth annual report of the Council:  
presentation of the report tabled by Mr. Borderas on behalf of the Technological and Aero-  
space Committee.  
Debate.

**4 p.m.**

9. Address by Mr. Haekkerup, Minister of Defence of Denmark.
10. The European armaments agency – reply to the thirty-ninth annual report of the Council:  
resumed debate.  
*Vote on the draft recommendation.*

**TUESDAY, 14th JUNE**

**Morning 10 a.m.**

1. WEU in the process of European Union – reply to the thirty-ninth annual report of the Council:  
presentation of the report tabled by Mr. Ferrari on behalf of the Political Committee.  
Debate.

**11 a.m.**

2. Address by Mr. Hurd, Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom.
3. WEU in the process of European Union – reply to the thirty-ninth annual report of the Council:  
resumed debate.  
*Vote on the draft recommendation.*

**Afternoon 3 p.m.**

1. European security: crisis-prevention and management:  
presentation of the report tabled by Mr. de Puig on behalf of the Political Committee.  
Debate.

**3.30 p.m.**

2. Address by Mr. Olechowski, Minister for Foreign Affairs of Poland.
3. European security: crisis-prevention and management:  
resumed debate.  
*Vote on the draft recommendation.*
4. Parliamentary co-operation with the countries of the Forum of Consultation:  
presentation of the report tabled by Sir Russell Johnston on behalf of the Committee for Parliamentary and Public Relations.  
Debate.  
*Vote on the draft recommendation.*

**WEDNESDAY, 15th JUNE**

**Morning 10 a.m.**

1. The WEU Planning Cell – reply to the thirty-ninth annual report of the Council:  
presentation of the report tabled by Mrs. Baarveld-Schlaman on behalf of the Defence Committee.  
Debate.

**10.30 a.m.**

2. Chairmanship-in-Office of the Council – presentation of the second part of the thirty-ninth annual report of the Council – Address by Mr. Poos, Deputy Prime Minister, Minister for Foreign Affairs, Minister of Defence of Luxembourg, Chairman-in-Office of the Council.

**11.30 a.m.**

3. Address by General Joulwan, Supreme Allied Commander Europe.

**Afternoon 3 p.m.**

1. The WEU Planning Cell – reply to the thirty-ninth annual report of the Council:  
resumed debate.  
*Vote on the draft recommendation.*
2. An operational organisation for WEU: naval and maritime co-operation:  
presentation of the report tabled by Sir Keith Speed on behalf of the Defence Committee.  
Debate.

3.30 p.m.

3. Address by Mr. de Marco, Deputy Prime Minister, Minister for Foreign Affairs of Malta.
4. An operational organisation for WEU: naval and maritime co-operation:  
resumed debate.  
*Vote on the draft recommendation.*
5. Amendments to the Charter and Rules of Procedure of the Assembly in view of the creation of a status of associate member:  
presentation of the report tabled by Lord Finsberg on behalf of the Committee on Rules of Procedure and Privileges.  
Debate.  
*Vote on the draft decision.*
6. Opinion on the budgets of the ministerial organs of WEU for the financial year 1994:  
presentation of the report tabled by Mr. Covi on behalf of the Committee on Budgetary Affairs and Administration.  
Debate.  
*Vote on the draft opinion.*

THURSDAY 16th JUNE

Morning 10 a.m.

1. The rôle and future of nuclear weapons:  
presentation of the report tabled by Mr. De Decker on behalf of the Defence Committee.  
Debate.

10.30 a.m.

2. Address by Mr. Kukan, Minister for Foreign Affairs of Slovakia.
3. The rôle and future of nuclear weapons:  
resumed debate.  
*Vote on the draft recommendation.*

CLOSE OF THE FIRST PART OF THE FORTIETH ORDINARY SESSION

***Draft budget of the administrative expenditure  
of the Assembly for the financial year 1994***

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***Revision of Addendum 2 to Document 1383***

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EXPLANATORY MEMORANDUM

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- I. Document BR (93) 7/4 (Draft) Decision sheet on the 157th meeting
- II. Recapitulatory table of amendments to the draft budget of the Assembly on the basis of the opinion of the WEU Budget and Organisation Committee
- III. Trend of Assembly budgets from 1993 to 1994
- IV. Implications of the various heads on the operating budgets for 1993 and 1994

***Explanatory Memorandum***

1. During the meeting held in Brussels on 28th January 1994, the WEU Budget and Organisation Committee pointed out that the comparison between credits for the financial year 1994 and credits for the financial year 1993 had been calculated on the initial credits for 1993 adjusted to include amounts carried over from the previous year as indicated in footnotes to the budget document.
2. Document 1383 Addendum 2 should therefore be revised to meet the request of the WEU Budget and Organisation Committee. This revision may be considered as a technical adjustment which does not affect the substance of the requests made by the Assembly in its operating budget for 1994.
3. To bring the budget in question down to the growth rate of 4% in relation to the initial credits as the Budget and Organisation Committee wishes, Document 1383 Addendum 2 might be adjusted in the following manner:
  - (a) creation of two grade B3 posts of assistant for the Committee for Parliamentary and Public Relations and the archives office with effect from 1st July 1994 involving a total expenditure of F 231 500;
  - (b) regrading of the following posts: one grade L3 to grade L4; one grade B6 to grade A2; one grade C6 to grade B4 involving a total expenditure of F 82 600;
  - (c) withdrawal of the credits requested with a view to the accession of Greece to WEU (F 569 000) concerning various sub-heads of the budget;
  - (d) reduction of credits under sub-head 6 of Head II by F 100 500. This reduction also takes into account the estimate for the reduction of receipts due to the deficit resulting from the delay noted in the payment of contributions by member countries.
4. For the budget of the Assembly (Document 1383 and 1383 Addendum) these measures would include the modifications shown in Appendix II. As can be seen in Appendix III, the operating budget thus revised compared with the financial year 1993 would show an increase of some F 1 117 000 corresponding to a growth rate of 4%.
5. Account has also been taken of the fact that the deferment until 1st July 1994 of recruiting to fill the two grade B3 posts results in a reduction of F 12 000 in receipts in the pensions budget.
6. This revision of Document 1383 Addendum 2 is submitted for the approval of the Presidential Committee in accordance with its responsibilities under Rule 14.2 of the Rules of Procedure of the Assembly.

## APPENDIX I

*Document BR (93) 7/4 (Draft)*  
*Decision sheet on the 157th meeting*

- III. WEU Assembly's 1994 draft budget  
B (93) 36 (p.m.)  
B (93) 36 Addendum (p.m.)  
(93) 36 Addendum 2 dated 14th December 1993 (reported orally at the 3rd December meeting but not screened)

The committee heard Mr. Cannizzaro, who explained that the recommendations of the Budget and Organisation Committee to the Council had been followed and that the suggestion to limit the budgetary growth to 4% had been respected, but that the comparison had been made between the 1993 approved budget plus credit carried forward from 1992 and the figure proposed for 1994.

The committee considered that its proposal and the Council's approval of it had been misinterpreted by the Assembly's administration and that the figures should be adjusted.

The final agreement on the Assembly's budget will be taken in the light of the overall commitment.

## APPENDIX II

*Recapitulatory table of amendments to the draft budget of the WEU Assembly based on the opinion of the Council*

Heads and Sub-Heads	Draft budget for 1994 (Doc. 1383-1383 Add.)	Amendments resulting from the opinion of the Council	Revised budget for 1994
<b>HEAD I – PERMANENT STAFF</b>			
<b>Sub-Head:</b>			
1 – Basic salaries .....	13 675 000	– 947 500	12 727 500
2 – Allowances .....	3 332 000	– 358 000	2 974 000
3 – Social charges .....	2 711 000	– 190 000	2 521 000
4 – Expenses relating to the recruitment and departure of permanent officials .	429 000	– 295 000	133 500
5 – Medical examination .....	16 000	– 3 000	13 000
<b>TOTAL .....</b>	<b>20 163 000</b>	<b>– 1 794 000</b>	<b>18 369 000</b>
<b>HEAD II – TEMPORARY STAFF</b>			
<b>Sub-Head:</b>			
6 – Staff recruited for sessions of the Assembly .....	3 380 000	– 480 500	2 899 500
7 – Interpretation staff required for Assembly work between sessions .....	793 000		793 000
8 – Temporary staff for the Office of the Clerk .....	75 000		75 000
9 – Social charges .....	214 000	– 29 000	185 000
<b>TOTAL .....</b>	<b>4 462 000</b>	<b>– 509 500</b>	<b>3 952 500</b>
<b>HEAD III – EXPENDITURE ON PREMISES AND EQUIPMENT</b>			
<b>Sub-Head:</b>			
10 – Share of joint expenditure on the Paris premises .....	585 000		585 000
11 – Hire of committee rooms .....	10 000		10 000
12 – Technical and other installations for Assembly sessions .....	815 000	– 125 000	690 000
13 – Various services for the organisation of sessions .....	55 000		55 000
14 – Maintenance of the premises of the Office of the Clerk .....	15 000		15 000
15 – Purchase or repair of office furniture .	40 000		40 000
16 – Purchase of reproduction and other office equipment .....	25 000		25 000
17 – Hire and maintenance of reproduction and other equipment .....	654 000		654 000
<b>TOTAL .....</b>	<b>2 199 000</b>	<b>– 125 000</b>	<b>2 074 000</b>



Heads and Sub-Heads	Draft budget for 1994 (Doc. 1383-1383 Add.)	Amendments resulting from the opinion of the Council	Revised budget for 1994
<b>HEAD IV – GENERAL ADMINISTRATIVE COSTS</b>			
<b>Sub-Head:</b>			
18 – Postage, telephone, telefax and transport of documents .....	646 000		646 000
19 – Duplication paper, headed writing paper and other office supplies .....	237 000		237 000
20 – Printing and publication of documents ..	1 215 000		1 215 000
21 – Purchase of documents .....	75 000		75 000
22 – Official cars .....	65 000		65 000
23 – Bank charges .....	500		500
<b>TOTAL .....</b>	<b>2 238 500</b>	<b>0</b>	<b>2 238 500</b>
<b>HEAD V – OTHER EXPENDITURE</b>			
<b>Sub-Head:</b>			
24 – Travelling and subsistence allowances and insurance for the President of the Assembly, chairmen of committees and rapporteurs .....	295 000		295 000
25 – Expenses for representation .....	360 000		360 000
26 – Committee study missions .....	5 000		5 000
27 – Official journeys of members of the Office of the Clerk .....	708 000		708 000
28 – Expenses of experts and the auditor ..	60 000		60 000
29 – Expenditure on information .....	510 000		510 000
30 – Expenses for political groups .....	569 000	– 35 000	534 000
31 – Contingencies and other expenditure not elsewhere provided for .....	3 000		3 000
32 – Non-recoverable taxes .....	29 000	– 1 000	28 000
<b>TOTAL .....</b>	<b>2 539 000</b>	<b>– 36 000</b>	<b>2 503 000</b>
<b>Operating budget .....</b>	<b>31 601 500</b>	<b>– 2 464 500</b>	<b>29 137 000</b>
<b>Receipts .....</b>	<b>95 000</b>		<b>95 000</b>
<b>NET TOTAL OPERATING BUDGET .....</b>	<b>31 506 500</b>	<b>– 2 464 500</b>	<b>29 042 000</b>
<b>Pensions expenditure .....</b>	<b>4 756 000</b>		<b>4 756 000</b>
<b>Receipts .....</b>	<b>958 000</b>	<b>– 71 000</b>	<b>887 000</b>
<b>NET TOTAL PENSIONS BUDGET .....</b>	<b>3 798 000</b>	<b>71 000</b>	<b>3 869 000</b>
<b>NET GRAND TOTAL .....</b>	<b>35 304 500</b>	<b>– 2 393 500</b>	<b>32 911 000</b>

## APPENDIX III

*Trend of the Assembly budgets from 1993 to 1994*

	1993 a	1994 b	% $\frac{b-a}{a}$
<i>A. Operating budget</i>			
Head I. Permanent staff .....	17 512 000	18 369 000	+ 4.89
Head II. Temporary staff .....	4 064 500	3 952 500	- 2.75
Head III. Expenditure on premises and equipment .....	1 967 000	2 074 000	+ 5.44
Head IV. General administrative costs ...	2 255 500	2 238 500	- 0.75
Head V. Other expenditure .....	2 236 000	2 503 000	+ 11.94
Total expenditure .....	28 035 000	29 137 000	+ 3.93
Receipts .....	110 000	95 000	- 13.63
NET TOTAL .....	27 925 000	29 042 000	+ 4.00
<i>B. Pensions budget</i>			
Pensions and leaving allowances .....	4 108 000	4 756 000	+ 15.77
Receipts .....	765 000	887 000	+ 15.94
NET TOTAL .....	3 343 000	3 869 000	+ 15.73
GRAND NET TOTAL (A + B) .....	31 268 000	32 911 000	+ 5.25
TOTAL OF HEADS II TO V OF OPERATING BUDGET	10 523 000	10 768 000	+ 2.32

## APPENDIX IV

*Implications of the various heads on the 1993 and 1994 operating budgets*

	1993			1994		
	Amount	% of		Amount	% of	
		A	B		A	B
<i>Operating budget</i>						
<b>Expenditure</b>						
Head I. Permanent staff .....	17 512 000	62.46	62.71	18 369 000	63.04	63.25
Head II. Temporary staff .....	4 064 500	14.50	14.55	3 952 500	13.57	13.61
Head III. Premises and equipment ..	1 967 000	7.02	7.04	2 074 000	7.12	7.14
Head IV. General administrative costs .....	2 255 500	8.05	8.08	2 238 500	7.68	7.71
Head V. Other expenditure .....	2 236 000	7.97	8.00	2 503 000	8.59	8.62
A. TOTAL .....	28 035 000	100.00	100.38	29 137 000	100.00	100.33
Receipts .....	110 000		0.38	110 000		0.33
B. NET TOTAL .....	27 925 000	100.00	100.00	29 027 000	100.00	100.00

Column A = Total expenditure

Column B = Net total (expenditure less receipts)

*Revised budget of the administrative expenditure  
of the Assembly for the financial year 1994*

*Opinion of the Council*

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*Explanatory Note*

Document 1408 – comprising technical adjustments to Document 1383 Addendum 2 made at the request of the Budget and Organisation Committee of the Council – was approved by the Presidential Committee at its meeting on 11th February 1994.

The budget estimates of the Assembly for the financial year 1994, thus adjusted, were submitted to the Council by the Budget and Organisation Committee with its recommendation for their approval (see extract from Document CB (94) 4, Appendix I).

The Council approved these estimates on 15th March 1994 (see Appendix II).

## APPENDIX I

*Secretary-General's Note**1994 budget estimates for the WEU Secretariat-General**Report by the Budget and Organisation Committee***I. Introduction**

This report sets out:

1. the results of the Budget and Organisation Committee's review of the execution of the 1993 budget for the WEU Secretariat-General, including the Secretariat, the Secretariat pensions (AIA), the PMO pensions, the Agency for the Control of Armaments, the Long- and Medium-term Space Studies and the Planning Cell and of the subsidiary bodies, i.e. the WEU Assembly, the WEU Institute for Security Studies and the WEU Satellite Centre;
2. the Budget and Organisation Committee's recommendations and observations on the 1994 budget estimates for the WEU Secretariat-General and the subsidiary bodies;
3. the proposed changes to the establishment of the WEU Secretariat-General and the subsidiary bodies in 1994;
4. detailed budgets and annexes with the modified organisation charts.

**II. Revised 1993 budgets**

For the first time the committee proceeded to a mid-term review of the budgets.

The committee approved the revised budgets in the same amount as initially authorised.

The committee also decided to make this a yearly procedure<sup>1</sup>.

**III. Budgetary recommendations for 1994**

The committee recommends approval of the 1994 credits set out in total below and in detail at Annex.

(i)	WEU Secretariat-General	BF	242 157 469
(ii)	WEU Secretariat-General pensions	BF	34 104 710
(iii)	ex PMO pensions	FF	11 974 650
(iv)	WEU Agency for the Control of Armaments	FF	863 536
(v)	WEU Long- and Medium term Space Studies	Ecu	3 300 000
(vi)	WEU Planning Cell	BF	62 260 100
(vii)	WEU Assembly	FF	32 911 000
(viii)	WEU Institute for Security Studies	FF	15 676 050
(ix)	WEU Satellite Centre	ESP	1 603 360 000

1. The WEU Assembly, having been invited to participate in the procedure, did not forward the requested document, since it considered it not to be compatible with the Assembly's financial autonomy.

APPENDIX II

16th March 1994

...

I have the pleasure to inform you of the following:

The 1994 budget of the Assembly of Western European Union, as distributed under C-B (94) 4, has been approved of by the Council during its meeting of 15th March 1994 [see CR (94) 11].

Yours sincerely,  
Horst HOLTHOFF  
Ambassador

Sir Dudley SMITH, DL, MP,  
President of the Assembly  
of Western European Union

***Relations between the European Union,  
WEU and the Atlantic Alliance***

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**MOTION FOR A RECOMMENDATION <sup>1</sup>**

***tabled by Mr. Tummers***

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The Assembly,

- (i) Being apprised of the resolution on relations between the European Union, WEU and the Atlantic Alliance adopted by the European Parliament on 24th February 1994;
- (ii) Recalling Recommendations 491, 504, 517 and 526;
- (iii) considering that two member states of the European Union have rejected the offer of accession to the modified Brussels Treaty made to them in the declaration of the WEU member countries adopted at Maastricht on 10th December 1991;
- (iv) Noting that the countries called upon to accede to the European Union in 1994 have not applied for membership of WEU;
- (v) Noting also that the NATO summit meeting on 10th January 1994 did not admit of accession by any of the member countries of the WEU Forum of Consultation to the 1949 Washington Treaty;
- (vi) Considering that Article V of the modified Brussels Treaty cannot be extended to countries which are not members of the Atlantic Alliance and of the European Union;
- (vii) Earnestly desiring the progressive integration of all the states of Western and Central Europe in a system of co-operation guaranteeing security, stability and peace to Europe as a whole;
- (viii) Taking the view that the complementarity of WEU and the European Union's common foreign and security policy should lead to closer co-operation between these two institutions;
- (ix) Considering that the devolution of WEU's responsibilities to institutions or countries which are not members of WEU or NATO would risk paralysing any steps towards joint action on defence and security in Europe;
- (x) Recalling that the WEU Assembly, created under Article IX of the modified Brussels Treaty and bringing together delegations from the parliaments of member countries, is the only parliamentary institution capable of representing the peoples of Europe in its particular areas of responsibility,

RECOMMENDS THAT THE COUNCIL

1. Carefully prepare the intergovernmental conference which, starting in 1996, is to study the organisation of European security;
2. Retain the existing modified Brussels Treaty until such time as all the members of the European Union are prepared to accede to its provisions;
3. Develop WEU's activities by continuing to regard it as an integral part of the development of the European Union, in accordance with Article J.4.2 of the Maastricht Treaty;
4. Continue to accord primary responsibility for matters pertaining to the sovereignty of member states to an Assembly constituted by delegations from the parliaments of the member countries.

*Signed: Tummers*

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1. See meeting of the Presidential Committee, 16th March 1994 (Motion referred to the Political Committee).

*The evolution of NATO and its consequences for WEU*

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

*submitted on behalf of the Political Committee<sup>2</sup>  
by Mr. Baumel, Rapporteur*

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1. Adopted in committee by 15 votes to 1 with 0 abstentions.

2. *Members of the committee:* Mr. *Stoffelen* (Chairman); Lord *Finsberg*, Mr. *Roseta* (Vice-Chairmen); MM. *Agnelli*, *Alegre*, *Andreotti* (Alternate: *Gottardo*), *Benvenuti* (Alternate: *Caldoro*), *Bowden*, *De Hoop Scheffer*, *Ehrmann*, *Fabra*, *Feldmann*, *Foschi*, *Goerens*, *Homs I Ferret*, *Sir Russell Johnston*, *Mr. Kaspereit*, *Lord Kirkhill*, MM. *Kittelman*, *Leers*, *de Lipskowski* (Alternate: *Baumel*), *Müller*, *Péciaux*, *Polli* (Alternate: *Ferrari*), *de Puig*, *Reddemann*, *Rodrigues*, *Seeuws*, *Seitlinger*, *Soell*, *Vinçon*, *Ward* (Alternate: *Sir Keith Speed*), *Wintgens*, *Zapatero*.

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



### *Draft Recommendation*

#### *on the evolution of NATO and its consequences for WEU*

#### The Assembly

- (i) Emphasising the importance of the NATO summit meeting reaffirming its attachment to transatlantic links on the basis of a substantial presence of United States forces in Europe and the direct engagement of the North Atlantic allies in the security of Europe;
- (ii) Endorsing the partnership for peace programme offered by NATO to the countries taking part in the work of NACC and other interested CSCE countries;
- (iii) Noting nevertheless that the Atlantic Alliance has not yet managed to define in a coherent manner the nature of its relations with Russia and the CIS, nor the shape of a security system including the countries of Central Europe that will satisfy the aspirations and appease the concerns of all sides;
- (iv) Emphasising consequently the importance of WEU's rôle with a view to helping to maintain stability and security in the East;
- (v) Also emphasising the importance of the greater rôle played by WEU in the framework of its co-operation with NATO with regard to peace-keeping and crisis-management missions;
- (vi) Strongly welcoming the decision of the heads of state and of government of the Atlantic Alliance to uphold the strengthening of the European pillar of that alliance through WEU and their readiness to make the collective assets of the alliance available to WEU;
- (vii) Recalling at the same time that since the entry into force of the Maastricht Treaty WEU has become an integral part of the development of the European Union and is required to work out and implement the decisions of the Union that have defence and security implications;
- (viii) Consequently recalling that the Council has to take as a matter of urgency a series of important decisions to make WEU a truly operational organisation and to respond to expectations and the increased responsibilities entrusted to it;
- (ix) Convinced nevertheless that the WEU Council now needs special political impetus to overcome its difficulties in reaching the necessary decisions;
- (x) Considering that the intention of the ministers to reduce to six months the duration of the Chairmanship-in-Office of WEU in order to facilitate the harmonisation of the presidencies of the European Union and of WEU calls for new measures to ensure the continuity of WEU's political planning in order to accelerate the process of decision-taking and to ensure a better hearing for WEU's voice in alliance and European Union bodies;
- (xi) Insisting on the need to associate the Assembly to a greater extent in the Council's thinking before the latter takes decisions or decides not to take them in the absence of the necessary unanimity,

#### RECOMMENDS THAT THE COUNCIL

1. At its next ministerial meeting, grant simultaneously to all the member countries of the Forum of Consultation an associate status in WEU enabling them to participate to the greatest possible extent in the work of the Council and of its subsidiary bodies without prejudice to the status of associate member accorded to Iceland, Norway and Turkey as members of NATO;
2. Conclude its work on strategic mobility and inform the Assembly of its conclusions;
3. Decide before the end of this year:
  - to establish a European system of space-based observation in accordance with the results of the feasibility study;
  - to move from the feasibility study phase to the conclusion of a contract with European industry for building the European military transport aircraft;

- to create a European air-maritime force reinforced by ground components;
  - to agree on the conditions for the use and command of the European corps which is to be placed under the political direction of WEU in conformity with the agreements already concluded with SACEUR;
  - to make arrangements for associating with the European corps the other forces answerable to WEU so as to allow a European rapid action force to be created;
  - to create a European armaments agency with effective responsibilities and powers in order to achieve true co-operation between member states and their industries on questions of matériel;
4. Increase the means and enlarge the field of action of the Planning Cell by giving it a true rôle of operational co-ordination between WEU and NATO based on overall guidelines, including contingency plans and the planning of joint manoeuvres of forces answerable to WEU;
  5. Harmonise with NATO the concept of combined joint task forces (CJTF) with its own concept of forces answerable to WEU (FAWEU);
  6. Harmonise its working relationship with the European Union in matters that might have repercussions on its co-operation with NATO;
  7. Show greater determination in its relations with the United Nations and the CSCE with a view to possible missions by offering them its operational capabilities in peace-keeping and crisis-management questions;
  8. Draw up political guidelines for meetings of chiefs of defence staff and specify forthwith a structure of relations and the sharing of responsibilities between:
    - chiefs of defence staff;
    - military delegates belonging to national delegations;
    - the Planning Cell and
    - the WEU Secretariat-General;
  9. Ensure the continuity of its political planning by giving the WEU Secretary-General political powers including:
    - the right of initiative;
    - the right to convene and to chair meetings of the Council of Ministers;
    - primordial responsibility for making WEU's voice heard in alliance and European Union bodies;
  10. Ensure in particular the participation of the Secretary-General of WEU in meetings of the common foreign and security policy (CFSP) authorities of the European Union in the same spirit of transparency, complementarity and reciprocity that already exists between WEU and NATO;
  11. Ratify the decisions set out in paragraph 3 above and give the political impetus necessary for WEU to take its place as the European defence organisation and as a credible player in its areas of responsibility by convening before the end of the year an extraordinary meeting of heads of state and of government of the member countries.

## *Explanatory Memorandum*

*(submitted by Mr. Baumele, Rapporteur)*

### *I. Introduction*

1. Considering the results of the NATO summit meeting on 10th and 11th January last, which, as will be recalled, was convened at the initiative of the United States to reaffirm NATO's importance as a political instrument of the United States Government in the eyes of public opinion, it is difficult to discern a coherent concept and a firm direction in which the alliance might be prepared to evolve. Nor is it possible in view of the multiplicity of intentions and programmes referred to in the declaration issued after the meeting of heads of state and of government of the North Atlantic Council in Brussels.

2. It can be clearly deduced, however, that the alliance is pursuing its process of transformation, relegating increasingly to second place the conventional military and political tasks which, since its creation, had allowed it to ensure the security and freedom of Western Europe under the wing of the United States. This long period of time was brought to a close with the end of the East-West confrontation and, starting with the Rome summit meeting, NATO had to work out a new strategy and adapt the allied military posture to the fundamental changes of the international situation in security matters.

3. What is crystal-clear from the very outset is that in Brussels, NATO postponed any decision regarding the possible extension of security guarantees to the East by proposing, in exchange, to the countries of Central Europe which wished to join NATO and also all the countries of Eastern Europe, Russia, Ukraine and the countries of Central Asia, a partnership for peace programme based on individual agreements governing the participation of interested countries in the political and military activities of NATO and particularly peace-keeping operations.

4. Furthermore, NATO has set itself a number of new programmes and tasks, the achievement of which calls for a decisive reinforcement of the rôle of the European allies. Mention is made in particular of crisis-management and peace-keeping tasks and the introduction of the combined joint task force concept, to be harmonised with the procedure drawn up in WEU regarding the designation by member states of forces answerable to WEU.

5. For the first time in its history, NATO, with the agreement of the United States, confirmed

unambiguously its support for the European security and defence identity and stated that it was ready to give WEU increased responsibilities as European pillar of the alliance. In this context, the fact that NATO is "ready to make collective assets of the alliance available ... for WEU operations undertaken by the European allies in pursuit of their common foreign and security policy" is of fundamental importance.

6. Regarding the assessment of new security risks, the summit meeting did nothing about presenting a global and coherent view but preferred to mention a number of problems here and there in its declaration. Thus the heads of state and of government started by noting that "other causes of instability, tension and conflict have emerged", without specifying their origins, background or importance. In another context, they expressed their concern about the situation in the Southern Caucasus and security in the Mediterranean and deplored the continuing conflict in former Yugoslavia. The risks stemming from the proliferation of weapons of mass destruction are mentioned several times and also the threat from acts of terrorism. Finally, NATO confirms the importance it attaches to arms control and disarmament agreements and the extension of the treaty on non-proliferation of nuclear weapons, the entry into force of the convention on chemical weapons and the negotiation of a comprehensive test-ban treaty.

7. The multiplicity of the alliance's ambitions must not be allowed, however, to conceal the fundamental absence of an overall concept for a Euro-Atlantic security policy covering Central and Eastern Europe and the Community of Independent States (CIS).

8. Unlike the situation in 1945 when plans were drawn up – mainly by the Americans – for rebuilding Europe and the introduction of a new post-war order, no one was prepared for the major changes of 1989 and subsequent years. Three years after the disbandment of the Soviet Union, the West has still not agreed on a policy to be pursued with regard to Russia, Ukraine and the countries of Central and Eastern Europe, be it in security matters or in assistance to those countries to build up their economic and democratic structures.

9. The new world order advocated by President Bush quickly disappeared into thin air and, as can be seen from the United States' long hesitation about playing an active rôle in the fighting

in Bosnia, the determination to establish American leadership accompanied by commitments in European security matters is less and less visible. The fact that Americans and Europeans finally agreed on the ultimatum against Serbia on 9th February last cannot be considered as a sign that the overall policy of the United States is turning back towards Europe. Furthermore, there is growing evidence of Russia's return to the international stage – its rôle in the Bosnian affair after NATO's ultimatum to Serbia is one of the most striking examples but not the only one. This should be even greater encouragement to the United States to deal directly with this new Russia to work out a policy of crisis-management, and to consider questions of global strategy as a matter of primary concern for the two great world powers, thus again linking up with the bilateralism that already existed at the time of the Soviet Union.

10. If there is no longer true American leadership in the Euro-Atlantic framework, Europe must prepare itself to shoulder this task, at least in certain areas, an undertaking which is certainly very ambitious in view of Europe's loss of credibility after demonstrating its inability to take action in the fighting in former Yugoslavia.

11. If Europe needs new impetus to launch meaningful initiatives in order to take control of its own security and also to define and implement a credible collective security system covering the countries of the East, the NATO summit meeting can provide the basis since it gave Europeans a very clear and very broad mandate.

12. The common foreign and security policy is still being worked out in the framework of the European Union whose structures are not yet operational enough to allow it to take on this rôle. Furthermore, it is not yet finalised and its ability to produce an agreement was seriously called in question during the recent negotiations on the accession of Austria, Finland, Norway and Sweden. Conversely, the only fully operational structure in terms of security policy is the WEU Council. That is the body that will have to handle the definition and implementation of Europe's security concept which is still awaited. To that end, all its member countries will have to demonstrate the necessary political determination because the tasks are many and there is no time to be lost.

## *II. Ensuring stability in the East*

13. Russia's return to the international stage is coming at a time when its difficulties in establishing a firm framework for developing lasting democratic institutions are far from having been overcome and it is still struggling in its efforts to convert to a market economy. The fact that Rus-

sian leaders feel they are responsible for the security of all the territories of the former Soviet Union and in particular of the 25 million Russians in what Moscow calls its "near abroad", the fact that in the United Nations or the CSCE Russia is claiming priority for peace-keeping action in areas of conflict within the Community of Independent States (CIS), its hesitation to withdraw troops from Estonia, Latvia and Transdnestr and its firm opposition to any extension of NATO towards the East are all matters of great concern to the countries of Central Europe. This attitude is above all a challenge to the West which has still not managed to define in a coherent manner the nature of its relations with Russia and the ways and means for that country to take part in a security architecture which might meet the aspirations and appease the concern of all sides.

14. The alliance's response to that challenge has been ambiguous: on the one hand, it has affirmed its intention to strengthen security and stability in the whole of Europe and to remain open to other European states by evoking the prospect of enlarging NATO towards the East as an evolving process while avoiding geographical details. On the other hand, it has launched a partnership for peace programme open to the countries of NACC and also other countries of the CSCE. This programme proposes that they take part in the work of the political and military organs of NATO and co-operate with that organisation but in such a manner that most of the obligations are incumbent on the countries invited.

15. This programme must allow NATO to verify transparency in national defence planning and budgeting processes, democratic control of defence forces in the countries concerned and their readiness to contribute to operations under the authority of the United Nations and/or the responsibility of the CSCE.

16. Furthermore, these countries must fund their own participation in partnership activities. In exchange, NATO undertakes to consult with any active participant in the partnership if that partner perceives a direct threat to its territorial integrity, political independence, or security. The latter provision is perhaps the one of greatest interest to the countries invited.

17. The method whereby each state subscribing to the framework document of the programme is to establish with NATO an individual partnership programme allows the formula to be adapted to the various situations of the countries in question without discrimination. While this programme has the advantage of avoiding new divisions in Eastern Europe, its ultimate aims and the limits of its goals compared with those of NACC are still far from clear.

18. Whereas in March twelve countries of the East had already joined the partnership for peace, i.e. the Baltic countries, Hungary, Moldova, Kazakhstan, Poland, Romania and Ukraine, Russia, for its part, has only recently made known its intention of participating in this programme. It would seem, however, that it is not over-enthusiastic about this question and it prefers to continue to count on the development of the activities and responsibilities of NACC and an enlargement of that body which it believes should become totally independent of NATO. Moreover, the Russians feel they were not consulted regarding the preparation of NATO's ultimatum against Serbia which, in their opinion, did nothing to strengthen the credibility of the partnership for peace programme which they considered too technical and not political enough.

19. For WEU, what are the implications of the evolution of NATO's relations with the countries of the East on the basis of the partnership for peace? The enhanced status that the WEU Council is prepared to offer the nine countries of the WEU Forum of Consultation was so far primarily intended to respect a certain parallelism with the evolution of the relations the European Union is establishing with the countries of Central Europe. A consequence of this has already been to limit considerably the number of countries that might benefit from the new status offered by WEU compared with the number of countries invited to take part in the partnership for peace in the framework of NATO.

20. It should also be noted that the WEU Council preceded the Twelve in establishing contacts with Central Europe by inviting nine countries of Central Europe to take part in the Forum, whereas the Twelve concentrated first on six of them, their relations with the Baltic countries not yet having resulted in the conclusion of Europe agreements similar to those signed with the Visegrad group of countries, Bulgaria and Romania.

21. In the meantime, the Twelve have started negotiations with the Baltic countries on free trade agreements which are considered as a means of preparing the ground for subsequently including these countries among those that have concluded Europe agreements. This will allow WEU to include the Baltic countries among those which will benefit from enhanced status on the basis of the Franco-German proposal of 12th November last. This status could be offered simultaneously to the nine countries of the Forum. Any dilatory solution on the pretext that the Baltic countries have not yet reached Europe agreements with the European Union would be dangerous and might convey the wrong message.

22. Regarding the content of the enhanced status that is to be offered to the countries of the Forum of Consultation on 9th May next, one must

not forget that there is also a synergy between WEU and NATO and any strengthening of WEU's relations with the countries of the East must automatically be of interest to the alliance and the United States in particular. WEU must therefore hold consultations forthwith on the final aims of its new relations with the countries of the Forum and keep its alliance partners informed.

23. For the time being, it is planned to base WEU's new relations with the countries of the Forum solely on a political document, without juridical implications, which will allow the countries concerned to take part in meetings of the Council without being able to block its decisions, establish links with the Planning Cell, the Institute for Security Studies, the Secretariat-General and the Chairmanship-in-Office, take part in the tasks set out in the Petersberg declaration (humanitarian peace-keeping missions, crisis-management, including operations to restore peace) and to be informed about the activities of working groups with a possibility of being invited to take part, with particular regard to the Council's Working Group. Their participation will therefore be substantial enough for the term status of association to be justified and desirable. That does not prevent procedure being worked out to preserve the associate status of Iceland, Norway and Turkey as members of NATO.

24. There will no doubt be parallelism between certain activities of WEU in the framework of enhanced co-operation with the countries of the Forum, particularly in peace-keeping, and those that NATO will establish with the partnership for peace countries. That is normal if WEU is considered as European pillar of the alliance. However, the aim of the associate status granted to the countries of the Forum in the framework of WEU is to prepare the conditions for the full accession of those countries to the modified Brussels Treaty and the alliance must be as aware of this as the European Union.

25. It is therefore necessary to develop without delay a doctrine to determine to what extent a country that is not a member of NATO can be associated with WEU and whether it can eventually become a full member. The WEU declaration appended to the Maastricht Treaty gives an indication in this respect since it invites Ireland – a member of the Union but not of NATO – to become a full member of WEU (although that country has so far preferred the status of observer), but the case of Ireland cannot be compared automatically with that of countries of Central Europe. A similar problem will arise, moreover, when Austria, Finland and Sweden join the European Union.

26. However WEU must also take a position on the nature of its future relations with Russia, Ukraine and the other CIS countries. Here too it

must take into account its dual function vis-à-vis the Union and NATO. Nothing, moreover, in the latest WEU declaration from Luxembourg or in that issued after the NATO summit meeting gives any indication of the political doctrine to be followed vis-à-vis Russia. It also would appear from a recent speech by the WEU Secretary-General<sup>1</sup>, in which he describes the nature of future relations between WEU and Belarus, Russia and Ukraine, that the essential aim of contacts with these countries will be to inform them of WEU initiatives and that relations will be established on a bilateral basis. These indications are too vague to enable us to define what type of relations or even what sort of partnership could be developed between WEU and these countries. The co-operation that the WEU countries have initiated with Russia on a case-by-case basis, such as the implementation of the Open Skies Treaty for example, could provide the stimulus for a political dialogue between WEU and Russia and other CIS countries.

27. Regarding Russia in particular, the French Defence Minister, Mr. Léotard, put forward some interesting ideas in a speech given at a seminar of the European Movement held in Paris on 3rd March 1994:

“Our ambition for Europe, which is based, in the West, on the original core organisation of European countries, must extend much further eastward. It is also in our interest to make room there for Russia in order to offer it the security framework which would ensure that this major power progresses in the direction we wish to see – namely towards democracy. Once free of the Soviet straight-jacket, Russia’s natural calling in this modern age – the age of communications, information, space and high technologies – must necessarily be to associate itself with the European enterprise. Would it be so unthinkable, if Russia makes good progress down the road to democracy, for the security and defence of the continent of Europe to be organised on the basis of a triangle of forces consisting of the European Union, Russia and North America?”

28. Doubtless these are not the only aspects for consideration in the context of a plan for a partnership between Europe and the CIS countries – a plan which must necessarily envisage among other things a strengthening of stable relations between Russia and Ukraine. And who could be better qualified than the WEU Council to take on the task of developing a coherent policy for Europe in this area?

1. “WEU after two Brussels summits: a new approach to common talks”, Institut royal des relations internationales, Brussels, 27th January 1994.

29. The prospects open to WEU for asserting itself as the European pillar of the alliance in the aftermath of the NATO summit meeting offer it the opportunity of increasing Europe’s weight in the alliance, both in determining the framework for a global strategy and also, as necessary, outside the alliance through direct contacts with the United States. The more Europe can make its voice heard in a credible fashion the more the Americans will be persuaded of their interest in not making fundamental decisions without consulting their European allies and the more Europe will be in a position to exercise a decisive influence on alliance and United States decision-making. It is in this optic that the statement contained in the NATO declaration that “the alliance and the European Union share common strategic interests” should find practical expression.

### *III. Implementation of a new form of co-operation between WEU and NATO*

30. It has been agreed – and this is one of the significant aspects of the declaration following the NATO summit meeting and WEU’s Luxembourg declaration, that the two organisations would from now on consult together in the event of a crisis, as necessary, within the framework of joint meetings of their Permanent Councils. Such joint meetings will certainly be useful in certain situations. However it must be guaranteed that the preparation of WEU ministerial meetings remains the exclusive responsibility of its own Permanent Council, and that the latter is also free to discuss European positions independently in preparing ministerial meetings of the North Atlantic Council.

31. The essential aspect of the new rôle the Council has devolved to WEU concerns its promise to “make the collective assets of the alliance available, on the basis of consultations in the North Atlantic Council, for WEU operations undertaken by the European allies in pursuit of their common foreign and security policy”. The alliance has thus responded to the request formulated by WEU at Luxembourg to be able to use not only the forces and means of the European allies but also the collective assets of the Atlantic Alliance, such as communications systems, means of command and headquarters staffs.

32. Even if the possibility thus created of WEU’s being able to draw on NATO means is not limited to specific operations, it is nevertheless closely linked to the missions for peace-keeping and crisis management on which the efforts of the two organisations are henceforth likely to be concentrated.

33. In this context the alliance has adopted the proposal advanced by the Americans last October

at Travemünde for adopting the combined joint task force concept (CJTF) as a “means to facilitate contingency operations”, including operations with participating nations outside the alliance.

34. Although it may be necessary to wait until June 1994, when the NATO Permanent Council will have reported to the ministers, for information on the details of this project, it is nevertheless interesting to note that in a speech delivered at the IHEDN on 21st January 1994, The French Minister for Foreign Affairs, Mr. Alain Juppé, stated:

“In operations where it is clear that the United States for its own reasons does not wish to become heavily involved, this type of task force could not only be made available to Western European Union but also, in such cases, placed under its command rather than under the authority of SACEUR – and *this has been explicitly accepted*. The United States has therefore taken an important step forward in agreeing to a modification of the traditional chain of command ...”

35. If this project materialises, these CJTFs could be deployed under WEU command with material support from NATO (for example AWACS). They would function under the orders of the operational commander appointed by WEU under the political authority of the WEU Council. This would constitute a truly revolutionary innovation.

36. Nevertheless the alliance has stated its readiness to loan its means “on the basis of consultations within the North Atlantic Council”. The process is therefore not automatic – which is entirely understandable. However it remains to be seen to what extent NATO and the Americans will agree to waive their right of refusal over a mission decided by Europeans. Moreover decisions have to be taken both as to the composition of the forces making up the CJTFs and who will assign them. Will they include American units and in what proportion?

37. This leads us to the problem of knowing how the alliance concept will fit in with that of “separable but not separate capabilities” and how it can be reconciled with that formulated by the WEU Council at Petersberg, which envisaged the possibility of recourse to “forces answerable to WEU” (FAWEU). Clearly, in the absence of procedure automatically ensuring that the assets of the alliance will be made available to it, WEU must maintain its autonomous military planning capability and develop its own operational capability in order to act independently or at the request of the European Union.<sup>2</sup>

2. See the speech given by Mr. van Eekelen on 27th January 1994.

38. Up to the present the multinational forces under the authority of WEU have consisted of the European corps, the (central) multinational division and the Anglo-Dutch amphibious force. It remains to be determined whether the consent of the whole of the Atlantic Alliance will also be required to enable WEU to use these units – in other words whether the CJTF and the FAWEU will be integrated concepts. The status of the European corps, whose use by NATO services has been agreed between the relevant chiefs-of-staff but which is to constitute the nucleus of a force placed primarily under WEU command, poses a particular problem.

39. Harmonisation of the concepts of CJTF and FAWEU forces implies that WEU must, from the outset, be fully involved in NATO thinking in order to submit a plan to it that provides, on the one hand, for its making its own operational capabilities available to NATO, while ensuring, on the other hand, that it is possible for it to engage in missions independently or at the request of the European Union.

40. NATO’s new rôle in peace-keeping and crisis-management, which is based on a wide interpretation of Article 4 of the Treaty of Washington in order to elicit the necessary consensus in the alliance for “out of area” action, will have important consequences for WEU, which will be called upon to assume the political direction of such operations, and, in this connection, be able to take advantage of the instruments with which it is provided under the modified Brussels Treaty.

41. Strong reinforcement measures will need to be taken by WEU in its political relations with the United Nations and the CSCE, an area where WEU has much ground to recover. However, if the aim is for WEU to become a credible partner in crisis-management and peace-keeping, it will be necessary to accelerate the development of its operational capabilities so as to enable it to fulfil the new tasks assigned to it by the Petersberg declaration. It would be especially desirable to know the broad thinking behind the report that the WEU Chairmanship-in-Office submitted to the ministers in Luxembourg on the general rôle of WEU in peace-keeping and on humanitarian missions.

42. The shortcomings in co-operation between WEU and NATO over management of the conflict on the territory of former Yugoslavia – despite the success of the joint operation in the Adriatic known as operation Sharp Guard – and the new situation that has emerged in Bosnia, and particularly in Sarajevo, after the expiry of the NATO ultimatum of 21st February, will require a new initiative on the part of WEU. It will be necessary to develop a strategy for the pacification of the country and for securing the implementation of the agreements ultimately reached by the parties.

In military terms this implies burden-sharing between WEU and NATO to guarantee, where necessary, a military presence on the ground of the forces of one or other organisation. In political terms, WEU will need to develop on behalf of the European Union arrangements to guarantee security in the region after the cessation of hostilities.

43. The NATO declaration contains two important paragraphs, one concerning the provision of preventive measures to counter the threat of proliferation of weapons of mass destruction and their means of delivery (for example ballistic missiles), the other stressing the importance of achieving progress on the key issues of arms control and disarmament, particularly with regard to the following:

- extension of the treaty on the non-proliferation of nuclear weapons;
- the entry into force of the convention on chemical weapons and the reinforcement of the biological weapons convention;
- the problem of banning nuclear testing;
- ensuring full compliance with the provisions of the treaty on conventional forces in Europe.

44. The effort to contain proliferation by political and defence means is known to be a priority concern of the European Union and NATO. It is the subject of various proposals, in particular by Mr. Aspin and Mr. Kinkel, while the WEU declaration adopted in Luxembourg on 22nd November last makes no reference to this problem. This silence is the more surprising given first that the WEU Council warmly welcomed the symposium on "An anti-missile defence for Europe" organised by the Assembly in Rome, in March 1993, and second that WEU is in the process of acquiring an independent space-based observation and surveillance system, necessary for organising a defence against the threat of weapons of mass destruction.

45. It is wholly unacceptable for WEU to abdicate from the discussion on the political aspects of proliferation in favour of the European Union and from the "defence" aspects of the issue in favour of NATO. The political dimension of the problem clearly impacts on the defence dimension and there is no fear of duplicating NATO's work if WEU, as its rôle requires, brings a decisive contribution in the domain of anti-missile protection, taking advantage of progress already achieved and existing European industrial capabilities.

#### *IV. WEU facing unprecedented challenges*

46. The achievement of the tasks inherent in the dual function of WEU vis-à-vis the Atlantic Alliance and the European Union is proving especially difficult, not simply because WEU is a

small organisation, but also because a majority of its senior officials regard it essentially from either a NATO or a European Union perspective, forgetting that it has, by virtue of its founding treaty, special features of its own that qualify it specifically to fulfil its functions. However, for it to be a credible partner it is essential for WEU to have autonomy of action and for its operational capabilities to be developed rapidly and also independently. For this to happen there must first be a political will which must then be expressed through specifically "WEU" initiatives; without this, the organisation will remain in a state of suspense until such time as other organisations such as NATO, the United Nations, the CSCE or the European Union call upon it to act.

47. The importance of WEU's maintaining and developing a degree of political autonomy in relation to the European Union and of ensuring that it effectively possesses the necessary operational capacities lies in the fact that the organisation is vested (under Article IV of the modified Brussels Treaty) with the responsibility of providing transatlantic links and co-operating with NATO, a position confirmed by the WEU Luxembourg declarations and those following the NATO summit meeting in Brussels reaffirming the political will to develop WEU as the means of reinforcing the European pillar of the alliance and to make the collective assets of the alliance available to it.

48. WEU alone is able to develop the spirit of co-operation and solidarity with NATO by securing its own operational capabilities. This would strengthen the whole alliance, while avoiding rivalry and the political and economic problems that have arisen recently on either side of the Atlantic between the Twelve and the United States affecting transatlantic solidarity in security and defence matters.

49. Title V of the Maastricht Treaty, and specifically Article J.4, paragraphs 4 and 5, tends in an entirely different direction since it lays down conditions and imposes limits to co-operation by its member countries within the framework of the Atlantic Alliance (as in WEU), without giving the slightest indication as to the prospects for co-operation between the Union and the alliance after the so-called "1998 deadline". The repeal of the modified Brussels Treaty on which the present wording of Title V of the Maastricht Treaty is based would also remove the legal bases on which the European pillar of the alliance rests and its co-operation with the alliance.

50. With a view to preventing such a dangerous development, it is necessary to invite the WEU Council to take the following measures forthwith: determine quickly what its working relations with the European Union are to be - this is the main theme of the report on WEU in the process of European Union, to be submitted by Mr. Ferrari.



WEU must insist, as of now, on the results of its co-operation with the alliance being accepted and its initiatives not being limited or prevented even by the European Union authorities, a situation which is theoretically possible under Article J.4, paragraph 5 of the Maastricht Treaty.

51. Preliminary consultations should be held between WEU and the European Union before the latter requests WEU, in conformity with Article J.4, paragraph 2 of the Treaty of Maastricht, to develop and implement Union decisions with defence implications, if the intention is for WEU to be capable of assisting the Union with its expert knowledge sufficiently quickly and of evaluating the impact of any such request on relations with the Atlantic Alliance.

52. In order to achieve this there must be genuine political planning in WEU such as does not at present exist for various reasons. Neither the Secretary-General, nor his small political section, have the right to take initiatives; it is for the Chairmanship-in-Office, at the behest of the member governments, to take political initiatives, with each member country reserving the right to put forward its own proposals. The work that takes place within the Council's working groups is also dependent on the instructions they receive from the capitals of the member countries. Under such conditions it seems difficult to guarantee continuity of political will – the more so since the term of the Chairmanship-in-Office has just been reduced to six months in order to bring it into line with that of the European Union presidency. Until now it was possible to count on Franco-German initiatives, or British and Italian, as the case may be, but continuity of political planning is not guaranteed in WEU as it can be in NATO or the European Union. This is a problem that must be tackled, however difficult it may be to find a solution.

53. One of the primary objectives might therefore be to take the decision to strengthen the powers of the Secretary-General by giving him the right to make proposals, to chair the Ministerial Council – as is the case in NATO – and to appoint such staff to his secretariat and acquire such material resources as are necessary to ensure continuity of the political will of WEU as an autonomous organisation.

54. Strengthening the powers of the Secretary-General in this way would also improve the effectiveness of the major organs of WEU – an essential condition for enabling it to fulfil the mandates recently assigned to it – and this should give greater political impetus to the meetings of the Ministerial Council and the Permanent Council. Until now, a great deal of time has invariably elapsed before the Council was able to take concrete decisions. A more flexible procedure must therefore be adopted allowing the Council to be convened

whenever there is felt to be a need and not merely twice a year.

55. The defence ministers must play a greater rôle with a view to accelerating the process of making WEU operational and implementing the tasks assigned to it as a result of the entry into force of the Maastricht Treaty and of the decisions taken at the NATO summit meeting. WEU's decision to convene a meeting of the chiefs of defence staff twice a year prior to the ordinary Ministerial Council meetings, and on an ad hoc basis whenever necessary, is meaningful only if they receive clear political instructions on the objectives of and the programme of work for such meetings.

56. The WEU Luxembourg declaration refers to the "progress achieved by the chiefs of defence staff in developing a WEU exercise policy". However, what are the other objectives of their meetings? In order to guarantee the effectiveness of the military organs recently created in WEU, a definition must quickly be arrived at of the structure of the relationships and division of responsibilities between:

- the chiefs of defence staff;
- the military delegates within the national delegations;
- the Planning Cell;
- the WEU Secretariat-General.

57. The Planning Cell, which should have the staff and the material resources necessary for it to fulfil its tasks – which is not the case at present – is intended to play a real rôle in co-ordinating operations between WEU and NATO. In particular it must develop with NATO the concept of the formation of the combined joint task forces that will be called upon to carry out operations, possibly with the participation of countries that are not members of the alliance. It should quickly complete its work on the development of forces answerable to WEU (FAWEU), their command, headquarters, logistics, transport and communications systems, their relations with NATO and the procedures for their use in the framework of WEU.

58. It must, in particular, develop operating procedures for the European corps which is to be placed under WEU authority. The Ministers assigned to the Planning Cell the task of developing a plan for setting up European air-maritime forces – is this plan now ready? Also there is an Italian proposal for a multinational land force intended to enhance the operational significance of this initiative – what stage has this now reached?

59. For some time now WEU has been working on a study (initially a Franco-German initiative) intended to enhance strategic mobility. It is unacceptable for such a study to be continued indefinitely without the slightest sign of yielding concrete results in the foreseeable future and without the

Assembly being informed in any way of its aims or progress. In order to advance matters in this context advantage should be taken of the signing in October 1993 of a memorandum of understanding regarding the feasibility study for the European transport aircraft, commissioned from a European industrial consortium (Euroflag). It is essential to move as soon as possible from the study phase to the conclusion of firm contracts.

60. It is a matter of urgency for the Assembly to be informed more closely of the progress of the work of the Western European Armaments Group (WEAG), the transfer of its secretariat from Lisbon to Brussels – which should take place according to the Luxembourg declaration in spring 1994 – the state of advancement of the Euclid research programme, the development of a free market in Europe for defence equipment and, above all, the stage now reached in the studies for a European armaments agency (which is the subject of a report to be tabled by Mr. Borderas on behalf of the Technological and Aerospace Committee). Here too the studies are dragging on and it is time decisions were taken.

61. The initiatives taken by WEU on verification of the CFE Treaty and, to an even greater extent, on implementation of the Open Skies Treaty, for which the WEU countries have formed into a group of states, seem very encouraging, particularly with regard to the project for co-operation with Russia and other CIS countries in this area. What progress has been made here? The WEU Luxembourg declaration offers no answer in this respect.

62. Having established the Torrejón Satellite Centre, officially inaugurated a year ago, the Ministers have announced that they are to consider at their next meeting to be held in May 1994 a progress report on the possibility of implementing a WEU earth observation programme. When will we finally be in a position to take a decision on the creation of WEU's own space-based surveillance system – a decision which, qualitatively, would be a step of the highest importance, not just in terms of European independence in intelligence matters but for the future of the European space industry?

63. To accelerate the decision-making process on all of these projects, WEU must be truly capable of demonstrating a collective will and determination based on a spirit of European defence, of which it is the concrete expression.

64. However, as Mr. Léotard recently stated:<sup>3</sup>

“WEU is still having problems in finding a place between the Atlantic forum and community life. The common European vision of defence matters is slow to take shape.

3. Speech given in Paris on 3rd March 1994 at a conference held by the European Movement.

The only missing ingredient is the commitment at the highest political level that alone can give the desired impetus to the wish for a European defence identity.

As I understand it, this impetus can come only from the common will of heads of state and of government of the member countries. A WEU summit meeting would serve to demonstrate, both symbolically and in practical terms, the political vitality of this security instrument of the European Union and of the European pillar of the alliance. It would serve also as an illustration of the direct interest of the political authorities in the European countries and confer strong legitimacy on the project the organisation embodies. In all democracies, the heads of state and of government have supreme authority in defence matters and are the leaders of the armed forces”.

65. Indeed, this proposal for a WEU summit meeting could give the organisation the necessary weight and political impetus to make progress in achieving the manifold tasks expected of it by both the European Union and the Atlantic Alliance – organisations at times inclined to treat WEU as a secondary authority that might cease to exist in the foreseeable future. However, such a project would require detailed preparation and must be accompanied by a series of concrete proposals whose implementation would be of substantial service to the cause of a European defence organisation.

66. Decisions might concern:

- the creation of European intervention forces developed by a multinational joint services European headquarters, as the French Defence Minister has proposed;
- the creation of a European air-maritime force supported by a multinational ground force, as set out in the Italian proposal;
- priority treatment for projects concerning the pooling of joint intelligence means, equipment and transport units, logistics and, consequently, the release of essential funding to allow WEU:

(i) to set up a European space-based observation system;

(ii) to promote a military transport aircraft built by European industry on the basis of the feasibility study;

(iii) to create a European defence industry and develop standardised interoperable European equipment. This is dependent on a final decision to create a properly structured European armaments agency with real powers and responsibilities.

WEU capabilities, once operational, could be made available to the whole alliance.

### V. *Conclusions*

67. Rarely in the course of its history has WEU been countenanced to the degree shown in the decision reached by the heads of state and of government of the Atlantic Alliance at the summit meeting in Brussels last January. It was recognised and confirmed in its rôle of European pillar of the alliance and was also granted new responsibilities for which the alliance is prepared to make its collective means available to WEU. If WEU is to rise to the occasion, an extraordinary effort will have to be made to overcome the resulting challenges.

68. If WEU fails to take energetic action here and now to seize the opportunities just offered by the political constellation that led the alliance summit meeting to this result, it may miss a favourable political juncture that may not be encountered again for quite some time. Now is indeed the time for WEU to take its place as the European defence organisation on which one can count as a deciding factor of stability and security and also as a player in the areas of its responsibility.

69. Yet one has to note that the WEU Council, its subsidiary bodies and the Secretariat-General seem to be pursuing all their activities in a routine manner without any true political impetus. Discussions become entangled in innumerable details of minor importance and the necessary decisions cannot be taken or are taken too late. For instance, it does not seem to have been realised that the achievement of important programmes that WEU is certainly studying requires considerable finan-

cial backing and, if it is realised, the courage and determination to claim these financial means with all necessary force and persuasion are lacking. The fact is that the WEU authorities are always too concerned about not duplicating the work of other organisations and consider themselves increasingly as merely having to carry out decisions taken elsewhere.

70. The WEU Assembly is prepared to afford political support to any effort that might help WEU to fulfil its increased responsibilities and overcome the obstacles of all kinds – political, structural or financial – which today prevent it from playing the rôle that is expected of it and thus facilitate the necessary decision-taking. To that end, the Council should associate the Assembly to a greater extent in its thinking by providing it with better information on questions of substance. The Council should not underestimate the usefulness and political weight of an Assembly that has already shown several times in the past that it could help in breaking deadlocks. In this context, it would also be in the interest of the Council to demonstrate publicly that after the entry into force of the Maastricht Treaty it continues to count unreservedly on the importance of the WEU Assembly as the only international assembly with responsibility in security and defence matters. Such a demonstration of confidence on the part of the Council would give the Assembly added weight in its efforts to improve co-operation with the parliaments and the foreign affairs and defence committees of the member countries with a view to making them better aware of the common cause that unites the Council and the Assembly.

*The evolution of NATO and its consequences for WEU*

AMENDMENTS 1 and 2<sup>1</sup>

*tabled by Mr. Baumel, Rapporteur*

1. After paragraph (i) of the preamble to the draft recommendation, insert a new paragraph as follows:  
“ Welcoming the WEU Council’s readiness to offer an enhanced status of association to those member states of the WEU Forum of Consultation which have or are likely to have ‘ Europe Agreements ’ with the European Union, but regretting that the term ‘ associate *partnership* ’ may be used for this arrangement; ”
2. After paragraph 1 of the draft recommendation proper, insert a new paragraph as follows:  
“ Employ the term ‘ associate member ’ for the relationship already being established with Iceland, Norway and Turkey and choose ‘ *associate* ’ to describe the new status of the Central European and Baltic states which are members of the WEU Forum of Consultation and which have or are likely to have ‘ Europe Agreements ’ with the European Union; ”

*Signed: Baumel*

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1. See meeting of the Standing Committee, 3rd May 1994 (amendments agreed to).

*The evolution of NATO and its consequences for WEU*

AMENDMENT 3<sup>1</sup>

*tabled by Mr. De Decker and others*

3. At the end of the preamble to the draft recommendation, add a new paragraph as follows:  
“ Hoping that the new European Parliament to be elected on 12th June next will refrain from adopting resolutions that seek – contrary to the spirit and the letter of Maastricht – to hinder WEU efforts to contribute to the definition of a European defence policy ”.

*Signed: De Decker, Martinez, Valleix, Goerens, Roseta*

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1. See meeting of the Standing Committee, 3rd May 1994 (amendment agreed to).

*The evolution of NATO and its consequences for WEU*

AMENDMENT 4<sup>1</sup>

*tabled by Mr. Lopez Henares*

4. After paragraph 9 of the draft recommendation proper, insert a new paragraph as follows:  
“ Take the appropriate measures to transform the Planning Cell into a powerful operational centre for WEU co-ordination and planning, with all the resources in equipment and staffing required to achieve this; ”

*Signed: Lopez Henares*

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1. See meeting of the Standing Committee, 3rd May 1994 (amendment agreed to).

*Second part of the thirty-ninth annual report  
of the Council to the Assembly*

*(1st July 1993 to 31st December 1993)*

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***I. Introduction***

During the second half of 1993, work was completed on installing the Council in the new WEU headquarters. The official inauguration took place on 15th November, in the presence of Mr. Jacques F. Poos, Luxembourg Foreign Minister and Chairman-in-Office of the WEU Council of Ministers, Mr. Willem van Eekelen, Secretary-General of the organisation, Sir Dudley Smith, President of the Assembly, the Belgian Foreign and Defence Ministers and other senior figures including representatives from the European Union and the Atlantic Alliance.

The first six months of the Luxembourg Presidency of the WEU Council brought further progress in the creation of a European defence policy. The aim of this major and long-haul task is to equip Europe with the means it needs to meet the chal-

lenges of the post-cold war era. Following the ratification of the Maastricht Treaty, and with the advent of the European Union on 1st November 1993, this task can now be taken forward in a new framework. As an institutionally autonomous body, WEU is being developed as the defence component of the European Union and the European pillar of the alliance. Under the common foreign and security policy (CFSP), the European Union may request WEU to elaborate and implement decisions and actions of the Union which have defence implications. At the same time, strengthening the European pillar of NATO, the WEU Council has continued to monitor closely the ongoing process of renewal of the Atlantic Alliance. In its preparatory work for the Luxembourg ministerial meeting, it sought to make a strong and positive European contribution, in keeping with the principles of transparency and complementarity, to the preparation of the alliance summit.

On 29th October in Brussels, the European Council, noting the ratification of the Maastricht Treaty, adopted a document on the implementation of the treaty. Annex IV of the chapter on the CFSP concerns relations between the Union and WEU. On 22nd November, the Ministerial Council endorsed the Permanent Council's approval of this document on 26th October. Pragmatic co-operation between WEU and the bodies of the Union will be developed on this basis and will be stepped up through the impetus given by the respective presidencies of the Union and WEU. The decision taken in Luxembourg to reduce the WEU Presidency to six months with effect from 1st July 1994 symbolises the willingness to harmonise WEU's method of working with that of the European Union.

The competent bodies of WEU have continued their work to develop the organisation's operational capabilities both as regards the new missions defined in the Petersberg declaration and as regards satellite observation or the implementation of the Open Skies Treaty with the establishment of a common observation system. Lastly, decisions were taken which will enable the Western European Armaments Group (WEAG) to operate in Brussels; an armaments secretariat would be set up within the WEU Secretariat-General.

The Luxembourg declaration takes note of these advances and underlines the willingness of WEU member states to continue developing the organisation's operational means so as to enable it to respond to requests from the European Union concerning its decisions and actions which have defence implications. At the same time, this operational capability will place member states in a better position to shoulder their responsibilities as allies.

It was in this spirit that ministers approved the report on relations between WEU and national and multinational forces answerable to WEU; likewise in this spirit they welcomed the adoption of the joint declaration stating the conditions for the use of the European corps in the framework of WEU, and the understandings in this regard.

Forcefully reaffirming its commitment to the transatlantic partnership, whose strength was of fundamental importance for European stability and security, the Ministerial Council stated that the first part of the declaration adopted in Luxembourg represented WEU's contribution to the preparation of the Atlantic Alliance summit.

The need to plan for European military operations outside the specific cases precipitating a collective response under the terms of Articles V and 5 of the Brussels and Washington Treaties led ministers to formulate the principle that WEU should be able to use the collective assets of the

alliance. The corollary of this principle is a possible corresponding use of WEU's own operational capabilities by the alliance. Implementation of this principle requires new consultation and co-operation procedures to be defined particularly in the context of joint meetings between the WEU and North Atlantic Councils, especially in future crises. In this connection, the joint meeting on 14th December 1993 – the third such meeting since June 1992 – was devoted to prospects for the NATO summit and was particularly fruitful.

The Luxembourg declaration underlined that the alliance remained 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. To a large extent, 1993 saw the successful application of the principles of transparency and complementarity to relations between WEU and the alliance. The preparations for the NATO summit provided an opportunity to focus more on the complementarity between WEU and the alliance, particularly as regards the definition of new concepts for adapting NATO's structures.

During its deliberations on the second part of the thirty-ninth ordinary session of the WEU parliamentary Assembly, the Permanent Council reiterated that it was available to address these subjects at joint meetings with the principal committees and their rapporteurs.

## ***II. Activities of the Permanent Council and the Council Working Group***

The headquarters of Western European Union was inaugurated in a public session of the Permanent Council on Monday, 15th November 1993. Mr. Jacques Poos, the Luxembourg Foreign Minister and Chairman-in-Office of WEU, Mr. Willem van Eekelen, Secretary-General of the organisation, Sir Dudley Smith, President of the WEU Assembly and, representing the host nation, Mr. Willy Claes, Deputy Prime Minister and Foreign Minister, Mr. Léo Delcroix, Defence Minister, Mr. Jos Chabert, Minister for the Brussels Capital Region, all spoke in turn on this occasion.

This ceremony marked the end of the alteration work on the WEU headquarters, which houses the Secretariat-General and the Planning Cell. All speakers underlined the rôle of WEU as the defence component of the European Union and as the European pillar of the alliance, and this was confirmed at the meeting of the European Council on 29th October, on the eve of the entry into force of the Maastricht Treaty on 1st November 1993.

Apart from those meetings where circumstances dictated that a specific subject be addressed, the Council's agendas have continued to



contain an item devoted to the report on working group meetings and an item on "topical questions".

The Permanent Council has paid particular attention to the work of preparing draft decisions for submission to the Ministerial Council and to their implementation once adopted. In the context of relations between WEU and the Atlantic Alliance, the Council discussed WEU's contribution to the strengthening of a European security and defence identity at the forthcoming alliance summit. This contribution, contained in the first part of the ministerial declaration, was the subject of a report by the WEU Presidency at the third joint session of the WEU and North Atlantic Councils on 14th December.

The Council discussed relations between WEU and the European Union, and more specifically the harmonisation of the two presidencies, the reduction to six months of the WEU Presidency and also the Union's representation and participation in meetings of WEU.

The Council has been kept directly informed of the activities of the WEU Institute for Security Studies, of the establishment of the Satellite Centre in Torrejón, and of the activities of the Planning Cell. It continued to acknowledge the vital importance of the institutional dialogue with the Assembly and followed with great interest the debates of the second part of the thirtieth ordinary session. Lastly, the Council took a number of administrative and budgetary decisions on the basis of opinions submitted by the Budget and Organisation Committee.

Apart from preparing the ground for the Permanent Council's discussions, the Council Working Group's agenda ranged over specific questions concerning associate members' links with the Planning Cell under a permanent liaison arrangement, evacuation planning, the Agency for the Control of Armaments, the secondment of nationally paid officials to the Secretariat, joint expenditure funding in the context of possible future WEU peace-keeping operations, WEU communications, the formulation of criteria for receiving high-ranking officials and questions concerned with the building.

*(a) Topical questions*

*(i) Situation in former Yugoslavia*

The Belgian Representative, on behalf of the Presidency of the Twelve, regularly briefed the Permanent Council on the activities and démarches of the European Community aimed at reaching a peaceful solution to the conflict in former Yugoslavia.

The Permanent Council has closely monitored developments on the ground, its discussions focusing on the implementation of the Danube

embargo, participation of naval forces of WEU member states in the Adriatic embargo, and the possible involvement of WEU in the EC's administration of the Mostar district. The activities of the Experts' Groups and the Mostar Working Group, in co-operation with the Planning Cell, dealt mainly with this possibility.

The Presidency has regularly briefed the Council on developments in the WEU Danube operation. The Council has for example discussed the various measures taken to ensure effective co-ordination between the WEU and SAM teams and it has also discussed the funding of the operations. These discussions have enabled the Council to gauge problems which may recur in similar operations. The Presidency has regularly taken part in the Vienna meetings of the Sanctions Liaison Group.

The Council has also closely followed the conduct of the WEU/NATO combined operation Sharp Guard to strengthen the embargo in the Adriatic. Together with the NATO Council, it approved the rules of engagement and decided to task the military delegates to monitor the rotation of WEU personnel in the area.

As part of the mandate given by ministers to the Permanent Council on 19th May to study the possible participation of WEU member states in the protection of safe areas under United Nations mandate, the Council tasked the Planning Cell to make a weekly report on its activities in this field and to study the possibility of forming groups of multinational forces.

On 5th October 1993, the WEU Permanent Council examined the request made the day before in Luxembourg by the European Community ministers, to study, as regards the administration of Mostar, the support which WEU might give to the organisation of a police force and to improve a number of essential logistic functions, particularly in the medical field.

The Permanent Council decided to task a working group to study the feasibility of a WEU contribution.

The Mostar Working Group, which met for the first time on 7th October 1993, worked in close co-ordination with the other organisations active in planning the various forms of assistance to this region, including the European Community, the United Nations and NATO.

The Council also tasked the Planning Cell to continue its work and to provide all the necessary support to the Mostar Working Group. In addition, the Council agreed that WEU (Presidency, Secretariat and Planning Cell) could, at the invitation of the NATO Secretary-General, take part in the alliance's ad hoc Group on Planning Co-ordination.

The Council asked the Planning Cell, strengthened as necessary by experts, to draw up a

general action plan covering the conditions under which WEU member states might supply medical aid.

*(b) Relations with the countries of Central Europe*

On 25th October 1993, the first meeting took place of the Forum of Consultation Counsellors' Group since the group was set up by ministers on 20th May.

The group focused its discussions on two specific questions; preparing the agenda for the meeting of the Forum of Consultation at ambassadorial level and defining its rôle. It also prepared for the meetings of the Forum of Consultation at ambassadorial and ministerial level.

The meeting of the Forum of Consultation at ambassadorial level took place on 9th November in Brussels. Discussions centred on an enhanced status for the consultation partners, the expansion of activities and the arrangements for practical co-operation within the Forum.

The ambassadors decided to draw up a work programme for their meetings in the coming months, particularly with a view to the ministerial meeting in May 1994. They also exchanged views on the situation in former Yugoslavia and on the implications for European security of recent developments in Russia.

At the meeting of the Forum of Consultation Counsellors' Group on 6th December, the group commented on the text of the declaration issued by WEU ministers on 22nd November 1993, and more specifically, Section I, paragraph 5, which states:

"Ministers welcomed the Europe agreements recently concluded which provided the bases for increased co-operation geared to the objective of membership of the European Union opening, in turn, the perspective of membership of WEU. In this context, ministers requested the Permanent Council to reflect on an enhanced status and its content, including the Franco-German proposal of 12th November, for those consultation partners who had already concluded or would conclude a Europe agreement with the European Union. The Permanent Council should thus identify ways and modalities to allow those countries to participate to a larger extent in the activities of WEU and to be involved in initiatives and missions as envisaged in the Petersberg declaration."

The consultation partners welcomed this initiative with great interest. The discussions demonstrated their satisfaction with the prospects opened up by the conferring of an enhanced status and the expedited procedures for implementing

the declaration. The Counsellors' Group resolved to make an active contribution to the development of this process.

To enable the group to play its proper rôle until the May ministerial meeting, it decided to meet once a month, reserving the possibility to put forward or put back the date of meetings depending on circumstances. Henceforward, the agenda would include an item on WEU activities, particularly its relations with the European Union, NATO, the CSCE and the United Nations.

Several government representatives from the states of Central Europe also paid courtesy calls on the WEU headquarters: on 10th September, the Estonian Defence Minister, Mr. Juri Luik; on 4th November, the President of the Slovak Republic, Mr. Michel Kovac, accompanied by the Defence Minister, Mr. Imrich Andrejčack and, on 23rd November, the Lithuanian Defence Minister, Mr. Linas Linkevicius.

The Secretary-General visited Bratislava on 22nd and 23rd September and, during his visit, had talks with the President, Mr. Michel Kovac, the Prime Minister, Mr. V. Meciar and the Slovak Foreign Minister, Mr. J. Moravcik. He also visited Prague on 20th October and had talks with the Foreign Minister, Mr. Josef Zieleniec and the Defence Minister, Mr. Antonin Baudys.

The Institute for Security Studies continued to play an important rôle in WEU's contacts with the countries of Central Europe, particularly through the organisation of two seminars entitled "Building a new Europe – the security dimension" and "Security in the Southern Danube area and the construction of a new Europe". The Institute Director also had a visit from Mr. Valentin Aleksandrov, the Bulgarian Defence Minister.

Still under the heading of topical questions, the Council also monitored the work being done within the Atlantic Alliance and the CSCE.

## *II. Activities of the intergovernmental bodies*

### *(i) Council working groups*

At each of its meetings, the Council took note of the results of its working groups' activities since the previous meeting. The summary records were discussed as necessary.

### *(ii) WEU Institute for Security Studies (ISS)*

The Institute Director attended all those Council meetings where the agenda warranted his presence. The Institute's quarterly reports to the Council provided an opportunity for exchanges of view on the current work of the ISS.

*(iii) WEU Satellite Centre*

The Centre's Director attended all those Council meetings where the agenda warranted his presence. He regularly briefed the Council on the progress of the Centre's activities during its experimental period.

**III. Activities of the Special Working Group**

The group's activities were now structured on a thematic basis, and four topics were addressed in particular. Firstly, the rôle of WEU in peace-keeping on the basis of a discussion document put forward by the Italian Presidency. Once reworked to harmonise terminology and revised to take account of actual experience on the ground, this document was submitted as a presidency report to WEU ministers, who took due note.

Secondly, more detailed European thinking on an anti-missile defence system. Given the change of direction in American government policy, it was decided to stop using the term "GPS" in SWG documents and to take over the term "anti-missile defence" used by the Assembly. The group agreed that WEU should concentrate on the defence aspects, having regard to the work carried out in other bodies on non-proliferation. The group decided initially to recommend to the Council that a meeting of experts be held to prepare a risk analysis. The resulting document would then be submitted to the Special Working Group.

Thirdly, the group had a detailed exchange of views on the development of the European security and defence identity, principally with a view to the contribution which WEU could make to the preparation of the alliance summit. The Presidency reported on the SWG discussion to the Council, which drew conclusions as to the substance and form of a possible contribution to the alliance summit.

The group also addressed the problem of present and future relations between WEU and those countries of Central Europe which had concluded or will conclude association agreements with the Community and also between WEU and those countries applying to join the European Community, the concern here being to ensure consistency between the initiatives taken by WEU, the European Union and NATO towards the aforementioned countries.

**IV. Activities of the Defence Representatives Group**

In accordance with the mandate given to it by the Permanent Council, the Defence Representatives Group, in close co-operation with the Planning Cell, prepared a series of documents on:

- relations between WEU and the forces answerable to WEU (FAWEU);
- WEU humanitarian missions;
- WEU exercise policy;
- intelligence support to the WEU Planning Cell.

The document on relations between WEU and FAWEU, of which the Ministerial Council took note on 20th November, begins by defining the general rules and procedures in broad terms and the relations to be established between WEU and all forces answerable to WEU, whether national or multinational. It then addresses the specific relations with the multinational forces.

The document on humanitarian missions, which had been endorsed by the Chiefs of Defence Staff (CHODs), was approved by the Council. It contains an introductory note prepared by the DRG, defining in particular the basis for WEU involvement and the legal framework for humanitarian operations, and a more operational part prepared by the Planning Cell covering the three broad areas of action, namely, humanitarian assistance, refugee relief and disaster relief.

The directive on a WEU exercise policy, approved by the Council on a recommendation of the CHODs, concerns forces which may be made available to WEU. It highlights the political and military objectives of exercises and the importance of the principle of complementarity between WEU and NATO; it also specifies the rôle of the cell in the exercising of headquarters staff and forces.

The aim of the WEU exercise policy is to increase the ability of WEU in exercising appropriate capabilities to enable the deployment of WEU military units by land, sea or air to accomplish the tasks defined in the Petersberg declaration. These exercises will help to demonstrate the solidarity of member states and to enhance the organisation's credibility and profile on the international scene.

Lastly, the group, with the assistance of the cell, prepared a document on intelligence policy. This document was endorsed by the Chiefs of Defence Staff (CHODs) and approved by the Council. It defines the line of action to be taken on intelligence as well as the level and extent of the intelligence support that the Planning Cell needs to undertake its tasks.

Among the other specific tasks carried out by the group, mention should be made of:

- the preparation of the agenda for the Chiefs of Defence Staff meeting on 22nd October 1993;
- examination of the progress in the draft plan for air-maritime co-operation Com-

bined Endeavour to be submitted to the Chiefs of Defence Staff to enable them to complete their guidelines;

- an exchange of views on a study of crisis areas on Europe's periphery;
- examination of the follow-up to be given to the Ministerial Council of 22nd November as regards the Italian proposal to organise multinational land forces in the context of air-maritime co-operation, the list of FAWEU and the finalisation of the Planning Cell document on the operational aspects of peace-keeping.

#### ***V. Transfer to WEU of certain Eurogroup activities***

The transfer to WEU of EUROCOM activities, approved by the Council of Ministers at its meeting on 19th May 1993, took effect on 1st August 1993. A meeting of the "main group" took place in the WEU building on 4th-5th October attended by representatives of the thirteen member nations, the Secretary-General and the Planning Cell. An initial progress report was forwarded to the Permanent Council.

The transfer to WEU of publicity activities, approved by the Council of Ministers on 19th May 1993, took effect on 1st January 1994. The Council Working Group in its "at 13" configuration looks after these activities. Iceland and Ireland, as observers, will be kept fully informed.

The practical arrangements for transferring the EUROLOG and EUROLONGTERM activities to WEU were set out in a joint decision by the WEU Permanent Council and the Eurogroup Permanent Representatives. This decision calls in particular for the formulation of new terms of reference for each of the EUROLOG and EUROLONGTERM Steering Groups so that their activities may be adapted to WEU requirements. These transfers also took effect on 1st January 1994.

#### ***VI. Activities of the Planning Cell***

On 22nd June 1993, the Planning Cell moved to its final location within the WEU headquarters. The Planning Cell is now able to respond positively to Council requirements. Close links have been established with the Secretariat-General, with capitals, and most importantly with HQ NATO, the IMS and SHAPE. Thus the Planning Cell has been able to function positively and has become involved in different areas of WEU activity.

The work of the Planning Cell has centred on the following topics:

*List of FAWEU:* The Planning Cell was tasked to compile a list of forces answerable to WEU (FAWEU) from which appropriate force packages for use in future planning could be developed. On the basis of information forwarded by member states, the Planning Cell has begun to draft this list and has made the first technical contacts with the NATO bodies responsible for updating NATO's defence planning questionnaire.

In the case of France, which does not reply to the defence planning questionnaire, the Planning Cell has made contact with the competent staff in the Ministry of Defence.

*Maritime co-operation/Combined Endeavour:* This activity was based on an initiative of the Ministers of Defence of France, Italy and Spain to examine the possibility of promoting forms of maritime co-operation among WEU member countries. In October/November 1992, the CHODs and the ministers tasked the Planning Cell to take the work forward. The Planning Cell produced a draft which is now considered capable of fulfilling the ministerial mandate to promote WEU maritime co-operation. With its help, maritime forces can be generated and deployed, and maritime force packages can be identified for certain tasks.

Furthermore, it can be used in conjunction with any other plan involving maritime forces and in this capacity it can also be used as the starting mechanism for and the initial phase of any maritime exercise.

*Study on WEU strategic mobility requirements:* At the Council meeting on 27th April 1993, it was agreed that a WEU strategic mobility study (WSMS), under the aegis of the WEU/Planning Cell, should be initiated. The Franco/German study on European requirements for strategic mobility was to be used as a basis for further analysis. The aim of the WSMS is to evaluate the WEU movement and transportation requirements for strategic mobility for the mid-1990s period and beyond and, pending this evaluation, to elaborate a WEU strategic mobility concept complementary to and compatible with the NATO concept. The conclusions of the study will form the basis for the elaboration of the future WEU strategic mobility transport concept. The work is still in hand.

*Humanitarian, peace-keeping and peace-making operations* (The United Nations and NATO use the expression of peace-enforcement instead of peace-making): Work is in hand on the broad study of possible missions for WEU forces in the areas of humanitarian, peace-keeping and peace-making operations. With regard to WEU humanitarian missions and WEU involvement in peace-keeping missions, the Planning Cell has drawn up the initial drafts and contributed actively to the further development of these documents.

*Direct contribution to the DRG:* With regard to the documents on relations between WEU and the FAWEU, intelligence support to the WEU/Planning Cell and WEU exercise policy, the Planning Cell has also drawn up the initial drafts and contributed actively to their finalisation.

*Exercise activity:* In accordance with the WEU exercise policy, the Planning Cell has, since December, been in close liaison with the United Kingdom planning staff for exercise Purple Nova 1994, in which WEU will play a rôle.

*Studies on possible WEU participation in former Yugoslavia:* At the Council meeting on 6th July 1993, the Planning Cell was tasked to study the possibility of participation of the WEU member countries in the protection of safe areas. For that, a questionnaire was submitted to nations in order to find out which forces nations might be willing to provide. Most of the answers received were negative.

In the context of the protection of safe areas, the Planning Cell was also tasked to make a basic study on the possibility for the establishment of multinational formations. It is also in this context that, in anticipation of a probable request from the EC, the Council mandated the Planning Cell on 9th September 1993 to make a preliminary informal study on the problems arising from a possible EC administration rôle in the Mostar district, with emphasis on the restoration of normal living conditions in the city. A working session on the situation in Mostar was held with experts from capitals. A progress report was submitted to the Council, and its recommendations approved.

The Planning Cell continued its studies on the subject in co-ordination with NATO, the European Community Monitoring Mission (ECMM) and other organisations. A report was submitted to the Council for consideration on 5th October 1993 and thereafter the Planning Cell drew up a general plan of action on the conditions for any support that WEU might provide in the medical field. This work was submitted to the Council on 7th December 1993.

### ***VII. CFE Verification Experts and Open Skies Working Group***

1. The verification experts exchanged views on the opening of national inspection teams for CFE declared sites inspections. Referring to the positive experience with the deployment of such teams during the first year of the reduction period, they drew up a respective programme also for the second year of the reduction period.

The experts discussed a proposal made to partners to take part in certain member countries'

inspections within their group of states party. They also discussed the local training of inspectors from Central and Eastern Europe by inspectors from Western Europe; the countries which had already signed training agreements briefed their partners on the practical arrangements which had been adopted.

2. Over the last six months, the work of the Open Skies Working Group has progressed significantly. In the time under reference several WEU members have notified the Open Skies Treaty. A démarche was made to third parties with a view to their participation in a preliminary set of rules for the operation of a WEU pool of observation systems. Generally favourable replies were received from several states.

Furthermore, standing operating procedures applicable to the WEU group of states party were drawn up. Negotiations were at an advanced stage and would be concluded shortly.

Finally, the experts exchanged information on the development of observation systems in several WEU member countries on which satisfactory progress was being made.

### ***VIII. Activities of the Mediterranean Group***

The Mediterranean Group met once during the second half of 1993 on 20th December. At this meeting, the group made an initial assessment of the dialogue conducted with the Maghreb countries in 1993 pursuant to the Rome ministerial mandate, as confirmed by the Luxembourg declaration. It had an initial exchange of views on developing this dialogue in 1994.

As regards its future activities, the group stressed the need to compare its approach with that of the European Union and alliance bodies dealing with Mediterranean problems. On this basis, specific terms of reference would be drawn up for the group's work in 1994.

### ***IX. Activities of the Space Group***

(i) The group's meetings were mainly devoted to following progress with the setting-up of the Satellite Centre on the site and on the building provided by the Spanish Government at the Torrejón airbase. The group heard reports by the Director of the Satellite Centre on its recent activities.

A preliminary concept paper for the three-year experimental period was approved by the Council in July 1993. This paper describes how the WEU Council, WEU organs authorised by the Council and the governments of member states can task the Centre.

The Council and member states have already given the Centre a number of experimental tasks and prototype dossiers have been produced. This early exercising of the tasking mechanism is very valuable to the Centre as it sharply focuses the internal requirements for training and operating procedures.

The programme for the experimental phase of the Centre is now based on the assumption that ministers will be requested in November 1994 to make a decision concerning the future of the Centre.

The group also discussed the need for contacts between the Satellite Centre and NATO and the possibility of acquiring imagery commercially from new sources.

(ii) The group took stock of the progress of the main system feasibility study carried out by the industrial consortium led by DASA/Dornier. The study is in two phases: the first phase has shown a set of possible configurations of the system, whereas the second will give, for the most appropriate configurations, a detailed technical analysis and the associated costs. The industrial consortium finished its work on the second phase in December and presented the final results on 1st and 2nd December 1993 at WEU headquarters in Brussels. The feasibility study would end in March 1994, once it had been evaluated by the study management team.

The Space Group also reviewed the work likely to be done for the study management team during 1994 in the event of a decision by ministers at their spring 1994 meeting to proceed with Phase A development on a WEU earth observation system.

(iii) Lastly, the group discussed the regulations applying to future equipment procurement.

#### ***X. Activities of the Western European Armaments Group ("at 13")***

The WEAG National Armaments Directors met on 27th October 1993 in Brussels, for the first time at WEU headquarters. The defence ministers, for their part, met before the WEU Ministerial Council on 22nd November 1993 in Luxembourg, to examine WEAG's activities. The measures they agreed on were then adopted by the Council at 13.

#### ***Transfer to WEU of former-IEPG functions***

The second half of 1993 saw the continuation and implementation of the decision to transfer functions of the former IEPG (renamed WEAG) to WEU, in accordance with the guidelines approved by the thirteen defence ministers at their meeting in Rome on 19th May 1993.

It was thus decided to close the permanent secretariat, currently located in Lisbon, in spring 1994, and to establish in parallel, within the WEU Secretariat-General, an armaments secretariat working for the benefit of WEAG activities under the authority of the National Armaments Directors.

#### ***Current activities***

The three panels and the various working groups of the WEAG pursued their activities during the second half of 1993. The main results obtained during this period were the following:

– The signing on 27th October of a memorandum of understanding relating to the feasibility study on the future large aircraft (FLA) by the National Armaments Directors of France, Germany, Italy, Portugal, Spain and Turkey. This project is the result of discussions held in the framework of WEAG Panel I.

– The continuation of the EUCLID programme, with a growing number of research and technology projects (40 projects representing close on 280 million ecus have already been approved by WEAG Panel II; of these, 17 have contracts placed with industry). New research priority areas continue to be sought for EUCLID. Measures are being studied aimed at improving the effectiveness of this programme.

– WEAG Panel III is pursuing its work on the development of an open defence equipment market in Europe. It has drawn up measures and principles intended to enable developing defence industry countries to participate more fully in that market.

– The ad hoc Study Group on the European Armaments Agency has delivered a first report setting out the tasks that could be given to such an agency and the governing principles that could apply. The study is being carried out under the supervision of the National Armaments Directors and is, among other things, examining to what extent it might be possible to make European armaments co-operation more effective in individual areas, through a body having legal personality.

#### ***XI. Activities of the Agency for the Control of Armaments (ACA)***

The Agency for the Control of Armaments continued its residual tasks regarding the limitation of atomic, biological and chemical weapons at a level of activity corresponding to that obtaining at the time of the 1984 Rome declaration and in accordance with the procedures approved up to that point.

As regards atomic weapons, the ACA carries out no controls of these weapons.

As to biological weapons, all the member states decided to renew the lists in force of biological weapons subject to control. As in previous years, the ACA did not carry out any controls in this field.

In the field of chemical weapons, all the member states notified the agency of their agreement to renew the list in force of chemical equipment and products (chemical weapons) subject to control.

In accordance with the usual procedure, the agency asked the member states if there had been any effective production of chemical weapons on their mainland territory. All member states replied in the negative. No country reported that it held chemical weapons on the mainland of Europe.

In accordance with the usual procedure, four chemical factories were inspected as part of the "controls on the non-production of chemical weapons". In no case did the ACA find any evidence that the undertaking not to manufacture chemical weapons was being breached.

For 1993, the thirty-eighth year of controls carried out by the ACA, the legal sources used to justify the levels and control procedures were unchanged.

## ***XII. Activities of the WEU Institute for Security Studies***

In the period 1st July to 31st December 1993, the Institute organised three seminars: "Building a new Europe – the security dimension", attended by members of the Institute and former and present study-award holders from Central European countries; "Security in the southern Danube area and the construction of a new Europe" which was held in Sinaia (Romania) and "Islamic fundamentalism in southern Mediterranean countries and its implications for Western Europe". The Institute also organised a meeting of the Task Force on Russia and the CIS.

Two documents on *security in Central and Eastern Europe and the CSCM proposal in the light of the PLO-Israel agreement* were sent to the Council.

The Institute welcomed three new research fellows, Peter van Ham, Gabriel Munuera and Michel d'Oleon, for a period of three years and also three study-award holders, Luisa Vierucci, from the University of Florence, Sebastian

Bartsch from the Free University of Berlin, and Anthony Forster from Oxford University, who spent several weeks at the Institute.

Information and training meetings for Netherlands members of parliament, young diplomats from South Africa on the occasion of their visit to Paris – organised by the University of Birmingham – and defence attachés from embassies of member countries were held in Paris. Two conference series, one at Sofia, Bucharest and Bratislava, the other at Prague, Vilnius and Warsaw, were given by members of the research team.

The 1993 Institute prize was awarded to Luisa Vierucci for her study *WEU – a regional partner of the United Nations?* which the Institute decided to publish in Chaillot Papers No. 12. Also during this period, the Institute published Chaillot Papers No. 9, *Nationalism, internationalism and the European defence market*, by William Walker and Philip Gummett, Chaillot Papers No. 10, *Parameters of European security*, by Dieter Mahncke and Chaillot Papers No. 11, *War and peace: European conflict prevention*, by Lawrence Freedman, Pierre Hassner, Dieter Senghaas, Stefano Silvestri and Carlos Zaldivar, and edited by Nicole Gnesotto. Issue Number 10 of the *Newsletter* was also published in November 1993.

## ***XIII. Administrative questions***

During the second half of the year, the Council Working Group prepared the Permanent Council's decisions on the cost-sharing formula for budgetary contributions, the status of WEU staff in Brussels and the recruitment policy in the WEU ministerial organs. It also supervised the building alteration work at Rue de la Régence and the allocation and refurbishment of offices made available to national delegations.

Lastly, the Council Working Group, assisted by the Secretariat-General, monitored preparations for the inauguration of the WEU headquarters.

## ***XIV. Public Administration Committee***

Following the wish expressed by the Council Working Group at its meeting on 23rd September 1993 to wind up the activities of the Public Administration Committee within the WEU framework, this committee has not met since 25th March 1993.

## ANNEX 1

*Press release**WEU's rôle in former Yugoslavia**(5th October 1993)*

At its meeting on 5th October 1993, the WEU Permanent Council examined the request made in Luxembourg on 4th October by ministers of the Twelve to study, concerning the administration of Mostar, what support WEU could give in connection with the organisation of a police force and the improvement of some vital logistic functions, particularly in the medical field.

The Permanent Council had decided to respond positively to this request and has tasked a working group to study the contribution WEU could make. This group will meet at WEU headquarters on 7th October 1993 to consider the question with due regard to the work being done by other bodies.



*Relations between the Union and WEU*

*Annex IV of Chapter IV of the document  
on the implementation of the Maastricht Treaty,  
transmitted by the Council to the Assembly on 23rd March 1994*

1. WEU is an integral part of the development of the Union: the establishment of a close co-operation between the two entities is therefore of fundamental importance to the development of a common foreign and security policy. The Union may, at the level of its Council, request WEU to elaborate and implement decisions and actions which have defence implications in the following kind of situations. These, while normally implying the use of military personnel, may include the use of other means. The following examples should only be considered as indicative and non-exhaustive:

- the security interests of the Union are directly concerned;
- the Union is politically and economically involved in a specific crisis or conflict and acknowledges that additional WEU support is necessary (military observers, cease-fire, peace-keeping, sanctions-monitoring and peace-enforcement);
- the Union is asked by the United Nations/CSCE to make a contribution and it comes to the conclusion that WEU, in a cohesive division of labour, could make a specific contribution;
- humanitarian efforts need logistical support.

2. Once the European Union has requested WEU to elaborate and implement its decisions and actions with defence implications, WEU will take on the request in accordance with the decision-making procedures of that organisation, and will carry out all actions concerning such a request in a manner that is fully coherent with the overall policy established by the European Union.

Special attention will be required when the request to WEU is part of a broader action which the Union itself will continue to conduct.

In this case mutual information and consultation procedures will ensure the coherence of the action as a whole, whilst ensuring that WEU take in an autonomous way the operational decisions, including military planning, rules of engagement, command structures, deployment and withdrawal.

3. In order to ensure close co-operation between WEU and the European Union, the following measures will be implemented from the date of entry into force of the Maastricht Treaty:

3.1. Co-operation between presidencies and harmonisation of their duration

The Presidency of WEU will continuously inform CFSP bodies about ongoing work within WEU which is relevant to the Union. The Presidency of the Council will inform, on a regular basis, competent WEU bodies of the work undertaken by the Union which is relevant to WEU, in particular in areas where WEU could be invited to elaborate and implement decisions of the Union which have defence implications.

The two Presidencies will co-operate closely in order to ensure the consistency and the efficiency of the work relevant to both organisations.

To facilitate the envisaged harmonisation of presidencies, the Union suggests that WEU reflect on the reduction of its Presidency's term of office to six months.

3.2. Co-operation between the General Secretariat of the Council and the General Secretariat of Western European Union

The Secretary-General of the Council will ensure that the Secretary-General of WEU is kept timely and fully informed on developments of the CFSP, in particular in areas where WEU could be invited to elaborate and implement decisions of the Union which have defence implications as well as in areas where complementary or similar activities are being carried out by the Union and by WEU. Similarly, the Secretary-General of WEU will keep the Secretary-General of the Council punctually and fully informed of any activities of WEU which are relevant to the Union, including the development of contingency planning for implementing measures in areas where the Union might call for such action.

The collaboration includes the exchange of written material in the relevant areas. This covers documents as well as exchanges over the WEUCOM and COREU networks. The two secretariats will establish the necessary practical arrangements in this regard and ensure that the security classifications and provisions of the two organisations are respected in the handling of such documents.

The collaboration includes cross-participation of collaborators from the two secretariats in relevant meetings in the two organisations according to decisions taken on a case-by-case basis, after consultation of the two Presidencies at the appropriate level. This applies to meetings at working group level, as well as with regard to relevant agenda points in meetings at ambassadorial level and at ministerial level. The two secretariats will keep each other informed about the agendas for all relevant meetings. The collaborators in question will be seated in the delegation of the Presidency-in-Office of the organisation they represent.

**3.3. Arrangements for appropriate modalities to ensure that the Commission of the European Communities is regularly informed and, as appropriate, consulted on WEU activities**

The information and, as appropriate, the consultation of the Commission on WEU activities should take place through regular contacts between the Commission and the WEU Presidency, on the one side, and between the Commission and the Secretary-General of WEU, on the other side.

The WEU Secretariat will forward WEU written material to the Commission, in which the Commission has an interest by virtue of its responsibilities in implementing policies of the European Union and whenever WEU is dealing with matters relating to the Commission's responsibilities under the Treaty on European Union. Similarly, the Commission will forward documents to WEU in all relevant areas.

The Presidency will represent the European Union at WEU meetings. It is understood that the Presidency will include representatives of the Commission in its delegation, whenever WEU is dealing with matters relating to the Commission's responsibilities under the treaty.

**3.4. Synchronisation of dates and venues of meetings**

The two organisations, at the level of the Presidency and the Secretariats, will whenever possible consult each other before finalising plans for meetings at ministerial level or meetings of relevant working groups with a view to establishing the greatest possible synchronisation of dates and venues of meetings. This applies in particular to situations where successive decisions of the Union and WEU are called for.

The two Secretariats will make the necessary practical arrangements to provide appropriate meeting facilities whenever successive meetings of the two organisations on the same day and in the same place are called for practical or operational reasons.

*Action by the Presidential Committee*

*Texts adopted by the Presidential Committee  
during the second part of the thirty-ninth session of the Assembly*

*Declaration on the situation in former Yugoslavia*

*Paris, 14th February 1994*

The Presidential Committee, appalled at the massacre perpetrated in the market place of Sarajevo on Saturday, 5th February 1994, approves the decision taken by the North Atlantic Council at its meeting on 9th February 1994.

The committee wishes all these decisions, intended to put an end to the siege of Sarajevo, to be implemented without hesitation and fully supports any measures that may contribute to this objective.

The committee recalls that the lifting of the siege of Sarajevo is only one step towards a negotiated settlement of the conflict in Bosnia and wishes the cease-fire to be extended as soon as possible to other parts of Bosnia defined by the United Nations as zones of protection.

It also recalls Recommendation 525, adopted by the Standing Committee of the Assembly on 3rd September 1992.

The committee wishes the political settlement that must follow the cease-fire to conform to the various resolutions voted by the United Nations Security Council.

It pays tribute in particular to the courage of the United Nations forces ("blue berets") who are engaged in a difficult peace-keeping mission where already severe losses have been sustained.

The Presidential Committee has decided to meet as soon as possible after 21st February 1994.

*Declaration on the embargo against the former Yugoslav  
Republic of Macedonia (FYROM)*

*Paris, 28th February 1994*

Meeting in Paris on 28th February 1994, the Presidential Committee of the WEU Assembly is seriously concerned about the partial trade embargo by Greece against the former Yugoslav Republic of Macedonia (FYROM), which could provoke undesirable consequences for peace and stability in the Balkans.

It strongly supports the European Union's mediation effort to urge Greece and Macedonia to resume negotiations over their present dispute.

It welcomes the initiatives taken by Italy, Bulgaria and Albania to help the FYROM overcome the serious problems caused by the Greek trade embargo.

The Presidential Committee looks forward to discussing these important issues in detail with the Greek authorities during its official visit from 14th-18th March 1994.

*Declaration on the situation in Bosnia-Herzegovina*

*Paris, 28th February 1994*

Meeting in Paris on 28th February 1994, the Presidential Committee of the WEU Assembly welcomes the decisions taken by the North Atlantic Council on 9th February 1994 and NATO's resolve in continuing to verify compliance with the agreements to which the parties to the conflict in Bosnia-Herzegovina have subscribed and in maintaining close air support to protect UNPROFOR in carrying out its mission.

It appreciates in particular the efforts of the Russian Federation, which has concluded negotiations with one of the parties to the conflict, and its military presence in the Sarajevo area, in agreement with the United Nations.

The Presidential Committee notes, however, that the North Atlantic Council's courageous decision could be implemented only thanks to a tacit agreement between Russia and the United States under United Nations' auspices and regrets that it was not possible for there to be prior consultation with the Central European countries, whose close co-operation is vital to the conduct of any United Nations' policy in former Yugoslavia.

Leading on from the positive development of the situation in Sarajevo, it is now necessary to apply the same policy to other threatened areas in Bosnia: Mostar, Srebrenica and Tuzla to mention but a few, by providing UNPROFOR with sufficient additional troops to enable it to carry out its mission of controlling armaments.

It should be stressed once again that any effort to stop the shelling and fighting can be regarded only as a first step, the final aim being a negotiated, lasting settlement similar to the European action plan of 22nd November 1993, on bases acceptable to all parties involved and negotiated in due form in Geneva.

WEU and NATO member countries should make all necessary preparations so as to be able to contribute military forces to the substantial peace-keeping force that will be required to ensure the implementation of a peace agreement in Bosnia-Herzegovina.

*Parliamentary co-operation with the countries  
of the WEU Forum of Consultation*

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

*submitted on behalf of the Committee for Parliamentary and Public Relations* <sup>2</sup>  
*by Sir Russell Johnston, Rapporteur*

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Tummers (Alternate: *Eisma*) Chairman; Mrs Fischer, Sir John Hunt (Vice-Chairmen); MM. Amaral, Birraux, Bonrepaux, Bühler, Caldoro (Alternate: *Paire*), Colombo, Decagny, Sir Anthony Durant, Mrs Err, MM. Eversdijk, Ghesquière, Dr. Godman, Mr. Gouteyron, Sir *Russell Johnston*, MM. Kempinaire, Martins, *Pfuhl*, Reimann, Robles Fraga (Alternate: *Ramirez Peri*), Rodotà, Sainz Garcia, Mrs. Sanchez de Miguel, Mr. Tabladini.

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

*Draft Order*

*on parliamentary co-operation with the countries of the WEU Forum of Consultation*

The Assembly,

- (i) Recalling Order 86 instructing the Presidential Committee:
  - (a) to encourage visits by Assembly committees to Central European countries, particularly when they prepare reports concerning that region;
  - (b) to promote the Assembly's participation in symposia and any other type of meeting at which parliamentarians are present that might be organised by those countries;
  - (c) to send Assembly documentation and other publications to the largest possible number of interested persons and institutions in Central European countries;
  - (d) to arrange for parliaments, governments and specialised institutions and associations in those countries to send the Assembly any documents and information they consider useful in order to ensure a better knowledge and greater understanding of their opinions, aims and decisions;
- (ii) Stressing the importance of the maintenance and development of relations with the parliaments of the countries of the Forum of Consultation;
- (iii) Conscious of the economic difficulties faced by these countries which are hindering more active co-operation with the WEU Assembly;
- (iv) Considering that more intensive co-operation between the WEU Assembly and the Central European parliaments constitutes an important element in the process of integration of these countries in the structures of European political and defence co-operation,

**INSTRUCTS ITS COMMITTEE ON BUDGETARY AFFAIRS AND ADMINISTRATION**

To include in the Assembly's budget for the 1995 financial year a provision for setting up an Assembly support fund for parliamentary co-operation work with the countries of the WEU Forum of Consultation.

### ***Draft Recommendation***

#### ***on parliamentary co-operation with the countries of the WEU Forum of Consultation***

The Assembly,

- (i) Recalling Recommendations 528, 547 and 548 requesting the Council to:
- (a) fulfil the expectations of the Central European states by regular and relevant dialogue, duly organising discussions on topical questions, and including the states of Central Europe in appropriate seminars to provide an opportunity for debate on subjects of mutual interest;
  - (b) ensure that consultations held with the Central European states at Ministerial Council and WEU Permanent Council/Ambassador level and meetings of senior officials or seminars organised by the Institute for Security Studies are included in the annual report to the Assembly;
  - (c) establish WEU information points in the capitals of the Central European states;
  - (d) develop WEU's relations with the countries of the Forum of Consultation by seeking greater cohesion with the work of the European Union in Central and Eastern Europe and intensify the work of the Forum of Consultation giving it a structured programme of work, encompassing, inter alia, joint development of risk and threat assessment;
- (ii) Stressing the importance for peace and stability in Europe of the consolidation of democratic structures and the success of economic reforms in the countries of the WEU Forum of Consultation;
- (iii) Warmly welcoming the Council's decisions to associate the consultation partners more closely in the work of WEU;
- (iv) Welcoming the signature by several countries, members of the Forum of Consultation, of Europe agreements with the European Union and wishing all members of the Forum of Consultation to become party to such agreements;
- (v) Stressing the importance, repeatedly confirmed in the Council's declarations, of the development of relations and co-operation between the WEU Assembly and the parliaments of the member states of the Forum of Consultation with a view to integrating these countries into European political and security structures,

#### RECOMMENDS THAT THE COUNCIL

1. Keep the Assembly regularly informed on the activities of the Forum of Consultation and of decisions taken at meetings of the latter at ministerial and Permanent Council level and in the Counsellors' Group;
2. Invite the Assembly to participate on a regular basis in symposia and seminars on subjects of common interest to WEU and the Forum of Consultation, organised by WEU or by the Institute for Security Studies;
3. Ensure that the Assembly has adequate means to develop relations and co-operation with the states of the Forum of Consultation, in accordance with the Council's own expressed wish.

## *Explanatory Memorandum*

*(submitted by Sir Russell Johnston, Rapporteur)*

### *I. Introduction*

1. The recent NATO summit meeting held in Brussels on 10th and 11th January 1994 devoted much of its work to the development of relations between NATO and the states of Central and Eastern Europe.

2. The adoption of the partnership for peace programme made it possible to progress from informal contacts and exchanges of views to firm co-operation in a very sensitive area for the states of Central and Eastern Europe, i.e. that of defence and security.

3. Over and above the politico-military aspects of this programme and the questions it raises regarding its practical application and the consequences for the geopolitical balance in the region – some states considered this to be a first step towards joining NATO in the medium term, others believed it fell short of expectations – the adoption of this document shows that the politico-military situation in this part of the continent is still unstable and the end of the cold war has not put an end to tension in the area.

4. Political differences, armed conflict, ethnic fighting, civil war, internal instability and difficulties encountered in applying economic reforms, all these events help to prevent the creation of a stable and prosperous regional environment in which co-operation and diplomacy would replace distrust and hostility.

5. It is with a view to helping countries to overcome their fears and foster co-operation in security and defence matters that NATO decided in Rome on 8th November 1991 to create the North Atlantic Co-operation Council (NACC) and the WEU Council decided at the Petersberg meeting of its Council of Ministers on 19th June 1992 to create the Forum of Consultation destined to promote contacts between the countries of Central Europe (Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia) and WEU.

6. Among the various decisions reached at the meeting of the Council of Ministers with the states of Central Europe, one concerned the WEU Assembly directly, to quote the words of paragraph 8 of the declaration issued after that meeting: "Ministers advocated the development of relations between the WEU Assembly and the parliaments of the states concerned". This ques-

tion has already been the subject of a report from this committee presented at the June 1993 session<sup>1</sup>.

7. The reference to parliamentary co-operation is of particular importance here because it is a matter often forgotten when tackling the question of co-operation with the states of Central Europe. In the countries concerned, parliament plays a primordial rôle in reaching political decisions, sometimes to a far greater extent than that played by parliaments in the countries of Western Europe.

8. Furthermore, the party system and the instability of political alliances which constitute the basis of government in several countries give parliaments a right to know and to join in decisions which is far from negligible with regard to the political options of governments in every field of activity. Hence the need for developing co-operation with the parliaments of Central Europe in the various areas of parliamentary activity, be it at the level of exchanging information or of technical assistance (training of officials in parliaments, introduction of communications networks and the exchange of data).

9. This helps to improve the working of parliamentary institutions and consequently the stability of democratic institutions in the countries concerned. Furthermore, the exchange of information fosters better understanding of situations and problems specific to each country and each area in important matters such as foreign policy, defence and security, since the parliaments echo the various national political feelings which at any time may influence the direction of state affairs.

10. Today, parliamentary co-operation is a responsibility of the national parliaments which act in accordance with national priorities leading towards contacts with one parliament or another depending on the views held regarding the countries concerned. Various institutions handle these questions at European level, from the WEU Assembly to the parliamentary Assembly of the CSCE, according to the possibilities and aims of each one.

11. While approaches may diverge in regard to substance and form, the fact remains that parliamentary co-operation with the countries of Central Europe helps to create an atmosphere of

<sup>1</sup> The development of relations between the WEU Assembly and the parliaments of Central European countries, Document 1365, Rapporteur: Mr. Kempinaire.



confidence and understanding, promoting a feeling of security in the region and giving it, in part, the stability it needs for prosperous and peaceful development.

## *II. The WEU Forum of Consultation: aims and prospects*

12. Created in June 1992 at the meeting of the WEU Council of Ministers at Petersberg in Germany, the WEU Forum of Consultation seems to be the practical consequence of the decision taken at the meeting of the Council in Brussels on 23rd April 1990<sup>2</sup>.

13. According to paragraph 8 of the communiqué issued after that meeting, "Ministers agreed on the opportuneness of establishing contacts for two-way information with the democratically-elected governments in Central and Eastern Europe... Ministers recognised that, by virtue of its activities, the parliamentary Assembly of WEU has an important rôle to play in opening up contacts between the countries of Central and Eastern Europe."

14. Two years later, and in an attempt to respond more specifically to the concern shown by the countries of Central Europe in regard to an increasingly unstable regional environment (war in former Yugoslavia, fighting in the Caucasus, differences between Russia and Ukraine concerning nuclear weapons and the Black Sea fleet, political instability in Russia), the WEU Council of Ministers decided, at a meeting with states of Central Europe, that "a Forum of Consultation will be established between the WEU Permanent Council and the ambassadors of the countries concerned. It will meet at the seat of the WEU Council at least twice a year."<sup>3</sup>

15. After Petersberg, there came a stage of contacts for information purposes and contacts of a political nature concerning questions of defence and security between WEU and the countries of Central Europe set in the broader context of developing the common foreign and security policy (CFSP) and logically following the building of the European Union in accordance with the principles laid down in the Maastricht Treaty with which WEU is associated<sup>4</sup>.

2. Document 1352, "Information letter on the activities of the intergovernmental organs, Annex V, chronology of main decisions and activities concerning WEU's relations with countries of Central Europe up to October 1992.

3. Document 1322, Extraordinary meeting of the WEU Council of Ministers with states of Central Europe, Bonn, 19th June 1992, paragraph 7 (2).

4. Document 1315, Annex 3, Declaration of the member states of WEU on the rôle of Western European Union and its relations with the European Union and with the Atlantic Alliance; Maastricht, 10th December 1992.

16. Today, following the NATO summit meeting and decisions regarding the partnership for peace programme, the Forum of Consultation has been confirmed as the point of political contact between the states of Central Europe and WEU and through this organisation between these states and the European Union in security and defence matters.

(i) *The Forum of Consultation, structure of political contacts on defence and security questions with the states of Central Europe*

17. Paragraphs 5 and 6 of the declaration issued after the meeting of the Council with the states of Central Europe in Bonn on 19th June 1992 defined fairly clearly the framework in which the Forum of Consultation acts as a structure for political contacts with the states concerned, WEU and the European Union:

– paragraph 5: The enhancement of WEU's relations with the states of Central Europe "should reflect the specific relations which exist and are developing between these countries and the European Union and its member states. Other appropriate forms of co-operation could be set up as required in the light of the development of these relations."

– paragraph 6: "Ministers had a detailed exchange of views on the development of co-operation between WEU and these states [of Central Europe]. They agreed to strengthen existing relations by structuring the dialogue, consultations and co-operation."

18. "The focus of consultations will be the security architecture and stability in Europe, the future development of the CSCE, arms control and disarmament... Developments in Europe and neighbouring regions will be of particular interest to the participants."

19. "In this way, WEU's Central European partners will be able to acquaint themselves with the future security and defence policy of the European Union and find new opportunities to co-operate with the defence component of the Union and with the European pillar of the Atlantic Alliance as these develop."

20. Unlike NACC, which has become the framework for an exchange of information between the members of NATO and all the countries of Central and Eastern Europe (including the new states of Central Asia emerging from the former USSR), the Forum of Consultation, by turning only to the countries of Central Europe, gives preference to political co-operation and, in the last resort, integration, by associating these countries with the process of developing the European Union.

21. This nevertheless remains a long-term project even if the adoption of the NATO partnership for peace programme may result in the countries of Central Europe showing greater interest in the Forum.

22. In fact, the countries of Central Europe are trying, each in its own way, to integrate, to the best of their ability, in the structures of the West which they feel offer them the best guarantees for their security and development: NATO and the European Union.

23. Where NATO is concerned, enlargement in the direction of the countries of Central Europe has been adjourned in favour of a programme of contacts and military exchanges (joint manoeuvres, establishment of joint military procedures, transparency of defence budgets, etc.) i.e. the partnership for peace. While marking a considerable step forward compared with NACC, the new programme fell short of the expectations of some countries and in particular the Visegrad group (the Czech Republic, Hungary, Poland and Slovakia). In addition, the cost of taking part in partnership activities has to be borne by each state, which is a handicap for countries experiencing economic difficulties.

24. In its approach to the countries of Central Europe, the European Union elected to follow the course of association agreements, known as Europe agreements<sup>5</sup>. These are agreements for associating each country in the region with the European Union, particularly in the economic field. They include political aspects, however, which are worthy of attention.

25. The first five articles of each Europe agreement<sup>6</sup> are mainly concerned with political co-operation in the framework of the association thus formed.

- Article 1 defines the aims of the association as being to create the framework for the political dialogue between the parties in order to allow the development of close political relations [Article 1 (1)] and to establish new political and practical rules capable of forming the basis for the integration (of the country concerned by the agreement) with the European Union [Article 1 (4)].

- Articles 2, 3, 4 and 5 concern the political dialogue:

- (a) Article 2 stipulates that the political component and the economic component of the agreement are closely linked and

5. The Europe agreements with Hungary and Poland came into force on 1st February 1994. The general and political provisions are similar in the two texts. Agreement with Romania is in the process of ratification.

6. For example, the Europe agreement with Hungary.

constitute complementary elements of the association; the purpose of these components is to promote mutual understanding and the rapprochement of positions on international questions; they will help to harmonise positions on security matters and will strengthen security and stability in Europe [Articles 2 (1), 2 and 4].

- (b) Article 3 establishes a council of association at ministerial level, which is responsible for examining all questions the contracting parties may submit to it [Article 3 (2)].

- (c) Article 4 concerns the machinery for the various forms of political dialogue: contacts at the highest level, between senior officials, within multilateral authorities (UN, CSCE, for example), through the exchange of information on European political co-operation and on the policy of the country concerned by the agreement, etc.

- (d) Article 5 establishes a parliamentary committee of association composed of members of the European Parliament and of the parliament of the associated country. This committee is responsible for the political dialogue between parliaments.

26. Association involves a ten-year transitional period, divided into two successive parts of five years. The first part starts on the date of entry into force of the agreement. Although these agreements do not fix a date for possible accession to European Union, they pave the way for the development of political contacts on economic questions and also questions of European common foreign and security policy (CFSP). The political provisions of the Europe agreements concord with the terms of paragraph 6 of the statement made following the meeting of the WEU Council of Ministers with countries of Central Europe in Bonn on 19th June 1992.

27. The NATO summit meeting and the adoption of the partnership for peace programme give the impression that the sharing out of tasks would tend to favour the countries of Central Europe. The European Union handles economic questions and foreign policy and security matters; NATO politico-military co-operation in the widest sense<sup>7</sup>; and WEU, through the Forum of Consultation, questions of European defence.

28. Due to its dual identity as defence component of the European Union and European pillar

7. It should even so be noted that NACC and the partnership for peace programme concern all the countries of Central and Eastern Europe, including Russia, which inevitably raises problems with the Baltic countries and those of Central Europe.

of the alliance, WEU is in a pivotal position between the countries of Central Europe on the one hand, the European Union and NATO on the other, the Forum of Consultation being the point of contact between the parties concerned<sup>8</sup>.

(ii) *Present position and future prospects*

29. Two years is too short a time to be able to pass judgment on the working of the Forum. Through its work, however, and the decisions taken by the Council of Ministers in that respect, a brief review may be made in an attempt to determine what its future development may be.

30. The first meeting of the Forum of Consultation between the members of the Permanent Council of WEU and the heads of diplomatic missions of the countries of Central Europe in London was held in that city on 14th October 1992<sup>9</sup>. The communiqué<sup>10</sup> issued after that meeting was brief, emphasising that this was the first meeting of the WEU Forum of Consultation and an exchange of views was held on questions of common concern. The information letter on the activities of the intergovernmental organs of WEU for the period 20th June – 19th November 1992<sup>11</sup> refers briefly to the meeting, specifying that the questions discussed included the development of the CSCE, the withdrawal of Russian troops from the Baltic countries and the conflicts in former Yugoslavia.

31. The second meeting of the Forum was held in Brussels on 20th April 1993 at ambassadorial level. This meeting was set in the framework of preparation for the meeting of the Forum of Consultation at ministerial level in Rome on 20th May. According to information provided by the Council<sup>12</sup>, discussions were held on the development of relations between WEU and its consultation partners, the situation in former Yugoslavia and the questions the ministers might discuss in Rome.

32. In Rome on 20th May, the first meeting was held at ministerial level between the enlarged WEU Council including, in addition to the nine members, Greece (future member), Iceland, Norway, Turkey (associate members), Denmark and

8. WEU's selective approach to the countries of Central Europe and the Baltic states alone may in the long run become more reassuring for them than the NACC framework.

9. London was then the seat of the Secretariat of the Council before it was transferred to Brussels in 1993.

10. Document 1335, Meeting of the WEU Permanent Council at ambassadorial level with colleagues of eight Central and Eastern European countries, London, 14th October 1992.

11. Document 1352, Information letter on the activities of the intergovernmental organs of WEU (20th June – 19th November 1992), 24th November 1992.

12. Document 1397, First part of the thirty-ninth annual report of the Council (1st January – 30th June 1993), 12th November 1993.

Ireland (observers) and the countries of Central Europe.

33. The ministers decided<sup>13</sup> that the term "WEU Forum of Consultation" would henceforth be extended to their annual meetings, the countries of Central Europe having become "consultation partners" (paragraph 2). The meeting also tackled the question of the situation in former Yugoslavia, questions of joint interest and the withdrawal of Russian troops from the Baltic countries. The communiqué issued after the meeting gave a few details about the working and aims of the Forum in paragraphs 7, 8 and 9.

– paragraph 7: "... Ministers agreed that the political dialogue within the Forum of Consultation should contribute towards gaining a clearer perception of the rôle of WEU in the development of the security and the defence policy of the future European Union and should provide a framework in which security and defence issues of common concern could be discussed so as to take account of each other's views in wider fora without duplicating the co-operation in the Atlantic framework. The development of WEU's relations with its consultation partners would continue to reflect increasingly close relations between the countries of Central Europe and the future European Union and its member states ..."

– paragraph 8: Ministers decided ... "to explore and promote the possibilities for co-operating between WEU and its consultation partners in particular in the fields of conflict-prevention, crisis-management, peace-keeping and the implementation of the CSE and the Open Skies Treaties.

In particular, ministers stressed the value of an exchange of views on peace-keeping ..."

– paragraph 9: ... "Ministers agreed on the setting up of a Counsellor's Group in Brussels composed of senior representatives in the delegations of the WEU countries and the embassy counsellors of the consultation partners. This group, which would meet at least three or four times a year, would hold more detailed exchanges of view and prepare the meetings of the Forum of Consultation."

34. On reading these three paragraphs in parallel with later events, a few conclusions may be

13. Document A/WEU/DG (93) 14, Communiqué issued by the Council of Ministers and the Forum of Consultation of WEU, Rome, 19th and 20th May 1993.

drawn about the rôle and prospects of the Forum of Consultation.

35. Paragraph 7 takes up the terms of paragraphs 5 and 6 of the declaration issued after the meeting in Bonn on 19th June 1992. The development of relations with the consultation partners is now set unambiguously in the framework of working out the security and defence policy of the European Union (one might also add the foreign policy), for which policy WEU is the operational body, the decision-making body being the Council of Ministers of the European Union<sup>14</sup>.

36. The desire to avoid duplicating co-operation in the Atlantic framework concerned above all the activities developed in the framework of NACC. In the details of co-operation with consultation partners (paragraph 8) reference is twice made however to the maintenance of peace as an area of special interest whereas in NACC there is already an active ad hoc group on questions of peace-keeping<sup>15</sup>. Another more recent consequence of this reference to duplication is that with the adoption of NATO's partnership for peace programme, military co-operation with the countries of Central Europe logically becomes the task of that organisation, whereas it might be one of the tasks of WEU's military Planning Cell.

37. By declaring that the development of WEU's relations with consultation partners is linked to that of their relations with the European Union and its members, the ministers seemed to be establishing a kind of à la carte partnership depending on the status a given country has with the European Union and also in relation to the national approaches of the WEU member states towards one or other country of Central Europe. In practice, that seems to be the case as may be seen from co-operation in the framework of supervising the United Nations embargo on former Yugoslavia and the Franco-German-Polish proposal of 12th November 1993.

38. At the extraordinary meeting of the Council of Ministers in Luxembourg on 5th April 1993, it was decided to afford assistance to Bulgaria, Hungary and Romania for organising customs and police operations on the Danube in order to improve enforcement of the United Nations embargo. Memoranda of understanding were signed with these states on 20th May 1993 during

14. This evolution, which started with the signing of the Maastricht Treaty is confirmed by the Petersberg declaration which defines WEU as the defence component of the European Union, may raise problems in terms of operational efficiency due to the enlargement of the Union without first laying down the basic principles of a common foreign, security and defence policy.

15. Document 1387, WEU's relations with Central and Eastern European countries, Rapporteur: Mr. Wintgens, Belgium, also drew attention to this aspect of duplication (paragraph 6).

the Rome meetings and the operation was started on 18th June. The mission involves some 240 personnel from seven WEU member states and seven patrol boats from three member states<sup>16</sup>. The Forum of Consultation was not involved in the negotiations although it would have been logical for co-operation with the Danube states to have been worked out in that body.

39. On 12th November 1993, the Ministers for Foreign Affairs of Germany, France and Poland, meeting in Warsaw, issued a declaration, paragraph 4.2 of which states:

"Given the new framework provided by ratification of the treaty on European Union, we hope to see WEU adopt an association status that should be open to the partners in the consultation that have already signed an association agreement with the European Union and, when the time comes, to those that will have signed such an agreement. Association status would make broad participation in WEU activities possible."

40. This proposal was taken up at the meeting of the Council of Ministers in Luxembourg on 22nd November 1993: "Ministers requested the Council to reflect on an enhanced status and its content, including the Franco-German proposal<sup>17</sup> of 12th November, for those consultation partners who had already concluded or would conclude a Europe agreement with the European Union. The Permanent Council should thus identify ways and modalities to allow those countries to participate to a larger extent in the activities of WEU and to be involved in initiatives and missions as envisaged in the Petersberg declaration."<sup>18</sup>

41. While this initiative seems logical and even a qualitative step forward in relations with the countries of Central Europe, it nevertheless gives the impression that there is a tendency towards an à la carte Forum of Consultation. Indeed, while the enhanced status may satisfy for the time being the countries that have signed the Europe agreements (the Visegrad Group plus Bulgaria and Romania), it may leave outside in the medium term the Baltic countries that have not yet signed agreements of the same type but whose security problems are more acute than those of other Forum partners. Furthermore, the Prime Minister of Turkey, Mrs. Tansu Ciller, has already stated that "If some Eastern European countries are to

16. Document 1402, Communication from the Chairman-in-Office of the Council, Luxembourg, 23rd November 1993.

17. It is to be noted that the Warsaw declaration was also co-signed by Poland.

18. Document 1401, Declaration by the WEU Council of Ministers, I, paragraph 5, Luxembourg, 22nd November 1993.

gain a status approaching WEU membership ..., then Turkey's status must be changed."<sup>19</sup>

42. The question of military co-operation is not mentioned in the texts quoted. Apart from the framework of the partnership for peace, the initiative is left, for the time being, to the member states of WEU. Thus, in 1994, the Czech Republic will take part in joint military exercises with France and the Netherlands<sup>20</sup>. It would be desirable for the enhanced status in future to include the development of this kind of exercises but in the framework of the activities of the Forum and co-ordinated by the military Planning Cell.

43. The meeting of the Forum of Consultation at ministerial level in Luxembourg on 10th May 1994 will be devoted mainly to discussion of the enhanced status and consolidation of the political and security dialogue with the consultation partners. Qualitative changes and details about the aims of the Forum are necessary if it is to be able to play a more active rôle in developing a policy of stability and security in Europe. Together with political and security matters, it will be necessary to integrate in the texts to be adopted a reference to parliamentary co-operation with the consultation partners. On defence and security questions, the WEU Assembly should play an essential rôle in the framework of parliamentary co-operation in co-ordination with other European parliamentary institutions and national parliaments.

### *III. Parliamentary co-operation with the countries of the WEU Forum of Consultation*

44. Co-operation with the new parliaments of Central Europe might seem a secondary issue when compared to the problems the region is currently experiencing and which political, economic and defence co-operation seeks to address with a greater or lesser degree of success. Nevertheless, the development of interparliamentary contacts is an essential component of the dialogue, at every level, with the Central European countries.

45. Such co-operation can take various forms, from basic information exchange to training the staff of parliament secretariats; it may take place in a bilateral framework between parliaments or in the wider context of international assemblies whose members are parliamentary representatives of different countries.

46. The links established with the parliaments of Central Europe contribute to a better perception of their problems and have the advantage of involving the various political forces in the countries of

the region, both government and opposition, in the dialogue, which political co-operation between states does not always permit. However, in order to be effective, co-operation with the parliaments of the consultation partners should be more than a simple exchange of documents, information and visits; it should have practical outcomes, not merely for the parliaments themselves, but also beyond the parliamentary framework in the political, economic and defence spheres.

47. The development of links between parliaments facilitates dialogue and exchanges of views on the problems of the region and on the solutions that might be envisaged in all of the above areas. By strengthening parliamentary links, significant contribution can be made towards enabling the Central European countries become rooted in a European environment, for the most part constructed by the member states of the European Union and other European institutions. This is a process of mutual enrichment that can considerably strengthen the stability of the continent and co-operation at every level.

#### *(i) National parliamentary co-operation*

48. The national parliaments, through their activities directed towards the Central European countries, are an essential element in the dialogue with those countries. They also contribute, by the development of parliamentary contacts and the assistance they can contribute in the various areas of parliamentary life, to political stability and a stable parliamentary régime within the countries concerned.

49. Their action, as an integral part of the overall framework of political dialogue and economic co-operation, can but encourage the consolidation of the process of political and economic reform in Central Europe and, ultimately, the geopolitical stability of the region.

50. Within the framework of national co-operation each individual parliament decides on its priorities in accordance with national interests. Taking account of these and according to available means, each parliamentary assembly chooses the ways best suited to the choices made. The spectrum of action is wide, ranging from the creation of parliamentary groups linking one parliament with another to co-operation between specialist committees in cases determined by the parliaments, through training of administrative staff and technical and information exchanges.

#### *(a) Germany*

51. The relations between the Bundestag and the parliaments of the Central European countries, members of the WEU Forum of Consultation, are of varying orders and revolve around four major

19. Atlantic News, No. 2589, page 3, 19th January 1994.

20. Le Monde, 26th January 1994.

axes: parliamentary members' groups, student exchanges, an allowance for parliamentary training and technical assistance.

52. (i) Parliamentary groups are informal groupings of members of parliament which have no formal status or specific internal rules. The fact that membership is voluntary indicates that they have a specific interest in relations with the respective partner states and their parliaments. Members of the parliamentary groups endeavour to meet as often as possible with their counterparts from the Central European countries to consider subjects and problems of interest to both parties. The results of these meetings have a useful input into the legislative process and find concrete expression in measures adopted by the Federal Government. There are parliamentary groups within the Bundestag for each of the nine countries of the Forum of Consultation.

53. (ii) In 1990 the Bundestag launched a programme of work placements for students from Central and Eastern Europe attending German universities. The aim of the programme, comprising a five-month stay in Bonn, is to provide the participants with the opportunity of becoming acquainted with Germany's parliamentary system and system of government. The participants then undertake a four-month work placement with members of parliament, parliamentary groups and the Bundestag administration. By targeting these opportunities on young university graduates with good chances of occupying positions of responsibility during their future careers, the Bundestag is seeking to strengthen future co-operation in the parliamentary sector. Polish, Hungarian, Czech and Slovak students and students from the Baltic countries have already participated in this programme. Bulgaria and Romania will also participate in the near future.

54. (iii) Within the framework of its provisions for parliamentary training, the Bundestag administration has set up a training programme for officials of the parliaments of Central and Eastern Europe. Senior parliamentary officials visit and spend time at the Bundestag, familiarising themselves with its methods of work and organisation. There is a regular, reciprocal exchange programme for officials from Poland enabling three people a year each to spend a week in the parliament of the partner country.

55. (iv) At the request of foreign parliaments, the Bundestag also provides technical assistance to a fairly limited extent with the assistance of the Federal Ministry for Foreign Affairs. This technical assistance basically concerns the supply of computers and other office equipment, documentation, etc.

#### (b) *Belgium*

56. The Belgian Senate and Chamber of Representatives have many different types of relations with their counterparts in Central Europe. From the early nineties, contacts have developed at various levels, ranging from parliamentary delegation visits to meetings between government authorities. Belgian parliamentarians have also visited Central European countries, within the framework of contacts between parliaments, on election monitoring missions (Romania, 1990) or human rights monitoring missions (Lithuania).

57. The Senate and the House of Representatives also receive parliamentary officials from Central Europe who come to familiarise themselves with the operations of the various departments of the Belgian Parliament (a Romanian official undertook a placement with the Senate, then with the Chamber in 1992; the Deputy Director of the Polish Senate's information department undertook a placement organised by the Senate in 1993).

#### (c) *Spain*

58. The Spanish Parliament's activities (Senate and Lower House) in interparliamentary relations were, like those of other parliaments, of varying nature and essentially to encourage information exchange, either by the provision of documentation or through visits by Spanish or Central European parliamentarians. These two-way contacts enable the Central European parliaments to become acquainted with the workings of the Spanish Parliament in various fields, ranging from legislative and legal matters to how parliamentary services operate, an example being the visit by the Secretary-General of the Spanish Senate to the Polish Senate in 1993. Members of the Spanish Senate and Lower House were also present in an observer capacity during the elections held in Romania in 1992.

#### (d) *France*

59. The National Assembly and Senate have a policy of active commitment in the area of parliamentary co-operation with the countries of Central Europe, members of the WEU Forum of Consultation. Within this context, the parliamentary groups put the members of the French Upper and Lower House in touch with their counterparts from Central European parliaments, thus playing a major rôle in co-operation. These contacts enable better identification of the needs of the partners and the areas where technical or other assistance might be useful to them. Through these contacts, the parliaments of Central Europe can take advantage of the advice and experience of the two houses in fields ranging from the legislative process to documentary exchange and the running of the Assembly and the Senate departments.

60. Contacts at the highest level have taken place regularly between French parliamentary delegations and those of the Central European countries, contributing to establishing a permanent dialogue and exchange of views on questions that fall outside the basic framework of parliamentary co-operation and covering such subjects as foreign policy, economics and defence. Such dialogue contributes to understanding positions on both sides on European questions and has an undoubted impact on parliamentary debates on matters concerning Central Europe and relationships between the latter and the countries of WEU. Moreover, the commitment, often on a personal basis, by French parliamentarians towards the region – illustrated by the frequent presence in former Yugoslavia of members of the French Upper and Lower Houses or on election monitoring missions to Central European countries, contributes to the French Parliament's major and essential rôle in parliamentary co-operation with the consultation partners.

(e) *Italy*

61. The Italian Parliament has a three-fold approach: study visits, interparliamentary co-operation and the organisation of seminars and meetings in co-operation with other organisations. The Lower House regularly receives delegations of parliamentarians and officials from the parliaments of Central Europe, either for contacts of a general nature or to present a specific topic (parliamentary surveys, composition and selection of delegations to international assemblies or the working of documentation services, for example).

62. Two groups have been set up within the Italian section of the Interparliamentary Union to make contact with the Central European countries and the former Soviet Republics. These groups follow the work of the parliaments in those countries and co-operate with them in various fields ranging from information exchange on parliamentary business to the organisation of study visits and training placements.

63. The Italian Parliament organises seminars and meetings in co-operation with other organisations on matters of parliamentary interest. Two seminars were held in 1993: one, in collaboration with the European Centre for Parliamentary Research and Documentation, on parliamentary archives (March 1993), the other, organised with the Strasbourg Institute for Democracy, on drafting legislation (September 1993).

(f) *Luxembourg*

64. The Luxembourg Parliament's action towards the Central European parliaments has a dual focus: co-operation between individual parliaments through parliamentary groups, bilateral contacts, sometimes accompanied by technical assistance (parliamentary documentation, infor-

mation exchange, etc.) and co-operation in the framework of the Benelux Interparliamentary Consultative Council bringing together parliamentarians from Luxembourg, Belgium and the Netherlands.

65. The aim of this parliamentary institution is to co-ordinate the work of the parliaments concerned and thus strengthen political co-operation between the three states so that they can best advance their interests within the European Union and Europe in general. The Council, whose permanent secretariat is accommodated in the Belgian Parliament pursues an active policy of contact with the countries known as the "Visegrad Group" (Hungary, Poland and the Czech and Slovak Republics) and is keen to promote co-operation between the Benelux countries as a model for the states of Central Europe.

66. Through the Council, Luxembourg has a wide framework in which to pursue a policy of active co-operation with the parliaments of the Central European countries and which opens up wider possibilities than those afforded merely by bilateral co-operation. Co-operation between the Benelux countries ensures a better distribution of resources and avoids duplication, since each country provides assistance in the areas in which it is best qualified to do so. The Luxembourg Parliament can thus have a presence in the process of parliamentary co-operation with the Forum countries in a much more active and influential way than if it were to act alone.

(h) *The Netherlands*

67. The Netherlands Parliament has an active policy of information contacts with the Central European parliaments. Exchange visits take place between Dutch members of parliament and their counterparts in Central European countries, either in their capacity as members of their national parliaments or in their interparliamentary delegations. Such contacts, which take place on a regular basis or within the framework of information exchanges on legislative, statutory and even political matters, are an important factor in the development of the dialogue with the parliaments of the member countries of the Forum of Consultation. Visits by officials and exchanges of documentation also take place on a regular basis, sometimes at the specific request of a Central European parliament. It should also be noted that the Netherlands Government finances Dutch political parties within the context of developing relations with their counterparts in Central and Eastern Europe.

(i) *Portugal*

68. Parliamentary groups for the purpose of establishing friendly ties between the Assembly of the Republic of Portugal and Central European countries are the means of contact between the

Portuguese Parliament and the parliamentarians of the Forum countries, enabling both to participate in various activities involving bilateral or multilateral parliamentary co-operation. Participation in the activities of the European institutions for parliamentary co-operation: WEU Assembly, Council of Europe, etc. is, for Portuguese parliamentarians, a preferred means of contact with their Central European counterparts and such institutions are one of the frameworks best suited to the definition of areas where the Portuguese Parliament can contribute advice and assistance within the framework of parliamentary co-operation.

(j) *The United Kingdom*

69. The British Parliament undertakes various activities directed towards the parliaments of Central and Eastern Europe. In addition to traditional parliamentary contacts, delegation visits, meetings at various levels (between individual parliaments or during interparliamentary assembly sessions), the House of Commons and the House of Lords, in co-operation with public and private organisations such as the Know How Fund, the British Association for Central and Eastern Europe (BACEE), the Westminster Foundation for Democracy and the Future of Europe Trust, participate in information and training projects with the countries of Central and Eastern Europe.

70. In 1993, the House of Commons welcomed parliamentarians from various countries belonging to the Forum of Consultation. In their turn, British parliamentarians and officials of the House of Commons participated, with fifty Romanian parliamentarians, in a seminar on the subject of parliamentary procedure held in Bucharest. British parliamentarians also visited Bulgaria (the chairman of the committee dealing with rules of parliamentary procedure) and Slovakia.

71. The House of Lords participates in such activities together with the House of Commons and officials of the House have established informal contacts with their counterparts in Central European parliaments on various matters of common interest, such as the organisation of the work of the parliamentary committees. The Hungarian and Polish Parliaments have, for example, requested information on the work of the House of Lords committee on the European Community with a view to their participation, in an observer capacity, in the conference of parliamentary committees on European Affairs.

(ii) *Multilateral co-operation*

72. Five multilateral parliamentary institutions coexist in Europe, each with their respective spheres of action. In general terms they comple-

ment each other even if the legal texts which define their areas of activity allocate them specific areas of responsibility.

73. Three of these assemblies are of an essentially European character: the WEU Assembly, the Parliamentary Assembly of the Council of Europe and the European Parliament; the North Atlantic Assembly<sup>21</sup> and the parliamentary Assembly of the Conference on Security and Co-operation in Europe (CSCE), on the one hand, are Euro-Atlantic institutions<sup>22</sup>. Of these, the WEU Assembly alone has an area of responsibility for defence and security matters based on texts that are legally binding<sup>23</sup>.

74. These institutions, despite a certain overlap in their responsibilities, in general terms act within more or less well-defined frameworks in terms of their relations with the Central European countries. However, their means are not always proportionate to the extent of their responsibilities, which does not permit a co-ordinated approach towards the Central European countries. This lack of co-ordination, and the fact that they are at times in competition, makes setting up effective parliamentary co-operation on a European scale more difficult and piecemeal and hinders the integration of these countries into existing European structures, because of the large number of these institutions and the lack of co-ordination between them.

(a) *The WEU Assembly*

75. The policy and activities of the WEU Assembly in the field of co-operation with the partners of consultation were the subject of a previous report by this committee<sup>24</sup>.

76. Since that time, the Assembly has pursued its policy of contacts with the consultation partners both at parliamentary and government level: thus Mr. Aleksandrov, Minister of Defence for Bulgaria, attended the November-December 1993 Assembly session. The Assembly also invited Mr. Zlenko, Minister for Foreign Affairs of Ukraine, a country which is not part of the Forum of Consultation but whose political development is crucial for the security and stability of the whole of Central Europe.

77. As to parliamentary activity, the Standing Committee of the Assembly held a meeting on 2nd December 1993 with representatives of the

21. The North Atlantic Assembly is an independent parliamentary body without official links with NATO.

22. The parliamentary Assembly of the CSCE established by the Madrid Conference on 2nd and 3rd April 1991 also includes the former Soviet Republics of Central Asia.

23. Article IX of the modified Brussels Treaty of 23rd October 1954 and Article I of the Charter of the WEU Assembly.

24. The development of relations between the WEU Assembly and the parliaments of Central European countries, Document 1365, Rapporteur: Mr. Kempinaire.



parliaments of the countries of the Forum of Consultation, who had been invited in an observer capacity to attend the debates of the thirty-ninth Assembly session. This meeting allowed the consultation partners to express their views on security and defence problems in Europe and also on developing co-operation with the Assembly.

78. In early 1994, the Presidential Committee of the Assembly was involved in the work of the symposium organised on 11th and 12th February 1994 by the Polish Sejm (parliament) on: "WEU's point of view on the security of the countries of Central and Eastern Europe". Moreover, as in previous years, the committees of the Assembly have pursued their contacts with the consultation partners at various levels (visits by rapporteurs and committees, invitations to government officials to present their policies to the Assembly).

79. The Central European parliaments also expressed their interest in co-operating more closely with the Assembly, through participation in symposia, exchanges of parliamentary documentation or, in the case of Romania, by opening an information office on WEU in collaboration with the Assembly. These initiatives and activities constitute a two-way relationship between the Assembly and the Central European parliaments and the government authorities of the Forum countries.

80. The fact remains, however, that the Assembly's relations with the consultation partners are restricted by the meagre resources available to the Assembly for developing regular activities with the Central European countries. Despite assurances in the communiqués from the Council of Ministers on the rôle of the Assembly in the process of dialogue with the Central European countries, the latter continues to manage such activities with resources that are far from commensurate with requirements<sup>25</sup>. This can only limit its rôle in the framework of parliamentary co-operation with the consultation partners and frequently means that joint action with other European parliamentary institutions directed towards the Central and Eastern European countries is conducted on a piecemeal basis.

#### (b) *The European Parliament*

81. The European Parliament's activity in the field of co-operation with parliaments, and states, of Central and Eastern Europe is substantial and wide-ranging. As a consultative rather than a controlling institution of the European Union, it would appear to be the preferred contact for Cen-

tral European countries seeking to strengthen their relations with the Union and aspiring to accession<sup>26</sup>.

82. By virtue of its status as an institution of the European Union and the means available to it, both in terms of its competences and resources, the European Parliament is present at various levels of co-operation between the Union and the Central European states, in relation to co-operation both with states and parliaments. Moreover, the opinions it provides on financial matters, especially on aid programmes to the states of Central and Eastern Europe such as PHARE (originally directed towards Poland and Hungary and subsequently extended to other states in the region) and TACIS (concerning the states of the former Soviet Union), contribute to its rôle as an essential partner in co-operation with the Forum states.

83. Since the entry into force of the Maastricht Treaty on 1st November 1993, the European Parliament has been strengthened in its efforts to play a more active rôle in the development of the common foreign and security policy of the Union (CFSP). The Maastricht Treaty, Title V, Article J.7 (provisions relating to a common foreign and security policy) provides that:

"The Presidency [of the Union] shall consult the European Parliament on the main aspects and the basic choices of the common foreign and security policy and shall ensure that the views of the European Parliament are duly taken into consideration. The European Parliament shall be kept regularly informed by the Presidency and the Commission of the development of the Union's foreign and security policy."

84. Moreover, regarding co-operation with the countries of Central and Eastern Europe, the Europe agreements linking the Union with certain Forum countries (described in the first part of the report) contain a parliamentary co-operation dimension by creating parliamentary association committees bringing together members of the European Parliament and the parliaments of the signatory countries. Parliamentary co-operation, thus institutionalised and on a basis binding in law, gives the European Parliament a capacity to act that is denied to other parliamentary institutions co-operating on a more or less informal basis and without the resources the Parliament has at its disposal.

85. The European Parliament, unlike the WEU Assembly, has no competency in defence matters and has for some years been seeking to acquire the means of acting in this area through the activi-

25. The granting of an enhanced status to the Central European countries, members of the Forum of Consultation will imply, in terms of day-to-day management, increased pressure on the logistical requirements of the Assembly. This in turn will necessitate an increase in the latter's resources which the Council has not agreed to date.

26. Hungary and Poland officially applied for membership in April 1994.

ties of its Foreign Affairs and Security Committee and was not slow initially to advocate rapprochement with the WEU Assembly – an idea already expressed in the declaration of WEU member countries on the rôle of WEU and on its relations with the European Union and the Atlantic Alliance annexed to the Maastricht Treaty and subsequently the absorption, pure and simple, of the Assembly by the European Parliament with transfer of responsibilities. This position was reiterated in a resolution of the European Parliament on the future of relations between the European Union, WEU and the Atlantic Alliance, adopted on 24th February 1994.

86. In assuming this position, which prejudices the results of the intergovernmental conferences in 1996 on the European Union and any decisions to be taken on revision of the modified Brussels Treaty in 1998, the European Parliament is making collaboration difficult between the two institutions (WEU Assembly and European Parliament), and furthermore contributing to fragmenting the effort and resources necessary for effective parliamentary co-operation with the Central European countries members of the Forum of Consultation.

(c) *The Parliamentary Assembly of the Council of Europe*

87. The pan-European interparliamentary co-operation programme with Central and Eastern European parliaments<sup>27</sup> run by the Parliamentary Assembly of the Council of Europe comprises two complementary aspects: information and training and co-operation in the field of legislation.

*Information and training*

88. With the aim of facilitating the integration of the delegations of Central and Eastern European countries into the Parliamentary Assembly of the Council of Europe, the Assembly organises seminars on the structure and activities of the Council of Europe and the Assembly for the benefit of these countries. These seminars, which take place regularly (four or five times a year) bring together representatives (parliamentarians and officials) from the various Central and Eastern European countries (in groups ranging in size from several dozen to only a few people) to discuss questions of common interest in the economic and social fields and on human rights. They normally close with participation at an Assembly session.

89. Since 1993, in addition to general training activities, the Assembly of the Council of Europe has devised and funded more specific projects through the development of ad hoc programmes,

27. All the members of the WEU Forum of Consultation excepting Latvia, which still has special guest status, are full members of the Council of Europe.

in collaboration with member and beneficiary countries. These training programmes enable parliamentarians and officials from the parliaments of Central and Eastern Europe to familiarise themselves with particular aspects of the work and running of the parliaments of the member countries of the Council of Europe such as, for example, parliamentary rules or computerisation of parliamentary services.

*Interparliamentary co-operation in the legislative field*

90. In this field the Assembly has set up bilateral and multilateral projects:

- The first are run at the express demand of the beneficiary countries. Such projects might, for example, deal with drafting internal parliamentary rules and will involve participation of officials of the Office of the Clerk of the Assembly, assisted by those of the member parliaments of the member countries. Sometimes, depending on the area in question, the Assembly will draw upon the services of national experts.
- Multilateral co-operation projects are in the form of specialised symposia. The Assembly identifies in advance subject areas that might be of interest to the parliaments of the countries of Central and Eastern Europe and organises specialised symposia at which parliamentarians and experts present the basic principles of the legislation of the member countries in one or other given fields (environment, social policy, public service, etc.). The discussions and exchanges of view that take place thus contribute to facilitate the integration of the parliaments of the countries concerned into the structures of Western Europe.

(d) *The North Atlantic Assembly*

91. The North Atlantic Assembly, the independent parliamentary body of NATO, began to form relations with the Central European countries as soon as democratically-elected parliaments emerged within them. Initially, these contacts took a variety of different forms: visits by Assembly sub-committees to Central and Eastern Europe, participation of delegations of observers from these countries at Assembly meetings and organisation of seminars on security and defence.

92. These relations were pursued on a more formal level during the plenary session of the Assembly in London, in November 1990, when parliaments from Bulgaria, Czechoslovakia, Hungary, Poland and the USSR were granted associate delegate status. In April and October 1991,

Romania, then the three Baltic countries, were awarded the same status.

93. In October 1991, during the thirty-seventh annual meeting of the North Atlantic Assembly it was decided to concentrate an important part of the latter's resources on assistance for the development of parliamentary democracies in the countries of Central and Eastern Europe, within the framework of an initiative supported by Charlie Rose, a member of the American Congress and the then Chairman of the Assembly, and by American Senator Bill Roth. The Rose-Roth initiative is today the major component of the Assembly's strategy within the framework of co-operation with the parliaments of Central and Eastern Europe.

94. The Rose-Roth initiative was accompanied by a major four-fold effort by the Assembly: facilitating participation by parliamentarians of Central and Eastern Europe in the work of the Assembly, organising seminars on specific subjects, temporary recruitment of nationals of Central and Eastern Europe to train them in parliamentary business and development, of a North Atlantic Assembly programme of study bursaries. Owing to the lack of financial resources in the countries of Central and Eastern Europe, the Assembly undertook to provide financial assistance for a limited period.

95. In launching such an extensive programme of activities, the North Atlantic Assembly demonstrated that it had a coherent strategy towards the countries of Central and Eastern Europe, designed to achieve specific objectives: providing a model for the future development of official ties between Central European and NATO countries; supplementing existing intergovernmental co-operation and aiding the countries concerned to develop democratic parliamentary structures. Moreover, the fact that this Assembly was identified with NATO in the eyes of the countries of Central and Eastern Europe, and the presence there of members of United States Congress are major assets contributing to the success of the parliamentary co-operation projects.

96. There is little co-ordination between the North Atlantic Assembly and the WEU Assembly, concerned as both are with defence and security problems, within the framework of parliamentary co-operation with the countries of the Forum of Consultation. The chronic lack of resources which prevents the WEU Assembly from launching initiatives on the same scale as its Atlantic counterpart is part of the reason for this, however, the absence of a European parliamentary pillar within the North Atlantic Assembly that would express WEU's point of view is also to be regretted. This absence is due in part to the fact that the membership of the national delegations to the two assemblies overlaps very little. Ultimate-

ly, it is the very effectiveness of the action in favour of the partners of the Forum that suffers most because of duplication and the lack of co-operation between the institutions concerned.

(e) *The Parliamentary Assembly of the CSCE*

97. The most recent of Europe's parliamentary institutions was created at a meeting of the parliamentary delegations participating in the CSCE held in Madrid on 2nd and 3rd April 1991. The CSCE Assembly held its first plenary session in Budapest, on 3rd July 1992. The Bureau of the Assembly is located in Copenhagen, Denmark, and the annual meetings, lasting up to five days, are held in the capitals or other towns of the member countries.

98. The organs of the Assembly<sup>28</sup>, which is made up of 312 parliamentarians, are the President, the Bureau, the Permanent Committee, the committees and the Plenary Assembly. The President, who is elected for a year, directs the work of the Assembly, the Bureau and the Permanent Committee.

99. The Bureau is made up of the President, nine Vice-Presidents and the Treasurer. It is responsible for implementing decisions of the Permanent Committee and ensuring the smooth running of the Assembly between Permanent Committee meetings.

100. The Permanent Committee prepares the work of the Assembly between sessions. It may adopt resolutions on urgent political matters and forward them to the Council of Ministers of the CSCE. The committee fixes the dates, duration and place of the annual sessions and draws up the agenda. It ratifies appointments to committees and may appoint ad hoc committees. The committee also approves the budget and appoints the director and two assistant directors of the secretariat of the Assembly.

101. There are three committees:

- Political Affairs and Security;
- Economic Affairs, Science, Technology and Environment;
- Democracy, Human Rights and Humanitarian Questions.

102. The plenary Assembly meets during the ordinary session held, over no more than five days, during the first ten days of July. It deals with questions put to the Council of Ministers of the CSCE, consideration of motions tabled by mem-

28. Sénat (France) Rapport d'information no. 275: Les activités de l'Assemblée parlementaire de la CSCE (I); Règlement de l'Assemblée parlementaire de la CSCE (II); rapporteur: M. Jacques Genton, sénateur; 22 avril 1993.

bers of the Assembly, discussion of and voting on the conclusions of committee reports.

103. Although in 1991, the creation of the parliamentary Assembly of the CSCE was a logical step, given the political context in Europe (since political and military structures in Central and Eastern Europe had disappeared, it appeared necessary to create structures to accommodate the new democracies of the continent), one might well ask today what specific rôle it has alongside other existing parliamentary structures.

104. The problems of democracy, human rights, and social and cultural policy are the responsibility of the Assembly of the Council of Europe, those of security and defence are still the responsibility of the WEU and North Atlantic Assemblies. Moreover, the scarce resources available to the CSCE Assembly are insufficient to enable the latter to play a significant rôle in parliamentary co-operation with the countries of Central and Eastern Europe. Nevertheless, it offers them a framework for discussion and contacts that is wider than that of the abovementioned institutions, if only on account of the fact that it brings together parliamentarians from 53 countries, including the United States and Canada. In this way, it too brings a modest contribution to co-operation with the countries of Central and Eastern Europe.

#### *IV. Conclusion*

105. Central Europe is today going through a period of radical transformation at every level: economic, social, political and defence. In spite of difficulties and national peculiarities, notions of democracy, respect for human rights and the law are an integral part of the political scene in the region and contribute to reinforcing stability and security in this part of Europe more effectively than the number of military divisions or the "security guarantees" that these countries might obtain from European and transatlantic defence organisations.

106. At the same time, the political gains of recent years are not yet sufficiently consolidated to guarantee, in themselves, the smooth progress of the new democracies towards stability and prosperity. Economic problems, ethnic issues, the persistence of a nineteenth century nationalism at the dawn of the twenty-first century and border insecurity are major obstacles to the reform process, but are not, however, insurmountable. Co-operation with other states, with regional organisations and between parliaments, is not the only remedy to the ills of the region, but it is absolutely necessary to overcome present difficulties.

107. Parliamentary co-operation, both national or multilateral with the Forum countries, contributes, albeit to a modest extent, to consolidating democracy in the region and integrating these countries into European regional structures. In a world where countries are increasingly interdependent, the security and stability of the WEU countries are closely linked with those of the Central European countries and this observation justifies the efforts that have already been made and which remain to be made in the area of parliamentary and government co-operation with the partners of the Forum of Consultation. The foundations of democracy and the market economy must be consolidated and conditions created for full integration of these countries into existing structures of European co-operation.

108. A multilateral approach is, for the Forum countries, a welcome opportunity for participating in the work of Atlantic and European political and parliamentary institutions. The WEU Assembly, the Council of Europe and the European Parliament are bringing the countries of Central Europe closer to the European Union and WEU; the North Atlantic Assembly and the parliamentary Assembly of the CSCE enable them to have contact with NATO and the United States. However here again, individual institutions act without consulting each other and it is no easy matter to try and remedy the lack of co-ordination and collaboration in the definition of objectives and to ensure an appropriate division of tasks between parliamentary assemblies. The result is a fragmentation of effort and resources and at times competition (a particular country will give more priority to contacts with the WEU Assembly, another to those with the Council of Europe and so forth).

109. The WEU Assembly has a major rôle to play in co-operation with the Forum countries in the field of parliamentary discussion on defence and security in Europe. Its competences in this area are explicitly laid down in the modified Brussels Treaty, which is not the case for other parliamentary institutions of a purely unofficial nature or which seek to encroach, despite their lack of qualifications, on its sphere of action. However, in order to act effectively, the Assembly should have a better defined brief in matters of co-operation, should be associated in the clearest way possible with the Forum activities and should have available to it appropriate means for supporting, in co-operation with the Council, the integration of partner countries into twenty-first century Europe. European parliamentary co-operation in defence and security matters will then have a proper and authoritative framework that will contribute effectively to maintaining peace and stability in Central Europe and beyond.

***An operational organisation for WEU:  
naval and maritime co-operation***

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

***submitted on behalf of the Defence Committee <sup>2</sup>  
by Sir Keith Speed, Rapporteur***

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Baumel (Chairman); MM. De Decker, de Puig (Vice-Chairmen); Mr. Alloncle, Mrs. Baarveld-Schlaman, MM. Borderas (Alternate: *Cuco*), Briane, Brito, Cox, De Carolis, Dees, Dumont, *Fernandes Marques*, Ferrarini, Hardy (Alternate: *Thompson*), Irmer, Jacquat (Alternate: *Masseret*), *Kelchtermans*, Leccisi (Alternate: *Caccia*), Mrs. Lentz-Cornette, MM. van der Linden, Lopez Valdivielso (Alternate: *Lopez Henares*), Mannino, Marten, Lord Newall, MM. Pecchioli, Pécriaux, Reis Leite (Alternate: Mrs. *Aguiar*), Scheer, Sir *Dudley Smith*, Sir *Keith Speed*, MM. Steiner, Vazquez, Zierer.

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

***Draft Recommendation***

***on an operational organisation for WEU:  
naval and maritime co-operation***

The Assembly,

- (i) Convinced of the importance of a WEU capacity to carry out naval and maritime operations, given the fragile nature of international relations in many parts of the world where European interests may be at stake;
- (ii) Pleased that, as forecast, the NATO summit meeting on 10th January 1994 confirmed WEU's position as the European pillar of the Atlantic Alliance and formally recognised the European defence identity;
- (iii) Regretting therefore that the North Atlantic Council should choose now to downgrade the single major NATO commander's post occupied by a European and effectively abolish the Channel Command which, created by the Western Union, antedates NATO;
- (iv) Welcoming the willingness of the WEU Council to establish pragmatic arrangements for current naval, maritime and riverine operations;
- (v) Recalling previous recommendations of the WEU Assembly to:
  - "...create a European standing naval force with organic naval aviation including air defence, airborne early warning, attack, anti-submarine and heliborne assault assets for deployment under single command and unified control to areas outside the NATO theatre where Western Europe's security interests are at stake in emergency or war;" (1988);
  - "...give practical expression to the European pillar of defence:
    - (a) encourage more multinational units such as the United Kingdom-Netherlands landing force and the Franco-German brigade;
    - (b) take specific action to allow at an individual level the exchange of military personnel between countries to enhance their awareness of European co-operation, give them greater opportunity for travel and a more interesting work environment, and serve as a useful recruiting incentive at a time when the demographic levels are making recruiting most difficult;" (1989);
  - "...examine for the longer term the idea of creating a WEU naval on-call force for external operations, together with a possible pooling of appropriate national air mobile assets into a European rapid action force;" (1990);
  - "Establish in co-operation with the United Nations and especially with the relevant Gulf states, a WEU maritime presence in the Gulf area in accordance with Article VIII of the modified Brussels Treaty with as many member countries as possible contributing assets at least on an occasional basis, to help maintain peace and stability in the region and support diplomatic efforts directed towards the same ends;" (1991);
  - "Design a symbol of specific European identity to represent WEU and urge member countries to use it to distinguish their military forces – ships, aircraft, vehicles and personnel – taking part in WEU operations. Personnel serving in the Planning Cell should be among the first recipients of such a badge." (1992);
  - "Re-examine the respective tasks and rôles of the United States and its European allies in the maintenance of peace and security on the European continent and take the appropriate measures to ensure that under no circumstances will it be possible for a security vacuum to develop for lack of appropriate preparation, co-operation and co-ordination;" (1993),

RECOMMENDS THAT THE COUNCIL

1. Actively encourage member states to maintain and develop naval and maritime assets, co-ordinating national capabilities in line with a defined WEU naval and maritime policy and ensuring compatibility with NATO's naval doctrine wherever possible;

2. Establish a working relationship on maritime matters with the European Commission's Directorate for Maritime Transport and develop links with appropriate international maritime agencies such as the International Maritime Organisation and the International Hydrographic Organisation as well as with maritime-orientated non-member countries in strategic areas;
3. Consult the North Atlantic Council to review the abolition of the Channel Command so that the European dimension in the new NATO command structure is not neglected – establishing WEU liaison teams with NATO major and major subordinate commanders is a possible initial solution;
4. Consider the expansion of the Channel Committee to include all WEU full and associate members from the Atlantic seaboard and also the establishment of a "Mediterranean Committee" to encompass all Mediterranean full and associate members;
5. Give, via the WEU Chiefs of Defence Staff Committee, the Heads of European Navies forum a formal status and a specific mandate to contribute to the development of a WEU naval and maritime policy in conjunction with the Planning Cell;
6. Staff the Planning Cell with adequate numbers and levels of naval personnel, including marines and representatives of the other maritime services as required to develop forthwith co-operation in the following areas:
  - joint task force planning;
  - command and control for naval operations (including naval intelligence gathering);
  - logistics (including transport by sea);
  - merchant ship construction and specialist requirements for both numbers and types of merchant ship as well as safeguards for recruiting and training appropriate crews;
  - policy for the effective employment of both naval and merchant marine reserves;
  - a coherent naval exercise policy and programme;
7. Give priority to practical aspects of aero-maritime and amphibious co-operation such as the need to co-ordinate the operational availability of at least one carrier amongst appropriate member nations and to maintaining and furthering amphibious capabilities as a component part of a European rapid action force;
8. Encourage the co-ordination of operations, using existing naval assets, especially in the Caribbean and notably with the United States authorities, to combat the drug trafficking which undermines European security;
9. Seek to develop co-operation in the domain of naval procurement – hulls as well as systems – through the Western European Armaments Group and emphasise the naval and maritime dimension of satellite observation when developing WEU's Torrejón Satellite Centre and the WEU Earth Observation Satellite programme;
10. Create and award, in conjunction with national authorities, a WEU campaign medal to those who participate in operations under the aegis of WEU.

### *Explanatory Memorandum*

*(submitted by Sir Keith Speed, Rapporteur)*

#### *I. WEU experience of naval and maritime co-operation*

1. Those who have been following developments in Western European Union during the last six years will have been struck by the fact that much of the co-operation has been naval- and maritime-based. Even before the "official end" of the cold war the focus of interest was shifting from the balance of forces on the central front which had occupied the attention of the previous generation. With the first WEU modified Brussels Treaty "Article VIII" operations during the Iran-Iraq conflict a new era was born as the European allies began to recognise the possibilities for concerted action beyond traditional areas.

2. An examination of a series of reports emanating from the WEU Assembly's Defence Committee during the period bears witness to the evolution:

- Naval aviation, Document 1139, 9th May 1988, Rapporteur: Mr. Wilkinson;
- State of European security - intervention forces and reinforcement for the centre and the north, Document 1183, 26th April 1989, Rapporteur: Mr. Speed;
- Consequences of the invasion of Kuwait: operations in the Gulf, Document 1243, 20th October 1990, Rapporteur: Mr. De Hoop Scheffer;
- Consequences of the invasion of Kuwait: continuing operations in the Gulf region, Document 1248, 7th November 1990, Rapporteur: Mr. De Hoop Scheffer;
- The Gulf crisis - lessons for Western European Union, Document 1268, 13th May 1991, Rapporteur: Mr. De Hoop Scheffer;
- Operational arrangements for WEU - the Yugoslav crisis, Document 1294, 27th November 1991, Rapporteur: Mr. De Hoop Scheffer;
- WEU: the operational organisation, Document 1307, 13th May 1992, Rapporteur: Sir Dudley Smith;
- Application of United Nations Resolution 757, Document 1319, 2nd June 1992, Rapporteur: Mr. De Hoop Scheffer;

- WEU and the situation in former Yugoslavia, Document 1329, 3rd September 1992, Rapporteur: Mr. Marten;
- WEU's operational organisation and the Yugoslav crisis, Document 1337, 5th November 1992, Rapporteur: Mr. Marten;
- United Nations operations - interaction with WEU, Document 1366, 19th May 1993, Rapporteur: Mrs. Baarveld-Schlaman;
- WEU initiatives on the Danube and in the Adriatic - reply to the thirty-eighth annual report of the Council, Document 1367, 15th June 1993, Rapporteur: Mr. Marten;
- Lessons drawn from the Yugoslav conflict, Document 1395, 9th November 1993, Rapporteur: Sir Russell Johnston;
- An operational organisation for WEU: naval co-operation - Part One: Adriatic operations, Document 1396, 9th November 1993, Co-Rapporteurs: Mr. Marten and Sir Keith Speed.

3. The introduction to this last report read:

"In the course of their fact-finding in preparation for the presentation of the report on an operational organisation for WEU - naval co-operation, your Rapporteurs have discovered such ramifications to the subject, with many more fundamental principles at stake than were initially apparent, that they have decided to present the report in two parts rather than seek to postpone discussion to a future session.

Certain aspects of the specific naval operations in the Adriatic require immediate attention and therefore this first part deals with the maritime task in hand. Part Two will deal with the wider issues involved and elaborate further on the structures and links required for the future conduct by WEU of naval operations in general."

The present report is indeed the "Part Two" mentioned above but your Rapporteur has proposed the following title for it which more accurately preconises the content: an operational organisation for WEU: naval and maritime co-operation.



4. The subject is of particular relevance of course at the moment, given operations under way and there has been much outside interest in what WEU is doing. Recently the current situation regarding WEU was admirably outlined in the remarks on "Naval co-operation in WEU" prepared for delivery by the Secretary-General at the Greenwich Forum Twentieth Anniversary Conference at the Royal Naval College Greenwich on 9th February 1994:

"In global geopolitics, the seas and oceans play a decisive rôle given that they cover 71% of the world's surface. This explains the unique rôle of navies in crisis management, monitoring maritime traffic and the environment, checking the implementation of the United Nations resolutions and even peace-keeping.

Compared with armies and air forces, navies provide those states which have them with a considerable deterrent, attack and retaliation capability, which, in the case of the great powers, may extend to the entire planet if they are able to provide a minimum number of shore-based maintenance and support facilities.

Whereas the end of the cold war may well bring a reduction in sea-based deterrent weapons (nuclear submarines equipped with inter-continental missiles), it is probable that greater attention will be paid to air maritime forces for these offer the most flexible and most effective means of intervention in regional conflicts. This is one of the lessons to be drawn from the Gulf war. Not only has naval warfare become air- and sea-based, but by using aircraft from aircraft carriers, it is possible to penetrate both land and sea areas which, centuries ago, represented almost entirely separate theatres of operation.

That said, for the medium-sized powers and to some extent for the major ones, the cut in military spending has made it impossible to maintain both a modern and effective coastal and ocean-going conventional fleet and the increasingly debatable major prestige programmes. No longer able to equip themselves with the full range of assets befitting a major maritime power, these countries are tending to integrate themselves into western strategic systems under American command in which they are no more than "subcontractors" offering on an ad hoc basis one or other particular key asset which less well-equipped countries do not possess.

This development demonstrates the importance of strengthening European co-opera-

tion on defence. Taken individually, WEU member states no longer have the financial capability to acquire all the necessary assets for deterrence within the European continent or for force projection outside Europe. The urgent need for co-operation – the only way of coping with the steady shrinkage in national defence budgets – is already apparent in the fields of space, strategic air and maritime transport, logistics outside Europe and telecommunications.

There are three areas where WEU is furthering co-operation with an impact on maritime defence and on successful missions already carried out by WEU maritime assets:

- WEU maritime action in two Gulf wars;
- the WEU/NATO operation in the Adriatic (Sharp Guard);
- the WEU maritime operation plan for the use of maritime forces answerable to WEU (codenamed Combined Endeavour).

*Maritime action in two Gulf wars (1987-1991)*

WEU has particular responsibilities under the modified Brussels Treaty for the defence of its member states' interests throughout the world.

Article VIII, paragraph 3 of the treaty does not restrict WEU's competence outside Europe:

"At the request of any of the high contracting parties the Council shall be immediately convened in order to permit them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability."

There is no such thing as a "WEU area" although Article V guarantees a military response in the event of an "armed attack in Europe"; the term "out-of-Europe" is appropriate for WEU, since the term "out-of-area" does not have the same meaning as when it is used in the context of the North Atlantic Treaty.

In 1987, the laying of mines in the Gulf waters as a result of the Iran-Iraq war, led WEU member states to react to the threat it posed to freedom of navigation.

Italy and the Netherlands, followed by Belgium, decided therefore to contribute to strengthening the naval presence that

France and the United Kingdom were already providing in the region by dispatching minesweepers.

Operations ended with a mine-clearance action codenamed Cleansweep, which helped to complete clearance of a 300-mile sea lane from the Strait of Hormuz in 1988. European countries deployed most of the forces assigned to the protection of the sea lanes, a practical illustration of "burden-sharing" that was fully appreciated by the United States. The experience gained from these activities in the Gulf strengthened Europe's potential for concerted action in the future. The undeniable success of the operations in the Gulf heightened Europeans' awareness of their capability for joint action.

Three years later, Iraq's overnight invasion of Kuwait had the effect of throwing new light on the conceptual debate on the organisation of European security and of putting to the test its member states' reaction capability and the organisation's operational potential on the basis of the reactivation and extension of the co-ordination mechanisms approved by the WEU Nine during the first Gulf crisis.

From the outset, the United States showed great interest in co-ordinating naval deployments in the Middle East in co-operation with WEU, the basis for which was the success of the 1987-1988 WEU operations.

Meeting in Paris on 21st August 1990, WEU Ministers decided to co-ordinate their operations in the area with the aim of implementing and enforcing Resolution 661 of the United Nations Security Council, as well as any further measures the Security Council might adopt. Ministers emphasised that co-ordination within WEU should also facilitate co-operation with other countries' forces in the region, including those of the United States.

The crisis was the occasion for offers of mutual support but, in the absence of a WEU staff headquarters, or an experienced planning unit, few practical decisions emerged. WEU's action evolved step by step, and the dénouement of the crisis came too quickly to allow time to explore or put into practice a division of labour that might serve as the foundation for institutionalised multinational co-operation. The requirement for speed in reacting to events – a need highlighted by the Gulf crisis – is, however, a strong argument in favour of appropriate permanent structures.

The Gulf crisis provided a timely incentive for WEU member states to develop joint planning and consider establishing joint capabilities. With the pressure of dwindling defence budgets, a genuine division of labour among Europeans is the only way to combine greater effectiveness and interoperability with the economies of scale and cost made possible by standardisation.

### *Sharp Guard*

A second major WEU maritime operation, stemming from a WEU initiative taken in the margins of the 1992 Helsinki CSCE meeting, was launched in July 1992: forces operating under WEU and NATO and working in strict co-ordination, began monitoring the compliance of resolutions of the United Nations Security Council against former Yugoslavia in the Adriatic (Operations Maritime Monitor and Sharp Vigilance). On 22nd November 1992 both operations were amplified in scope to include the enforcement of relevant United Nations resolutions and became operations Maritime Guard and Sharp Fence.

On 8th June 1993, the Councils of WEU and NATO met to approve a combined concept of operations for the implementation of Security Council Resolution 820. This agreement established a unified command under the codename Sharp Guard, over which the WEU and NATO Councils exert joint political control. Their guidelines are translated into military instructions through the appropriate bodies of the two organisations, co-operating within a joint ad hoc headquarters, MILCOM ADRIATIC. The concern for the effectiveness and flexibility of procedures should reassure all those who complained of duplication between the alliance and its European pillar.

The combined operation began on 15th June 1993 with the mission to conduct operations to monitor and enforce compliance with United Nations sanctions in accordance with United Nations Security Council Resolutions (UNSCR) 713, 757, 787 and 820. The overall operational control was delegated to an Italian Admiral, whose mission was to prevent all unauthorised shipping from entering the territorial waters of the Federal Republic of Yugoslavia (Serbia and Montenegro).

At present 12 nations are contributing forces: 19 vessels are participating and up to 12 000 sailors are at sea or on shore in the area.

In practical terms the WEU naval element has been absorbed into the COMNAV-SOUTH process for decision-making, planning, etc., and there can be no quarrel with the result: an efficient, well-conducted embargo operation which to date has dealt with nearly 19 000 merchant marine vessels. Since the United Nations Security Council strengthened the sanctions against Serbia and Montenegro with Resolution 820 in April 1993, no ship has been able to break the embargo.

Special tribute should be paid to the individual efforts of the particular officers concerned with command of operations in the zone, Commander-in-Chief Allied Forces Southern Europe (CINCSOUTH) and Commander-in-Chief Allied Naval Forces Southern Europe (COMNAVSOUTH). Their patient pragmatism in working out command and control arrangements with the assistance of WEU officers is admirable.

#### *Combined Endeavour*

Because of their international commitments and interests, WEU member states have maintained their conventional maritime forces at a level at which they are capable of operating in any sea in the world as needed.

Most of the maritime forces of WEU nations are based in Europe and normally operate in the North Atlantic, the Mediterranean, the North Sea and the Baltic Sea. Some nations maintain standing forces in more distant locations including the Indian Ocean, the Pacific Ocean and the Caribbean and/or regularly deploy forces worldwide.

In the light of the evolution of the international situation, the development of the European pillar of the alliance and to be able to deploy maritime forces suited to foreseeable needs, WEU member states have agreed to develop a maritime operation plan for the use of maritime forces answerable to WEU that provides a mechanism for generating and exercising WEU maritime forces on a mission-oriented basis, as stated in the Petersberg declaration.

These countries may reach a common decision, based on the provisions of an appropriate framework, in particular Article V of the modified Brussels Treaty or a United Nations or CSCE mandate, to pool some of their resources under WEU auspices in order to create multinational maritime forces, under the Council's authority, with diversified capabilities enabling them to

participate in the execution of new missions such as to:

- carry out humanitarian and rescue missions;
- take part in peace-keeping missions;
- participate on a permanent basis in military crisis management, including peace-making operations,

whilst maintaining their contribution to common defence at the appropriate level.

The WEU Planning Cell, which was created on 1st October 1992 and is under the Council's authority, has the task of preparing contingency plans for the employment of forces under WEU auspices, as well as recommendations for command, control and communication arrangements, including standing operating procedures for the headquarters that might be selected. It will also be the Planning Cell's responsibility to keep an updated list of units and combinations of units which might be made available to WEU for specific operations.

The Planning Cell was tasked to examine the possibility of promoting forms of air-maritime co-operation among WEU member countries. The Planning Cell produced an operation plan to fulfil the ministerial mandate to promote European maritime co-operation.

Its aim is to organise the initial deployment of maritime forces and to identify maritime force packages for certain given tasks. Furthermore, it can also be used as the starting mechanism for, and the initial phase of, any maritime exercise.

In the spirit of the Petersberg declaration of 19th June 1992, the objectives of the Combined Endeavour Plan are to:

- evaluate predominantly maritime forces answerable to WEU which the organisation is capable of constituting in response to any mission it is assigned by the Council;
- specify information procedures whereby the WEU Planning Cell can monitor the ability of WEU member states' armed forces to meet these needs;
- specify where necessary the activation procedures and conditions for the use of these forces.

The following maritime rôles derived from the mission areas described in the Petersberg declaration are being studied for WEU maritime forces:

- (a) *Humanitarian assistance and disaster relief*: this rôle includes missions conducted to relieve human suffering, including relief operations in response to natural and manmade disasters, search and rescue, and assistance in the management of refugees.
- (b) *Conflict-prevention*: which includes different maritime activities, in particular under Chapter VI of the United Nations Charter, ranging from diplomatic initiatives to preventive deployment of maritime units intended to prevent disputes from escalating into armed conflicts or from spreading.
- (c) *Peace-making*: consists of diplomatic actions conducted after the outbreak of conflict with the aim of establishing a peaceful settlement. They can include such actions as diplomatic isolation and sanctions, which could be supported by WEU maritime forces.
- (d) *Peace-keeping*: narrowly defined, is the containment, moderation and/or termination of hostilities between or within states, using international and impartial military forces and civilians to complement the political process of conflict resolution and to restore and maintain peace. WEU maritime forces may be included within the military forces encompassed in this rôle.
- (e) *Peace-enforcement*: consists of action under Chapter VII of the United Nations Charter using military means including maritime forces to restore peace in an area of conflict. It is in tasks under this rôle that WEU maritime forces will require war fighting and limited power projection capabilities.
- (f) *Peace-building*: is post conflict action to identify and support structures which will tend to strengthen and solidify a political settlement in order to avoid a return to conflict. Maritime forces have various capabilities to support this rôle.

Since WEU has no standing or on-call forces, the format of forces will be tailored to the needs of the current situation, and contributions by member states will be on a volun-

tary basis. The WEU Council will retain political control over all WEU operations."

5. The Secretary-General concludes:

"This is only a beginning and a fairly limited one. However the ratification of the Maastricht Treaty is a new step in the evolution of WEU and the implementation of its work programme as stated by the Defence and Foreign Affairs Ministers of its member countries at Petersberg in June 1992. WEU offers the European Union a wide range of co-operative activities in the field of defence as well as a real operational potential. What comes next will largely depend on the political will of the European Union countries. Shortcomings only demonstrate one thing: the need to shorten the deadlines as much as possible in order to accelerate the rate at which a European defence is constructed. That need is particularly obvious and imperative in the field of maritime security, i.e. the protection of our shores and sea routes, all vital for the prosperity and survival of European societies."

6. While agreeing with the Secretary-General in principle, your Rapporteur would argue that the WEU Council is taking too narrow a view of its responsibilities at present. Over the years WEU's attributes have gradually been amputated - given away to other instances such as the Council of Europe or the then EEC. This may have been done from the best of motives but we have now reached the stage when it would appear that the Council is abandoning the concept of "security" which is going to European Union (and implicitly to the European Parliament) and is holding on (somewhat tenuously some would say) only to its "defence" remit under the modified Brussels Treaty.

7. However, "security" and "defence" are inextricably linked - increasingly so, in fact, as our continent moves from the "black and white" relationship of the cold war era to the "greyness" of the risks and dangers we are now experiencing.

8. National "defence" policies and programmes are intended to support what might be described as national "security" policies although the latter is usually a rather nebulous concept - does a nation's foreign policy encompass its security policy, or vice versa?

9. In a recent article published in the International Institute for Strategic Studies publication "Survival", Sherard Cowper-Coles addresses the problem in the following terms:

"Security is itself an elastic notion, whose meaning has been stretched in recent years to extend far beyond military security against aggression to include freedom from economic and environmental threats to the

state. Security often comes to denote little more than its root meaning of "freedom from care" or generalised stability and well-being. Used in that broad sense, in which the distinction between overseas and security policy is all but invisible, the word is hardly a helpful tool for defence policy-makers.

The term "security policy" is also misleading. It implies a coherent subset of foreign policy, within which nestles defence policy, as one Russian doll within another. In fact, all overseas policies and programmes share the objectives of promoting the security and prosperity of the United Kingdom and the stability of the international system to which it belongs. States maintain standing forces for the ultimate purpose of defending the state against external attack or internal subversion. But, in the absence of such immediate or obvious threats, armed forces are again what they always were: an important, perhaps the most important, subset of the larger set of tools which states use to protect and promote their interests overseas. Many of those interests are only remotely related to war-fighting: promoting defence sales, countering drug-smuggling, conducting humanitarian operations, or goodwill exchanges of all kinds intended primarily to extend national influence."

10. The arguments above cover the whole range of traditional forces – armies, navies and air forces – but increasingly also the para-military forces such as the gendarmerie and even (with reference to WEU operations on the Danube, for example) the customs and police services.

11. WEU is already in the business of planning and carrying out operations which involve such varied agencies as those mentioned above. It is obvious therefore that professionals in these various fields should be appointed to augment the Planning Cell in Brussels when required.

12. It is also obvious that WEU's present and future rôle includes a major maritime dimension and that Europe's security continues to depend to a large extent on Europe's maritime capabilities. Hence your Rapporteur's intention to highlight a number of different facets of the subject in the present report.

## ***II. General aspects of European naval and maritime co-operation***

13. Co-operation between naval forces, consisting of ships, submarines and amphibious forces, and other maritime forces such as shore-based maritime air, has been very widespread in Western Europe for the last 50 years.

14. Provided there is political agreement, it is a straightforward matter for co-operation to be arranged between naval forces in peacetime and for low-intensity operations. At the very simplest level all users of the high seas expect to co-operate in such matters as search and rescue and other emergencies when the only requirement for co-operation to be established is some internationally-accepted means of communication, of which there are several. The passage exercise (Passex), in which forces of different navies meet for mutual training when their programmes take them through the same area, is a regular feature of most naval deployments. Indeed European navies have met for passage training since the earliest days of the Western Union in the late 1940s and early 1950s. To exercise together, naval forces need a common communications plan and some mutually understood procedures both of which can be as simple or as complicated as the exercise programme demands.

15. Western European navies almost invariably use NATO procedures which have continuously been developed and refined to be available for any situation. This vast body of doctrine is also frequently used outside the Washington Treaty area. The United Kingdom, for example, has specific exercise agreements with some non-NATO nations, which involve the use of NATO procedures. With Australia and New Zealand, the United Kingdom, United States and Canada have a combined exercise agreement, and with Malaysia, Singapore, Australia and New Zealand the United Kingdom has a five-power defence arrangement which is heavily influenced by the NATO way of doing business. France also has a spread of bilateral agreements worldwide and often uses standard NATO operating procedures.

16. Just as it is easy for navies to meet for ad hoc exercises, it is a fairly simple matter for naval forces to co-operate at short notice for low-level military operations. Naval forces are inherently highly mobile, possess organic tactical logistics and the command and control of naval forces is flexible. On this last point it is a feature of all naval operations that units will change controlling authorities several times during an operation and the force packages for particular tasks are in a constant state of movement.

17. It is not surprising, therefore, that the first military initiatives of the revitalised Western European Union involved co-operation between naval forces, first during the Iran-Iraq war and subsequently during the Gulf conflict as already mentioned. It also explains the ease and speed with which WEU managed to field a force for embargo operations in the Adriatic. A political decision was soon followed by forces in theatre without the need for the very detailed planning process required for the mounting, deployment and support of a ground operation.

18. It follows that naval forces can be used in an exemplary or experimental way in establishing or building military co-operation, especially during peacetime and for low-intensity operations. For high-intensity operations it is as important for multinational maritime forces as for land-air forces that formations contain a properly balanced range of integrated capabilities, that they are fully worked up and exercised and that they are controlled by practised staffs. The NATO experience has been that the major maritime formations designed for high-intensity warfare such as the Atlantic Striking Fleet and Mediterranean Striking Force South have been predominantly United States formations to which other nations have contributed units and subordinate formations. The staffs for these multiple carrier battle forces have been United States national staffs augmented by personnel from other contributing NATO nations. While the new NATO reaction force concept recently adopted is designed to allow multinational maritime forces to be assembled at short notice to meet a complete range of contingencies, for high-intensity combat these forces will still need to have as their core fully-integrated and worked up balanced battlegroups predominantly drawn from a single nation and augmented by units and subordinate formations from other nations. Similarly, the command and staffs of these major formations are likely to be created by the augmentation of national staffs.

19. During the recent Gulf operation a very large number of nations contributed maritime forces and many were under a WEU "flag". Nonetheless very few nations actually participated in the forward battle area where it was necessary for maritime forces to be fully integrated. Only those nations equipped for and practised at full integration with United States naval forces were able to contribute where there was a requirement to carry out high-intensity tasks such as sea control and power projection.

20. European naval forces have an important part to play in the range of tasks envisaged in the Petersberg declaration, as outlined in the Secretary-General's article for the Greenwich Forum meeting. Naval forces would be major contributors to humanitarian tasks, to operations in support of the peace process, and to crisis management generally. The ease with which multinational naval forces can be assembled, deployed and controlled makes them particularly useful in the early stages of crisis management and in any operation where the sea provides an avenue for access, naval forces will have a crucial rôle. The vast majority of European naval forces are assigned in principle to NATO and these forces would by and large also be available to WEU. In addition, the United Kingdom has declared that one of the four star national joint headquarters, at Northwood, optimised for and expe-

rienced at maritime operations, would be among those available to WEU. A two star United Kingdom national afloat joint force headquarters is also available for augmentation as a WEU afloat headquarters.

21. As the Petersberg declaration makes clear, it is not WEU policy to create new permanent force structures separate from those of NATO. However a number of European nations participate in permanent bi- or multi-national European forces which are presently assigned to NATO but could be made available to WEU. The United Kingdom and the Netherlands have for many years operated a fully-integrated combined amphibious force which has at its core a brigade of British and Dutch marines. This force took part most successfully in Operation Haven, protecting the Kurds in Northern Iraq. All WEU member states are currently in the process of declaring naval forces which will be available to WEU. The WEU Planning Cell, in consultation with all WEU member states, has prepared a naval contingency force generation plan (Combined Endeavour as mentioned above) together with proposals for exercises.

22. The naval force generation plan is a useful first step and in principle should provide a basis for the smooth generation of WEU maritime forces from those declared by nations as available to WEU for the tasks envisaged under the Petersberg declaration. The plan should however be developed and make use of NATO doctrine and procedures wherever these are relevant and useable. Where WEU has specific requirements that differ from NATO, particularly in command and control of forces, the plan will probably need to develop special arrangements. The Planning Cell should also draw up specific mission-oriented plans for naval contingencies such as embargo operations or disengagement of forces. Some such plans already exist for current Adriatic operations but largely only on a national and unco-ordinated basis.

23. An important aspect of European maritime co-operation is in training and exercising. A WEU exercise policy is currently being developed and is examined in a parallel report for the Assembly's Defence Committee, "The WEU Planning Cell - reply to the thirty-ninth annual report of the Council" (Rapporteur: Mrs. Baarveld-Schlaman). Several European navies, notably Germany, the Netherlands and Portugal, use the United Kingdom's operational sea training facility. Other navies, notably Italy and Spain, use the French Fleet Training Centre in Toulon. The Belgian Navy hosts the Mine Warfare School at Ostend where all WEU navies are welcomed and where many joint tactics and procedures are developed. Similarly, several European navies take part in the United Kingdom Royal Navy/Royal Air Force

joint maritime courses, which are conducted in the North Sea and North Atlantic under the direction of a joint staff at Pitreavie near Edinburgh in Scotland. These courses combine weapon training with high-intensity exercises in the open ocean.

24. Initiatives for amphibious training have been particularly fruitful. The United Kingdom/Netherlands landing force has a continuous programme of training. United Kingdom Royal Marines exercise regularly in Portugal at the Santa Margherida ranges and have exercised with the regiment Fuzileiros. Exercises with a large amphibious component are run annually by France, Spain and Italy in turn. The Assembly's Defence Committee was invited to observe Exercise Farfadet in southern France in 1992, Ardente in northern Italy in 1993 and hopes to observe Tramontana in Spain later this year. These exercises are proving the model for the modern, more humanitarian and less threat-orientated action which WEU is likely to be involved in over coming years. The majority of WEU nations took part in Ardente and will also be represented in the United Kingdom-sponsored Command Post Exercise Purple Nova at Northwood. The United Kingdom is now to exercise amphibious helicopters on a regular basis with the French "Force d'Action Rapide" and Commachio Group of the United Kingdom Royal Marines, a specialist unit for the protection of off-shore facilities, holds an annual exchange with French Marine Commandos – Exercise Scotch Wine.

25. In terms of bilateral co-operation, neighbouring maritime states are often to the fore, particularly over search and rescue, policing, etc. Joint exercises and joint operations have become the norm, although on occasion such developments have particular political overtones.

26. France and Germany have begun a series of bilateral naval exercises alternating annually between the Mediterranean and the Baltic. Germany and Poland have regular exchanges of units concentrating on search and rescue and your Rapporteur would suggest that this example should be followed not only between WEU nations and those naval members of the Forum of Consultation but also with existing and future WEU associate and observer countries. As mentioned previously, naval co-operation at whatever level is by far the easiest to organise and is probably the most effective.

27. European maritime co-operation is fertile ground for development of the framework established at Maastricht and Petersberg. While virtually all WEU nations possess naval forces (see Appendix I), the major contributors of naval forces to the security of Western Europe are France and the United Kingdom which are playing a full part in these developments. The

French and British navies have a long history of expeditionary operations and this experience is particularly useful in the present strategic environment. Experience of the requirements of large-scale and high-intensity maritime operations is of course the capacity which in the last resort underpins all effective crisis management and gives credibility to the diplomatic use of naval force. Hence the theme of the next chapter.

### *III. A specific nucleus for European naval co-operation*

28. The two most complete navies in Europe belong to France and the United Kingdom and it is these two navies which therefore form a nucleus for European co-operation for the future. Both France and the United Kingdom possess the three core capabilities which together provide an attractive option for crisis response and risk management: amphibious ships, carriers and nuclear attack submarines.

#### *The three core capabilities*

29. A naval force's political attraction is the range of policy options it affords: it is a highly effective means of achieving the government's aims in the face of resistance. It is a versatile and politically flexible tool which is particularly effective at the outset of an operation and throughout its duration.

30. A naval force can throw a long maritime punch, first by deploying as a symbol of resolve, then by controlling the sea, and finally by intervening and supporting a land battle. But to achieve this, the naval force must be able to project leverage or power.

31. In this context amphibious ships have never been more relevant to the strategic and operational environment. They offer a combination of strategic reach, logistic independence and operational mobility. Amphibious forces can sail early, and with orchestrated publicity, to demonstrate will and capability; or they can be despatched without demonstration if political understatement is required. They may take passage through international waters without infringement of territorial boundaries. They could poise at sea, raid or land on a potentially hostile coast at a time and place of the commander's choice and independent of shore infrastructure. Ashore, they can conduct independent operations or create the preconditions for the landing or withdrawal of heavier forces.

32. In 1993 the United Kingdom decided to contract for the design and construction of an assault carrier (in technical terms a landing platform helicopter – LPH). Such an LPH will be able to play a key rôle in future amphibious operations. It will be capable of putting ashore up to

800 marines in a single assault wave and, together with assault ships and landing ships logistic (LSLs), it will provide the British Royal Marines with the specialised shipping necessary to fulfil their rôle well into the next century. Complementary developments in the Netherlands will also ensure a continuing rôle for the United Kingdom/Netherlands landing force. As it happens, the first major amphibious exercise to be conducted by the United Kingdom Royal Marines for seven years culminated in an assault on the island of Lewis in Scotland's Outer Hebrides in February 1994. Elements of 3 Commando Brigade, including 45 Commando Group and supporting artillery and combat engineers, were joined by 1 Battalion Royal Netherlands Marine Corps and a company from the French Army's Force d'Action Rapide. For the first time four Griffon light air cushion vehicles were used to carry commandos ashore. Much experimentation has been carried out with hovercraft over the years but only now are they becoming fully operational. The Assembly's Defence Committee visited the USS Tortuga, a landing ship dock which carries such craft, in July 1993 in Norfolk, Virginia.

33. Aircraft carriers are the second of the three core capabilities. They can provide a whole range of capabilities ranging from command and control to direct support of operations ashore, to anti-surface and submarine warfare and air defence for an amphibious group, or on the sea lines of communication to an intervention area. Some believe that this could be done perfectly well by shore-based aircraft, but experience teaches differently: in three of the four high-intensity conflicts since 1945 (Korea, Suez and the Falklands) the vast majority of all air support was carrier-based. The deployment and sustaining of aircraft in a theatre of operations, independent of host nation support, offers a considerable range of options to government and is an excellent example of significant intervention capability.

34. Last of the three core capabilities: nuclear attack submarines – SSNs. Capable of sustained high speed – they can cover 600 nautical miles per day with no need to refuel – they may be the first on the scene, where they are then available for insertion of special forces, for example, early denial of sea control or to procure critical intelligence. They could also remain at sea, operating overtly or covertly and independently of outside support, for up to 90 days.

35. The United States Navy's SSNs have the capability to launch cruise missiles: this was demonstrated to devastating effect during the Gulf conflict, and in the two subsequent raids against Iraq. Cruise missiles, 90% of which were fired from sea during the Gulf conflict, formed the first waves of attack at the outbreak of hostilities: they combined a surgical degree of accuracy with none

of the risk of aircrew losses which is associated with fixed wing operations. Possible procurement of submarine-launched cruise missiles has been studied by both France and the United Kingdom.

36. In the spring of 1979 a window of opportunity existed for a short period when the United Kingdom and France might have decided to develop a submarine-launched ballistic missile together but then Britain was given the opportunity again of buying "off the American shelf" and the occasion passed by.

37. Today with both countries engaged on divergent paths in terms of technology there is little chance of a common ballistic missile procurement programme in the foreseeable future.

38. However, there is still room for some "common sense" co-operation: what is sometimes known as "water management". Through co-ordination of maintenance cycles, "time alongside", etc., both countries could ensure that their SSBN assets are employed to best advantage without any encroachment on the hitherto taboo subject of targeting and all the implications. A parallel report from the Defence Committee – the rôle and future of nuclear weapons (Rapporteur: Mr. De Decker) – will be presented to the Assembly at the next plenary session.

39. A maritime task force is ideally structured and equipped for joint operations. Almost any operation today is of a joint nature, and units which are able to contribute to the air, land and sea battle will have obvious merits. An amphibious force has a clear joint capability, since it is designed to achieve local sea control, establish a bridgehead in order to create the conditions for the landing of heavier forces and then provide air support for friendly forces ashore. This capability is at the heart of the combined joint task force concept announced at the January 1994 NATO summit and which is currently being elaborated by NATO and WEU.

40. In addition to the three core capabilities, some of which are shared by other European navies (notably Italy and Spain with the Garibaldi and Principe des Asturias carriers and the Netherlands with amphibious assets as mentioned above), the destroyers and frigates, mine-countermeasure vessels and afloat support ships also play key rôles. Destroyers and frigates are essential assets in any maritime conflict and are crucial to the sea denial task upon which all reinforcement and amphibious operations depend. The Gulf conflict demonstrated the critical importance of a highly capable mine counter-measures force, and replenishment and logistic ships are obviously indispensable as both the Falklands and the Gulf conflicts demonstrated. Increasingly for the types of operation WEU may have to carry out in



the future, an adequate European Merchant Marine is a vital asset – an important aspect which is addressed in Chapter V.

#### *IV. WEU navies and the United Nations*

41. In the wake of the end of East-West confrontation the international community is again looking to an expanded rôle for the United Nations in maintaining international peace and security and ameliorating human suffering. More United Nations peace-keeping operations have been authorised since 1988 than in the previous 40 years, and the number of active United Nations operations has more than doubled since January 1991. Moreover, the size and complexity of the operations have increased, and the scope of United Nations missions has expanded greatly. Recent events in former Yugoslavia and Somalia suggest that more – and more complex – operations are on the way. In short, the prominent global security rôle that the founders imagined for the United Nations is about to be tested.

42. Little international attention has been devoted to United Nations naval co-operation issues. Most of the current proposals, in fact, fail to consider naval forces, except perhaps in connection with the need for sealift. Yet most of the United Nations operations recently authorised have naval components of some kind. Further, the areas where expansion of United Nations involvement is possible, such as international enforcement of United Nations agreements, are particularly suited for a maritime context.

##### *Status of United Nations military co-operation*

43. Anticipating a resurgent rôle for the United Nations, the first United Nations Security Council Heads of State and Government summit in January 1992 asked the Secretary-General to report on ways of “strengthening and making more efficient the capacity of the United Nations for preventive diplomacy, peace-making and peace-keeping”. In his “An Agenda for Peace” submitted to the Security Council in June 1992, the Secretary-General called for activation and strengthening of the provisions of the United Nations Charter to maintain or restore international peace and security. In particular, he called for preventive diplomacy to avoid the breakdown of peaceful conditions, mutually reinforcing efforts at peace-keeping and peace-making when conflict breaks out, and post-conflict peace-building to prevent a recurrence of conflict by attacking its causes.

##### *United Nations naval missions and supporting tasks*

44. Only a handful of United Nations naval operations have taken place. As a result, most formal and informal discussions of prospective

United Nations military action avoid consideration of naval missions, or missions performed by naval forces. United Nations naval mission areas and their supporting tasks could include: provide humanitarian assistance, intervene for humanitarian purposes, interdict sea and air traffic, conduct maritime peace-keeping, respond to aggression, control armaments/conduct demilitarisation, enforce maritime agreements, make a show of force, and protect sea and air traffic. The last three offer new areas for multinational naval co-operation in a United Nations context, whereas some United Nations precedent exists for the other missions.

45. Removal of political constraints and the experience of the Gulf war have added greater elasticity to plausible United Nations naval rôles, though the arrangements for military effectiveness have not kept pace. The missions discussed above fall into all four areas for United Nations action identified in the Secretary-General’s “An Agenda for Peace”, though the focus is on those mission areas that involve some element of peace-keeping. The level of military force involved can range from zero (as in humanitarian assistance) to moderate (as in humanitarian intervention) to quite considerable (as in responding to aggression). Further, many prospective United Nations naval mission areas are not likely to be conducted with full local consent. Thus, they may require greater levels of force and entail possibly greater levels of risk to the forces than the majority of United Nations-sponsored operations in the past (excepting Korea, the Congo and the Gulf war).

##### *Organising options and analysis*

46. Possible options for organising multinational naval co-operation in the United Nations context are plentiful. Four different options exist:

- United Nations authorisation, as in the Gulf war;
- United Nations designation, as in the Korean war;
- United Nations direction of on-call national forces (as called for in the United Nations Charter and proposed by the Military Staff Committee in 1947) or peace-keeping units; and
- for United Nations standing forces, as articulated in a 1918 proposal for a League of Nations Navy.

47. These problems have been examined in two recent reports of the Assembly: United Nations operations – interaction with WEU, Document 1366, 19th May 1993, Rapporteur: Mrs. Baarveld-Schlaman; Political relations between the United Nations and their consequences for the development of WEU, Document 1389, 8th November 1993, Rapporteur: Mr. Soell.

48. The naval aspects have been addressed in three recent studies which have all taken account of WEU's position:

- "Multinational maritime forces: a break-out from traditional peace-keeping?", Michael C. Pugh (Southampton Papers in International Policy - Mountbatten Centre for International Studies, University of Southampton);
- "Blue Hulls: Multinational naval co-operation and the United Nations", Jeffrey I. Sands (Center for Naval Analyses, Alexandria, Virginia);
- "The employment of maritime forces in support of United Nations resolutions" (Center for Naval Warfare Studies, Naval War College, Newport, Rhode Island).

49. Suffice it to say that WEU has been in the van in implementing a whole range of operations which have been carried out more or less under United Nations auspices. Certain grey areas would need quite considerable clarification if they were to become the norm but the main lesson drawn has been the willingness not only of the WEU nations to become involved in such operations over past years but also for other countries, non-member nations, to seek to associate themselves with WEU activity either in the Gulf or in the Adriatic.

50. Of course much of the good co-operation has resulted from a common usage of standard NATO procedures, although not where all countries are concerned. In addition, NATO itself has had to evolve quickly, especially, for example, in the realm of logistics.

51. For example, NATO and WEU naval forces enforcing the United Nations blockade against Serbia are now being sustained by a new joint logistics system. A forward logistic site (FLS) was set up at the Italian Naval Air Station, Grottaglie, in December 1993 to streamline logistic support for ships of the twelve allied navies participating in Operation Sharp Guard in the Adriatic Sea off the coast of former Yugoslavia.

52. Previously, logistic support for military units taking part in NATO operations or exercises had been a national responsibility. The almost permanent nature of the blockade in the Adriatic forced NATO and the participating countries to look at ways to streamline logistic support for the mission.

53. The FLS co-ordinates all essential operational logistic requirements for Sharp Guard ships; arranges the delivery of mail, cargo and personnel to and from all ships taking part in the operation, and arranges for maintenance support at local harbours and medical evacuation of afloat personnel.

54. The FLS concept ensures the most efficient use of scarce helicopter assets. Each nation with a ship at sea would have to send its own helicopter ashore to collect or deliver priority items or personnel. With FLS co-ordination, either a shore-based helicopter or one of the helicopters from any of the afloat ships can collect and deliver to any of the ships in the joint NATO/WEU task force. This ensures that the ships are not deprived of one of their essential operational assets for long periods of time on logistic tasks.

55. This type of development is obviously very useful to all concerned and has a direct influence on United Nations capabilities. Again WEU must establish a working relationship with the appropriate United Nations authorities and ensure an efficient liaison.

#### *V. Maritime transport and European security*

56. For some years Europe has been going through a difficult period in terms of its economy and trade. The world recession is having a more devastating effect in Europe than in other parts of the world. Europe is working hard to address the challenges of today and tomorrow. The European Union is clearly trying to find an appropriate answer from within, by completing its internal market as well as, in its relations with the rest of the world, by making sure that it does not become a Fortress Europe.

57. The first answer of the twelve member states of the European Union to the structural problems characterising the European economies since the eighties has been the creation of the internal market which came formally into force on 1st January 1993. With the ratification and the entering into force of the Treaty of Maastricht on 1st November 1993, a further crucial milestone was reached on the way to European integration. On 1st January 1994, the European Economic Area, which creates close economic links between the European Union and six other West European countries, became reality. The economic potential of this production and consumer market of almost 380 million people should certainly not be underestimated.

58. In the last two decades the global economic and trade pattern has undergone drastic modification. Most striking is the economic development of the Far East; some even speak about the Asian miracle. Traditional long-standing economic and trade structures have to be adapted to these changes in order to make sure that nations can remain active in world trade.

59. As far as the external face of the European Union is concerned, Brussels played a decisive rôle in the successful conclusion of the Uruguay round. This will without any doubt lead to a revi-

val of foreign trade. Europe is not closing its eyes to economic integration processes taking place in other parts of the world. Traditional trade patterns will be influenced by the successful implementation of the NAFTA Agreement between the United States, Canada and Mexico, as well as by the concept of closer economic ties in the Pacific region with the creation of APEC (Asian Pacific Economic Co-operation) in which, at present, eleven countries of the region participate.

60. All these global developments and changes in world trade patterns will have direct or indirect effects on maritime transport. It is clear, for example, that maritime transport within as well as to and from the Far East in the largest sense of the word will grow progressively over the years and decades to come. The global view is important for a clear understanding of the maritime transport policy of the European Union. The added implication is that where Europe's merchant ships are present, Europe may have to deploy its warships to protect them.

#### *Rôle of maritime transport in the European Union*

61. Maritime transport has historically been of great economic, social, strategic and political importance for Europe. At present more than 90% of the Community's total external trade is carried out by maritime transport; less than 10% by all other modes of transport together. Of the total trade volume between the twelve member states of the European Union, almost 35% is taken by coastal or short sea shipping (SSS). These figures explain why the shipping industry of the Community has invested a total of 60 BECU (billion ECU) in mobile assets.

62. Notwithstanding these figures, European shipping is going through difficult times. The percentage of the world's merchant fleet sailing under the flag of an EC member state has fallen from 45% in 1960 to 30% in 1980 and has since then further decreased to 13% at present. Flagging out is not just a problem for the European Union. Recent statistics show that no less than 45% of the world merchant fleet has flagged out. The fleet of the European Union, however, has been affected more than others as almost 55% of the total EC fleet is estimated to have flagged out and the curve is still rising rather than falling. One might say that it is not so much the flag that counts but much more the ownership of a vessel. A correct assumption, but here too one has to face the fact that the proportion of vessels owned or effectively controlled by EC companies has fallen from 36% in 1980 to less than 25% at present. A logical consequence of all this is that employment for European seafarers has decreased too. In 1992 there were in total some 135 000 seafarers which is almost 60% less than in 1980.

63. The main reason for this decline is to a large extent to be found in the unfair or unequal competition our shipowners face from ships sailing under cheap flags or open registers and, not least, from substandard ships where internationally agreed safety standards are not so strictly applied. Where European shipping is strong and is strengthening its efforts further, is in the quality of the vessels and services offered.

#### *The importance of the shipping industry*

64. Despite the recession in the West and the convulsive events in Eastern and Central Europe, world trade has burgeoned and will go on burgeoning, particularly in the context of the recent GATT agreement.

65. As in the past, shipping will always be an international operation requiring international rules to direct its operations and requiring responsible flag and port state enforcement to protect the marine environment, to ensure increasing standards of safety and to safeguard civilised crewing conditions.

66. Merchant shipping is a significant European Union asset and critical in terms of the Union's overall transport policy. As a major international activity, Europe, in the largest trading block in the world, will ignore or fail to nourish this industry at its peril.

67. Dependence on others to transport Europeans and their cargoes would be an extremely dangerous situation for the 340 million people of the Union. A fleet is needed to serve those people. Europe needs to have a voice in international shipping affairs, to exemplify high standards of seafaring and safety and to show respect for the maritime environment. Not least Europe needs an effective merchant fleet to sustain its defence strategy as it is developed.

#### *European shipping policy*

68. Over the last decade the overriding purpose of the European Commission's shipping policy has been "to maintain and develop an efficient and competitive shipping industry and to secure competitive sea transport services in the interests of community trade".

69. There has been a dramatic decline of the European fleet since 1980. The causes of that decline have been attributed to lower taxation, lower social security and lower wage costs which, together with a rather more permissive attitude about international regulations, have been the prime attractions of flagging out. There has been a serious reduction in employment of European Union seafarers and a general ageing of the fleet. The situation confronting virtually all European merchant fleets is urgent.

70. One of the issues which has bedeviled European shipping has been the increasingly geriatric nature of the fleets of the member states. Replacement is critical yet shipyard capacity is inadequate in order to cope with the problem.

71. This problem in turn is compounded by the inadequate numbers of European trained crews, since inadequate training stands in direct proportion to the use of more dubious registries by shipowners, where the emphasis lies in employing the cheapest crews with scant regard for safety, training or the maritime environment. It seems that only when a disaster occurs that, for a relatively brief period, anxieties are raised, enquiries undertaken and promises of action given fairly freely, with the inevitably slow follow-up.

72. What is particularly welcome about the approach of the European Commission has been its attempts to frame a strategy to stem the decline of the Union's maritime industries, as well as sharpening their competitive edge. What is further required now is an awareness of the defence and security aspects of European shipping.

#### *The interdependence of the maritime industries*

73. For far too long too many of the member states have allowed the various maritime industries to be dealt with in a somewhat insular way, failing or refusing to recognise their interdependence. The various industries have adopted their own individual defensive positions, often thereby hampering decisive action which could have been utilised to hone their international competitiveness. In turn this would have been of greater value to the wider economy.

74. It must be evident that a growing European Union fleet would provide a more viable internal market for shipbuilding and repair yards as well as for suppliers of essential components. This is especially true of naval construction as well as in the civilian sector.

75. Seldom has a country developed its maritime industries without relying on its national shipping sector as its main customer. Equally, European shipping needs to draw on a wide range of highly-skilled financial, insurance, legal and brokerage services and, working together, all these should constitute an asset with critical advantages for other land-based and port activities.

76. Indifference – even hostility – towards the notion of dealing with the maritime industries in this way, has led directly to a reduction in competitiveness of shipping and shipbuilding, not simply within the European Union but in the wider international field.

#### *Shipbuilding and competition policy*

77. There is a definite need for a viable European Union shipbuilding industry. A great

deal of restructuring has been undertaken over the last decade and a half. Substantial productivity gains and greater concentration of shipbuilding with a high technological content has taken place, yet European shipyards are still incapable of surviving on the market without adequate public support and this is bound to continue until the main competitors, notably industries in the Pacific rim, dismantle their aid systems.

78. A European approach should be based on stopping the fragmentation of European Union shipyards and ancillary activities and on looking for the economies of scale which are so attractive as far as Europe's Asian competitors are concerned. It is therefore increasingly important to maximise co-operation between European Union undertakings, particularly in the field of research and development, design, purchasing, environmental protection and marine engine manufacture. This is particularly true of co-operation for naval procurement which must be developed beyond the realms of the Tripartite minehunter (even though one of its very successful forebears, the Ton-class minesweeper, was the result of early co-operation in the Western Union). Signs for optimism are perhaps valid with the Anglo-French-Italian frigate project and Dutch-Spanish co-operation. Your Rapporteur hopes that before long the Western European Armaments Group will turn its attention to this domain.

#### *Defence*

79. Europe is more ambitious now about achieving a concerted defence policy than ever before. Yet this is certainly not a viable objective without adequate marine industries, merchant ships and those to crew them. Your Rapporteur has been given assurances by those responsible in the WEU Planning Cell that Europe has adequate shipping for essential defence purposes. The Greek Under-Secretary of State for Foreign Affairs, Mr. Georgios Papandreou, has pointed out the advantages of the Greek merchant fleet becoming available for WEU operations with Greek membership of the organisation, but even so an urgent analysis of the current WEU assets, properly conducted and kept up to date, is vital before Europe enters into any conflict commitment requiring considerable sea-borne logistic support.

#### ***VI. Co-operation with the International Maritime Organisation and the International Hydrographic Organisation***

80. WEU countries are members of two particular bodies with which WEU itself should consider co-operating in certain domains impacting on European security: the International Maritime Organisation (IMO) and the International

Hydrographic Organisation (IHO). The work of the organisations is described below.

*(a) The International Maritime Organisation*

81. When the establishment of a specialised agency of the United Nations dealing with maritime affairs was first proposed, the main concern was to evolve international machinery to improve safety at sea.

82. Because of the international nature of the shipping industry, it had long been recognised that action to improve safety in maritime operations would be more effective if carried out at an international level rather than by individual countries acting unilaterally and without co-ordination with others. Although a number of important international agreements had already been adopted, many states believed that there was a need for a permanent body which would be able to co-ordinate and promote further measures on a more regular basis.

83. It was against this background that a conference held by the United Nations in 1948 adopted a convention establishing the International Maritime Organisation (IMO)<sup>1</sup> as the first every body devoted exclusively to maritime matters.

84. In the ten-year period between the adoption of the Convention and its entry into force in 1958, other problems related to safety but requiring slightly different emphasis had attracted international attention. One of the most important of these was the threat of marine pollution from ships, particularly pollution by oil carried in tankers. An international convention on this subject was actually adopted in 1954, four years before IMO came into existence, and responsibility for administering and promoting it was assumed by IMO in January 1959. From the very beginning, the improvement of maritime safety and the prevention of marine pollution have been IMO's most important objectives.

85. The organisation is based at 4 Albert Embankment, London, and is the only United Nations specialised agency to have its headquarters in the United Kingdom. Its governing body is the Assembly, which meets once every two years. It consists of all 137 member states and two associate members. Between sessions of the Assembly a Council, consisting of 32 member governments elected by the Assembly, acts as IMO's governing body.

*The committees*

86. IMO is a technical organisation and most of its work is carried out in a number of committees and sub-committees.

87. The Maritime Safety Committee (MSC) is the most senior of the committees that carry out the organisation's technical work. It has a number of sub-committees whose titles indicate the subjects they deal with: safety of navigation; radio-communications; life saving, search and rescue; training and watchkeeping; carriage of dangerous goods; ship design and equipment; fire protection; stability and load lines and fishing vessel safety; containers and cargoes; and bulk chemicals.

88. The Marine Environment Protection Committee (MEPC) was established by the Assembly in November 1973. It is responsible for co-ordinating the organisation's activities in the prevention and control of pollution of the marine environment from ships. The Sub-Committee on Bulk Chemicals is also a sub-committee of the MEPC as far as pollution is concerned.

89. The Legal Committee was originally established to deal with the legal problems arising from the Torrey Canyon accident of 1967, but it was subsequently made a permanent committee. It is responsible for considering any legal matters within the scope of the organisation.

90. The Technical Co-operation Committee is responsible for co-ordinating the work of the organisation in the provision of technical assistance in the maritime field, in particular to the developing countries. The importance of technical assistance in IMO's work is shown by the fact that it is the first organisation in the United Nations system formally to recognise a Technical Co-operation Committee in its Convention.

91. The Facilitation Committee is responsible for IMO's activities and functions relating to the facilitation of international maritime traffic. These are aimed at reducing the formalities and simplifying the documentation required of ships when entering or leaving ports or other terminals.

92. All the committees of IMO are open to participation by all member governments on an equal basis.

*The secretariat*

93. The secretariat is headed by the Secretary-General, who is assisted by a staff of some 300 international civil servants. The Secretary-General is appointed by the Council, with the approval of the Assembly.

94. In order to achieve its objectives, IMO has, in the last 30 years, promoted the adoption of some 30 conventions and protocols and adopted well over 700 codes and recommendations concerning maritime safety, the prevention of pollution and related matters. The "related matters" include work on a number of subjects which come under the heading of "security" and are thus of interest to WEU navies. Piracy and armed robbery at sea are increasing threats, as is drug traf-

1. Until 1982 the organisation was called the Inter-Governmental Maritime Consultative Organisation (IMCO).

ficking (discussed in the explanatory memorandum). The concerted action proposed should be carried out in full consultation with the IMO.

*Technical assistance*

95. While the adoption of conventions, codes and recommendations has in the past been IMO's most important function, in recent years the organisation has devoted increasing attention to securing the effective implementation of these measures throughout the world.

96. As a result, the organisation's technical assistance activities have become more and more important and in 1977 IMO took steps to institutionalise its Technical Co-operation Committee – the first United Nations body to do so.

97. The purpose of the technical assistance programme is to help states, many of them developing countries, to ratify IMO conventions and to reach the standards contained in the SOLAS Convention and other instruments. As part of this programme, a number of advisers and consultants are employed by IMO – in the field as well as at headquarters – to give advice to governments on such matters as deck and engineering personnel and the prevention of pollution.

98. Each year the organisation arranges or participates in numerous seminars, workshops and other events which are designed to assist in the implementation of IMO measures. Some are held at IMO headquarters or in developed countries, others in the developing countries themselves.

99. In the field of environmental protection IMO has actively co-operated with the Regional Seas Programme of the United Nations Environment Programme (UNEP) in the development of regional anti-pollution arrangements. IMO is currently involved with programme development in all of the eleven seas covered by UNEP action plans. A particularly interesting outcome of this co-operation is the Regional Marine Pollution Emergency Centre for the Mediterranean Sea (REMPEC) which was established by IMO in conjunction with UNEP in 1976.

100. But the most important subject of all is training. IMO measures can only be implemented effectively if those responsible are fully trained, and IMO has helped to develop or improve maritime training academies in many countries around the world. Some of them cater purely for national needs. Others have been developed to deal with the requirements of a region – a very useful approach where the demand for trained personnel in individual countries is not sufficient to justify the considerable financial outlay needed to establish such institutions. IMO has also developed a series of model courses for use in training academies.

101. While IMO supplies the expertise for these projects, the finance comes from various sources.

The United Nations Development Programme (UNDP) is the most important of these, with other international bodies such as UNEP contributing in some cases. Individual countries also provide generous funds or help in other ways – for example, by providing training opportunities for cadets and other personnel from developing countries. This has enabled IMO to build up a successful fellowship programme which, over the years, has helped to train many thousands of people.

102. The most ambitious and exciting of all IMO's technical assistance projects is the World Maritime University at Malmö, Sweden, which opened in 1983. Its objective is to provide high-level training facilities for personnel from developing countries who have already reached a relatively high standard in their own countries but who would benefit from further intensive training. Many of those currently at the University have served as captains or chief engineers at sea and have moved into administrative positions ashore. Others are teachers at maritime academies, examiners or surveyors, technical port managers, and so on. The University can train about 200 students at a time on two-year courses. The University is necessary because training of the specialised type provided at Malmö is not available in developing countries – or indeed anywhere else in the world. It has proved to be so successful that since 1985 a limited number of places have been made available to students from developed maritime nations.

103. IMO works through a number of specialist committees and sub-committees. All these bodies are composed of representatives of member states who discharge their functions with the assistance and advice of appropriate bodies of the United Nations or the specialised agencies, as well as international governmental and non-governmental organisations with which formal relationships have been established. Formal arrangements for co-operation have been established with 33 inter-governmental organisations, while 49 non-governmental international organisations have been granted consultative status to participate in the work of various bodies in an observer capacity. If WEU is to engage fully in the realm of maritime co-operation, it must establish a working relationship with the IMO.

*(b) The International Hydrographic Organisation*

104. The International Hydrographic Organisation is another intergovernmental consultative and technical organisation. The object of the organisation is to bring about:

- (a) the co-ordination of the activities of national hydrographic offices;
- (b) the greatest possible uniformity in nautical charts and documents;

- (c) the adoption of reliable and efficient methods of carrying out and exploiting hydrographic surveys;
- (d) the development of the sciences in the field of hydrography and the techniques employed in descriptive oceanography.

105. Hydrography is the science of measuring and depicting those parameters necessary to describe the precise nature and configuration of the seabed, its geographical relationship to the landmass, and the characteristics and dynamics of the sea. These parameters include bathymetry, tides, currents, waves, physical properties of seawater, geology and geophysics.

106. The primary use of the data collected is to compile marine charts and other graphic documents to facilitate and ensure safety of navigation for mariners in all the seas of the world, and for use by others concerned with the marine environment such as ocean engineers, oceanographers, marine biologists and environmental scientists. Among the most important applications of hydrographic knowledge is its use in the planning of exploration and exploitation of marine resources, the determination of seaward limits of national jurisdiction, and the delimitation of maritime boundaries.

107. International co-operation in the field of hydrography began with a conference held in Washington in 1899 and two others in Saint Petersburg in 1908 and 1912. In 1919, 24 nations met in London for a Hydrographic Conference during which it was decided that a permanent body should be created. The resulting International Hydrographic Bureau began its activity in 1921 with 19 member states and with headquarters in the Principality of Monaco, to which the Bureau had been invited by H.S.H. Prince Albert I of Monaco.

108. In 1970, an intergovernmental convention entered into force which changed the organisation's name and legal status, creating the International Hydrographic Organisation (IHO), with its headquarters (the IHB) permanently established in Monaco. The organisation currently has a membership of 58 maritime states although a number of applications are pending.

109. The official representative of each member government within the IHO is normally the national Hydrographer, or Director of Hydrography, and these persons, together with their technical staff, meet at five-yearly intervals in Monaco for an International Hydrographic Conference. The conference reviews the progress achieved by the organisation and adopts the programmes to be pursued during the ensuing five-year period. A Directing Committee of three senior hydrographers is elected to guide the work of the Bureau during that time.

110. This Directing Committee, together with a small international staff of technical experts in hydrography and nautical cartography, co-ordinates the technical programmes and provides advice and assistance to member states. All member states have an equal voice in arriving at agreed solutions to problems of standardisation and in programming the work of the Bureau, whilst any member may initiate new proposals for IHO consideration and adoption. Between conferences such matters are normally accomplished by correspondence.

111. The advent of the very large crude carrier with its exceptionally deep draught, the recognition of the need to protect the marine environment, the changing maritime trade patterns, the growing importance of seabed resources, and the United Nations Law of the Sea Convention affecting areas of national jurisdiction have all served to highlight the inadequacies of the survey data available to produce the existing nautical charts and publications. Charts which served well just a few years ago now require recompilation to incorporate new data and these data must be gathered by hydrographic survey operations. The deficiency is not limited to sparsely surveyed waters of developing nations, but also exists in the coastal waters of major industrial states. Fortunately, technology has advanced to a point where new instruments and techniques greatly facilitate the conduct of the precise and extensive surveys required. Further, co-operation among the various national charting agencies can serve to greatly enhance the effectiveness of chart production and navigational warning activities.

112. The IHB has played a particular rôle during the Yugoslav crisis providing charts of special interest for WEU/NATO operations in the Adriatic in support of the United Nations embargo.

## *VII. Navies and space*

113. Satellites are proving an increasingly important asset for naval forces – as well of course as posing a potential threat.

114. In the first place the use of satellites for meteorological purposes has led to a considerable improvement in forecasting techniques – vital for naval operations, especially aeromaritime. The METEOSAT is probably the best-known system but oceanographic satellites such as Topex-Poseidon (a France-United States venture) not only enhance standard weather forecasts, but are also opening new possibilities in the realm of anti-submarine warfare (sound-propagation, determination of sonar techniques, etc.). Submarine detection possibilities are somewhat increased,

forcing submarines themselves to become more discreet but the seas are still far from being transparent.

115. Navigation satellite networks such as Navstar together with communication satellites such as Skynet have also altered the pattern of command at sea. The political authority as well as the fleet commander has a much more complete and accurate idea of the tactical picture, with obvious implications for exercising strict control.

116. Optical observation satellites and those designed for gathering electronic or signal intelligence (Elint and Sigint) are not yet specially optimised for naval tactical uses but with the development of the radar satellite and with increasing coverage and enhanced resolution space is bringing similar advantages to naval operations as on land.

117. WEU's own Satellite Centre at Torrejón has a particular potential rôle to play in developing many of the new capabilities which will have an impact on naval operations. In addition the procurement of the observation satellite system currently envisaged as a result of the WEU feasibility study should help enhance the scope for European action in the naval domain.

### *VIII. WEU initiatives for maritime co-operation*

#### *(a) Aero-maritime necessities*

118. At the origin the Franco-Spanish-Italian proposal of 7th September 1992 to constitute an aero-maritime force capable of fulfilling missions under the auspices of WEU was a comparatively simple affair. The guiding principle was a desire to co-ordinate aero-maritime forces so that a maximum number of assets between the three countries were available at any one time.

119. With only two fixed wing carriers (France) and two short take-off and landing (STOL) carriers (one each to date for Italy and Spain) available to WEU's three Mediterranean members it was obviously important to ensure that long maintenance periods were staggered so that ship-availability was optimised. From that beginning it was a short step to the planning of what would amount to an on-call force to be constituted on an ad hoc basis for a given operation.

120. The idea was germinating however just as France and Germany were on the throes of trying to work out the modalities for using the joint European Corps and were facing considerable criticism from the alliance before eventually agreeing a *modus vivendi* with SACEUR.

121. In an effort to avoid similar sniping over the aero-maritime proposal, the idea was placed

very firmly on the WEU "table" and led in part to the Combined Endeavour solution which has been examined above. It must be admitted however that Combined Endeavour is a somewhat anodyne solution – a palliative which does little to advance the original idea and lets those nations which have no intention of participating, for whatever motives, off the hook.

122. While the proposal has been long in gestation in a Planning Cell which many believe has its power for initiative too circumscribed by too timid a Permanent Council, the world has moved on. Or rather, United States ideas on maritime strategy have had to shrink to match a reducing defence budget. This phenomenon and its potential effect on European imperatives has not been sufficiently taken into account in the WEU study.

123. Secretary Aspin's 1993 "bottom-up review" stated that "the United States Navy will continue to patrol the Mediterranean Sea and other waters surrounding Europe". The disguised intention however was to accept long periods in which the United States Navy would not have a carrier in the Mediterranean at all. There would also be considerable cuts in the numbers of ships the United States would deploy in the Mediterranean, North Atlantic and European waters generally, and in the number and duration of exercises.

124. The review did state that the United States would try to make up for gaps in carrier coverage by deploying either a "small" amphibious task force (including AV-8B Harriers, Cobra attack helicopters and a 2000-strong Marine Expeditionary Brigade), or a task force based on a Tomahawk missile-equipped Aegis destroyer together with attack submarines and P-3 Orion land-based maritime patrol aircraft. This was referred to in the review as the strategy of "adaptive joint force packages" for future maritime deployments.

125. Immediately after the "bottom-up review" came the January 1994 NATO summit which recognised the legitimacy of the European defence identity, seen by some as the start of a serious United States disengagement from Europe, or at best the return of the burden-sharing debate of the mid-1980s, seen by others as the point to begin flexing European muscles which had all but atrophied through lack of use...

126. For the countries which had originally proposed the aero-maritime initiative the consideration given it by WEU's Planning Cell is not the response expected. Italy is already now suggesting a ground element to complement the naval and air components. The new idea has all the makings of the European rapid action force the Assembly has recommended for at least the last three years or indeed the "European standing



naval force with organic naval aviation including air defence, airborne early warning, attack, anti-submarine and helicopter assault assets for deployment under single command and unified control to areas outside the NATO theatre where Western Europe's security interests are at stake" (Naval aviation, Document 1139, submitted on behalf of the Defence Committee by Mr. Wilkinson, Rapporteur, on 9th May 1988). Later reports made specific recommendations on the European rapid action force (State of European security – intervention forces and reinforcement for the centre and the North, Document 1183, 26th April 1989, Rapporteur: Mr. Speed, and WEU: the operational organisation, Document 1307, 13th May 1992, Rapporteur: Sir Dudley Smith).

127. The French force d'action rapide became operational ten years ago, in 1984; Italy has very up-to-date experience of quick reaction for United Nations service in Mozambique and Somalia; Spain in the Gulf and Adriatic and is developing a rapid action capability which with that of its Mediterranean neighbours would probably be of greater use than making a fourth hand for the European corps in Strasbourg. In addition, it would be particularly disappointing if the United Kingdom, with its naval experience and its three STOL carriers, were not to be associated with the elaboration of these ideas.

128. In passing, it is worthy of note that the French Defence Minister no less, Mr. François Léotard, has recently wondered aloud whether it would not be a more attractive option to "create European intervention forces, commanded by a European General Staff and which would be both multinational and have integrated (air, land and sea) forces". Mr. Léotard was speaking in Paris on 3rd March 1994 and linked the new plan to the existing one for the creation of an air and naval force made up of French, Spanish and Italian units.

129. Your Rapporteur believes that it is only a matter of time before such a force becomes a reality and urges the WEU Permanent Council to charge the Planning Cell to examine more imaginative options as a matter of priority.

*(b) Countering drug trafficking*

130. While the European nations are slowly tackling the problem of drug trafficking, trying to prevent the plague hitting European shores, United States officials running the Pentagon's portion of the "drug war" are shifting their attention almost exclusively to combating cocaine at the source in Latin America, rather than trying to interdict the flow of illegal drugs across air and sea routes into the United States or towards Europe. The shift is due to a variety of factors,

including the relatively low volume of drugs seized in transit, United States budgetary constraints and a variety of organisational and force structure changes that emerged from the Pentagon's recently completed "bottom-up review".

131. The Pentagon's counternarcotics office participated in a six-month government-wide counternarcotics policy review earlier this year and recently published a report detailing revisions to the Department of Defense's counterdrug programme. According to the review, although the United States military will continue to be involved in the detection and monitoring of the drug-smuggling aircraft and boats in the so-called transit zones – areas between the borders of the narcotics source countries and those of the United States – the equipment currently deployed will be partially replaced by hardware that is less expensive to operate and maintain.

132. For example, instead of monitoring air traffic with United States Air Force E-3 airborne warning and control system (AWACS) and Navy E-2C Hawkeye airborne early warning aircraft, the Pentagon will rely more on the relocatable over-the-horizon radar (ROTHR) system. ROTHR was originally developed by Raytheon for early detection of incoming Soviet bombers and ships, but was curtailed after the cold war ended.

133. The 1988 Vienna Convention on the illicit traffic in narcotic drugs and psychotropic substances requires police co-operation, and permits boarding and seizure outside territorial waters with prior permission of countries whose flag suspected traffickers are flying (Articles 11 and 17). Enforcement will require co-operation between police, customs, coast guards and navies, with the latter particularly important for maritime and aerial surveillance. A host of maritime co-operation activities are now under way, including co-operation among European states on maritime and aerial surveillance, co-operation between the United States, Britain, and occasionally others in the Caribbean, and several specific tailored cases of co-operation elsewhere involving military aid to civil ministries.

134. This may well provide an opportunity for WEU itself to lend a hand to United States efforts. When the Defence Committee visited the United States in the summer of 1990 at the invitation of the then Secretary Cheney, your Rapporteur discussed European co-operation with the United States in the Caribbean. The idea would be to build on the assets which France, Britain and the Netherlands maintain in that part of the world: frigates or corvettes based in the West Indies (some of which were instrumental in helping the United States apply the United Nations embargo on Haiti last year). The danger from drug trafficking is an obvious threat for European security and WEU

with experience gained from its Danube operations would be well placed to take initiatives in this domain.

135. Given reduced United States funding for national measures as described above, Washington's present administration would certainly welcome a WEU proposal to help co-ordinate a European effort in the Caribbean. In 1990 the response was very warm from the Assistant Secretary for Defense responsible in the Pentagon for combating drug trafficking, but less so from the European side. Your Rapporteur has reason to believe that the climate for WEU co-ordination may well be changing and urges the Permanent Council to address the suggestion as a matter of urgency.

### ***IX. Command and control of WEU naval and maritime operations***

#### ***(a) A little history***

136. When the Brussels Treaty was signed in 1948 and the Western Union came into being there was of course an operational dimension to the organisation which continued until NATO itself was given the operational side completely, in the mid-1950s. The original operations took the form of mainly naval exercises which helped the allied European navies maintain the co-operation which had been born during the rigours of the second world war. The Korean conflict also displayed a considerable maritime aspect.

137. With the advent of NATO the Western Union command structures were superseded – the bulk of the forces stationed in Europe came from the United States and the two major commands created – Allied Command Europe and Allied Command Atlantic Ocean – were very firmly placed in the American orbit.

138. There was a particular anomaly in this arrangement however in that the sea areas closest to Europe (the Channel and the southern North Sea) were left to the Europeans to command and organise. From the beginning the Western Union Chiefs of Staff had assumed responsibility for these sea areas, delegating authority to the respective Chiefs of Naval Service from Belgium, France, the Netherlands and the United Kingdom, who formed the Channel Committee and created the Channel Command.

139. The reasoning behind the various decisions taken then makes very interesting reading in the modern context. On 6th December 1950, the British Joint Planning Staff were reporting to the Chiefs of Staff Committee on "Naval/Air

Command in the Channel and southern North Sea area" in the following terms <sup>2</sup>:

"The sea areas of the Channel and southern North Sea under present plans, are not included in the area of responsibility of SHAPE or the Atlantic Ocean Command, but are the responsibility of the Western Union Chiefs of Staff.

As a result of the decisions which have been taken to establish SHAPE and SACAO, the command in the Channel and Southern North Sea Area requires review to bring it under NATO control, since Holland, Belgium and France will no longer be able to represent their views through the Western Union Chiefs of Staff.

In this connection the Dutch have recently raised the question of whether the United Kingdom to Holland convoys which are at present the joint responsibility of the United Kingdom/Dutch naval authorities, should not now come under the Standing Group since with the establishment of SHAPE this area is not under any NATO body.

They have further suggested that, in order to effect this, the area should be included in the NAOR.

In anticipation of instructions we have re-examined the organisation of the Naval/Air Command in the Channel and southern North Sea area with a view to associating the area with NATO. Our report is at Annex, its conclusions are as follows:

- (a) The Channel and southern North Sea area should be a separate command area under NATO authority.
- (b) The British Chiefs of Staff should become the NATO authority responsible for the area, acting as agents of the Standing Group.
- (c) The British Chiefs of Staff should exercise control through the Naval Commander-in-Chief Home Station who would be the responsible naval authority, and through the Air Commander-in-Chief Eastern Atlantic who would be the responsible air authority.
- (d) The views of the continental national authorities will be represented at Chiefs of Staff

2. This and the following declassified document was kindly made available by the Chief of the SHAPE Historical Office.

level through accredited representatives who should be the Naval Attachés. At the level of Commander-in-Chief Home Station the views of the continental countries will be represented by an integrated staff of Dutch, Belgian and French officers.

- (e) The views of SHAPE will be represented at the Headquarters of Commander-in-Chief Home Station by a representative of FOWE appointed to the integrated staff.
- (f) The Headquarters of Commander-in-Chief Home Station should remain at Portsmouth where the Air Commander-in-Chief will be represented by a liaison staff.
- (g) The Command organisation for the Channel and southern North Sea area should be established in peacetime.
- (h) Some of the existing staff of the Naval Advisory Committee should be absorbed into the staff of the Commander-in-Chief Home Station for planning purposes.

The following appendices are attached:

- (a) Appendix A: diagram showing command structure with the British Chiefs-of-Staff responsible for the Channel southern North Sea area acting as agents of the Standing Group.
- (b) Appendix B: map showing boundaries of the British Home Station command and Channel southern North Sea area.

#### *Recommendation*

We recommend that, if the Chiefs of Staff approve our report, they should forward it to the British representative on the Western European Regional Planning Group for use as a brief in discussions with the Dutch, Belgian and French authorities with a view to drawing up an agreed paper for presentation to the Standing Group."

140. By 14th November 1951 decisions were ready but the Europeans were having to resist a United States "takeover":

#### *"Proposals for a NATO Channel Command*

The Channel and southern North Sea is an area which was originally covered by the

plans of the Western European Regional Planning Group. On the dissolution of the WERPG this area was not allocated either to the NAOR or to SHAPE and was not therefore within any NATO Command. Since the area is of vital importance to the European countries bordering it, these countries would not accept any command organisation for this area which did not give them representation in matters directly concerning this area. Hence the Channel Committee on which these nations would be represented was set up to act as agents of the Standing Group.

A proposed Command organisation based largely on United Kingdom draft proposals was therefore submitted to the Standing Group by the Western Region Naval Advisory Committee. Except for minor amendments this proposed organisation has been incorporated in the Standing Group paper. All amendments have been discussed fully and agreed to by the Chiefs of Staff.

#### *Terms of Reference for Allied Commander-in-Chief Channel*

The Chiefs of Staff approved the draft terms of reference before they were considered by the Channel Committee who in turn approved and forwarded the report to the Standing Group. The final draft submitted by the Standing Group to the Military Representatives met our requirements and was acceptable.

Last minute amendments have, however, been submitted by the United States. Some of these are of a minor nature and have been included in the report. On the other hand the United States have also proposed two major amendments which, although not in the present report, they will probably submit to the Military Committee. These are:

- (a) that SACLANT will as a matter of principle retain operational control of his forces when they enter the Channel area.
- (b) that Commander-in-Chief Channel should communicate direct with the Standing Group on operational matters.

We are prepared to accept (b) if necessary but we think it unlikely that it will be accepted by the French and Dutch.

We are not prepared to accept (a) above and consider that it should be strongly resisted since the Allied Commander-in-Chief Channel must have overriding authority in the Channel area."

*(b) A particular paradox*

141. The Europeans achieved their aim in 1951 and Allied Command Channel was duly established (at first in Portsmouth, subsequently at Northwood, near London), with a British Commander-in-Chief on equal terms with the other two major NATO Commanders (MNC). The situation has continued from that day to this but the particular paradox is that the Channel Command is about to be abolished (at the end of June 1994!).

142. This is taking place at the very moment that the European defence identity is recognised by NATO, and especially the United States, as legitimate. The decision to downgrade the single European MNC was perhaps taken from the best of motives, in an attempt to save costs and rationalise NATO command structures. Nevertheless the effect is very unfortunate at best, if not decidedly negative.

143. The only plus factors in this saga are the decisions of the members of the Channel Committee not to abandon their independent rôle and to continue to meet and ensure the continuity of European interest in this important area.

144. In addition the British Secretary of State for Defence has declared that the joint headquarters at Northwood (where Commander-in-Chief Channel is currently established) would be made available as an HQ for WEU operations if required. It is worth considering, as a matter of urgency, whether the Channel Command should not rather purely and simply revert to its original European dimension with Western European Union taking over a similar responsibility to that originally assumed by the Western Union.

*(c) WEU Maritime Headquarters*

145. The precedent for now proposing the establishment of a "WEU Element" at Northwood, to work alongside what will continue to be the NATO Eastern Atlantic Command, is of course the "WEU Element" already established with another NATO sub-command: CINCSOUTH/COMNAVSOUTH in Naples. This latter organisation has been very successful in running NATO/WEU operations in the Adriatic. It could perhaps be developed to form the nucleus of a "WEU Maritime Headquarters (Mediterranean)" in Naples to match the "WEU Maritime Headquarters (Atlantic/Channel)" at Northwood.

146. The move would be logical in the sense of giving credence to the combined joint task force concept by providing a ready-made liaison element in two important maritime regions. Similar arrangements could be envisaged for land and air headquarters.

147. Nations would provide staff on a regional basis also: French, British, German, Dutch, Portuguese and Belgian officers already serve on the Northwood staff, as do French, British, Italian, Spanish, German and Greek officers in Naples. Staff might be "double-hatted" NATO/WEU to prevent duplication of numbers.

148. Such regional headquarters would liaise closely with the WEU Planning Cell in Brussels and provide a much-needed operational link to ensure a more practical input into the Planning Cell's sometimes theoretical studies. NATO would also gain from the arrangement through the increased transparency with WEU which would result. It would also be of particular advantage for making the NATO infrastructure available for WEU, as decided at the January summit.

149. If the WEU and North Atlantic Councils decide to pursue this idea they should do so with some alacrity. The Commander-in-Chief Channel will haul down his flag at Northwood on 30th June this year. With full analysis of the proposal and prompt decision-making it might even be possible to raise the WEU flag at Northwood before NATO's Commander-in-Chief Channel has put his own flag into a museum...

150. France's rôle is pivotal in these considerations with a sea board on both the Atlantic and Mediterranean and a tradition of worldwide maritime presence. French goodwill and support for these ideas is essential if they are to be adopted and developed. French participation at the highest level recently in the Channel Committee and a lasting and robust commitment (much more so than other supposedly more "NATO-minded" nations) to United Nations and WEU operations augurs well.

151. Another initiative for the WEU Mediterranean members would be for them to form a "Mediterranean Committee" along the lines of the present Channel Committee which would expand slightly to include Germany and perhaps Norway and Denmark. Ideally such committees would turn their attention to the wider maritime issues in their regions and in turn liaise with each other to build up the WEU-wide naval and maritime picture.

*(d) The Heads of European Navies*

152. In fact this latter body already exists, although in very informal fashion. For over five years now the Heads of European Navies have been meeting on a regular basis to "exchange ideas". Such a grouping has no "legal entity" at present and is not subject either to political guidance or parliamentary control. For the future it could well be developed along the same lines as the WEU Chiefs of Defence Staff (CHODS)

Committee which meets on a regular basis and especially prior to WEU Ministerial Council meetings.

153. It is to be hoped that once WEU policy has been agreed by ministers on a maritime issue elaborated in the Planning Cell, it is passed for implementation via the CHODS to the service responsible. Consultation between the single service chiefs on a WEU-wide basis is therefore to be encouraged and the Heads of European Navies forum might well be replicated by both WEU armies and air forces, just as the Heads of WEU Defence Procurement Organisations meet in the Western European Armaments Group.

## X. The way forward

### (a) Dialogue with the Council

154. While much of the tenor of the present report is designed to encourage the WEU Ministerial Council, the Permanent Council and the various instruments of WEU to take greater initiatives towards a reinforcing of co-operation in security and defence in Europe, it would be very remiss not to pay a particular tribute for what has already been achieved. In the six and a half years your Rapporteur has had the honour to be a member of the WEU Assembly, the organisation has undergone a step change in terms of both theory and practice, as well as in the development of an efficient pragmatism.

155. Of course the member governments of WEU must take credit for giving their support and successive Chairmen-in-Office have given added impetus to progress over the past few years. But in addition the small number of individuals who serve the various instances of WEU – Assembly, Secretariat General, Planning Cell, Satellite Centre, Institute for Security Studies, WEAG Secretariat – do so with much “devotion to duty”. Their small numbers – circa 100 until just 18 months ago when, with the creation of the Planning Cell and the Satellite Centre, numbers of permanent staff doubled to 200 – and the low budget of the whole organisation bear witness to the cost efficiency of WEU in relation to most other international bodies.

156. As essentially an intergovernmental organisation WEU relies a great deal on those who come from national ministries to contribute to the various committees, although with the move to Brussels many are now beginning to serve in national permanent delegations. The uniformed services also are being exposed increasingly to WEU and what it stands for as they take part in operations under WEU auspices.

157. In passing and in this context your Rapporteur should draw attention to the fact that

the Council has recently accepted the Assembly’s proposal that those serving under the WEU flag (which now does exist, again thanks to the Assembly’s prompting!) should wear a distinguishing badge. Thus, individuals on the Danube (in Bulgaria, Hungary and Romania), in the Adriatic and in Naples wear the WEU insignia; ships in the Adriatic and patrol craft on the Danube fly the flag. It therefore would now be appropriate to take a further step: why not award a WEU “campaign medal” to all those (servicemen and women, police, customs officials, etc.) who have served in WEU operations for a specific period? The Assembly has shown the way with the presentation of its medallion to Admirals Bonnot and Mariani for their conduct respectively of WEU operations in the Gulf and Adriatic.

158. Just as the Council has seen fit to accept an increasing number of specific recommendations emanating from the Assembly over recent years, it has also now begun to heed requests for more detailed information both in the annual report and in replies to written questions. In particular the reporting on the various operations currently under way on the Danube and in the Adriatic has been explicit (c.f. the answer to Written Question 323 put by Mr. De Decker:

Question:

On 6th October 1993, the French weekly information letter, TTU, gave the following information:

“Six Romanian barges transporting oil violated the international embargo on Serbia under the nose of WEU observers in Calafat (Romanian-Serb frontier).

Officially destined for the Romanian port of Turnu-Severin, 80 km upstream on the Danube, the barges transporting 4 415 tonnes of petrol and 1 334 tonnes of fuel oil were unloaded at the port of Prahovo, on the Serbian bank, near the Iron Gates lock. Similar violations had already occurred last January when barges from Ukraine repelled by Serb vessels had unloaded at Prahovo”.

1. Can the Council confirm the truth of this violation of the embargo? Can it confirm the Romanian nationality of the barges?
2. If so, why was the WEU unit on the Danube not able to prevent this violation?
3. Why does the Council continue to refuse to publish the list of violations noted on the Danube and in the Adriatic whereas, in the absence of coercive means, such publication would be the only democratic means of pressure to deter these violations?

Answer:

1. The Council did indeed receive information to the effect that a convoy of six barges which, in early September, were heading for the Romanian port of Turnu-Severin, did not arrive at their destination.

This was a Romanian convoy known as Giurgiu 18 belonging to the Navrom company.

2. The WEU Danube mission is carried out on the basis of memoranda of understanding concluded between WEU and each of the three riparian states concerned. The memoranda are based on the relevant resolutions of the United Nations Security Council. They set out the mandate for the mission and the tasks needed to accomplish it. The memoranda are substantially the same, the one concluded with Romania being the most significant as regards the incident referred to by the reference question. It contains the following stipulations:

“Article 1

3. (...) In fulfilling their tasks, WEU personnel will act under the general authority of Romania, which has the main responsibility for ensuring strict implementation of the relevant United Nations Security Council Resolutions, and on a basis of mutual agreement.

4. The support given to Romania by WEU member states will consist of patrol boats, appropriate personnel and the necessary equipment (...).

Article III

3. A control area will be established on the territory of Romania at Calafat, and an additional checking point will be established in Galati (...).”

The memorandum indicates that WEU is providing technical assistance to Romania in the form of personnel and equipment and that its mission is being carried out on the Danube downstream of Calafat. The checks carried out are designed to deter and, if necessary, to detect or even thwart any attempt at violation on this section of the Danube. On the section upstream of Calafat, which is much shorter than the

downstream section, there is a certain amount of cabotage traffic. WEU has no authority over this traffic since it is not covered by the relevant resolutions.”

3. Only the United Nations is competent to publish information on the violation of an embargo imposed on the basis of United Nations resolutions.

159. Your Rapporteur's previous report, prepared jointly with Mr. Günter Marten, on “An operational organisation for WEU: naval co-operation – Part One: Adriatic Operations”, prompted a positive and reasonably rapid response from the Council. The following comments in particular are germane:

“1. At the meeting of the Council of Ministers in Luxembourg on 22nd November 1993, Ministers agreed that the relevant statements in Part I of their declaration were intended as a European contribution to the alliance summit. The NATO summit gave its full support to the development of the European security and defence identity which, as envisaged in the Maastricht Treaty, in the longer term perspective of a common defence policy within the European Union, might in time lead to a common defence, compatible with that of the Atlantic Alliance. Accordingly, the European allies will take greater responsibility for their common security and defence.

2. The NATO summit made clear that the Sixteen stood ready to make collective assets of the alliance available to WEU, on the basis of consultations in the North Atlantic Council, for operations undertaken by the European allies within the framework of joint actions under the common foreign and security policy of the European Union. Better European co-ordination and planning will strengthen the European pillar and the alliance itself.

Translated into military terms, this will mean in particular the setting-up of combined joint task forces (CJTF) able to serve under both WEU and NATO commands for specific peace-keeping operations for example, including operations with countries outside the alliance such as the countries of the WEU Forum of Consultation or the countries signatory to the partnership for peace.

The WEU Council is considering the practical arrangements for the use of these combined joint task forces as part of its own operations, and also the procedure under which they might be made available.

3. An appropriate working budget for the two WEU staff elements working with COMNAVSOUTH staff in Naples and for the COMWEUMARFOR in the Adriatic is under consideration.

...

5. The Council confirms that WEU member states support the Adriatic operations with all the means at their disposal. The Council pursues an active public information policy to ensure the transparency of the combined NATO and WEU operations, thereby contributing to a better understanding of WEU's action.

...

7. The Council has placed on its agenda consideration of the possibility of using the naval assets of the member states of the WEU Forum of Consultation as part of the operations in the Adriatic. Such participation is to be seen in the context of the enhanced status which the Council plans to propose to the consultation partners. Co-operation of this kind between WEU and its consultation partners is among the measures currently being studied as part of the work on the enhanced status, soon to be proposed to the consultation partner countries."

160. In addition the Council paid tribute to the men and women involved in the Adriatic operations and joined the President of the Assembly in sending a Christmas message to express "great appreciation to WEU personnel engaged in the Danube and Sharp Guard operations for their dedication and achievement".

161. Elsewhere the Council responded quickly to the President of the Assembly's message relating to the first official ship visit by the WEU Flotilla and the need to maintain WEU assets:

"The President of the Western European Union Assembly, Sir Dudley Smith, MP, welcomed the news of a first official visit by WEU's Contingency Maritime Force to Taranto from 5th to 9th March.

The three frigates: Zeffiro (Italy), Cassard (France) and Cataluna (Spain), are participating in the embargo operations in the Adriatic, flying the WEU flag. The WEU force comprises five ships at present, under the command of Rear Admiral Bolongaro (Italy) and is fully integrated into the combined NATO/WEU Operation Sharp Guard which was established in the Adriatic on 14th June 1993.

The three frigates rejoined the operational zone on 10th March.

The President of the Assembly expressed the hope that the WEU Permanent Council and member governments would ensure that the necessary material and human resources are made available to maintain the effectiveness of the Adriatic operations."

162. The Council has "charged WEU military delegates with monitoring the rotation of WEU personnel"; your Rapporteur trusts that given the recommendations expressed elsewhere that such monitoring will prove effective. The use of the military delegates as a WEU "military committee" is a welcome initiative as is the news in the annual report that the rules of engagement for Adriatic operations have been approved jointly with the NATO Council.

163. The beginning of a relationship with European Union is also evident in the annual report, especially with regard to the situation in former Yugoslavia:

"The Belgian Representative, on behalf of the Presidency of the Twelve, regularly briefed the Permanent Council on the activities and démarches of the European Community aimed at reaching a peaceful solution to the conflict in former Yugoslavia.

The Permanent Council has closely monitored developments on the ground, its discussions focusing on the implementation of the Danube embargo, participation of naval forces of WEU member states in the Adriatic embargo, and the possible involvement of WEU in the EC's administration of the Mostar district. The activities of the Experts' Groups and the Mostar Working Group, in co-operation with the Planning Cell, dealt mainly with this possibility.

The Presidency has regularly briefed the Council on developments in the WEU Danube operation. The Council has for example discussed the various measures taken to ensure effective co-ordination between the WEU and SAM teams and it has also discussed the funding of the operations. These discussions have enabled the Council to gauge problems which may recur in similar operations. The Presidency has regularly taken part in the Vienna meetings of the Sanctions Liaison Group."

164. Much remains to be done however, ideally along the lines detailed throughout the present report and in the draft recommendations.

*(b) Relations with the wider world*

165. Your Rapporteur has urged a variety of wider contacts and co-operation in the naval and

maritime domain in an effort to improve WEU's operational organisation.

166. Suggestions range from co-operation with the United Nations's burgeoning military organisation and United Nations maritime subdivisions in particular through to naval links with those maritime nations amongst the WEU Forum of Consultation member countries. In addition, the naval and maritime assets of some of the new members of the European Union are not negligible.

167. Last but not least your Rapporteur would like to highlight six countries with which WEU would be wise to establish relations in the near to mid-term.

168. In the Mediterranean Malta and Cyprus represent not only a traditional interest strategically but also specific maritime advantages. Both countries are developing special links with European Union and may well soon be in a position to request a statute vis-à-vis WEU. Malta hosts the United Nations's Law of the Sea Institute which is taking students from all over the world. Malta also possesses an excellent infrastructure of naval facilities hard to match in the Mediterranean area which are somewhat under-utilised. Cyprus is developing the use of its flag for a growing merchant marine which has already proved invaluable for replenishment operations during the Gulf conflict.

169. Amongst the states of the southern hemisphere both Argentina and Australia have shown a particular willingness to co-operate in a wider naval arena and both countries took part alongside WEU in embargo operations in the Gulf or Red Sea in 1991/92. Both are strategically placed in their respective parts of the world as is South Africa between the Atlantic and the Indian Ocean. The Simonstown naval base has had a particular importance in days gone by and might well have again in the future. South Africa's new democracy will allow a greater participation on the international maritime scene. The growing impor-

tance of the Cape route heralds a much-needed development of the Naval Control of Shipping Organisation which was designed originally by the western allies to monitor and control merchant marine routes and convoys and whose representatives South Africa has continued to host over the years.

170. In the Pacific, Japan's naval and maritime assets are developing considerably. Japan (as well as Germany, of course) sent mine-hunting vessels out of traditional areas to co-operate with WEU in mine-sweeping operations in the Gulf at the end of the conflict in 1991/92.

171. Overall there is no escaping the fact which permeates the whole of the present report: naval and maritime co-operation is generally much easier than any other. WEU nations individually and the organisation as a whole should be ready to co-operate whenever possible with all states which seek naval and/or maritime links: it is very difficult to predict when such links may prove vital for future WEU operations. Europe's naval and maritime interests are worldwide – WEU's should be also, with a naval and maritime operational structure to match.

172. Your Rapporteur has tried to demonstrate in the present report that WEU naval and maritime operational co-operation is already "alive and well" but that there is room for improvement and greater efficiency. A number of recommendations are designed to widen the naval and maritime remit of WEU in general and the Planning Cell in particular. Without a coherent strategy for naval and maritime affairs WEU is likely to be slow to react, either as the European pillar of NATO or as the operational arm of European Union. Recent history has proved the efficacy of action at sea in a series of conflicts where WEU has been very much to the fore. Let us ensure that our operational organisation is properly equipped and ready to meet similar naval and maritime challenges in the future.



## APPENDIX I

*Composition of WEU navies*

	B	F	D	I	NL	P	E	UK
Total armed forces	80 700	411 600	287 000	344 600	74 600	50 700	200 700	274 800
Navy	4 400	65 400	31 200	43 600	14 900	12 500	32 000	59 300
Submarines		19 (5 SSBN 6 SSN 8 SS')	20 SS'	8 SS'	5 SS'	3 SS'	8 SS'	18 (3 SSBN 13 SSN 2 SS')
Principal surface combatants	3 FF	42 (2 CV 1 CC 4 DD 35 FF)	14 (6 DD 8 FF)	28 (1 CV 1 CC 4 DD 22 FF)	17 (4 DD 13 FF)	11 FF	16 (1 CV 15 FF)	40 (3 CV 12 DD 25 FF)
Patrol and coastal combatants		25	38	18		30	28	26
Mine warfare vessels	13	21	41	12	21		12	30
Amphibious		3 LPD 1 LSD 5 LSM 34 LCM 8 LCT	11 LCU /LCM	2 LPD 3 LCU 3 LCM	12 LCA	3 LCU 13 LCM	2 LST 3 LCT 2 LCU 8 LCM	2 LPD 5 LST 19 LCU
Support and miscellaneous	3	37	40	42	13	8	28	32
Naval air arm/ Maritime air	– 5 hel	107 ac 40 hel	115 ac 19 hel	2 ac 89 hel	13 ac 22 hel	– 2 hel	21 ac 28 hel	42 ac 153 hel

## Key

B	=	Belgium	CC	=	cruiser(s)
F	=	France	DD	=	destroyer(s)
D	=	Germany	FF	=	frigate(s)
I	=	Italy	ac	=	combat aircraft
NL	=	Netherlands	hel	=	helicopter(s)
P	=	Portugal	LCA	=	landing craft, assault
E	=	Spain	LCU	=	landing craft, utility
UK	=	United Kingdom	LCM	=	landing craft, mechanised
SS'	=	submarine(s) (tactical)	LSD	=	landing ship, dock
SSBN	=	nuclear-fuelled ballistic-missile submarine(s)	LPD	=	landing platform, dock
SSN	=	nuclear-fuelled submarine(s) (tactical)	LSM	=	landing ship, medium
CV	=	aircraft carrier(s)	LST	=	landing ship, tank
			LCT	=	landing craft, tank

## APPENDIX II

*WEU/NATO Operation Sharp Guard***Mission**

To conduct operations to monitor and enforce compliance with United Nations sanctions in accordance with United Nations Security Council Resolutions (UNSCR) 713, 757, 787 and 820. Combined Task Force 440, in particular, prevents all unauthorised shipping from entering the territorial waters of the Federal Republic of Yugoslavia (Serbia and Montenegro).

**Achievements**

During Operation Sharp Guard, over 19 000 merchant vessels have been challenged. Of them, over 1 850 have been halted and inspected, or diverted to a port for inspection. As a result of the co-ordinated efforts of the forces which have operated under NATO and WEU, 1 032 merchant vessels were halted and boarded – or diverted to a port for inspection – from 22nd November 1992 to 15th June 1993, when Operation Sharp Guard began. During the same period 12 367 merchant vessels were challenged. Therefore, an overall total of over 31 000 ships have been challenged so far, with over 3 000 inspected or diverted. These results have been possible thanks to over 5 400 ship days spent at sea, over 3 500 sorties by MPA aircraft and over 2 500 sorties by NATO airborne early warning aircraft.

After the United Nations Security Council strengthened the embargo against Serbia and Montenegro with Resolution 820 in April 1993, no ship has been able to break the embargo.

**History**

In July 1992, forces operating under NATO and WEU, working in strict co-ordination, began monitoring in the Adriatic Sea the compliance of resolutions of the United Nations Security Council against former Yugoslavia (Operations Maritime Monitor and Sharp Vigilance). On 22nd November 1992 both operations were amplified in scope to include the enforcement of relevant United Nations resolutions (Operations Maritime Guard and Sharp Fence).

On 8th June 1993 the Councils of NATO and WEU, at a joint session, reviewed the embargo operations and approved a combined concept of operations for the implementation of United Nations Resolution 820, which strengthened the existing embargos against the Federal Republic of Yugoslavia (Serbia and Montenegro). This

concept included a single command and control arrangement for the combined Operation Sharp Guard under the authority of the Councils of both organisations. The operation began on 15th June 1993.

**Nations contributing forces**

Nations contributing forces at the moment are: Canada, France, Germany, Greece, Italy, the Netherlands, Norway, Portugal, Spain, Turkey, United Kingdom, United States.

**Organisation**

The overall operational control is delegated to General Mario Angeli, Italian Navy, as Commander, Combined Task Force 440 (CCTF 440). He is assisted by Rear Admiral Gianfranco Coviello, Italian Navy, as Deputy CCTF 440. Admiral Angeli is the Commander of Allied Naval Forces Southern Europe. As CCTF 440, his staff has been complemented by a WEU staff element.

Surface ships operate under two operational combined task groups (CTG) at sea to conduct operations in the Adriatic Sea. A third task group has responsibility for ships conducting training or port visits. Operational responsibilities rotate among the task group commanders. Currently, the two operational CTG commanders are Commodore Alastair Ross, UKN, and Rear Admiral Elio Bolongaro, Italian Navy, who is also Commander of WEU's "Contingency Maritime Force". The third task group is commanded by Rear Admiral James R. Stark, United States Navy.

Maritime Patrol Aircraft operate under operational control of CCTF 440 through the Commander of Combined Task Force 431, Rear Admiral John Coleman, United States Navy.

**Participating forces**

## Surface ships:

HMCS Halifax (F 330), frigate (Canada);  
 HMCS Preserver (D 280), support ship (Canada);  
 HMDS Peter Tordenskiold (F 356), frigate (Denmark);  
 FS Premier Maître L'Her (F 792), frigate (France);

FS Georges Leygues (D 640), destroyer (France);  
 FGS Augsburg (F 213), frigate (Germany);  
 HS Kimon (D 218), destroyer (Greece);  
 ITS Aliseo (F 574), frigate (Italy);  
 ITS Chimera (F 556), corvette (Italy);  
 ITS Lupo (F 564), frigate (Italy);  
 HNLMS van Kinsbergen (F 809), frigate (The Netherlands);  
 HNLMS Jacob v. Heemskerk (F 812), frigate (The Netherlands);  
 HNOMS Narvik (F 304), frigate (Norway);  
 NRP Corte Real (F 332), frigate (Portugal);  
 SPS Cataluna (F 73), frigate (Spain);  
 SPS Santa Maria (F 81), frigate (Spain);  
 TCG Turgutreis (D 241), destroyer (Turkey);  
 HMS Birmingham (D 86), frigate (United Kingdom);  
 HMS Chatham (F 87), frigate (United Kingdom);  
 USS Comte De Grasse (DD 974), destroyer (United States);  
 USS Bainbridge (CGN 25), cruiser (United States).

CTF 440 is also supported by the United States AEGIS cruiser USS Philippine Sea (CG 58).

#### ***Fighter aircraft***

Eight Italian Air Force Tornado aircraft are available to support Operation Sharp Guard from

their home base at Gioia del Colle. These aircraft can contribute to the defence of ships from attacks from surface ships. Other aircraft from allied forces operating in the area also contribute to this support.

#### ***Maritime patrol aircraft***

Continuous maritime air patrol support to the naval forces of CTF 440 is provided with assets from nine NATO and WEU nations: Canada (CP-140 Aurora), France (Atlantique), Germany (Atlantique), Italy (Atlantique), the Netherlands (P-3C), Portugal (P-3P), Spain (P-3B), United Kingdom (Nimrod), United States (P-3C). The above aircraft operate from the air bases at Sigonella (Sicily) and Elmas (Sardinia), in Italy.

#### ***NATO airborne early warning***

Eight E-3A and two E-3D from NATO's Airborne Early Warning Force (NAEWF) are supporting Operation Sharp Guard, as well as NATO Operation Deny Flight. The E-3A aircraft are flown, from their home bases at Geilenkirchen, Germany, and forward operating bases at Aviano and Trapani, Italy, and Preveza, Greece, by multinational crews provided by eleven NATO nations (Belgium, Canada, Denmark, Germany, Greece, Italy, the Netherlands, Norway, Portugal, Turkey and the United States). The E-3D aircraft from the United Kingdom's Number 8 Squadron operate from their home base at Royal Air Force Station Waddington, United Kingdom, as well as Aviano and Trapani, Italy. French E-3F aircraft operating from the French air base in Avord and Italian air base at Trapani under the auspices of WEU are also participating.

*An operational organisation for WEU:  
naval and maritime co-operation*

**AMENDMENTS 1, 2 and 3<sup>1</sup>**

*tabled by Mr. Lopez Henares*

1. Draft paragraph 2 of the draft recommendation as follows:  
“ Establish a working relationship on maritime matters with the European Commission’s Directorate for Maritime Transport. Develop links in order to exchange information with appropriate international maritime agencies such as the International Maritime Organisation and the International Hydrographic Organisation, as well as with maritime-orientated non-member countries in strategic areas.”
2. In paragraph 5 of the draft recommendation proper, leave out “ and maritime ”.
3. In paragraph 6 of the draft recommendation proper, leave out “ merchant ship construction and specialist requirements for both numbers and types of merchant ship as well as safeguards for recruiting and training appropriate crews ”.

*Signed: Lopez Henares*

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1. See 5th sitting, 15th June 1994 (amendments withdrawn).

*Amendments to the Charter and Rules of Procedure  
of the Assembly in view of the creation  
of a status of associate member*

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

*submitted on behalf of the Committee on Rules of Procedure and Privileges*<sup>2</sup>  
*by Lord Finsberg, Rapporteur*

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- II. Amendments to the rules of the Assembly

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1. Adopted unanimously by the committee.

2. *Members of the committee: Mr. Thompson* (Chairman); MM. *Amaral*, Ferrarini (Vice-Chairmen); Mrs. *Aguiar*, MM. *Battistuzzi*, *Bolinaga*, Mrs. *Brasseur*, MM. *Couveinhas* (Alternate: *Alloncle*), *Cuco*, *Deniau* (Alternate: *Briane*), *Dicks*, Lord *Finsberg*, MM. *Hughes* (Alternate: *Godman*), *Junghanns*, *Lejeune*, *Mignon*, *Ottenbourgh*, *Sainz Garcia* (Alternate: Mrs. *Sanchez de Miguel*), *Scheer*, von *Schmude*, Mrs. *Soutendijk van Appeldoorn*, Mr. *Stoffelen*, Mrs. *Terborg*, MM. *Trabacchini*, Van der *Maelen*, *Visibelli*.

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

*Draft Decision*

*on the revision of the Charter and Rules of Procedure  
of the Assembly with a view to the creation of  
a status of associate member*

The Assembly

DECIDES

- I. To revise the Charter of the Assembly, as revised by Decision 11, as follows:

At the end of Article II, add a new paragraph (c) as follows:

"(c) The Assembly shall admit delegations of representatives and substitutes from the parliaments of each associate member state of WEU and grant them prerogatives appropriate to the participation of those states in the activities of WEU without voting rights in the Assembly."

- II. To revise the Rules of Procedure, as revised by Decision 11, as follows:

1. In Rule 15, paragraph 3, delete "without voting rights".

2. In Rule 17:

(a) Paragraph 1: replace "These representatives" by "The members of these delegations".

(b) Paragraph 2 (a): replace "representatives of associate member states" by "associate members of the Assembly".

(c) Paragraph 2 (b): replace "representatives of associate member states" by "associate members of the Assembly".

(d) Delete (d), (e), (f) and (g).

(e) Add a new paragraph (d) as follows:

"Associate members of the Assembly of WEU may request that a consultative vote be taken, enabling them to express their opinion on any text adopted by the Assembly. Such a vote shall be consultative, but never indicative. This request must be tabled by at least three associate members of the Assembly. In voting in committee, it will be sufficient for such request to be tabled by only one associate member of the Assembly. Voting by associate members will take place immediately after the result of voting in the Assembly or the committee is announced and will be held in accordance with the provisions of Rule 36.1, 2 and 3 of the Rules of Procedure."

(f) Former paragraph (h) becomes paragraph (e).

3. In Rule 38, delete paragraph 4.

## *Explanatory Memorandum*

*(submitted by Lord Finsberg, Rapporteur)*

### *I. General considerations*

1. During the second part of the thirty-ninth ordinary session of the Assembly, the Committee on Rules of Procedure and Privileges tabled a draft decision proposing amendments to the Charter and Rules of Procedure of the Assembly, to take account of the creation by the Council of associate member status of WEU for three NATO member countries: Iceland, Norway and Turkey (Document 1390). Your Rapporteur, at the time of preparing the preliminary draft decision, drew upon Order 85 on the enlargement of WEU, adopted by the Standing Committee in Rome on 19th April 1993, which invited the Committee on Rules of Procedure and Privileges:

"to examine the creation of a specific "associate member" status for representatives of associate member states which will give full participation and voting rights in committees and the right to participate in the plenary sessions of the Assembly with membership of delegations on the same basis as the present Council of Europe arrangements;"

2. A thorough study was made by the committee and the draft decision tabled complied with this brief by defining a status for those delegations that corresponded as closely as possible to that offered by the Council to government delegations of associate member countries, as defined by the Council in its Reply to Written Question 300. The Assembly adopted Decision 11 subject, however, to two amendments which destroyed its coherence by denying the parliamentary representatives of these countries voting rights in plenary session, and also, owing to the fact that paragraph II 3.2 (e) was not amended in committee, even within the limits the Committee on Rules of Procedure and Privileges had felt should be permitted.

3. The Assembly's rules were therefore amended by this decision but the new rules have not come into effect, since Decision 11 stipulated that this would not occur until the date on which the status of WEU associate members itself came into force. The Presidential Committee, which was instructed under Order 85 to co-ordinate the work of the various committees on matters relating to the enlargement of WEU, noting that the balance proposed by the Committee on Rules of Procedure and Privileges had been profoundly altered by the amendment adopted by the Assembly, ins-

tructed that committee to re-examine the question with respect to the rules as amended.

4. In point of fact the text of Decision 11, as adopted, presents a number of contradictions: it denies voting rights in plenary session to associate members of the WEU Assembly (Decision 11, paragraphs I.2 and II.2) but defines the manner in which they vote [II.3.2 (e)], excludes them from voting under certain circumstances [II.3.2 (b) and II.3.2 (f)] and does not comply with Order 85 which stipulated that the delegations of associate member countries had full participation and voting rights in committee [II.3.2 (e)]. Since Decision 11 does not grant associate members of the Assembly voting rights in plenary session, the draft decision as a whole submitted by the Committee on Rules of Procedure and Privileges needed to be revised, since it was based on the granting of voting rights restricted to certain questions. If those associate members can no longer participate in Assembly decisions there is no longer any point to this restriction.

5. The rôle of the Committee on Rules of Procedure and Privileges is obviously not to open a political debate. This debate took place when Order 85 was adopted. Rather it is to consider the will of the Assembly, as expressed through the adoption of this order and the two amendments to Decision 11, and to deduce the consequences for the Charter and Rules of Procedure of the Assembly such that these two texts conform to the same principle, are coherent and enable the Assembly to work effectively.

6. It would seem to your Rapporteur that the expressed will of the Assembly can be summarised as follows:

- (a) To enable full participation by parliamentary delegations of associate member states in all the Assembly's work;
- (b) To ensure that decisions reached by voting in plenary session are the prerogative only of representatives of member states of the organisation.

7. This will, thus expressed, is entirely consonant with the Council's policy as formulated in the reply to Written Question 300, since the associate member countries participate fully in WEU's intergovernmental activities but cannot prevent the formation of a consensus which is the Council's method of reaching a decision. It should be added that the substantive text proposed by the

Committee on Rules of Procedure and Privileges in December 1993 addressed the same concern, but distinguished between decisions concerning the functioning of WEU, in which associate members of the Assembly were not to have a part, and those relating to general policy, in which they were associated. Since the Assembly has rejected this distinction, there is a need to find another way of reconciling "full participation" in the work of the Assembly with non participation in decisions. This has been the substance of your Rapporteur's considerations and those of the members of the Committee on Rules of Procedure and Privileges.

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\* \*

8. Since December 1993, new circumstances have arisen. They contribute to complicating further the factors with a bearing on the problem to be resolved. Indeed, according to the information available to your Rapporteur, a proposal for a further strengthening of the status of WEU associate members, by guaranteeing them greater participation, as "associate allies", in all WEU activities, including the work of the Assembly, was put to the Council in 1994. Moreover, at the ministerial meeting on 9th May 1994, the countries of the Forum of Consultation of WEU might be awarded the status of "associate partners" as distinct from that of "associate allies", thus obliging the Assembly to develop a new status for their parliamentary delegations. If the Assembly's rules do not grant any form of voting rights to the NATO member countries, there will be very little room for defining a suitable status for countries that are neither NATO nor European Union members but which already have permanent observer status and will be seeking, quite justifiably, for their enhanced status in the ministerial organs of WEU to be accompanied by enhancement of their status in the Assembly.

9. Finally, we are all aware that certain associate member countries have made known their extreme displeasure at the decision taken by the Assembly which did not, in their view, follow the guidance given by the governments when they established associate member status. Naturally the governments left the Assembly master of its own decisions in matters that concerned it. One wonders whether the Assembly genuinely wished to dissociate itself from the member governments by only granting associate members a status that falls far below that offered to them by the Council. Moreover it did not escape associate members' notice that granting voting rights in committee, had these been effective, which was not even the case, would have represented a purely formal concession since only voting rights in plenary session, or, in certain cases, in the Standing Committee, produce Assembly decisions, the adoption of

texts in committee being no more than the expression of an opinion that is in no way binding on the Assembly.

10. The brief of the Committee on Rules of Procedure and Privileges is clearly not to propose that the Assembly repeal the decision taken by adopting the two amendments, which would withdraw voting rights in plenary session and in the Standing Committee from associate member delegations, and in point of fact also withdraw their voting rights in committee, but to look for a form of words that would achieve a better correspondence between the new rule and Order 85.

11. Your Rapporteur in drafting the present report is indebted to the committee for its very substantial contribution when it made a preliminary examination of the question on 7th March 1994. In particular he wishes to express his gratitude to a member of the committee, Mr. Van der Maelen, on whose in-depth research and written suggestions your Rapporteur has drawn extensively in developing the proposals contained in the present report.

## *II. Amendments to the rules of the Assembly<sup>1</sup>*

12. The committee's proposal, which was not endorsed by the Assembly in December 1993, made the distinction, as did the Council in its reply to Written Question 300, between the Council's acting in a legal capacity, specifically in adopting its annual report, when only member countries take part in decisions and its acting as a political body, debating more general questions. In this instance, associate members participate in meetings, without, however, being able to prevent the formation of a consensus among member countries. The committee was proposing to grant voting rights in the Assembly to parliamentary delegations of associate member countries in all matters relating to the second circumstance, but not the first. This proposal was rejected by the Assembly.

13. Another way of giving effect to associate member country status which would approximate even more closely to Council practice would be to grant voting rights to associate member country delegations but without such voting rights being able to prevent texts being adopted by the Assembly. To achieve this, a separate, consultative vote by the delegations of these countries, subsequent to voting in the Assembly, might be held in cases where associate members wished to express

1. N.B. As the Rules of Procedure of the Assembly, as amended by Decision 11 have not yet come into effect, the present text refers either to the rules as they stood prior to Decision 11 taking effect or to the text of this decision. However the draft decision refers to the wording of the rules as amended by Decision 11.



disapproval of substantive texts adopted by the Assembly, as constituted under Article IX of the treaty. Such a vote would show whether the delegations of these countries approved an Assembly decision or not. This special vote would be in order when a certain number of members of these delegations requested it. In the contrary event, associate members of the Assembly would be deemed to have approved the substantive text adopted by the Assembly.

14. This procedure would have the advantage of enabling delegations of WEU associate member countries to participate fully in the work of the Assembly since, were it adopted, there would no longer be any need to distinguish between the Council and the Assembly acting in its legal or political capacity, but these delegations would have no part in decisions as is the case in the Council where governmental delegations of those countries are not at liberty to challenge the consensus.

15. Its implementation would require the following amendments to the wording of the rules as they stand since the adoption of Decision 11.

- (a) In paragraph I.2 of Decision 11 referring to Article II (c) of the Charter of the Assembly replace "without voting rights in plenary sessions" by "without the right to participate in votes of the Assembly", which would enable associate members of the Assembly to participate in a consultative vote, that was not a vote of the Assembly, but the expression of an opinion which would be recorded in the minutes of committee meetings or Assembly sittings.
- (b) In paragraph II.2 of Decision 11 referring to Rule 15.3 of the Rules of Procedure of the Assembly concerning the Standing Committee, delete "without voting rights". The expression "in accordance with the prerogatives deriving from their status" implies that they do not have the right to participate in votes of the Assembly. This means that representatives of associate member countries can request that a consultative vote be held in the Standing Committee in the same way as in plenary session. The result of such consultative voting would be recorded in the minutes of the meetings of the Standing Committee.
- (c) In paragraphs II 3.2 (a) and (b) of Decision 11 replace "representatives of associate member states" by "associate members of the WEU Assembly" to indicate that the relevant rules applying to "representatives" do not concern WEU Assembly associate members, in

accordance with the Assembly's decision not to grant them voting rights. In paragraph II 3.1, for the same reason, replace "These representatives" by "The members of these delegations".

- (d) Delete paragraphs II 3.2. (d), (e), (f) and (g) of Decision 11 since these paragraphs were only meaningful in as much that associate members of the Assembly were at times called upon to participate in voting in the Assembly under the draft decision which the Assembly amended in December 1993.
- (e) Add a new paragraph (d) to paragraph II 3.2 of Decision 11 as follows:

"Associate members of the Assembly of WEU may request that a consultative vote be taken, enabling them to express their opinion on any text adopted by the Assembly. This request must be tabled by at least three associate members of the Assembly. In voting in committee, it will be sufficient for such request to be tabled by only one associate member of the Assembly. Voting by associate members will take place immediately after the result of voting in the Assembly or the committee is announced and will be held in accordance with the provisions of Rule 35.1, 2 and 3 of the Rules of Procedure."

The requirement that three members table the request is based on two considerations: first, avoidance of repeated consultative voting which would unnecessarily slow down the business of the Assembly; second, to enable the smallest delegation, Iceland, if unanimous, to obtain a consultative vote.

It should be noted that the present provisions confer only consultative voting rights in committee on associate members of the Assembly under Rule 42.4 of the Rules of Procedure of the Assembly which states that the rules adopted by the Assembly relating to its voting procedures shall apply in committee. In point of fact the failure, when adopting Decision 11, to amend Rule 35 or Rule 42.4 had the effect of withdrawing associate members' voting rights in committee, even though it appears that the intention of those who drafted these amendments was to grant such rights, in conformity with Order 85.

- (f) Delete paragraph II.5 of Decision 11 relating to Rule 37, which is now pointless.

16. The proposals submitted by your Rapporteur are, like Decision 11, not absolutely consistent with the terms of Order 85, in as much that associate members do not have genuine voting rights in committee but simply the right to express their opinion here by means of a special vote, the results of which would be recorded in the minutes of meetings. They are based on the principle that the rôle of the committees is to prepare substantive texts to be put to the vote in

the Assembly, and to explain the reasons for them. It would therefore be somewhat undesirable for voting procedures in committee to differ substantially from those in the Assembly. If the Committee on Rules of Procedure and Privileges or the Assembly wished to grant associate members voting rights in committee they would need to follow through the consequences and amend Rules 42.4 or 35 of the Rules of Procedure.

*WEU in the process of European Union –  
reply to the thirty-ninth annual report of the Council*

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

*submitted on behalf of the Political Committee<sup>2</sup>  
by Mr. Ferrari, Rapporteur*

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Declaration on the WEU Assembly's place in the European Union, Paris, 2nd March 1993.

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. *Stoffelen* (Chairman); Lord Finsberg, Mr. *Roseta* (Vice-Chairmen); MM. *Agnelli*, Alegre, Andreotti (Alternate: *Gottardo*), Benvenuti (Alternate: *Caldoro*), Bowden, De Hoop Scheffer, Ehrmann, Fabra, Feldmann, Foschi (Alternate: *Ferrarini*), Goerens, Homs I Ferret, Sir Russell Johnston, Mr. Kaspereit, Lord *Kirkhill*, MM. Kittelmann, Leers, de Lipkowski (Alternate: *Baumel*), *Müller*, Pécriaux, Polli (Alternate: *Ferrari*), de Puig, *Reddemann*, Rodrigues (Alternate: *Mrs. Aguiar*), Seeuws, *Seitlinger*, *Soell*, Vinçon, Ward (Alternate: *Godman*), Wintgens, Zapatero.

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

**Draft Recommendation**

*on WEU in the process of European Union  
- reply to the thirty-ninth annual report of the Council*

The Assembly,

- (i) Recalling that the Assembly of WEU, as part of the organisation of Western European Union under the terms of the agreement on the status of WEU signed in Paris on 11th May 1955, is an integral part of the development of the European Union as provided in Article J.4, paragraph 2, of the Treaty on European Union;
- (ii) Underlining that Article IX of the modified Brussels Treaty obliges the Council to keep the Assembly better informed than hitherto about developments in the CFSP and other sectors of the Union in all matters which come within the competence of WEU in accordance with the modified Brussels Treaty;
- (iii) Disapproving the Council's delay in transmitting Annex IV, on the links between the Union and WEU, to Chapter IV of the document on the implementation of the Maastricht Treaty;
- (iv) Deploing also the poor information contained in the thirty-ninth annual report of the Council to the Assembly on the new working relations between WEU and the Union;
- (v) Considering that the wording of Article J.4, paragraph 2, of the Treaty on European Union gives reason for doubts about the sharing of responsibilities between WEU and the Union;
- (vi) Considering also that the hitherto agreed "practical arrangements" contained in Annex IV on the links between the Union and WEU restrict the areas of action for WEU in a way which is not compatible with WEU's far-reaching obligations stemming from the modified Brussels Treaty;
- (vii) Deploing in fact that these arrangements and the lack of political will are some of the many factors which contributed to WEU's marginalised rôle in international crisis-management particularly regarding the conflicts in former Yugoslavia;
- (viii) Underlining the important rôle WEU has to fulfil on behalf of the Union in maintaining transatlantic solidarity and co-operation in security and defence matters;
- (ix) Welcoming the successful outcome of the negotiations with Austria, Finland, Norway and Sweden regarding their accession to the European Union;
- (x) Welcoming also the firm commitment of all the acceding states to include in their accession, in full and without reservation, the provision of Title V of the Maastricht Treaty regarding the establishment of a common foreign and security policy;
- (xi) Expressing the hope that the referenda to be held in Austria, Finland, Norway and Sweden will be positive;
- (xii) Recalling the important contribution and experience of the four EFTA countries in peace-keeping operations within the United Nations;
- (xiii) Convinced that defining a common European defence policy should now commence even though all members of the European Union are not yet full members of WEU;
- (xiv) Noting that the countries called upon to accede to the European Union have not applied for membership of WEU with the exception of Norway which seeks full membership of WEU once it becomes a member of the European Union;
- (xv) Recalling that the NATO summit meeting on 10th January 1994 did not agree to the accession to the North Atlantic Treaty of any of the member countries of the WEU Forum of Consultation;
- (xvi) Repeating therefore paragraphs 1 and 2 of Recommendation 556, to grant simultaneously to all the member countries of the Forum of Consultation an associate status in WEU;
- (xvii) Earnestly desiring the progressive integration of all the states of Western and Central Europe in a system of co-operation ensuring security, stability and peace for Europe as a whole;
- (xviii) Hoping that the necessary conditions can be created for other countries, such as Slovenia and Moldova, to acquire the new associate status in the future, on the basis of the same historical, geographical and political considerations which allowed this status to be granted to the countries of the Forum of Consultation;

(xix) Considering that the devolution of the exercise of matters within the competence of WEU to other international institutions or to countries which are not members of WEU or NATO might paralyse any steps towards joint action on defence and security in Europe ;

(xx) Recalling the importance of maintaining, in any future parliamentary system required to supervise a common foreign security and defence policy, the possibility of bringing together delegations from the parliaments of member countries in an Assembly which represents the will of the peoples of Europe in this particular area,

RECOMMENDS THAT THE COUNCIL

1. Carefully prepare the intergovernmental conference planned for 1996 in line with its declaration I D8 annexed to the Maastricht Treaty;
2. Fully associate the Assembly with the Council's reflection on its preparation for the 1996 conference;
3. Retain the modified Brussels Treaty so that all the members of the European Union will be able to accede to its provisions;
4. Seek, in conjunction with the authorities of the European Union, to clear up the ambiguities of Article J.4 of the Maastricht Treaty with a view to obtaining a general mandate to elaborate and implement decisions and actions on behalf of the Union in WEU's area of responsibility;
5. Reconsider the WEU declaration II annexed to the Maastricht Treaty with a view to allowing the European members of NATO which are not members of the European Union the right to accede to the modified Brussels Treaty;
6. Encourage all member countries of the European Union and those acceding to it to become full members of Western European Union;
7. Study the possibility of creating a WEU peace-keeping training centre on the basis of experience gained in this area by the Nordic countries and especially Finland;
8. Improve the information communicated to the Assembly on developments in the CFSP and the Council's activities in the framework of the Union.

## *Explanatory Memorandum*

*(submitted by Mr. Ferrari, Rapporteur)*

### *I. Introduction*

1. During the period from December 1991 to November 1993, in which it was uncertain when and if the Maastricht Treaty would be ratified, the ministerial organs of Western European Union concentrated on the development of working relations with NATO, whereas WEU's relationship with the European Union had been left in limbo as Mr. van Eekelen, Secretary-General of WEU, described it in his speech at the last plenary session of the WEU Assembly on 29th November 1993.

2. During the abovementioned period, the Assembly continually reminded the Council of the importance of preparing a WEU position on its future relations with the Union as witnessed in particular by the reports presented by Mr. Goerens on WEU after Maastricht<sup>1</sup>, European security policy – reply to the thirty-seventh annual report of the Council; Part one: European Union, WEU and the consequences of Maastricht<sup>2</sup>, and on the interpretation of Article XII of the modified Brussels Treaty<sup>3</sup>.

3. Nevertheless, now faced with the situation after the entry into force of the Maastricht Treaty on 1st November 1993, the problems seem far from crystal-clear. In answer to a question put by Mr. Rathbone at the last plenary session of the Assembly about whether an increasing rôle for WEU in the formation of foreign policy in the context of the European Union could be seen, the WEU Secretary-General replied:

“I do not know how the relationship (with the European Union) will develop. I was a bit disappointed that the European Union did not envisage the possibility of a WEU rôle in Yugoslavia at the meeting which it had on 22nd November before our ministerial meeting. However, that is something which we must consider...

...

We shall be able to make a contribution to European Union deliberations, but the emphasis in political terms will be on a common foreign and security policy, because only the European Union is capable of providing convergence in rela-

tion to a political and foreign policy and to the economic measures that we can take in terms of sanctions or of support – the countries of Central Europe have much more need of economic support than of the military measures which have been envisaged or the guarantees that have been requested.

We have to look at this in the framework of the interesting arrangements by which WEU is an integral part of the European Union but at the same time maintains its autonomy as long as not all members of the Union are prepared to engage in military activities. If Austria, Finland and Sweden join, we shall have even more observers. We can act either in the context of a full foreign and security policy or in an autonomous rôle. The situation is not entirely neat, but international relations are never 100% neat and I think that this is a fairly ingenious arrangement. Then, in 1996, we shall see whether we need to take new steps or whether we can continue this arrangement for a further two years.”

4. Of course, it will not be possible to wait until 1996. In fact, Western European Union is now faced with manifold challenges:

- it has to find and implement practical arrangements for a working relationship between WEU and the European Union;
- Article J.4 of the Maastricht Treaty which enables the European Union to request WEU to elaborate and implement decisions and actions of the Union having defence implications has to be implemented;
- the consequences of WEU's new rôle in the development of the Union for its relationship with NATO have to be identified;
- the consequences for WEU of the Union's enlargement to include Austria, Finland, Norway and Sweden have to be elaborated;
- the parallelism between the Union and Western European Union regarding the nature of their new relationship with Central Europe on the one hand, and with Russia and the countries of the Community of Independent States (CIS) on the other has to be transformed into a specific policy;

1. Document 1308, 13th May 1992.

2. Document 1342, Part One, 6th November 1992.

3. Document 1369, 24th May 1993.

– WEU has to elaborate here and now a doctrine regarding its contribution to the intergovernmental conference planned for 1996 and it must be fully involved in the preparation of this conference.

5. The Assembly has to recall that, according to the agreement on the status of Western European Union signed in Paris on 11th May 1955 and ratified by all member parliaments, the organisation of “Western European Union” comprises the Council, its subsidiary bodies *and the Assembly*. The Assembly therefore, on the basis of Article IX of the modified Brussels Treaty and the abovementioned convention, is included in all measures envisaged by the WEU declaration annexed to the Maastricht Treaty, in particular regarding paragraph 3 of that declaration stating that “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 implications”. In the same way, Article J.4 of the Maastricht Treaty, considering Western European Union as an integral part of the development of the Union, applies to the WEU Assembly as an organ of the WEU organisation. The Assembly has therefore a major task to fulfil in the framework of Title V and in particular of Article J.4 of the Maastricht Treaty.

## ***II. The consequences of the ratification of the Maastricht Treaty for Western European Union***

### ***(i) The new quality of co-operation between WEU and the European Union***

6. During the first half of 1993 (covered by the first part of the thirty-ninth annual report of the Council to the Assembly<sup>4</sup>), the process of ratification of the Maastricht Treaty was still pending. The Council’s indications regarding WEU’s future rôle in the process of European Union were confined to the following:

“Both at the level of the Council working groups and at that of the Secretariat, working links may be forged as required with the European institutions ... having due regard to the principles of transparency, complementarity and reciprocity. These links will assume even greater importance in the months to come ... as the Maastricht Treaty ratification process is brought to a conclusion.”

7. However a study of the second part of the thirty-ninth annual report of the Council<sup>5</sup> yields no concrete information as to how WEU intends to organise its new responsibilities in the framework of the European Union, other than a repetition of the wording of the relevant provisions of the Maastricht Treaty and of the declaration issued by the WEU Ministerial Council in Luxembourg on 22nd November 1993.

8. This declaration drew the following consequences from the entry into force of the Treaty on European Union. First, in a political assessment:

“Ministers welcomed the fact that the links now established between the European Union and WEU were such that concrete form could now be given to the definition of a global concept of security in accordance with the aims and conditions of the Maastricht Treaty and recalled that European security included political, economic and military aspects. In parallel, WEU would continue to develop its activities on the basis of the guidelines established in the Maastricht and Petersberg declarations. In so doing, WEU would also contribute to the framing of common European defence policy. This might, in time, lead to a common defence. Thus WEU would reinforce the dynamic process of European Union.”

9. Furthermore, they:

“acknowledged the importance for WEU of the conclusions reached by the heads of state and government at the European Council in Brussels on 29th October on the implementation of the common foreign and security policy of the European Council of the European Union” and “reaffirmed that WEU was fully prepared to play its rôle in accordance with the Treaty on European Union and the Maastricht declaration of WEU member states and to respond to requests from the Union concerning its decisions and actions having defence implications.”

10. Does that mean that, with the entry into force of the Maastricht Treaty, Western European Union has ceased to be an autonomous organisation and to act as such? The Luxembourg declaration of the WEU Council is far from clear in this respect. It confirms only that “in parallel, WEU would continue to develop its activities on the basis of the guidelines established in the Maastricht and Petersberg declarations”. In the second part of its thirty-ninth annual report however, the Council confirms that WEU is being developed “as an institutionally autonomous body” as the

4. Document 1397, 12th November 1993.

5. Document 1411, 5th April 1994.

defence component of the European Union and the European pillar of the alliance. Furthermore, according to a declaration of the WEU Secretary-General during the last plenary session of the Assembly in Paris, WEU will maintain its autonomy "as long as not all members of the Union are prepared to engage in military activities".

11. But none of these declarations names the modified Brussels Treaty as the fundamental basis of WEU's autonomous legal existence and activity. It is a matter of fact that references by the WEU Council to that treaty have almost disappeared from WEU's recent public documents and declarations. Neither in WEU's last Luxembourg declaration, nor in the second part of the Council's thirty-ninth annual report can any reference be found to the modified Brussels Treaty.

12. These omissions enhance suspicions that the Council, firmly insisting arbitrarily on a so-called "1998 deadline" for the modified Brussels Treaty, is doing everything to give the public the impression that this treaty and its obligations may be increasingly neglected.

13. Nevertheless, in the platform on European security interests adopted in The Hague on 27th October 1987, which is one of the documents new member states must accept if they wish to accede to WEU<sup>6</sup>, WEU ministers had rightly stressed the importance of the modified Brussels Treaty for building an integrated Europe.

14. If this part of The Hague platform is still valid, it will be necessary for the WEU Council to give a clear indication of how WEU will harmonise its new obligations under the Maastricht Treaty with those under the modified Brussels Treaty. Yet the way the authors of the Maastricht Treaty have regulated the rôle of WEU within the Union does not facilitate this task since the wording of Title V of the Maastricht Treaty, and in particular of paragraph 6 of Article J.4 indicates that their clear intention was to base the European Union on the abrogation of the modified Brussels Treaty.

15. Here it might be recalled that in Recommendation 517 the Assembly asked the Council to request signatory states to correct the error in paragraph 6 of Article J.4 of the Maastricht Treaty (referring to a non-existent Article XII of the Brussels Treaty) before the text was submitted for ratification. However, both in the English text of the Maastricht Treaty issued by the office for official publications of the European Communities in Luxembourg and in the French text published by the same office the error was not correc-

ted. Thus the relevant paragraph still reads as follows:

"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..."

16. Your Rapporteur therefore deems it necessary to repeat that paragraph 31 of the Goerens report on WEU after Maastricht<sup>7</sup> is still fully valid when it states:

"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."

17. Regarding the WEU Council's negative reaction to the various written questions and its replies to Recommendations 517 and 539 on the interpretation of Article XII of the modified Brussels Treaty, one has to come to the conclusion that the Council is not prepared to consider the various legal arguments put forward by the Assembly nor to refer the question to independent arbitration. In the absence of a system of legal protection in the framework of the modified Brussels Treaty, the Assembly maintains its position and reserves the right to take further appropriate measures to uphold its legal and political position in this important matter. The aggravating factor of this question is that it is not only an internal dispute between the WEU Council and the Assembly but that it had fundamental consequences for the wording of the relevant provisions of the Maastricht Treaty. We are thus faced with a strange and perhaps unique case where the contracting parties of a new treaty (the one governing the European Union) impose a binding interpretation for a specific clause of the treaty of another organisation which has different origins and signatories. This is even less understandable, as there seems to be no unanimity among governments on this question. For instance in a debate on WEU in the British House of Commons on 18th March 1994, the representative of the British Government said that the modified Brussels Treaty would not terminate in 1998.

6. Petersberg declaration, 19th June 1992, Chapter III B.

7. Document 1308, 13th May 1992.



18. However, with the entry into force of the Maastricht Treaty on 1st November 1993, WEU obtained a supplementary legal basis for its activities, the implementation of which raises the question of how they are to be harmonised with the obligations laid down in the modified Brussels Treaty. The Maastricht Treaty (Article B of Title I and Article J.4 of Title V) distinguishes between "common foreign and security policy", "common defence policy" and "common defence", specifying that "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." That means that the Maastricht Treaty restricts WEU's competence to purely defence matters, whereas the common foreign and security policy is confined to the Union in the framework of the institutionalised common foreign and security policy (CFSP). The area of competence remaining within WEU seems even more restricted since the Maastricht Treaty specifies that:

"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." (Article J.4,1).

19. What does this mean? The conclusions of the presidency of the European Council, published at its meeting in Brussels on 29th October 1993, provides the following explanation:

"Common foreign and security policy is the framework which must enable the Union to fulfil the hopes born at the end of the cold war and the new challenges generated by the upheavals on the international scene, with the resultant instability in areas bordering the Union. The aim of the common foreign and security policy is to enable the Union to speak with a single voice and to act effectively in the service of its interests and those of the international community in general.

Foreign and security policy covers all aspects of security. European security will, in particular, be directed at reducing risks and uncertainties which might endanger the territorial integrity and political independence of the Union and its member states, their democratic character, their economic stability and the stability of neighbouring regions. In this context Western European Union will shortly implement the various provisions embodied in the treaty and the statement on WEU.

20. In another document on the implementation of the Maastricht Treaty, published at the

same time under the title "Chapter IV: From political co-operation to the common foreign and security policy (CFSP)" one can find a slightly different wording:

"(a) The common foreign and security policy of the European Union covers all areas of security and will aim to achieve the objectives of the Union referred to in Article J.1 of the treaty. Common security policy will be based on a global concept of security. European security includes political, economic and military aspects, under the conditions laid down in Article J.4. It will be primarily aimed at reducing the risks and uncertainties likely to pose a threat to the territorial integrity and political independence of the Union and its member states, to its democratic character, its economic stability and the stability of its neighbouring regions.

(b) The Union has means at its disposal, backed up by contributions from the member states and the "acquis" of political co-operation, to achieve its security objectives, particularly in the areas of crisis management, the promotion of United Nations and CSCE principles, disarmament, non-proliferation and the economic aspects of security.

In some cases, measures may be taken by the Union itself. The Union can also take action with regard to security through multilateral diplomacy within international organisations such as the United Nations, the CSCE and the Council of Europe.

(c) A common defence policy, which might in time lead to a common defence, must eventually be framed by the Union on the basis of its security interests. CFSP proceedings conducted with a view to the 1996 intergovernmental conference will benefit from the development of the activities of WEU, which forms an integral part of the development of the Union.

The links between the Union and WEU established by Article J.4 of the treaty are such that the Union can now give concrete form to the global approach to security meeting the treaty's objectives. These links will be of a developing nature and must be reviewed in the light of the report to be submitted in 1996.

The Union notes that WEU is continuing to develop its own line of activity autonomously on the basis of the guidelines established in the Petersberg declaration and that, in the dynamics of the process of European Union, it is destined to become its defence component."

21. Despite the various references to WEU in these declarations of the European Council, the WEU Council has offered the Assembly not the slightest information or explanation regarding these documents, on what basis the Union made them and if and to what extent WEU is bound by them.

22. Furthermore, the second part of the thirty-ninth annual report of the Council provides no clear position regarding WEU's remaining competences. It states that:

“ the first six months of the Luxembourg presidency of the WEU Council brought further progress in the creation of a European defence policy. The aim of this major and long-haul task is to equip Europe with the means it needs to meet the challenges of the post-cold war era. Following the ratification of the Maastricht Treaty, and with the advent of the European Union on 1st November 1993, this task can now be taken forward in a new framework. ”

Does the term “ new framework ” mean that WEU's responsibility in creating a European defence policy has been transferred to the CFSP?

23. In the absence of an official definition of the term “ defence policy ” it might be useful to refer to definitions used in the excellent study published in January 1994 by two former State Secretaries of the Swedish Foreign Ministry on the consequences for Swedish foreign and security policy of membership or non-membership of the European Union.

24. According to this study:

“ A common defence policy probably means co-operation concerning certain questions regarding the drawing up and orientations of national defence, for example defence doctrines, intelligence service, communications, training and equipment. ”

If this definition is correct, it would mean that according to Article J.4,1 of the Maastricht Treaty, WEU would no longer have competence in the abovementioned areas.

25. In this context, however, it should be noted that the German text of Article J.4, paragraph 2<sup>8</sup> of the Maastricht Treaty does not correspond with the French and the English versions. The English words “ defence implications ” appear in the German version as “ verteidigungspolitische Bezüge ” which means “ implications in the area of

defence policy”. In an address on the rôle of Western European Union in Bonn on 13th April 1994, at a meeting of the German society for military technology, Mr. van Eekelen, Secretary-General of WEU, based his speech on the German version of the Maastricht Treaty when he said *inter alia*:

“ Article J.4 of the Maastricht Treaty on European Union provides for three phases in the process of evolution of WEU. In the first, Western European Union is described as forming ‘ an integral part of the development of the [European] Union ’ and as providing a link between the European defence identity and the Atlantic Alliance.

The second phase is, ‘ in time ’, the framing of a common European defence policy which, in a third phase, might lead to a ‘ common defence. ’

WEU is requested to ‘ elaborate and implement decisions and actions of the [European] Union which have implications in the area of defence policy. ’ It is essential therefore that the Union itself does not conduct the defence policy but uses WEU for this purpose, since the ‘ defence policy ’ of the European Union falls within WEU's area of responsibility. ”

26. Nevertheless, regarding WEU's remaining competence under the Maastricht Treaty, Article J.4, paragraph 2 does not even constitute a general mandate for WEU's action but is only the basis for specific requests issued by the Union to WEU on a case-by-case basis. Thus, the Maastricht Treaty deals with Western European Union as if the modified Brussels Treaty did not exist and in particular not the provision of its Article VIII, paragraph 3, providing that:

“ at the request of any of the high contracting parties the Council shall be immediately convened in order to permit them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability. ”

27. How can this far-reaching general obligation be brought into line with the restrictive rôle the Maastricht Treaty reserves for WEU in Article J.4? Will there remain any likelihood that a WEU member country will make a request to convene the WEU Council on the basis of this article?

28. This seems rather unlikely since the wording of paragraphs 4 and 5 of Article J.4 of the Maastricht Treaty leave room for serious doubts about whether their provisions are compatible with the modified Brussels Treaty. Paragraph 4 says that:

8. The text in German reads as follows: Die Union ersucht die Westeuropäische Union (WEU), die integraler Bestandteil der Entwicklung der Europäischen Union ist, die Entscheidungen und Aktionen der Union, die *verteidigungspolitische* Bezüge haben, auszuarbeiten und durchzuführen. ...

“ the policy of the Union... 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... ”

but does not mention the modified Brussels Treaty. Paragraph 5 stipulates that:

“ the provisions of this article shall not prevent the development of closer co-operation... in the *framework of WEU...*, *provided such co-operation does not run counter to or impede that provided for in this title.* ”

Again, the modified Brussels Treaty is not mentioned and co-operation within WEU is restricted by a proviso clause.

29. After all, there is a definite danger that the Council of WEU might base its future activities exclusively on concrete requests from the European Union and no longer on its obligations under the modified Brussels Treaty. The most recent replies of the Council to various Assembly recommendations seem to confirm this trend: in its reply <sup>9</sup> to Recommendation 548, the Council informed the Assembly that ... “ the WEU Council cannot allude to the decisions of European Community countries regarding their relations with the successor states to the former Yugoslav Federation ”. In its reply <sup>10</sup> to Recommendation 552, the Council stated: “ The WEU Council is not competent to intervene with its members regarding their relations with successor states to the former Yugoslav Federation ”. In its reply <sup>11</sup> to Recommendation 554:

“ It is not within the competence of the WEU Council to recommend the creation of a European data centre nor even to discuss it.

...

The Council is aware of the need to promote transparency in the transfer of equipment for civilian and military use. Nevertheless, advanced technologies are outside the WEU Council's field of competence.

...

... the WEU Council has no authority to invite member governments to give their political and financial backing to the International Centre for Science and Technology. ”

30. The Political Committee is therefore grateful for Written Question 326 put to the Council by

9. Document A/WEU/DG (94) 3, 5th April 1994.

10. Document A/WEU/DG (94) 3, 5th April 1994.

11. Document A/WEU/DG (94) 3, 5th April 1994.

Mr. Goerens on 25th April 1994 <sup>12</sup> and fully endorses it. While reiterating the provisions of Article VIII, paragraphs 1, 2 and 3, of the modified Brussels Treaty Mr. Goerens asked the Council what was the basis of its abovementioned statements and in particular:

“ what under such circumstances are the topical questions that the Council regards itself competent to consider and deals with, as we are led to believe from Chapter II of the second part of the thirty-ninth annual report? Has the Council not for many years devoted its meetings mainly to bilateral relations between member countries and non-member countries of the organisation? Does the Council consider that its competences have been modified since reactivation of WEU and, if so, by what acts? ”

31. In paragraph 8 of the Council's reply to Recommendation 548:

“ on the question of possible financial compensation for riparian countries implementing the Danube embargo, the Council would inform the Assembly that this issue does not come within the competence of the WEU Permanent Council. ”

32. This kind of argument for not needing to reply to a recommendation of the Assembly is absolutely unacceptable. Such a non-answer should be the subject of an urgent approach to the chairmanship-in-office if the Council is unable to provide, in due time, a satisfactory answer to paragraph 4 of Written Question 326 put by Mr. Goerens in which he asked what was the basis of the Council's statement that:

“ The Permanent Council has separate competences from those attributed to the Council by the modified Brussels Treaty and that the Council need not reply to recommendations from the Assembly if the Permanent Council does not discuss the questions addressed by such recommendations (Reply to Recommendations 548 and 554).

Does the Council no longer admit it should reply to Assembly recommendations dealing with the application of the modified Brussels Treaty, even if certain WEU competences are entrusted to other organisations? What is the point of exchanges between WEU and NATO or the European Union if they do not permit the Council to make such reply, despite the fact that it undertook to do so before such exchanges were organised? ”

12. Document A/WEU/DG (94) 11, 25th April 1994.

33. This question is the more justified if one considers the lack of or incomplete information from the Council regarding a number of practical decisions which WEU ministers reached in Luxembourg. First they:

“ endorsed the measures to ensure close co-operation between the European Union and WEU set out in Annex IV of Chapter IV of the conclusions of the General Affairs Council of 26th October on the implementation of the Treaty on European Union, which had been approved by the European Council on 29th October. ”

34. In fact on 27th October 1993, WEU issued the following press release:

“ At its meeting on 26th October 1993, the WEU Permanent Council mandated the Luxembourg presidency to convey to the European Council on 29th October its agreement to the text of Annex IV – on the links between the Union and WEU – to Chapter IV of the document on the implementation of the Maastricht Treaty ”

35. Since the Assembly was not informed of the contents or context of these documents, Mr. Stoffelen, Chairman of the Political Committee, put the following Question 324 to the Council on 8th November 1993:

“ Is the Council prepared to communicate to the Assembly Annex IV, relating to the links between the Union and WEU, of Chapter IV of the document concerning the implementation of the Maastricht Treaty which was approved on 26th October 1993, as announced in a press communiqué dated 27th October? ”

36. In a letter dated 23rd March 1994 – nearly six months later – the Secretary-General of WEU transmitted the relevant document<sup>13</sup> with the following reply of the Council:

“ ... This annex was formally approved by the Permanent Council on 26th October 1993 and that approval endorsed by the Ministerial Council on 22nd November last. This text is a joint European Union and WEU working document. The Council invites the Secretary-General to forward Annex IV to the parliamentary Assembly. ”

37. If this text is a joint European Union and WEU working document, one has to ask why it has not been incorporated in the second part of the thirty-ninth annual report of the Council to the Assembly or transmitted, in time, in an official way to the Assembly, whereas the European Par-

liament was informed of the text already in November 1993. Furthermore, the text cannot be understood in isolation since it is part of another paper, called “ Chapter IV of the document on the implementation of the Maastricht Treaty ”<sup>14</sup> dealing with the new procedure for the common foreign and security policy (CFSP) which has four appendices, the last of which concerns Western European Union.

38. Without further knowledge of the status and basis of Annex IV, one can only presume that it is based on Article J.4 of the Maastricht Treaty, according to which the Council of the Union shall, in agreement with the institutions of WEU, adopt the necessary practical arrangements regarding requests emanating from the Union to WEU to elaborate and implement decisions and actions with defence implications.

39. This kind of case-by-case approach led the WEU Secretary-General in his address to the Assembly on 29th November 1993, to express the wish “ that requests from the Union should be made at a sufficiently early stage so that WEU, which brings together the Foreign and Defence Ministers’ viewpoints, can beneficially influence the development of the common foreign and security policy. ”

40. In this context, the abovementioned Annex IV provides the following specifications:

“ The Union may, at the level of its Council, request WEU to elaborate and implement decisions and actions which have defence implications in the following kind of situations. These, while normally implying the use of military personnel, may include the use of other means. The following examples should only be considered as indicative and non exhaustive:

- the security interests of the Union are directly concerned;
- the Union is politically and economically involved in a specific crisis or conflict and acknowledges that additional WEU support is necessary (military observers, cease-fire, peace-keeping, sanctions monitoring and peace-enforcement);
- the Union is asked by the UN/CSCE to make a contribution and it comes to the conclusion that WEU, in a cohesive division of labour, could make a specific contribution;
- humanitarian efforts need logistical support. ”

13. Document 1412, 8th April 1994.

14. See paragraph 20 above.

41. Annex IV stipulates then that:

“ 2. Once the European Union has requested WEU to elaborate and implement its decisions and actions with defence implications, WEU will take on the request in accordance with the decision-making procedures of that organisation, and will carry out all actions concerning such a request in a manner that is fully coherent with the overall policy established by the European Union.

Special attention will be required when the request to WEU is part of a broader action which the Union itself will continue to conduct.

In this case mutual information and consultation procedures will ensure the coherence of the action as a whole, whilst ensuring that WEU take in an autonomous way the operational decisions, including military planning, rules of engagement, command structures, deployment and withdrawal. ”

42. Such arrangements can only strengthen the firm impression that WEU's rôle is to be reduced to little more than that of a subordinate organisation and subcontractor, awaiting instructions from the European Union. Thus, it is anticipated, for example, that requests for a European contribution from the United Nations and the CSCE would be addressed only to the European Union which would decide whether WEU should be involved or not and which would also decide what kind of contribution WEU should make. The same line is followed by the Council's reply to Recommendation 549 on political relations between the United Nations and WEU, which envisages any activities by WEU in this context only via the European Union. Under these circumstances, nobody seems to consider that the United Nations and/or the CSCE might contact WEU directly in order to ask for a contribution. Not only would this be more practical, it would correspond more accurately to the specific duties and competences of WEU arising from the modified Brussels Treaty. Otherwise, what practical use would it be for WEU ministers to instruct the Permanent Council of WEU “ to consider how to enhance relations with the United Nations and the CSCE ” as reported in the second part of the thirty-ninth annual report of the Council?

43. Regarding the other examples referred to in Annex IV it should be stressed that in all cases where “ the security interests of the Union are directly concerned ” or “ the Union is politically and economically involved in a specific crisis or conflict ”, the provisions of the modified Brussels Treaty are automatically applicable, obliging WEU member countries to take appropriate action.

44. However, the implementation of the procedure provided for under Annex IV will, first and foremost, lengthen the decision-making process

and make it more cumbersome. The result will effectively represent the lowest common denominator. A specific example of this is the request made in Luxembourg on 4th October by ministers of the Twelve to study, concerning the administration of Mostar, what support WEU could give in connection with the organisation of a police force and the improvement of some vital logistic functions, particularly in the medical field<sup>15</sup>.

45. Another, much more serious consequence is that every decision by the Union as to whether or not to request a contribution from WEU will depend on the approval of those member countries of the European Union that are not prepared to become full members of WEU and to fulfil the obligations of the modified Brussels Treaty. If the accession of the EFTA countries to the European Union is ratified, the number of member countries of the European Union not prepared to become full members of WEU will soon increase. Thus future action of WEU will soon depend on the positions adopted by all these countries.

46. If such dependence on the part of WEU is not the intention of Annex IV, the WEU Council should quickly provide the necessary clarifications and explanations. If the possibility of autonomous decisions and actions on the basis of the modified Brussels Treaty shall remain open to WEU, it is not sufficient to confirm that WEU will be developed as an “ institutionally autonomous ” body<sup>16</sup>. To avoid the decision-making process in the European Union, particularly with regard to countries not prepared to participate in a common defence in the framework of WEU, hampering decisions on whether to request a contribution from WEU, it would make more sense to interpret Article J.4, paragraph 2, as a general clause obliging WEU, in all cases with defence implications, to take the necessary initiatives on behalf of the Union in elaborating (and implementing) the relevant decisions. Instead of waiting for specific requests from the Union it should be for WEU to propose the appropriate measures to the Union in any given case. In cases where the Union could not reach a decision WEU should be free to act on its own initiative. This should have been the content of the “ necessary practical arrangements ” referred to in the second sentence of Article J.4, paragraph 2, of the Maastricht Treaty.

47. Annex IV also provides that:

“ 3. In order to ensure close co-operation between WEU and the European Union, the following measures will be implemented from the date of entry into force of the Maastricht Treaty:

15. See WEU press release, 5th October 1993, Document 1411, Annex 1.

16. See introduction to the second part of the thirty-ninth annual report of the Council to the Assembly, Document 1411.

### 3.1. Co-operation between presidencies and harmonisation of their duration

The presidency of WEU will continuously inform CFSP bodies about ongoing work within WEU which is relevant to the Union. The presidency of the Council will inform, on a regular basis, competent WEU bodies of the work undertaken by the Union which is relevant to WEU, in particular in areas where WEU could be invited to elaborate and implement decisions of the Union which have defence implications.

The two presidencies will co-operate closely in order to ensure the consistency and the efficiency of the work relevant to both organisations.

To facilitate the envisaged harmonisation of presidencies, the Union suggests that WEU reflect on the reduction of its presidency's term of office to six months. "

48. Regarding this last item, WEU ministers agreed in Luxembourg to reduce the period of the WEU presidency to six months from 1st July 1994 as suggested by the European Council. They requested the Permanent Council to consider further the question of harmonising the presidencies of the European Union and WEU and to report back. It should be noted in this context that in the Rome declaration of October 1984 WEU ministers had decided to prolong the period of its presidency from six months to one year, in order to render the presidency more effective! According to the second part of the thirty-ninth annual report of the Council, the reduction in the term of the WEU presidency "symbolises the willingness to harmonise WEU's method of working with that of the European Union". Do such statements mean that the Council of WEU is itself not convinced of the usefulness of its decisions?

49. Regarding further practical modalities of co-operation the following details are set out in the abovementioned document:

" 3.2. Co-operation between the Secretariat-General of the Council and the Secretariat-General of Western European Union

- the Secretary-General of the Council will ensure that the Secretary-General of WEU is kept timely and fully informed on developments of the CFSP, in particular in areas where WEU could be invited to elaborate and implement decisions of the Union which have defence implications as well as in areas where complementary or similar activities are being

carried out by the Union and by WEU. Similarly, the Secretary-General of WEU will keep the Secretary-General of the Council punctually and fully informed of any activities of WEU which are relevant to the Union, including the development of contingency planning for implementing measures in areas where the Union might call for such action.

- The collaboration includes the exchange of written material in the relevant areas. This covers documents as well as exchanges over the WEUCOM and COREU networks. The two secretariats will establish the necessary practical arrangements in this regard and ensure the security classifications and provisions of the two organisations are respected in the handling of such documents.
- The collaboration includes cross-participation of collaborators from the two secretariats in relevant meetings in the two organisations according to decisions taken on a case-by-case basis, after consultation of the two presidencies at the appropriate level. This applies to meetings at working group level, as well as with regard to relevant agenda points in meetings at ambassadorial level and at ministerial level. The two secretariats will keep each other informed about the agendas for all relevant meetings. The collaborators in question will be seated in the delegation of the presidency-in-office of the organisation they represent. "

50. Regarding co-operation between the two secretariats, it would appear that initial arrangements have been made for the exchange of documents drawn up by the different working groups and for cross-participation of collaborators. As far as the latter is concerned, it seems that the secretariat of the Council of the European Union may participate in all meetings of the WEU Council of Ministers whereas the arrangement for participation by the Secretariat-General of WEU in meetings of the Council of the European Union is not entirely reciprocal as it is restricted to certain items of its agenda only:

" 3.3. Arrangements for appropriate modalities to ensure that the Commission of the European Communities is regularly informed and, as appropriate, consulted on WEU activities

The information and, as appropriate, the consultation of the Commission on WEU activities should take place through regular contacts between the Commission and the WEU presidency, on the one side, and bet-

ween the Commission and the Secretary-General of WEU, on the other side.

The WEU secretariat will forward WEU written material to the Commission, in which the Commission has an interest by virtue of its responsibilities in implementing policies of the European Union and whenever WEU is dealing with matters relating to the Commission's responsibilities under the Treaty on European Union. Similarly, the Commission will forward documents to WEU in all relevant areas."

51. It appears that in the meantime the Commission and the Secretariat-General of WEU have agreed on the modalities of the exchange of documents. Furthermore, it has been clarified that the Commission is to be included in the delegation of the presidency of the European Union to WEU meetings and form part of the delegations of the presidency of the European Union to WEU ministerial meetings. Conversely, the Commission will regularly inform the WEU secretariat of meetings organised by the Commission which might be of interest to WEU. Attendance by the WEU Secretariat-General at such meetings is to be requested through the presidency of WEU:

"The presidency will represent the European Union at WEU meetings. It is understood that the presidency will include representatives of the Commission in its delegation whenever WEU is dealing with matters relating to the Commission's responsibilities under the treaty."

52. It is not made clear in the paper how the presence of WEU in European Union meetings will be ensured. According to an Agence France Presse communiqué dated 3rd March 1994, the Secretary-General of WEU complained that relations between WEU and the European Union were less satisfactory than those with NATO and that WEU was not represented in meetings of the Twelve dealing with security matters. On 18th April 1994 however, Agence Europe released information stating it had been decided that WEU would be represented by its Secretary-General and by a representative of the WEU presidency at the meeting of the European Union to be held in Brussels on 17th and 18th May. Such a decision is of course to be welcomed, but the representation of WEU in such meetings should not be the subject of ad hoc decisions but based on an overall agreement:

"3.4. Synchronisation of dates and venues of meetings

The two organisations, at the level of the presidency and the secretariats, will whenever possible consult each other before finalising plans for meetings at ministerial level or meetings of relevant working

groups with a view to establishing the greatest possible synchronisation of dates and venues of meetings. This applies in particular to situations where successive decisions of the Union and WEU are called for.

The two secretariats will make the necessary practical arrangements to provide appropriate meeting facilities whenever successive meetings of the two organisations on the same day and in the same place are called for practical or operational reasons."

53. According to information your Rapporteur gathered during a visit to the European Commission and the WEU Secretariat-General in Brussels in March, the discussions for implementing the various arrangements are only just starting. Unfortunately the Secretariat-General of the European Union which has to be reorganised, was not able to receive your Rapporteur. He therefore has no detailed information about the background of the abovementioned Annex IV. But he recalls that in Chapter A of the declaration of Western European Union annexed to the Maastricht Treaty dealing with WEU's relations with European Union, WEU announced that "the WEU Council shall, in agreement with the competent bodies of the European Union, adopt the necessary practical arrangements." Will this still be done or has it become obsolete by agreeing to the Union's paper?

54. Should this be the case, it would be a further example of the consequences of the inactivity of the WEU Council in allowing the Union to impose its practical arrangements and provisions in matters which are within WEU's specific purview. If WEU is to avoid losing the basis of its responsibilities and competences, it will be crucial to remind the Council that it must continue to implement fully all provisions of the modified Brussels Treaty and not restrict WEU's area of activities to obligations arising from specific requests stemming from the European Union alone. The far-reaching obligations of the modified Brussels Treaty also make it impossible to reduce WEU's activities to defence matters alone. Threats to peace are not just military threats; they also include political, economic and other threats and dangers.

55. What is even more important is that WEU must be both the subject and a player in the elaboration of the institutional architecture of the security and defence branch of the European Union. In this respect, WEU has so far been more an object than a subject of reflexion. WEU must put forward its own vision of the future European construction; the modified Brussels Treaty itself obliges the Council to make a proper contribution in this area, since its Article VIII, paragraph 1 clearly provides that the Council of WEU had been created for the purposes ... "of promoting

unity and encouraging the progressive integration of Europe and closer co-operation between them and with other European organisations" even before the European Community was created and a long time before the Maastricht Treaty was concluded.

56. That means first and foremost that the Council should now do what it should have done already during the preparation of the Maastricht Treaty: it must decide on its approach to the 1996 intergovernmental conference. During his recent visit to Brussels, your Rapporteur was told that WEU instances were too busy with their heavy day-to-day duties to have the time to think now about the 1996 conference. That enhances the need to think about improving WEU's means of ensuring continuous political planning. First, however, the Council and the Secretariat-General must realise the importance of being involved in the planning for 1996 from the very outset.

57. Furthermore, it is crucial to remind the Council that with the entry into force of the Maastricht Treaty WEU's activities are closely connected with those of the European Union and the structures of the CFSP. In the framework of the latter, subjects connected with the responsibilities of WEU and practical co-operation with it will play an increasingly important rôle. The exchange of information and documents will be developed. Consequently, the Council has to inform the Assembly about developments in the CFSP and other sectors of the Union in all matters which have implications for WEU and in which it is involved. The Council should reply to recommendations of the Assembly dealing with the application of the modified Brussels Treaty, even if the exercise of certain WEU competences are entrusted to other European organisations, such as the European Union.

58. Article IX of the modified Brussels Treaty created an Assembly whose activities are not just an echo of those of the WEU Council. They are based on its political independence which was recognised by the Council from the very outset. In this spirit, the Assembly was able to draw up a Charter which lays down that the Assembly carries out the parliamentary function arising from the application of the modified Brussels Treaty and may proceed on any matter arising out of that Treaty. The Assembly's recommendations to the Council constitute the Assembly's formal answers to the annual report of the Council which is transmitted to the Assembly in accordance with Article IX and reflect its formal positions on any matter arising from the treaty. The Assembly's recommendations therefore cannot be considered as simple " suggestions " as implied in the Council's reply to Recommendations 548 (paragraph 6) and 550 (paragraph 3).

(ii) *The parliamentary dimension of co-operation between WEU and the European Union*

59. The need to elaborate a WEU concept regarding the future place of the security and defence element within the future European (and Atlantic) institutional architecture applies also to the question of how democratic and parliamentary supervision of the European executive institutions should be guaranteed and organised in the best possible way. As already stressed in paragraph 5 of the introduction, the Assembly should be conscious of its special responsibility in putting forward constructive proposals and recommendations in this area, which is still far from being examined and clarified with due attention. Whereas the Maastricht Treaty does not refer to specific WEU organs but to " WEU " as an integral part of the development of the Union, the WEU declaration annexed to the Maastricht Treaty contains encouragement for closer co-operation between the Assembly of WEU and the European Parliament.

60. In answer to Written Questions 302 and 303, on 16th October 1992 the Council specified that its:

" encouragement of closer co-operation between the parliamentary Assembly of WEU and the European Parliament is based on the fact that the Maastricht declaration of the Nine on the rôle of Western European Union and its relations with the European Union and with the Atlantic Alliance specifies under the heading ' WEU's relations with European Union ' (paragraph 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 implications. ' The ' encouragement of closer co-operation between the parliamentary Assembly of WEU and the European Parliament ' is one of the ' measures ' which ' WEU will take... to develop a close working relationship with the Union ' . "

61. This specification is very important. Measures to develop a close working relationship with the Union have to be seen in the context of Article J.4 according to which WEU is an integral part of the Union and will, at the request of the latter, elaborate and implement decisions and actions of the Union which have defence implications. Consequently, all efforts to establish close co-operation between the Assembly of WEU and the European Parliament should be seen in this context. The objective of building up WEU in stages as the defence component of the European Union has to be implemented in its parliamentary component too, this being the Assembly of WEU.



62. That means that arrangements which need to be made for establishing closer relationships between the WEU Assembly and the European Parliament should take into account WEU's enhanced responsibilities in the framework of the Union. They should therefore be based on a spirit of equality, reciprocity, transparency and complementarity. To this end, informal contacts have been established between the Assembly and the European Parliament.

63. They led to a meeting in Paris on 29th January 1993 at which the Political Committee of the WEU Assembly was briefed by Mr. De Gucht, Rapporteur of the Committee on Institutional Affairs of the European Parliament on future relations between the European Community, WEU and the Atlantic Alliance. On that occasion, the Political Committee of the WEU Assembly gave its views on certain points and on 2nd March 1993 the Presidential Committee adopted a declaration on the WEU Assembly's place in the European Union which the President of the WEU Assembly transmitted to the President of the European Parliament<sup>17</sup>.

64. Following an exchange of letters in April 1993 between the Sub-committee on Security and Disarmament of the Foreign Affairs Committee of the European Parliament and the Office of the Clerk of the WEU Assembly it was decided to form a small group of parliamentarians of the Political Committee with the task of maintaining contact with the said sub-committee of the European Parliament. On 15th June 1993 a meeting was held between MM. Holzfuß and Lagakos, members of the Sub-committee on Security and Disarmament of the European Parliament, and Lord Finsberg, MM. Goerens and Stoffelen, members of the working group for contacts with the European Parliament nominated by the Political Committee of the WEU Assembly. It was agreed that a formal meeting between the working groups of both the European Parliament and the WEU Assembly should be held in early autumn 1993, most probably in Brussels, in order to discuss proposals for contacts between the two parliamentary bodies.

65. In fact, no such meeting was held but it was agreed that, in principle, all parties should be on an equal footing in such contacts. All participants agreed that the contacts could include:

- an exchange of draft reports at an early stage;
- regular contacts between rapporteurs;
- joint meetings of committees.

Participation in plenary sessions with the right to speak on a reciprocal basis was a problem which

might not be solved easily at short notice, but both sides agreed that constructive proposals on this matter should be discussed at their next meeting.

66. On 24th February 1994, however, the European Parliament adopted Resolution A3-0041/94 on future relations between the European Union, WEU and the Atlantic Alliance emphasising inter alia:

“ that the primacy of the European Union over WEU should be confirmed unambiguously, with the European Union taking the political decisions concerning security and defence, with WEU implementing the decisions which have defence implications... that the European Parliament may address questions and recommendations to the WEU Council ” and that “ in the third stage, the European Parliament should replace the WEU Assembly in its entirety at plenary and committee levels... ”

67. Reading the explanatory memorandum attached to that resolution, the Rapporteur Mr. De Gucht already proposes in a first stage a modification of Article IX of the modified Brussels Treaty in the sense that the WEU Assembly shall be composed of the representatives of WEU member countries elected to the European Parliament. Of course, this is the personal view of the rapporteur, but if his argument that “ the WEU Assembly, unlike the European Parliament, is under the current provisions not included in the normal process of European integration ”, becomes the official position of the European Parliament, it will be very difficult for the WEU Assembly to develop a working relationship with it because such a starting point would run counter to the text of the relevant provisions of the treaties and also to the spirit of understanding the liaison group of both parliamentary assemblies had already reached.

68. The Assembly therefore expects that the Council will take appropriate steps in the framework of its new working links with the inter-governmental authorities of the European Union, with the European Commission and last, but not least, also whenever its representatives have contacts with members of the European Parliament. Thus the Council should make it clear that the planned closer relationship between the WEU Assembly and the European Parliament which the Council has encouraged the WEU Assembly to develop will not be possible, if the relevant instances of the Union, and in particular the European Parliament, continue to claim that the WEU Assembly, which is a component of the WEU organisation, is excluded from the process of European integration.

69. The future structure of the parliamentary dimension of a European Union in which security and defence will take their appropriate places will

17. See Appendix.

be the subject of a carefully-prepared study the Political Committee is to present at a later stage. The committee is also ready to reopen the dialogue with a newly-elected European Parliament in order to agree appropriate ways and means for developing closer co-operation. The primary aim of these efforts should be the elaboration of ways to strengthen and improve democratic control bearing in mind the will of the peoples concerned in the most sensitive political area, i.e. defence and security. However, in pressing steadfastly for a single European framework for security and defence matters and for introducing the principle of majority decisions in these areas and asking to replace the WEU Assembly in its entirety, the European Parliament has never explained why all this would lead to greater democracy in security and defence matters, nor why it should lead to greater efficiency. The European Parliament's fight against the intergovernmental decision-making process in the European Union and in WEU, which has been even further strengthened by the Maastricht Treaty, seems particularly counterproductive when one considers that the true goal is to bring together all the nations of a continent such as Europe whose greatest quality is the very diversity of its peoples and countries, including especially the "smaller" countries and former neutral countries, which are now prepared to join European Union but wish nevertheless to retain some control over their destiny.

*(iii) European Union, WEU and NATO*

70. The problem of pressing for a single European framework in security and defence must also be examined carefully with regard to Europe's future transatlantic relations in these matters and even its relations with the United Nations. Resolution A3-0041/94 of the European Parliament:

"Takes the view ... that aspects of the relationship with the United States should come under the responsibility of the same political authority, which implies that the European Union should become responsible for defining the European position in the Atlantic Alliance; considers that this will allow the development of a more consistent attitude towards the United States as well as a less ambiguous relationship between the Union and the United States;

Considers it important that ultimately, together with the revision of the treaties leading to the full incorporation of WEU into the European Union, the existing North Atlantic Treaty is adapted or a new treaty signed between the United States and the European Union to reflect better the new equal relationship between the two sides of the Atlantic."

71. Again, in a resolution on the "development of a common security and defence policy for the European Union" adopted on 24th March 1994, the European Parliament:

"Welcomes the thought being given on both sides of the Atlantic to the possibility of anchoring all political, economic and defence policy relations between the European Union and the United States and Canada in a comprehensive treaty;"

72. It cannot be the purpose of this report to enter into discussion of numerous reports and positions adopted by the European Parliament in the area of competence of Western European Union. Nevertheless your Rapporteur deems it necessary to emphasise that Europe's relations in security and defence matters with the United States and Canada in the framework of the Atlantic Alliance are particularly sensitive and have to be handled most carefully. It is well known that a number of problems and rivalities in political and economic areas have arisen recently between the Twelve and the United States. For the security of Europe, it will be crucial to avoid difficulties and competition on either side of the Atlantic affecting transatlantic solidarity in security and defence matters. Suggesting in this context to replace the North Atlantic Treaty by another treaty without specifying the purpose and the content of such a new arrangement can be a dangerous undertaking. The Treaty establishing the European Union in no way indicates in which way the Union intends to develop its relations with the United States and with NATO other than requesting that co-operation between member states within NATO shall not run counter to or impede that provided for in the Union. Again, the Union is already in competition and even in conflict with the United States, particularly in economic matters. To maintain transatlantic solidarity, it is therefore most important that WEU has been developed as the European pillar of NATO on the basis of Article IV of the modified Brussels Treaty obliging it to work in close co-operation with NATO. The importance of this provision increased considerably after the January NATO summit meeting which explicitly supported strengthening the European pillar of the alliance through Western European Union.

73. It will be a main task of Western European Union to use its new working relations with the relevant instances of the European Union and the CFSP, to strengthen transatlantic cohesion and to advise the Union on possible repercussions of certain decisions with defence implications on transatlantic co-operation. It was therefore a wise decision to confirm WEU as a separate institution with the task of developing co-operation with NATO to the benefit of the European Union as a whole.

74. Both the European Union and WEU will also have to study the impact the establishment of a single European framework in the security and defence area would have on relations with the United Nations. According to Article 2 of its Charter, the United Nations is based on the principle of the sovereign equality of all its member states. When the Assembly recommended in Recommendation 549 that the Council study the proposals ... with regard to reforming the United Nations and its Security Council with a view to strengthening its effectiveness in peace-keeping and improving WEU's participation in the decision-making process in the United Nations, the Council replied that "this issue is solely a matter for the member states as members of the United Nations."

75. Article J.5, paragraph 4 of the Maastricht Treaty obliges member states which are permanent members of the Security Council to ensure the defence of positions and the interests of the Union, but without prejudice to their responsibilities under the provisions of the United Nations Charter. So far this Charter allows only individual sovereign member countries to become members of the United Nations Council. Furthermore, United Nations member states alone can decide individually on the basis of their autonomous political evaluations and in conformity with their constitutions whether or not to contribute to peace-keeping or peace-enforcing operations requested or authorised by the United Nations. Appropriate parliamentary supervision of these decisions is becoming increasingly important. It must be carried out by a parliamentary assembly whose members should have far closer links with the decision-making process in the relevant countries than members of the European Parliament elected by direct universal suffrage could have. Neither the present member countries of the Union nor the EFTA countries now joining as new members with their long experience in peace-keeping in the framework of the United Nations would agree that powers to decide on sending national or multinational military contingents abroad for peace-keeping or peace-enforcing purposes should be transferred to supranational institutions.

### **III. The enlargement of the European Union and its implications for Western European Union**

#### **(i) The EFTA countries**

76. The recently successful negotiations with Austria, Finland, Norway and Sweden regarding their accession to the European Union seemed particularly difficult in a number of areas but not in regard to foreign and security policy (Chapter 24 of the agreement package). Whereas Norway as a member of NATO had from the very beginning no difficulties with this chapter, the other three countries had so far maintained a pol-

icy of neutrality, in each case based on different legal, political and historical grounds. Nevertheless, all three countries agreed with the European Union on the following joint declaration :

77. "I. The Union notes the confirmation by Austria, Sweden, Finland and Norway of their full acceptance of the rights and obligations attaching to the Union and its institutional framework, known as the "acquis communautaire", as it applies to present member states. This includes in particular the content, principles and political objectives of the treaties, including those of the Treaty on European Union.

The Union and Austria, Sweden, Finland and Norway agree that:

- accession to the Union should strengthen the internal coherence of the Union and its capacity to act effectively in foreign and security policy;
- the acceding states will, from the time of their accession, be ready and able to participate fully and actively in the common foreign and security policy as defined in the Treaty on European Union;
- the acceding states will, on accession, take on in their entirety and without reservation all the objectives of the treaty, the provisions of its Title V, and the relevant declarations attached to it;
- the acceding states will be ready and able to support the specific policies of the Union in force at the time of their accession.

II. With regard to member states' obligations deriving from the Treaty on European Union concerning the implementation of the Union's common foreign and security policy, it is understood that, on the day of accession, the legal framework of the acceding countries will be compatible with the acquis."

78. In its reply to Recommendation 548 asking the Council to define without delay the nature of its future relations with Austria, Finland and Sweden, offering them means of co-operation corresponding to the specific situation of each one, the Council stated that:

"The nature of WEU's future relations with Austria, Finland and Sweden depends on the decision which these countries will take regarding their relations with WEU. Under the terms of the declaration by Ministers on 19th May 1993, and at these countries' request, WEU has established the appropriate contacts with them in order to inform them about WEU's rôle."

79. Nevertheless, it would be helpful if the Council would clarify whether the entry of these countries into the European Union, once approved by the European Parliament and the population of the countries concerned, will enable them to benefit from the WEU declaration appended to the Maastricht Treaty according to which "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". Since this declaration assumed that treaties and agreements corresponding to the above proposals would be concluded before 31st December 1992, it has to be made clear whether the same procedure will apply to countries joining the European Union after that date.

80. So far, only *Austria* has publicly announced its intention to become an observer in WEU. There are regular informal information contacts in Brussels between representatives of Austria and WEU representatives, but according to the information your Rapporteur received in Brussels the three countries in question have made no formal requests regarding their future relationship with WEU.

81. The Political Committee's information visit to Austria in March 1994 was particularly rich in enhancing knowledge of the country's commitment to join the European "club". It became clear that the Austrian authorities consider that the reasons for incorporating in its constitution in 1955 a declaration of permanent neutrality have become more and more obsolete following the radical political changes in Europe since 1989. Austria has an important geographical position as a direct neighbour of three of the Visegrad countries, Slovenia and a short distance from Ukraine. Since the outbreak of hostilities on the territory of former Yugoslavia, Austria views its application to join the European Union increasingly from a security angle. It intends to become an active participant in the development of a security policy within the Union and sees its future relationship with WEU as an evolutionary process. Furthermore it has expressed its commitment to contribute to the deepening of the Union<sup>18</sup>. According to Mr. Mock, Minister for Foreign Affairs, there would in the long run be full identity between members of the Union and WEU. Austria is concentrating its present efforts on the European Union and WEU whereas the question of relations with NATO are not at present on the agenda of the political discussion. Austria considers the partnership for peace programme as a positive initiative, but does not envisage participating in it for the time being.

18. See the contribution by Mr. Mock, Austrian Minister for Foreign Affairs, *Le Monde*, 30th April 1994.

82. Austria's longstanding participation and experience in peace-keeping operations of the United Nations will constitute a valuable contribution to the European Union and Western European Union provided the referendum on joining the Union, which is to be held on 12th June 1994, is positive. According to opinion polls conducted prior to the successful conclusion of the accession agreements, a majority was in favour of the country's accession to the Union. Gallup counted 48% in favour, 38% against and 14% undecided, whereas Market Institute counted 39% in favour, 34% against and 27% undecided<sup>19</sup>. But most recent opinion polls indicate more than 53% in favour, about 32% against and 11-14% undecided. There are therefore good reasons to hope that Austria will be the first of the four EFTA countries whose population will approve its entry into the Union which undoubtedly will have a positive impact on the results of the referendums to be held in the other three countries.

83. In *Finland*<sup>20</sup>, an opinion poll was organised by Finska-Gallup on 14th February 1994 according to which 39% of those questioned were in favour of Finland joining the Union, 30% against and 31% undecided. When the Political Committee visited Finland on 25th and 26th April 1994, it saw a country which had succeeded by its policy of neutrality in maintaining its national independence next door to a superpower neighbour which had defeated it in war and demonstrated expansionary tendencies. However, neutrality for the Finns was never an end in itself but only a means of safeguarding their national existence and security. Ever since achieving independence from Russia in 1917, Finland had sought a *modus vivendi* with Moscow. For 43 years after the second world war, Finland was enmeshed in a special relationship governed by a 1948 treaty of friendship, co-operation and mutual assistance and on strong bilateral trade relations. The failure of the August 1991 coup in Moscow hastened the end of the 1948 treaty in its entirety, abrogated by a new treaty signed on 20th January 1992. Negotiations are now expected with the Russian Government on trading and border questions. During European Union membership negotiations, Finland insisted on the importance of ensuring prospects for continuing and indeed developing economic co-operation with Russia.

84. Finland's security has been greatly affected by the strategic game of superpower doctrines, weapons and deployments that was played around the Kola base complex and in the northern waters and airspace. Despite the implemented and forthcoming deep reductions in strategic and tactical nuclear weapons by the United States and Russia,

19. *Le Monde*, 4th March 1994.

20. *Le Monde*, 4th March 1994.

Northern Europe retains its strategic significance for the residual forces of the superpowers. Now that the Baltic states are independent, the focus of military policy in the Baltic has shifted from the Straits of Denmark to the mouth of the Gulf of Finland, and when the START II Treaty on the reduction of strategic nuclear forces comes into force, nearly half of Russia's nuclear capacity, consisting mainly of strategic missile submarines, will be concentrated in the Kola Peninsula. No matter how positive development may be in Russia, this will not change the reality that Russia's two most important areas from a strategic point of view – the Leningrad military district and the Kola Peninsula – are located next door to Finland. In the Leningrad district in particular, important units of Russian troops and matériel are deployed which had been withdrawn from Central Europe and Germany.

85. On 18th April 1994, Finland decided to join NATO's partnership for peace programme. Since June 1992, Finland has also an observer's status in NACC. Despite the large Russian military deployment near the Finnish borders the President of the Republic of Finland confirmed in a speech to the plenary session of the European Parliament on 16th November 1993:

“ Finland is not asking for a free ride in terms of security. We do not feel threatened and are not in the search for new security solutions. Finland pursues a policy of military non-alliance and an independent and credible defence.

In the European Union, we are fully prepared to take an active part in the common foreign and security policy and in its further development as foreseen in the treaty. We do not exclude any options. ”

86. This Finnish attitude was confirmed by the Foreign Minister Mr. Haaviston Tapaaminen, when he told the Political Committee in Helsinki on 25th April 1994:

“ to the extent our military security is concerned, maintaining military non-alliance and an independent, credible defence capacity remains our point of departure. This is the way we have defined our policy of neutrality in the post-cold war Europe. We are prepared to participate actively and constructively in the further elaboration of the defence dimension. We do not foreclose any options but believe it is our legitimate right and obligation to look at future arrangements from the point of view of our national security.

We are engaged in an informal and useful dialogue with WEU at various levels. No decision has been taken by the government to formalise this relationship for the time

being. Our priorities are very clear: we have to tackle with European Union accession first. Only after that can further aspects be considered. In this perspective, it is significant that there will be a referendum on membership some time in the autumn, probably in October.

One further consideration deserves to be mentioned here: full membership in WEU implies an Article V security guarantee. We are not seeking one, nor would a guarantee be compatible with our present policy. Observer status in WEU, in contrast, would not seem to contradict the fundamentals of our policy. ”

Mrs. Rehn, Finnish Minister of Defence, considered Finland's observer status in WEU as a minimum.

87. The Finnish Government showed that it was well aware of the wish of the Swedish and Norwegian authorities that the Finnish referendum should be held earlier than in the other nordic countries since both Sweden and Norway counted on a positive vote from the Finnish population. Nevertheless, the Finnish authorities told the committee that no definite date for the referendum had yet been fixed.

88. They also made clear that, apart from certain threats voiced by Mr. Zhirinovsky during a recent visit to Helsinki, no pressure had been brought to bear by the Russian Government regarding Finland's ambitions to join the West. The Russian Defence Minister did not like to see Finland joining NATO, whereas WEU was not mentioned. The Finnish authorities avoid discussing these issues with the Russian authorities in order to avoid giving the impression that they might seek Russian advice in this area.

89. The committee's visit to the Defence Ministry's peace-keeping training centre in Niinisalo was particularly interesting in the context of the recent decision by Finland to join the NATO partnership for peace programme. According to a Finnish press release dated 19th April 1994,

“ The Finnish presentation document will list the forms of co-operation Finland is interested in within the partnership for peace. They are:

- co-operation in the field of peace-keeping, primarily providing peace-keeping training;
- co-operation in search and rescue as well as in humanitarian operations;
- visits and educational exchange;
- co-operation in the field of the environment. ”

90. From Finland's longstanding experience in peace-keeping, in particular in training, the relevant European institutions such as WEU could find much to their advantage even if initially Finland chose only observer status in WEU. In view of the increasing need to develop peace-keeping capabilities and training, a study might be made of the usefulness of creating such a training centre under the aegis of Western European Union.

91. Regarding the position of Sweden, your Rapporteur was able to hold comprehensive talks with various governmental, parliamentary and scientific authorities of that country during a visit to Stockholm at the end of March 1994. In these talks he was particularly impressed by the way most of the Swedish speakers expressed their feeling of responsibility and concern for maintaining the independence of the Baltic states. They particularly believed that WEU's decision to grant enhanced status for the countries participating in the WEU Forum of Consultation should not exclude the Baltic states so that a new dividing line would not be drawn between Poland and Lithuania. These questions will be developed in greater detail in the following chapter dealing with the Central European countries.

92. Furthermore, the Swedish analysts in the Defence Ministry underlined even more than the Finns the importance of new Russian deployment on the Kola Peninsula and in the Leningrad district. In a speech at the Royal Academy of Military Sciences, Stockholm, on 7th December 1993, the Swedish Prime Minister, Mr. Carl Bildt, emphasised with reference to the Kola Peninsula:

"It is somewhat of a paradox that, although current developments mean that nuclear weapons are declining in importance and are being cut back, the importance of the Kola bases and their immediate area of operations will increase in step with these reductions.

Developments are affected by several factors. The main ingredient is the START II Treaty which was signed by the United States and Russia earlier this year, under which strategic nuclear arsenals will be cut back to 3 500 warheads on each side. The structure of these arsenals will also be changed, and this will result in a marked increase in the proportion of warheads deployed on submarines. In addition, the independence achieved by Ukraine and Kazakhstan, and the resultant depletion of Russia's ground-based missile systems, now means that warheads deployed on submarines have become even more important.

In combination with technological developments which mean that only the Russian Navy's Northern Fleet is equipped with the

two most modern types of military launching submarines, this will imply that, in the future, slightly more than half of the total Russian strategic nuclear-weapon arsenal will be located on some ten submarines based on the Kola Peninsula."

93. "The changes which affect our neighbourhood in a major way include the CFE Treaty for the reduction of conventional forces in Europe.

...

Under the CFE Treaty, Russia has two geographically distinct sections of the flank zone: the Leningrad military district to the north, and the Northern Caucasus military district to the south. The principle is that of "communicating chambers". Thus the Russian areas of the flank zone have a common maximum ceiling for the volume of heavy military equipment permitted, but Russia can decide where this equipment should be deployed, for example with an emphasis on the north or the south."

94. In the same speech, the Swedish Prime Minister said that if the economic aspects have been an important factor for Sweden's decision to apply for such membership in the European Community, it was very clear that the security policy reasons for membership have gradually become stronger. Sweden wants to give the CFSP of the European Union a clear Northern European dimension. Its second objective consists of "building up a network of co-operation and stability in the Baltic Sea area and between Sweden, the Baltic countries and Russia, whose importance for developments in the North of Europe will always be very considerable." As things now stand, the Swedish referendum on joining the Union should be held on 13th November 1994, the outcome of which seems still to be an open question.

95. In a study entitled "A historic choice, the consequences for Swedish foreign and security policy of membership or non-membership of the European Union" published in January 1994 by two former State Secretaries of the Swedish Foreign Ministry at the request of the government, the authors plead for Sweden to join the Union. They underline that this would not oblige Sweden to decide whether or not to participate in a common defence. The paper is part of the efforts made by the government to convince the population to vote in favour of joining the Union. A last poll published on 13th February 1994 showed only 28% in favour, but 40% against joining whereas 28% were undecided<sup>21</sup>.

21. Le Monde, 4th March 1994.

96. Bearing in mind Sweden's longstanding policy of neutrality, it is understandable that neutrality still has important roots in Swedish public opinion. The decision to join the European Union is therefore to be considered as a fundamental new step in a new direction. Sweden's future relationship with WEU is largely tantamount to entering a whole new world. The Swedish authorities therefore prefer to handle this question only after entering the European Union in order to have a possibility of influencing its development in the light of the intergovernmental conference of 1996.

97. In an interview on 11th April 1994 with "Die Welt", however, Mr. Bildt answered the question about Sweden's position towards WEU and the prospects it offered and whether neutrality was an issue as follows:

"Sweden's position of neutrality to date will not constitute an obstacle as the circumstances on which neutrality in Europe was based have completely changed, in the sense that the historical meaning and purpose of neutrality disappeared with the dissolution of the Warsaw Pact.

Our main interest is to help establish democratically-controlled national defence systems, based on international co-operation, in the former Warsaw Pact countries with NATO's partnership for peace initiative meeting their security needs. In order to do so, we can draw on Sweden's valuable experience of its own defence system and its participation in United Nations peace operations. However, the most important consideration for Sweden is to play an active part in the common foreign and security policy, within the framework of the European Union, since this is participation in its most essential form at the heart of a policy aiming to extend stability and security throughout Europe. Once Sweden has become a member of the European Union, we will decide if it should also become a member of WEU or merely have observer status. I feel that the latter option is the more likely."

98. Meanwhile, Sweden has adopted a positive attitude about participating in the partnership for peace programme<sup>22</sup> and, unlike Finland, did not join the NACC which is considered to be devoted first and foremost to the former Warsaw Pact countries. Nevertheless Sweden continues to give high priorities to participation in various forms of peace-keeping operations in which the Nordic countries co-operate effectively. Two joint Nordic

battalions under United Nations command have been deployed in the former Yugoslav Republic of Macedonia (FYROM) and in Bosnia. During its stay in Helsinki, the committee was informed that as the Norwegian and Swedish contingents were to leave the FYROM, the Finnish units were asked to fill the gap.

99. The three countries are faced with a fundamental political new choice and orientation which will not be easy to put over to public opinion, which has to be convinced that this choice will be to the advantage of the countries concerned and of Europe as a whole. For various reasons which differ from country to country it is understandable that these countries should be granted time to consider what kind of relationship they wish to establish with WEU.

100. But it is obvious that, in order to achieve the objective of Article J.4 of the Maastricht Treaty at a later stage, the broadest possible identity between member states of the Union and of WEU should be the political goal. More astonishing is the position adopted on 24th March 1994 by the European Parliament in a resolution "on development of a common security and defence policy for the European Union" when it emphasises "that relations with countries with which accession negotiations are under way should be conducted in such a way as to make these countries fully aware that membership of WEU as a military alliance is not an essential condition for accession to the European Union". How does this fit in when the same resolution in another paragraph "advocates that all member states of the European Union should become full members of WEU?"

101. *Norway's* position regarding joining the European Union is slightly different since it is one of the founder members of NATO and already has observer status in WEU. Nevertheless the public opinion that supports the Union still seems to be in a minority. The Nielsen Norway Institute made public at the beginning of March the result of a poll which showed 28% in favour, 42% against and 30% undecided. According to the results of an opinion poll published by *Dagbladet* on 18th April 1994, 50% of the Norwegians remain opposed to their country's accession to the European Union, 36% are in favour and 14% are still undecided. Opinion polls in March were 52% against and 34% in favour. According to other surveys the number of those who have not yet made up their minds is even higher.

102. During an information visit to Oslo on 21st and 22nd April 1994, your Rapporteur was told that parliament had not yet definitely decided on the date of the referendum, but that it would be held late in November, probably on 28th November 1994, in order to give voters enough time to form their opinion. Furthermore, while most

22. See contribution of the Swedish Minister for Foreign Affairs in NATO Review, April 1994.

governmental and parliamentary authorities are fairly optimistic that the result of the referendum will be positive, they feel it would be advantageous to give the voters an opportunity to hear the results of referendums in the other three EFTA countries.

103. Everyone your Rapporteur had the opportunity to meet underlined that the security and defence aspect was the government's most important reason for applying for membership of the European Union. The State Secretary for Foreign Affairs said clearly that, once a full member of the European Union, Norway would also seek full membership of WEU. Official circles are satisfied with the outcome of the negotiations, including the fishing and agricultural sectors, but there is still considerable public opposition to the treaties. Governmental authorities therefore believe that the security aspects will be crucial for a positive vote.

104. Norway has a 200 km land border with Russia. It is fully integrated in the military command structure of NATO, but does not accept the permanent stationing of foreign troops on its territory nor the deployment of nuclear weapons. In a speech at the Leang Kollen Seminar on 7th February 1994, the Norwegian Foreign Minister recalled that the only remaining Russian nuclear test site is located at Novaya Zemlya, close to Norwegian territory. Norwegians are concerned about the risk accidents or leakage from nuclear tests. The minister said inter alia:

“ Although Norway remains the only NATO country with a common border with Russia, we do not today view Russia as posing a concrete threat. We do however realise that there is widespread discontent and uncertainty. Barents co-operation and Baltic Sea co-operation are new approaches for solving old problems. The Baltic Sea and the Barents regions are the only two regions in which, in a foreseeable future, Russia will share a common border with countries of the European economic area, hopefully soon also member states of the European Union. ”

105. ... “ The problems related to the military complex on the Kola Peninsula and the Kola nuclear power plant, which is 200 km from the Norwegian-Russian border, are of particular concern. ”

One parliamentarian said that the largest concentration in the world is located in the Murmansk area. It is therefore understandable that Norway wishes to bring its so far bilateral cross border dialogue with Russia into the broader context of the European Union. Like the Swedish authorities, the Norwegian representatives in the Ministry for Foreign Affairs stressed the importance of

not excluding the Baltic states from the enhanced status to be granted by WEU to the Central European countries. But the Norwegian authorities also made clear that they did not want to see countries becoming full members of WEU which were not closely linked with NATO.

106. In the abovementioned address, the Norwegian Foreign Minister evaluated NATO's partnership for peace initiative in a specific and positive manner. In his view it provides a dynamic perspective that has been largely underestimated in the public debate, whereas its political element, the granting of consultation rights, has potential as a significant contribution to European crisis-management and crisis-prevention. Norway which, like the other Nordic countries, has a significant experience in peace-keeping, intends to contribute actively in order to make the initiative a success. It wants Finland and Sweden to participate, in particular with regard to peace-keeping:

“ The successful Nordic co-operation in this field already established within the framework of the United Nations could be further developed in a broader European context. ”

Norway is also prepared to provide concrete assistance to partnership for peace countries in order to enable them to seize in full the opportunities now open to them. In particular, the Norwegian Government will consider co-operation with the Baltic states as an important contribution in this respect.

107. Summarising the various information and impressions gathered in all four EFTA countries, one can come to the conclusion that their accession to the Union will strengthen its cohesion and homogeneity and contribute also to stability in Europe as a whole. Notwithstanding the decisions still to be reached by these countries regarding their future relationship with Western European Union, the Council should increase appropriate contacts with them in order to keep them fully informed about WEU's rôle and activities and also to indicate how much contributions from these countries in the specific areas of their capacities and experience – for instance in peace-keeping – and as important factors of stability in their respective regions will be appreciated.

*(ii) The Central European countries*

108. On 9th May 1994, the Council of WEU is to take a decision on the scope of the “ associate ” status it intends to grant to the countries participating in the WEU Forum of Consultation. In this context, your Rapporteur wishes to recall the importance of paragraphs 1 and 2 of Recommendation 556 on the evolution of NATO and its consequences for WEU adopted by the Standing



Committee on 3rd May 1994 on the basis of the report submitted by Mr. Baumel on behalf of the Political Committee, and also paragraphs 19 to 24 of the explanatory memorandum of that report.

109. After the Political Committee's visits in 1993 to six of the nine countries in question, your Rapporteur deemed it necessary to complete the information by visiting the three Baltic countries which call for special attention bearing in mind their close links with the Nordic countries such as Denmark, Sweden and Finland. These countries, which had lost their independence as victims of the Stalin-Ribbentrop Pact which was confirmed at the Yalta Conference, succeeded only in 1991 in regaining their independence, but in Latvia and Estonia a number of Russian troops still remain.

110. The Rapporteur's visit to the Baltic states, which was particularly rich in information, confirmed his conviction that the Council of WEU took the right decision by including these countries in the Forum of Consultation and granting them an associate status in WEU. Like the Nordic countries and the other Central European countries, they belong to the European family which sooner or later should be united in the European Union.

111. Important steps have been taken by all the Baltic states to pave the way for drawing closer to the West and for settling their relationship with their neighbours, and in particular with Russia. All three countries participate in NATO's partnership for peace initiative and have created a joint peace-keeping battalion. The creation of a Baltic Council, composed of the Heads of State, a Council of Ministers and a Baltic parliamentary Assembly with strong links to the Nordic Council offers a valuable means of strengthening intra-Baltic co-operation, solidarity and stability.

112. All the countries need substantial support and help in order to establish the necessary administrative infrastructure for their new democratic institutions including training, matériel and equipment for their police forces and for protecting and controlling their borders. In this respect they already receive considerable assistance from the Nordic countries, especially Denmark, Sweden, and Finland but also, in the economic field, Germany.

113. This generally positive development however cannot hide the fact that a number of important problems remain to be solved. Whereas Lithuania no longer has Russian troops on its soil, the large Russian military presence in the district of Kaliningrad is a source of concern. In his annual address to Parliament on 10th February 1994, the President of the Republic of Lithuania stressed that:

“Lithuania is raising the issue of demilitarising the Kaliningrad district in international forums, because that is a problem that is shared not only by Lithuania, but by all of the states in the Baltic Sea region. The eco-

nomie, environmental and cultural interests of the Kaliningrad region often overlap with those of Lithuania and in that sense they become common. In our opinion, it would be useful for Russia, and the states that neighbour the Kaliningrad district to establish a special trade zone in this region. International organisations, especially the European Union could play an increasingly more important rôle in it. Statements by Russian politicians and military officials to significantly reduce the military potential in this district and to react more flexibly to suggestions for changing its economic status should be evaluated positively.”

114. Lithuanian authorities have therefore indicated in their talks with the Rapporteur that this question should be included in the conference on a stability pact initiated by the French Prime Minister, Mr. Balladur. After some difficulties, Lithuania and Poland have now normalised their relationship on the basis of a bilateral treaty settling inter alia the question of minorities<sup>23</sup>.

115. Latvia has now signed an agreement with Russia according to which all remaining 12 000 Russian troops will leave the country by 31st August 1994<sup>24</sup>. The package of agreements also settles the right for retired Russian officers (about 20-25 000) to remain in the country and to benefit from social assistance but they will not be allowed to take Latvian citizenship. Furthermore, the Russian side was granted the right to use their radar early warning system in Skrunda for a further four years with the proviso that the installations will be dismantled within 18 months at the end of this period.

116. Finalising this agreement was particularly difficult in the light of a decree published on 5th April 1994 by the Russian President, Mr. Yeltsin, to establish Russian military bases in the territories of the Community of Independent States (CIS) and the *Republic of Latvia*. The mentioning of Latvia in that decree was later described by the Russian side as an “error”

117. Similar negotiations between Estonia and Russia have not yet reached final results. The Russians link the signing of an agreement on withdrawing the remaining 2 500-odd Russian troops from Estonia with other questions such as the rights of retired military personnel and payment for building housing in Russia. Whereas Estonia is ready to participate in international efforts regarding accommodation facilities for Russian military personnel withdrawn to Russia, it is not prepared to link these questions with the Russian commitment to withdraw their troops. Furthermore, a special problem stems from a for-

23. NZZ, 28th April 1994.

24. Frankfurter Allgemeine Zeitung, 2nd May 1994.

mer Soviet nuclear submarine training and study base in Paldiski on the Baltic sea coast southwest of Tallinn which is still under Russian control. Nevertheless there is agreement that the site has to be dismantled under Russian responsibility. Certain Estonian authorities fear that while the Russians succeeded in concluding separate negotiations on similar problems with Latvia, they are trying to breach Baltic solidarity.

118. Last but not least, one should mention that both Latvia and Estonia have open border problems with Russia due to the fact that in 1945 the borders fixed by the peace treaties of 1920 were changed slightly in favour of the Soviet Union; when these countries at the same time became part of the Soviet Union, the relevant borders became merely administrative lines.

119. It has already been stressed as one of the essential conditions to be fulfilled by countries wishing to join the European Union and Western European Union that they should first have settled any bilateral disputes between each other and with third countries. This applies also to the other Central European countries. In this respect the importance of the initiative by Mr. Balladur, French Prime Minister, for an international conference on a European stability pact should be underlined.

120. The conference will be opened by the European Union in Paris on 26th and 27th May 1994 in a context of preventive diplomacy with the main objective of settling problems of minorities and strengthening the inviolability of frontiers. It is intended to help in particular those countries wishing to draw closer to the European Union, but not to handle the problems of countries which are engaged in open conflicts. Apart from the twelve member countries of the Union, all countries interested in European stability and those with association agreements with the Union will be invited, such as Albania, Austria, Belarus, Bulgaria, Canada, Cyprus, the Czech Republic, Estonia, Finland, Hungary, Iceland, Latvia, Malta, Moldova, Norway, Poland, Romania, Russia, the Vatican, Slovakia, Slovenia, Sweden, Switzerland, Turkey, Ukraine and the United States as well as representatives of the CSCE, the Council of Europe, WEU, NATO and the United Nations. It is to be hoped that it will be possible for the conference to help to settle most of the problems mentioned in previous paragraphs regarding the Central European countries and the Baltic states.

121. Regarding the future work of WEU, it is obvious that however the relations of the EFTA countries with WEU develop after their entry into the Union, and how exactly the WEU Council will define a new status to be granted to the Central European countries, WEU will soon be faced with the problem of organising a new quality of relations with at least thirteen newcomers.

122. There might soon be some fifteen countries participating in the work of Western European Union as associate members, as members with associate status or as observers, without acceding to the modified Brussels Treaty. This will create important organisational and political problems because it will not be possible to base a common defence policy or common defence on a group of states only a minority of which is linked by a formal treaty. Furthermore, enlargement of the Union and of Western European Union to the north and east will considerably change the strategic significance of the European security architecture. With Norway, Finland (and perhaps Estonia and Latvia), the European Union will have a common frontier with Russia some 2 000 km long.

123. In the context of enlarging the Union and establishing WEU's enhanced relationship with the Northern and Central European countries, your Rapporteur would draw attention to the fact that Western European Union does not discuss in sufficient detail the problem of Moldova, a region which is the victim of the Ribbentrop-Stalin arrangements similar to the Baltic states.

#### *IV. WEU in the perspective of 1996*

124. With the entry of the EFTA countries into the Union and the future enlargement of the Union to include a number of Central European countries, the goals laid down in Title V of the Maastricht Treaty regarding the implementation of a common foreign and security policy (CFSP) "which might in time lead to a common defence" will certainly not become easier. The new structures to be established under the CFSP with the secretariat of the Council, the conference of the permanent representatives and the Political Committee of Political Directors are rather complicated. The CFSP will not be more homogenous than it is at present. Probably there will be even less identity of membership in the CFSP and in WEU than is the case at present. In 1996 it will therefore be more difficult than now to establish common defence within the European Union by incorporating WEU.

125. It will therefore be crucial for the Council of WEU to begin here and now its thinking in regard to its conception of the intergovernmental conference in 1996. The more the Union is enlarged to include countries which are not prepared to subscribe to obligations in defence matters and to become full members of Western European Union, the less it will be possible to subordinate WEU to the authority of the Union. WEU must therefore elaborate proposals for the new intergovernmental conference with a view to ensuring that it is granted a general mandate and authority to elaborate and implement, for the Union, all questions with defence implications. Further-

more, WEU will have to reconsider its doctrine determining the degree to which it can develop its relationship with European member countries of NATO which are not members of the European Union such as Turkey and Iceland. Shall membership of the European Union remain the principal condition for becoming a full member of Western European Union?

126. Since WEU as a whole is now an integral part of the development of the European Union, it is for the Council and the Assembly to take an active part in preparing an eventual revision of the Maastricht Treaty, reminding the Council that WEU declared in an appendix to the Maastricht Treaty: "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*". It should be noted that the part of the sentence in italics is missing from the corresponding paragraph 6 of Article J.4 of the Maastricht Treaty.

#### ***V. Conclusion***

127. 23rd October 1994 will be the fortieth anniversary of the modified Brussels Treaty. Ten years ago, the thirtieth anniversary was taken as an

occasion for an extraordinary meeting of the WEU Ministers in Rome, leading to the Rome declaration initiating the reactivation of the organisation. The extraordinary challenge Western European Union is now facing is to prove its efficiency as the defence component of the European Union, and in assuming enhanced responsibilities, endorsed by the NATO summit meeting in January 1994. There is now even greater reason to hold an extraordinary meeting than ten years ago.

128. With the approaching "deadline" of 1998, it would be crucial to take this year's anniversary as an opportunity to recall the importance of the treaty, as was done in Rome, and to start reflecting on how it can continue to serve in the framework of the Union. In issuing a public document similar to the Rome declaration of October 1984, WEU could start a move to give basic orientation for the work to be done in order to ensure that the objective of furthering European integration in security and defence matters will not be seen only as an end in itself but will lead to a real improvement in the security of the citizens of Europe. For this purpose, it is crucial for the fundamental aspects of the modified Brussels Treaty, which are the only guarantees for this security, not to be diluted.

## APPENDIX

*Declaration on the WEU Assembly's place  
in the European Union**Paris, 2nd March 1993*

The Presidential Committee, the steering body of the WEU Assembly, met in Brussels yesterday. It adopted the enclosed declaration on the WEU Assembly's place in the European Union and instructed Mr. Hartmut Soell (SPD, Germany), President of the Assembly, to transmit it to Mr. Egon Klepsch, President of the European Parliament.

At its meeting, the Presidential Committee met the new Permanent Council of WEU for the first time. Exchanges of views related mainly to the Yugoslav crisis, WEU's operational dimension, the consequences of the enlargement of WEU for its Assembly and improving the institutional dialogue between the Assembly and the Council.

1. Building the European Union is a task which calls for co-operation between all appropriate bodies and every step must be subject to effective parliamentary supervision. The co-operation of the European Parliament and of the WEU Assembly provided for in the Maastricht Agreements is necessary to this end.

2. The Assembly of Western European Union therefore welcomes the fact that, in accordance with the wishes expressed by the governments in Maastricht, exchanges of views are now being held between its committees and those of the European Parliament. It believes that such exchanges can be fruitful when reports are being prepared, provided those taking part are willing to take account of the points of view expressed by their partners.

3. The meeting on 29th January at which the Political Committee of the WEU Assembly was briefed by Mr. De Gucht, Rapporteur of the Committee on Institutional Affairs of the European Parliament on future relations between the European Community, WEU and the Atlantic Alliance, was particularly lively and led the Presidential Committee of the WEU Assembly to give its views on certain points.

4. Noting that the Maastricht Treaty states that "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", the WEU Assembly notes that the signatory states of the Maastricht Treaty took no decision limiting their sovereignty in this

area and that several states that are members of the Union or have applied for membership have shown that they are not prepared to accept such provisions in the near future. It recalls that the Maastricht Treaty provides for these aims to be pursued only through "systematic co-operation between member states in the conduct of policy" and by the implementation of "joint action in the areas in which the member states have important interests in common." It believes that only a completed European Union might develop joint defence.

5. As long as this is not the case, the modified Brussels Treaty remains the essential legal foundation for a European identity in defence matters and the structures WEU is progressively setting up are the instruments for European military action. It would therefore be dangerous to denounce this treaty and to abandon these instruments as long as no agreement has been reached to give defence Europe other legal bases, other institutions and other means of action.

6. At the present juncture, because the WEU Assembly is composed of delegations from the parliaments of member countries, it is better able than the European Parliament to supervise co-operation between member countries on security and defence matters. The WEU Assembly in no way challenges the right of the European Parliament to consider receiving, in the framework of a future European Union, responsibilities that allow it to handle external policy including questions relating to common security and it wishes to develop a dialogue with it on these questions, in appropriate conditions, based on the principle of equality and reciprocity. However, it considers that such a dialogue requires the European Parliament to co-operate with the WEU Assembly in pursuing the aim set by the modified Brussels Treaty which is "to promote the unity and to encourage the progressive integration of Europe", as laid down in the preamble, and to recognise that the task of the WEU Assembly is to supervise the application of this treaty.

7. The WEU Assembly for its part considers itself to be committed to the process of European Union defined by the nine member states in the Maastricht declaration which confirms its vocation to be the European pillar of the Atlantic Alliance. It considers that, when the time comes, it will, as a European Assembly in which the parliaments of member states are represented, have an important rôle to play in the European parlia-

mentary system, in particular with a view to harmonising European activities and those of the member states of the Union in defence matters. As long as every aspect of the European Union is not in place, a European defence policy which would not be supervised in accordance with a treaty by an assembly composed of representatives of national parliaments would be without parliamentary supervision.

8. The WEU Assembly invites the European Parliament to take account of these facts in its thinking on the institutional future of the European Union and in particular on relations between the Community, WEU and the Atlantic Alliance so that Europe will be better able to take over the growing responsibilities incumbent upon it in the areas of foreign policy and defence.

*WEU in the process of European Union –  
reply to the thirty-ninth annual report of the Council*

**AMENDMENTS 1, 2 and 3<sup>1</sup>**

*tabled by Mr. Ferrari*

1. At the end of paragraph (*xiii*) of the preamble to the draft recommendation, add “ and welcoming therefore the decision of the Council to task the WEU Permanent Council to start work now on the formulation of such a policy; ”.
2. After paragraph (*xiv*) of the preamble to the draft recommendation, add two new paragraphs as follows:

“ Welcoming the fact that the Council’s Kirchberg declaration of 9th May 1994 recognises the significant contribution of the three associate members of WEU to European security and stability; Convinced however that the Council’s wish to reinforce the relationship of these three countries with WEU in order to strengthen its position as the defence component of the European Union and as the European pillar of the Atlantic Alliance could be achieved better if the Council invited them to accede to the modified Brussels Treaty; ”.
3. Leave out paragraph (*xvi*) of the preamble to the draft recommendation and insert:

“ Welcoming therefore that by its Kirchberg declaration, the Council is following paragraph 1 of Recommendation 556 in granting simultaneously to all the member countries of the Forum of Consultation a status of association with WEU; ”.

*Signed: Ferrari*

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1. See 2nd sitting, 14th June 1994 (amendments agreed to).

*WEU in the process of European Union –  
reply to the thirty-ninth annual report of the Council*

**AMENDMENT TO AMENDMENT 2<sup>1</sup>**

*tabled by Mr. Stoffelen*

In Amendment 2, leave out the second paragraph.

*Signed: Stoffelen*

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1. See 2nd sitting, 14th June 1994 (amendment to amendment negatived).

*WEU in the process of European Union –  
reply to the thirty-ninth annual report of the Council*

**AMENDMENT 4<sup>1</sup>**

*tabled by Mr. De Decker*

4. Delete paragraph 5 of the draft recommendation proper.

*Explanatory Memorandum*

Under the Maastricht Treaty, WEU has become the defence organisation of the European Union. To be a full member and benefit from Article V of the modified Brussels Treaty it is necessary to be a member of NATO and of the European Union.

*Signed: De Decker*

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1. See 2nd sitting, 14th June 1994 (amendment negated).



*European security: crisis-prevention and management*

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

*submitted on behalf of the Political Committee*<sup>2</sup>  
*by Mr. de Puig, Rapporteur*

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on European security: crisis-prevention and management

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Joint statement by the Ministry for Foreign Affairs and the Defence  
Ministry of the Russian Federation

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. *Stoffelen* (Chairman); Lord Finsberg, Mr. *Roseta* (Vice-Chairmen); MM. *Agnelli*, *Alegre*, *Andreotti*, *Benvenuti*, *Bowden*, *De Hoop Scheffer*, *Ehrmann*, *Fabra*, *Feldmann*, *Foschi* (Alternate: *Ferrarini*), *Goerens*, *Homs I Ferret*, *Sir Russell Johnston*, Mr. *Kaspereit*, Lord *Kirkhill*, MM. *Kittelman*, *Leers*, de *Lipkowski*, *Müller*, *Péciaux*, *Polli* (Alternate: *Ferrari*), *de Puig*, *Reddemann*, *Rodrigues*, *Seeuws*, *Seitlinger*, *Soell*, *Vinçon*, *Ward*, *Wintgens*, *Zapatero*.

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

**Draft Recommendation*****on European security: crisis-prevention and management***

The Assembly,

- (i) Deploring the powerlessness of the European institutions to avoid the outbreak of a bloody war between the components of former Yugoslavia and their inability to find joint ways and means of bringing it to an end;
- (ii) Stressing the urgency of implementing co-ordinated operational mechanisms between the United Nations, the CSCE, NATO, the European Union and WEU capable of preventing conflicts and managing future crises constituting a threat to peace and security;
- (iii) Stressing that any measures to maintain and re-establish peace in any region where it is threatened must be authorised by the United Nations;
- (iv) Stressing also that reliance should be placed on the crisis-prevention mechanisms of the CSCE;
- (v) Welcoming paragraph 1 of the reply of the Council to Recommendation 549 and paragraph 6 of its reply to Recommendation 548 recognising the need to develop joint assessment of risks and threats;
- (vi) Recalling nevertheless that the Assembly does not make "suggestions" to the Council but recommendations that have been formally adopted;
- (vii) Noting with interest the work of the Council on:
  - WEU's rôle in peace-keeping;
  - anti-missile defence;
  - intelligence policy;
  - missions by WEU forces in humanitarian aid, peace-keeping and restoring peace;
  - WEU policy on exercises;
  - the implementation of the Open Skies Treaty;
  - progress in the feasibility study for a WEU space-based observation system;
  - air and naval co-operation in WEU;
- (viii) Wishing sincerely that these studies will rapidly lead to actions that will make WEU truly operational in crisis-prevention and management;
- (ix) Perturbed nevertheless by information received from the Council to the effect that most of the WEU member countries have responded negatively to the request to make troops available to protect the safe areas in former Yugoslavia;
- (x) Consequently recalling the wide-ranging obligations placed on all the member countries under the modified Brussels Treaty to preserve peace and security;
- (xi) Believing that a fully operational WEU will be capable in future of preventing the development of a conflict such as that in former Yugoslavia,

**RECOMMENDS THAT THE COUNCIL**

1. Make a regular assessment of risks and threats in the world liable to affect peace and security and draw the consequences therefrom for Europe;
2. Take an initiative in the context of the common foreign and security policy to define a crisis-prevention and management policy taking account of the lessons drawn from the crisis in former Yugoslavia;
3. Inform the Assembly of the results of the work on "mutually reinforcing institutions" carried out by the CFSP working group on security and of the Council's own contribution to this study;
4. Play an active part in the conference on the pact for stability in Europe, by offering its good offices, in the framework of this conference, to the associate partners of WEU and future associate partners, insisting in particular on the principle of the inviolability of present frontiers;

5. Establish a permanent dialogue with Russia and the Commonwealth of Independent States (CIS) on crisis-prevention and management;
6. Complete the development of the measures referred to in paragraphs 4 and 9 of Recommendation 556 necessary for WEU to become fully operational in the framework of crisis-management and relating to:
  - the space-based observation system;
  - strategic means of transport;
  - the European corps and the European air and naval force and other forces answerable to WEU so as to enable a European rapid action force to be created;
  - armaments co-operation;
  - interaction between the chiefs of defence staffs, military representatives, the Planning Cell and the WEU Secretariat-General;
7. Co-ordinate with NATO the means available and the sharing of responsibilities in crisis-management, particularly in the area of restoring peace;
8. Establish direct co-ordination with the United Nations and the CSCE with a view to permanent representation in these two organisations;
9. Take the necessary steps to ensure that, in the event of a given crisis, member states increase their efforts to seek the necessary political consensus;
10. Pursue its dialogue with the Maghreb countries and with Egypt and keep the Assembly informed;
11. Establish a dialogue with the Association of South-East Asian Nations (ASEAN);
12. Contribute to the repatriation of foreigners obliged to leave Yemen on account of the civil war.

## *Explanatory Memorandum*

*(submitted by Mr. de Puig, Rapporteur)*

### *I. Introduction*

1. Paradoxically, all who fervently hoped that, with the end of East-West confrontation and the (conventional and nuclear) arms race between the two alliances led by the United States and the Soviet Union, a lasting peace would emerge under the rule of law and a new world order were mistaken. On the contrary, innumerable disputes, conflicts and tensions have arisen in many parts of the world, but also in Europe itself. The situation is such that people are already referring to world disorder and the notion of peace-keeping has already become a far more topical term than was the case during the cold war period.

2. The ambitions of Western European countries to see Europe become a prime factor of stability, security and peace in the world, capable, if necessary, of "exporting" security to other regions of the world, have practically collapsed in the light of the total failure resulting from their incapacity to reach agreement on a policy for avoiding the bloody conflict that has raged in the past three years among the peoples of former Yugoslavia and subsequently putting an end to continuing hostilities in the immediate vicinity.

3. Preventing crises, assuring international peace and security, opposing all policies of aggression, defending basic human rights, democratic principles, civil and individual liberties and the rule of law: such were the principles on which the countries of Western Europe were founded almost forty years ago as a result of their concluding a treaty of legitimate collective defence which bound them not only to accept responsibility for security and peace in Europe itself, but also to react to any situation that might constitute a threat to peace in whichever part of the world this might arise. In the present situation the question must therefore be asked as to how and by what means Western European Union and its member countries are fulfilling their wide-ranging obligations under the treaty which attributes heavy responsibilities to all the member states in the WEU Council.

### *II. The activities of the WEU Council*

4. With the exception of an allusion to the situation in former Yugoslavia, a study of the declaration of the WEU Council of Ministers

issued in Luxembourg on 22nd November last reveals no specific mention of the existence of dangers or conflicts in the world likely to affect the security of Europe. On the subject of the crisis in the Balkans the WEU Council merely refers to the conclusions already reached by the Council of Ministers of the Twelve, which met immediately prior to the WEU Council and to which meeting the WEU Secretary-General was not even invited. Moreover the Ministers hailed the progress of democracy in the countries of the former Soviet Union, stressing the importance of the parliamentary elections in Russia and Ukraine. In conclusion the declaration contained a brief reference to the Council's contacts with the Maghreb countries.

5. The declaration issued after the NATO summit meeting on 10th January 1994 on the other hand identifies certain causes of instability, tension and conflict by referring specifically to the dangers arising from the proliferation of weapons of mass destruction and their means of delivery which, according to NATO, constitute not simply a risk, but a "threat to international security". It mentions also, as giving cause for concern: international terrorism, the denuclearisation of Ukraine, the situation in the southern Caucasus and that in Armenia, Azerbaijan and Georgia. Although it certainly does not provide a complete and systematic assessment of the risks and threats that could affect world security and particularly security in Europe, the NATO summit meeting declaration at least has the merit of drawing the attention of public opinion to several specific problems and risks.

6. The last WEU ministerial meeting in Luxembourg was given over in large part to examining WEU's rôle after the entry into force of the Maastricht Treaty and its contribution to the NATO summit meeting, but with the aim of persuading public opinion of the essential nature of the projects WEU was striving to achieve, in particular in the areas of peace-keeping and crisis-management. WEU's Luxembourg declaration would certainly have been much more convincing, however, if it had included a general assessment of the dangers to peace and security in Europe, which, under the organisation's treaty, it is WEU's primary task to safeguard. In the absence of such an assessment, the impression is increasingly conveyed that WEU has indeed abandoned the exercise of its basic responsibilities to the authorities of the Atlantic Alliance or the European Union.

7. Certain signs however seem to indicate that the Council and its subsidiary organs are taking a considerable number of initiatives on which it is reluctant to provide information if not expressly requested to do so. Thus it emerges from the Council's reply to Recommendation 549 on political relations between the United Nations and WEU and their consequences for the development of WEU:

"... that the Chiefs of Defence Staff, basing themselves on an initial report by the Defence Representatives Group on the European security implications of military changes in the former Soviet Union, have proposed that the scope of this study be extended.

The DRG has had an exchange of views on a French contribution entitled "Study of crisis areas on Europe's periphery", the main conclusions being that to take into account those factors of more specific concern to the security of Europe – and in particular the rôle of WEU – WEU must now analyse in detail:

- the risks of a crisis in the area of the member countries of the Forum of Consultation;
- the instability and risks existing in the countries bordering the member, associate or observer states;
- the overall problem of security in the Mediterranean.

The practicalities and appropriate methodology for this work is on the DRG's agenda."

It is clear that the Assembly is very interested to know the outcome of these discussions.

8. Moreover, in its reply to Recommendation 548 on WEU's relations with Central and Eastern European countries by which it invited the Forum of Consultation *inter alia* to undertake "the joint elaboration of risk and threat assessment" the Council undertook a commitment *vis-à-vis* the Assembly and reserved the option of placing "the joint elaboration of risk and threat assessment" on the agenda of the Counsellors' Group of the Forum of Consultation.

9. As to the conflict in former Yugoslavia, WEU had developed contingency plans in particular with regard to the possible creation of safe areas; these plans had been transmitted to the United Nations and the CSCE but without any practical action being taken upon them. WEU's current rôle in this area is confined to continued operations in relation to the embargo on the Danube, Operation Sharp Guard in the Adriatic and to lending support, at the request of the ministers of the European Union, to the administration of Mostar

with a view to organising a police force and improving certain essential logistic functions, especially in the medical field. However, it appears that WEU's contribution in this connection is still in its study phase.

10. The second part of the Council's thirty-ninth annual report to the Assembly<sup>1</sup> states that the Planning Cell has undertaken various work and studies in crisis-management which are worthy of note. These consist specifically of:

"Studies on possible WEU participation in former Yugoslavia: at the Council meeting on 6th July 1993, the Planning Cell was tasked to study the possibility of participation of the WEU member countries in the protection of safe areas. For that, a questionnaire was submitted to nations in order to find out which forces nations might be willing to provide. Most of the answers received were negative."

11. In point of fact, such a result requires several urgent clarifications: if the majority of member countries are not ready to make forces available for the protection of safe areas in former Yugoslavia, it should come as no surprise that WEU and the whole of Western Europe are being increasingly marginalised in the management of this crisis.

12. What use is served therefore by the research into the rôle of WEU in peace-keeping that the Special Working Group has undertaken on the basis of a study document initiated by the Italian Delegation? It emerges from the last annual report of the Council that a document on this subject was submitted as a report from the Chairmanship-in-Office to the ministers of WEU who took note. But what was the outcome?

13. The last annual report of the Council also reveals that a major study is in progress on "missions for WEU forces in the areas of humanitarian, peace-keeping and peace-making operations." If, as the annual report states, the Planning Cell has already prepared preliminary projects for the first two types of mission, it is imperative to ensure that everything is done to develop them to the full and that the Assembly is informed of this.

14. The document on intelligence policy prepared by the Group of Representatives of the Defence Ministers with the assistance of the Planning Cell should also be noted, given that intelligence is an essential tool in crisis-prevention. Similarly, it is most welcome to learn that the work of the Open Skies Group has progressed substantially. According to the annual report of the Council, approaches have been made to third parties with a view to their accession to an initial series of operational rules for a cluster of joint observation

1. Document 1411, 5th April 1994.

systems within the framework of WEU. It is to be hoped that work on the feasibility of the WEU European space-based observation system will yield definitive results this year.

15. In particular the fact should be welcomed that the annual report refers to in-depth consideration of European thinking on anti-missile defence in the framework of the activities of the Special Working Group of the Council. It was, in part, the symposium organised by the Assembly in Rome in March 1993 which led to the Council's taking the following decision:

"Given the change of direction in American government policy, it was decided to stop using the term "GPS" in SWG documents and to take over the term "anti-missile defence" used by the Assembly. The group agreed that WEU should concentrate on the defence aspects, having regard to the work carried out in other bodies on non-proliferation. The group decided initially to recommend to the Council that a meeting of experts be held to prepare a risk analysis. The resulting document would then be submitted to the Special Working Group."

16. In point of fact, the area of proliferation was where the competent organisations ought to show the greatest vigilance with a view to taking appropriate measures to prevent risks arising from the activities of certain countries in this connection becoming a threat.

### ***III. Real and potential risks to European security***

#### ***(a) The dangers of proliferation***

17. The dangers arising from the proliferation of weapons of mass destruction and their means of delivery and from the nuclear programmes of certain countries which have not signed the non-proliferation treaty or are not ready to submit their programmes to the scrutiny of the IAEA stem mainly from activities of China and North Korea as exporters of nuclear technology and ballistic missiles to the countries of the third world, among which India and Pakistan in particular are in the process of developing ambitious programmes for acquiring nuclear capability. Neither of the latter has as yet signed the nuclear non-proliferation treaty.

18. Tension in the Korean peninsula remains high as a result of uncertainties over North Korea's intentions about seeking to acquire a nuclear capability, refusing to allow inspection of its installations by the International Atomic Energy Agency (IAEA), and threatening finally to withdraw from the nuclear non-proliferation treaty and from the Joint Amnesty Committee. For a

time North Korea was even on maximum alert. To strengthen protection of South Korea, American Patriot anti-missile missiles have been deployed in South Korea. Efforts to find a way forward out of a major crisis will depend not only on the evolution of domestic policy in North Korea but also on China's policy within the United Nations Security Council. However this is also primarily a diplomatic problem for the United States which North Korea still regards as its principal adversary. Furthermore North Korea is one of the countries making major efforts to acquire ballistic missile capabilities and to export them.

19. Régimes apparently hostile to the West, such as Iran, Iraq or Libya, are also customers for non-conventional technology from China, North Korea or Russia. To illustrate the justifications put forward by certain countries to explain their activities in nuclear weaponry, suffice it to recall that in India, the former chief of staff of the armed forces declared himself in favour of "minimum deterrence", based on missiles and nuclear arms, in order to discourage "American intimidation" and prevent "possible racist aggression" from the West<sup>2</sup>. Europe's vulnerability in the face of risks from ballistic weapons acquired by "hostile" countries could be increased by the development of very low-altitude "poor man's cruise missiles", which are extremely difficult to detect. Iraq, Iran, North Korea, Indonesia and Pakistan are among the countries seeking to acquire such capabilities.

20. More specifically as regards Iran, where the régime is considered to be unstable, the country has recently been suspected of supporting certain terrorist groups such as the IRA and of having supplied them with armaments – an allegation which the Iranian authorities have nonetheless categorically denied. Rumour also has it that the Iranian authorities have financed Islamic terrorist groups in Sudan, Egypt, Saudi Arabia, Lebanon, Israel and in the Maghreb countries<sup>3</sup>.

21. Alongside these dangers is also that of clandestine proliferation of the nuclear technology and technical know-how of the former Soviet Union, even after the signature, on 14th January 1994, of the trilateral agreement between the United States, Russia and Ukraine on the denuclearisation of the latter and the transfer of the Ukrainian nuclear warheads to Russia for destruction. This agreement opens the way for Ukraine to become a signatory of the nuclear non-proliferation treaty, although this has yet to happen.

22. The NATO summit took the decision to "intensify and expand NATO's political and defence efforts against proliferation": the first based inter alia on a ten-point plan put forward on

2. Le Figaro, 9th November 1993.

3. The Times, 29th April 1994.

15th December last by the German Minister for Foreign Affairs, Mr. Kinkel, and the second on a proposal by the American Defence Secretary, Mr. Aspin. The Kinkel plan is founded mainly on preventive measures and proposes that all countries sign the non-proliferation treaty and the convention on chemical and biological weapons, which still has to be supplemented by verification measures.

23. It further provides for:

- renewal, in 1995, of the nuclear non-proliferation treaty for an indefinite term;
- a strategy for the avoidance of nuclear contamination by regional confidence measures similar to those of the CSCE;
- transplantation of the CSCE model to four other regions of the world where regional security forums should be created;
- establishing international co-operation in controlling the exportation of armaments;
- increasing financial resources available for eliminating weapons of mass destruction;
- creation of a system of control for plutonium;
- conclusion of a comprehensive test ban treaty;
- limitation of the measures of military coercion provided for under Chapter VII of the United Nations Charter solely to cases of serious threat to international peace and security.

24. Mr. Aspin's proposals tended rather more in the direction of a "counter proliferation" initiative, the first aim of which was to guarantee protection against the risk of attack from weapons of mass destruction, either by maintaining small nuclear arsenals and a system of protection against chemical and biological weapons or by acquiring the means to detect missile deployment, possibly by creating a tactical anti-missile system compatible with the provisions of the ABM treaty, and by strengthening the means of intelligence.

25. It is clear that the two approaches – political and military – in the struggle against the dangers of proliferation fall squarely within WEU's areas of responsibility and expertise, and the Council cannot dissociate itself from them by leaving the essential part of the discussion and preparation of decisions to the authorities of the alliance or the European Union. It is therefore necessary to strengthen the position of the WEU

Secretary-General<sup>4</sup> who has recalled that Europe (and WEU) have experience and know-how appropriate to the creation of an early-warning and surveillance system and the development of appropriate defences. WEU should therefore, logically, consider the development of an ABM defence system as a continuation of its own space programme. However it should also make a major contribution to the political aspects of the issue. This relates particularly to armaments exports where common rules can be found only in a forum able to harmonise the defence interests of the various member countries. This forum is WEU, not the European Union.

26. For one should not neglect the risks of a return to a conventional arms race in certain regions of the world. While the Twelve have so far been unable to agree on common rules on the exportation of dual-use equipment and armaments, there has been a perceptible increase in exports from Russia, particularly to countries such as China, India, Iran, the United Arab Emirates and Syria, and also to Turkey. With a view to restricting unauthorised exports, Russia has strengthened control over its sale of armaments abroad in order to offset the sharp fall in exports that followed the dissolution of the Soviet Union. Moreover, it intends to offer much more advantageous terms for the sale of arms to all CIS countries ready to join it in an economic union<sup>5</sup>. More recently Russia signed a military co-operation agreement with Syria, opening up the possibility of resuming armaments sales to that country. In the past the Soviet Union was the principal supplier of arms to Syria<sup>6</sup>.

*(b) Regional tension and conflicts*

27. It should first be noted in the context of an assessment of the various loci of instability and conflict that have developed in the world since the end of the cold war that there are at least two conflicts in which NATO member countries are directly involved: one concerns Turkey (soon to become an associate member of WEU) and its Kurdish problem and the other Greece (member of the European Union and soon to be a full member of WEU) and its quarrel over the former Yugoslav Republic of Macedonia. Also it must not be forgotten that Turkey and Greece are still opposed to one another in bilateral disputes, such as that over Cyprus, for which a final settlement has never been reached. So far, it has been possible for the WEU "family" to keep away from

4. Speech to the Royal Institute for International Relations, Brussels, 27th January 1994.

5. NZZ, 22nd February 1994.

6. International Herald Tribune, 29th April 1994.

domestic conflict and retain the unity essential to its rôle as a major factor of stability in Europe and the world; no effort should therefore be spared in avoiding bilateral conflicts between members and third countries that might jeopardise that unity. The example of the dispute between Greece and the former Yugoslav Republic of Macedonia clearly demonstrates how difficult this may prove, as members of the Presidential Committee were able to ascertain during their recent visit to Athens.

28. With particular regard to Turkey, it should be recalled that the in-depth report submitted by Mr. Moya on behalf of the Political Committee on 30th November 1992<sup>7</sup> did not fail to address the Kurdish question and the Turkish occupation of Northern Cyprus. On this latter issue it should be recalled that a joint communiqué was issued by the Turkish and Greek Prime Ministers in Davos, on 1st February 1992, according to which both parties stated their common objective of quickly reaching a fair and lasting negotiated settlement on Cyprus. Also one should not forget the extremely useful rôle of the Council of Europe which uses its influence and every means to ensure that Turkey conforms to the principles recognised by the European democratic community of which it intends to remain a member.

29. In the case of Greece it is more specifically through the mechanisms of the European Union that disputes such as those between Greece and the former Yugoslav Republic of Macedonia (FYROM) can be resolved by diplomatic means rather than by force.

30. The conflict in Bosnia and recent events in the town of Gorazde are again swelling the toll of victims – already numbering hundreds of thousands – of the slaughter and violence, with no political or military solution yet in sight. There is a constant danger that the conflict may spread to neighbouring regions where the situation continues to be sensitive. In this context several new factors in the conflict should be borne in mind. Firstly Russia's increased involvement in this matter which has led to a heavy bilateral weighting in the management of the crisis in favour of the United States and Russia and the marginalisation not only of the United Nations but also the European institutions. Another factor is the Muslim dimension of the conflict which threatens to cause a deterioration in relations between the Islamic world and the West.

31. Such a development could have extremely negative repercussions for crises and flashpoints in several regions of the Islamic world: in Kash-

mir, India, the border between Pakistan and Afghanistan and inside Egypt and Algeria. It is therefore increasingly important for the European Union and WEU to continue and intensify their dialogue with the Maghreb countries, indispensable for security in the Mediterranean and also for the whole of Europe.

32. With the prospect of links being strengthened between the Central European countries, the European Union and WEU in the near future, it should not be forgotten that bilateral differences persist between some of these countries – namely Hungary's dispute with Romania and Slovakia over their Hungarian minorities and also certain problems over minorities between Poland and Lithuania, which nevertheless seem to have been resolved recently, and between Romania and Ukraine. In the Baltic countries, there is still tension between Estonia and Russia both as regards the withdrawal of Russian troops and also the rights of the Russian-speaking populations and the border to the north and east of the town of Narva, as a result of differing interpretations by the two countries of the Tartu peace treaty signed in 1920.

33. A large part of the problems between Latvia and Russia have been settled recently, in particular the complete withdrawal of the Russian troops which had been stationed in the country by 31st August 1994. The two countries have agreed that Russia will maintain the anti-missile warning station at Skrunda for four years and on an arrangement for granting retired Russian soldiers the right to remain in Latvia. However Latvia is raising the issue of the interpretation of the Treaty of Riga on its borders with Russia signed in 1920.

34. The differences between Lithuania and Russia principally relate to the problem of the major concentration of Russian troops in the Kaliningrad region. Russia still has the 14th army stationed in the Dnestr region in Moldova, despite efforts within the CSCE to encourage negotiations for the complete withdrawal of the Russian troops. However Russia, which considers the presence of the 14th army as a stabilising factor in the region, seems in no hurry to move in this direction.

35. In the context of the many conflicts raging in the territory of the Commonwealth of Independent States (CIS) – in particular, the southern Caucasus region, Georgia, Armenia, Azerbaijan, Nagorno-Karabakh; also the problems in Tajikistan – Russia continues to demand priority in the settlement of these conflicts (for example it has demanded five military bases in the southern Caucasus, three in Georgia, one in Armenia and one in Azerbaijan<sup>8</sup>. This should lead the United Nations

7. Document 1341 and 1341 Addendum, 30th November 1992.

8. *Le Monde*, 4th February 1994.



and the CSCE, in particular, to insist that peace-keeping and crisis-management missions should be carried out in these regions under the authority of these organisations and in accordance with the rules they have established.

36. If Russia does not wish the notion of "near abroad", which includes the whole of the territory of the former Soviet Union, including that of the Baltic states, to be regarded as a new Brezhnev doctrine, it must clarify what it means exactly. This notion is worrying a number of the countries concerned, in particular Ukraine whose independence has still not yet won universal acceptance. In this connection it should not be forgotten that some 25 million Russians live on "near abroad" territory and that Russian troops are stationed in Ukraine, Belarus, Estonia, Latvia, Moldova, the Caucasus, Tajikistan, Kazakhstan, Turkmenistan, Uzbekistan and Kirgizstan.

37. Moreover, the dispute between Russia and Ukraine on the division of the Black Sea Fleet is still not settled in spite of preliminary agreements reached in Moscow on 15th April 1994 between Presidents Yeltsin and Kravchuk which allocated 80 to 85% of the fleet to Russia.

38. On the settlement of conflicts on the territory of the Commonwealth of Independent States (CIS), it should be noted that Russia, in a declaration issued in Moscow on 29th March 1994, bearing the joint signatures of the Russian Foreign and Defence Ministers, said that it would inform the United Nations and the CSCE of any peace-keeping operations it undertook within the CIS but that it had no need of their permission<sup>9</sup>. Neither the United Nations nor the CSCE nor the major western political leaders approved this attitude. The French Minister for Foreign Affairs, Mr. Juppé, among others, stated that Russia should not undertake such operations without a formal decision by those international bodies, such as the United Nations or the CSCE<sup>10</sup>, which have the competence and rôle to pronounce on such issues.

39. Furthermore one has to ask what is the significance of the new Russian military doctrine which states that "Russia will not use its armed forces or its other troops against any state whatsoever except in individual or collective self-defence, in the event of armed attack against the Russian Federation, its *citizens*, its territory, its *armed forces*, its *other troops* or its allies"?

40. Similarly one can only wonder about Russia's intentions when it declares it reserves the right, under its military doctrine, to use nuclear weapons "in the event of joint action by a non-nuclear state and one in possession of nuclear

weapons, which ... commit an act of aggression against ... its armed forces and its other troops, or against its allies". There are therefore several reasons for wishing to maintain a permanent dialogue with Russia and to involve it in participating in the building of a collective security system so as to convince it that the outside world does not represent a danger to its security or legitimate interests; and also that a doctrine defending what were formerly known as "vital interests" can no longer have pride of place in modern international relations. A firm decision by Russia on participation in the NATO partnership for peace programme would be an important step towards reassuring the world that the fears recently expressed<sup>11</sup> that Russia's rôle in security policy was becoming less and less predictable are without foundation.

41. The south-east Asia region is developing at an extremely rapid rate while much of its vast population remains in a state of dire poverty, thus giving rise to risks of conflict and dangers to peace which cannot be overlooked. A permanent dialogue between the European and Atlantic institutions with responsibility in security matters and the countries of south-east Asia, and in particular with the Association of South-East Asian Nations (ASEAN), would therefore be most desirable, as this group has always been a factor of stability in the region. Such a dialogue, in which WEU should participate, could help to remind this group of states of the collective responsibility it must assume for maintaining peace and for non-proliferation of weapons of mass destruction and also to strengthen a reciprocal exchange of information about all matters relating to security and defence policy.

#### *IV. Instruments for crisis-prevention and management*

42. The lessons of the war on the territory of former Yugoslavia have resulted in the common foreign and security policy bodies, at the initiative of France, taking an important measure in terms of preventive diplomacy, which therefore does not concern the countries engaged in open conflict. Thus, on a proposal by the French Prime Minister, Mr. Balladur, the European Union's common foreign and security policy authorities called a conference in Paris on 26th and 27th May 1994 in order to conclude a stability pact in Europe, a specific aim of which is to settle the problem of minorities and strengthen the inviolability of frontiers. This initiative is therefore initially addressed to the countries of Central Europe and the Baltic countries hoping in future to become members of the European Union and with which the Union

9. See full text of the declaration attached as an appendix.

10. Le Monde, 31st March 1994.

11. See for example the address by Mr. van Eekelen in Bonn, 13th April 1994.

has concluded or negotiated agreements. The aim of the project is to facilitate rapprochement and co-operation by the aforementioned states with the Union by helping them to comply with the conditions of membership.

43. The Union intends to invite to the "launch conference" the countries principally concerned by the initiative, the immediate neighbour countries of those countries, states likely to make a specific contribution to the development of the initiative, countries with an interest in the stability of Europe by virtue of their defence commitments and countries having association agreements with the Union (Albania, Austria, Belarus, Bulgaria, Canada, Cyprus, the Czech Republic, Estonia, Finland, the Holy See, Hungary, Iceland, Latvia, Lithuania, Malta, Moldova, Norway, Poland, Romania, Russia, Slovakia, Slovenia, Sweden, Switzerland, Turkey, Ukraine and the United States), also representatives of the international organisations concerned by the initiative (CSCE, Council of Europe, WEU, NATO and the United Nations). Other states participating in the CSCE in agreement with this concept and these procedures are also to be invited as observers.

44. The aim of this conference justifies the fact that it should be called at the initiative of the European Union. However, WEU should take an active part in it. It is to be hoped that a lasting solution will also be found to a number of conflicts between neighbours such as those referred to in paragraphs 32 to 34 above. Once ratified, these agreements will be transmitted to the CSCE in their entirety for safe keeping.

45. Indeed, the CSCE should be offered firm support because of its major functions in the area of preventive diplomacy and crisis-prevention. Clearly, the economic aspect of international co-operation plays a highly significant rôle in crisis-prevention and is an essential factor in encouraging certain countries to participate in disarmament, armaments control and non-proliferation agreements and in agreements limiting armaments exports and also if one wishes them to be involved in various confidence-building measures.

46. In this context the CSCE model has shown itself to be successful, since it has invariably taken economic aspects of security into account. The CSCE's activities in the area of preventive diplomacy have proved increasingly useful and effective in the various regions where its representatives have been active, although public opinion has hardly been aware of this. The Political Committee's meeting in Vienna with the Secretary-General of the CSCE has made a considerable contribution to improving its knowledge of the current missions of that organisation, particularly in the Baltic countries, former Yugoslavia and in the CIS countries.

47. However the CSCE can act only within the geographic limits of its fifty-three member states and it has no means of coercion. It cannot therefore exercise any influence on China or North Korea.

48. The United Nations is the only organisation with such means of coercion, but, as several crisis situations have demonstrated, it is, on the one hand, required to operate in too many parts of the globe and, on the other, it lacks the military resources for crisis-management. The use of troops made available by member states raises difficulties with regard to areas of responsibility and command structures. Moreover, there is insufficient agreement between member countries of the United Nations and especially within the Security Council on the legal bases and conditions for using force to restore peace.

49. Moreover, it is becoming urgent to define more clearly the responsibilities and competencies assigned to the military units deployed in a given region of crisis on the basis of a precise political objective determined by common agreement among all the countries participating in the operation. In this context, it is extremely interesting to note that, according to the report presented by the German Government to the Bundestag on the evolution of European integration between 1st July and 31st December 1993, the CFSP Working Group on Security drafted a document on the basis of German proposals on "mutually reinforcing institutions" which defines the criteria for better co-ordination between the United Nations, the CSCE, WEU, NATO and the Council of Europe as regards conflict-prevention and crisis-management. This document is to be revised in early 1994 before being submitted to the Council of Ministers.

50. It would be desirable not only to be informed of the result of this work but also to know to what extent WEU is taking part in it and what is its contribution.

51. One way or another, it will prove increasingly useful to draw on the means of military organisations such as NATO and, shortly, WEU, which are ready to act as necessary either at the request of the United Nations or at that of the CSCE. WEU in particular must speed up its implementation of the decisions taken at Petersburg, namely the establishment of units ready to participate in humanitarian and peace-keeping missions and also combat forces for crisis-management and operations to restore peace.

52. This is the essential condition for WEU's help being requested by the United Nations or the CSCE. According to the Secretary-General of WEU<sup>12</sup>, the latter might become involved in four types of peace-keeping operations:

12. Speech to the Royal Institute for International Relations, Brussels, 27th January 1994.

- WEU member countries might alone be invited to undertake operations in the event of their being better placed to do so than a wider European-Atlantic grouping;
- WEU could undertake operations in close co-ordination with another organisation (eg. operation Sharp Guard with NATO);
- it might constitute the operational command and control centre for missions in which non-member countries would also participate;
- it might take on the task of harmonising contributions from its member states to a United Nations operation, which was unfortunately not the case for the Somalia operation in which forces from several WEU member countries participated without any co-ordination being provided within the framework of WEU.

53. Still in the view of the Secretary-General of WEU, NATO would be the main player in the settlement of regional crises in Europe to which the United States was prepared to make a contribution. In other cases, in the absence of substantial United States participation, WEU might play a leading rôle in the area of peace-keeping and crisis-management, always within the framework of a United Nations mandate or in conformity with the Charter of that organisation.

54. However all of this will remain purely hypothetical if WEU does not quickly establish and bring into operational service the forces it

terms forces answerable to WEU (FAWEU). WEU must move from the study stage to that of decision-taking in order to achieve all the plans being prepared which were described in Chapter II, with particular regard to strategic mobility, intelligence work, verification, space-based observation of the earth; in short, it must become truly operational if it is not to be just as powerless in the event of another challenge like the Yugoslav one.

### *V. Conclusions*

55. Up till now, when WEU has been the subject of discussion in political circles, in the media or in public opinion, reference has invariably been to its future rôle because its achievements, undeniable as they are, in certain specific areas are not yet substantial enough for politicians and public opinion to appreciate their full impact. Crisis-prevention, and even more so crisis-management, are areas which are absolutely central to WEU competency. However, WEU can play a credible and effective rôle in this area only if all the governments give a decisive political impetus to the achievement of the various projects to which the Council and its subsidiary organs are committed. While it is true that a major success is invariably essential to boost a feeling of self-worth, setbacks such as that Europe has suffered in the case of the conflict in former Yugoslavia can equally be effective in encouraging people to pull together and unite in a supreme effort.

## APPENDIX

*Joint statement by the Ministry for Foreign Affairs  
and the Defence Ministry of the Russian Federation*

Lately some foreign politicians and mass media as well as international fora have, on several occasions, made allegations concerning the "ambiguity" of Russia's peace-making mission in a number of member countries of the Commonwealth of Independent States. The thesis of "neo-imperial ambitions" of Russia is gaining popularity. Whatever form such reproaches take, their essence is invariably the same: under the guise of peace-making activities – and maybe even bypassing universally recognised standards of international law – Russia allegedly intensifies power pressure on her neighbours, trying to acquire a right to "interfere" in their domestic affairs. This is accompanied by arbitrary interpretation of facts and also by their – voluntary or not – distortion.

The main argument of the advocates of such a vision of the Russian peace-making activities in neighbouring states is a thesis of supposedly "one-sided" assignment by Russia of her troops to unstable regions. Based on that thesis is a conclusion that the involvement of the world community in peace-keeping efforts aimed at unblocking conflicts in the territory of the former USSR should include monitoring the activities of Russia.

We do not want to exaggerate the significance of this policy in certain political and public circles both in the West and in the East. The leaders of the majority of countries demonstrate a responsible and sensible approach recognising the realistic and positive rôle of Russia in containing and settling crisis situations. As to peace-making operations in the CIS countries, Russia favours a real establishment of a truer and more solid partnership based on equality, mutual trust and respect, not stopping at mere declarations of intent.

For these reasons we consider it timely to draw attention to a number of political, international and legal aspects of principle of Russia's participation in peace-making activities in the CIS countries.

Russia's actions are directed only at stopping armed conflicts in a number of independent states, stabilising the situation there and creating conditions for lasting and durable settlement. We are proud that the presence of Russian peace-making forces in "hot zones" prevented even more numerous victims among innocent civilians.

Our efforts are being taken in the context of a dramatically serious economic and financial

situation in Russia itself; diverting considerable resources for peace-making purposes over the last ten months alone amounted to 26 billion roubles (though it is difficult to make an accurate calculation and one should take into account inadequate provision of our "peace-making forces" as compared with the United Nations Blue Helmets). More than 15 000 Russian servicemen are stationed in hot spots in the CIS member states.

Peace-making as such in the CIS countries is not "a purely Russian initiative". In all cases without exception our actions are carried out at the request and with the consent of the relevant states and conflicting sides. Peace-making troops are sent on the basis of bilateral and multilateral agreements which comply with the rules of international law. This completely agrees with the provisions of the United Nations Charter, according to which a possibility of dealing with matters of peace-making on the basis of agreements of the states concerned not only is accepted but welcomed (Article 52 of the United Nations Charter). The only exceptions are enforcement actions, which, according to Article 53 of the United Nations Charter, should be taken under the Security Council's authority. But all current peace-making operations on the territory of the former USSR do not fall under this provision, because they do not involve enforcement and are taken with the consent of all conflicting sides. The United Nations and the CSCE are informed on these operations on a regular basis.

Russia is consistently favouring the widest involvement of the United Nations and the CSCE in the settlement of conflicts in the CIS countries. There is no need, however, for any "permission" on the part of the United Nations and the CSCE to conduct peace-making operations in accordance with the abovementioned criteria, in which Russia and its neighbours take part. The operations are carried out on the basis of the sovereign rights of respective states enshrined in the United Nations Charter and do not require additional legitimisation. It is true, however, that the co-operation with the United Nations and the CSCE and their active and substantive support of Russia's and its neighbours' peace-making efforts could really facilitate more effective and faster settlement of conflicts. This is what we stand for when we suggest that the United Nations and the CSCE should interact with the peace-making operations in the CIS countries in different forms, including sending of missions, observers, advisers, etc. Russia will be

ready to participate also in peace-making operations by the United Nations and the CSCE in the territory of the former USSR if the parties to any conflict ask those organisations to start such operations and if a decision on their carrying out is taken.

Meanwhile, it has to be noted that the repeated appeals of the CIS countries for support from the United Nations and the CSCE (in particular in connection with conflicts in Abkhazia and Tajikistan) are still awaiting the appropriate reaction. Therefore, the agreements between Russia and its neighbours as well as mechanisms created within the CIS remain major peace-making instruments in this region. It is thanks to them that the tasks of maintaining there international peace and security that constitute an integral part of the global process of ensuring global stability are

being solved. The international community must acknowledge this objective reality and proceed to a closer interaction with Russia and its neighbours. This, by the way, would help all "those in doubt" see the "transparency" of the peace-making operations and the groundlessness of suspicions in this respect.

Being consistent in its efforts to ensure peace and stability around its frontiers and within the CIS, Russia does not intend to put obstacles in the way of others. We do not demand a special status or an exclusive rôle for ourselves, nor do we elude our responsibility for the situation in this region of key importance to Russia. We are ready to co-operate meaningfully in those questions with the United Nations, the CSCE and the international community at large.

*European security: crisis-prevention and management*

**AMENDMENTS 1, 2, 3, 4, 5 and 6<sup>1</sup>**

*tabled by Mr. de Puig*

1. After paragraph (i) of the preamble to the draft recommendation, add a new paragraph as follows:  
“ Concerned by the Council’s silence regarding the continuation of the civil war in Yemen and the terrible massacres perpetuated in Rwanda; ”
2. After paragraph (i) of the preamble to the draft recommendation, add a new paragraph as follows:  
“ Concerned at North Korea’s nuclear policy and its threatening attitude towards South Korea. ”
3. Draft paragraph 12 of the draft recommendation proper as follows:  
“ Support the United Nations’ call for the cease-fire in Yemen to be respected immediately; ”
4. After paragraph 12 of the draft recommendation proper, add a new paragraph as follows:  
“ Examine at the earliest opportunity the rôle that WEU might play in terminating the killings in Rwanda and establishing order and peace in that country; ”
5. After paragraph 12 of the draft recommendation proper, add a new paragraph as follows:  
“ Hold consultations on the consequences for European security of North Korea’s nuclear policy and inform the Assembly of its conclusions. ”
6. After paragraph 5 of the draft recommendation proper, add a new paragraph as follows:  
“ Maintain a dialogue on a permanent basis with the Mediterranean states which are not members of WEU; ”

*Signed: de Puig*

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1. See 3rd sitting, 14th June 1994 (amendments agreed to).

*The European armaments agency –  
reply to the thirty-ninth annual report of the Council*

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

*submitted on behalf of the Technological and Aerospace Committee<sup>2</sup>  
by Mr. Borderas, Rapporteur*

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1. Adopted in committee by 11 votes to 1 with 0 abstentions.

2. *Members of the committee: Mr. Lopez Henares (Chairman); MM. Lenzer, Borderas (Vice-Chairmen); MM. Atkinson, Biefnot, Mrs. Blunck, MM. Böhm, Bosco, Curto, De Paoli (Alternate: Liberatori), Gottardo, Mrs. Guirado, MM. Guzzetti, Jeambrun, Le Grand, Litherland (Alternate: Cunliffe), Marshall (Alternate: Alexander), Palacios, Poças Santos, Regenwetter, Roger, Sarens, Sir Donald Thompson, MM. Tummers, Valleix, Verbeek.*

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

### *Acknowledgements*

In preparing this report, the Rapporteur met the following persons to whom he wishes to express his most sincere thanks:

#### *Madrid, 17th January 1994*

Mr. Francisco Arenas, Director-General of Armaments and Equipment, Ministry of Defence, Spain;  
Mr. Felix Alonso-Majagranzas, Director-General of AFARMADE;  
Admiral Carlos Navarro, Military Counsellor of AFARMADE;

#### *London, 18th January 1994*

Mr. Hervé Guillou, Head of the Joint Project Office, Project Horizon;  
Mrs. Shuna Lindsay, Head of Policy/Finance, Project Horizon;

#### *Copenhagen, 19th January 1994*

Mr. E.H. Sorensen, Chairman WEAG NADs;  
Mr. P. Rotheram, Director of Procurement Office, Ministry of Defence, United Kingdom;

#### *Brussels, 20th January 1994*

Mr. W. van Eekelen, Secretary-General of WEU;  
Mr. Bertrand de Cordoue, Secretariat-General of WEU;  
Mr. Juan de Luis, Secretariat-General of WEU;  
Mr. L.J. Casanova, Permanent Representative of Spain to WEU;  
Mr. Gardeta, Colonel, Deputy Military Attaché to the Representation of Spain to WEU;  
Mr. Chevallard, Directorate of Multilateral Policy, European Commission;

#### *Brussels, 21st January 1994*

Mr. J.P. Rasquin, Secretary-General of EDIG;

#### *Paris, 28th February 1994*

Mr. Henri Martre, Former President of Aérospatiale;  
Mr. Daniel Berthault, Ingénieur-général, International Relations Delegate, French Ministry of Defence;

#### *Bonn, 1st March 1994*

Mr. Paul Simon, DNA, Ministry of Defence, Germany;

#### *Paris, 7th March 1994*

Mr. Victor Marcais, Chairman, Panel II, WEAG.



***Draft Recommendation***

***on the European armaments agency – reply to the  
thirty-ninth annual report of the Council***

The Assembly,

- (i) Taking account, on the one hand, of the declaration of the member countries of WEU annexed to the Treaty on European Union, which, with reference to WEU's operational rôle, provides *inter alia* for examination of "enhanced co-operation in the field of armaments with the aim of creating a European armaments agency" and, on the other hand, the Petersberg declaration which follows the same direction;
- (ii) Welcoming the decisions taken in Bonn in December 1992 by the Defence Ministers of the thirteen IEPC countries to transfer the functions of that group to WEU and the decisions taken at the meeting in Rome in May 1993 on the practical measures relating to this transfer, in particular the new name for the IEPC which has become the Western European Armaments Group (WEAG);
- (iii) Noting with satisfaction the report on armaments co-operation prepared by the National Armaments Directors and submitted for examination by the WEAG Defence Ministers meeting in Luxembourg on 22nd November 1993;
- (iv) Similarly welcoming the creation of an ad-hoc working group for the purposes of identifying the tasks of a European armaments agency and determining the legal grounds on which it should be based;
- (v) Welcoming the transfer to WEU of certain activities of Eurogroup, specifically the information activities, EUROCOM, EUROLOG and EUROLONGTERM;
- (vi) Considering furthermore that a European armaments agency should be based on a common European industrial and defence policy, an integrated armaments market and a common export policy for such armaments;
- (vii) Noting that the ultimate objective of a common defence policy involving agreement on political guidelines in military and armaments matters is far from being achieved;
- (viii) Considering that in present circumstances a European armaments agency must be regarded as a point of departure for an undertaking that will be developed until it achieves its full capability as European positions converge in security and defence questions;
- (ix) Convinced nevertheless that the creation of a European armaments agency, initially with a minimum of specific tasks, meets a clear need, as testified by the present dispersal of the armaments sector in Europe, the many bodies responsible for various co-operative programmes, the need to make the most of diminishing resources, to increase industrial trade, to improve and widen co-operation in the research sector and to continue work on the principles of harmonisation and standardisation including in particular their political, administrative and legal aspects;
- (x) Bearing in mind that the increasingly multinational composition of armed forces in Europe implies interoperability of military units, which must be accompanied by a firm move towards armaments co-operation;
- (xi) Welcoming the decision of the French and German authorities to create a joint armaments agency;
- (xii) Considering the importance of a European armaments agency in securing a competitive presence for Europe in the world armaments market;
- (xiii) Regretting that the Kirchberg declaration in no way tackles the question of creating a European armaments agency,

RECOMMENDS THAT THE COUNCIL

1. Have a study made for the harmonisation of the political and administrative structures of the bodies responsible for armaments in the WEU member countries;
2. Examine fiscal and employment legislation governing the defence industries of the member countries, with a view to their possible harmonisation;

3. Inform the Assembly of the results of the report by the ad hoc working group on the tasks to be assigned to the European armaments agency and the legal grounds on which it should be based;
4. Complete the integration of the armaments secretariat into the Secretariat-General in order to promote synergy between WEU's armaments activities and the other activities of the organisation;
5. Strengthen the means of the armaments secretariat so that it might afford more active support to the work of WEAG panels and working groups;
6. Establish forthwith a European armaments agency as a subsidiary body of the Council, initially tasked as follows:
  - (a) management of co-operative programmes;
  - (b) management of the EUCLID programme;
  - (c) management of joint research and testing facilities;
  - (d) technological and operational studies;
  - (e) establishment of information and data services and a register of patents relating to innovation in the defence sector;
  - (f) research into and evaluation of the world armaments market; the agency would be assisted in this task by industrial groups such as EDIG, which already has extensive experience in this sector.

## *Explanatory Memorandum*

*(submitted by Mr. Borderas, Rapporteur)*

### *I. Introduction*

1. The Technological and Aerospace Committee has paid close attention in recent years to armaments questions. Mr. Wilkinson's report (Document 1228) on the Independent European Programme Group (IEPG) and Western European Union, the reports by Sir Dudley Smith on weaponry after the Gulf war (Document 1272), arms and equipment for a European rapid action force (Document 1292), Mr. Aarts's report on arms export policy (Document 1305) and lastly the report by Mr. Lopez Henares on European armaments co-operation after Maastricht (Document 1332) are examples of a realistic approach to an important subject where effective and disciplined solutions are required.

2. The aim of the present report is to chart the way forward towards establishing a European armaments agency as provided in the declaration annexed to the Treaty on European Union, in a practical but determined fashion, based on the conviction that this project represents a qualitative advance of major importance for the future of the security and defence of Europe; also on the overriding need to respond realistically to the political, military and industrial problems caused by the lack of such an agency and which can only deteriorate further if a balanced solution is not found to them.

### *II. Maastricht, Petersberg, Rome ...*

3. The declaration attached to the Treaty on European Union of the WEU member states on the rôle of Western European Union and its relations with the European Union and with the Atlantic Alliance, states, in the section referring to the operational rôle of WEU, that "other proposals will be examined further, including enhanced co-operation in the field of armaments with the aim of creating a European armaments agency, ..."

4. In fact, the Maastricht declaration merely recalls earlier declarations such as the 1984 Rome declaration which provides for "... the development of European co-operation in the field of armaments in respect of which WEU can provide a political impetus ..." or a provision in similar terms in the 1987 Hague platform on European security interests.

5. A short time afterwards in the Petersberg declaration (19th June 1992) the Ministers for Foreign Affairs and the Defence Ministers of the WEU member states welcomed the decision taken

in Oslo on 6th March of that year by the IEPG defence ministers to analyse the future rôle of this group in the new European security architecture. The WEU Ministers took the view that this decision was a step in the direction set out at Maastricht towards the future creation of a European armaments agency.

6. The Petersberg declaration also included a proposal that WEU and IEPG experts "analyse this issue in depth, carry out an initial examination of the rôle of and functions of a possible European armaments agency and submit a report for consideration".

7. At their meeting in Bonn in December 1992, the defence ministers of the thirteen IEPG countries agreed to transfer to WEU the functions which, until then, it had been carrying out. This was to be done in accordance with a set of basic principles which can be summarised as follows:

- all IEPG members should be entitled to participate fully, and with the same rights and responsibilities, in any armaments co-operation forum;
- there should be a single European armaments co-operation forum in order to avoid any duplication;
- the IEPG should continue to operate until the replacement forum becomes operational;
- this body should be based initially on the agreed policies of the IEPG and maintain existing links with NATO;
- its activities in Europe should be managed by the national armaments directors, who will be accountable to their defence ministers;
- initially, the existing basic structure of the IEPG should be incorporated into the structure of the new body and the existing link between the IEPG and EDIG should be maintained.

8. In May 1993 the defence ministers of the thirteen IEPG member countries, meeting in Rome, adopted a series of practical measures relative to the transfer of the IEPG to WEU. From then onwards the group has been known as the Western European Armaments Group (WEAG); additionally:

- defence ministers will meet at least once a year in co-ordination with the WEU Council of Ministers;

- the chairmanship will continue to rotate between the thirteen members;
- the national armaments directors will meet half-yearly and will constitute the operational level of co-operation on armaments questions within the framework of WEAG;
- the permanent secretariat will be transferred from Lisbon to Brussels (March 1994);
- relations with NATO as regards co-operation on armaments questions will conform to the principles agreed at Petersberg.

9. The WEAG Defence Ministers meeting in Luxembourg on 22nd November 1993 studied the report on armaments co-operation by the National Armaments Directors (NADs) as provided for in the Petersberg declaration. This report was also submitted to the meeting of the WEU Ministerial Council following that of the thirteen WEAG ministers.

10. Your Rapporteur is aware that this document comprises three sections at the end of which the NADs recommend that the ministers approve a series of proposals. Thus the first of these sections on the creation of an armaments secretariat in Brussels recommends the closure of the permanent secretariat in Lisbon on 1st April 1994 and the creation in Brussels of an armaments secretariat within the framework of WEU, subject to certain conditions as follows:

- (a) solution to be found to the legal, administrative and organisational issues;
- (b) the armaments secretariat to work under the authority of NADs in conformity with the basic principles relating to the transfer of the IEPG functions to WEU;
- (c) the concept of operations, including tasks, to be worked out by the Staff Group;
- (d) armaments secretariat personnel to be recruited under the same conditions as the present WEU secretariat personnel;
- (e) the WEAG budget to be a separate chapter of the WEU budget, based on contributions from all 13 nations.

11. The integration of WEAG into WEU of necessity encountered a number of difficulties, some of which have been resolved already, while others are likely to be so in the near future. Until the present, five people worked for WEAG in Lisbon, paid directly by their countries of origin. The armaments secretariat in Brussels initially employed three staff, an A4 Head of Section, an

A2 and a B4 administrator. Staffing costs are to be divided by thirteen, adjusting the principles of budget-sharing used by WEU to WEAG's thirteen-strong membership.

12. Moreover, the WEU Council will have a different composition when armaments issues are being discussed; the procedure will remain the same but in these particular instances thirteen countries will attend meetings and all will be entitled to vote. For their part the National Armaments Directors (NADs) will be responsible for the armaments secretariat for the aspects that concern them and will keep their respective ministers of defence informed.

13. A study is currently in progress of the possible creation of one or more technical working groups which will be equivalent to those that existed in WEAG and Eurogroup, i.e. steering committees in direct contact with the NADs. A decision will be reached in the next few months in regard to their creation and number (should there be one or two groups, possibly composed of the same people?).

14. Lastly, in the section dealing with the European armaments agency, the NADs had discussed a first report on this subject addressing possible tasks for such a body and governing principles. The NADs recognised that the conditions did not yet exist for the creation of an agency which would take over the full range of procurement activities on behalf of WEAG member nations although there might be potential in individual areas for more effective co-operation through a body having a legal personality.

15. In the light of this first report the NADs agreed that further work should be undertaken to examine the usefulness of resorting to an agency in these areas against the criterion that this should lead to a demonstrable improvement in the conduct of business and to consider the legal and administrative arrangements for an agency and its relations with other bodies.

16. The above report was the first produced by the ad hoc working group set up by the NADs in March 1993 with the aim of analysing the tasks of a European armaments agency and the legal basis on which such an agency might be created.

17. According to the information available to your Rapporteur, the report is a preliminary study, which must be supplemented by more detailed research, especially on the areas of activity that have been identified as possible tasks for the agency.

18. Having identified these areas the report recommends that the NADs support the conclusions that it is not viable at present for a single agency to have responsibility for managing procurement on behalf of the member countries; and

that studies should be continued in order to identify the areas of activity that might be covered by such an agency.

19. Finally, your Rapporteur feels it extremely useful to refer here to certain paragraphs of an address given by the WEU Secretary-General to the Royal Institute for International Relations, Brussels, on 2nd January 1994, on the subject of the present report, which reflect Mr. van Eekelen's consistent support for the creation of a European armaments agency and also constitute an extremely enlightening contribution to its achievement in practice:

“ Individually, WEU member states can no longer afford to acquire all the necessary assets for deterrence in Europe or force projection outside Europe. Co-operation is the only way of coping with the steady shrinkage in national defence budgets, notably in the fields of space, strategic transport (a memorandum of understanding on the feasibility study for the future large aircraft was signed in October 1993), logistics and telecommunications.

Work is under way to develop the open European defence equipment market, which includes guidelines and measures to support and increase participation of developing defence industry countries.

Set up within WEU, the Western European Armaments Group (WEAG) has inherited the tasks of the IEPG. Denmark and two associate countries, Norway and Turkey, continue to play a full part in that framework. This institutional arrangement should help to achieve the objective of providing political impetus for European co-operation in the field of armaments, as reaffirmed in the WEU Maastricht declaration. An armaments secretariat will be established within WEU this spring.

The creation of a European armaments agency is actively under study. Among the missions that might be assigned to this agency are the provision of assistance to the presidency of WEAG, support for the implementation of the EUCLID technology programme, further standardisation, joint management of test facilities, co-operative programmes and the creation of common pools of equipment.”

20. To the above must be added, in accordance with the first part of the thirty-ninth annual report of the Council to the Assembly – Chapter IV. Activities of the Defence Representatives Group (DRG) – the approval of the Council of Ministers on 19th May 1993 of the transfer to WEU of certain activities of Eurogroup and specifically the information activities and EUROCOM. The

Eurogroup ministers meeting on 24th May 1993 also approved the transfer. According to this report on its activities for the first half of 1993, discussions are continuing on the new operating procedures for information activities and EUROCOM and also on the transfer of EUROLOG and EUROLONGTERM to WEU.

21. In the second part of the thirty-ninth annual report of the Council, it can be seen that the transfer of EUROCOM to WEU took effect on 1st August 1993, whereas that of information activities (called “ Publicity activities ” in this second part of the annual report) took effect on 1st January 1994, the Council's working group being responsible for these tasks.

22. The transfer to WEU of the activities of EUROLOG and EUROLONGTERM also took effect on 1st January 1994 following a joint decision by the WEU Council and the Permanent Representatives of Eurogroup. The EUROLOG and EUROLONGTERM steering groups have been given new terms of reference in order to adapt their activities to WEU requirements.

23. With regard to WEAG activities, in addition to the information already given, the annual report calls attention to the meeting of National Armaments Directors (NADs) held for the first time at WEU headquarters in Brussels on 27th October 1993. The WEAG panels and working groups pursued the following activities during the second half of 1993: in the framework of Panel I, a memorandum of understanding relating to the feasibility study for the future large aircraft (FLA) was signed by the National Armaments Directors of the six countries participating in this programme: France, Germany, Italy, Portugal, Spain and Turkey.

24. The EUCLID programme has been continued in Panel II with a number of projects and the signing of contracts. At the same time, measures are being studied for improving the effectiveness of this programme.

25. Panel III is pursuing its work on the development of an open defence equipment market in Europe and has drawn up measures to enable developing defence industry countries to participate more fully in that market.

26. A question might be raised here: although undoubtedly progress has been achieved in integrating the IEPG and Eurogroup in WEU accompanied by a general evolution towards closer co-operation in armaments questions and ultimately towards a European armaments agency, is it not now time to give greater impetus to the overall process? By thus speeding up the process, our organisation would be capable of coming effectively to grips with a challenge that calls for realistic and reasonable answers without delay.

### *III. The Standing Armaments Committee, Eurogroup, the IEPG*

#### *(a) The Standing Armaments Committee*

27. The creation of a European armaments agency has been a long-standing item on the European agenda over the last forty years. The reluctant support given to its establishment has been matched by declarations of varying enthusiasm regarding the need for such an agency.

28. In May 1955 the WEU Council decided on the creation, as a subsidiary body of that organisation, of the Standing Armaments Committee (SAC). Its aim was to "... find joint solutions which would assist governments of member countries in meeting their military equipment requirements" by "agreements or arrangements on such subjects as the standardisation, production and procurement of armaments concluded between all or some WEU countries ...". This aim was to be achieved in close co-operation with NATO, with the SAC being free to set up any sub-committees and working groups required and observers from NATO able to be associated with them.

29. The greatest and seemingly the sole merit of the SAC has been that the frequent meetings of those responsible for armaments in the member countries in the framework of the SAC, NATO or, later on, the IEPG, have created productive relationships which have in some cases led to bi-, tri- or multilateral co-operation programmes, even though no specifically WEU equipment has ever been produced. On 13th November 1989 the Council of Ministers decided to abolish the SAC. The question of European co-operation in armaments matters remained on the agenda, however.

#### *(b) Eurogroup*

30. Eurogroup was formed in November 1968 as an informal association (without official status) between the defence ministers of the European countries members of NATO. It included Belgium, Denmark, Germany, Greece, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Turkey and the United Kingdom; its creation responded to the need to provide an informal body in which ministers might be able to hold exchanges of views on questions of particular strategic and political interest and to promote co-operation in a concrete manner through a series of sub-groups.

31. Ministerial meetings prepare the work of the Eurogroup staff which is composed of members of the various delegations to NATO.

32. Shortly after its creation, Eurogroup started the EDIP programme (European Defence Improvement Programme) providing for joint investment in infrastructure work, the development of an

integrated communications network and the financing of arms procurement and transport aircraft.

33. Where armaments are concerned, Eurogroup's activities were directed mainly (and strangely) towards co-ordinating Europe's procurement of American equipment.

34. Eurogroup is sub-divided into a series of sub-groups as follows: EUROCOM, whose work has been mainly to ensure that the various national communications systems meet previously fixed technical and operational conditions; EUROLOG, whose aim is logistic co-operation; EUROLONGTERM, which works on operational long-term doctrines; EUROMED, responsible for co-operation between the various health services of the military forces; EURONAD, whose aim is to reduce armaments investments through standardisation and the procurement of armaments and EURO/NATO training, which tries to organise training in a multinational framework. To this end, programme information centres have been set up in accordance with the duration of the periods of instruction.

35. From the very outset, the fact that France did not belong to Eurogroup made it difficult to find common solutions for the European members of NATO. It is indeed difficult to promote co-operation in a practical manner without a country such as France whose technological, industrial and commercial level in armaments is surpassed in the alliance only by that of the United States.

#### *(c) The IEPG*

36. The Independent European Programme Group (IEPG) was created on 2nd February 1976. It is a co-operative structure grouping the thirteen European countries of the Atlantic Alliance, with the exception of Iceland. Its work is shared mainly between three panels. Panel I deals with operational requirements and equipment programmes, Panel II, the most recent one, deals with research and technology, EUCLID being its main activity, and Panel III deals with procedural and economic questions.

37. The ministers or secretaries of state meet every nine months and take decisions if they have been well-enough prepared. The National Armaments Directors (NADs) meet once or twice between ministerial meetings.

38. The European defence industries have organised themselves to meet with the IEPG. This is the European Defence Industrial Group (EDIG) which has the backing of the national professional organisations. EDIG has a structure similar to that of the IEPG, i.e. with Panels I, II and III.

39. The IEPG's first eight years passed without significant results. During that time, the group mainly tried to harmonise timetables and replacement plans for the defence equipment of the mem-

ber countries with a view to promoting co-operative programmes.

40. In 1984, the rather meagre results of the IEPG urged Europeans to try to revive it by guiding its action towards the promotion of co-operation in technological research in armaments matters. This was the purpose of the EUCLID programme launched on 29th June 1989 (European co-operation for the long term in defence) which has sometimes been called "military Eureka". Its aim was to co-ordinate and rationalise the efforts of the armaments industries and make them co-operate in advance technology. To come to grips with the many difficulties, a list of eleven joint priority areas for Europe was drawn up (CEPA: common European priority areas) with a pilot country for each one. In each of these areas, a group of officials of the countries concerned met to identify and define the projects likely to interest several countries and to fix their limits. Once projects are outlined, they are submitted to the appropriate authorities of each country who decide whether or not to earmark the necessary financing for a given project. This procedure is necessary since it has not been possible, at the present juncture in European defence co-operation, to define the budgets to be allocated to the various CEPAs.

41. However this may be, the EUCLID programme is now running smoothly and the idea has developed in parallel to pursue European co-operation in armaments questions in a firmer, more visible framework, such as WEU.

#### *IV. The future European armaments agency*

42. Clearly, as matters now stand, a European armaments agency in the broadest sense of the word covering the full range of such an agency would not yet be a viable proposition.

43. The European armaments agency should be based on a complementary and co-ordinated policy resulting from agreement among defence industries on an integrated armaments market and a common export policy for such armaments. The present European juncture is hardly promising in this respect.

44. The common foreign and security policy (CFSP) is almost inexistent and a common defence policy is still far away. What hope could there then be for a joint armaments and military policy?

45. In the short and medium term, one cannot expect to create a European armaments agency with wide-ranging responsibilities; on the contrary, if starting positions are neither reasonable nor achievable, this project might well come to grief and it would be difficult to find the necessary consensus to launch that body. It would appear necessary however to begin work on the most important aspects of its probable infrastructure:

definition, basic budgetary requirements, equipment and human resource requirements, programmes, production, trade and exports.

46. This being so, one principle should be affirmed: while the usefulness of an agency has always been generally recognised, the political and economic circumstances which now prevail in Europe make it more necessary than ever, although paradoxically these very circumstances exacerbate the prejudices of certain states (on the part of the government, the national defence industry, public opinion, or all these sectors together) towards its creation.

47. Before listing the tasks that might be entrusted to the European armaments agency, brief mention should be made of a few of the difficulties to be encountered at the very start, some of which will be developed further in subsequent chapters. First are the different politico-administrative structures of the bodies responsible for armaments in the various member countries. These bodies are of differing types, particularly with regard to their areas of responsibility, procurement, exports, research establishments or testing sites and procedures applicable for planning and starting armaments programmes.

48. Moreover, other factors affect the defence industries of member countries and make their position uncertain. Legislation governing patents, working conditions and the various fiscal systems affecting these industries vary from one country to another.

49. Better harmonisation in these areas would make relations between the national bodies more flexible and consequently more fruitful; it would facilitate co-operation and would help to maintain a balance between national defence industries and in the end would improve the discipline and effectiveness of the future agency.

50. Harmonisation should not necessarily have priority over the creation of the agency but should be pursued in parallel with the latter's first steps.

51. There is a clear need to create an agency as testified by the considerable dispersal of armaments matters in Europe today, the presence of an agency or an armaments organisation in each country, the existence of many bodies responsible for various co-operative programmes, the need to use the funds available to better avail, to centralise present arrangements around programmes and to tighten up industrial co-operation, and co-ordinate major investment; nor must one forget the development sector, the improvement and enlargement of co-operation in research with due respect for the principles of harmonisation and standardisation (particularly from the legal point of view).

52. A whole series of initiatives should be taken to meet the challenge of the European

Union in armaments matters: by resolving existing problems and difficulties, Europe would prove itself to be equal to its requirements, its possibilities and would take a competitive position on the world scene.

53. The tasks identified for the agency should be kept to a minimum to allow it to operate effectively and make it an efficient tool that would open the way for its subsequent development.

54. The missions entrusted to the agency should not be undertaken simultaneously but should correspond to rôles to be achieved in the medium term with an appropriate timetable in each case. It should be made clear that the first rôle of the agency is to offer a simple flexible structure which would firmly promote co-operation in different programmes, avoiding at all costs the formation of a bureaucratic straitjacket.

55. Possible tasks for the agency initially might be:

- (a) management of co-operative programmes;
- (b) management of the EUCLID programme;
- (c) management of joint research and testing facilities;
- (d) technological and operational studies;
- (e) establishment of information and data services.

(a) *Management of co-operative programmes*

56. In recent years, a whole series of co-operative programmes has been started. These bi-, tri- or multilateral programmes have been achieved thanks to a general political process of co-operation without which they could not have been continued.

57. Experience shows that without a true long-term political commitment and effective confidence with political backing the plan will eventually fail. Again, the multiplication of costs due to the participation of a very high number of countries also leads to failure. Many examples may be quoted in support of this affirmation, including that of the first frigate of the nineties.

58. To succeed a co-operative programme, one must take the view that it is not a joint programme but a common programme, guided by a strategy for the whole programme with a firm political and financial commitment which must, of course, be based on the requirements expressed by defence staffs.

59. A first aim of these programmes is to allow savings to be made: it is therefore necessary to respect the principle of the long-term commitment, the need for the programme to be a common

one, avoiding variations insofar as possible, and fair work- and cost-sharing.

60. The choice of the industrial consortium must first be made in accordance with criteria of efficiency and next allow a global handling of the problem of industrial return. The political will to use European equipment must be a goal to be attained, even if, be it only in the short term, this is not a sine qua non. Co-operation must be based on the fact that in industrial matters each country must do what it is best placed to handle and a country's inordinate industrial ambition may jeopardise the profitability of co-operation.

61. This being so, what might be the contribution of the European armaments agency to co-operative programmes? First, it would provide a juridical basis. At the present time, offices responsible for co-operative programmes may work under the wing of NATO agencies or international project offices (IPOs). These offices have no legal status and any work they wish to pursue to its conclusion has to be achieved in conformity with the laws and standards of the host country. For example, they themselves cannot draw up contracts or grant employees a juridical status.

62. The agency would first offer an appropriate juridical framework for working effectively and at a high level. It would co-ordinate the execution of co-operative programmes. In this respect it would play the rôle of board of directors on which all the countries would be represented and which would have its own rules of procedure with an intelligent approach to present regulations and able to operate à la carte.

63. The agency would endeavour to rearrange present systems taking programmes into account, tighten up industrial co-operation, avoid the dispersal of co-operative programmes and all in all, make better use of available funds.

64. Furthermore, the European armaments agency might offer the various co-operative programmes a series of services, particularly through the creation of a data bank covering such questions as the pros and cons of various procedures, intellectual property rights, regulations governing contracts (commercial law, rules for industrial association), VAT, etc.

(b) *Management of the EUCLID programme*

65. The EUCLID programme mentioned earlier is a good example of how being used to working together is a very great help when everyone agrees on principles but not on the methods of work. An additional advantage of EUCLID is that it proves that Europe has the ability to join the competition even if the research effort of the thirteen member countries of the programme represents about half of the effort made by the United States.



66. The machinery for operating the EUCLID programme is complicated and it is clearly not easy for thirteen countries to work together, yet its present achievements can be considered as positive. At present there are 43 programmes which imply state financing amounting to some 280 million ecus and 22 co-operative contracts have already been signed.

67. According to the information available to your Rapporteur, however, the programme is encountering three major obstacles. First, it is very time-consuming. Thirteen-power co-operation involves considerable delays at national level due to the need for approval of the authorities of each country, legal, industrial problems, etc. Second, new proposals are lacking. From this point of view, some sectors are better than others. This lack of new proposals is linked to a third obstacle: the existence of bi-, tri- or multilateral programmes often make some countries prefer this type of framework to that of EUCLID.

68. Panel II has drawn a number of conclusions from what has been said above: a permanent structure is needed to overcome the problems listed. In this respect the creation of a European armaments agency would help EUCLID's work to advance in a more satisfactory manner. Furthermore, the panel has raised the idea of creating a research cell which in a way would be a vanguard of the agency. It would help to motivate the industries which often lose interest in EUCLID because of the obstacles they encounter and which have already been mentioned. This cell would be a driving force for all the groups which depend on the programme and would be quite small, thus ensuring its profitability. These initiatives would help to put an end to delays and would make procedures more flexible.

69. At present, France and the United Kingdom devote some 1% of their research budgets to the EUCLID programme, Germany 2% and the other countries between 5 and 50%. The total defence research budget in the thirteen countries of the Western European Armaments Group amounts to some F 18 000 million compared to F 42 000 million for the United States.

70. The management of EUCLID by the agency would avoid wasting our resources and, through rationalisation, it would at least be possible to avoid widening the gap between Europe and the United States.

*(c) Management of joint research and testing establishments*

71. The prevailing situation in this area calls for joint and global solutions due mainly to the cost and space involved in these activities; such solutions are more necessary than ever at a time when budgets everywhere are being sharply curtailed. Since it is impossible to improve condi-

tions for co-operation in this sector, a European armaments agency would first offer a juridical framework for these establishments which might thus be managed jointly offering the possibility of immediate benefits from the savings stemming from an efficient and rational use of these installations.

*(d) Operational and technological research*

72. Mention has already been made of the many efforts in recent years (Standing Armaments Committee, Eurogroup, IEPG) to promote inter alia the goal of harmonising military specifications although little significant progress has yet been made. Short- and medium-term prospects in this matter are hardly optimistic but there is a clear need to move forward in this sector. At present there is a trend towards an overall definition of forces such as the future Franco-Italian-Spanish maritime group which implies that these units are interoperable and hence have close links with the Planning Cell. Being multinational, such forces will give considerable impetus to co-operation in armaments matters.

73. One should not try to conceal the difficulties a research group might encounter in this sector, nor should they prevent steady relentless progress in identifying the possibilities of agreement.

*(e) Creation of an information and data service*

74. In paragraph 64 on co-operative programmes, mention was already made of a number of services that a European armaments agency might offer its members in regard to information; this service should be capable of providing specific and accurate information and data regarding the market for defence items extending from defence expenditure to the description of the defence industry, including exports and imports of such equipment in regard to the member countries and their transatlantic links; it should also keep a register of patents together with all relevant information.

75. Such data already exist although clearly they can be improved. In fact, most members of the WEAG publish periodically information bulletins on the procurement needs of the various contracting bodies and a report on the firms obtaining contracts. The question is to obtain fuller information about the above sectors and from this information to build up a data bank which will be available to the member countries.

76. Mention has already been made of the main tasks that might initially be entrusted to the agency but clearly a more detailed study is necessary in order to define these tasks more accurately and establish operating rules that are flexible enough to escape from burdensome and delaying bureaucratic structures.

77. The legal bases for creating this agency are to be found in the modified Brussels Treaty which provides for the possibility of the Council setting up subsidiary bodies. Participation in this future subsidiary body by WEU associate members and observers should raise no legal or political difficulties.

78. The fact that the agency may be able to undertake some tasks considered to be common tasks and others that would come under different co-operative programmes between certain countries does not seem to be a major obstacle.

79. Concerning the agency's relations with the European Union and NATO, the Treaty on European Union and the appended declaration of the WEU member countries together with subsequent declarations and more recently the declarations issued at the NATO summit meeting in January of this year, and also the explicit backing of the United States for the common foreign and security policy and the European security identity illustrate the rôle assigned to each of these organisations (WEU, European Union and NATO), their present relationship and the level of these links.

80. Furthermore, as far as your Rapporteur can see, the member countries of WEU and the WEAG are not trying for the time being to change their relationship with the European Commission at the institutional level nor at the level of defence industries.

#### *V. The Franco-German armaments agency*

81. At the Franco-German summit meeting in Bonn at the beginning of December 1993, the Defence Ministers, Mr. Léotard and Mr. Rùhe, decided to create a joint armaments agency.

82. According to the information at your Rapporteur's disposal, this agency would have the task of managing bilateral armaments programmes with a view to improving the efficiency of these programmes and reducing management costs. There is now a joint office that manages all bilateral programmes, although each country still has its own national office to verify the work of the joint office.

83. The Franco-German agency would create a single management office which would replace the national offices and consequently save money and increase management efficiency.

84. The initial intention is that at the middle of this year those responsible for equipment procurement should make a series of specific proposals for starting the agency so that the latter might start its work immediately, but the date of 1995 now seems more realistic.

85. Current bilateral programmes include the Tiger attack helicopter, the Roland, Milan and Hot Euromissiles and, with the United Kingdom, the

Trigat anti-tank missile programme. Furthermore, the agency would be given the new development programme for the next generation of wheeled combat vehicles.

86. The defence ministers have agreed that work should be started on the standardisation of equipment for the European corps.

87. Apparently two solutions are being studied for the legal framework in which the agency should be set. The first would be for a treaty between the two countries – this would make parliamentary ratification compulsory. The problem with this solution is that Germany is at present in the midst of an electoral period, in particular general elections which are to be held on 16th October 1994: there is therefore little hope of the parliamentary process being completed in the coming months. The alternative would be to make the Franco-German agency a subsidiary organ of the Council which your Rapporteur believes would raise juridical difficulties and political problems.

88. This solution would raise a number of questions: how could a subsidiary body be created that would not be open to the participation of all the member states? Moreover, the Council would maintain control over a body composed solely of two of its member states. Since this is merely a hypothesis, the matter will not be taken further.

89. Again, there is every indication that this agency is not intended to be the initial nucleus of the future European armaments agency but, one way or another, it is to stimulate the creation and development of the latter by following a parallel course and preserving its bilateral character, although exceptionally it is open to Belgium, in order to be integrated sooner or later in the European armaments agency which, in principle, would not be before the year 2000.

90. Finally, it should be noted that the agency would have its own market code, with the possibility of following the example of NATO in this respect and in any case excluding community law since defence equipment cannot be compared with any other. It is crystal-clear that if the Franco-German proposal materialises it will indeed be a stimulus of the greatest importance for all the initiatives of the European armaments agency.

#### *VI. The European Defence Industries Group (EDIG)*

91. The European Defence Industries Group was created in 1990 by the national associations of defence industries of the member countries of what was then the IEPG. EDIG represents the interests of the European defence industry and maintains a close working relationship with the governments of the WEAG countries.

92. EDIG has a board of directors, a technical committee and an economic and legal committee. EDIG is a source of information of very high standard and therefore of very great interest. This body seeks Europe-wide responsibilities which, according to its representatives, implies a joint industrial policy. EDIG believes standardisation is necessary from the military point of view whereas in industrial terms a co-operative structure is needed; initiatives to promote co-operation should come from both industrial and governmental circles.

93. Similarly, EDIG considers it would be desirable to move more quickly in this sector and leaders of industry generally take a favourable view of the creation of a European armaments agency.

94. Basing itself on Article 223 of the treaty instituting the European Community<sup>1</sup>, EDIG emphasises the need for it to remain in existence mainly in order to avoid the risks from abroad that would follow its disappearance, with particular regard to the United States. It is appropriate to refer here to the discriminatory practices and measures applied by the United States in the defence sector for the purposes of protecting and promoting its own interests through support for its defence industry and particularly by facilitating exports. It might further be noted that the European Commission is now preparing a Community regulation on armaments exports to third countries. With regard to dual-use items and the system regulating them, work is now being conducted on lists of items; the appropriate legal regulations still have to be defined. As regards exports of conventional defence equipment, the document prepared by EDIG appended to the present report is of major interest and puts forward a highly interesting view that is representative of the European defence industry and, in your Rapporteur's opinion, very much to the point. The document deals mainly with export controls in co-operation projects and underlines the need for governments, in conjunction with industry, to establish standard measures and procedures relating to the exportation of defence equipment.

1. Article 223: 1. The provisions of this treaty shall not preclude the application of the following rules: (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 material; such measures shall not, however, adversely affect the conditions of competition in the common market regarding products which are not intended for specifically military purposes.

2. During the first year after the entry into force of this treaty, the Council shall, acting unanimously, draw up a list of products to which the provisions of paragraph 1 (b) shall apply.

3. The Council may, acting unanimously on a proposal from the Commission, make changes in this list.

95. The report by Mr. Aarts on arms export policy (Document 1305) contains the following considerations:

“ 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.”

In the opinion of your Rapporteur these considerations are still highly relevant today. It is therefore WEU, taking account of sectoral interests and common European policy, that remains the competent organisation in an area that is absolutely crucial to the security and defence of Europe.

96. Apart from the position adopted by EDIG for the creation of the agency, some countries have made public their position on the need to create a defence Europe which, for industry, is both a need and a chance, according to the defence white paper published by the French Ministry of Defence in 1994.

97. According to this white paper, with which EDIG generally agrees, no future major conventional armaments programme seems able to escape from the logic of co-operation. Political co-operation has already paved the way towards co-operation on programmes at a time when this was becoming an economic necessity; furthermore, this policy also supposes that the European states demonstrate their solidarity by showing their preference for Europe. Again, without a common strategy, the decline of the European armaments industry will be started and the independence of Europe called into question.

98. Still according to the white paper, the IEPG integrated in WEU and the European armaments agency provided for in the declaration appended to the Treaty on European Union offer possible frameworks for this policy. For his part, Mr. Tony Pryor, British Chairman of the Defence Manufacturers' Association, speaking at a conference organised by GICAT in Paris on 26th October 1993, voiced the idea that EDIG would become the main centre for grouping the defence industry vis-à-vis WEU and any future European armaments agency. He also said that British representatives of the defence industry were far from convinced that Europe offered the only way out.

99. The fact is that there is not unanimity regarding the agency or its responsibilities in

industrial circles, nor in political circles. There are even sectors that give the impression that they want this body to come into existence whereas in reality they are not at all prepared to transfer some of their national responsibilities to such an international organisation. As has so often been repeated in this report, it will be necessary to start with the smallest common denominator.

100. Finally in this chapter, your Rapporteur wishes to take up a consideration discussed in a publication of the French Commissariat général du Plan, the future of defence-related industries which, referring to the creation of a European armaments agency, stated that it would be necessary to avoid a dogmatic approach which might prevent the formation in Europe of alliances of a small group of partners with homogenous responsibilities for certain research or certain programmes within the agency or outside it when its framework did not offer the best solution.

101. Your Rapporteur agrees entirely with this warning and is convinced that the European agency should in no case limit or prevent co-operation that might prove to be more convenient or more fruitful outside its framework for a specific programme. It should not be forgotten that industry has always been ahead of political necessities and that co-operation has always been more satisfactory and more rapid from the industrial point of view than from the governmental point of view.

### *VII. Conclusions*

102. As emerges clearly from the previous pages, your Rapporteur strongly advocates the creation of a European armaments agency as a subsidiary body of WEU with a narrow but realistic range of activities which would be limited to the minimum accepted by all participants. Its structure would be a simple one but after proving its efficiency and usefulness as it develops it would provide the foundation for wider responsibilities in the future. It is quite certain that the

time is not yet ripe for the creation of a European armaments agency in the broadest sense as explained in Chapter IV, but at the present time pressure must be brought to bear to obtain a convergence in the political, military and technical fields and, to this end, the creation of the agency is a useful and necessary initiative that can be achieved in the manner described above.

103. The process started by the introduction of the agency will contribute to the advancement of the integration of defence policy in general and should be accompanied by a similar process in the armed forces concerned; without technical co-operation, military co-operation is not possible.

104. Your Rapporteur believes that the tasks assigned to the agency, at least during the initial running-in period, can be accepted by all the WEAG countries and the creation of this body as described in the present report should raise no objections in the various countries since there can be no threat to their national interests.

105. It matters little that some may feel that an agency with such responsibilities is not worthy of the name. It hardly matters that the agency should take over the duties of WEU armaments secretariat or that it should be the secretariat itself that carries out the tasks of the agency, as they have been described, without it being necessary to create it officially.

106. Before the end of the present year, the WEU Council of Ministers should take a decision on this matter. Co-operation in armaments questions is an essential dimension of our organisation and to take a first, albeit it small, step in this direction will eventually provide us with a framework which is absolutely necessary for the future policy of common defence. Without this framework, who could honestly define WEU's *raison d'être* in the European Union or imagine the future of this Union?

107. In this undertaking, the Council can count on the firm and vigilant support of the Assembly.

## APPENDIX

*Document on EDIG's policy on conventional defence equipment exports**1. Introduction*

1.1 In considering the question of defence equipment exports it is of prime importance to remember that these matters are an integral part of government policy, defence and foreign, and that normal commercial solutions to problems will not always be appropriate. This assumption involves considerable problems since it has an immediate impact on one of the basic operating assumptions for defence industry, that of long-term investment policy. At the present time, this impact is even more significant than hitherto since, with reducing defence budgets and increasing technology costs, it is highly unlikely that any single nation will be able to contemplate the research and development and production costs of a major item of defence equipment. Pan-European projects will become the norm and even then it is possible that the European "home market" alone will be insufficient to support their existence. Thus collaboration and co-operation will become commonplace and accepted standards of exports policy will become vitally important in the formation of future collaborative partnerships. It would be difficult, if not impossible, for a major company to contemplate collaboration with another company unless that company exists in a country where the government has accepted common principles of exporting policy. An absence of national government agreement could therefore mean that its national industry would find itself effectively debarred from participation in collaborative projects.

1.2. The overall future aim of industry is that a common European policy on defence equipment exports be developed which does not impede international co-operation and which takes into account the need to strengthen the European position in defence equipment production. However an intergovernmental agreement on a long-term harmonised framework of defence export procedures and regulations is unlikely to be practicable before the acceptance of a common foreign and security policy amongst the member nations of WEU/EEC and even in the most optimistic scenario this may take some years.

In the meantime, the European defence industry needs some interim arrangements if it is to survive and to develop into a strong and more competitive industry in the world marketplace. The main problem for industry is how it will bridge the gap in time between industrial survival and the full implementation of political decisions. Governments should neither act in a way that constrains the export of defence goods from nations willing to export them nor in a way that

disadvantages their home-based suppliers from taking part in co-operative programmes.

*2. Export regulations in co-operative projects*

2.1. It is suggested that there will be three main types of international business activity in the defence equipment field of the future:

- (a) joint venture projects on a government-to-government basis, i.e. initiated by governments and subject to agreed government-to-government MOUs. They will include elements of design, development and production;
- (b) joint venture projects on a company-to-company basis with no official government involvement. These also will include elements of design, development and production;
- (c) company-based initiatives which rely on collaboration at the sub-contractor level in the production phase only.

2.2. To develop these examples one by one:

*(a) Joint venture projects on a government-to-government basis*

It is most unlikely that any formal government-to-government agreement will be reached without the question of exporting policy being discussed. However, industry should emphasise to governments the importance of this matter being properly resolved during the negotiations leading up to any agreement on a project-based MOU.

It would also be appropriate for the regulations and procedures applicable to the movement and export of defence equipment to be relaxed when this activity takes place under the umbrella of an intergovernment MOU. For example, that in such circumstances the approval of only one government authority may be adequate.

*(b) Joint venture projects on a company-to-company basis*

In this case, industry requires some form of assurance regarding the policies of the governments of the companies involved before it enters into contractual agreements and financial commitments to develop and produce for sale a defence equipment system. Competitive pressures for cost reductions by single sourcing of components and spares will demand some form of government advice at a relatively early stage of inter-company discussions. Sooner or later any successful defence

equipment project of any size will be the subject of a possible export order. In fact, as already stated in paragraph 1.1. above, the time may not be too far off when even a pan-European defence industry cannot contemplate the development and production of a major defence equipment project without the support of a market outside WEU and the EEC. Companies will require to consult with governments on a case-by-case basis to establish what the official policy on export approval is likely to be. Whilst even on a case-by-case basis it is unlikely that governments will be prepared to give long-term approval at this time they should be prepared to give adequate warnings of the probability of export embargo decisions in the future.

Once again, in this type of activity it is hoped that once government "agreement to proceed" is received, less onerous procedures for obtaining the necessary export licences might be available.

*(c) Company-based initiatives*

The increasing tendency of governments to have official national research and development policies which forecast programmes of national research and development activity with only limited opportunities for even prototype production to follow, will make it of prime importance that companies obtain government reassurance that long-term export potential can be realised. Without such assurances at an early stage in the development phase, and in the absence of a guaranteed home market, it is unlikely that companies, even those which are to some degree state-owned, will venture their own capital and this can only lead to a further weakening of the industrial base.

In this particular case, it would also be beneficial if governments would accept that it would be the export regulations of the country in which the prime or lead contractor was resident which would form the basis of the operating rules for that particular project. Wide government agreement to such a principle would mean that prime and lead contractors would be free to range across all of the countries of WEU in a competitive search for subcontractors, thus preparing the way for a final product which could be competitive in the world marketplace.

### *3. Conclusions and recommendations*

3.1. In the short term, arrangements between member nations will be just as vital for government-to-government co-operation as for industry-to-industry co-operation. In both cases, the principle should be that, while the government of the intending exporting state should consult other governments whose industries are involved in the joint venture before making any final decision, it must be accepted that governments may not debar companies in their own state involved in the joint venture from meeting their contractual obligations. Without an agreement of this nature, it will be impossible to maintain the efficient defence co-operation structure in Europe which is increasingly necessary in the wake of falling national demand.

3.2. Should governments decide to work towards the establishment of standard regulations and procedures for the export of defence equipment, industry should take a very positive interest in the negotiations and the following recommendations are made accordingly:

- (a) that for defence equipment produced in co-operation with another WEU member state, i.e. government-to-government, the principles covering export authority should be firmly stated in the MOU associated with the co-operation agreement and that relaxed administrative procedures should be defined;
- (b) that for defence equipment produced on a company-to-company basis between companies situated in two or more WEU states, member states should not, in normal circumstances, withhold export approval for the supply of component parts between members of the industrial consortium involved and that agreed relaxed administrative procedures may be applied;
- (c) that the supply of component parts for defence equipment within WEU and Cocom should be unrestricted.

*The European armaments agency –  
reply to the thirty-ninth annual report of the Council*

**AMENDMENTS 1 and 2<sup>1</sup>**

*tabled by Mrs. Blunck*

1. After paragraph 1 of the draft recommendation proper, insert a new paragraph as follows:  
“ Document the regulations on arms exports in force in the member states and provide information on its methods for their standardisation as well as the time schedule previewed for realising harmonisation; ”
2. After paragraph 1 of the draft recommendation proper, insert a new paragraph as follows:  
“ Ensure and document parliamentary control, either through national parliaments or the parliamentary assembly, over defence procurement as well as arms exports; ”

*Signed: Blunck*

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1. See 1st sitting, 13th June 1994 (amendment 1 agreed to; amendment 2 amended and agreed to).

*The rôle and future of nuclear weapons*

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

*submitted on behalf of the Defence Committee<sup>2</sup>  
by Mr. De Decker, Rapporteur*

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1. Adopted unanimously by the committee.

2. *Members of the committee: Mr. Baumel (Chairman); MM. De Decker, de Puig (Vice-Chairmen); Mr. Alloncle, Mrs. Baarveld-Schlaman, MM. Borderas, Briane, Brito, Chevalier, Cox, De Carolis, Dees, Dumont, Fernandes Marques, Ferrarini, Hardy, Irmer, Jacquat, Kelchtermans, Leccisi, Mrs. Lentz-Cornette, MM. van der Linden, Mannino, Marten, Lord Newall, MM. Pecchioli, Reis Leite, Scheer, Sir Dudley Smith, Sir Keith Speed, MM. Steiner, Lopez Valdivielso (Alternate: Lopez Henares), Vazquez, Zierer.*

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



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### *Preface*

In preparing the present report, your Rapporteur has been extremely fortunate to receive much kind help and assistance from all the authorities consulted and he would like to take this opportunity publicly to thank all concerned for their co-operation.

The Rapporteur met or received evidence from the following:

*7th-9th March 1994 – Washington D.C.*

His Excellency Juan Cassiers	Belgian Ambassador to Washington
Mr. James Timbie	Senior Advisor of Undersecretary of State for International Security Affairs
Mr. Stephen Hadley	Former Assistant Secretary of Defence for International Security Policy
Mr. Leonard Spector	Senior Associate, Carnegie Endowment for International Peace
Mr. Robert Einhorn	Deputy Assistant Secretary for Political-Military Affairs, State Department
Dr. Zbigniew Brzezinski	Former National Security Advisor, Centre for Strategic and International Studies
Mr. Dean Millot	Rand Corporation
General Brent Scowcroft	Former National Security Advisor, Forum for International Policy
Mr. Steven Andreasen	Deputy of the Senior Director for Defence Policy/Arms Control, National Security Council
Mr. Steven Cambone	Senior Fellow – Politico-Military Affairs, Centre for Strategic and International Studies
Dr. John Steinbruner	Director Foreign Policy, Brookings Institute
Mr. Andy Johnson	Legislative Assistant to Senator Exon, Armed Services Committee
Mr. Brett O'Brien	Defence and Foreign Policy Advisor to Senator Mitchell
Mrs. Eliane Bunn	Principal Director for Forces Policy, Department of Defence

*8th April 1994 – London*

Mr. Jonathan Eyal	Royal United Services Institute for Defence Studies
Mr. David Omand	Deputy Undersecretary of State for Policy, Ministry of Defence

*13th April 1994 – Paris*

Mr. Alexandre Orlov	Minister Counsellor, Embassy of Russia, Paris
MM. Jean-Charles Gaudillet and Bruno Tertrais	Department of Strategic Affairs, Ministry of Defence
Mr. Martin Barry de Longchamps	Director Strategic Affairs, Ministry for Foreign Affairs

*28th-29th April 1994 – Moscow*

His Excellency Baron Thierry de Gruben	Belgian Ambassador to Moscow
Mr. Alexander Yereskovsky	Minister Plenipotentiary, Senior Counsellor, Ministry for Foreign Affairs
Mr. Bachkirov	Head Counsellor, Ministry for Foreign Affairs
Mr. B. Kazantsev	Minister Plenipotentiary, Assistant Director Department for Co-operation in Europe, Ministry for Foreign Affairs
Professor Sergei Karaganov	Institute of Europe
Gen. Major Pavel Zolotarev	Ministry of Defence
Mr. Zagladine	Gorbachev Foundation
Mr. Sergei Oznobichev	Institute of the United States of America and Canada
Mr. Alekseji Arbatov	Institute for World Economy and International Relations of the Russian Academy of Sciences

### *Draft Recommendation*

#### *on the rôle and future of nuclear weapons*

The Assembly,

- (i) Welcoming the large reductions in both the United States and Russian nuclear arsenals as a consequence of the START I and START II treaties and the end of the cold war;
- (ii) Conscious that START I and START II will not be fully implemented before the year 2003;
- (iii) Noting that the United States is at present making a full reassessment of its nuclear posture and is showing true political determination to prepare a new reduction in strategic arsenals in the framework of a future START III treaty;
- (iv) Noting, however, that Russia, for its part, is increasingly tempted, mainly due to the decline of its conventional forces, to make its strategic nuclear capability the centrepiece of its defence policy;
- (v) Assessing present political instability in Russia and the former Soviet republics and the ensuing dangers;
- (vi) Noting that there are still doubts about whether Russia really wishes to ratify and implement the START II treaty;
- (vii) Noting that, notwithstanding the end of the cold war and the signing of the historic nuclear arms reduction treaties, the mutual relationship of deterrence between Russia and the western nuclear powers is still topical, including the possibility of first-use of nuclear weapons which is still the keystone of the doctrine of deterrence everywhere;
- (viii) Noting that, notwithstanding recent efforts to establish confidence between the former cold war adversaries at the level of political leaders and experts, there is still an astonishing lack of reciprocal confidence, wish for transparency and mutual understanding in many other circles;
- (ix) Conscious that if greater account is not taken of lingering suspicions, prejudices and fundamental differences in military doctrines and diverging interests in foreign policy, the establishment of new relationships of security, stability and confidence between the members of the Atlantic Alliance on the one hand and of the Russian Federation on the other may be jeopardised;
- (x) Hoping, in this respect, that Russia will agree to join the partnership for peace proposal proposed by the Atlantic Alliance;
- (xi) Welcoming the bilateral agreements reached between the United States and Russia and the United Kingdom and Russia to detarget nuclear arms, even if the value of these agreements is symbolic rather than intrinsic;
- (xii) Believing that other measures, such as taking most strategic missiles off alert status and separating nuclear warheads from their missiles should be envisaged;
- (xiii) Expressing in general the wish that the theory of mutual assured destruction (MAD) should be replaced by a policy of mutual assured co-operation (MAC);
- (xiv) Noting that it would be totally illogical to start the implementation of a European common foreign and security policy (CFSP) including the framing by WEU of a common defence policy " which might in time lead to a common defence " without closely examining the rôle of the French and British nuclear forces in the definition of a common defence policy of the European Union;
- (xv) Welcoming the work of the permanent Anglo-French Joint Commission on Nuclear Policy and Doctrine which among other things has confirmed that there are many points of convergence in the assessments made by the two countries;
- (xvi) Aware that the existence of a formidable nuclear arsenal in Russia continues to determine the structure and deployment of the nuclear forces of France, the United Kingdom and the United States;
- (xvii) Noting that, regarding proliferation, there are doubts about whether the possession of nuclear weapons by the official nuclear weapon states plays a rôle in deterring third countries from procuring their own nuclear weapons or other weapons of mass destruction;

(xviii) Recognising that, particularly in the United States, the weight of nuclear deterrence as a means of preventing war tends to diminish while extended nuclear deterrence is also losing credibility;

(xix) Noting that the 700 United States B-61 nuclear gravity bombs remaining in Europe after NATO's October 1991 decision play a purely political and symbolic rôle;

(xx) Noting that, increasingly, nuclear deterrence in circumstances today is truly credible only if the vital interests of a nation or group of nations are under direct threat from the power to be deterred;

(xxi) Noting that, in regard to the common security policy of the European Union and in the framework of WEU, a study should be made on what France and the United Kingdom consider to be their vital interests which are protected by their nuclear means;

(xxii) Regretting that there is not sufficient cohesion in the defence policies of European countries and, despite bold general declarations, there is not yet cohesion and understanding between our countries regarding the development and future of their strategic relationship with Russia, although this would be indispensable for introducing any lasting system of security in Europe;

(xxiii) Welcoming the granting of associate status to the Central European countries of the Forum of Consultation;

(xxiv) Emphasising, however, that WEU's policy of stronger security links with its Central European partners will contribute little to Europe's security if it is not accompanied by frequent political and military consultations with Russia and the other European republics of the CIS aiming at the establishment of a strategic relationship based on a thorough understanding of, and respect for mutual interests;

(xxv) Noting that it is of the greatest importance to intensify and further improve international co-operation in the struggle against proliferation, in particular by extending the non-proliferation treaty in 1995, improving the missile technology control régime and establishing a follow-up organisation with extended membership as a successor to Cocom;

(xxvi) Aware that none of these existing or future non-proliferation régimes can guarantee that a country with sufficient financial resources and zeal will not acquire ballistic missiles or weapons of mass destruction;

(xxvii) Noting that there is an urgent need for a coherent and co-ordinated policy among official nuclear weapon states to cover contingencies in which a proliferant third country might threaten to use a nuclear weapon;

(xxviii) Recognising that there is a need to define a coherent European counter-proliferation policy, drawing inspiration from the discussions which are already being held in the framework of the Atlantic Alliance following the recent United States initiative;

(xxix) Recalling the results of the Assembly's Rome symposium on anti-missile defence for Europe (20th-21st April 1993) and in particular the Assembly's recommendation that the Council decide on the basis of a careful risk assessment whether and to what extent it will be necessary to mandate European industry to conduct a feasibility study regarding the requirements for a cost-effective anti-missile protection system for Europe;

(xxx) Taking note of the fact that the WEU Council, in its reply to Recommendation 540, has pointed out that nuclear questions are not, at the present time, on its agenda;

(xxxi) Insisting, however, that the preceding considerations should be an incentive to redefine the rôle of nuclear weapons for the security of Europe, realising that they cannot be disinvented and, if only for that reason, they will continue to be deployed and will continue to play an important rôle in the foreseeable future in international relations,

#### RECOMMENDS THAT THE COUNCIL

1. Establish a strategic study group within WEU:
  - to examine the rôle and future of nuclear weapons for European security including the different aspects of intra-European extended nuclear deterrence;
  - to examine the rôle all the WEU member states might play in defining a future European nuclear strategy;
  - then to study the possibility of creating a nuclear co-ordination body within WEU;
  - to examine the military aspects of an active European counter-proliferation policy;

- to examine the possibilities of Europe helping the CIS to dismantle its excess nuclear warheads following the bilateral agreements and unilateral decisions reached between the United States and the republics of the CIS which possess nuclear weapons;
2. Take steps to intensify relations with the European republics of the CIS, in particular Russia and Ukraine, in particular to ensure that the definition of a European defence identity does not arouse new suspicion or provoke reactions which might run counter to the final goal of creating a collective European security order;
  3. Ensure that the abovementioned initiatives are pursued in an atmosphere of absolute transparency with Western Europe's North American allies in order to make certain that they support the development of a European security and defence identity.

## *Explanatory Memorandum*

*(submitted by Mr. De Decker, Rapporteur)*

### *I. Introduction*

1. The cold war that arose from the confrontation between hostile ideologies and the consequent formation of two opposing power blocs drew the world into a massive arms race. Rivalry between NATO and the Warsaw Pact in the nuclear sector led to mindless escalation with each bloc having the ability to annihilate its potential adversary many times over. Deterrence was based on a balance of United States and Soviet forces and the theory of mutual assured destruction (aptly abbreviated in English to MAD).

2. In a context of such lunacy where each side sought to terrorise the other, the United States and the Soviet Union had each at one point over 30 000 nuclear warheads, with a total energy yield at their highest levels of 30 000 megatons, the equivalent of 2.5 million Hiroshima bombs!

3. Fortunately, with the ending of the cold war and the tearing down of the iron curtain, signature of the INF, START I and START II treaties has become possible, together with numerous unilateral reductions in nuclear arsenals. These, if ratified and implemented in good faith, could reduce stockpiles to more reasonable proportions and open the way for negotiation of further disarmament treaties. Or is this perhaps too much to hope for?

4. Will the political evolution of Russia – in the throes of political and social instability that constantly threaten to erupt in violence – allow the present disarmament process to continue? The answer to this essential question will in any event determine the attitude of all the other official nuclear powers.

5. The present massive disarmament raises the acutely sensitive issue of storage of nuclear warheads and reprocessing of fissile material. Should management of this issue not be the major priority for the world at large and Europe in particular?

6. The reduction of the arsenals of the official nuclear powers does not however settle the difficult issue of nuclear proliferation in other regions of the world, often close to Europe. Is our current policy of non- or counter-proliferation really effective?

7. It is in this context, characterised at one and the same time by major hopes and risks that the European Union has decided to develop a common foreign and security policy (CFSP) involving definition in the longer term of a common defence policy “which might in time lead to a common

defence”. Is definition of a European defence identity possible without the European Union defining a future European nuclear deterrence strategy?

8. The present report, which does not claim to be exhaustive, describes the recent evolution of nuclear armaments policy and in particular the extent to which European security is affected by it. It goes without saying that the major players in this area are the United States and Russia. The present report makes no reference to the nuclear forces and doctrine of China insofar as, for the time being, they do not seem to influence European security other than through their possible impact on Russian nuclear policy. Your Rapporteur wishes to thank the Belgian Ambassadors to Washington and Moscow, His Excellency Juan Cassiers and His Excellency Baron Thierry de Gruben and their colleagues for kindly helping to organise meetings in the two capitals.

9. The present report will draw some conclusions and make certain recommendations.

10. Your Rapporteur does not claim to have a definitive answer to these particularly complex and sensitive problems. He is however convinced that European governments, the European institutions and WEU in particular cannot continue to ignore the profound changes that have taken place in nuclear deterrence and that it is incumbent upon these institutions to have the courage to develop an active European policy to combat proliferation and a policy for processing the very large numbers of warheads now present on the continent of Europe and western Asia. Your Rapporteur is convinced that the European Union and its military arm, WEU, must initiate discussion on the definition of future European nuclear deterrence, in the framework of the development of the common foreign and security policy (CFSP).

### *II. The evolution of the United States and NATO's nuclear strategy*

11. After using its first nuclear bomb in Hiroshima and Nagasaki in 1945, the United States took a long time in developing a strategic theory related to nuclear weapons<sup>1</sup>. Initially, the admi-

1. Main sources for this chapter have been: Lawrence Freedman, *The Evolution of Nuclear Strategy*, Second Edition, London 1989; John Lewis Gaddis, *Strategies of Containment*, New York 1982.

nistration was reluctant to make the bomb a centerpiece of United States strategy because of the unwillingness to see it as "just another weapon, ready for use". Rather, it considered the nuclear bomb as a weapon of "last resort".

12. Only when the Berlin crisis began in mid-1948, did the National Security Council start discussing the advisability of formulating policies on the use of nuclear weapons.

13. In any case, from the beginning, there was certainly no taboo on the possible use of the bomb and terror-bombing of cities was indeed considered the most appropriate use.

14. After the conclusion of the North Atlantic Treaty in 1949, NATO first adopted a forward strategy aimed at holding any Soviet offensive as close to the original lines as possible. It was thought that United States nuclear forces would do little more than neutralise those of the other side and that in a war the advantage would have to be won with conventional arms.

15. In September 1950, President Truman approved a document presented by the National Security Council (NSC-68), on the objectives and strategic plans of the United States, keeping account of a Soviet nuclear capability. This document concluded that until conventional forces had been built up, the United States had no choice but to rely on its nuclear arsenal. A policy of no-first-use was rejected because that "would be interpreted by the USSR as an admission of great weakness and by our allies as a clear indication that we intended to abandon them".

16. In December of that same year, Under-Secretary of State, Dean Acheson, emphasised that "the principal antagonist of the United States was the Soviet Union" hence the consequent necessity of defending Great Britain, Western Europe and the Mediterranean for "if we did not hold these parts of the world, we were likely to have no platform from which to operate if we had to against the Soviet Union and we would turn great potential strength to the other side".

17. It should be mentioned here that in the early 1950s, investigations were made into tactical nuclear weapons with which it was claimed, "battle could be brought back to the battlefield". Such weapons, however, were seen as supplements rather than alternatives to strategic bombing.

18. The Eisenhower administration, in January 1954, outlined the doctrine of "massive retaliation", which meant that the United States was to "depend primarily upon a great capacity to retaliate, instantly, by means and at places of our own choosing". When this was wrongly assumed to be an "undiscriminating threat to respond to any communist-inspired aggression anywhere, however marginal the confrontation, by means of a

massive nuclear strike against the centres of the Soviet Union and China", the Secretary of State, John Foster Dulles, repudiated the notion that the United States "intended to rely wholly on large-scale strategic bombing as the sole means to deter and counter aggression". It was only one of a wide variety of means available for responding to aggression. It should not be stated in advance precisely what would be the scope of military action if new aggression occurred, a posture which later became known as "brinkmanship".

19. The principle on which this doctrine was based was deterrence, meaning that the behaviour of a potential enemy could be manipulated through threats.

20. By this time, the United States had a vast range of nuclear weapons at its disposal, from strategic to tactical battlefield weapons. President Eisenhower even declared in a press conference in March 1955: "Where these things are used on strictly military targets and for strictly military purposes, I see no reason why they shouldn't be used just exactly as you would use a bullet or anything else."

21. Earlier in a National Security Council Paper (NSC-162/2) on basic security policy, it had been clearly stated that: "In the event of hostilities, the United States will consider nuclear weapons to be as available for use as other munitions." Field Marshall Montgomery, then Deputy Supreme Allied Commander, Europe (DSA-CEUR), explained in late 1954: "I want to make it absolutely clear that we at SHAPE are basing all our planning on using atomic and thermonuclear weapons in our defence. With us it is no longer: 'They may possibly be used.' It is very definitely: 'They will be used, if we are attacked'."

22. In practice, the war in Indo-China showed that the United States did not decide easily on the actual use of nuclear weapons.

23. Also, it was increasingly suggested that the doctrine of massive retaliation was not always credible and that it might lead to a choice between "holocaust or humiliation" which did not really seem to be realistic. Gradually, the notion was sinking in that for a strategy of deterrence to be credible, the means of deterrence should be proportionate to the objectives at stake. At the same time, the possibility of limited war in "grey" areas (disputed territories between East and West) had to be considered, since clearly the United States no longer had a nuclear monopoly and because nuclear parity with the Soviet Union where it would no longer be possible to impose unconditional surrender, at an acceptable cost, was coming into sight.

24. As regards the employment of what were called tactical nuclear weapons, it became clear that they could not be used in such a discrimina-

ting manner as to spare civilians. This meant that, as a defensive weapon, they could only be used early in a conflict before the invading forces had captured much territory. Grave doubts were soon cast on the notion that they could be considered to be virtually tactical.

25. It was realised that the use of tactical nuclear weapons would always be a strategic decision to be taken at the highest level and if not "weapons of last resort" they would be of "penultimate resort". Considerable efforts were also made in order to establish convincing demarcation lines between tactical and strategic use of nuclear weapons.

26. At the end of the 1950s, however, most strategists understood that the idea of a limited war with the use of tactical nuclear weapons was virtually a contradiction in terms. The armed services were not able to develop a coherent doctrine for tactical nuclear weapons and also within NATO there were disagreements over the use of these weapons.

27. In fact, the development and deployment of tactical nuclear weapons was encouraged before an appropriate doctrine had been evolved. NATO could not ignore them once the Warsaw Pact had acquired such weapons, but the contingencies in which the West should initiate their use remained unclear. It can be noted now that the final consequences of the early arguments over the use of tactical nuclear weapons were drawn only in the 1990s.

28. As Soviet nuclear power steadily grew towards a level equal to that of the United States, creating a balance of terror, calls for a preventive war were heard but were immediately dismissed. On the other hand, the possibility of a pre-emptive war, of being the first to strike if there were positive evidence that an attack was being mounted against the United States, was more seriously discussed, but it was never officially adopted as a potential strategy.

29. In 1955, the United States Air Force Association argued that massive retaliation as a deterrent to war was steadily becoming obsolete. It stated that there could be no practical retaliation after an all-out surprise attack with thermonuclear weapons which would destroy military bases simultaneously with centres of industry and population.

30. At an early stage (H. Kahn, 1960), it was also suggested that credibility depended on being willing to accept the other side's retaliatory blow.

31. Meanwhile, the Rand Corporation had made it clear that air force bases were far more vulnerable to a surprise enemy attack than had previously been thought. They also introduced the concept of first-strike force (the opening volley of a nuclear war, directed against the nuclear capabi-

lity of the enemy with the intention of crippling his means of retaliation) and second strike force (capable of ensuring effective retaliation even after absorbing an enemy's first strike).

32. By 1956, the United States administration had begun to come to terms with the balance of terror and in August of that same year, a doctrine of "sufficiency" was developed, which meant that a force was required to perform the essential retaliatory mission. War was called an "unthinkable catastrophe" from which neither side could hope to escape by a margin of superiority in delivery systems.

33. The launch of the first artificial earth satellite, Sputnik I, by the Soviet Union in October 1957, a clear demonstration of Soviet long-range missile capability, caused a defence crisis in the United States because of the perceived "missile gap". The Gaither Committee, immediately established to submit a study on defence and deterrence, advised: accelerate the production of intercontinental and submarine-launched ballistic missiles; station intermediate-range ballistic missiles in Europe; disperse air-bases; improve warning systems; harden missile launch sites and construct fallout shelters capable of safeguarding the entire population of the United States should an attack occur.

34. President Eisenhower and State Secretary Dulles agreed to some of the abovementioned recommendations but they rejected the recommendation to build fallout shelters for the American population because it suggested a reversion to the "fortress America" concept, whereby the United States would "write off (its) friends in Europe".

35. In the late 1950s, strategists and military in both the United States and the Soviet Union were advocating the development of a capacity of pre-emptive attacks. This would require the build-up of large counter-force capabilities with an instant readiness to fire, which in itself could provide an incentive to pre-empt.

36. It was thought that missiles, whether intermediate or long-range, should not displace bombers. Many advantages were attributed to bombers: not only could they carry a greater and more differentiated payload, delivered with higher accuracy, they were also far more flexible and versatile. They could be put on alert and sent on a mission, signalling resolve, and still be recalled while on their way to the target, something which could not be done with missiles once the button had been pressed. On the other hand, it was admitted that bombers could not achieve surprise and that they were vulnerable to air defences.

37. With the building of a large arsenal of missiles by both the United States and the Soviet Union, it was also realised that they caused profound changes in the strategy of deterrence.



38. In the 1960s, the United States and the Soviet Union had reached a position where an attack by either side would have resulted in mutual destruction, a surprise attack no longer producing dividends since each country had the residual offensive power to break through the defences of the other and to destroy it, regardless of whether the other country did strike first. This state of mutual assured destruction was considered reassuringly stable.

39. Missiles, it was said, were not very good at fighting each other, being too well-hidden and protected to be caught on the ground and too fast to be caught in the air. They were supposed to create a state of stable deterrence, which would work through the primitive threat of irresistible harm to the enemy's social and economic structure rather than through the prospect of victory in combat. Retaliation would be measured, not to win, but to prove to the attacker that his losses are likely to be incredibly large. It was hoped that through acting in this way war would be stopped before both sides were irreparably destroyed.

40. The strategy of massive retaliation, as it had developed during the 1950s, provoked ever more criticism when it became apparent that the only retaliation available to the United States was often so disproportionate to the immediate provocation that its use risked unwanted escalation or too serious political costs.

41. On coming to power, therefore, the Kennedy administration accorded top priority to decreasing reliance on nuclear weapons to deter limited aggression, or, as was stated in a State Department analysis in February 1961: "We attach the greatest importance to raising the threshold beyond which the President might have to decide to initiate the use of nuclear weapons."

42. In a crisis or conflict, the administration also wanted to preserve for as long as possible a wide range of options, so that when a choice had to be made, it could be tuned to the circumstances of the moment. It should be mentioned that at this juncture of reappraisal Western Europeans were most concerned about nuclear options. They were anxious about any sign of a waning United States commitment to use nuclear weapons in the defence of Europe.

43. The first result of the reappraisal came in 1962, when Defence Secretary, McNamara, announced that "principal military objectives in the event of a nuclear war stemming from a major attack on the alliance should be the destruction of the enemy's military forces, not of his civilian population". Such behaviour was meant to provide a possible opponent with a strong incentive to refrain from striking cities. McNamara thought that this could keep nuclear exchanges limited and controlled.

44. However, when it became clear that the Soviet Union interpreted the "no-cities" and "counter-force" option as the planning of a United States first-strike capability, while the United States Air Force associated it with the capacity to fight and win a nuclear war, McNamara gradually played down this initiative.

45. Kennedy may seriously have considered a no-first-use declaration, believing that a build-up of conventional weapons might release NATO from dependence on nuclear weapons. In the end, this idea was given up because the allies did not want to place any restrictions on what they saw as their most effective military asset and because, in a possible conflict, the western position in Berlin could not be maintained with conventional forces.

46. In 1964 McNamara introduced the expression "assured destruction" to emphasise the disastrous effects of a general nuclear war. The strategy of assured destruction was intended to deter a deliberate nuclear attack upon the United States or its allies by maintaining at all times a clear and unmistakable ability to inflict an unacceptable degree of damage upon any aggressor, or combination of aggressors, even after absorbing a surprise first strike.

47. At the same time, McNamara was not bothered by the fact that the Soviet Union would also attain an assured destruction capability and he even refused to hinder this situation happening. He was aware that the consequence would be mutual assured destruction (MAD), a situation earlier designated as a stable balance of terror.

48. Meanwhile, in the United States, there was growing irritation over the concept of mutual assured destruction, in particular since it was discouraging the development of operational nuclear options which might be an alternative to an all-out nuclear attack. There was a growing tendency to make the United States deterrent more credible by making it possible to fight a nuclear war in a non-suicidal manner. It was thought therefore that a greater capability had to be developed to use nuclear forces in a rational and less apocalyptic fashion.

49. Responding to the new strategic thinking in the United States, and to strong criticism in Europe against the doctrine of massive retaliation which was no longer considered credible, NATO, at its December 1967 ministerial meeting, adopted the strategy of flexible response which, according to the official communiqué, was "based upon a flexible and balanced range of appropriate responses, conventional and nuclear, to all levels of aggression or threats of aggression. These responses, subject to appropriate political control, are designed, first to deter aggression and thus preserve peace; but, should aggression unhappily

occur, to maintain the security of the North Atlantic Treaty area within the concept of forward defence.”

50. It should be noted, however, that the intended significant enlargement of NATO's conventional capabilities which was an integral part of the concept of flexible response was never really implemented on a large scale, sufficient to make the concept effective.

51. In 1974, the on-going search for alternative options resulted in the “Schlesinger doctrine”, the central objective of which was to have a very wide range of options for the hypothetical employment of central strategic forces with a bias on the development of smaller strikes which were to be counter-force rather than counter-city in character. The objective was to limit the chances of uncontrolled escalation and hit meaningful targets with a sufficient accuracy-yield combination to destroy only the intended target and to avoid widespread collateral damage.

52. Stimulated by events in the Yom Kippur war of October 1973, there was a growing conviction that new technologies for conventional weapons could raise the nuclear threshold (diminish the threat of recourse to nuclear weapons).

53. During the sixties, even in Europe, there had been growing doubts that the short-range so-called tactical nuclear weapons, while forging a welcome direct link between the defence of Western Europe and the United States nuclear forces, could be put to any good use in an actual conflict. Their yield was disproportionate in relation to their task and it was realised that their employment would lead to extensive collateral damage in the territory to be defended.

54. Efforts to modernise these weapons and make them more usable, led to the acrimonious “neutron bomb” debate, which remained unresolved (1976-77). Even during the debate on theatre nuclear forces, there was a determined will within the alliance to reduce the total number of nuclear warheads at its disposal to the lowest possible level still consistent with the maintenance of credible deterrence. At Montebello, NATO ministers decided to withdraw 1 400 warheads from the European theatre during the coming years, which would bring to 2 400 the total number of warheads removed from Europe since 1979. The Soviet focus on development of intermediate-range systems which could be employed against rear échelons and cities in the European theatre led to NATO'S December 1979 decision to deploy 572 United States intermediate-range ballistic and cruise missiles on European soil. As an integral part of the modernisation decision, ministers also decided that 1 000 United States nuclear warheads were to be withdrawn from Europe as soon as possible. Even if Europeans were aware that such European-based sys-

tems, which could strategically threaten the Soviet Union, might weaken the link between European security and the United States strategic forces, they had asked for it themselves to make up for the growing NATO/Warsaw Pact asymmetries in this field.

55. At the same time, however, it was decided to seek arms control negotiations with the Soviet Union involving theatre nuclear forces (TNF) in order to achieve a more stable overall nuclear balance at lower levels of armaments and to advance détente.

56. After years of discussions and negotiations, the United States and the Soviet Union signed the intermediate-range nuclear forces (INF) treaty in December 1987. This treaty involved the removal of 470 long-range INF missiles (SS-20s and SS-4s) and 387 short-range INF missiles (SS-12-22s and SS-23s) deployed by the Soviet Union, as well as 429 United States Pershing IIs and ground-launched cruise missiles. It was the first disarmament agreement ever to reduce, rather than just limit, nuclear weapons.

57. The conclusion of the START I (20th July 1991) and START II (January 1993) treaties is dealt with elsewhere in this report.

58. At the NATO summit meeting in London in July 1990, it was concluded that “the alliance must maintain for the foreseeable future an appropriate mix of nuclear and conventional forces based in Europe”. Negotiations on short-range nuclear forces were expected to start soon.

59. It was also stated that the allies would reduce their reliance on nuclear weapons. Finally, it was said that nuclear weapons would “continue to fulfil an essential rôle in the overall strategy of the alliance to prevent war by ensuring that there are no circumstances in which nuclear retaliation in response to military action might be discounted”. It was added: “However, in the transformed Europe, they will be able to adopt a new NATO strategy making nuclear forces truly weapons of last resort”.

60. President Bush then took a number of unilateral initiatives on nuclear arms reductions in September 1991, while asking the Soviet Union to act in the same way. He announced that the United States would withdraw all its nuclear artillery shells and all nuclear warheads for its short-range ballistic missiles to the United States. These and any similar warheads currently stored in the United States would be dismantled and destroyed.

61. Furthermore, the United States would remove all tactical nuclear weapons, including nuclear cruise missiles, from its surface ships and attack submarines. It would also remove nuclear weapons associated with land-based naval aircraft. Many of these weapons would be dismantled and destroyed with the remainder being placed in secure central storage areas.

62. All strategic bombers would be removed from day-to-day alert status and their weapons returned to storage areas.

63. He also announced that development of the Peacekeeper ICBM rail garrison system and the mobile elements of the small ICBM programme had been terminated and that the small single warhead ICBM would be the sole remaining United States ICBM modernisation programme.

64. The United States would immediately stand down from alert all United States ICBMs scheduled for deactivation under START. After ratification of START, it would accelerate their elimination.

65. Significantly, the President also proposed discussions with the Soviet Union to explore co-operation on nuclear command and control, warhead security and safety, and safe and environmentally responsible storage, transportation, dismantling and destruction.

66. It is quite clear from all this, and especially from the last proposals to the Soviet Union, that there had been a shift in United States thinking from deterrent strategies towards eliminating and controlling as many nuclear weapons as possible.

67. Following these proposals, NATO ministers, meeting in Taormina in October 1991, assessed that there was no longer any requirement for nuclear ground-launched, short-range ballistic missiles and artillery. They stated that "In addition to the elimination of ground-launched nuclear systems, the number of air-delivered weapons in NATO's European stockpile will be greatly reduced. The total reduction in the current NATO stockpile of sub-strategic weapons in Europe will be roughly 80%."

68. Furthermore, it was said that "since conventional forces alone could not ensure war prevention they would continue to base effective and up-to-date sub-strategic nuclear forces in Europe, but these would consist solely of dual-capable aircraft, with continued widespread participation in nuclear rôles and peacetime basing by allies." Finally, almost out of an old habit, it was stressed that "sub-strategic nuclear forces committed to NATO continue to provide the necessary political and military link to NATO's strategic nuclear forces and an important demonstration of alliance solidarity."

69. At the following summit meeting in Rome in November 1991, the new strategic concept of NATO was adopted and again it was stressed as usual that "the supreme guarantee of the security of the allies is provided by the strategic nuclear forces of the alliance, particularly those of the United States." Specific mention was made of "the independent nuclear forces of the United Kingdom and France, which have a deterrent rôle

of their own, contribute to the overall deterrence and security of the allies".

70. Then it was stated that through many recent and radical changes in Europe's security situation "NATO's ability to defuse a crisis through diplomatic and other means or, should it be necessary, to mount a successful conventional defence would significantly improve".

71. After this, there followed a sentence which was agreed to only after some discussion, but which in the end was swallowed by all the European allies: "The circumstances in which any use of nuclear weapons might have to be contemplated by them are therefore even more remote." It had been a long road from massive retaliation to the new strategic concept.

### *III. The decision-making process in NATO*

72. Since any use of nuclear weapons in the framework of NATO's defence arrangements might have serious consequences for all allies, many of its non-nuclear member states have attached great importance to obtaining influence over the decision-making process or being involved in control over the alliance's joint nuclear forces.

73. Such wishes were met in different ways.

- From the late 1950s, Belgium, France, Germany, Italy, the Netherlands, Turkey and the United Kingdom have owned nuclear-capable systems which in times of war could deliver United States nuclear devices. It was stipulated, however, that both in peacetime and in war, the United States retained control of these nuclear weapons, including the veto power over their use. All other United States nuclear weapons, even if assigned to NATO's SACEUR where their use could be requested by both the United States and its NATO allies, also remained under the United States decision-making authority.
- In 1962, the "Athens guidelines" stated that the United States allies would be consulted before a decision to resort to the use of nuclear weapons "time and circumstances permitting".
- In 1967, the Nuclear Planning Group was established, in order to allow for advance consultation of the principles on which the use of nuclear weapons would be decided.
- In the framework of semi-annual WINTEX/CIMEX exercises, crisis con-

2. France renounced these arrangements when it left NATO's integrated military structure in 1966.

sultation procedures were rehearsed with participation of high level government officials and ministers.

#### *IV. The United States*

##### *(a) United States nuclear forces*

74. The annual report of the Secretary of Defence submitted to the President and the Congress in January 1994, provides the most recent official overall statement on the defence policy of the United States.

75. The report states that improving relations with Russia has made the threat of a massive nuclear attack on the United States less likely than it was in the past. It adds, however, that even under START II, Russia will retain a sizable nuclear arsenal and that the future political situation in the country remains highly uncertain. The two basic requirements to guide planning for United States strategic nuclear forces are said to be:

- the need to provide an effective deterrent while remaining within the limits of START I and II;
- the need to allow for additional forces to be reconstituted in the event of a reversal of the currently positive trends.

76. Pending the result of the current nuclear posture review and START II ratification and implementation, it is expected that by the year 2003 the United States strategic arsenal will include at most:

- 18 Trident submarines equipped with C-4 and D-5 missiles;
- 500 Minuteman III missiles, each carrying a single warhead;
- 48 B-52 H bombers equipped with air-launched cruise missiles (ALCM-Bs and advanced cruise missiles);
- 20 B-2 stealth bombers carrying gravity bombs.

77. With the entry into force of START I and II, all Minuteman III missiles will be down-loaded to a single warhead. Implementing START II, the Peacekeeper system will be retired by the year 2003 or earlier, with the option to transfer its Mark 21 highly-safe warhead to the Minuteman III. With no new intercontinental ballistic missiles under development, the Department of Defence is exploring new ways of preserving key industrial technologies.

78. The remaining seven pre-Ohio class nuclear powered ballistic missile submarines (SSBNs) will be phased out of the strategic force in 1994-95. After 1997, the 18 Ohio-class SSBNs

will then form the bulk of the United States nuclear deterrent for the indefinite future. A decision to retrofit the Ohio-class SSBNs, already commissioned and currently carrying the C-4 missile, with the more modern C-5 missile will be made in 1995.

79. Presently, the United States long-range bomber force includes 84 B-1Bs and 64 B-52Hs. The first B-2 stealth bomber was delivered in December 1993. It has been decided that the B-1B bomber will soon be reoriented to a purely conventional rôle.

80. As regards the inventory of nuclear bomber weapons, it has been decided to retire the short-range attack missile (SRAM-A), while the procurement objectives for the advanced cruise missile (ACM) have been scaled back from 1 460 to 460. Some ALCM-Bs have been converted to conventional cruise missiles while others, together with some gravity bombs, have been retired or placed in storage.

81. The Defence Secretary, William Perry, stated recently that the United States would maintain the nuclear triad (land-based, sea-launched and air-launched missiles) as long as elements from all three forces remained active. On the other hand, he saw no basis for expanding new funds to build new systems. The fact that there are no procurement funds for land-based ICBMs would, in his view, eventually lead to their obsolescence and to a situation where the United States nuclear forces would consist only of sea-launched ballistic missiles and bombers.

82. At present, funds are available for the safety-related modernisation of the ICBMs, upgrading them to make sure they are viable until the year 2020. The Defence Secretary argued that the new generation of SLBMs would have an accuracy very close to those of ICBMs, which might add another reason for not maintaining the ICBMs. He added that the principal argument for maintaining a strong bomber force was the dual purpose of bombers, which have both conventional and strategic capabilities. The principal determining factor on the size of the bomber force would be the extent to which they could be used to support conventional warfare purposes<sup>3</sup>.

##### *(b) United States nuclear posture review*

83. In October 1993, the Defence Secretary, Les Aspin, initiated a nuclear posture review, the first major overhaul of the United States nuclear doctrine and policy for more than a decade, which should lead to a presidential decision before the end of 1994. At the same time, the National Security Council under Presidential Review Directive

3. Hearing of the House Appropriations Committee (Defence Subcommittee), 24th February 1994.

34, has started to prepare a decision on the total level of nuclear armaments that should be aimed at in a new round of arms negotiations with other nuclear powers. It will also examine the question whether nuclear material removed from retired weapons should be stored or destroyed.

84. At present, nuclear weapons planning and operations of the United States are formally governed by National Security Decision Directive 13, signed by President Reagan in 1981, while the nuclear arsenal has been reduced by more than half since that year.

85. Work has been divided into six main areas of interest, each of which is being studied and discussed in a specific working group.

- *Working Group I – Rôle of nuclear weapons in United States security.* This working group is dealing with fundamental questions such as the purpose of nuclear weapons, the strategy of deterrence and the closely-related targeting of objectives, and also questions connected with possible no-first-use. Although Russia is still considered to be the main determining factor, pariah states will also be taken seriously into consideration.
- *Working Group II – Force structure and infrastructure.* Among other things, this working group is discussing the force sizing rationale, the need for maintaining the existing triad, the mix of strategic and theatre forces and the relationship between nuclear and conventional forces. Another important issue here is the conditions requiring a national missile defence.
- *Working Group III – Force operations,* is going into the type and structure of response options, operating practices and command and control requirements. It also investigates better control of hair trigger situations.
- *Working Group IV – Safety and Security,* is concerned with, among other things, improvements to reduce the risk of accidental or unauthorised use, physical security improvements and the potential for safety improvements after the coming into force of a comprehensive test ban treaty. Technology-sharing with other nations is also considered an important issue.
- *Working Group V – Alternative United States nuclear postures and counter-proliferation policy,* is discussing the possible further integration and implementation of the earlier counter-proliferation initiative in United States nuclear policy.

– *Working Group VI – Alternative United States nuclear postures and threat reduction policy,* is discussing present and future options for formal agreements, possible reciprocal unilateral steps and alternatives in case START I and START II are not fully implemented. It is also looking at the potential for mutual reinforcement between force posture and threat reduction policy towards the former Soviet Union.

86. Officials involved in the nuclear posture review are well aware of possible consequences for the structure of NATO, which is one reason why, in that framework, high-level group meetings have been planned to ensure allied input. They have also been eager to declare that commitments towards the allies will not change and that any possible changes in United States nuclear posture will be evolutionary rather than revolutionary.

87. Department of Defence officials have emphasised that in the current discussions on the nuclear posture review, no suggestion has been made to eliminate the approximately 700 United States tactical bombs that remain deployed with United States and allied forces in Belgium, Germany, Italy, the Netherlands, Turkey and the United Kingdom.

88. Although the issue of nuclear weapons attracts little attention in the present public political debate in the United States, a lively discussion is taking place among defence specialists. Critics of the present administration point out that in the nuclear posture review, the Clinton administration should in any case try to avoid implementing unilaterally-declared cuts in United States nuclear forces more rapidly than the Russians, or than it is obliged to do according to its own treaty obligations.

89. Second, doctrinal shifts should be avoided, since they could do irreversible damage to the credibility of United States forces. In this framework, a no-first-use declaration and abandonment of the extended deterrence would be very undesirable further stages which would result in making the United States commitment to security in Europe less credible.

90. Third, decisions to make further cuts in essential elements of the nuclear forces and a failure to maintain the full nuclear infrastructure could easily lead to an irreversible erosion of the nuclear capability. A number of single warhead ICBMs based on United States territory should be maintained in any configuration of future United States nuclear forces. Not only are they less costly than SLBMs and highly accurate, but since they are potential targets for an adversary, they would enhance the credibility of extended deterrence.

91. Apparently, no final conclusion can be drawn from the debate whether nuclear weapons have a deterrent rôle in regional conflicts where proliferant nations possessing nuclear weapons or other weapons of mass destruction are involved.

92. Some strategists suggest that during the Gulf war, the presence in the Persian Gulf of aircraft-carriers with nuclear weapons on board may well have deterred Iraq from using weapons of mass destruction.

93. Others say that the possible threat of the use of nuclear weapons was not a significant factor in the course of the war due to the presence of an extremely real threat of the use of conventional precision weapons with sufficiently devastating effects, as events have shown.

94. It has also been argued that the possession of an overwhelming arsenal of nuclear weapons by the superpowers is not enough to deter other smaller states from developing nuclear weapons or other weapons of mass destruction.

95. Although many political strategists enumerate the many advantages for the United States of having a vast nuclear arsenal at its disposal, others suggest that the United States military, confronted with the necessity of making a choice in view of important budget cuts, would prefer to have conventional precision weapons rather than a large arsenal of nuclear weapons which could only be used, if at all, in extreme circumstances and certainly not in the more likely contingencies of the post-cold war world.

*(c) The counter-proliferation initiative*

96. The United States considers nuclear proliferation as one of the most urgent and direct threats to its own security and its interests abroad, a perception which was confirmed once again in the September 1993 bottom-up review of the Department of Defence. In the government's opinion, the risks of proliferation have greatly increased with the break-up of the former Soviet Union.

97. In the former Soviet Union, nuclear weapons were deployed on the territory of four different states which were going through a period of profound political and economic transition. Indeed, nuclear disarmament agreements have been concluded, but there is a risk that nuclear weapons, material or technology may find their way to a black market or that expertise in the field of nuclear weapons would come into the hands of would-be proliferators. It is also observed that any possible influence which the former Soviet Union has exercised over its former client states has diminished.

98. Another important factor increasing non-proliferation risks is the large-scale diffusion

of modern technology through an increased volume of world trade.

99. Considering that a policy of non-proliferation, where prevention is the leading objective, would not be enough, former Defence Secretary, Les Aspin, on 7th December 1993, presented a counter-proliferation initiative aimed at protection.

100. With prevention on the one hand and protection on the other as the two fundamental goals, the initiative intends:

- to strengthen the Department of Defence's contribution to the government's efforts to prevent the acquisition of weapons of mass destruction or reverse it diplomatically where it has occurred. In particular, it contributes to these efforts through marshalling its technical, military and intelligence experience to improve such activities as arms control compliance, export controls, inspection and monitoring;
- to protect United States interests and forces and those of its allies from the effects of weapons of mass destruction in the hands of hostile forces through assuring that equipment, doctrine and intelligence are available to confront an opponent in possession of such mass destruction weapons.

101. An essential element of this initiative is the procurement of new weapons systems and military equipment. Among these are improved non-nuclear penetrating munitions to destroy underground installations, better systems to hunt mobile missile systems and the development of an improved theatre ballistic missile defence system without undermining the ABM Treaty. A military planning process is being developed for dealing with adversaries who have weapons of mass destruction.

102. Efforts are being made to improve, in particular, the military counter-proliferation intelligence in the development of nuclear and other weapons of mass destruction.

*(d) The United States nuclear posture – can any conclusions be drawn for the future?*

103. The current debate in the United States on the rôle and utility of its nuclear weapons is rather confusing for any European trying to relate it to Europe's security. Many different proposals are being made, ranging from the suggestion to develop "smart", low-yield nuclear weapons which could be used in third-world contingencies, especially when the third-world possessors of weapons of mass destruction are involved in the proposal to eliminate nuclear weapons from the

United States arsenal because they will never be used anyway.

104. Both political and military strategists are stressing the importance of nuclear weapons because of their deterrent rôle. On the other hand, it seems that the military are reluctant to attach too much importance to nuclear weapons because of their rapidly-diminishing rôle in the new international environment.

105. For the time being, the United States will certainly retain a triad of nuclear weapons sufficient to provide a secure retaliatory capability to deter the use of nuclear weapons by "hostile and irresponsible countries". It is also true that after the implementation of START II at the beginning of the next century, the United States will still have a formidable arsenal of around 3 000 nuclear warheads.

106. On the other hand, the paradoxical character of nuclear weapons has increased. The sudden elevation of third world countries to the status of ruthless enemies on a par with the Soviet Union during the cold war is becoming a principal rationale for retaining a United States nuclear deterrent. Former Defence Secretary, Les Aspin, indeed argued that the only remaining nuclear threat to the United States, except for the loss of control over former Soviet nuclear assets, is a handful of nuclear-armed rogue states bent on aggression or terrorism.

107. The concept of nuclear deterrence may be redefined to include its possible use against terrorist states or rogue leaders who threaten to use their own weapons of mass destruction but military planners have also indicated that the chances are remote that the United States would use nuclear weapons in such circumstances<sup>4</sup>.

108. New nuclear threats may come from third-world countries whose leaders are called irrational and therefore undeterrable, because they may not follow the same logic as was applied by the United States and the Soviet Union in their nuclear deterrence relationship during the cold war.

109. The main reason why third world country leaders are considered to be undeterrable may well be that the threat to use nuclear weapons in a regional conflict has lost its credibility.

110. There is no reason to have any doubts over the credibility of United States extended deterrence insofar as it concerns deterrence against the resurgence of a threat from Russia with renewed imperialist intentions.

111. Over the years, the old adversaries had learned the rules of the nuclear weapons game. Nuclear deterrence has worked well in relations

between West and East and there is no, or little, reason to believe that the present or even a possibly different future leadership in Russia will not act in accordance with the many tacit understandings that have become part and parcel of the deterrence between the traditional nuclear powers which has been extremely effective.

112. There is a feeling, however, that the United States is feeling increasingly uneasy with nuclear weapons and that in fact it would prefer to eliminate them altogether. This would raise it to the level of the only superpower in the world with by far the largest effective conventional armed forces. The actual proliferation which might result in the acquisition of a limited number of nuclear weapons by smaller regional states could put the United States in an awkward position. The proliferant nation could indeed use its small or very small arsenal as a deterrence of the weak against the strong and considerably reduce United States possibilities of intervening in third world conflicts.

113. Indeed, there are many signs that the United States is trying to diminish nuclear arsenals. It has recently concluded a number of spectacular bilateral nuclear weapons reduction treaties, announced a unilateral reduction initiative, and is also pursuing a very active policy of non-proliferation and counter-proliferation.

114. It stopped producing special nuclear materials and new nuclear warheads in 1991 and announced an initiative for an international fissile material production cut-off for weapons use in 1993. All major modernisation programmes for nuclear weapons except the Trident II SLBM have been cancelled and a comprehensive test ban treaty is being promoted.

## V. *Russia*

115. During the cold war, the main form of the combat use of strategic nuclear forces in case of conflict was the delivery of a retaliatory strike, launching missiles before enemy warheads hit the territory of the USSR.

116. The option of a surprise attack was rejected. On the other hand, recent research in former East German archives has made it clear that there were plans for pre-emptive nuclear counterforce strikes in response to observation of NATO preparations for nuclear launches<sup>5</sup>. The former Soviet Union had a nuclear war fighting doctrine and strategy and, as one official declared in 1988, "while rejecting nuclear war and waging a struggle to avert it, [it] nonetheless proceeded

4. International Herald Tribune, 26th February 1993.

5. Beatrice Heuser, *Comparative Strategy*, volume 12, pages 437-457.

from the possibility of winning it<sup>6</sup>”. It should, however, be noted that great care was also taken not to proceed to a nuclearisation of the conflict unless the enemy was about to do so.

117. In November 1993, Russia's new military doctrine was made public. Contrary to Soviet tradition, it was not the product of a long-term deliberation by the state's political leadership in consultation with military experts from the armed forces. The new doctrine, even if it took account of policy requirements of various groups involved in Russian policy-making, was entirely produced within the Ministry of Defence by a team established by Defence Minister Pavel Grachev. The (national) Security Council was told to approve it without discussion. On the other hand, western experts also consider the new doctrine as a key element in the Russian leadership's attempts to regain control of the armed forces and ensure the cohesion of the Russian Federation.

118. A number of Russian analysts have pointed out that there is a lack of political control over the military since the collapse of the traditional institutions controlling the entire machinery of the Soviet state. They argue that in military affairs, the military are almost controlling politics. This is not reflected only in the ongoing battle over ratification of START II, to be mentioned later in the present report, but also in the negotiations on the defence budget for 1994. In the budget for 1994, the Finance Ministry had proposed a sum of 37 trillion roubles for defence. The military have now asked for 80 trillion roubles, but negotiations might result in an allocation of 53 trillion roubles to defence, causing either a drain on the budgets of other ministries or a huge extra state deficit. The armed forces have argued that, since defence spending started to decrease in 1989, savings on the defence budget were achieved entirely at the expense of the armed forces' combat-readiness. Because of fuel shortages, many routine combat training plans were scrapped, flight training programmes were curtailed, naval vessels had to remain in the docks or at anchor, equipment was not repaired, housing construction all but stopped and fuel reserves were not replenished, to give only a few examples.

119. It is also argued that without an appropriate budget it will not be possible to carry out the Defence Minister's proposals to gradually transform the existing Russian armed forces into smaller, but also more effective, mobile and flexible forces without socio-political perturbations. It should be noted that the new doctrine avoids cold war rhetoric and does not rebuild confrontation with the West.

6. W.T. Lee, US-USSR strategic arms control agreements: expectations are reality. Comparative Strategy, page 417, volume 12.

120. As regards the use of nuclear weapons, the document states that Russia:

“ will not use nuclear weapons against any state that is a signatory to the 1st July 1968 treaty on non-proliferation of nuclear weapons and does not possess nuclear weapons, except in the following instances: (a) an armed attack against the Russian Federation, its territory, armed forces and other troops, or its allies, by such a state that is linked by an alliance agreement with a state that does possess nuclear weapons; (b) joint actions by such a state with another state that possesses nuclear weapons that result in or support an invasion or armed attack on the Russian Federation, its territory, armed forces and other troops, or on its allies; ”

121. Western analysts have interpreted the instances mentioned under (a) and (b) as clear signals to Eastern and Central European states that they turn themselves into potential nuclear targets once they join NATO.

122. In fact, the new doctrine, without stating it explicitly, has dropped the Soviet pledge of no-first-use, made in June 1982. It should be noted, however, that in the West the earlier no-first-use declaration was regarded as more a propaganda gambit in the INF debate than an element of a credible policy. In that respect, the new doctrine is seen as a down-to-earth confirmation of earlier policy. Obviously, the absence of a no-first-use declaration does not necessarily imply that Russia is developing a first-strike or pre-emptive strike nuclear strategy.

123. It should be emphasised, however, that in view of the considerable physical and psychological deterioration of its conventional forces in recent years, Russia has come to consider its nuclear forces as the only viable and credible element of its armed forces. In the near and maybe even more distant future, Russia's nuclear forces will therefore have to take on the entire burden of strategic deterrence, a policy which is indeed confirmed in the new military doctrine.

124. Russian experts have pointed out that, even after implementation of the agreed START treaties, the United States strategic nuclear forces will be able to fulfil a whole range of combat operations, including an effective first-strike, retaliatory strike and other specific responsive actions. They consider even Russia's new mobile land-based single warhead SS-25 missiles to be extremely vulnerable to destruction by a potential adversary possessing state-of-the-art satellite intelligence facilities and creating manoeuvrable warheads, whose trajectory can be corrected by commands from reconnaissance satellites.



125. Taking this into account, there can be little surprise that Russian military experts argue that the action concept of Russia's strategic nuclear forces should provide for many scenarios, be flexible and based on geostrategic reality rather than on scholastic deliberations.

126. Another consequence of the abovementioned arguments, combined with growing nationalism, various right-wing sentiments and complaints by the military on financial and technical problems in the implementation of START II, is that the ratification of the START II treaty in its present form is facing considerable resistance in the new Russian Parliament, as confirmed by recent hearings held by the Duma's defence committee.

127. It should, on the other hand, be noted that, as regards disarmament and non-proliferation, the Russian Government has emphasised the following main objectives of its policy:

- implementation of all existing arms control and disarmament agreements;
- conclusion of a comprehensive test ban treaty in the near future<sup>7</sup>;
- indefinite extension of the nuclear non-proliferation treaty, while increasing the number of participants;
- support for all efforts to increase the efficiency of an international non-proliferation régime concerning weapons of mass destruction, ballistic missiles and dual-use technology;
- improving the framework of confidence-building measures.

128. Regarding its relations with Western Europe, Russia is aware of the important changes taking place in the framework of the WEU member states' objective to develop this organisation as a vehicle of Europe's defence identity.

129. There is a strong feeling in Russia that it should not be excluded from developments in Europe. Even if it is understood that at present it would not be realistic to create an associate partnership between Russia and WEU, the Russian Government argues that steps should be taken to establish a pragmatic relationship which should include systematic political consultations at ministerial level, regular contacts at the level of defence experts and co-operation in such fields as satellite monitoring. It is understood that this might require formal decisions by the WEU

7. The new military doctrine is using a slightly different wording and speaks of the establishment of a dialogue between states possessing nuclear weapons on the problems of nuclear testing, for the purpose of reducing them to a minimum necessary to maintain nuclear security, but not permitting the improvement of nuclear weapons, leading later to their complete prohibition.

Council, but such steps, it is emphasised, might help to take away or diminish a growing feeling of isolation in Russian society. Russia considers a good working relationship between Russia and the European Union/Western European Union to be extremely important for the maintenance of peace and security in Europe.

#### *Russia's nuclear forces*

130. Notwithstanding recent reductions in its nuclear forces, the Russian leadership, strongly supported by the military, is determined to maintain Russia as a nuclear superpower. In that framework, modernisation of the nuclear forces is being continued. A new underground command post is under construction in the Ural mountains.

131. As regards ICBMs, new SS-18s and single warhead SS-25s are being deployed. A successor to the SS-25, now under development, is expected to be flight tested and deployed before the year 2000. Under the START II treaty terms, up to 90 of the SS-25 missiles may be deployed in converted SS-18 silos.

132. The production of SSBNs (nuclear-powered ballistic missile submarines) has been halted and it is believed that of a total of 27 only one to six are on patrol at any given time. Russia has started to modify its Typhoon Class submarines to carry the more accurate SS-N-20 follow-on SLBM.

133. The future of the air force component of Russia's strategic nuclear forces is rather vague. A large number of heavy bombers was deployed on the territories of Ukraine and Kazakhstan which have claimed them as their property. As a result, Russia has only 27 heavy bombers capable of carrying cruise missiles, and 52 bombers armed with nuclear bombs. The relatively low cost-effectiveness of heavy bombers, which is virtually unsustainable during an economic crisis, has contributed to Russia's present policy not to strengthen this component of the nuclear triad.

134. Further production of strategic bombers – Blackjack and Bear-H – has been halted after a January 1992 announcement by President Yeltsin in which he also announced that no further long-range ALCMs would be produced. Later in 1992, President Yeltsin said that Russia would unilaterally halt the production of medium-sized bombers.

135. On the other hand, for the time being, strategic bombers will remain part of the nuclear forces because of certain well-known advantages which contribute to the flexibility of such forces. As already noted elsewhere in the present report, they are armed with various nuclear weapons, can attack unplanned targets and return to base in case of changes in the situation or a false alarm.

136. On 29th January 1992, President Yeltsin also announced that Russia would destroy all the nuclear warheads associated with tactical ground-launched weapon systems and that it would not produce any new ones to replace them. In February 1993, it was announced that all tactical nuclear weapons had been withdrawn from ships and submarines.

## VI. The START treaties

### (a) START I

137. The first START treaty (START I)<sup>8</sup> was signed in Moscow on 30th July 1991 by Presidents Bush and Gorbachev after more than six years of negotiations. The treaty calls for reductions in nuclear force levels to 1 600 delivery vehicles (SNDVs) and 6 000 strategic nuclear warheads. The number of warheads would actually be closer to 7 000-9 000 per side owing to the specific nature of counting rules. START I counts launchers rather than the missiles themselves, nor does it call for the destruction of warheads or missiles. It establishes significantly-reduced limits for intercontinental ballistic missiles (ICBMs) and their associated launchers and warheads, for submarine-launched ballistic missiles (SLBMs), their launchers and warheads and for heavy bombers and their armaments, including long-range nuclear air-launched cruise missiles.

138. Verification of the START I treaty depends on three basic elements: (i) *National technical means of verification (NTM)*. Under the treaty, the parties undertake not to interfere with NTM and provide for co-operative measures to enhance NTM. Specific provisions require the transmission of telemetric information from each ballistic missile during flight test and ban any technique denying full access to telemetric information. (ii) *Exchange of data on treaty-limited systems and related facilities*. These exchanges include numbers, locations, technical data, site diagrams and photographs. (iii) *On-site inspections*. There are 12 different types of inspections.

139. The break-up of the USSR at the end of 1991 prevented ratification by the Supreme Soviet (which dissolved itself on 26th December 1991). After some hesitation about how to treat the four newly-independent former Soviet republics which retained strategic nuclear weapons, the Foreign Ministers of the five countries now involved signed the Lisbon Protocol on 23rd May 1992, which provided that Belarus, Kazakhstan, Russia and Ukraine would become parties to START I and assume the responsibilities which

the former Soviet Union had taken in signing the START I treaty. Under the protocol and attached letters, all nuclear weapons would be withdrawn from Belarus, Kazakhstan and Ukraine by the end of the seven-year implementation period, and Russia would become the sole nuclear weapon state (NWS) on the territory of the former Soviet Union. The protocol required the four republics to allocate responsibility among themselves.

140. The *United States Senate* consented to ratification on 1st October 1992 pending completion of implementation arrangements among the four republics. Like Russia, the United States conditioned its ratification of the START I treaty on the ratification of START I and nuclear non-proliferation treaties (NPT).

141. *Russia* ratified the START I treaty on 4th November 1992 but delayed the exchange of instruments of ratification until Belarus, Ukraine and Kazakhstan had joined the NPT and made arrangements for implementing the treaty. Russia succeeded to the position of the USSR in the NPT as a NWS.

142. In Belarus, Kazakhstan and Ukraine the situation regarding ratification and implementation of START I was more complicated. Each of these republics had its own specific reasons for hesitating to take the final step and ratify START I.

#### (i) Kazakhstan

143. Kazakhstan initially remained aloof but was the first republic to ratify START I as early as 2nd July 1992. NPT ratification was approved in a 238 to 1 vote by the parliament of Kazakhstan on 13th December 1993 and instruments of accession were deposited with the United States in February 1994.

144. When the Soviet Union disintegrated, Kazakhstan inherited 370 nuclear bombs and 1 040 warheads on 104 SS-18 ICBMs. According to the Lisbon protocol, these bombs and warheads were to be transferred to Russian territory and dismantled, leaving a nuclear-free Kazakhstan protected by a Russian nuclear umbrella. Not surprisingly, Kazakhstan had two nagging concerns about this plan: first, it was concerned over its national security because it occupies a large territory, does not have a large population and is geographically situated between Russia and China, where the possibility of cataclysm cannot be completely ruled out; second, Kazakhstan needed substantial financial aid to complete its nuclear disarmament given the country's economic problems.

145. In February 1993, President Nazarbayev listed, among others, the following conditions that could accelerate the process of nuclear disarmament in his country: security guarantees; the possibility of recycling the ballistic missiles for commercial launching; a share of the hard currency

8. Treaty between the United States of America and the Union of Soviet Socialist Republics on the reduction and limitation of strategic offensive arms.

given by the West to facilitate nuclear disarmament in the former Soviet Union; ownership of the uranium and plutonium recovered from warheads taken from Kazakh soil.

146. Under Kazakh law, the nuclear warheads and bombs which it inherited from the former Soviet Union are Kazakh property. It should be noted, however, that Kazakh leaders have never had control over these nuclear weapons.

147. At present, Kazakhstan is behind schedule in transferring nuclear weapons to Russia. Asked why it was taking so long to move nuclear weapons out of Kazakhstan, President Nazarbayev replied that dismantlement and destruction of the silo-based multiple-warhead missiles was a labour-intensive process which required complicated technical decisions and considerable financial means not available in the republic at this time.

148. However, President Nazarbayev is strongly oriented towards his country's integration into the world economy and into the "civilised" international community. He is therefore unlikely to disregard treaty obligations.

149. On 13th December 1993, President Nazarbayev signed the umbrella and implementing agreements for United States aid to dismantle nuclear weapons on its territory.

150. On 25th December 1993, Russia agreed to take responsibility for dismantling and removing nuclear weapons in Kazakhstan. The latter would receive a portion of the proceeds generated by the sale of nuclear weapons components removed from its territory.

151. On 22nd January 1994, President Nazarbayev stated that Kazakhstan would seek compensation for the nuclear weapons on its territory as part of a deal similar to the trilateral statement made by Russia, Ukraine and the United States on 14th January 1994.

152. After many requests for more money than had been offered and various threats to keep the nuclear weapons, President Nazarbayev finally deposited Kazakhstan's instruments of accession to the NPT with the United States, formally joining the treaty as a non-nuclear weapon state (NNWS) during his visit to Washington in February 1994. At the same time, a number of co-operation agreements were signed, including a memorandum of understanding on defence co-operation. In addition, the United States promised to provide about \$396 million in aid to Kazakhstan including \$85 million designated as Nunn-Lugar assistance for dismantling nuclear weapons in Kazakhstan. In 1993, Kazakhstan actually had received \$91 million in aid. Sources in Russia's Defence Ministry have stated that at the end of 1993, Kazakhstan had deactivated 12 of the 104 SS-18s on its soil.

153. On 28th March 1994, President Yeltsin and President Nazarbayev signed various agreements, one of which concerns the disposition of nuclear forces in Kazakhstan. According to Russia's Independent Television, the agreement provides for Russia's assumption of jurisdiction over the nuclear forces in Kazakhstan, with all warheads to be removed within 14 months. Silos and missiles in Kazakhstan would be dismantled within three years. Complete details of the dismantling process have not been revealed, nor is there any information on whether, or how, Kazakhstan might be compensated for the highly-enriched uranium in the warheads.

*(ii) Belarus*

154. Belarus ratified the START treaty on 4th February 1993 and joined the NPT on 22nd July 1993. It intends to become a nuclear-free zone. Originally, Belarus stated its objective to remain neutral and stay out of the CIS security system. However, this proved not to be immediately possible. Belarus was not in a position to declare an independent security policy and it had no choice but to sign the CIS agreement on common security on 9th April 1993. Article X, part 3, of this agreement allows the territory of Belarus, with permission of its parliament, to be used as a site for other countries' military bases and installations.

155. In January 1992, there were 81 single-warhead SS-25s on the territory of Belarus. Of these, 27 were taken off alert in October 1992 and transferred to Russia in 1993. Meanwhile, the jurisdiction and control of all these weapons had been turned over to Russia. Their transfer to Russia and destruction was originally planned for 1993 and 1994.

156. Later, on 24th September 1993, the Belarussian and Russian Prime Ministers signed an agreement on the withdrawal schedule for Russian strategic nuclear forces, setting completion for the end of 1996. The Belarussian Supreme Soviet ratified this agreement on 25th November 1993. The United States praised Belarus for its willingness to remove nuclear weapons from its soil.

157. By the end of 1993, officials of the Belarussian Defence Ministry disclosed that Belarus had transferred 27 of the 81 SS-25s to Russia. Belarus has dismantled 9 of the remaining SS-25s deployed on its territory. Russia planned to redeploy the single warhead ICBMs rather than dismantle them.

158. On 15th January 1994, President Clinton promised Belarus \$50 million in additional aid, including \$25 million in assistance for transferring nuclear weapons to Russia.

159. According to the most recent reports, the approximately 54 remaining missiles in Belarus are to be removed by the end of 1994.

*(iii) Ukraine*

160. Ukraine's initial reaction after the break-up of the Soviet Union was essentially anti-nuclear. In 1990, the Rada, Ukraine's parliament, solemnly proclaimed its intention for Ukraine to become a permanently neutral state, taking no part in military blocs and abiding by three non-nuclear principles of not accepting, producing or acquiring nuclear weapons. The radical non-nuclear policy of the declaration can be explained by the circumstances in which it was conceived. It was hoped that radical denuclearisation would favourably impress the West and thus secure international recognition. Apart from that, the legacy of Chernobyl was playing an important rôle and the non-nuclear policy was conceived without military input.

161. In conformity with the declaration and agreements made earlier with Russia, Ukraine began to transfer all its tactical nuclear weapons to Russia for destruction by May 1992. This left Ukraine in possession of only 176 ICBMs (130 SS-19s and 46 SS-24s) with 1 240 warheads, and 41 strategic bombers (Tu-95 Bears and Tu-160 Blackjacks) carrying 328 air-launched cruise missiles. However, even before the transfer of tactical nuclear weapons was completed, Ukrainians began to debate the wisdom of abandoning their nuclear arsenal and Ukraine's Rada blocked moves to transfer the missiles to Russia for dismantling.

162. Ukraine delayed ratification of START I and accession to the NPT for several reasons:

- fear of Russia and growing tensions between the two countries. Ukraine was seeking security guarantees from Russia, the United States and the United Kingdom (as depositories of the NPT);
- as a bargaining chip to obtain more economic aid under the guise of meeting the costs of dismantling and eliminating the nuclear weapons based on its territory and to be guaranteed its share of the money raised by the sale of fissile material recovered from nuclear warheads after dismantling;
- a belief that the possession of nuclear weapons adds to security, provides a powerful deterrent and increases influence and prestige in the international field;
- a belief that its continued possession of nuclear weapons was a means of strengthening its hand in the negotiation on the division of the Black Sea fleet between Ukraine and Russia and on potential border problems.

163. On 3rd July 1993, the Rada proclaimed its ownership of all nuclear weapons on its territory.

However, it also declared its intention not to use or threaten to use them and its intention to become a non-nuclear weapon state.

164. On 16th July 1993, Ukraine's Minister of Defence announced that 10 SS-19 ICBMs were being dismantled.

165. On 4th September 1993, the Massandra nuclear weapons agreements were signed, arranging for the removal of nuclear warheads from Ukraine. Russian officials indicated that 17 months would be needed to dismantle and remove the warheads. Within one year after the removal, Ukraine would receive the uranium fuel or the profit from the sale of uranium. The Rada said, however, that the withdrawal schedule required further negotiation.

166. On the other hand, in November 1993, the Rada did at last ratify START I but with so many conditions that progress on implementation was still blocked.

167. In January 1994, a trilateral agreement was signed by the United States, Russia and Ukraine in Moscow, which provided Ukraine with compensation for transferring all nuclear weapons on its territory to Russia. Ukraine agreed to dismantle all of the nuclear weapons on its territory "in accordance with the relevant agreements and during the seven-year period as provided by the START I treaty and within the context of the Rada's statement on the non-nuclear status of Ukraine".

168. Ukraine would begin the process by removing the warheads from all 46 SS-24s within 10 months. Russia would ensure the safety of the warheads in Ukraine and Ukraine would provide the "conditions for Russia to carry out these operations".

169. The agreement did not establish a formal timetable for removing warheads to Russia (calling for completion within "the shortest possible time"), but one official said Ukraine would become nuclear-weapon-free within three years. Ukraine had asked to omit the three-year timetable from the statement to avoid antagonising the Rada, which had called for a slower pace. The accord also provided Ukraine with monitoring rights to verify that Russia actually dismantled the warheads.

170. The Presidents recognised the importance of compensation to Ukraine for the value of the highly-enriched uranium (HEU) in nuclear warheads located on its territory. In return for the transfer of "at least 200" warheads from SS-19s and SS-24s to Russia over the next 10 months and if Ukraine reached a safeguards agreement with the IAEA, it would receive 100 tons of nuclear fuel over the same time period. The uranium from warheads in Ukraine, valued by some officials at \$1 billion, would be mostly returned to Ukraine in

the form of fuel rods. Ukraine would also receive a portion of the proceeds from Russian uranium sales to the United States. To fund the initial 100-ton transfer, the United States would advance \$60 million to Russia under the HEU sales contract<sup>9</sup>. Compensation for the tactical nuclear weapons already withdrawn apparently remained an open issue.

171. Russia and the United States also offered a series of security guarantees to Ukraine once START entered into force and Ukraine joined the NPT as a non-nuclear weapon state. The two nations, joined by the United Kingdom, would:

- respect Ukraine's borders in accordance with the principles of the CSCE final act;
- refrain from threatening to use force;
- seek United Nations Security Council action to assist Ukraine if it were attacked by, or threatened with, nuclear weapons;
- not use or threaten to use nuclear weapons against Ukraine.

172. Ukraine had sought broader guarantees but nonetheless saw it as "critical" to have a document signed by both Russia and the United States.

173. On 20th January, the Rada opened its 1994 session and started to discuss the agreement. It appeared that many Ukrainian nationalists still wished to retain the newer SS-24s for self-defence, especially after the ultra-nationalist victory in last December's parliamentary elections in Russia. However, there seems to be a consensus in Kiev that ageing SS-19s should be dismantled because they pose enormous dangers.

174. On 3rd February 1994, the Rada dropped its conditions for ratifying START I by passing the resolution proposed by President Kravchuk, with the exception of NPT accession.

175. Some issues remain ambiguous despite the passing of the resolution. Although President Kravchuk implied that Ukraine would eliminate all the nuclear weapons on its territory, it is unclear whether that is the intent of the Rada or whether it still views only a portion of the weapons as falling under START.

176. On 8th-9th February 1994, Russia and Ukraine held the first round of talks on implementing the trilateral agreement. Two days later, Russia stopped supplying nuclear fuel to Ukraine to pressure it into acceding to the NPT.

9. Russia and the United States signed a 20-year, \$ 11.9 billion contract for the United States to purchase 500 tons of uranium salvaged from former Soviet warheads. 500 tons represent about 20 000 nuclear warheads and a three-year supply of the world's nuclear fuel demand.

177. At the beginning of March 1994, President Leonid Kravchuk, in stating that "fulfilment of agreements, including agreements on nuclear commitments, is possible only if the economy works", again cast doubt on whether Ukraine would continue to honour its nuclear disarmament commitments.

178. The President's statement came after Russia's Gazprom company, a state-owned monopoly, threatened to reduce supplies to Ukraine for the second time in a week. Ukraine is likely to remain dependent on Russia for energy supplies for many years to come because of the financial hurdles involved in building pipelines from other states.

179. On 5th March 1994, the Clinton administration announced it would double its financial aid to Ukraine to some \$700 million a year: \$350 million in economic aid and \$350 million to help the weapons denuclearisation programme<sup>10</sup>. However, the United States would urge the IMF to withhold \$1 billion in loans for Ukraine unless it took more positive steps to privatise industry and curb inflation, currently running at a rate of approximately 90% a month.

180. On 21st March 1994, the Defence Secretary, William J. Perry, said the United States would add \$100 million to its \$135 million allocation to Ukraine's nuclear missile dismantlement programme. Mr. Perry signed aid agreements for dismantling nuclear missiles sited in Ukraine (\$50 million), the conversion of military industries to civilian production (\$40 million) and tighter security in the shipment and storage of nuclear weapons in Ukraine (\$10 million)<sup>11</sup>.

181. The first session of the new Rada, elected in March 1994, was scheduled for 11th May. Its position on the START treaty's implementation remains to be seen.

182. President Kravchuk stated on 14th May 1994 that 180 nuclear warheads had been removed from Ukraine to Russia. He added that, as the process of disarmament is proceeding according to plan, by the end of May all United States missiles aimed at Ukraine will be recoded and Ukraine will cease being targeted by American warheads.

183. Several reports in the Russian and western press have provided information on the Ukrainian disarmament process. Colonel General Igor Sergeyev, the Commander of the Russian Strategic Rocket Forces, stated on 4th May 1994 that all SS-

10. It should be noted that the Nunn-Lugar amendment had earmarked \$175 million in aid to Ukraine, \$135 million for missile dismantlement and \$40 million for the creation of a research centre for nuclear scientists, forming a nuclear emergency response team.

11. Financial Times, 22nd March 1994.

24s in Ukraine had been deactivated and their warheads removed. He also noted that some 302 launchers in Russia had been "liquidated" as called for under START I. Also on 4th May 1994, a Ukrainian Defence Ministry spokesman said that there were only a few SS-24 missiles left to deactivate. Some 180 nuclear warheads have now been removed from Ukraine.

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184. Finally, it should be noted that the START I treaty has not yet legally entered into force as instruments of ratification have not been exchanged. The parties are, however, implementing its provisions.

#### *(b) START II*

185. On 3rd January 1993, President Bush and President Yeltsin signed the START II agreement, which is to be considered as a prolongation of the earlier START I.

186. START II, if implemented, will eliminate the most destabilising strategic weapons, heavy intercontinental ballistic missiles (ICBMs) and all other multiple-warhead ICBMs, also called MIRVed (multiple re-entry vehicle) ICBMs. It will also reduce dramatically the total number of strategic nuclear weapons deployed by both countries. The treaty includes a protocol on elimination or conversion concerning heavy ICBMs and heavy ICBM silos, a protocol on exhibition and inspection concerning heavy bombers, and a memorandum on attribution. The reduction to the ceilings set will take place in two phases.

187. By the end of the first phase, that is seven years after the entry into force of START I, each side must have reduced its total deployed strategic nuclear warheads to 3 800-4 250 warheads. Those include the number of warheads on deployed ICBMs and submarine-launched ballistic missiles (SLBMs) as well as the number of warheads for which heavy bombers with nuclear missions are equipped. Of this total, no more than 1 200 may be on deployed MIRVed ICBMs, no more than 2 160 on deployed SLBMs, and no more than 650 on deployed heavy ICBMs.

188. On 1st January 2003, by the end of the final and second phase, each side must have reduced its total deployed strategic nuclear warheads to 3 000-3 500. Of those, none may be on MIRVed ICBMs, including heavy ICBMs. Thus all MIRVed ICBMs must be eliminated from each side's deployed forces; only ICBMs carrying a single-warhead will be allowed. No more than 1 700-1 750 deployed warheads may be on SLBMs. There will be no prohibition on MIRVed SLBMs.

189. According to START II, the Americans will have to dismantle about half of their Trident I and Trident II missiles with eight warheads. By the

same date, most of the MIRVed missiles will be adapted to missiles with a single warhead. This last provision is one of the concessions made to the Russians who wish to transform 90 launching pads for their SS-18 missiles to house the SS-25. In exchange, the Russians have agreed to American inspections being carried out during the adaptation of SS-25 silos. Russia and the United States will be authorised to transform 105 of their multiple-head land missiles into single-headed missiles. This also was a claim lodged by Russia which wanted to transform 105 of its 170 SS-19 missiles, equipped with six warheads, into single-headed missiles. As far as nuclear bombers are concerned, the number of warheads on each plane will be specified in a memorandum in annex to the treaty. The Americans made a concession to the Russians on this by accepting to give them information on the number of nuclear warheads transported by their bombers, including the new B-2 stealth bombers.

## *VII. The United Kingdom*

### *(a) The United Kingdom's nuclear forces*

190. When the United Kingdom established its nuclear forces in the 1950s, one of the main reasons was to deter aggressive action by the Soviet Union, partly compensating for the relative weakness of the nation's conventional forces as compared to those of the Warsaw Pact.

191. From the beginning, British nuclear forces were meant to be part of a collective allied effort and, since the Nassau agreement of December 1962, have been committed to NATO<sup>12</sup>. They were also intended to operate as a second centre of decision-making within the alliance in case a potential adversary would think that the United States would hold back<sup>13</sup>. It was thought that a United Kingdom decision to use nuclear weapons could trigger a United States nuclear response, an arrangement thought to be the more effective because of the presence of United States military facilities on United Kingdom territory.

192. The United Kingdom has always maintained a twofold nuclear doctrine according to which its nuclear forces were on the one hand part of NATO's spectrum of deterrence, operating under the single integrated operational plan (SIOP), while able on the other to provide massive retaliation against any aggressor attacking the nation.

12. In the Nassau statement of 21st December 1962, it was said that: "...except where Her Majesty's Government may decide that supreme national interests are at stake, these British forces will be used for the purposes of international defence of the western alliance in all circumstances."

13. The future United Kingdom strategic nuclear deterrent force (DOGD 80/23, July 1980).

193. Within the framework of both NATO and WEU, the United Kingdom has always considered its nuclear forces as being fully committed to the defence of the territory of its allies. This has been confirmed recently by the United Kingdom Secretary of State for Defence, Malcolm Rifkind, when he said that " Britain would regard her own vital interests as at stake in any attack upon an alliance member. " <sup>14</sup>

194. The United Kingdom's position as regards the rôle and future of its nuclear weapons was recently made clear in a major address in London by the Defence Secretary Malcolm Rifkind on 16th November 1993.

195. Mr. Rifkind stated that although complete and general nuclear disarmament remained a desirable ultimate goal, it would be neither practical nor realistic to give up nuclear weapons in the present circumstances, where the potential still exists for serious risk to British and allied interests.

196. At present, there is a broad consensus among the main political actors of both government and opposition for retaining nuclear weapons in their rôle of minimum deterrent, understood as " posing a threat of unacceptable damage to any aggressor ". Officially, this deterrent is not directed at any country in particular, but the existence of Russia as a pre-eminent military power and nuclear superpower in Europe continues to be a determining factor in decisions on the United Kingdom's future force structures and postures. Nevertheless, it is recognised that Russia must be included as part of the solution to Europe's security. It is stressed that the value of nuclear weapons does not lie in classical concepts of war-fighting or war-winning, or even in mere deterrence of the use of nuclear weapons by an adversary, but in actually preventing war. The United Kingdom is not in favour of a no-first-use declaration, because this might imply that conventional war is a safe option.

197. The United Kingdom will continue to build on its new relationship with its partners in the North Atlantic Co-operation Council through bilateral and multilateral efforts in co-operative threat reduction and attaches great importance to the prompt and full implementation of the START process.

198. Meanwhile, it considers the American nuclear guarantee of fundamental importance to the collective security of the alliance.

199. The British attitude towards nuclear co-operation with France will be dealt with in a separate chapter.

200. In general, the United Kingdom does not regard its nuclear weapons as playing an impor-

tant rôle in deterring proliferation. One of the reasons is that the motivation for a country wanting to acquire nuclear weapons is likely to be regional and such decisions will most probably not be affected by the United Kingdom's possession of nuclear weapons. It is also noted that it is questionable whether an intended deterrent will work in the absence of an established nuclear deterrent relationship.

201. The United Kingdom Defence Minister stated his thorough opposition to the development of more " usable " low-yield " smart " nuclear weapons, which according to some would allow nuclear deterrence to be effective in circumstances where existing weapons would be self-detering. Indeed, this would run counter to the British opinion that nuclear weapons cannot be used to fight a war.

*(b) The United Kingdom's nuclear force structure and weapons programmes*

202. Of the United Kingdom's four Polaris ballistic missile submarines, the first, HMS Revenge, was decommissioned in May 1992 as part of a programme to replace them by Trident submarines around the year 2000.

203. The first Trident SSBN, HMS Vanguard, is due to become fully operational by early 1995 at the latest. Each vessel can carry 16 Trident D-5 SLBMs with a range of 12 000 kilometres and an accuracy to within 100 metres of the target. The eight warheads on each missile can be independently targeted. The present Polaris missiles have a range of 4 630 kilometres, 900-metre accuracy and the three warheads are directed at the same target.

204. The United Kingdom Government recently stated that it would not deploy more than 96 Trident D-5 missile warheads, and possibly significantly fewer, instead of the 128 warheads on each of the four Vanguard class SSBNs, as announced earlier, when the latter came into service <sup>15</sup>. It should be noted here that under the START II Treaty, United States Trident II missiles can carry only four warheads each and that the United Kingdom will certainly be under international political pressure to follow suit.

205. It is reported that a total of 67 Trident D-5 missiles are to be bought from the United States.

206. Given the government's announcement cancelling its participation in a British-French development programme for a tactical air-to-surface missile to replace the WE-177 free-fall nuclear bombs by the year 2005, Trident will now also be used in a sub-strategic rôle, eventually becoming the United Kingdom's only nuclear system.

14. Address in Paris, 30th September 1992.

15. Jane's Defence Weekly, 27th November 1993.

207. Once the four Trident SSBNs are in service, the explosive power of the United Kingdom's operational nuclear inventory will have fallen by over 25% as compared with the 1990 figure.

208. As a result of important reductions in the number of tactical bomber squadrons in both the Royal Navy and the Royal Air Force, the number of WE-177 A/B gravity bombs will be reduced by over a half by the end of 1994. Meanwhile, all the WE-177 C nuclear strike/depth bombs carried by Royal Navy helicopters and aircraft have been taken out of service and destroyed.

209. Altogether, the United Kingdom has now phased out most of its tactical nuclear weapons: namely the Lance surface-to-surface missile, nuclear artillery shells and nuclear depth charges.

210. On 15th February 1994, the United Kingdom and Russia signed an agreement to detarget nuclear missiles directed at their respective countries as part of a larger framework of confidence-building measures.

211. The United Kingdom Government has launched a national programme of studies to assess the technical options, costs and performance of ballistic missile defence systems (BMD) that are available. It will decide on the basis of the £3 million study, to be presented to ministers in late 1996, whether the United Kingdom needs a BMD capability.

212. A contract for developing and manufacturing BMD weapons systems would run to several billions of pounds and, in the light of the severe cutbacks now being made in all services, it is doubtful whether the armed forces could afford such a system if priorities need to be established.

213. It should be noted that in 1989, the United Kingdom Government scrapped the surface-to-air Bloodhound missile without replacing it<sup>16</sup>.

### VIII. France

#### (a) Nuclear doctrine

214. Until the end of the cold war and, more specifically, before the collapse of the Soviet Union, France's nuclear doctrine was designed mainly on the assumption of the existence of a Soviet threat. Even today, it can be assumed that the continued presence of a formidable nuclear arsenal in Russia and in certain other republics of the former Soviet Union, still constitutes an important rationale for maintaining French nuclear deterrence, even though the government has always been very reluctant to admit this objective publicly.

215. Indeed, France has professed rather that it has no specific enemies and claims that its nuclear

deterrent is not directed against anyone in particular. Its recent revival of the phrase "tous azimuts" (all-round defence) indicates that its nuclear deterrence is directed against any power which might attempt coercion or aggression against France.

216. Other reasons for France's maintaining its nuclear arsenal are the proliferation of nuclear weapons technology and the fact that such technology, having once been invented, is likely to remain an important tool in power politics.

217. Even though France has both tactical and strategic nuclear weapons, it has never really had a strategy that included the possibility of fighting a war with nuclear weapons. What is now termed a pre-strategic use of nuclear weapons is meant to be the "final warning" before France decides on full-scale nuclear retaliation against an aggressor.

218. France's strategy has always been to maintain a credible deterrence to prevent war, not win it. If a limited "final warning" did not succeed in halting the aggressor, the logical next step could only be full-scale nuclear retaliation. In principle, a second warning would be impossible since such behaviour would cast doubt on the credibility of nuclear deterrence as an effective means of preventing aggression.

219. It is also understood that France's nuclear weapons will play a rôle only in the defence of national territory in Europe.

220. As recently as February 1991, during the Gulf war, the French Minister for Foreign Affairs declared "... nuclear weapons cannot be battle-field weapons and cannot be used except as the ultimate recourse when the national territory is threatened".

221. It should be noted that France's nuclear forces are not assigned to NATO. In 1986, France committed itself, under certain conditions, to informing the Germans in advance in the event of nuclear weapons being used against German territory, with qualifications resembling those in the 1962 Athens guidelines. Successive French governments, however, have always claimed that they cannot define their vital interests with any precision in relation to the area they would defend, if necessary, with nuclear weapons.

222. The most recent statement on the official French nuclear doctrine was made in the white paper on defence, which the government published on 23rd February 1994.

223. Confirming the main objective of France's nuclear forces, this states:

*"The French nuclear concept will continue to be defined by the will and capability to make any aggressor – irrespective of who such aggressors may be or their capabilities – fear unacceptable damage, out of all*

16. Financial Times, 16th February 1994.



*proportion to the advantage to be gained from conflict, if they seek to attack France's vital interests.* In this day and age, nuclear weapons alone have this kind of capability, owing to their unasailable power of destruction. For this reason they also have the advantage of preventing generalised warfare... ”

224. The nuclear deterrent is meant to protect the country's vital interests, but these have not been defined very specifically, leaving the highest authorities of the state a certain freedom of action.

225. It is also necessary to have the “ capability to define the extent of such vital interests in various situations, at the required moment, and issue an unequivocal reminder of our determination: such is the function of the final warning... a limited strike on military targets. ”

226. It should be noted, however, that with the changes that are taking place in international relations, a number of French strategists are considering the possible need to “ develop more flexible weapons systems that promote deterrence more through the precision with which they strike than through the threat of a general nuclear exchange ”<sup>17</sup>.

227. While the French “ anti-cities ” concept has not been discarded, strategists in France are increasingly interested in the options offered by greater flexibility, precision and controlled effects. These latter capabilities might prove more relevant in future contingencies which are likely to be different from massive East-West confrontation.

228. There are those in France who recommend that the country should give up its old policy of deterrence of the strong by the weak which is based on making one's territory inviolable, and the principle of non-use of nuclear force.

229. Arguing that nuclear weapons will continue to play a rôle in the world, they maintain that France should develop a dual deterrence. It should keep its capacity for massive retaliation, but, taking account of the risks of proliferation, it should develop an anti-site deterrence consisting of smaller “ smart ” nuclear weapons, enabling it to inflict a decisive – and as necessary nuclear – strike on enemy strategic centres.

230. However, the debate has only just started and no decisions have yet been made translating these new ideas into a new doctrine, new capabilities and new operational concepts.

231. In a major address on 5th May 1994, President Mitterrand unequivocally stated his position on the subject, and this is official policy:

“ I have firmly resisted the confusion over pre-strategic or tactical weapons. If there were to be a succession of nuclear warnings

we would be reverting to the concept of a graduated response. The warning is final; there are no more stages – the next is war ... I shall oppose the new risks of drift – for example when I hear talk of the use of atomic power against the weak or the insane to settle problems outside our national territory or vital interests. Do we have to rally to the term surgical strike – decapitation is also used – which might go as far as the nuclear gun? ”

232. It is not to be expected that any changes in France's policy regarding its nuclear forces will be made before the next presidential elections in 1995.

*(b) French nuclear forces*

233. France had developed and produced 30 Hades ground-launched missiles with a maximum range of 500 kilometres when this programme was suspended in the summer of 1991 and then abandoned in 1992. These thirty missiles have now been stored, but this part of France's nuclear force can “ be made operational within time-limits commensurate with developments in the international situation ”. Meanwhile, the nuclear warheads are held by the airforce.

234. There are 45 Mirage 2000 N aircraft, each equipped with an air-to-ground medium-range missile with a range of 100 to 300 kilometres. The nuclear AN 52 munition for a total of 75 Mirage III and Jaguar aircraft was withdrawn from operational service in 1991 and dismantled in the framework of a unilateral nuclear disarmament policy.

235. Meanwhile, 15 Mirage IV P aircraft, equipped with the air-to-ground medium-range missile (ASMP), will remain in service until 1996. The new Rafale aircraft should take over their task at the end of the century. The replacement of the ASMP by a long-range air-to-ground missile (ASLP) is at present not considered urgent<sup>18</sup>.

236. The present 18 S-3D ballistic missiles at the plateau d'Albion could be obsolete by the beginning of the next century, when they would very likely no longer be capable of frustrating an attack from an enemy anti-ballistic missile defence system.

237. If France wishes to maintain an effective system of land-based ballistic missiles, it will have to take decisions on developing a successor to the S-3D missile within the next two years at the latest.

238. In January 1994, President Mitterrand suggested that the MS-5 (a multiple warhead missile with a range of 8 000 kilometres), now being developed to equip the new submarines by 2005,

17. Pierre Joxe, *Le Figaro*, 19th May 1992.

18. *Le Monde*, 7th May 1994.

could also be installed at the plateau d'Albion<sup>19</sup>. A decision to begin developing these missiles was taken in 1992, but this programme, at a total cost of 40 billion francs for 3 batches of 16 missiles, was slowed down by the present government at the beginning of 1994.

239. Finalising the programme law 1995-2000 for defence procurement, the French National Defence Council decided on 6th April 1994 that the entry into service of the M-5 missile should be delayed from 2005 to 2010. At the same time, a study has been commissioned to examine how the interim 6000 kilometre-range M-45 missile, now scheduled to be fitted to the new nuclear submarines in 1996-1997, can be deployed in the silos of the plateau d'Albion<sup>20</sup>.

240. It is thought that these decisions will reduce the need for nuclear testing as the warhead for the M-45 missile has already been tested. Further tests may be required for development of the TN-100 warhead, originally envisaged for the M-5 missile, but it has been suggested that the present TN-75 warhead could be used for these new missiles without additional testing<sup>21</sup>.

241. When the government was criticised recently by Jacques Chirac for its "no nuclear tests" policy, the Defence Minister, François Léotard, replied that the suspension of nuclear testing did not affect the efficiency of the strike force. It was also stated that the decision had been taken after "in-depth study and in agreement with the Chiefs of Defence staff"<sup>22</sup>.

242. Recently, however, the public debate in France on nuclear testing has intensified. On 5th May 1994, President Mitterrand again clearly confirmed his position regarding nuclear testing, making the following statement:

"There will be no further tests before May 1995. I have taken this decision and this situation will remain as long as I continue in office. There will be none under my successor either – unless the other powers resume testing – as France has no wish to offend the whole world by triggering nuclear escalation and nuclear war and treating all poor countries with contempt."<sup>23</sup>

243. The President also recalled that in the programme law for the years 1995-2000, 10 billion francs have been allocated to a nuclear test simulation programme.

244. The day before, Defence Minister François Léotard stated that "the modernisation and miniaturisation of nuclear weapons make it absolutely

necessary to continue testing" adding that "France should carry out a minimum of tests before ratifying the test ban treaty"<sup>24</sup>.

245. It should be recalled that, on 15th October 1993, the Committee on Defence and Armed Forces of the French National Assembly published an information report on the simulation of nuclear testing which concluded that "all the information collected and compiled ... demonstrates conclusively that France should be able to carry out nuclear tests" and that "without further nuclear tests France cannot be sure it is capable of acquiring a simulation system that guarantees it full control over its weaponry, thus assuring the country's security and independence".

246. The new programme law has clearly discarded the development of smart nuclear weapons for the time being, and the question remains whether France will be able to maintain its three separate nuclear systems – ground-based, sea-based and air-launched – in the longer term.

#### *IX. Nuclear weapons co-operation in Europe; towards European nuclear deterrence?*

247. Even if it does not sound attractive to many in Europe and the United States, the credibility of the United States strategy of extended deterrence is subject to erosion. Certainly, at present no American government is prepared to say or even imply that it will withdraw the remaining tactical nuclear warheads from European territory. The withdrawal of all battlefield theatre nuclear weapons because they had indeed become less appropriate in the new NATO strategy, militarily unnecessary and politically unacceptable was a first step, agreed upon wholeheartedly by all allies. But what will happen in the long term to the 700 B-61 tactical nuclear gravity bombs, that remain on European soil after the 50% reduction decided by NATO in October 1991?

248. The new NATO policy of nuclear weapons of last resort, with the even more remote chance of their being used, does not fit very well with the European concept of real deterrence to all types of war. It tends to imply a preference on the part of the United States for doing away with nuclear weapons with which neither politicians nor the military feel comfortable because they cannot be used easily and are a disadvantage to the strong in a world where proliferation is on the increase.

249. It goes without saying that, given the Maastricht Treaty's declared intention of developing a common European foreign and security policy and European defence identity, the rôle of France's and the United Kingdom's nuclear wea-

19. Le Monde, 11th January 1994.

20. Financial Times, 8th April 1994.

21. Le Monde, 25th February 1994.

22. Le Monde, 24th February 1994.

23. Le Monde, 7th May 1994.

24. Le Figaro, 7th May 1994.

pons in this framework cannot be ignored. Sooner or later this issue will have to be considered thoroughly.

250. There have been modest efforts in the past to discuss different possibilities for co-operation or consultation with European allies. French officials have made various suggestions which should be mentioned here.

251. In July 1990, the then French Defence Minister, Jean-Pierre Chevènement, suggested that a Western European defence partnership offering Germany nuclear protection was the only possible choice, given that United States protection might become less certain, and Germany's developing its own nuclear deterrent would not be an attractive option<sup>25</sup>. In January 1992, President Mitterrand raised the question of whether it might be possible to develop a "European doctrine" within the European Community for the French and British nuclear forces. He argued that this would "very rapidly become one of the major questions in the construction of a joint European defence"<sup>26</sup>.

252. In September 1992, the then French Defence Minister, Pierre Joxe, was more forthcoming on the conditions of such co-operation when he stated: "Agreement among Europeans on a single doctrine, and the establishment of an appropriate political structure, seem to me to be essential pre-conditions for the development of a European nuclear deterrent. However, we can already envisage multilateral consultation on conditions for the implementation of nuclear weapons and a broadening of the nuclear guarantee. There is a need for dialogue among Europeans on this subject."<sup>27</sup>

253. The British Defence Minister has also stated that he sees great benefit in closer co-operation and cohesion in nuclear matters between the United Kingdom and France, albeit "within the overall framework of the alliance"<sup>28</sup>.

254. Obviously, in the initial stage, there is a need for co-operation between France and the United Kingdom and steps have been taken in this direction.

255. On 26th July 1993, France and the United Kingdom decided that the Anglo-French Joint Commission on Nuclear Policy and Doctrine which had been established on a provisional basis in autumn 1992 should acquire a permanent status. The commission, which brings together senior officials from the British and French Foreign and Defence Ministries, has now undertaken

a comparison of the approaches of the two countries to the rôle of deterrence, nuclear doctrines and concepts, anti-missile defences, arms control and non-proliferation. Measures to improve safety and security are also being discussed but clearly practical co-operation, such as co-ordination of SSBN patrols and the avoidance of duplication in targeting, is ruled out for the time being.

256. United Kingdom officials have stressed that there are almost no differences between France and the United Kingdom on fundamental nuclear issues, the only important one being that, according to the British, there is a follow-on use after sub-strategic employment of nuclear weapons, while the French do not allow for a follow-on use between sub-strategic employment, which they understand to be the final warning and the holocaust. Both countries, however, consider their nuclear weapons an insurance policy against any possible threat to their vital interests, i.e. the security of Europe. In developing the Franco-British dialogue and co-operation, the United Kingdom does not explicitly attempt to create an alternative to the existing transatlantic relationship. It aims rather to strengthen the specific European contribution to the deterrence underpinning the collective security of the whole alliance.

257. According to the British Defence Minister "it is very difficult today to identify any area where (the United Kingdom and France) are likely to have a fundamental difference of national security interest as members of the European Union". However, he also added that "it is equally difficult to conceive within the Atlantic Alliance of a substantial threat to one country which would not also be a threat to the other"<sup>29</sup>.

258. It should be noted nevertheless, that in October 1993 the United Kingdom withdrew its participation in the development of a common air-to-surface long-range missile. This can hardly be interpreted as a positive sign in terms of practical co-operation.

259. The French defence white paper of February 1994 rightly stated that the problem of a European nuclear doctrine would become one of the major questions in developing a common European defence. The issue would become the more urgent as the European Union created its political identity alongside its security and defence identity. The dialogue with the United Kingdom would need to be continued and deepened, but this would not exclude exchanges with other partners.

260. However, there would not be a European nuclear doctrine unless there were vital European interests, considered as such by Europeans and understood as such by others.

25. *Le Monde*, 13th July 1990.

26. President Mitterrand, speech on 10th January 1992.

27. Pierre Joxe, 29th September 1992.

28. Address by the Defence Secretary, Malcolm Rifkind, autumn 1993.

29. Address by the Defence Secretary, Malcolm Rifkind, autumn 1993.

261. France, which is not a member of NATO's Nuclear Planning Group, has never been forthcoming in sharing information with its non-nuclear allies.

262. It should also be noted that President Mitterrand's 1986 declaration of intent on consultation with the Chancellor of the Federal Republic of Germany before any French use of nuclear weapons on German soil has never led to a Franco-German understanding on the basis of operational and strategic principles. Nevertheless, it is a major concern of France's foreign policy to ensure that reunified Germany is solidly anchored in a European Union with a European defence identity as a rational component. In this framework, Germany must be provided with a credible nuclear deterrent, on the one hand to protect it from any possible Russian nuclear coercion and on the other to avoid its being compelled to develop its own nuclear deterrent.

263. In the past, France has stressed the independence of its nuclear deterrent and the rôle of the latter in the protection of its national territory. It could be argued that France's commitment to building a European defence identity might be called into question unless France were prepared to discuss the rôle of its nuclear forces within a wider European framework.

264. The maintenance of maximum uncertainty over the possible use of French nuclear weapons, which is an essential aspect of any nuclear weapons doctrine, would certainly not satisfy those European allies who had come a long way towards agreement with the earlier French objective of building a European defence identity.

265. Recently, it has been argued that technical and doctrinal rapprochements within Western Europe would consolidate the political legitimacy of nuclear deterrence. It might not be compatible with the political and strategic solidarity that Europe is seeking if nuclear weapons were based only on the territory of nuclear states. A French strategist has suggested closer links between France, the United Kingdom and Germany in the development of doctrine and nuclear delivery systems as ways of building this solidarity<sup>30</sup>.

266. One might question whether such co-operation should be restricted to these three nations, while in NATO it is occurring in a much wider framework in accordance with the Nassau and Athens agreements.

267. Various options can be considered for United Kingdom/French nuclear protection of their non-nuclear European allies.

30. Jean-Marie Guéhenno, "L'avenir de la dissuasion nucléaire", in Ministère de la Défense, *Un nouveau débat stratégique: Actes du colloque de Paris, 29th-30th September, 1st October 1992* (Paris: Documentation Française, 1993).

268. One is that both nations consider the security of the other member states of Western European Union to be a vital interest.

269. A second, seemingly logical option, is the application of Article V of the modified Brussels Treaty which stipulates that "...the other high contracting parties will (...) afford the party so attacked all the military and other aid and assistance in their power".

270. A third would be for the European Union completely to absorb the existing national autonomy and sovereignty of the member states. However, at present this seems a somewhat utopian idea.

271. The French Defence Minister, François Léotard, may have been hinting at this possibility when he stated in a recent interview<sup>31</sup>.

"I believe Europe is one of the fundamental issues of the late 20th century. However, I also believe that control over nuclear weaponry should stay in the hands of nations. It is essentially management of fear and as such cannot be on a shared basis, even if its use is not intended ... At present there are only national powers. Who knows if the day will come when there will be a single, legitimate political power in Europe? I hope so but I cannot see it happening in the near future ... Use, or even management, of nuclear weapons can only be through a highly centralised system, under the responsibility of a single leadership."

272. On the subject of the possible extension of deterrence to other countries, the minister observed:

"The major lesson I learned from General de Gaulle is that a nation's leaders alone are able to evaluate where their country's highest interest lies and when that interest is threatened. In the last resort a nation has no friends."

273. In the light of this reversion to the old Gaullist views, as though no developments at all had occurred in European integration since the 1960s, one might wonder what are the alternatives: co-operation in NATO, supported by American extended deterrence, avowedly losing credibility on account of the increasing reluctance on the part of United States political and military authorities to use such weapons, or the tenuous hope that, at the moment of truth, France will regard you as a friend.

274. It should be observed that individual nations, even if closely linked in the framework of the Maastricht Treaty, can only really share a credible declared policy of nuclear deterrence if there

31. *Le Quotidien*, 6th March 1994.

is a homogeneous political union and a common political authority. In which case, it would appear inevitable that all participating nations should share financial responsibility for the maintenance of the nuclear forces required for deterrence.

275. As to Anglo-French nuclear co-operation: when, in October 1993, the United Kingdom decided to cancel its participation in the development of air-to-surface long-range missile, arguing that the new Trident SLBM could be used in a secondary sub-strategic rôle, it was stated that tentative work would continue on designs for a possible future missile system that could result in an Anglo-French strategic weapon.

276. It should also be borne in mind that the French concept of the development of a European defence identity is not fully shared by the United Kingdom. Although France may be developing the idea of a joint Western European deterrent in that framework based on French and British nuclear forces, it should not be forgotten that at this juncture the British have a radical Atlanticist view of nuclear deterrence which does not in fact allow for any decoupling of their nuclear forces or strategies from those of the United States.

277. In the British view, NATO's Nuclear Planning Group already provides the appropriate multilateral consultation forum for nuclear deterrence protecting Western Europe.

278. There are indeed some major differences between the positions of British and French nuclear forces. Both nations stress the independent character of these nuclear forces, but the United Kingdom has committed them to NATO, which means that they are in the framework of the single integrated operational plan, providing an automatic deterrent for all non-nuclear allies. The United Kingdom "would regard her own vital interests at stake in any attack upon an alliance member"<sup>32</sup>. France does not participate in the work of NATO's Nuclear Planning Group and, notwithstanding recent suggestions made by President Mitterrand and former Defence Minister Pierre Joxe, official policy is that France's nuclear forces remain under national command, at the disposal only of the Head of State and intended to protect France's national territory and vital interests.

279. It has been rightly said that, political considerations apart, it will not be easy for the United Kingdom to establish close practical co-operation with France in nuclear matters because its nuclear forces, soon to consist exclusively of four Trident submarines, are almost completely dependent on the United States. Until now, therefore, British nuclear forces came relatively cheap.

280. Any co-operative Franco-British programme to develop a new nuclear weapon will be very

expensive and it is debatable whether it could be achieved without testing.

281. In other words it can be argued that the United States' agreements with the former Soviet Union and its moves towards a comprehensive test-ban treaty are in practice blocking the development of an effective European nuclear force.

282. No European nuclear co-operation would be feasible without close German involvement. Purely Franco-British nuclear co-operation might be experienced by Germany as a force that had to be counter-balanced, and there would be strong pressure against such co-operation unless the Germans were invited to participate in one way or another.

283. There is no other way of establishing such co-operation than by small incremental steps. One of these might be to create a nuclear co-ordination body, operating at European level, with the Germans participating and possibly in contact with the United States.

#### *X. Third country proliferators*

284. As is well known, there are a number of states which are not official nuclear weapon states and are either possessors of nuclear weapons or have the ability to assemble them quickly. Of these states, only Israel is believed to possess a nuclear arsenal of any size (between 50 and 300 nuclear weapons) including ballistic missile capabilities. India and Pakistan are both believed to have the ability to assemble nuclear weapons quickly in a crisis. India has a well-advanced ballistic missile development programme and has performed test launches of intermediate- and short-range ballistic missiles. Pakistan is believed to have acquired missile technologies and materials from China.

285. Iran has been accused of having a clandestine nuclear weapon programme. After the Gulf war, Iraq's nuclear weapon design and testing facilities, as well as its key missile production equipment, were destroyed in accordance with United Nations Security Council Resolutions 687 and 715.

286. At present, the problems with North Korea over its secret nuclear weapons programme have not yet been solved. This country is also a manufacturer of ballistic missiles and a major supplier of such to countries in the developing world.

287. Apart from the countries mentioned above, a number of other states may feel tempted to develop or acquire their own nuclear weapons capability and the appropriate means of delivery. As is argued elsewhere in this report, it is generally admitted that none of the existing non-proli-

32. Malcolm Rifkind, Paris, 30th September 1992.

feration régimes will be able to prevent them from attaining their objective from the moment they devote sufficient financial resources and zeal to this task.

### *XI. Non-proliferation régimes*

288. Of the existing non-proliferation régimes which are of particular importance for nuclear non-proliferation, the following should be mentioned:<sup>33</sup>

#### *(a) Treaty on the non-proliferation of nuclear weapons (NPT)*

289. In the 1960s, it was becoming increasingly clear that the spread of nuclear technology for peaceful purposes could also easily lead to a proliferation of nuclear weapon capabilities which could not be controlled adequately by the International Atomic Energy Agency (IAEA), established in 1956.

290. In order to check this technology proliferation, a large number of countries signed the treaty on the non-proliferation of nuclear weapons, established in 1968, which came into effect in 1970 and according to which:

“the nuclear ‘have-nots’ promised to forgo the acquisition of nuclear weapons in return for a commitment by the nuclear ‘haves’ to make available nuclear-related technology which would help them to develop peaceful nuclear energy (Article IV). The non-nuclear weapon states further had to conclude an arrangement with the IAEA for the employment of safeguards on all sources of fissionable material in their peaceful-use nuclear plants. These obligations are laid down in Articles I-III of the treaty, which limit the so-called ‘horizontal’ proliferation of nuclear weapons. Nuclear weapon states, in turn, were obliged to pursue negotiations ‘in good faith’ to put a halt to the nuclear arms race, and to achieve complete nuclear disarmament (so-called ‘vertical’ non-proliferation, see Article VI).”<sup>34</sup>

291. A review conference has since been held every five years in order to reassess the effectiveness of the treaty’s safeguard system. France and China, two of the five declared nuclear weapons states, which for different reasons refused to sign the NPT for many years, finally acceded to the treaty on 3rd August and 9th March 1992, respectively.

33. For a succinct review of all existing non-proliferation régimes, see Peter van Ham, *Managing non-proliferation régimes in the 1990s*, Royal Institute of International Affairs, 1993.

34. Peter van Ham, *Managing non-proliferation régimes in the 1990s*, page 13.

292. On the other hand, serious questions have been raised about the NPT compliance of China, Iraq, Iran, North Korea, Libya and South Africa. In March 1993 North Korea became the first country to announce its intention to withdraw from the NPT<sup>35</sup>.

293. The NPT system of IAEA safeguards has been essential to deter potential proliferators by increasing the risk of detection of the diversion of nuclear-related material and it remains a *sine qua non* for commercial nuclear trade since it establishes confidence in the recipient state’s peaceful intentions with its nuclear programme.

294. In 1970, a special non-proliferation treaty exports committee was established (the so-called Zangger Committee) and a register was agreed, specifying items which should be regarded as equipment and material designed or prepared for manufacturing nuclear weapons (“trigger list”). In this framework, exporters must insist upon a non-explosive use assurance given by the recipient state, the material must be subject to IAEA safeguards and be re-exported only under similar conditions.

295. Recent events in Iraq and North Korea, both signatory states to the NPT and IAEA, have clearly demonstrated that the existing international régime does not prevent clandestine nuclear weapon activities.

296. In accordance with Article X.2 of the NPT, a conference will be convened in 1995 in order to decide whether the NPT will be extended for an additional period of time, whether it will be continued indefinitely, or whether it will simply expire. This conference will also review the treaty’s implementation.

297. The 1995 conference is considered to be of the greatest importance since the NPT is the keystone of the whole non-proliferation régime in existence. Negotiations on an extension of the treaty will be complicated because of the fact that many issues are involved. Many third world countries are not satisfied with their share of the political bargain upon which the NPT was based: peaceful nuclear technology in exchange for a pledge not to acquire nuclear weapons. They argue that nuclear technology transfer has to be restricted and that the nuclear weapon states should stop modernising their nuclear weapons arsenals. They may make an extension of the NPT conditional upon the conclusion of a comprehensive test ban treaty.

298. Connected with the debate on a comprehensive test ban treaty is the demand by many countries for a commitment by the nuclear weapon states to a timetable for their nuclear disarmament. For obvious reasons, this demand

35. SIPRI yearbook 1992, page 56.

may come from Ukraine, Kazakhstan, other CIS republics and the Baltic states, but both Japan and Germany may also be interested.

299. It should further be noted that many non-nuclear states will seek security assurances from the nuclear weapons states either of a negative character (commitments not to use, or threaten to use their nuclear weapons against non-nuclear states) or a positive character (commitments to come to the aid of a non-nuclear weapon state threatened by nuclear weapons or against which nuclear weapons have been used).

300. Although in February 1992 the IAEA Board of Governors significantly improved the operation of the IAEA safeguards system, new attempts will be made to introduce new safeguarding concepts.

301. With the United States now having worked out a doctrine for the use of military force against the nuclear facilities of proliferant states, this issue will certainly be discussed in connection with the implementation of Article IV.

302. The 1995 NPT extension and review conference takes place in an era with more opportunities than ever before for greater international collaboration to prevent nuclear proliferation. Nuclear arms control and non-proliferation activities are so closely linked that they can hardly be dealt with separately. The rôle of the IAEA could be enhanced, not only in controlling an extended safeguard system, but also in safeguarding fissile materials recovered from dismantled nuclear warheads and maybe even in providing secretariat, verification and inspection services for state parties to a comprehensive test ban treaty.

*(b) Missile technology control régime (MTCR)*

303. The MTCR is an informal agreement, established in 1987 by the G-7 countries in order to control the exportation of missile technologies and major sub-systems<sup>36</sup>. Later a number of other industrialised countries joined this agreement while others pledged to observe its spirit and guidelines. The main reasons for setting up the MTCR was that the acquisition of missile systems or the technology to develop them will greatly enhance the military power and effectiveness of proliferant nations since it provides them with a means to deliver their weapons of mass destruction.

304. It is recognised that the MTCR, as other existing export control régimes, does not provide a leak-proof protection against the proliferation of missile technology. The régime has several weak points such as its limited membership, the fact that missile technology is an issue much less tain-

ted than nuclear technology, and the divergent export control legislations of those states adhering to it.

305. It should also be mentioned that many third-world countries are perceiving the lack of access to modern missile technologies as another symptom of paternalism by the developed world, which is denying them a means of further economic and industrial development.

*(c) Comprehensive test ban treaty (CTBT)*

306. In October 1992, a law came into force in the United States mandating a permanent ban on all United States nuclear tests after 30th September 1996, "unless a foreign state conducts a nuclear test after that date". The same legislation required the suspension of all United States nuclear tests from 1st October 1992 until at least 1st July 1993, a suspension which has since been prolonged. The Clinton administration has decided not to resume testing and is now actively pursuing the conclusion of a comprehensive test ban treaty.

307. The administration was directed to submit to Congress a schedule for the resumption of test talks with Russia and a "plan for achieving a multilateral ban on the testing of nuclear weapons by 30th September 1996". A worldwide test ban could be an important instrument to thwart the development of new sophisticated nuclear arsenals by proliferant nations.

308. It is noted that a first generation, relatively low-yield nuclear weapon can be developed without testing, provided that the combination of a certain technological level, the necessary nuclear material and the determination to succeed are united. The development of more sophisticated nuclear weapons, however, does require a high or very high technological level and testing.

309. After a first commitment made by President Gorbachev in October 1991 not to conduct nuclear tests for one year, this Russian moratorium has been extended by President Yeltsin.

310. In France, President Mitterrand had announced a unilateral moratorium on nuclear testing in April 1992 which was confirmed by Prime Minister Balladur on 14th February 1994. Although this decision has often since been criticised, in particular by those who support the right-wing government now in power, France has pledged to continue its moratorium for as long as the United States and Russia refrain from testing. France is certainly prepared to co-operate in the establishment of a CTBT which it considers to be an important tool in non-proliferation efforts. It has emphasised that such a treaty should then be both universal and verifiable. Advocates of resumed testing argue that it would allow improvements to be made in safety, security and reliabi-

36. Document 1305, paragraph 71 et seq.

lity and new warheads for future delivery systems and a broader spectrum of nuclear weapons to be developed, including high-precision lower-yield weapons which some consider to be essential for a more selective and discriminate approach in France's nuclear doctrine. It is also argued that France does not yet have the extensive computer simulation programmes which enabled the United States to renounce testing. It is highly unlikely, however, that France will resume testing before the presidential elections in 1995 and even after that date such a decision would be difficult to defend for any of President Mitterrand's possible successors<sup>37</sup>.

311. China conducted several nuclear tests in 1992 and 1993, but it has stated that it was willing to discuss nuclear test issues with all the members of the Conference on Disarmament. On the other hand, one of the conditions for its participation in a comprehensive test ban treaty is that states with the largest nuclear arsenals should take the lead in "halting testing, production and deployment and drastically reducing those weapons"<sup>38</sup>. Beijing would be prepared to participate after "tangible progress" by those states.

#### (d) *Cocom*

312. In the autumn of 1993, it was decided that Cocom would cease to exist on 31st March 1994, being succeeded by an organisation with a broader membership and a changed mandate. Cocom had become the target of increased criticism, even among its own members, who in the absence of the former cold war consensus were not prepared to maintain its complicated and laborious export control system while many new and important export markets were developing in formerly proscribed countries.

313. The objective is now to create a new organisation before the end of 1994, with an extended membership and concentrating on a proliferation control agenda. Efforts are being made to regulate the transfer to proliferant nations of dual-use technologies, which contribute greatly to the spread of weapons of mass destruction and their delivery systems. Cocom's old and somewhat extensive proscribed item list will very probably be replaced by an enhanced "super-core" list of 8 to 10 technologies, transfer of which will be prohibited to an agreed list of countries. Apart from the old Cocom member states, the new organisation might include Austria, Finland, Ireland, Sweden, Switzerland and New Zealand. Efforts are being made also to include China, the Czech Republic, Hungary, Poland, Russia and Slovakia.

37. See also Chapter VIII (b) of the present report.

38. SIPRI year book 1992, page 564.

314. Even if the efforts to transform the former Cocom into a new non-proliferation organisation are welcomed, there can be little doubt that the new régime will be far less effective for many obvious reasons, some of which are mentioned below.

315. If the objective is to include all the leading suppliers, it will be difficult to reach agreement on the list of proscribed countries.

316. Abandoning the Cocom consensus rule on approving technology transfers will considerably weaken the control system. In the future, national discretion will determine whether an item not on the very limited "super-core" list is to be transferred. The new organisation will not be able to exercise a veto over intended export activities of its members; there will only be prior consultation.

317. One of the criteria for membership of the new organisation is that national export-control systems must meet a minimum standard similar to that required for Cocom member states. It should be noted, however, that many of the former Warsaw Pact countries which ought and are willing to be members of the new organisation in fact do not meet its requirements for a strict export-control system. Even though the Cocom co-ordination forum and NACC have been helpful in improving their export-control administration, it is likely that some of these states will constitute a weak link in the new framework.

318. It should also be noted that developing countries are criticising the establishment of a new multilateral control régime because it might limit their access to dual-use technologies. This is considered to be one of the issues in North-South relations that will complicate negotiations in the 1995 NPT review and extension conference.

319. Moreover, the new independent republics of the former Soviet Union consider the export of dual-use technologies, in particular to developing countries, as one of the few methods available for converting their defence industries and improving their economies.

## *XII. Conclusions*

### *(a) Do we still need nuclear weapons?*

320. With the development of the nuclear weapons policies of the four nuclear weapons powers involved in Europe's security, what should be the conclusions as regards the rôle and future of these weapons in Europe?

321. Even if some argue to the contrary, one can but recall that during the many years of the cold war nuclear weapons played an important rôle in maintaining a balance in Europe. It may



have been a balance of terror, but, because of the risk of degeneration into a nuclear exchange, it prevented any of the parties involved from embarking upon a military adventure in order to change the status quo. Mass destruction was considered to be a real possibility and therefore the risk was unacceptable. Over the years, the old adversaries had learned the rules of the nuclear weapons game and in the later years of the cold war they felt confident and comfortable enough to agree on the withdrawal of tactical nuclear weapons and the limitation of strategic arms. Nuclear deterrence worked well in relations between East and West and there is no reason to believe that the present or possibly even a future leadership in Russia with different views will not act in accordance with the many tacit understandings that have become part and parcel of deterrence between the traditional nuclear powers and which have been extremely effective.

322. Indeed, this alone is good reason to argue that the members of the Atlantic Alliance will have to maintain their nuclear forces as an insurance policy to protect them against any possible resurgence of aggressive imperialism. Likewise, Russia will want to maintain its nuclear forces as tangible proof of its status in the world and as a hedge against any possible feeling of being blackmailed by other nuclear states, such as China for example.

323. Another reason for nuclear weapon states to keep a nuclear arsenal is that they do not have the option of returning to a condition of pre-nuclear innocence. It should be emphasised here that none of the existing non-proliferation régimes nor even a comprehensive test ban treaty can prevent the acquisition by third countries of ballistic missiles and nuclear weapons or other weapons of mass destruction.

324. The possession of somewhat reduced but still relatively large arsenals of nuclear weapons by the official nuclear weapon states would at least prevent a situation where the acquisition of a small number of nuclear weapons would provide a nation with a disproportionate influence in its region or even in the world.

325. Does the possession of nuclear weapons protect against proliferation to third countries?

326. The answer cannot be a straightforward "yes" or "no". As stated above, the possession of a reasonably large number of nuclear weapons can deter a third country from the acquisition of a substantial nuclear arsenal be it only for reasons of cost. A third country which has acquired nuclear weapons could be deterred from using them in a crisis or conflict because, in accordance with the classical doctrine of deterrence, it would be threatened with such destructive retaliation that the risk of unacceptable losses would be greater

than the advantages it might gain from aggression. There is no guarantee, however, that third countries will react according to the rules of the game established between the superpowers. Altogether, however, it may be concluded that the possession of a nuclear arsenal may play a positive rôle in protection against third country proliferators.

327. On the other hand, the question arises of whether nuclear weapons should be used against third countries if they threaten to resort to weapons of mass destruction. Most strategists argue that modern, highly-sophisticated conventional precision weapons could do whatever is necessary in such circumstances. It is thought here that the development of low-yield, high-precision nuclear weapons for such purposes is not desirable, particularly since it would lower the nuclear threshold in the event of a conflict.

328. It is essential that Europe draw the consequences of the changes wrought in the world nuclear landscape<sup>39</sup> which can be described as follows:

- (i) all nuclear weapons come into the strategic échelon;
- (ii) tactical and infra-strategic nuclear weapons disappear in favour of high-precision, high-yield conventional weapons (c.f. the Gulf war);
- (iii) remaining nuclear weapons will no longer be deployed in any large numbers in external theatres of operations. The trend is for nuclear arms, other than easily deployable nuclear submarine missile-launchers and airborne systems, to be returned to their national territories;
- (iv) the evolution of doctrines is towards minimal nuclear deterrence; this evolution could be slowed down by the politically unstable and conservative position of Russia;
- (v) for reasons of cost and strategic uncertainty, all nuclear weapons countries are tending to suspend development and production of new nuclear weapons systems.

*(b) Towards a European nuclear deterrent*

329. Europe cannot remain indifferent to these fundamental changes in the nuclear landscape, although it seems to have little interest in the matter for the present. Is this because it is playing for time in order first to analyse the evo-

39. See also: Memento, L'Europe et la sécurité nationale 1993, GRIP, Brussels.

lution of geostrategic balances, because it is seeking to maintain the status quo, resting on its laurels, reluctant to jeopardise a minimal consensus achieved only with difficulty – or perhaps for a mixture of all these reasons? However, Europe must of necessity reach a decision in this matter. It would be unimaginable for the European Union to define a common foreign and security policy and at the same time for France and Britain to continue to insist on defining their vital interests as they perceive them, in isolation, protected by their strike forces. Can one claim that the will exists to create a political Europe if the component states are to be denied the right to participate in the development of the doctrine of deterrence which is supposed to assure their common protection?

330. The debate on the European nuclear deterrent will be the moment of truth in the construction of a European political union.

331. Apart from France and Great Britain which are nuclear powers in their own right, Belgium, Germany, Italy and the Netherlands have for decades undertaken nuclear missions on behalf of the Atlantic Alliance. For this reason your Rapporteur is convinced that the progressive development of a European nuclear strategy by a WEU strategic studies group can and must succeed. The task will be a long, awkward and arduous one, but what was possible in the Nuclear Planning Group of the Atlantic Alliance should also be possible within WEU for on it depend the security and external credibility of the European Union.

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## APPENDIX I

*Status of non-US aid for former Soviet weapon complex*  
 30th December 1993

	<i>Amount (in millions)</i>
<i>International</i>	
International Science and Technology Center	\$70
<i>Britain</i>	
250 weapon containers, 20 transport vehicles	£30
<i>Finland</i>	
International Science and Technology Center	N/A
<i>France</i>	
nuclear safety aid	FF160
<i>Germany</i>	
offer to Ukraine: dispose of liquid fuel	DM20
<i>Italy</i>	
safety equipment for Russia	\$6
<i>Japan</i>	
Framework agreement	\$100
- Assist in destruction of liquid fuel	
- Plan for plutonium disposal	
- Joint research with Russia on a breeder reactor	
- Breeder reactor to use excess plutonium	
- Use new plutonium reactor	
- Demilitarise plutonium	N/A

## APPENDIX II

*Soviet/Russian strategic forces – warheads by weapons system*

	Soviet September 1990	CIS January 1994	Projected Russian START	Projected Russian START II
<b>ICBMs</b>				
SS-11	326	0	0	0
SS-13	40	0	0	0
SS-17	188	160	0	0
SS-18	3 080	2 900	1 540	0
SS-19	1 800	1 680	630	105
SS-24 Silo	560	560	100	0
SS-24 Rail	330	360	330	0
SS-25 Road-mobile	288	405	500	500
SS-25 Mod 2 Road mobile	0	0	50	100
SS-25 Mod 2 Silo	0	0	50	300
<b>Total</b>	<b>6 612</b>	<b>6 065</b>	<b>3 200</b>	<b>1 005</b>
<b>SLBMs</b>				
SS-N-6	192	0	0	0
SS-N-8	280	64	0	0
SS-N-17	12	0	0	0
SS-N-18	672	672	528	528
SS-N-20	1 200	1 200	720	720
SS-N-23	448	448	448	448
<b>Total</b>	<b>2 804</b>	<b>2 384</b>	<b>1 696</b>	<b>1 696</b>
<b>Bombers</b>				
Bear-A/B	17	0	0	0
Bear-G	92	0	0	0
Bear-H (6)	162	162	162	162
Bear-H (16)	912	912	576	576
Blackjack	180	300	60	60
<b>Total</b>	<b>1 363</b>	<b>1 374</b>	<b>798</b>	<b>798</b>
<b>Total</b>	<b>10 779</b>	<b>9 823</b>	<b>5 694</b>	<b>3 499</b>

*United States strategic forces – warheads by weapons system*

	September 1990	January 1994	START (Projected)	START II (Projected)
<b>ICBMs</b>				
MX/Peacekeeper	500	500	500	0
Minuteman III	1 500	1 500	900	500
Minuteman II	450	200	0	0
<b>Total</b>	<b>2 450</b>	<b>2 200</b>	<b>1 400</b>	<b>500</b>
<b>SLBMs</b>				
Poseidon (C-3)	1 920	0	0	0
Trident I (C-4)	3 072	1 920	1 536	768
Trident II (D-5)	768	1 152	1 920	960
<b>Total</b>	<b>5 760</b>	<b>3 072</b>	<b>3 456</b>	<b>1 728</b>
<b>Bombers</b>				
B-1B	1 520	1 504	1 504	0
B-2	0	16	320	320
B-52H	1 860	1 860	940	940
B-52G	1 056	0	0	0
<b>Total</b>	<b>4 436</b>	<b>3 380</b>	<b>2 764</b>	<b>1 260</b>
<b>Total</b>	<b>12 646</b>	<b>8 652</b>	<b>7 620</b>	<b>3 488</b>

(Source: Arms Control Association, Washington D.C.)

*The WEU Planning Cell – reply to the  
thirty-ninth annual report of the Council*

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

*submitted on behalf of the Defence Committee<sup>2</sup>  
by Mrs. Baarveld-Schlaman, Rapporteur*

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1. Adopted unanimously by the committee.

2. Members of the committee: Mr. *Baumel* (Chairman); MM. *De Decker*, de Puig (Vice-Chairmen); Mr. Alloncle, Mrs. *Baarveld-Schlaman*, MM. *Borderas*, Briane, Brito, Chevalier, *Cox*, De Carolis, *Dees*, Dumont, Fernandes Marques, Ferrarini, Hardy, Irmer, Jacquat, Kelchtermans, Leccisi, Mrs. Lentz-Cornette, MM. *van der Linden*, Mannino, Marten, Lord Newall, MM. Pecchioli, Reis Leite, Scheer, Sir Dudley Smith, Sir Keith Speed, MM. Steiner, *Lopez Valdivielso* (Alternate: *Lopez Henares*), Vazquez, Zierer. ~~N.B. The names of those taking part in the vote are printed in italics.~~

### *Preface*

In preparing the present report, your Rapporteur has been extremely fortunate to receive much kind help and assistance from all the authorities consulted and she would like to take this opportunity publicly to thank all concerned for their co-operation.

The Rapporteur met or received evidence from the following:

*3rd February 1994 – WEU, Brussels*

Mr. Willem van Eekelen, Secretary-General of WEU;  
Lieutenant-General Marcello Caltabiano, Director of the WEU Planning Cell;  
Brigadier-General Roux, Deputy Director of the WEU Planning Cell;  
Group Captain Rimmer, Co-ordination section, WEU Planning Cell;  
Colonel De Jaeger, Executive Officer;

and the heads of the different sections of the Planning Cell:

Captain Figueiredo;  
Colonel Oliver;  
Captain Poesze;  
Colonel Wolters;

*4th February 1994 – SHAPE, Mons*

General Waters, United Kingdom Army, Deputy Supreme Allied Commander Europe (DSACEUR);  
Ambassador Vernon D. Penner, Minister-Counsellor, International Affairs Advisor to SACEUR;  
Vice Admiral Spinozzi, Italian Navy, Deputy Chief of Staff;  
Major General Kehoe, United States Airforce, Assistant Chief of Staff, Operations and Logistics Division;  
Brigadier General Schott, German Army, Chief Policy Branch;  
Brigadier General Lange, Danish Army, Deputy Assistant Chief of Staff, Allied Command Europe Resources;  
Mr. Harry Brown, Special Assistant for Politico-Military affairs;

*25th March 1994 – The Hague*

Mr. Bert Kwast, Ministry of Defence;  
Mr. Pieter de Savornin Lohman, Ministry for Foreign Affairs;

*5th May 1994 – Brussels*

Mr. Julian Miller, United Kingdom permanent representation at NATO;  
Group Captain Rimmer, Co-ordination section, WEU Planning Cell;  
Colonel Wolters, Chief of section, Logistics, Movement and Finance Section, WEU Planning Cell.

***Draft Recommendation***

*on the WEU Planning Cell – reply to the thirty-ninth annual report of the Council*

The Assembly,

- (i) Considering Article J.4 of the Maastricht Treaty and the decision contained in the declaration of the member states of WEU at Maastricht on 10th December 1991 to develop WEU as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance;
- (ii) Considering the Petersberg declaration of 19th June 1992 on strengthening WEU's operational rôle through the establishment of a Planning Cell with a number of operational tasks;
- (iii) Welcoming the fact that, in the Kirchberg declaration of 9th May 1994, the Council of Ministers of WEU has confirmed the importance which it attaches to the continued operational development of WEU;
- (iv) Welcoming the decisions taken at the NATO summit meeting in Brussels on 10th-11th January 1994 giving full support to the development of a European security and defence identity and to the strengthening of the European pillar of the Atlantic Alliance through Western European Union as the defence component of the European Union;
- (v) Welcoming the NATO summit meeting's decision to endorse the concept of combined joint task forces (CJTF) which will provide separable but not separate military capabilities that could be employed by NATO or WEU;
- (vi) Considering that the abovementioned decisions will make sense only if the Council attaches the highest priority to strengthening WEU's operational rôle;
- (vii) Noting, however, that a clear definition of WEU's requirements for the implementation of the CJTF concept will have to be accompanied by the establishment of a clear command and control structure providing the indispensable political-military interface for WEU operations in view of the vital importance of the CJTF concept for the relevance and effectiveness of future WEU activities and operations;
- (viii) Considering that in order to be able to operate in a satisfactory way, WEU will have to benefit from NATO and national intelligence;
- (ix) Stressing that the Planning Cell should have appropriate infrastructure and communication links with NATO which would allow WEU to perform its tasks as stated in the final communiqué of NATO's January 1994 Brussels summit meeting,

RECOMMENDS THAT THE COUNCIL

1. Attach the highest priority to the formulation of a common European defence policy in order to provide a clear reference framework for the activities of the Planning Cell and all other organs of WEU;
2. For the time being, allow the Planning Cell to concentrate on the three main tasks as formulated in the Petersberg declaration:
  - keeping an updated list of units and combination of units which would be allocated to WEU for specific operations;
  - preparing contingency plans for employment of forces under WEU auspices;
  - preparing recommendations for the necessary command, control and communication arrangements, including standing operating procedures for headquarters which might be selected;
 while ensuring that it can fully participate in, and furthermore work on, the implementation process of the CJTF concept which is vital for WEU's operational rôle;
3. Ensure that national capitals provide full co-operation with the Planning Cell and urgently settle the remaining shortcomings in relations between the Planning Cell and NATO in order to help the Planning Cell implement its basic tasks;
4. Further promote the extension of existing contacts and exchanges of information between WEU and the United Nations and, in particular, between the WEU Planning Cell and the United Nations Secretary-General's Military Adviser in New York;



5. For the planning and possible implementation of peace support operations, adopt the terminology employed in the United Nations Agenda for Peace;
6. Avoid the multiplication of mandates given to the Planning Cell, if this is not accompanied by a corresponding enlargement of its staff;
7. After assessing the Planning Cell's activities and its internal organisation by 1st October 1994, make the basic choice between maintaining the present military liaison group with limited capability or establishing a military planning centre which should be able to carry out the numerous planning tasks and other activities which the Council may have in mind;
8. Ensure that the rotation of Planning Cell personnel will be achieved with a minimum of discontinuity;
9. Promote the internal coherence of the Planning Cell by ensuring that all staff members are remunerated in accordance with standards similar to those used for all other WEU staff.

## *Explanatory Memorandum*

*(submitted by Mrs. Baarveld-Schlaman, Rapporteur)*

### *I. Introduction*

1. It is about a year ago now that the Planning Cell was officially granted its full operational capability. According to the Secretary-General's initial timetable, a full review of the internal organisation and activities of the Planning Cell should be made by 1st October 1994.

2. In the past year, the Assembly, which has welcomed and supported the establishment of a Planning Cell as a valuable contribution to WEU's operational capability, has closely followed its activities.

3. At this juncture, it seems useful to present a first succinct evaluation of the Planning Cell's activities as seen by the Assembly and to offer some indications and recommendations for the way ahead. The present report does not, and cannot, claim to be exhaustive. It is therefore focused on a number of issues which are considered to be of primordial importance for the development of WEU's operational capabilities and the proper functioning of the Planning Cell in that framework.

### *II. Establishment and tasks*

4. On 19th June 1992, the Council of WEU meeting in Petersberg decided that on 1st October of that same year, a planning cell would be established under the authority of the Council.

5. According to the Petersberg declaration, the Planning Cell would be responsible for:

- preparing contingency plans for the employment of forces under WEU auspices;
- preparing recommendations for the necessary command, control and communication arrangements, including standing operating procedures for headquarters which might be selected;
- keeping an updated list of units and combinations of units which would be allocated to WEU for specific operations.

6. In the terms of reference for the Planning Cell, the following additional tasks and responsibilities are mentioned:

- compile an inventory of rules of engagement;
- prepare standard operating procedures for the selected headquarters;

- prepare exercise plans and evaluate the results of exercises for future planning;
- contribute its expertise to wider reflections on the development of a military capability for WEU.

7. In an emergency crisis, it would further have to:

- provide advice to the WEU authorities on the practicability and nature of any WEU involvement;
- co-ordinate the preparation of deployment of forces under WEU auspices until this function is assumed by a nominated joint headquarters.

8. The Planning Cell is responsible to the Council which, in peacetime, will issue overall directives on planning options and priorities to the Planning Cell. The Director reports to the Council following prior examination of the work by the WEU Chiefs of Defence staff or by the representatives of member countries' military authorities.

9. According to its terms of reference, the Planning Cell needs to ensure, through liaison with the appropriate authorities, that it is able to monitor the situation in potential trouble-spots and follow its development.

10. Since the Planning Cell was considered to be the focus for contingency planning involving WEU forces, it would have to ensure that it had satisfactory contacts and communications with nations and national headquarters staffs, headquarters nominated for military operations under WEU auspices, as well as with other international bodies and organisations which might have a rôle in possible contingencies.

11. The Planning Cell would also have to liaise as necessary with the Secretariat-General, the Defence Representatives Group and other appropriate sub-groups of the Council and with the WEU Satellite Centre.

12. The work of the Planning Cell was distributed among the following five sections, each of which has a number of main tasks:

#### *(i) Co-ordination section*

Responsible for the internal co-ordination, as well as the external co-ordination of military matters with nations, the European Union, NATO and other international organisations and conferences.

*(ii) Planning section*

The main tasks of this section are:

- to develop operational concepts for the employment of military forces answerable to WEU;
- to prepare and update broad operational plans for contingencies which may be undertaken by forces under WEU;
- to maintain details of forces which nations may be prepared to make available for WEU operations on a case-by-case basis;
- to develop forces packages which will relate available forces to planned contingencies;
- to contribute its expertise to wider reflections on the development of a military capability for WEU;
- to prepare in crises, the directive to the chosen commander of WEU forces, for approval by the WEU Council.

*(iii) Operations and exercises section*

This section must develop the more detailed application of the broad operational plans for contingencies prepared by the planning section.

It also formulates WEU exercise requirements and co-ordinates multinational exercise plans and schedules, as necessary, to meet possible WEU contingencies.

Finally, it is expected to consult with respective NATO bodies and member nations in monitoring areas of possible crisis or conflict and in the formulation of intelligence and information requirements which need to be met for each specific contingency.

*(iv) Logistics and movements section*

This section is supposed to contribute to all contingency plans for "forces answerable to WEU" and define the appropriate arrangements on manpower, supplies, movements, medical support and financial aspects.

It has to develop logistics plans for ensuring an adequate logistics posture of forces answerable to WEU and at the same time to monitor developments in the fields of strategic transport for deployment and resupply.

Furthermore, it has to hold consultations on logistics and movement with respective NATO bodies and facilities of member nations and formulate the requirements which need to be met for each specific contingency.

*(v) Communications section*

It must contribute to all contingency plans for "forces answerable to WEU", define appropriate arrangements for command, control, information systems, interoperability and requirements for communication and electronics for respective contingency plans.

As well as this, it is supposed to consider developments in communications within the alliance and nations to ensure the best possible awareness of available installations and formations, consult with respective national and NATO bodies to co-ordinate the defined requirements for contingency plans and support the Planning Cell in all matters of computer security and long lines (PTT) leasing policy and practices.

13. For this rather ambitious programme of tasks, a total number of 40 staff members was allocated to the Planning Cell.

14. In October 1992, the Director, with a limited number of staff members, started to prepare the work of the Planning Cell in a temporary location. While full operational capability was initially envisaged for 1st April 1993, the Planning Cell moved to its final location within the WEU headquarters on 22nd June 1993, where certain material and other working conditions have not yet been introduced.

15. Meanwhile, it should be noted that, at its Luxembourg meeting on 9th May 1994, the Council decided that the new Central European associate partners of WEU may have a liaison arrangement with the Planning Cell.

16. At the same time, it was made known that the associate members of Iceland, Norway and Turkey "may nominate officers to the Planning Cell in order to increase WEU's planning capabilities and to enable WEU to draw more easily on the associate members' expertise and resources for the tasks identified in the Petersberg declaration".

*III. An early vision of Planning Cell activities*

17. The description of the Planning Cell's main tasks as set out in the Petersberg declaration had necessarily been rather general, but the newly-appointed Director, Lieutenant-General Marcello Caltabiano, when taking up his responsibilities in October 1992, had to concentrate on reality and work out what should be the initial priority tasks.

18. At the invitation of the WEU Assembly's Defence Committee, the Director of the Planning Cell addressed the committee for the first time at its meeting on 25th January 1993, providing his

first opinion on what could be done and how. General Caltabiano thought it was difficult to define precisely WEU's geographical area of interest, but he assumed that it would primarily be in areas fairly close to Europe.

19. Interaction of the Planning Cell with equivalent structures such as NATO and the United Nations would be paramount for achieving military efficiency and all possible steps should be taken to establish clear relationships and to co-ordinate with such bodies to avoid duplication.

20. He emphasised that the Planning Cell's first task should focus on the creation and maintenance of an updated list of units and combinations of units which nations might, on an ad hoc basis, make available for operations under the aegis of WEU.

21. The second task would be to prepare recommendations for the necessary command and control arrangements required for any WEU operation.

22. Another priority was the preparation of rules of engagement for use in military operations which should have commonality with NATO rules of engagement in order to avoid the dangers of ambiguity and unnecessary duplication of effort. On the other hand, further work was required in order to ensure that WEU rules of engagement would be sufficiently flexible to take account of possible specific WEU missions.

23. An exercise policy would have to be formulated in the longer term, given the need for extensive consultation between nations and the need for co-ordination with existing national and multinational exercises. The Director's aim was to mount a modest command-post exercise by the beginning of 1994 and full field training exercises by the middle of the 1990s.

24. At that moment, the Director found it difficult to foresee full operational capability for the Planning Cell by 1st April 1994. He also saw problems in the field of budgetary calculations since it was virtually impossible to see what the costs would be.

25. He finally stressed that the Planning Cell would include representatives from all armies which should allow it to respond to any request for military advice, but he also pointed out that the military needed political guidelines which he hoped would be forthcoming. A first necessity for WEU might be to define a "common intervention policy" to serve "common European interests".

26. In the conclusions to this report, an assessment will be made of the implementation of these priority tasks.

#### *IV. Forces answerable to WEU (FAWEU)*

27. When Europeans started to talk seriously about WEU as a European defence organisation, the ultimate argument of the opponents time and again was that WEU did not have a military organisation or an integrated military structure and that it had no troops.

28. It is no surprise, therefore, that after the signature of the Maastricht Treaty with Article J.4 on the development of a common foreign and security policy "including the eventual framing of a common defence policy, which might in time lead to a common defence", the Council of Ministers had to take a closer look at this flaw.

29. The first steps were taken in the Petersberg declaration of 19th June 1992 which set the general framework for military units answerable to WEU in order to strengthen its operational rôle in the following paragraphs from Chapter II of the declaration:

"2. WEU member states declare that they are prepared to make available military units from the whole spectrum of their conventional armed forces for military tasks conducted under the authority of WEU.

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

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

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

5. The planning and execution of these tasks will be fully compatible with the military dispositions necessary to ensure the collective defence of all allies.

6. Military units will be drawn from the forces of WEU member states, including forces with NATO missions - in this case after consultation with NATO - and will be organised on a multinational and multi-service basis.

7. All WEU member states will soon designate which of their military units and

headquarters they would be willing to make available to WEU for its various possible tasks. Where multinational formations drawn from the forces of WEU nations already exist or are planned, these units could be made available for use under the authority of WEU, with agreement of all participating nations.

8. WEU member states intend to develop and exercise the appropriate capabilities to enable the deployment of WEU military units by land, sea or air to accomplish these tasks."

30. In fact, however, the designation of such forces answerable to WEU appeared to be more complicated than was thought initially. At its meeting in Rome on 19th May 1993 the WEU Council of Ministers "took note of the report of the Defence Representatives Group and mandated the Permanent Council to reach timely conclusions and to present a progress report to the next ministerial meeting on the forces answerable to WEU, in particular for the conduct of humanitarian and peace-keeping operations."

31. The third task of such forces as mentioned in the Petersberg declaration – to act as combat forces in crisis-management, including peace-making – was no longer mentioned in the mandate for the Permanent Council because the new mandate was understood to connect with the dynamic concept of peace-keeping as used in the United Nations Agenda for Peace.

32. As is known, the United Nations Agenda for Peace makes a distinction between the following different activities in United Nations sponsored peace-support operations: peace-making, peace-building, peace-enforcement and peace-keeping. In this concept, peace-making is a political and diplomatic process which does not imply the projection of military force. Peace-building is defined as an "action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict". A following phase, peace-keeping, includes "the deployment of a United Nations presence in the field, hitherto with the consent of all the parties concerned, normally involving United Nations military and/or police personnel and frequently civilians as well".

33. It is recommended here that organisations such as WEU, which might take action under the aegis of a United Nations mandate, adopt the terminology of the United Nations Agenda for Peace for the various peace support operations to prevent misunderstandings as regards the different possible activities.

34. In this framework of relations between WEU and the United Nations, Recommendation 542 is recalled, in which the WEU Assembly

asked the Council to instruct the Planning Cell to offer advice for the United Nations Secretary-General's Military Adviser in New York, especially with a view to facilitating the creation of a similar Planning Cell for the United Nations.

35. In its reply to this recommendation, the Council recognised the importance of increased contacts and exchanges of information between the United Nations and WEU. It recognised that WEU contributions in the field of planning and periodic contacts between the Planning Cell representatives and the responsible United Nations staff could be of real value. In a letter addressed to his United Nations counterpart, dated 25th June 1993, the WEU Secretary-General proposed to step up contacts and exchanges of information between both organisations.

36. Since the Council's reply of 14th October 1993, no further details have been made known officially, and it seems that contacts between the WEU Planning Cell and relevant United Nations staff are more ad hoc than periodic.

37. At the ministerial meeting of 22nd November 1993, it was made clear that the European corps, the multinational division (central) and the Anglo-Dutch amphibious force had already been declared as multinational forces answerable to WEU (FAWEU).

38. As regards national forces which could be put under the authority of WEU, there were problems which had not yet been solved.

39. At that same meeting, ministers endorsed the "joint declaration stating the conditions for the use of the European corps in the framework of Western European Union" which had earlier been adopted by the three states participating in the European corps (Belgium, France and Germany). Recently, similar joint declarations have been adopted setting the conditions for the use of the Belgian/German/Netherlands/United Kingdom multinational division (central) and the United Kingdom/ Netherlands amphibious force in the framework of WEU and the understandings regarding these matters.

40. In the joint declaration regarding the European corps, a prominent rôle is given to the WEU Planning Cell, which should formulate plans for the use of the European corps within WEU. The rôle of the Planning Cell is specified in a number of paragraphs creating the impression of an extremely narrow co-operation with the European corps. It should be noted, however, that a number of clarifications given by the military delegates of the three countries participating in the European corps providing an interpretation of the declaration to which they are attached severely limit the active involvement of WEU and its Planning Cell.

41. The joint declaration stipulates that the Commander of the European corps will keep the Planning Cell regularly informed on such issues as manpower, equipment and weapons of the corps units which may act in WEU operations, the assets and infrastructure to be used for logistic support, training objectives and exercise programmes and operational capability. It is further stipulated that the Planning Cell Director will inform the states participating in the European corps of his assessments and proposals regarding the training of units, preparation and conduct of exercises, organisation of communications and logistic support and interoperability.

42. The Planning Cell's planning in this framework should take the practical form of generic plans and contingency plans. These ambitious objectives are far less impressive if it is known that, according to the interpretation attached to the declaration, the Director of the Planning Cell will provide his assessments and proposals "on the basis of the current terms of reference and resources of the Planning Cell" which, as is well known and also admitted by the Planning Cell itself, are not sufficient by far for performing these tasks. The same attached interpretation stipulates that for the purpose of generic planning, no direct links are necessary between the Planning Cell and the European corps.

43. While the joint declaration states that the European corps, in order to maintain relations between WEU and the corps, will be in permanent liaison with the WEU Planning Cell, the definition of and arrangements for this permanent liaison, to be approved by the Council, still remain to be agreed more than six months after the adoption of the joint declaration.

44. One may wonder whether such working methods actually contribute to efficiency. Was the establishment of the European corps really intended to be the first step towards a European army or just another public relations exercise without intrinsic value? It is noted here that the mere addition of the prefix "Euro" or attributive "European" is not enough to make armed units an integral part of a European defence identity.

45. On the other hand, it can be well understood that member states are reluctant to transfer full command over their armed units to an organisation which does not have a proper general staff.

46. Also on 22nd November 1993, the WEU Council approved a report on relations between forces answerable to WEU (FAWEU). It was established that two different categories of FAWEU could be distinguished:

- national FAWEU, military units and headquarters designated by states which can be made available to carry out tasks conducted under the authority of WEU;

- multinational FAWEU, established multinational military units and headquarters, existing and future, jointly designated for the same purpose by the participating states.

47. For the use of FAWEU, three categories of plans should be developed: generic plans, contingency plans and operation plans. In this planning process, an important rôle was attributed to the Planning Cell.

48. The Planning Cell is to develop generic plans for possible operations where some of the planning factors have not yet been fully identified or cannot be assumed. In this framework, illustrative force packages should be identified. For this kind of planning, direct links with units were not thought to be necessary.

49. The Council can ask the Planning Cell to develop contingency plans for possible operations where the planning factors have been identified or can be assumed. These plans are more detailed and include the forces needed and options for deployment. At this stage of the planning process, those nations interested may provide details regarding their possible or intended contributions. Logically, it is thought that while developing contingency plans, the Planning Cell will have to be able to communicate directly with those units earmarked for possible deployment.

50. When the Council has decided to mount a specific operation, it will designate an Operation Commander, who is responsible for drawing up an operation plan normally based on earlier generic and contingency plans. Once the Council has approved the operation plan, contributing member states will transfer their designated military units under command of the Operation Commander.

51. As regards the command and control of WEU operations, it has been established that the overall political control will rest with the WEU Council, while the full command of a WEU force deployed in an operation is retained by the nations to whom the forces belong.

52. It should be noted here that, in accordance with the abovementioned arrangements, FAWEU are forces available to WEU rather than forces answerable to WEU, which is the misleading terminology used by the Council.

53. While, in general, the Planning Cell should have contact with FAWEU through the national capitals, it can, subject to the agreement of the relevant nations, consult national staffs and the staffs of FAWEU in preparing plans. It has also been decided that, when developing contingency plans, the Planning Cell can be supported by national and multinational headquarters.

54. One of the Planning Cell's important resources for generic planning, contingency plan-

ning and the identification of force packages is the defence planning questionnaire, a document which is periodically updated by all NATO member states and which is supposed to provide a reliable and detailed survey of each nation's armed forces.

55. It was therefore agreed that each member state should present its list of FAWEU as replies to the defence planning questionnaire (DPQ) or, if need be, as replies to a specific questionnaire formulated by the Planning Cell. The Planning Cell should then make its assessment of the information gathered, collect further information if needed and then produce the list of FAWEU. The list of FAWEU should then be the basis for the development of force packages.

56. At present, most of the preparatory work has been completed, an initial list has been produced and it is expected that the complete list of FAWEU will be presented to the Ministerial Council at the end of 1994.

57. There has been criticism that, twelve months after the mandate given in Rome, a list of FAWEU is still not available. It has indeed taken a long time, but at least part of the criticism of the Planning Cell is unfair for a number of reasons.

58. Initially, member states replied in different ways to the Planning Cell's questions. Some said that all conventional forces were potentially available while others preferred to provide a list with specific units. There were questions as to whether specific units and their equipment should be made available at a given time. On the other hand, nations which were prepared to provide units were hesitating to be too specific because they wanted to retain a certain flexibility in case units would be needed for other tasks. France, not participating in NATO's military structures, took longer to provide the replies. Furthermore, there were differing opinions on the question whether forces especially suited for humanitarian operations could be distinguished from others while the activity called "peace-keeping" turned out to be subject to change due to recent experiences all over the world. Meanwhile, the Planning Cell itself had only just started its work. Its staff had to settle into the new environment, and – needless to say – there was also some infighting in structures which were accustomed to work only with NATO as the co-ordinating organisation.

#### *V. Combined joint task forces (CJTF)*

59. A major step forward on the road towards the creation of operational capabilities for WEU was taken at the NATO summit meeting in Brussels on 10th-11th January 1994.

60. At this summit meeting, it was decided that the alliance's organisation and resources would be

adjusted so as to facilitate the development of WEU as the defence component of the European Union. It was also stated that the alliance stood ready to make collective assets available, on the basis of consultations in the North Atlantic Council, for WEU operations.

61. In their declaration, the heads of state and government further said: "We also will need to strengthen the European pillar of the alliance by facilitating the use of our military capabilities for NATO and European/WEU operations ...." To improve, among other things, co-operation with WEU and to reflect the emerging European security and defence identity, they endorsed "the concept of combined joint task forces as a means to facilitate contingency operations, including operations with participating nations outside the alliance".

62. The North Atlantic Council, with the advice of the NATO military authorities, was directed to develop this concept and establish the necessary capabilities. In co-ordination with WEU, it would work on implementation in a manner that would provide "separable but not separate" military capabilities that could be employed by NATO or WEU.

63. Work on the implementation of the CJTF concept started immediately after the summit meeting. As could have been expected, there was no immediate agreement over the interpretation of the wording in the summit declaration. In an early working definition, however, military authorities at NATO defined a CJTF headquarters as a deployable, multinational, multiservice headquarters of variable size, formed to command joint forces of NATO and, possibly, non-NATO nations, for the purpose of conducting peace operations outside the territory of NATO. A NATO CJTF headquarters could also be detached for European-led (WEU) operations. It is assumed that for the composition of a CJTF headquarters, elements will be drawn from CINCENT, AFSOUTH and AFNORTHWEST. At the moment, work on the CJTF concept is continuing and it is hoped that the final conclusions can be presented in December 1994.

64. Implementation of the CJTF concept will enable WEU to mount out-of-area operations in circumstances where the United States prefers not to deploy its armed forces and will finally do away with the argument that WEU does not have a proper military command structure.

65. At WEU, it is emphasised that in such possible WEU operations, a CJTF headquarters can only be effective if essential collective alliance assets such as satellite intelligence and AWACS are available at the same time.

66. Evidently, the Planning Cell has an important rôle to play in the CJTF implementation pro-

cess. Upon request from the WEU Council, it made a preliminary analysis of the consequences of CJTF on the WEU operational concept which was submitted to it a few weeks after the NATO summit meeting. The Council then established a specific CJTF political-military working group to prepare the WEU response to the NATO summit meeting and authorised the Planning Cell to take part in the working group's meetings and support its work.

67. At the same time, the Planning Cell was authorised to be an observer in the NATO military transitional issues working group which is now making an assessment of the military aspects of the last NATO summit's decision to adapt the alliance's structures and procedures.

68. It should be noted that the military authorities of NATO at SHAPE headquarters, working at the implementation of the CJTF concept, have been doing this until now without any support or guidance from NATO's political structures. Seemingly, one nation, notably in favour of the development of a European defence identity, is blocking positive progress on the CJTF issue in the political structure.

69. It should be emphasised here that CJTF will make little sense for WEU if it does not create the appropriate political-military infrastructure to deal with it effectively. Even if some progress has been made, the existing infrastructure is still largely ad hoc.

70. For command and control of operations as envisaged in the CJTF concept, a strategic interface is required between political and military structures, an element still missing in WEU. The prevailing command and control regulations in WEU operations have been agreed on an ad hoc basis, lacking universality.

71. The Planning Cell has now produced a first analysis of command and control of WEU operations for discussion by the relevant WEU bodies. It seems that this subject needs high priority attention if WEU takes its rôle seriously.

## *VI. WEU strategic mobility study*

72. After the Gulf war, in Recommendation 501, the WEU Assembly having established that there were important shortcomings in Western European strategic transport capabilities, had asked the Council to study the possibility of setting up a European strategic airlift command equipped with a military version of the Airbus A 340 and operating in a WEU framework. In its reply, the Council made it known that the Defence Representatives Group in liaison with the Special Working Group would spell out and assess, as it was said: "proposals to make co-operation more ope-

rational 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."

73. In Recommendation 515, the Assembly then recommended that the Council: "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."

74. The Council replied on 26th March 1992: "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."

75. This Franco-German study on European requirements for strategic mobility initially remained without follow-up. The establishment of the Planning Cell apparently opened new perspectives to examine problems of this nature and after a proposal of the Chiefs of Defence Staffs (CHODs), the Council decided on 27th April 1993 that under the aegis of the Planning Cell, a WEU strategic mobility study (WSMS) should be initiated. For this study, the Planning Cell would be assisted by national movements experts of the member states while the Franco-German study was used for further analysis.

76. It should be acknowledged that here also in the beginning little progress was made due to a number of reasons. Since there were no WEU operational guidelines nor contingency plans available, the Planning Cell had the feeling that there was no sound basis for a strategic mobility concept in a WEU framework. Some member states on the other hand argued that the original working hypotheses, partly based on the Franco-German study, were far too ambitious in that they put too much emphasis on massive air transport of heavy equipment.

77. A convergence of ideas has now taken place, which has resulted in a more realistic approach. The study will now be conducted in two different phases. Phase 1, to be concluded at the end of 1994, will provide an evaluation of the existing strategic mobility capabilities in WEU through simulation of the deployment of force packages up to the size of a division over short, medium and long range. Here, one of the problems faced by the Planning Cell experts was that, due to national restrictions, not all national experts were able to provide estimates of the avai-



lability of military and civil sea and air transport assets to support WEU force deployments.

78. Phase 2, to be concluded in 1995, will provide a WEU strategic mobility concept. In this framework, an analysis will be given of co-ordination measures and procedures for the pooling of national transport assets and for circumstances where WEU would have to make an appeal to the civil transport market, in particular to protect competitive bidding. With the support of Euroflag, an additional analysis will be given based on the assumption that the future large aircraft (FLA) would be available for WEU deployments. The possible acquisition of dedicated strategic transport assets will also be subject to analysis.

79. In order to ensure that the WEU strategic mobility capability will be complementary to and compatible with that of NATO, the work of the Planning Cell on WSMS will have to be co-ordinated with NATO's movement, transportation and mobility management advisory group.

80. With most probably the final result of WSMS to be expected by the end of 1995, it will indeed have taken a long time. On the other hand, it should be admitted that here again, as mentioned above, many different factors have contributed to a slow start.

## VII. Other aspects of planning activities

### (a) Maritime co-operation: Combined Endeavour

81. Based on an initiative of France, Italy and Spain to examine the possibility of promoting forms of aero-maritime co-operation among WEU member countries, the Planning Cell was tasked to pursue this idea in October 1992. This was implemented by developing an operational plan, providing a mechanism for the generation and initial deployment of maritime forces, including maritime air forces in close co-operation and consultation with the Military Delegates and the Defence Representatives Group. These activities now have resulted in WEU operational plan Combined Endeavour. At its meeting on 9th May 1994, the WEU Council approved this operational plan and agreed that such an initiative should be developed further in accordance with the initial mandate. Combined Endeavour enables WEU to generate and initially deploy maritime forces and to identify maritime force packages for certain tasks.

82. It can also be used in combination with any other plan for which maritime forces would be required and as the starting mechanism for and the initial phase of a maritime exercise involving the WEU crisis-management organisation and maritime forces.

### (b) Humanitarian missions including generic evacuation planning

83. At its meeting in Luxembourg on 22nd November 1993, the Council tasked the Planning Cell "in completing the list of FAWEU incorporating national inputs, to identify forces especially suited for humanitarian tasks". In parallel with its work on the list of FAWEU, it is now developing a data base for contingency planning in the field of humanitarian missions. In this framework, links are being developed with the United Nations Department of Humanitarian Affairs (UNDHA) and with the European Community Humanitarian Organisation (ECHO).

84. In the specific field of generic evacuation planning, a report has now been drafted in order to examine whether and how WEU can make a contribution to work already being done elsewhere, in particular within the European Union. A generic plan for WEU evacuation operations has been drafted. Moreover, a study is being made of lessons learned from the recent evacuation operations in Rwanda.

85. More recently, the Permanent Council discussed the possibility of a WEU contribution to the evacuation of citizens who might be forced to leave Yemen because of the civil war. The Planning Cell has contacted the authorities of the countries concerned.

### (c) Peace-keeping missions

86. A document on WEU involvement in peace-keeping missions is now almost completed. This document includes a description of basic principles, the conditions for any WEU involvement, the missions and tasks of peace-keeping forces, generic planning considerations and the characteristics and composition of forces.

### (d) Exercise activity

87. The Planning Cell has been in close liaison with United Kingdom planning authorities for the command post exercise Purple Nova 1994 on evacuation, which is the first exercise of this kind to be planned and conducted within a WEU framework. Among the Planning Cell's objectives for this exercise are the rehearsal of WEU crisis-management procedures, and the provision of experience for its staff in planning, co-ordinating and conducting command post exercises within the context of WEU.

88. The Planning Cell is also involved in preparations for the tri-national (Italy, France and Spain) major exercise Tramontana, with Spain as the host nation, and the possible participation of other WEU member states.

89. At the Planning Cell, it is hoped that both exercises will help to analyse command, control and communications structures for WEU evacua-

tion operations and also to study standard operating procedures and rules of engagement.

### ***VIII. Contingency planning***

90. On some occasions, the Planning Cell has been involved in contingency planning for specific operations.

#### ***(a) Safe areas in Bosnia-Herzegovina***

91. In July 1993, the Planning Cell was asked to examine the possibility for WEU member states to participate in the protection of safe areas in Bosnia-Herzegovina designated by the United Nations Security Council. The Planning Cell's questions as to which forces could be provided by member states mostly met with negative replies and further planning had to be given up.

#### ***(b) Administration of the Mostar district and other activities regarding the former Republic of Yugoslavia***

92. Upon request by the Council in September 1993, the Planning Cell prepared a study on the problems which the European Union might face in a possible administration rôle in the Mostar district. This study was made in close contact with NATO, the United Nations, the European Community monitoring mission and other organisations involved in activities in the Mostar district. After submission of a detailed report, the Planning Cell was asked to develop a general plan for any support from WEU in the medical field for the possible European Community administration in the Mostar district. This general plan was submitted to the Council in December 1993, but will have to be updated as the situation changes. Recently, after a fact-finding mission, the Planning Cell made an assessment of the security environment for the possible European Union administration.

93. The staff of the Planning Cell remained involved in WEU's commitment to operation Sharp Guard in the Adriatic. Moreover, the Planning Cell presents a weekly written report to the Permanent Council with the aim of informing the Council about developments in the situation in the former republic of Yugoslavia and current operations such as Deny Flight, Sharp Guard and the embargo enforcement on the Danube.

#### ***(c) Multinational formations***

94. In the framework of the planning for protection of safe areas, the Planning Cell was also asked to prepare a study on the possibility for the establishment of multinational formations. Member states provided widely diverging replies on the Planning Cell's questions regarding this subject. After the NATO summit's decision to develop the CJTF concept, it was decided to stop work on this issue for the time being.

### ***IX. Operational capability and infrastructure***

95. Although it is admitted that progress has been made since the Planning Cell first started its work in temporary premises in Brussels, several issues of vital importance for the work of the Planning Cell and even for WEU as an organisation in general, have not yet been solved.

96. Firstly, there is still no satisfactory solution for the communication links. The WEUCOM system, developed some years ago for communications between the WEU Secretariat-General and the national capitals of the member states, is considered to be too slow and its performance insufficient. For its secure links with the capitals, the Planning Cell has now a secure telephone link borrowed from Italy and a secure fax borrowed from France.

97. One year after its official establishment, the Planning Cell does not yet have the possibility to use NATO's Initial Voice Switch Network and Telegraphic Automatic Relay Equipment, while the completion of internal security standards compatible with those of NATO is still pending. Indeed, the secretariats of both WEU and NATO are working on memoranda of understanding in these areas, but it seems that the main hurdle is the funding problem. With the essential CJTF concept now having to be implemented in co-ordination between NATO and WEU, a solution for these communication problems can no longer be delayed.

98. Secondly, the Planning Cell needs to have access to NATO and national intelligence including secret material if its work is to be taken seriously. An intelligence agreement between WEU and NATO is urgently needed, and it is thought that discussions to prepare its conclusion should start without delay. Meanwhile, it seems that work has started already on a separate agreement between the two organisations regarding the exchange of information on a day-by-day basis.

### ***X. The Kirchberg declaration and the Planning Cell***

99. Time and again, the Assembly wonders how seriously the WEU Council takes its rôle of strengthening the European security and defence identity and, in particular, WEU's operational capabilities. In fact, it cannot get away from the impression that the Council is indulging in solemn declarations without paying due attention to their follow-up.

100. The Council's Kirchberg declaration is a point in case, to be considered here as related to the Planning Cell's activities.

101. In the Kirchberg declaration, the Council stated among other things:

“They welcomed the [January 1994 Atlantic Alliance] summit’s endorsement of the principle that collective assets and capabilities of the alliance can be made available for WEU operations in order to strengthen WEU as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance. They underlined that the modalities for making these available should preserve WEU’s own planning procedures and capabilities.

Ministers stressed the importance of work under way in WEU on the WEU-related aspects of the adaptation of the alliance structures. In order to enhance WEU’s ability to carry out the tasks defined in the Petersberg declaration, Ministers endorsed the approach to identify the assets and capabilities required to perform the necessary military functions.”

102. These statements should be welcomed, but the Council may have ignored the fact that they may result in additional work for a WEU Planning Cell which in its present limited size has considerable problems in implementing its basic tasks.

103. Ministers further said that they “underlined the importance of co-ordination with the alliance on the implementation of the CJTF concept and the definition of separable but not separate military capabilities so as to ensure their effective use where appropriate by WEU, and in that case under its command.”

104. If the Council justly considers the implementation of the CJTF concept in co-ordination with the alliance to be of such great importance, why then are the problems of secure communication links between the Planning Cell and NATO, NATO-compatible internal security standards for the Planning Cell and an intelligence agreement between NATO and WEU still pending?

105. As regards relations with the European Union, the Ministers:

“... welcomed the fact that working relations with the European Union were now being developed. They also recalled their endorsement at their last meeting of the measures to ensure close co-operation between the European Union and WEU contained in the conclusions of the General Affairs Council of 26th October 1993 and approved by the European Council on 29th October 1993. Ministers emphasised in this context the need to improve co-operation, particularly in the management of crises, and looked forward to close co-operation

between the two organisations in order to respond rapidly and efficiently in the event of crises. In this context, Ministers welcomed the request by the European Union to make a contribution to a future European Union administration of Mostar and confirmed that WEU was ready to offer its support. This constituted a promising example of the close co-operation between WEU and the European Union foreseen by the Maastricht Treaty.”

106. The Assembly fully agrees with the Ministers’ opinion that co-operation between the European Union and WEU needs to be improved, particularly in crisis-management.

107. It does not understand, however, the Ministers’ enthusiasm over WEU’s possible contribution to a future European Union administration of Mostar. After an internal discussion, the Council, due to some member states’ reluctance to act, could not offer more than “support that WEU might provide in the medical field”. After submission of a general plan to this end, the Planning Cell has now made an assessment of the security environment. There is no reason to blame the Planning Cell, which did what it was asked to do, but in view of the situation in former Yugoslavia, the Council could have considered more substantial contributions.

108. In the Kirchberg declaration “Ministers recalled the importance they attached to the continued operational development of WEU, as the defence component of the European Union and as the means to strengthen the European pillar of the alliance”. In view of the astonishing lack of material support and political guidance which has until now characterised the relation between the Council and the Planning Cell, this can only be called an excellent example of cynicism.

109. As mentioned earlier in the present report, the Council decided at its Kirchberg meeting that the Central European associate partners may have a liaison arrangement with the Planning Cell, while the associate members may nominate officers to the Planning Cell. The Assembly welcomes this development, since it is an inherent recognition of the important rôle of the Planning Cell in the WEU structure. On the other hand, it remains to be seen what the consequences of the practical arrangements made in implementation of the Council’s decision will be for the work of the Planning Cell

## *XI. Conclusions*

110. What can be concluded after one year of Planning Cell activities?

111. Starting on the positive side, some achievements should be pointed out.

112. First, it should be noted that, with the Planning Cell, WEU now has a military staff and expertise at its disposal which enables the Council and its Secretariat-General to have an appropriate or quick response to questions regarding basic military aspects of issues within its purview.

113. Second, with the Planning Cell, WEU has a permanent and organic structure which can provide short-, medium- and long-term planning for the many different areas of possible WEU activities.

114. Third, the Planning Cell can provide close professional links with national military authorities and international military organisations such as NATO headquarters and the international military staff at NATO and SHAPE.

115. On the other hand, to the Assembly's regret, there is some disappointment due to expectations not being met.

116. The name Planning Cell is slightly misleading and may have created expectations too great for such a small group of experts. In fact, it is more of a military liaison group which can work only in close permanent contact with the appropriate authorities in military planning and other areas of military interest in the national capitals. Moreover, the word "planning" does not cover the many other activities in which the Planning Cell is involved according to its terms of reference.

117. With its 40 staff members, the Planning Cell should in no way be compared to the huge 950 military staff at NATO. The Planning Cell's just over 20 staff members involved in planning and related activities cannot be expected to perform miracles as the Council erroneously seems to believe.

118. As mentioned in Chapter IX, one year after reaching operational capability, the question of secure communications with capitals and NATO has not yet been solved in a satisfactory manner, a situation which is seriously hampering the Planning Cell's work. An intelligence agreement between WEU and NATO and, in particular, for the exchange of information and documents between the two organisations is also badly needed.

119. A problem, mostly of a practical nature, is also that the limits, as defined in the financial regulations of the Secretariat-General, provide no flexibility for the Planning Cell's Director in managing his budget.

120. Even more alarming is the lack of basic decisions creating well-defined references for the Planning Cell's activities. At present the Planning Cell is therefore working in a political vacuum, lacking

clear political guidelines and instructions which are specific enough to work efficiently. Until now, the Council has not formulated a common European defence policy, which is the ultimate framework of the Planning Cell's activities. The Kirchberg declaration offers a first perspective on the future work on this issue, but it could apparently still take time before final conclusions are reached. The Assembly thinks that the highest priority should be attached to the formulation of a common European defence policy. It is looking forward to the results of the Council's work in this area.

121. The Planning Cell is positively determined to perform the tasks set out in its terms of reference, but it should be noted that the multiplication of mandates given by the Council, combined with the lack of clear political guidelines and a clear political framework does not allow it to concentrate on the main tasks formulated in the Petersberg declaration and the corresponding priorities indicated by its Director at the beginning of 1993.

122. One might reproach the Planning Cell's leadership for not exerting enough control over progress in implementing the priority tasks, but at the same time it should be admitted that it had to navigate between the Scylla of concentrating on priority tasks and the Charybdis of meeting all the new and urgent demands of the Council.

123. It is advocated here that the original main tasks, in particular the completion of the list of FAWEU, are essential. Without this list, the Planning Cell cannot develop appropriate force packages for use in future planning.

124. It is also thought that the important WEU strategic mobility study (WSMS) should be completed in the near future so as to provide the Council with a sound basis for decisions on this essential issue.

125. As explained in a parallel Defence Committee report<sup>1</sup>, the Planning Cell lacks appropriate means in naval matters. This may become increasingly important for Europe in view of developments in the southern Mediterranean.

126. Relations with NATO are developing satisfactorily, but, as mentioned earlier, a number of shortcomings need to be settled urgently. Considerable progress can still be made in relations with other organisations such as the United Nations and, in particular, with the European Union and with multinational units which have been declared FAWEU.

1. An operational organisation for WEU: naval and maritime co-operation, Document 1415, 10th May 1994, Rapporteur: Sir Keith Speed.

*The WEU Planning Cell – reply to the  
thirty-ninth annual report of the Council*

**AMENDMENTS 1 and 2<sup>1</sup>**

*tabled by Mr. Baumel*

1. After paragraph 2 of the draft recommendation proper, add a new paragraph as follows:  
“ Provide the Planning Cell with more equipment and technical resources for data processing and communications; ”
2. After paragraph 2 of the draft recommendation proper, add a new paragraph as follows:  
“ Assign to the Planning Cell more important and specific tasks so that it can play a wider and more important operational rôle than hitherto, in particular by strengthening its co-operation with other political/military organisations of WEU members; ”

*Signed: Baumel*

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1. See 5th sitting, 15th June 1994 (amendment 1 agreed to; amendment 2 withdrawn).

*Texts transmitted by the Council to the Assembly  
at the close of the ministerial meeting on 9th May 1994*

*Kirchberg, Luxembourg*

*Kirchberg declaration*

- I. Communiqué
  - II. Document on a status of association with WEU for the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Poland, Romania and the Slovak Republic
  - III. Declaration following on from the document on associate membership of 20th November 1994
- Document on the modalities*  
*WEU mission on the Danube*  
*Presidency report on Operation Sharp Guard*  
*Presidency report on Mostar*

***Kirchberg declaration***

***9th May 1994***

The WEU Council of Ministers met in Luxembourg on 9th May 1994 and issued the Kirchberg declaration consisting of the following three parts:

- I. Communiqué
- II. Document on a status of association with WEU for the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Poland, Romania and the Slovak Republic
- III. Declaration following on from the document on associate membership of 20th November 1992

Part II of this declaration was adopted at the ministerial meeting of the Forum of Consultation held in the afternoon of 9th May 1994.

I

***Communiqué***

***WEU Council of Ministers, Luxembourg,***

***9th May 1994***

Ministers devoted a substantial part of their discussions to the strengthening of relations with the nine Central European partners and to the adoption of a status of association with WEU, which represents the culmination of the initiative extended to them at the meeting in Luxembourg last November.

Other topics addressed at this meeting were the enhanced status offered to the future associate members and the strengthening of the European security and defence identity and WEU's operational capabilities. Given the political and operational importance for WEU of the results of the alliance summit of January 1994, ministers discussed the significant possibilities these offered for the further development of WEU. They finally addressed the development of the dialogue with the Mediterranean states and contacts with Russia and Ukraine.

1. Further to the reflection by the Permanent Council on the basis of the mandate given in Luxembourg on 22th November 1993, ministers warmly welcomed the agreement reached on the content and modalities of a status of association with WEU offered to the consultation partners. They agreed on a document on a status of association which figures as Part II of this declaration.

WEU is launching this major political initiative in the context of the developing links between these states and European institutions, notably through Europe Agreements. This will constitute a concrete contribution by WEU towards preparing these states for their integration and eventual accession to the European Union, opening up in turn the perspective of membership of WEU. This initiative is fully complementary to co-operation within the alliance framework, in particular to the partnership for peace programme, and to that taking place within the framework of the stability pact, these processes being mutually reinforcing. Ministers considered that greater participation by these states in WEU activities, together with the closer consultation on security questions that will ensue, will contribute significantly to greater stability in Europe.

In this context, ministers welcomed the positive contribution made by the WEU Assembly to the reinforcement of European security.

2. Recognising the highly valuable contribution that the Republic of Iceland, the Kingdom of Norway and the Republic of Turkey are already making to WEU's activities as future associate members, ministers agreed on a declaration which figures in Part III of the present document. By enabling WEU to draw fully on these countries' expertise and resources, this package of measures will enhance WEU's rôle as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance.

3. On the occasion of their first meeting following the January 1994 summit of the Atlantic Alliance, ministers warmly welcomed the full support expressed by the alliance for the development of a European security and defence identity. They expressed satisfaction that the relevant parts of the Luxembourg declaration of 22nd November 1993, intended as a European contribution to the alliance summit, had been duly taken into account. In this context, they acknowledged the importance of the decision of the alliance to examine how to further develop and adapt its structures and procedures.

They welcomed the summit's endorsement of the principle that collective assets and capabilities of the alliance can be made available for WEU operations in order to strengthen WEU as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance. They underlined that the modalities for making these available should preserve WEU's own planning procedures and capabilities.

Ministers stressed the importance of work under way in WEU on the WEU-related aspects of the adaptation of the alliance structures. In order to enhance WEU's ability to carry out the tasks defined in the Petersberg declaration, ministers endorsed the approach to identify the assets and capabilities required to perform the necessary military functions.

Ministers underlined the importance of co-ordination with the alliance on the implementation of the CJTF concept and the definition of separable but not separate military capabilities so as to ensure their effective use where appropriate by WEU, and in that case under its command.

While recalling their commitment to strengthen the operational capabilities of WEU, they also agreed that WEU would benefit from careful management of resources as well as existing standardised procedures.

Ministers requested the Permanent Council to take discussions on these matters forward as fast as possible with a view to the timely presentation of joint positions into the process of consultation in the alliance.

4. Ministers recalled that WEU was fully prepared to play its rôle in accordance with the Treaty on European Union and the Maastricht declaration and to respond to requests from the European Union concerning its decisions and actions having defence implications. They welcomed the fact that working relations with the European Union were now being developed. They also recalled their endorsement at their last meeting of the measures to ensure close co-operation between the European Union and WEU contained in the conclusions of the General Affairs Council of 26th October 1993 and approved by the European Council on 29th October 1993. Ministers emphasised in this context the need to improve co-operation particularly in the management of crises and looked forward to close co-operation between the two organisations in order to respond rapidly and efficiently in the event of crises. In this context, ministers welcomed the request by the European Union to make a contribution to a future European Union administration of Mostar and confirmed that WEU was ready to offer its support. This constituted a promising example of the close co-operation between WEU and the European Union foreseen by the Maastricht Treaty.

Ministers also welcomed the successful conclusion of the negotiations on the accession of Austria, Finland, Norway and Sweden to the European Union whereby those countries undertook, inter alia, to accept the community "acquis" in the field of common foreign and security policy. They expressed the

hope that their accession could become effective by 1st January 1995 and recalled that WEU was prepared, in the period leading up to that accession, to strengthen contacts.

5. Ministers recalled the longer term perspective of a common defence policy within the European Union, which might lead in time to a common defence, compatible with that of the Atlantic Alliance. In this spirit, they tasked the Permanent Council to begin work on the formulation of a common European defence policy with a view to presenting preliminary conclusions at their next ministerial meeting in the Netherlands.

6. Ministers recalled the importance they attached to the continued operational development of WEU, as the defence component of the European Union and as the means to strengthen the European pillar of the alliance.

Ministers noted the work of the Planning Cell on the forces answerable to WEU, and requested it to develop further an inventory of force packages which will enable WEU to carry out the tasks conferred to it, particularly in the field of humanitarian missions, peace-keeping and crisis-management. They also took note of the report of the rôle of WEU in peace-keeping.

Ministers warmly welcomed and endorsed the adoption of the joint declarations setting the conditions for the use of the Belgian/German/ Netherlands/United Kingdom Multinational Division (Central) and the United Kingdom/Netherlands Amphibious Force in the framework of WEU and the understandings in these regards.

Ministers noted with satisfaction Luxembourg's decision to join the European corps.

Ministers approved a WEU operation plan Combined Endeavour for the generation of a WEU maritime force as presented by the Planning Cell and agreed that such an initiative should be further developed in accordance with the initial mandate.

In the same framework, ministers looked forward to the further development of the Italian proposals currently under consideration with France and Spain, envisaging a multinational ground force answerable to WEU.

They are confident that these initiatives will significantly contribute to European capabilities for crisis-management and to the development of the European security and defence identity.

Ministers confirmed the aim of further developing WEU's capability to use satellite imagery for security purposes. In this context, they envisaged establishing the WEU Satellite Centre at Torrejón as a permanent body of the organisation and would take a decision on this point in the light of the evaluation of the work undertaken by the Centre during its experimental period. They recognised the need to take appropriate decisions in November 1994 to ensure the continuity of the Centre's work until that evaluation was completed.

Ministers reaffirmed their will to set up an independent European satellite system. A decision would be taken subject to evaluation of the costs and merits of the proposed system and of other WEU alternatives and affordability. To prepare a possible decision of a launch of such a programme, ministers tasked the Space Group to prepare, for their spring 1995 meeting, a proposal for decision, including the preparation of a draft memorandum of understanding containing the detailed specifications, to be concluded between the present WEU member states.

7. Ministers also reviewed the latest developments in the situation in former Yugoslavia.

They expressed their satisfaction at the conduct, as part of the implementation of United Nations sanctions against Serbia and Montenegro, of the joint WEU-NATO operation Sharp Guard in the Adriatic and the police and customs operations on the Danube undertaken in close co-operation with Bulgaria, Hungary and Romania.

Ministers expressed their satisfaction with the initial planning so far undertaken on a WEU contribution in the police field to a future European Union administration of Mostar. They welcomed the initial results obtained by the European Union's advance party in which WEU representatives had taken part. They approved WEU's continued involvement, through senior police officers, in the advance party.

8. Ministers reviewed the developments in the Mediterranean region and welcomed in particular the recent breakthrough in the Middle-East peace process. Stressing the importance of security and stability in the Mediterranean basin for the security of Europe, they agreed further to develop the dialogue already initiated with the Maghreb countries and to expand it to Egypt and gradually to other non-WEU Mediterranean states.



9. Ministers, in the context of the growing rôle of WEU for promoting peace, security and stability in Europe, agreed on the importance of developing dialogue and exchanges of information on issues of common concern between WEU and Russia.

Ministers welcomed the Moscow trilateral statement on 14th January 1994 on the elimination of nuclear arms from Ukraine as an important contribution to security and stability in Europe. They agreed that the fulfilment of these commitments widens the basis for the development of dialogue and exchanges of information with Ukraine on issues of common concern.

Ministers instructed the Permanent Council to examine appropriate ways in order to achieve this objective.

10. Ministers agreed that the CSCE, as the only European and transatlantic forum covering all of Europe, must be strengthened to avoid the emergence of new divisions. To this end, they reaffirmed their governments' resolution to commit the necessary resources and to continue working for a reasonable division of labour with the CSCE giving effect to the concept of mutually reinforcing institutions developed in the 1992 Helsinki declaration.

11. Ministers welcomed the progress made in the preparation of the stability pact in Europe. They underlined the importance they attached to the inaugural conference to be held in Paris on 26th and 27th May next, which should pave the way to improving relations of good neighbourliness in Europe.

12. Underlining the political significance which the withdrawal of foreign troops from the territories of Baltic states represents for stability in Europe, ministers welcomed the recent Russian-Latvian agreements and expressed their support for the early conclusion of the talks between Russia and Estonia.

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Following on from the meeting of the WEU Council, the Ministers of Foreign Affairs and Defence of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Poland, Romania and the Slovak Republic met the WEU Foreign Affairs and Defence Ministers in Luxembourg on 9th May 1994 for the annual meeting of the WEU Forum of Consultation and associated themselves with the relevant passages of this communiqué.

Ministers adopted solemnly the document on a status of association with WEU which constitutes Part II of the Kirchberg declaration, and underlined the major importance of this agreement.

In the light of the creation of this new status and noting that the Forum of Consultation has fulfilled its initial mandate to the satisfaction of its participants, ministers decided to suspend its meetings.

## II

### *Document on a status of association with WEU for the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Poland, Romania and the Slovak Republic*

The WEU Council of Ministers and the Ministers of Foreign Affairs and Defence of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Poland, Romania and the Slovak Republic met in Luxembourg on 9th May 1994.

#### RECALLING:

- the declaration of the extraordinary meeting of the WEU Council of Ministers with states of Central Europe in Bonn on 19th June 1992 and
- the communiqué of the meeting of the WEU Forum of Consultation at ministerial level in Rome on 20th May 1993;

RECALLING more particularly the declaration of the WEU Council of Ministers in Luxembourg on 22nd November 1993 which:

- underlined the need, in the interest of increased stability in Europe, for closer consultation on security issues;

- considered, particularly in the light of the entry into force of the Treaty on European Union, that these relations should be broadened and deepened in parallel to the closer co-operation of these states with the European Union;
- initiated a reflection on an enhanced status for those consultation partners who had already concluded or would conclude a Europe Agreement with the European Union in order to allow those countries to participate to a larger extent in the activities of WEU and to be involved in initiatives and missions as envisaged in the Petersberg declaration;

RECALLING also the declaration of the European Council in Copenhagen of 22nd-23rd June 1993, which underlined the vocation of countries of Central and Eastern Europe to enter the European Union, and taking into account the developing links of these states with European institutions notably through the Europe Agreements and the desirability of preparing those states for their integration and eventual accession to the European Union;

BEARING IN MIND that the development of closer relations with the nine Central European nations through an enhanced status within WEU and through co-operation within the alliance framework, in particular the partnership for peace programme, will be mutually reinforcing and contribute significantly to security and stability in Europe;

EMPHASISING that such an enhanced status based on stability of institutions, guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities, should contribute to security and stability in Europe, and welcoming in this regard the forthcoming conference on stability to be held in Paris;

RECOGNISING that the relations among WEU countries and consultation partners are based on the following criteria:

- settlement of differences by peaceful means, in accordance with the obligations from the United Nations Charter, the commitments entered into under the terms of the Helsinki Final Act and the Paris Charter and the generally recognised principles and rules of international law;
- refraining from resorting to the threat or use of force, in accordance with the United Nations Charter,

The WEU Council of Ministers and the Ministers of Foreign Affairs and Defence of Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia have agreed on the present status whereby the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Poland, Romania and the Slovak Republic will become associate partners of WEU; this status will comprise the following elements:

This status does not entail any changes to the modified Brussels Treaty.

1. They may participate in the meetings of the Council subject to the following provisions:

- they may take part in discussions but may not block a decision that is the subject of consensus among the member states;
- to enable WEU to perform to the full its rôle as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance and also to address any other questions in an appropriate configuration, meetings of the Council according to present arrangements will be convened on the basis of the provisions agreed in Rome on 20th November 1992 in the document on associate membership of WEU and the declaration on WEU observers.

They will be regularly informed at the Council of the activities of its working groups and may be invited to participate in working groups on a case-by case-basis.

They may have a liaison arrangement with the Planning Cell.

2. They may associate themselves with decisions taken by member states concerning the following tasks envisaged in paragraph II.4 of the Petersberg declaration, i.e.: "humanitarian and rescue tasks, peace-keeping tasks, tasks of combat forces in crisis-management, including peace-making".

They will be able to participate in their implementation as well as in relevant exercises and planning unless a majority of the member states, or half of the member states including the presidency, decide otherwise. They will be invited to provide information on forces. They will also be able to offer forces for specific operations.

When it is agreed that they join such WEU operations by committing forces, they will have the same obligations as other participants, as well as the right of involvement in the command structures and in the Council's subsequent decision-making process. The precise modalities of their participation, including their rights and obligations, in each such WEU operation will be agreed on a case-by-case basis.

### III

#### *Declaration following on from the document on associate membership of 20th November 1992*

The WEU Council of Ministers met in Luxembourg on 9th May 1994.

RECALLING:

- the WEU Maastricht declaration of 10th December 1991 whereby other European member states of NATO were invited to become associate members of WEU in a way which would give them the possibility to participate fully in the activities of WEU, taking into account its rôle as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance;
- the Petersberg declaration on relations between WEU and the other European member states of the European Union or the Atlantic Alliance of 19th June 1992;
- the document on associate membership agreed at the WEU Ministerial Council in Rome on 20th November 1992;

Recognising the significant contribution of the associate members of WEU to European security and stability;

Underlining the need to reinforce the relationship of the associate members with WEU in a way that would enable them to make an even stronger contribution to WEU as it faces new challenges and opportunities,

MINISTERS

- reaffirmed the Council's commitment fully to take into consideration associate members' security interests;
- reiterated that the security guarantees and defence commitments binding the member states within WEU and the Atlantic Alliance are mutually reinforcing and recalled that, as members of the Atlantic Alliance, the WEU associate members fully enjoy the provisions of Article 5 of the Washington Treaty;

MINISTERS further

- recalled that under the document on associate membership, associate members may associate themselves with decisions taken by member states;
- emphasised that associate members, by committing forces to WEU military operations, will, under conditions laid down by the Rome document of 20th November 1992, participate on the same basis as full members in these operations, as well as in relevant exercises and planning;
- confirmed that in all questions concerning the security of forces committed for such operations, there will be no distinction between the forces of associate members and the forces of full members.

The present declaration does not entail any changes to the document on associate membership adopted in Rome on 20th November 1992.

The WEU Council of Ministers agreed that:

- associate members have full rights to nominate forces answerable to WEU;
- the Republic of Iceland, the Kingdom of Norway and the Republic of Turkey may nominate officers to the Planning Cell in order to increase WEU's planning capabilities and to enable WEU to draw more easily on the associate members' expertise and resources for the tasks identified in the Petersberg declaration;

- the Republic of Iceland, the Kingdom of Norway and the Republic of Turkey should be connected as soon as possible to the WEUCOM network for all communications concerning meetings and activities in which associate members participate.

Ministers confirmed that the arrangements contained in the present declaration cannot be modified without the consent of the associate members.

Finally, the Council, while recognising the autonomy of the WEU Assembly invited the Assembly through its national delegations, to examine further the present arrangements for the participation of parliamentarians from associate member countries.

### *Document on the modalities*

*3rd May 1994*

Together with the document on a status of association, the present document forms an integral part of the arrangements for and understandings concerning the implementation of this status, agreed on the occasion of the Forum of Consultation ministerial meeting in Luxembourg on 9th May 1994.

In implementing this status, due regard will be paid to the effectiveness of WEU's work, particularly as concerns the tasks assigned to it by the modified Brussels Treaty and its relations with the European Union and the Atlantic Alliance.

Nothing in this document is intended to restrict the right of full members to meet as often as is appropriate on the basis of the arrangements agreed in Rome on 20th November 1992 in the document on associate membership of WEU and the declaration on WEU observers.

This status does not prejudice the provisions laid down in Article VIII of the modified Brussels Treaty.

The provisions of this document apply as from today. The status will formally be achieved when:

- the Hellenic Republic, currently an active observer, becomes a member of WEU and the Republic of Iceland, the Kingdom of Norway and the Republic of Turkey, currently active observers, become associate members of WEU;
- the associate partner has signed a Europe Agreement with the European Union.

In the meantime, the associate partners will be considered as active observers to WEU with respect to the provisions of their new status.

#### *1. The Council*

1.1. The Permanent Council will continue to meet as many times as necessary in relation to the volume of work and the tasks to be performed. It is understood that, in principle, half the meetings of the Permanent Council will take place with the participation of the associate partners. The Permanent Council will in any case meet at least twice a month according to the abovementioned arrangements agreed in Rome on 20th November 1992.

1.2. Transferred activities at 13 are not affected by these provisions. Any arrangements for the possible participation of the associate partners in these activities would be decided upon at 13.

1.3. The questions relating to internal institutional aspects of WEU, to WEU's links with the Atlantic Alliance and the European Union and to the application of Article V of the modified Brussels Treaty will be dealt with as a rule by the Council in an appropriate configuration on the basis of the provisions agreed in Rome on 20th November 1992 in the document on associate membership and the declaration on WEU observers.

#### *2. Participation in working groups*

2.1. The participation of associate partners in working groups of the Council will be determined on an ad hoc basis taking account of the restrictions regarding space activities set out in CM (92) 30 Final.

2.2. The associate partners will participate in the CWG when it is preparing for Council meetings which they are to attend. They may propose items for discussion at Council meetings through the presidency and secretariat.

2.3. The CWG will draw up a medium-term timetable of Council meetings in the interests of promoting the effective management of those meetings.

### 3. *Provision of information to associate partners*

3.1. The associate partners will be given as much information as possible on WEU's activities. This information will mainly be provided in meetings of the Council when working group reports and other documents are submitted. If, for reasons of classification or subject matter, documents cannot be made available, unclassified summaries may be envisaged.

3.2. The Council will give its approval for an initial list of categories of document which could be communicated by the secretariat without specific Council authorisation.

3.3. The procedures to be followed for the communication to the associate partners of WEU classified documents and the security regulations to be applied by them for the protection of WEU documents which they have received will be dealt with in a specific WEU document and in agreements with the associate partners.

3.4. As a rule, exchanges of documents shall take place between the Secretariat-General and the missions concerned.

3.5. In principle, the information provided will not normally however include documents relating to subjects dealt with in configurations referred to in paragraph 1.3.

3.6. It is understood that, unless authorised by the alliance or the European Union, classified documents of these two organisations will not be made available to associate partners.

### 4. *Petersberg missions*

4.1. In order to facilitate their participation in operations in the framework of the tasks set out in paragraph 2 of the document on a status of association, the associate partners are invited to provide details of forces which they consider suitable for such operations which will be held by the Planning Cell alongside the FAWEU lists.

4.2. If the associate partners participate in operations in the framework of the Petersberg declaration arising from decisions taken by member states, the practical modalities for the conduct of those operations will be established by the participating states on a case-by-case basis.

4.3. It is understood that the term "by committing forces" may also cover substantial logistic and other assets.

### 5. *Liaison with the Planning Cell*

5.1. Initial contact with the Planning Cell will be organised through the Co-ordination Section, which will then give relevant details. Thereafter ad hoc arrangements can be established at working level. Special security arrangements will be worked out for access and retrieval of documents and messages (see para. 3.3).

5.2. Meetings between the Director of the Planning Cell and the military representatives of the associate partners, to which Military Delegates will be invited, will be arranged in order to discuss matters of mutual interest.

5.3. When participating in a mission, representatives of the associate partners involved will work alongside the Planning Cell in order to draft relevant operational documents (e.g. contingency plans) in accordance with a mandate from the Council. If participating in exercises, they will be invited to join the particular exercise working group on an equal basis with other participant nations.

### 6. *Institute for Security Studies*

6.1. The Institute will pursue its policy of openness towards the associate partners, by continuing to involve the nationals of those countries in its work and seminars. In the same way, it will pursue joint projects with Central European research institutes. Details of enhanced relations with the Institute will be examined by the Council.

### 7. *Miscellaneous*

7.1. On implementation of the new status, meetings within the Forum of Consultation will be suspended.

7.2. While its autonomy is acknowledged, the parliamentary Assembly is encouraged to reflect on a possible participation of the associate partners in its work.

7.3. The associate partners will be asked to contribute, when appropriate, to the costs incurred by their participation in WEU activities. The modalities of their contribution will be established at a later stage.

### *WEU mission on the Danube*

#### *Presidency report*

The mission currently comprises some 240 agents from seven member states, personnel being rotated on a regular basis. The control points have seven patrol vessels at their disposal. Since the start of the mission, over 2 000 checks have been carried out.

During its meetings with representatives of the riparian states and its visits to the co-ordination and support centre, the presidency has been struck by the professionalism demonstrated by our agents. Co-operation with the riparian states is exemplary, as is the co-ordination with the sanctions assistance missions.

There has been only one major and regrettable incident, namely that involving the " Han Kubrat " convoy carrying some 5 000 tonnes of fuel which, on 5th March 1994, refused to stop when challenged. The provisional findings of the inquiry carried out by the Bulgarian authorities show that this was quite clearly a criminal act in which the threat of environmental terrorism prevented any intervention by force. Following this incident, Bulgaria and Romania have taken additional administrative and legal measures to prevent any recurrence.

In the absence of an agreement among all the warring parties in former Yugoslavia, it is likely that the sanctions régime will be maintained, at least in the short term. Consequently, there are no plans at present to bring the Danube mission to an end. A partial régime would require a different approach to the controls and complicate the work of our agents; for this reason, the mission should continue in its present form.

### *Presidency report on Operation Sharp Guard*

*4th May 1994*

#### *1. Background*

The operation in the Adriatic was launched on 15th June 1993 under the name of Sharp Guard, the concept of operations having been approved by the joint NATO/WEU Council on 8th June 1993.

#### *2. Mission*

NATO and WEU naval forces, under the operational control of the Combined Task Force Commander (CCTF 440, who is also the Commander of the NATO Naval Forces Southern Europe), conduct maritime support operations to enforce the naval embargo and United Nations Security Council Resolutions 713, 757, 787 and 820.

#### *3. Forces deployed*

The WEU force consists of the following naval elements:

- five ships under the command of the Commander of WEU maritime forces, i.e. two Italian vessels, two French vessels and one Spanish vessel;
- one French AWACS aircraft operating from French bases;
- six maritime patrol aircraft: three German, two Netherlands and one French aircraft;
- Italian aircraft and helicopters.

Italy also provides, at national level, two vessels for surveillance operations in the Adriatic, one frigate for the surveillance of fishing vessels, coastal patrol boats and vessel inspection teams; eight fighter aircraft are also available on standby.

United Kingdom and United States forces provide round-the-clock support to these forces.

A WEU staff element of three officers operates in the Headquarters Naval Forces Southern Europe (COMNAVSOUTH) under command of a French Rear Admiral, who took over from a Spanish Rear Admiral on 6th December 1993.

#### 4. *Conduct of the operation*

(a) The WEU Force Commander is currently responsible for the Otranto Strait. To date, some 20 000 vessels have been challenged, about 1 500 vessels inspected and 400 diverted to Italian ports for more thorough inspection. This surveillance operation has also revealed a significant level of contraband trafficking, especially of cigarettes; speedboats have in fact been intercepted some 2 300 times and handed over to the Italian authorities. About 300 vessels have infringed the embargo rules in one way or another since the start of the operation. Some of them were carrying fuel, others arms and ammunition.

(b) Since the last meeting in November 1993, a number of events and incidents have occurred:

- In January 1994, there was an incident between Albanian patrol boats and Italian fishing boats which, it was claimed, had ventured into Albanian territorial waters; a few warning shots were fired.
- A number of rescue operations were carried out to save Albanian refugees.
- The latest reported incident was on 1st May between a Maltese vessel and Sharp Guard naval and air forces.

There have been no fatal casualties among WEU forces as a result of these incidents.

### *Presidency report on Mostar*

*5th May 1994*

In October 1993, the Council of the European Union asked WEU to study a possible contribution it might make, particularly as regards policy, to a European Union administration of the town of Mostar. At the WEU Ministerial Council on 22nd November 1993, the presidency reported on the preliminary work carried out within WEU on the basis of the "Invincible" agreement between the three Bosnian parties concerned.

Following the Washington agreement between the Croats and Bosnians, WEU was again approached for a possible contribution to the EU administration of Mostar, as envisaged by this agreement. WEU has, in particular, drawn up a list of options for a police contribution. These options ranged from merely supervising a specific agreement among the parties on the policing of Mostar to the possibility of WEU establishing a police force proper, carrying out its duties directly on the ground.

At the request of the EU, however, WEU has focused on the possibility of a contribution to the supervision of the local police forces, their future organisation as a single, unified force and some of the ways in which WEU could contribute to the discharge of police duties.

Whilst not discounting any of the options envisaged by the member states' police experts, WEU has concentrated on drawing up two possible organisational plans in this field, one envisaging full participation on the ground by WEU contributing forces, the other limiting WEU's participation to the discharge of central policing functions and restricting WEU's presence on the ground to the organisation and supervision of the local forces in their daily policing tasks.

In terms of the member states' personnel placed under WEU auspices to be made available to the EU administrator, it is likely that this would have to be a fairly substantial contribution, particularly if the option of a direct participation in policing functions were to be chosen.

WEU's work is contingent upon the negotiations on Mostar between the European Union's troika and the parties on the spot. Throughout the negotiations, the presidency has kept in close touch with the EU bodies and has been involved in the negotiations with the parties on the ground. Likewise, WEU has taken part in the preparatory mission decided on by the European Union. At this mission's request, WEU is proposing to send two senior police experts to Mostar to act as advisers to this mission, to examine the conditions under which WEU might contribute police forces and to promote confidence-building measures between the local forces to help create those conditions. In this respect, it is pointed out that under the auspices of the preparatory mission and with WEU participation, the local police chiefs have held their first joint meeting for over a year.

*Replies of the Council to Recommendations 547 to 556***RECOMMENDATION 547<sup>1</sup>***on WEU Assembly proposals for the forthcoming NATO summit meeting<sup>2</sup>*

The Assembly,

- (i) Convinced that one of the main aims of the NATO summit meeting to be held on 10th January 1994 is to put an end to the uncertainty over the manner in which the security of Europe will be guaranteed in future decades – a matter of concern both for the nations of the Atlantic Alliance and for the peoples of the countries that have regained their freedom;
- (ii) Stressing the crucial importance for European security of maintaining NATO's credibility as major guarantor of the defence of Europe and of keeping an adequate American military presence on the continent of Europe particularly after the recent announcement by the Russian authorities of a new military doctrine;
- (iii) Disturbed by the differences that have recently emerged between Americans and Europeans on economic matters and world trade and also on questions of security policy and crisis management throughout the world;
- (iv) Convinced of the need to establish a new credible and stable transatlantic partnership based on:
  - (a) an American pillar which leaves no doubt about the importance it still attaches to maintaining peace in Europe and the security of the members of the Atlantic Alliance;
  - (b) a European pillar strengthened by a WEU that has achieved full operational status;
- (v) Convinced that the NATO summit meeting must examine the feasibility of a new allocation of rôles, risks and responsibilities between American and European members;
- (vi) Understanding that all Central and Eastern European countries wish to obtain reliable security guarantees;
- (vii) Convinced nonetheless that the definition of future relations between NATO and the nations of Central and Eastern Europe depends on:
  - (a) defining a priori new goals for the alliance;
  - (b) continuing the evolution towards democracy within the countries concerned;
  - (c) the peaceful settlement of problems of coexistence between the countries concerned, particularly with regard to minorities and border disputes;
  - (d) a closer definition of relations between NATO and a Russia which is still in internal upheaval and must not be placed in a position which it might believe to be a threat to its own security, but without there being any question of Russia being granted a right of inspection in Central Europe;
  - (e) the evolution of policy in Ukraine and the other countries of the Commonwealth of Independent States and their relations with Russia;
- (viii) Considering therefore that it is too soon to extend to other countries the security guarantees which full membership of NATO implies, but believing that any increase in the threat to the countries of Central and Eastern Europe would at the same time constitute a danger for Western Europe;
- (ix) Convinced however that it is necessary initially to use the framework of NACC to strengthen confidence between Russia and the countries of Central and Eastern Europe and to examine whether the American proposal for a partnership for peace and the French proposals for developing bilateral relations can contribute to this aim;
- (x) Welcoming NATO's decision to participate if necessary in peace-keeping operations under the mandate of the United Nations and of the CSCE in areas outside the North Atlantic Treaty area and particularly in the conflict in former Yugoslavia;

1. Adopted by the Assembly on 29th November 1993 during the second part of the thirty-ninth ordinary session (7th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Baumel on behalf of the Political Committee (Document 1388).



(xi) Deploring nevertheless the difficulties encountered in implementing a concerted approach both inside NATO and between NATO and the United Nations on ways and means of interaction between the two organisations, with particular regard to operational command;

(xii) Recalling the urgency of determining procedures governing interaction between WEU and NATO in peace-keeping matters, in accordance with the Petersberg Declaration,

RECOMMENDS THAT THE COUNCIL

Present joint proposals to the NATO summit meeting on 10th January 1994 for a new Atlantic partnership on the following basis:

1. In joint defence matters:
  - (a) study attentively, in consultation with representatives of Russia, the significance of recent Russian statements on the use of nuclear weapons and examine their consequences for NATO's defence concept;
  - (b) confirm the commitment of substantial American forces on the continent of Europe as an essential factor of European security and reassurance for the countries of Central and Eastern Europe;
  - (c) confirm the attribution to the United States of supreme command of NATO allied forces;
  - (d) strengthen the process of consultation under Articles 4 and 5 of the North Atlantic Treaty;
  - (e) urge NATO to acknowledge the efforts made by European countries within the framework of WEU to strengthen their defence contributions, specifically:
    - the inauguration of the European Corps;
    - the work of the WEU Planning Cell;
    - the work of the Western European Armaments Group (WEAG);
    - the importance of the work undertaken by the WEU Satellite Centre at Torrejón;
2. Within the context of the interest shown by the new democracies of Central and Eastern Europe, and other applicants for membership of the Council of Europe, to join NATO:
  - (a) give urgent consideration as to how a closer relationship between WEU and the member states of the Council of Europe who have expressed an interest in joining NATO can be achieved;
  - (b) encourage all measures likely to strengthen confidence between Russia, Ukraine and the countries of Central and Eastern Europe in the framework of NACC based on the American proposals for creating a partnership for peace;
  - (c) at the same time intensify WEU's relations with the countries involved in the work of the WEU Forum of Consultation, by seeking to achieve greater cohesion with the work of the European Communities in Central and Eastern Europe;
3. In peace-keeping throughout the world:
  - (a) put the present consensus among the members of the Atlantic Alliance on a sound legal footing;
  - (b) make proposals on ways and means of interaction between NATO, WEU and the United Nations, particularly as regards operational command;
  - (c) reach an agreement with NATO for the latter to make NATO facilities available to WEU, as necessary;
  - (d) promote the formation in the framework of NATO of a special force capable of providing WEU commands and NATO commands with the appropriate means for their tasks;
4. In disarmament, arms control and non-proliferation:
 

propose a formula for task- and responsibility-sharing between WEU and NATO based on the past experience of the two organisations.

**REPLY OF THE COUNCIL<sup>1</sup>*****to Recommendation 547***

1. The Council has taken due note of Assembly Recommendation 547. Through its preparatory and follow-up work on the ministerial meeting in Luxembourg, it sought to make a strong, positive European contribution to the preparations for the alliance summit, in accordance with the principles of transparency and complementarity.

In forcefully reaffirming its commitment to the transatlantic partnership, whose strength is of vital importance to European stability and security, the Ministerial Council pointed out that the pertinent passages of the first part of the declaration adopted in Luxembourg represented a WEU contribution to the preparations for the Atlantic Alliance summit.

In the declaration published at the NATO summit, heads of states and government:

- (a) confirmed that “ ... the continued substantial presence of United States forces in Europe is a fundamentally important aspect of that (transatlantic) link ”;
- (b) welcomed “ ... the close and growing co-operation between NATO and WEU that has been achieved on the basis of agreed principles of transparency and complementarity. In future contingencies, NATO and WEU will consult, including as necessary through joint Council meetings, on how to address such contingencies ”;
- (c) acknowledged that “ integrated and multinational European structures, as they are further developed in the context of an emerging European security and defence identity, will also increasingly have a similarly important rôle to play in enhancing the allies’ ability to work together in the common defence and other tasks ”.

As to the study of the significance of recent Russian statements on the use of nuclear weapons and the examination of the consequences of those statements for NATO’s defence concept, and confirmation of the attribution to the United States of supreme command of NATO allied forces, both these subjects are on the agenda of the appropriate NATO bodies and could be covered by a concerted joint position within WEU with a view to its introduction into the alliance consultation process, if such an action proves opportune.

2. The Council attaches great importance to the interest expressed by the consultation partners in a more intensive dialogue on security and defence.

At the Ministerial Council in Luxembourg on 22nd November 1993, WEU ministers welcomed “ ... the Europe Agreements recently concluded which provided the basis for increased co-operation geared to the objective of membership of the European Union opening, in turn, the perspective of membership of WEU. In this context, ministers requested the Permanent Council to reflect on an enhanced status and its content, including the Franco-German proposal of 12th November, for those consultation partners who had already concluded or would conclude a Europe Agreement with the European Union. The Permanent Council should thus identify ways and modalities to allow those countries to participate to a larger extent in the activities of WEU and to be involved in initiatives and missions as envisaged in the Petersberg declaration ”.

The Council is aware of the importance of bringing both an ambitious and realistic approach to this reflective process, and of the constant concern to keep abreast of progress with European integration and with the changing relations between WEU and NATO, as defined by this summit.

Having regard to the European criterion adopted for the new status of the consultation partners, it will be easy to secure complementarity with the forms of co-operation that will develop under the partnership for peace.

3. On the subject of NATO making available to WEU its collective assets and infrastructure, and the formation in the NATO framework of a special force capable of providing WEU and NATO commands with the appropriate means for their tasks, the Council draws the Assembly’s attention to the NATO summit declaration which stated that heads of state and government stood ready to “ ... make collective assets of the alliance available, on the basis of consultations in the North Atlantic Council, for WEU operations

1. Communicated to the Assembly on 24th March 1994.

undertaken by the European allies in pursuit of their common foreign and security policy (...) Therefore we direct the North Atlantic Council in permanent session, with the advice of the NATO military authorities, to examine how the alliance's political and military structures and procedures might be developed and adapted to conduct more efficiently and flexibly the alliance's missions, including peace-keeping, as well as to improve co-operation with WEU and to reflect the emerging European security and defence identity.

As part of this process, we endorse the concept of combined joint task forces (CJTF) as a means to facilitate contingency operations, including operations with participating nations outside the alliance. ”

With regard to proposals on ways and means of interaction among NATO, WEU and the United Nations, the Council reminds the honourable parliamentarians of its reply to Recommendation 542 on United Nations operations – interaction with WEU, which is still valid. In its contacts with the United Nations, the Council will ensure that the competent NATO bodies are kept informed, in the spirit of transparency and complementarity which applies to its relations with NATO.

4. In the field of disarmament, arms control and non-proliferation, the Council is careful to avoid duplication between WEU and NATO on the one hand, and between the European Union and WEU on the other, ensuring that a tacit sharing of tasks and responsibilities becomes a reality.

RECOMMENDATION 548<sup>1</sup>*on WEU's relations with Central and Eastern European countries*<sup>2</sup>

The Assembly,

- (i) Reiterating its constant commitment to the establishment of a new order of security and stability throughout Europe as attested by the many reports it has prepared on this problem since the fall of the Berlin wall;
- (ii) Recalling in particular its Recommendations 511, 516, 526 and 528;
- (iii) Welcoming the creation of the WEU Forum of Consultation in which nine countries of Central Europe are participating;
- (iv) Noting, nevertheless, that the great majority of the countries of Central and Eastern Europe still consider that they have no firm security guarantees;
- (v) Aware of the risk of division of the countries of Central and Eastern Europe into two groups of states, one of which would have the benefit of membership of western institutions, the other remaining outside;
- (vi) Deploring the inadequacy of information provided by the Council on specific co-operation implemented in the framework of the forum and on the political aims it is pursuing in that body;
- (vii) But welcoming the operational co-operation between WEU and Hungary, Romania and Bulgaria for implementing the blockade on the Danube;
- (viii) Fearing, nevertheless, that fighting on the territory of former Yugoslavia might spread to neighbouring areas;
- (ix) Dismayed at the refusal of the Greek Government to recognise the former Yugoslav Republic of Macedonia;
- (x) Disturbed also by the unstable situation in several regions of the CIS and the uncertainty surrounding the foreign policy of Russia;
- (xi) Concerned by the ambiguity of Ukraine's policy, particularly with regard to nuclear weapons and its hesitation about ratifying the START I Treaty and the nuclear non-proliferation treaty;
- (xii) Inviting all the Central European countries in the Forum of Consultation to settle their problems of neighbourliness by peaceful means using the good offices of the appropriate European, Atlantic and worldwide institutions for crisis-management and peace-keeping;
- (xiii) Emphasising the importance of the forthcoming NATO summit meeting insofar as it must redefine the transatlantic partnership between allies and also establish a partnership of a new type with the countries taking part in NACC;
- (xiv) Stressing the importance of parallelism between the approach of the European Union and of WEU to the development of their relation with the Central and Eastern European countries after the entry into force of the Maastricht Treaty;
- (xv) Consequently endorsing the Franco-German proposal of 12th November 1993 for creating a status of association with WEU for the parties of the Forum of Consultation which have already reached an agreement of association with the European Union and, when appropriate, for those which will reach such agreement, but regretting that the Ministerial Council of WEU, at its meeting in Luxembourg on 22nd November 1993, did not adopt this proposal,

## RECOMMENDS THAT THE COUNCIL

1. Adopt before the NATO summit meeting a specific proposal to improve qualitatively its relations with its partners in the Forum of Consultation on the basis of the Franco-German proposal of 12th November 1993 so as to be able to start negotiations with the countries concerned in January 1994;

1. Adopted by the Assembly on 30th November 1993 during the second part of the thirty-ninth ordinary session (9th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Wintgens on behalf of the Political Committee (Document 1387).

2. Define without delay the nature of its future relations with Austria (taking into account its relations with the Visegrad countries) and with Finland and Sweden (in view of their rôle in the Baltic region), these countries being candidates for membership of the European Union, offering them means of co-operation corresponding to the specific situation of each one;
3. Study forthwith whether and to what extent circumstances allow Slovenia to be associated with the work of the Forum of Consultation;
4. Inform the Assembly of the conclusions it reaches on the two questions mentioned above;
5. Remind the countries of the European Community of their decision to recognise the former Yugoslav Republic of Macedonia;
6. Intensify the work of the Forum of Consultation by giving it a specific programme of work including, inter alia, the joint elaboration of risk and threat assessment;
7. Offer the Central European countries which are partners in the Forum of Consultation the possibility of taking part in the work of the Western European Armaments Group and all forms of European armaments co-operation;
8. Determine:
  - the areas in which these countries can be associated with the activities of the WEU satellite centre;
  - the conditions in which they can take part in meetings of WEU chiefs of staff and the work of the planning cell;
9. Examine what security guarantees it can give Hungary, Romania and Bulgaria in face of the risks these countries are running because of the blockade on the Danube and study the possibility of granting them appropriate financial compensation;
10. Intensify its political dialogue with Russia, Ukraine, Belarus, Moldova and Albania.

**REPLY OF THE COUNCIL<sup>1</sup>*****to Recommendation 548***

1. At their meeting in Luxembourg on 22nd November 1994, ministers reaffirmed the importance they attached to WEU's relations with Central European consultation partners. The Council has taken note of the conclusions of the NATO summit. In this context, ministers requested the Permanent Council to reflect on an enhanced status and its content, including the Franco-German proposal of 12th November 1993, for those consultation partners who had already concluded or would conclude a Europe Agreement with the European Union. The Permanent Council has undertaken to define the precise modalities by which its relations with its consultation partners can be qualitatively enhanced. On 17th January, the Counsellors' Group of the Forum of Consultation met to prepare for a meeting at ambassadorial level on 25th January; that meeting provided an opportunity for a detailed exchange of views on their preferences as regards the content of the enhanced status likely to be offered to them.

2. The nature of WEU's future relations with Austria, Finland and Sweden depends on the decisions which these countries will take regarding their relations with WEU. Under the terms of the declaration by ministers on 19th May 1993, and at these countries' request, WEU has established the appropriate contacts with them in order to inform them about WEU's rôle.

3. In the wake of the ministerial meeting held in Luxembourg on 22nd November 1993, and pursuant to paragraph 5 of Part I of the declaration published on this occasion, ministers welcomed the interest shown by other countries in WEU's activities; the Presidency and the Secretary-General of the organisation will continue to brief the representatives of those countries on these activities. It is in this perspective that the WEU Council understands point 3 of the Assembly's recommendation.

4. The WEU Presidency, assisted by the Secretary-General, is prepared to keep the competent bodies of the Assembly informed on how WEU's thinking on its relations with third countries evolves. The Presidency's Permanent Representative had an exchange of information to this end on 3rd February 1994 with the Assembly's Political Committee.

5. Several WEU member states have decided to cement formal diplomatic relations with the former Yugoslav Republic of Macedonia. Moreover, the WEU Council cannot allude to the decisions of European Community countries regarding their relations with the successor states to the former Yugoslav Federation.

6. The Council informs the Assembly that the Counsellors' Group of the Forum of Consultation is now meeting monthly. One of its tasks is to hold detailed exchanges of views on security and defence questions of common interest.

With this in mind, the group must:

- at each meeting hold an exchange of information on topical questions affecting European security;
- identify questions of common concern;
- task one delegation or the Secretariat to prepare a short background document to guide the discussions;
- report on the outcome of its exchanges of views to the Forum at ambassadorial level.

The Secretariat, in consultation with the WEU Presidency, prepares the agendas of the Counsellors' Group meetings. Any Forum delegation may put forward a question for inclusion on the agenda of these meetings.

The Council duly notes the Assembly's suggestions and reserves the possibility of placing "the joint elaboration of risk and threat assessment" on the agenda of the Counsellors' Group.

7. The Council would remind the Assembly of the terms of the Luxembourg declaration, which states: "The Permanent Council should thus identify ways and modalities to allow those countries to participate to a larger extent in the activities of WEU and to be involved in initiatives and missions as envisaged in the Petersberg declaration". It is examining the various possible institutional options.

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1. Communicated to the Assembly on 31st March 1994.

8. At the meeting of the WEU Forum of Consultation at ministerial level on 20th May 1993 in Rome, and on the occasion of the signing of the three memoranda of understanding concerning WEU's contribution to the implementation of the Danube embargo, ministers made clear that "were any country to suffer from aggressive action as a consequence of their support for United Nations-mandated operations, this would be a matter of direct concern to the international community".

On the question of possible financial compensation for the riparian countries implementing the Danube embargo, the Council would inform the Assembly that this issue does not come within the competence of the WEU Permanent Council.

9. The Council takes due note of the Assembly's proposal and informs it that the WEU Presidency and Secretariat are prepared to hold exchanges of view with representatives of the countries concerned. The Council has been regularly informed of the talks which have taken place.

RECOMMENDATION 549<sup>1</sup>*on political relations between the United Nations and WEU  
and their consequences for the development of WEU<sup>2</sup>*

The Assembly,

- (i) Considering that, with the end of the cold war, the East-West confrontation has been replaced by a series of different conflicts of a new type that have broken out in several areas of the world;
- (ii) Considering that it is now crucial to determine whether the United Nations can henceforth become the essential instrument for ensuring the prevention and settlement of conflicts and safeguarding peace in the world;
- (iii) Recalling that the year 1995, which will be the fiftieth anniversary of the creation of the United Nations, will be of particular importance for the prospect of reforming the organisation;
- (iv) Recalling the importance of the United Nations and the special responsibility of the permanent members of the Security Council for disarmament and non-proliferation with particular regard to the extension of the treaty on the non-proliferation of nuclear weapons in 1995;
- (v) Welcoming the success achieved so far by the opening of the register of conventional arms kept by the United Nations enabling better supervision of exports of armaments at world level;
- (vi) Noting the considerable increase in requests to the United Nations in the last five years for peace-keeping operations;
- (vii) Noting that it lacks adequate financial, organisational, technical, military and political means for the effective conduct of these operations;
- (viii) Concerned at the alarming financial position of the United Nations, due to the late payment of contributions by the majority of the member countries;
- (ix) Noting, on the one hand, the desire of the United Nations to seek greater co-operation with "regional arrangements or agencies" in the sense of Chapter VIII of the Charter and, on the other hand, the exchange of letters between the Secretary-General of the United Nations and the Secretary-General of WEU in this respect;
- (x) Noting, however, that, contrary to the United Nations, WEU is subjected to parliamentary supervision and, consequently, should consult its Assembly prior to any exchange of views with the United Nations;
- (xi) Recalling that all the provisions of the modified Brussels Treaty are based on the right of legitimate self-defence guaranteed by Article 51 of the Charter of the United Nations and not on the provisions of Chapter VIII of that Charter;
- (xii) Consequently, convinced that WEU is an independent organisation, whose decisions are not subject to Security Council authorisation;
- (xiii) Convinced, nevertheless, that the fundamental political interest of WEU is to strengthen the vocation of the United Nations in playing the rôle of primordial instrument for maintaining peace in the world and to submit its activities to the views expressed by the United Nations;
- (xiv) Recalling the Petersberg Declaration, according to which WEU affirmed that it was prepared to support "the effective implementation of conflict-prevention and crisis-management measures, including peace-keeping activities, of the United Nations Security Council";
- (xv) Recalling also that the resolutions of the Security Council concerning the maintenance of peace in ex-Yugoslavia and particularly in Bosnia-Herzegovina are addressed to "states, acting nationally or through regional agencies or arrangements";
- (xvi) Consequently, dismayed that WEU does not consider it has been called upon to take coercive action on the pretext that the United Nations has made a specific request only to NATO;
- (xvii) Emphasising that any constructive evolution in relations between WEU and the United Nations depends on solving the problems that may arise from the fact that WEU represents the start of a progressive integration of Europe in defence and security matters, whereas the United Nations and its Security Council are based exclusively on the principle of the sovereignty of member states;

1. Adopted by the Assembly on 30th November 1993 during the second part of the thirty-ninth ordinary session (9th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Soell on behalf of the Political Committee (Document 1389).



(xviii) Noting, further, that the United Nations is intervening increasingly in the internal affairs of member states, whereas the Charter does not provide sufficient legal bases for doing so, but emphasising nevertheless that in practice the Security Council has introduced, since 1991, the possibility of intervening in internal hostilities when they constitute a threat to the peace and security of other states;

(xix) Convinced that WEU and the bodies concerned with the common foreign and security policy (CFSP) of the European Union must co-operate and further co-ordinate their activities in preventive diplomacy and crisis-management and, possibly, place their means at the disposal of other regional organisations,

RECOMMENDS THAT THE COUNCIL

1. Work out forthwith a new platform of European security interests on the basis of an assessment of the new threats and risks in the world and their consequences;
2. Define WEU's vocation in relation to the United Nations and the specific areas in which it can offer its assistance to the United Nations while retaining its independence;
3. Without waiting for the United Nations to make a specific request to WEU:
  - establish contact with the bodies concerned with the common foreign and security policy (CFSP) of the European Union in order to reach agreement on the areas of joint activity and the sharing of responsibilities in peace-keeping, with particular regard to preventive diplomacy and the consolidation of peace at the end of hostilities;
  - co-ordinate with NATO ways and means of sharing peace-keeping responsibilities between the two organisations;
  - instruct its planning cell to have a report prepared by experts on the requirements and time necessary for implementing coercive measures in former Yugoslavia with particular regard to available resources and necessary personnel;
  - instruct the Torrejón satellite centre to present a report on the capabilities and experience it can offer for peace-keeping, particularly in establishing facts, monitoring and early warning;
  - inform the Assembly of the results of these studies;
4. Study in detail the proposals made in the meantime with regard to reforming the United Nations and its Security Council with a view to strengthening its effectiveness in peace-keeping and improving WEU's participation in the decision-making process in the United Nations;
5. Give a new mandate to the representatives of the member countries of WEU at the United Nations headquarters in New York to hold regular consultations in order to co-ordinate their positions, particularly in the committees and working groups of the United Nations whose activities come within the framework of the responsibilities of WEU.

## REPLY OF THE COUNCIL<sup>1</sup>

### *to Recommendation 549*

1. The Council informs the Assembly that the Chiefs of Defence Staff, basing themselves on an initial report by the Defence Representatives Group on the European security implications of military changes in the former Soviet Union, have proposed that the scope of this study be extended.

The DRG has had an exchange of views on a French contribution entitled "Study of crisis areas on Europe's periphery", the main conclusions being that to take into account those factors of more specific concern to the security of Europe – and in particular the rôle of WEU – WEU must now analyse in detail:

- the risks of a crisis in the area of the member countries of the Forum of Consultation;
- the instability and risks existing in the countries bordering the member, associate or observer states;
- the overall problem of security in the Mediterranean.

The practicalities and appropriate methodology for this work is on the DRG's agenda.

2. The Council reminds the Assembly of its reply to Assembly Recommendation 542 on United Nations operations – interaction with WEU, which, in paragraph 1, defines WEU's rôle vis-à-vis the United Nations and, in the subsequent paragraphs, highlights the specific fields in which it may offer the United Nations its help whilst retaining its independence.

3. Since WEU is an integral part of the development of the European Union, the establishment of close co-operation between the two organisations is of vital importance for the development of a common foreign and security policy. The Union may, through its Council, request WEU to elaborate and implement decisions and actions of the Union which have defence implications in the situations described below. Such situations, whilst normally requiring the use of military personnel, may involve recourse to other means. The following examples should be considered solely as indicative and are not exhaustive.

- when the security interests of the Union are directly affected;
- when the Union is politically and economically faced with a crisis or a specific conflict and recognises that additional support from WEU is necessary (military observers, ceasefire, peace-keeping, sanctions-monitoring and peace-compliance);
- if the Union is invited by the United Nations or the CSCE to make a contribution and it concludes that WEU could, as part of a coherent division of work, make a specific contribution;
- when the humanitarian efforts require logistic support.

If the European Union has asked WEU to elaborate and implement its decisions and actions which have defence implications, WEU will accept this request in accordance with its decision-making procedures and will take all the action necessary concerning such a request in a way which is fully compatible with the general policy established by the European Union.

This is also the case, as regards the possible administration of Mostar by the European Union, of the support which WEU might give to the organisation of a police force and for the improvement of certain vital logistic functions, particularly in the medical field.

To ensure close co-operation between WEU and the European Union, measures to promote co-operation and information between the two organisations have already been planned.

- As regards co-ordination with NATO on ways and means of sharing peace-keeping responsibilities between the two organisations, the Council would refer to the declaration made by the heads of state and government at the NATO summit which stipulates that "in future contingencies, NATO and WEU will consult, including as necessary through joint Council meetings, on how to address such contingencies".
- The Council informs the Assembly that the Presidency of the European Union reports regularly to the Council on developments in the situation in former Yugoslavia. For the time being, the Council is not planning on an experts' report for implementing coercive measures other than those already in place in the Adriatic and on the Danube.

1. Communicated to the Assembly on 18th April 1994.

- In accordance with its mission, the WEU Satellite Centre is organised in such a way that it is able, in the first instance, to supply preliminary operational image-interpretation products for use in verifying the implementation of treaties, crisis-monitoring and environmental surveillance. The centre regularly reports to the Council, through the Space Group, on the capabilities and experience it has acquired in these fields which, moreover, also have a preventive diplomacy and peace-keeping dimension. At the end of its experimental phase, it will be possible to take stock of all the centre's potential capabilities.
- The Council will inform the Assembly in good time of any developments in the abovementioned fields.

4. This issue is solely a matter for the member states as members of the United Nations. The WEU Presidency, through its mission to the United Nations, will inform the Council of developments in this field.

5. The Council takes due note of the Assembly's recommendation. The mission to the United Nations of the country holding the WEU Presidency acts as a contact point at the United Nations. It is responsible for presenting WEU's contributions to the competent United Nations bodies. The WEU Council fully recognises the importance of regular consultations with a view to co-ordinating the positions of the representatives of the WEU member countries at United Nations headquarters and reserves the possibility of determining whether such co-ordination would be more effective if it were carried out at WEU and if WEU's contribution would be presented by the Presidency's mission to the United Nations.

RECOMMENDATION 550<sup>1</sup>*on the budgets of the ministerial organs of Western European Union  
for the financial year 1993*<sup>2</sup>

The Assembly,

(i) Considering that:

- (a) the Council has communicated to the Assembly the budget relating to the transfer of the Secretariat-General from London to Brussels and the budgets of the ministerial organs for the financial year 1993;
- (b) the installation of the Secretariat-General and the Planning Cell in Brussels was accompanied by an increase of eleven in the number of staff of the Secretariat-General and the creation of three grade B posts in the Planning Cell;
- (c) the operating budget of the Planning Cell is included in the budget of the Secretariat-General as Section E;
- (d) the Director of the WEU Planning Cell, unlike the other subsidiary organs, does not have full responsibility for managing the budget of the Cell;
- (e) the Torrejón Satellite Centre is still in the organisational stage and is not fully operational;
- (f) the Director of the Centre has asked for authorisation to enter into multi-annual expenditure commitments to complete this organisational stage;
- (g) the study of financing the pension scheme for permanent staff has not yet been completed;
- (h) the affiliation of permanent staff of the Paris organs with the French social security system is proving very expensive, whereas the OECD has already adopted a private sickness insurance scheme that costs far less and the study conducted by the Council of Europe on the subject at first sight confirms the interest of this private insurance scheme;
- (i) furthermore, such a private insurance scheme has been adopted by the Secretariat-General for staff in Brussels as it had done for staff in London,

RECOMMENDS THAT THE COUNCIL

1. Inform the Assembly of any subsequent changes in the organograms of the WEU ministerial organs;
2. Ask the WEU Budget and Organisation Committee to examine, in the framework of its responsibilities and as it did for the ministerial organs, the changes to the organogram of the Office of the Clerk of the Assembly proposed in the 1994 budget;
3. Consider the expediency of separating the budget of the Planning Cell from that of the Secretariat-General and make its Director responsible for managing it;
4. Take every possible step to make the Torrejón Satellite Centre fully operational and, in this context, authorise the Director of the Centre to enter into multi-annual expenditure commitments where necessary;
5. Inform the Assembly of the conclusions of the study of the financing of the pension scheme;
6. Study the possibility of adopting a private sickness insurance scheme for WEU staff in Paris as it did for staff in Brussels.

1. Adopted by the Assembly on 30th November 1993 during the second part of the thirty-ninth ordinary session (9th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Rathbone on behalf of the Committee on Budgetary Affairs and Administration (Document 1399).

**REPLY OF THE COUNCIL<sup>1</sup>*****to Recommendation 550***

1. The Council reminds the Assembly of its reply to Written Question 316 and confirms that, once finally approved, the establishment table will be formally forwarded to the Assembly. The same procedure will apply to any further changes that may be made.

2. The Council informs the Assembly that the budget of the ministerial organs for the year 1994 is still under consideration by the Budget and Organisation Committee, including the staff management aspects. The Council is not therefore in a position to give a reply on this point at this stage.

3. The Council feels that the expediency of separating the Planning Cell budget from that of the Secretariat does not need to be considered, in that the credits assigned to the Planning Cell are covered in a separate section of the Secretariat-General's budget.

The Council takes note of the Assembly's useful suggestion and informs it that the Director of the WEU Planning Cell has, since taking up his appointment, been given the responsibility for managing his budget within the limits defined by the organisation's financial regulations. To reduce administrative costs, the implementation of his decisions has been made the responsibility of the Secretariat's Finance Section.

4. The Council informs the Assembly that the WEU Satellite Centre will be fully operational by the end of the first half of 1994. With regard to multi-annual expenditure commitments, the Budget and Organisation Committee recognises the principle, when it is shown that such commitments produce savings. In the case of the Satellite Centre, however, the decision that ministers propose to take on its future in November 1994, at the end of its experimental phase, should not be prejudged.

5. With regard to WEU, the actuarial experts of the Co-ordinating Committee on Remuneration (CCR) considered that, given the size of this organisation, the findings of any actuarial study would have only a negligible effect on the aggregated findings of the studies on the other organisations. As a result, the WEU Budget and Organisation Committee has decided to accept the recommendation of the CCR Chairman and not to carry out an actuarial study on pensions.

6. This question should be considered in the general context of relations with host countries, and the Council could ask the Director of the WEU Institute for Security Studies to consider the question in greater detail.

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1. Communicated to the Assembly on 24th March 1994.

**RECOMMENDATION 551<sup>1</sup>**

***on an operational organisation for WEU: naval co-operation –  
Part One: Adriatic operations<sup>2</sup>***

The Assembly,

- (i) Considering that the meeting of the WEU Council on 22nd November 1993 and the NATO summit meeting on 10th January 1994 provide excellent opportunities to establish WEU's position as the European pillar of the Atlantic Alliance;
- (ii) Conscious of the efforts made by WEU and NATO to ensure a coherent arrangement for naval and maritime air operations in the Adriatic;
- (iii) Welcoming the Atlantic Alliance's willingness to accommodate a WEU presence in the previously NATO-dedicated headquarters in Naples;
- (iv) Much appreciating NATO's readiness to make its infrastructure available to WEU, at least on an ad hoc basis;
- (v) Regretting the WEU Council's failure to agree an appropriate budget for WEU's participation in operation Sharp Guard,

**RECOMMENDS THAT THE COUNCIL**

1. Actively prepare and promote WEU's position as the European pillar of the Atlantic Alliance, and make this explicit at the forthcoming NATO summit meeting;
2. Negotiate a formal agreement with the North Atlantic Council for WEU's use of NATO infrastructure as appropriate for specific operations;
3. Urgently make available an adequate working budget for the WEU element on the staff of COMNAVSOUTH in Naples and for the WEU CONMARFOR at sea in the Adriatic;
4. Review its lines of communication with those involved under the aegis of WEU in the command and control of specific operations, notably in the Adriatic area and restructure links between itself and such subsidiary bodies, giving clear mandates and specific terms of reference to all concerned;
5. Ensure that the rôles of the Planning Cell, of the WEU Military Delegates and the WEU Chiefs of Defence Staff in relation to those involved in operations on behalf of WEU are clarified, redefining tasks and responsibilities as a matter of priority;
6. Encourage member states to support Adriatic operations in all ways possible and publicise the achievements of operation Sharp Guard;
7. Pay tribute to the thousands of men and women from WEU and other alliance nations taking part in operations in the Adriatic area who, both at sea and ashore, are carrying out an almost thankless task, often in trying and frustrating conditions and ensure that such breaches of the embargo as are continuing elsewhere receive additional attention so that the efforts of the sailors of the allied nations are rendered worthwhile;
8. Explore, with the other member states of the WEU Forum of Consultation with maritime assets, the possibility of such assets being made available in support of operations in the Adriatic.

1. Adopted by the Assembly on 1st December 1993 during the second part of the thirty-ninth ordinary session (10th sitting).

2. Explanatory Memorandum: see the report tabled by Sir Keith Speed and Mr. Marten on behalf of the Defence Committee (Document 1396).

## REPLY OF THE COUNCIL<sup>1</sup>

### *to Recommendation 551*

1. At the meeting of the Council of Ministers in Luxembourg on 22nd November 1993, ministers agreed that the relevant statements in Part I of their declaration were intended as a European contribution to the alliance summit. The NATO summit gave its full support to the development of the European security and defence identity which, as envisaged in the Maastricht Treaty, in the longer term perspective of a common defence policy within the European Union, might in time lead to a common defence, compatible with that of the Atlantic Alliance. Accordingly, the European allies will take greater responsibility for their common security and defence.

2. The NATO summit made clear that the Sixteen stood ready to make collective assets of the alliance available to WEU, on the basis of consultations in the North Atlantic Council, for operations undertaken by the European allies within the framework of joint actions under the common foreign and security policy of the European Union. Better European co-ordination and planning will strengthen the European pillar and the alliance itself.

Translated into military terms, this will mean in particular the setting-up of Combined Joint Task Forces (CJTF) able to serve under both WEU and NATO commands for specific peace-keeping operations for example, including operations with countries outside the alliance such as the countries of the WEU Forum of Consultation or the countries signatory to the partnership for peace.

The WEU Council is considering the practical arrangements for the use of these combined joint task forces as part of its own operations, and also the procedure under which they might be made available.

3. An appropriate working budget for the two WEU staff elements working with COMNAVSOUTH staff in Naples and for the COMWEUMARFOR in the Adriatic is under consideration.

4. The Council notes with satisfaction that operation Sharp Guard is proceeding well. It does not think it useful to "review its lines of communication", particularly in the Adriatic area, and "restructure its links" with the Council's subsidiary bodies nor to "redefine as a matter of priority" the respective tasks and responsibilities of the Planning Cell, the WEU Military Delegates and the WEU Chiefs of Defence Staff. It goes without saying that the Ministerial Council and the Permanent Council give precise mandates and clearly defined terms of reference for the missions which they entrust to WEU's subsidiary bodies and, more generally, to all those exercising particular responsibilities in the performance of tasks germane to the development of the organisation's operational rôle.

5. The Council confirms that WEU member states support the Adriatic operations with all the means at their disposal. The Council pursues an active public information policy to ensure the transparency of the combined NATO and WEU operations, thereby contributing to a better understanding of WEU's action.

6. The Council duly notes the Assembly's recommendation and informs it that the Presidency makes every effort to pay tribute to the men and women involved in the Adriatic operations, whose excellent work is particularly appreciated by the WEU Council.

In a Christmas message, the Presidency expressed its great appreciation to WEU personnel engaged in the Danube and Sharp Guard operations for their dedication and achievement.

As regards greater attention to the embargo violations continuing elsewhere, the Council would recall the terms of paragraph 4 of its reply to Recommendation 541 on the situation in former Yugoslavia:

"The Council reminds the Assembly of the member states' contribution to the WEU/NATO combined operation Sharp Guard in the Adriatic and the police and customs operation on the Danube, both of which aim to strengthen the application of economic sanctions against Serbia and Montenegro in accordance with the relevant United Nations Security Council resolutions. The Council is aware of the need to "help to strengthen measures to apply economic sanctions against Serbia and Montenegro and to maintain the embargo on arms for all belligerent parties, including Croatia".

7. The Council has placed on its agenda consideration of the possibility of using the naval assets of the member states of the WEU Forum of Consultation as part of the operations in the Adriatic. Such participation is to be seen in the context of the enhanced status which the Council plans to propose to the consultation partners. Co-operation of this kind between WEU and its consultation partners is among the measures currently being studied as part of the work on the enhanced status, soon to be proposed to the consultation partner countries.

1. Communicated to the Assembly on 24th March 1994.

**RECOMMENDATION 552<sup>1</sup>*****on lessons drawn from the Yugoslav conflict<sup>2</sup>***

The Assembly,

- (i) Noting that all the efforts of the international community to solve the conflict in former Yugoslavia have failed;
- (ii) Noting that the conflict in former Yugoslavia has shown clearly that in future there will be no possibility for EC member states to act independently in matters concerning peace and stability on the European continent;
- (iii) Convinced that Europe will have to develop an independent capability to act in defence of its own specific security interests, while recognising the continuing vital contribution of the United States to European defence;
- (iv) Considering that the EC, having realised that it had to give up its original mistaken objective of keeping former Yugoslavia together in a federative structure, has not yet managed to identify a clear political strategy towards the Balkans;
- (v) Noting that similarly international organisations such as NATO, the CSCE, the United Nations and even powerful countries like the United States have been unable to identify a clear and effective political strategy towards the Balkans;
- (vi) Noting that a peace agreement coming to grips with all conflicts in the region is the only viable way to deal with the dissolution of former Yugoslavia;
- (vii) Noting that in conflict-prevention apart from diplomatic and economic action, consideration must also be given to the possibility of preventive military presence through the deployment of peace-keeping forces;
- (viii) Considering that the seemingly hurried restructuring of armed forces in WEU member states in recent years may have to be reviewed in the light of Europe's inability to provide forces for long-term peace-keeping operations in its area of responsibility;
- (ix) Recognising at the same time that political will is naturally the first requirement for any operation involving military forces;
- (x) Noting that any peace agreement for the region must include rigorous provision for arms control, the reduction of armed forces and adequate enforcement provisions;
- (xi) Considering that the EC's regrettable difficulty in identifying its aims clearly has caused much fatal hesitation and many changes in its policy towards the conflict in former Yugoslavia;
- (xii) Noting that foreign and security policy are of little avail if they are not complemented by a defence policy;
- (xiii) Noting with satisfaction the creation of the Eurocorps and stressing the need for a European rapid action force;
- (xiv) Noting that, within Europe, recognition of new states requires a new approach which includes due appraisal of its security and the nature of the collective commitment to its integrity;
- (xv) Noting that recognition of a new state cannot be an end in itself and that the new state's ability to meet the criteria for recognition and the responsibilities resulting from this recognition must consequently be examined in depth;
- (xvi) Noting that the problems created by large movements of refugees clearly show that it is in the interests of European countries to have an agreed reception policy and, more important, to find a means of averting the conflicts which cause such movements,

1. Adopted by the Assembly on 1st December 1993 during the second part of the thirty-ninth ordinary session (10th sitting).

2. Explanatory Memorandum: see the report tabled by Sir Russell Johnston on behalf of the Defence Committee (Document 1395).



## RECOMMENDS THAT THE COUNCIL

1. Consider the establishment of a European rapid action force to which the member countries of WEU should make commitments including greater integration of training and equipment;
2. Implement the chapter of the Maastricht Treaty concerned with the joint foreign and security policy of the European Union as soon as possible, determine the rôle of WEU and set out terms for better integration of the foreign and defence policies of Europe;
3. Further develop the military contingency planning capability of the WEU Planning Cell, while at the same time including the widening of its intelligence access and powers of initiation;
4. Clearly identify threats to Europe's security and suggest preventive action at diplomatic, economic and military levels in part to provide practical assistance to the transition process in new democracies in order to avoid a reversion to past policies;
5. Emphasise to Greece the interest of its recognition of the former Yugoslav Republic of Macedonia in the framework of a wider agreement intended to reduce the tension in that region with the express declaration by all concerned to renounce any expansionist policies and respect existing borders;
6. Re-examine the respective tasks and rôles of the United States and its European allies in the maintenance of peace and security on the European continent and take the appropriate measures to ensure that under no circumstances will it be possible for a security vacuum to develop for lack of appropriate preparation, co-operation and co-ordination;
7. Provide the UNPROFOR command with the ways and means it is seeking to ensure compliance with all the resolutions of the United Nations Security Council;
8. Suggest to the appropriate authorities that they should intensify low-level flights over Bosnia, particularly Sarajevo, as an effective deterrent to the repeated shelling of the civilian population, which results in daily slaughter.

## REPLY OF THE COUNCIL<sup>1</sup>

### *to Recommendation 552*

1. The Council informs the Assembly that consideration of the question of the establishment of a European rapid action force is not on the agenda for the time being. The Council is continuing its work on the development of WEU's operational capabilities. In this context, the implementation of measures adopted by the NATO summit is at present high on the agenda. The ACE Rapid Reaction Corps, for example, might be involved in collective assets of the alliance made available to WEU as a result of consultations within the North Atlantic Council. It should be pointed out that the conditions for the use of the European corps in the framework of Western European Union were laid down in November 1993 in a document approved by ministers at the ministerial meeting on 22nd November. WEU will, moreover, consider the proposals for combined joint task forces (CJTF) once the alliance has formulated this concept. WEU will put forward its view on this question in exchanges with the NATO Politico-Military Group, which is about to be set up. A concerted joint proposal will be formulated within WEU for introduction into the alliance discussions on the implementation of CJTF.

2. The Council would remind the Assembly of the wording of paragraph 2 of Article J.4 of the Treaty on European Union, which came into force on 1st November 1993:

“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.”

According to the declaration on the rôle of Western European Union and on its relations with the European Union and with the Atlantic Alliance, the objective is “to build up WEU in successive phases as the defence component of the European Union. To this end, WEU is prepared, at the request of the European Union, to formulate and implement decisions and actions of the Union which have defence implications.”

To this end, WEU will establish close working relations with the European Union, in particular adopting the following measures: co-operation between the WEU Council and Secretariat-General, on the one hand, and the Council of the European Union and the General Secretariat of the Council on the other; and arranging for appropriate modalities so as to ensure that the Commission is regularly informed and, as appropriate, consulted on WEU activities.

At the WEU Council meeting in Luxembourg on 22nd November 1993, WEU foreign and defence ministers acknowledged “the importance for WEU of the conclusions reached by the heads of state and government at the European Council in Brussels on 29th October on the implementation of the common foreign and security policy of the European Union.

In this context, ministers:

- reaffirmed that WEU was fully prepared to play its rôle in accordance with the Treaty on European Union and the Maastricht declaration of WEU member states and to respond to requests from the Union concerning its decisions and actions having defence implications;
- recalled the effort already initiated to develop WEU's operational capabilities and stressed the importance of actively pursuing this objective. This would enable European partners and allies more effectively to shoulder their defence responsibilities;
- endorsed the measures to ensure close co-operation between the European Union and WEU set out in Annex IV of Chapter IV of the conclusions of the General Affairs Council of 26th October on the implementation of the Treaty on European Union, which had been approved by the European Council on 29th October;
- reaffirmed their commitment to pursuing and completing the implementation of these measures.

Ministers agreed to reduce the period of the WEU Presidency to six months from 1st July 1994, as suggested by the European Council. They requested the Permanent Council to consider further the question of harmonising the Presidencies of the European Union and WEU and to report back.”

<sup>1</sup> Communicated to the Assembly on 18th April 1994.

3. The Council confirms that the Planning Cell is operating effectively and is performing an active rôle in WEU's current work. Its activities may be broken down into two categories: long-term planning, which concerns the organisation's future "modus operandi", and "contingency" activities, a field of particular interest to WEU in view of the situation in former Yugoslavia.

Regarding intelligence support for the Planning Cell, the Defence Representatives Group has produced a similar report, which was endorsed by the CHODs and approved by the Council on 22nd November. This progress report defines the line of action to be adopted on intelligence as well as the level and extent of the support that the Planning Cell needs in order to:

- monitor the probable areas of crisis within the areas of interest to WEU as defined by the Council;
- formulate intelligence assessments to assist with contingency planning;
- establish intelligence evaluations before and during WEU operations.

4. On 22nd November 1993, ministers asked the Permanent Council to reflect on an enhanced status and its content, including the Franco-German proposal of 12th November, for those consultation partners who had already concluded or would conclude a Europe Agreement with the European Union. The Council is drafting this status with a view to its submission to ministers for adoption at the spring ministerial meetings. This initiative complements the partnership for peace.

Since diplomatic and economic measures are the responsibility of the European Union, the Union has, in the context of the common foreign and security policy, defined a draft stability pact that pursues the objective of preventive diplomacy. The aim is to contribute towards stability by preventing tension and potential conflict in Europe, creating good neighbour relationships and encouraging countries to set aside their border claims and to settle the problems of national minorities. WEU will be invited to participate in the inaugural conference, to be held in Paris in April 1994.

In the economic field, the Council draws the Assembly's attention to the importance of the first two Europe Agreements with Hungary and Poland, which came into force on 1st February. As soon as the parliamentary ratification procedures have been completed, Bulgaria, the Slovak Republic, the Czech Republic and Romania may also benefit from such agreements, which lay down a framework for free trade and regular political consultations.

5. The WEU Council is not competent to intervene with its members regarding their relations with successor states to the former Yugoslav Federation.

- On the question of co-operation and co-ordination with NATO on the respective tasks and rôles of the United States and its European allies in the maintenance of peace and security on the European continent, the Council draws the attention of parliamentarians to the declaration of the heads of state and government at the NATO summit to the effect that "in future contingencies, NATO and WEU will consult, including as necessary through joint Council meetings, on how to address such contingencies".

- The Council points out that the WEU member states which have placed contingents under the command of UNPROFOR take constant care to comply with all the resolutions adopted by the United Nations Security Council.

8. The Council takes due note of point 8 of the Assembly's recommendation, and fully shares the Assembly's concern to make every effort to prevent suffering of the civilian population. The Council is monitoring developments in the situation in former Yugoslavia with the utmost attention and is kept regularly informed of the results of Operation Deny Flight being conducted by NATO.

RECOMMENDATION 553<sup>1</sup>*on the European corps*<sup>2</sup>

The Assembly,

- (i) Welcoming the recent inauguration of the Strasbourg headquarters of the European corps;
- (ii) Aware that the European corps will not be able to carry out its three missions in full until the constitutional restrictions on the deployment of German troops outside national territory have been lifted;
- (iii) Noting that, in January 1993, the French and German Chiefs-of-Staff concluded an agreement with SACEUR on the use and tasks of the European corps;
- (iv) Noting the existence of the joint declaration setting out the conditions for the use of the European corps in the framework of WEU and the understandings in this regard, although no details have been released;
- (v) Welcoming Spain's decision and Luxembourg's intention to join the European corps and noting that both Italy and the Netherlands have shown their interest in developments;
- (vi) Noting that Poland has made it known that it would like to be associated with the European corps;
- (vii) Considering that, for practical reasons, only a small number of different national forces could actively participate in an army corps, and that, as a consequence, more than one European corps may have to be established if more nations wish to contribute troops;
- (viii) Recognising the importance of the French-Italian-Spanish initiative to contribute to a pre-planned, ad-hoc, joint European air and naval force which would have an air and ground force deployment capability, ready to respond to WEU requirements and complementary to their deployment within the framework of NATO;
- (ix) Aware of the recent Italian initiative envisaging a multinational ground force intended to enhance the operational significance of the abovementioned tripartite air and naval force;
- (x) Noting the urgent need for a full list of forces answerable to WEU;
- (xi) Noting the success of the joint military exercise Ardente 93 in October 1993, a good example of an exercise designed to prepare for the missions which will be assigned to WEU;
- (xii) Aware that, as confirmed at the EC's extraordinary summit meeting on 29th October 1993, Western European Union will have to implement the various provisions embodied in the Maastricht Treaty and the annexed statements of WEU member states;
- (xiii) Stressing the need for WEU, as the European Union's defence organisation and as the European pillar of NATO, to have full operational status in order to be effective;
- (xiv) Convinced that the concept of "separable but not separate forces", which would enable WEU to act with the backing of NATO assets and infrastructure in the event of the United States not wishing to participate in a given mission, is the only reasonable and feasible solution to accommodate Europe's new security requirements;
- (xv) Noting that a new balance must be established in the Atlantic Alliance so that Europe will be able to assume a greater share of responsibilities for security in Europe and beyond;
- (xvi) Stressing the need to maintain the defence budgets of WEU member states at an adequate level in order to ensure the maintenance of meaningful European military capabilities,

1. Adopted by the Assembly on 1st December 1993 during the second part of the thirty-ninth ordinary session (11th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Zierer on behalf of the Defence Committee (Document 1400).

**RECOMMENDS THAT THE COUNCIL**

1. Provide itself with the means of action and draw up guidelines for any operation under WEU responsibility by concluding agreements with member states and NATO regarding the European corps and other forces which could be placed at WEU's disposal;
2. Urgently establish a full list of forces from member states which could be placed at WEU's disposal;
3. Communicate to the Assembly the text of the joint declaration setting out the conditions for the use of the European corps in the framework of WEU and the understandings in this regard and the text of the report on relations between WEU and forces answerable to WEU (FAWEU);
4. Promote the early establishment of a European air and naval force in the southern area, enabling Europe to deploy military forces rapidly in that region in case of emergency;
5. Seek any solution allowing links between WEU and SACEUR to be strengthened;
6. In co-operation with NATO, agree on a joint staff concept in order to ensure a proper command structure in the event of specific WEU operations;
7. Provide the material means and necessary guidelines for the effective functioning of all WEU bodies which have been established to implement the Maastricht Treaty for WEU to become, in co-operation with NATO, the instrument of European security policy;
8. Enhance military co-operation with its partners in the Forum of Consultation in order to extend security towards Central Europe.

## REPLY OF THE COUNCIL<sup>1</sup>

### *to Recommendation 553*

1. At the meeting of the WEU Council of Ministers in Rome on 19th May 1993, the states participating in the European corps confirmed that they would be prepared to make this unit available to WEU.

The Council of Ministers requested the Permanent Council to define, in co-ordination with the states participating in the multinational formations designated as forces answerable to WEU, the relations between these forces and WEU.

On this basis, the joint declaration stating the conditions for the use of the European corps in the framework of Western European Union and the understandings in this regard, sets out the principles governing relations between the European corps and WEU.

It takes into account the rôles and missions that the corps may be assigned, sets out the arrangements for the planning process, specifies the command and control procedures and defines the relations existing between WEU on the one hand and, on the other, the European corps and the states participating in the corps.

It takes as its basis the agreement which the states participating in the European corps concluded with the SACEUR.

2. In accordance with its mandate, the Planning Cell has been tasked with drawing up the list of forces answerable to WEU (FAWEU). A specific questionnaire has been prepared and forwarded to the countries asking them for certain information with a view to establishing a list of FAWEU, on the basis of which force packages could be constituted and appropriate planning developed.

The Cell has specialised software for compiling the information received. Work on drawing up the full list of FAWEU is in hand.

3. The WEU Council is aware of the Assembly's information requirements. It is investigating the possible declassification of the text of the joint declaration stating the conditions for the use of the European corps in the framework of WEU, and of the report on relations between WEU and FAWEU. In the meantime, the Council could brief the Assembly on certain aspects of the contents of the abovementioned documents by means of hearings of representatives of the Presidency or the Secretary-General.

4. At their meeting on 7th September 1992, the defence ministers of France, Italy and Spain examined the possibility of promoting forms of air-maritime co-operation between the WEU member countries in order that the tasks assigned to WEU could be more effectively carried out. This initiative was taken up at the WEU ministerial meeting in Rome in November 1992 at which the Planning Cell was asked, through the intermediary of the Chiefs of Defence Staffs, to study ways of giving practical expression to the proposal.

In accordance with the mandate given by ministers to promote air-maritime co-operation with WEU, the Planning Cell has drawn up a draft operation plan known as Combined Endeavour.

This plan provides for:

- the generation and initial deployment of air-maritime forces;
- the designation of air-maritime groups of forces necessary for carrying out certain tasks.

Furthermore, it could be implemented at the same time as any other plan envisaging the intervention of air-maritime forces and thus serve as a starting point and initial phase for any air-maritime exercise in which the crisis-management machinery and WEU air-maritime forces are involved at the same time.

At the meeting of the Council of Ministers in Luxembourg on 22nd November 1993, ministers welcomed and agreed to study the Italian initiative in envisaging a multinational ground force aimed at enhancing the operational significance of the air-maritime initiative.

5. The Council duly notes point 5 of the Assembly's recommendation, to which it pays the utmost attention as it looks ahead to the implementation of the decisions set out in the summit declaration of the Atlantic Alliance.

<sup>1</sup> Communicated to the Assembly on 24th April 1994.

6. The Council reminds the Assembly of the text of the NATO summit declaration, which stipulates that the heads of state and government stand ready to “...make collective assets of the alliance available, on the basis of consultations in the North Atlantic Council, for WEU operations undertaken by the European allies in pursuit of their common foreign and security policy”. In developing and adapting the alliance’s structures and political and military procedures, the question of defining, in co-operation with NATO, a CJTF (combined joint task force) staff concept to ensure a proper command structure in the event of specific WEU operations, will undoubtedly be discussed.

7. The Council would remind the Assembly of the declaration by the WEU Council of Ministers at its meeting in Luxembourg on 22nd November 1993 in which:

“WEU foreign and defence ministers warmly welcomed the entry into force of the Treaty on European Union, a decisive new stage in the process of European construction and in the establishment of a European security and defence identity. They reaffirmed their commitment to strengthen WEU’s contribution in this connection”. Implementation of the Maastricht and Petersberg declarations, by providing the material means and necessary guidelines for the effective functioning of all WEU bodies which have been established under the Maastricht Treaty, contributes to these objectives.

8. The Council draws the Assembly’s attention to the terms of the Luxembourg declaration, which states: “The Permanent Council should thus identify ways and modalities to allow those countries to participate to a larger extent in the activities of WEU and to be involved in initiatives and missions as envisaged in the Petersberg declaration”. It was in this context that ministers requested the Permanent Council to reflect on an enhanced status and its content, including the Franco-German proposal of 12th November 1993, for those consultation partners who had already concluded or would conclude a Europe Agreement with the European Union.

**RECOMMENDATION 554<sup>1</sup>**

***on the evolution of advanced technology in  
the Commonwealth of Independent States (CIS)  
and the consequences for Europe<sup>2</sup>***

The Assembly,

- (i) Noting the process of change now taking place in the republics of the CIS, in particular in the economic, industrial and technological sectors;
- (ii) Noting that, while some problems have already been solved, a great many difficulties still remain;
- (iii) Noting that stability inside these countries depends largely on bringing up to date industrial and commercial structures and adapting them to the criteria of a market economy;
- (iv) Noting the particular importance of help from the West with advanced technology in CIS countries;
- (v) Taking into account the variety of initiatives which have proved to be successful and those other international programmes now being carried out or planned;
- (vi) Believing it is possible and desirable to improve and develop western assistance and co-operation in all these areas;
- (vii) Noting a number of further ways in which these areas can benefit from the West;
- (viii) Noting the obvious mutual advantages which arise between the West and CIS countries over advanced technology;
- (ix) Welcoming the recent ratification of the START I Treaty by the parliament of Ukraine;
- (x) Noting that Kazakhstan and Ukraine have not yet acceded to the nuclear non-proliferation treaty,

**RECOMMENDS THAT THE COUNCIL**

1. Ask member governments to strengthen further their contacts with the member states of the CIS. This should be done not only at bilateral and multilateral level but also at regional and plant level where direct guidance can be given;
2. Urge the creation of a European data centre. At present, initiatives and endeavours often overlap and, even when they do not, the exchange of information is not as well-managed as it should be;
3. Encourage co-operation with the republics of the CIS in advanced technology to promote transparency in the transfer of equipment for civilian and military use;
4. Call upon Ukraine and Kazakhstan to accede to the nuclear non-proliferation treaty;
5. Invite member governments to give their full backing to the International Centre for Science and Technology. It would be short-sighted to do otherwise, since the aim of this body is to prevent the growth of technologies of widespread destruction.

1. Adopted by the Assembly on 2nd December 1993 during the second part of the thirty-ninth ordinary session (12th sitting).

2. Explanatory Memorandum: see the report tabled by Lord Dundee on behalf of the Technological and Aerospace Committee (Document 1394).



**REPLY OF THE COUNCIL<sup>1</sup>*****to Recommendation 554***

1. Relations between the member states of WEU and those of the Commonwealth of Independent States (CIS) do not come within the competence of the WEU Permanent Council. As regards the strengthening of contacts at regional and plant level, the Council considers that it should not prejudge the results of specific initiatives taken by the United Nations, the World Bank, the EBRD, the OECD and the European Union in this context nor the effects of government incentives to promote bilateral co-operation agreements.
2. It is not within the competence of the WEU Council to recommend the creation of a European data centre nor even to discuss it.
3. The Council is aware of the need to promote transparency in the transfer of equipment for civilian and military use. Nevertheless, advanced technologies are outside the WEU Council's field of competence. It is therefore up to other bodies as and when necessary to encourage co-operation in this field with the CIS Republics.
4. The Council can confirm that WEU member states are stepping up their bilateral démarches to secure the accession of Kazakhstan and Ukraine to the Non-Proliferation Treaty (NPT).
5. The Council understands the Assembly's concern that the important rôle of the International Centre for Science and Technology should be recognised and developed in the future. However, the WEU Council has no authority to invite member governments to give their political and financial backing to the International Centre for Science and Technology.

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1. Communicated to the Assembly on 14th March 1994.

RECOMMENDATION 555<sup>1</sup>*on the development of a European space-based  
observation system – Part II<sup>2</sup>*

The Assembly,

- (i) Welcoming the inauguration of the Torrejón satellite centre and the start of the experimental stage of its activities;
- (ii) Considering, nevertheless, that this is a first step towards the final goal of implementing a European space-based observation system which would contribute to the maintenance of international peace and security;
- (iii) Satisfied that the memorandum of understanding between WEU and the French, Italian and Spanish Governments has been signed concerning the supply of Helios space images to the satellite centre;
- (iv) Welcoming the work done by the industrial consortium, i.e. the feasibility studies of the main system and the follow-up and analysis of this work achieved by the study management team;
- (v) Regretting that the Council has not taken into account Recommendation 523 of the Assembly with particular regard to the invitation to inform the Assembly regularly:
  - “ (a) about each stage of the entry into service of the satellite centre, its organogram and the progress of the feasibility studies;
  - (b) about criteria governing the choice of space industries to equip the centre and establish the observation system;”
- (vi) Regretting that the software used for the equipment of the centre is not of European origin, that, furthermore, it is difficult to obtain more sophisticated versions of the software that would allow operational activities and, finally, that this software is not suitable for receiving Helios images;
- (vii) Believing, moreover, that the feasibility study confirms that the system is viable and corresponds to the specifications given;
- (viii) Strongly regretting that the ad hoc Sub-Group on Space, at its meeting on 27th October 1993, objected to the budgetary provisions regarding the activities of the study management team and of the industrial consortium in 1994;
- (ix) Believing that this decision in fact runs counter to the pursuit of the work of the team and of the consortium;
- (x) Considering further that co-operation in space matters with the CIS countries can be of very great interest for the two parties concerned and offer reciprocal advantages;
- (xi) Taking account of the fact that the aim of this co-operation would be to seek to use the technical and human resources of these countries for peaceful and preventive purposes;
- (xii) Considering that the European Space Agency has shown that it was prepared to provide technical assistance for WEU's programmes and activities in the framework of co-operation between the two organisations,

## RECOMMENDS THAT THE COUNCIL

1. Inform the Assembly of the criteria leading to its choice of equipment for the Torrejón satellite centre;
2. Keep the Assembly informed of the steps it expects to take to ensure compatibility between the software now in service with that to be introduced, in particular when the Helios system is operational;
3. Take appropriate decisions to avoid the slowing-down or paralysis of activities planned in 1994 for the study management team and the industrial consortium;

1. Adopted by the Assembly on 2nd December 1993 during the second part of the thirty-ninth ordinary session (12th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Vallex on behalf of the Technological and Aerospace Committee (Document 1393).

4. Foster co-operation with the CIS countries in space matters to the advantage of the parties concerned with the main aim of using for peaceful and preventive purposes the technical and human resources of these countries;

5. Contact the European Space Agency without delay in order to promote close co-operation between the two organisations in space matters.

**REPLY OF THE COUNCIL<sup>1</sup>**

***to Recommendation 555***

1. The Council informs the Assembly that the following criteria were adopted for the selection of equipment for the WEU Satellite Centre in Torrejón :

- (a) Understanding of the objectives and of the technical requirements/statement of work.
- (b) Depth of analysis and quality of the proposed technical solution.
- (c) Compliance with the requirements of statement of work, adequacy of management, planning and execution of the work.
- (d) Compliance with the financial and time frames.
- (e) Experience and qualification of tenderer (space based sensor data exploitation).
- (f) Suitability of proposed management and control of the work.
- (g) Completeness and correctness of manpower and cost information.
- (h) Account of geographical distribution.

2. A number of commercial software packages, such as ERDAS and OCAPI have already been integrated successfully with new custom software which has been written by the industrial members of the Falcon Consortium. This total system has been used to interpret examples of high resolution imagery. WEU has chosen the software best suited for the processing of HELIOS imagery that is available.

A programme to make any modifications that are necessary so that images from HELIOS can be interpreted in addition to the existence sources has been a planned activity for 1993/94. WEU will initiate a suitable programme of work when the required information is made available.

3. The Council informs the Assembly that the Space Group is discussing the development of a study management team workplan including the follow-up of the second phase of the main system feasibility study, in order to investigate to the fullest all the possibilities at hand.

4. The Council informs the Assembly that the Space Group is investigating the possibilities and modalities for the eventual supply of imagery from CIS countries to the WEU Satellite Centre. As soon as this preliminary investigation by the Space Group is concluded, the Council will give guidance on whether and how WEU should proceed with any given country.

5. The WEU Satellite Centre has established a working arrangement with ESA and now purchases images from the successful ERS-1 satellite on a commercial basis.

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1. Communicated to the Assembly on 24th March 1994.

## RECOMMENDATION 556<sup>1</sup>

### *on the evolution of NATO and its consequences for WEU<sup>2</sup>*

The Assembly,

- (i) Emphasising the importance of the NATO summit meeting reaffirming its attachment to transatlantic links on the basis of a substantial presence of United States forces in Europe and the direct engagement of the North Atlantic allies in the security of Europe.
- (ii) Welcoming the WEU Council's readiness to offer an enhanced status of association to those member states of the WEU Forum of Consultation which have or are likely to have "Europe Agreements" with the European Union, but regretting that the term "associate *partnership*" may be used for this arrangement.
- (iii) Endorsing the partnership for peace programme offered by NATO to the countries taking part in the work of NACC and other interested CSCE countries.
- (iv) Noting nevertheless that the Atlantic Alliance has not yet managed to define in a coherent manner the nature of its relations with Russia and the CIS, nor the shape of a security system including the countries of Central Europe that will satisfy the aspirations and appease the concerns of all sides.
- (v) Emphasising consequently the importance of WEU's rôle with a view to helping to maintain stability and security in the East.
- (vi) Also emphasising the importance of the greater rôle played by WEU in the framework of its co-operation with NATO with regard to peace-keeping and crisis-management missions.
- (vii) Strongly welcoming the decision of the heads of state and of government of the Atlantic Alliance to uphold the strengthening of the European pillar of that alliance through WEU and their readiness to make the collective assets of the alliance available to WEU.
- (viii) Recalling at the same time that since the entry into force of the Maastricht Treaty WEU has become an integral part of the development of the European Union and is required to work out and implement the decisions of the Union that have defence and security implications.
- (ix) Consequently recalling that the Council has to take as a matter of urgency a series of important decisions to make WEU a truly operational organisation and to respond to expectations and the increased responsibilities entrusted to it.
- (x) Convinced nevertheless that the WEU Council now needs special political impetus to overcome its difficulties in reaching the necessary decisions.
- (xi) Considering that the intention of the ministers to reduce to six months the duration of the Chairmanship-in-Office of WEU in order to facilitate the harmonisation of the presidencies of the European Union and of WEU calls for new measures to ensure the continuity of WEU's political planning in order to accelerate the process of decision-taking and to ensure a better hearing for WEU's voice in alliance and European Union bodies.
- (xii) Insisting on the need to associate the Assembly to a greater extent in the Council's thinking before the latter takes decisions or decides not to take them in the absence of the necessary unanimity.
- (xiii) Hoping that the new European Parliament to be elected on 12th June next will refrain from adopting resolutions that seek – contrary to the spirit and the letter of Maastricht – to hinder WEU efforts to contribute to the definition of a European defence policy.

#### RECOMMENDS THAT THE COUNCIL

1. At its next ministerial meeting, grant simultaneously to all the member countries of the Forum of Consultation an associate status in WEU enabling them to participate to the greatest possible extent in the work of the Council and of its subsidiary bodies without prejudice to the status of associate member accorded to Iceland, Norway and Turkey as members of NATO.

1. Adopted by the Standing Committee on 3rd May 1994.

2. Explanatory Memorandum: see the report tabled by Mr. Baumel on behalf of the Political Committee (Document 1410).

2. Employ the term "associate member" for the relationship already being established with Iceland, Norway and Turkey and choose "associate" to describe the new status of the Central European and Baltic states which are members of the WEU Forum of Consultation and which have or are likely to have "Europe Agreements" with the European Union.
3. Conclude its work on strategic mobility and inform the Assembly of its conclusions.
4. Decide before the end of this year:
  - to establish a European system of space-based observation in accordance with the results of the feasibility study;
  - to move from the feasibility study phase to the conclusion of a contract with European industry for building the European military transport aircraft;
  - to create a European air-maritime force reinforced by ground components;
  - to agree on the conditions for the use and command of the European corps which is to be placed under the political direction of WEU in conformity with the agreements already concluded with SACEUR;
  - to make arrangements for associating with the European corps the other forces answerable to WEU so as to allow a European rapid action force to be created;
  - to create a European armaments agency with effective responsibilities and powers in order to achieve true co-operation between member states and their industries on questions of matériel.
5. Increase the means and enlarge the field of action of the Planning Cell by giving it a true rôle of operational co-ordination between WEU and NATO based on overall guidelines, including contingency plans and the planning of joint manoeuvres of forces answerable to WEU.
6. Harmonise with NATO the concept of combined joint task forces (CJTF) with its own concept of forces answerable to WEU (FAWEU).
7. Harmonise its working relationship with the European Union in matters that might have repercussions on its co-operation with NATO.
8. Show greater determination in its relations with the United Nations and the CSCE with a view to possible missions by offering them its operational capabilities in peace-keeping and crisis-management questions.
9. Draw up political guidelines for meetings of chiefs of defence staff and specify forthwith a structure of relations and the sharing of responsibilities between:
  - chiefs of defence staff;
  - military delegates belonging to national delegations;
  - the Planning Cell and
  - the WEU Secretariat-General.
10. Ensure the continuity of its political planning by giving the WEU Secretary-General political powers including:
  - the right of initiative;
  - the right to convene and to chair meetings of the Council of Ministers;
  - primordial responsibility for making WEU's voice heard in alliance and European Union bodies.
11. Take the appropriate measures to transform the Planning Cell into a powerful operational centre for WEU co-ordination and planning, with all the resources in equipment and staffing required to achieve this.
12. Ensure in particular the participation of the Secretary-General of WEU in meetings of the common foreign and security policy (CFSP) authorities of the European Union in the same spirit of transparency, complementarity and reciprocity that already exists between WEU and NATO.
13. Ratify the decisions set out in paragraph 4 above and give the political impetus necessary for WEU to take its place as the European defence organisation and as a credible player in its areas of responsibility by convening before the end of the year an extraordinary meeting of heads of state and of government of the member countries.

**REPLY OF THE COUNCIL**  
***to Recommendation 556***

No reply has yet been received from the Council.

*Written questions 322 to 326 and replies of the Council***QUESTION 322**

*put to the Council by Mr. De Decker  
on 14th June 1993*

Answering a question put by Sir John Hunt, Mr. Archie Hamilton, United Kingdom Minister of State for the Armed Forces, said in the House of Commons on 19th March 1993:

“ There is already discussion on and co-ordination of policy towards reserve servicemen between the United Kingdom and its allies, including the member states of Western European Union, the National Reserve Forces Committee, and the Interallied Confederation of Reserve Officers. ”

Can the Council say:

1. how its reply to Recommendation 535 can be reconciled with this statement;
2. to what this discussion and co-ordination relate;
3. whether the reply to Recommendation 535 means that the Council no longer feels bound by the undertakings it has given on several occasions, in particular in its replies to Recommendations 298, 319, 330, 420, 472 and 509, to report to the Assembly on the application of the modified Brussels Treaty even when this is done in frameworks other than WEU?

**REPLY OF THE COUNCIL**

*communicated to the Assembly on  
16th March 1994*

Having made enquiries with the competent United Kingdom authorities and having checked with the Hansard Record Department, it emerged that the written reply by Mr. Archie Hamilton to the question put by Sir John Hunt, reproduced in Hansard of 19th March 1993, had to be rectified as regards the mention of a rôle for WEU in the co-ordination of policies towards reserve servicemen in the WEU member countries.

The Council communicates to the Honourable Parliamentarian below the text of the letter of 4th August 1993 to Sir John Hunt in which Mr. Jeremy Hanley, MP, corrected his predecessor's statement.

*Text of the letter dated 4th August 1993 from  
Mr. Jeremy Hanley, MP,  
Minister of State for the Armed Forces  
of the United Kingdom,  
to Sir John Hunt, MP*

“ On 19th March 1993 my predecessor, Archie Hamilton, answered a question from you about discussions between the United Kingdom and its allies on policy towards reserve servicemen. I attach a copy of the relevant Hansard for ease of reference.

It has been brought to my attention that the answer contained an incorrect statement. The second sentence incorrectly stated that discussions take place under the auspices of, among other organisations, Western European Union (WEU). Although discussions do take place between member states, and in the other fora mentioned in the answer, they do not, in fact, do so under the auspices of WEU.

I am sorry for this mistake – which was due to some over-simplification introduced into the drafting of the answer during the incorporation of contributions received from various sources – and for any inconvenience it may have caused you.

I am placing a copy of this letter in the Library of the House. ”

*[Extract from Hansard]*

*Friday, 19th March 1993  
Column 392*

*WEU reserve forces*

*Sir John Hunt:* To ask the Secretary of State for Defence if he will make it his policy to co-ordinate policy towards improving conditions for reserve servicemen among the member states of Western European Union.

*Mr. Archie Hamilton:* There is already discussion on and co-ordination of policy towards reserve servicemen between the United Kingdom and its allies, including the member states of Western European Union. This takes place under the auspices of Western European Union. The National Reserve Forces Committee and the Interallied Confederation of Reserve Officers.



**QUESTION 323**

*put to the Council by Mr. De Decker  
on 15th October 1993*

On 6th October 1993, the French weekly information letter, TTU, gave the following information:

“ Six Romanian barges transporting oil violated the international embargo on Serbia under the nose of WEU observers in Calafat (Romanian-Serb frontier).

Officially destined for the Romanian port of Turnu-Severin, 80 km upstream on the Danube, the barges transporting 4 415 tonnes of petrol and 1 334 tonnes of fuel oil were unloaded at the port of Prahovo, on the Serbian bank, near the Iron Gates lock. Similar violations had already occurred last January when barges from Ukraine repelled by Serb vessels had unloaded at Prahovo ”.

1. Can the Council confirm the truth of this violation of the embargo? Can it confirm the Romanian nationality of the barges?
2. If so, why was the WEU unit on the Danube not able to prevent this violation?
3. Why does the Council continue to refuse to publish the list of violations noted on the Danube and in the Adriatic whereas, in the absence of coercive means, such publication would be the only democratic means of pressure to deter these violations?

**REPLY OF THE COUNCIL**

*communicated to the Assembly  
on 23rd March 1994*

1. The Council did indeed receive information to the effect that a convoy of six barges which, in early September, were heading for the Romanian port of Turnu-Severin, did not arrive at their destination.

This was a Romanian convoy known as Giurgiu 18 belonging to the Navrom company.

2. The WEU Danube mission is carried out on the basis of memoranda of understanding concluded between WEU and each of the three riparian states concerned. The memoranda are based on the relevant resolutions of the United Nations Security Council. They set out the mandate for the mission and the tasks needed to accomplish it. The memoranda are substantially the same, the one concluded with Romania being the most significant as regards the incident referred to by the reference question. It contains the following stipulations:

**“ Article 1**

3. (...) In fulfilling their tasks, WEU personnel will act under the general authority of Romania, which has the main responsibility for ensuring strict implementation of the relevant United Nations Security Council resolutions, and on a basis of mutual agreement.

4. The support given to Romania by WEU member states will consist of patrol boats, appropriate personnel and the necessary equipment (...).

**Article III**

3. A control area will be established on the territory of Romania at Calafat, and an additional checking point will be established in Galati (...). ”.

The memorandum indicates that WEU is providing technical assistance to Romania in the form of personnel and equipment and that its mission is being carried out on the Danube downstream of Calafat. The checks carried out are designed to deter and, if necessary, to detect or even thwart any attempt at violation on this section of the Danube. On the section upstream of Calafat, which is much shorter than the downstream section, there is a certain amount of cabotage traffic. WEU has no authority over this traffic since it is not covered by the relevant resolutions.

3. Only the United Nations is competent to publish information on the violation of an embargo imposed on the basis of United Nations resolutions.

**QUESTION 324**

*put to the Council by Mr. Stoffelen  
on 8th November 1993*

Is the Council prepared to communicate to the Assembly “ Appendix IV, relating to the links between the Union and WEU, of Chapter IV of the document concerning the implementation of the Maastricht Treaty ” which was approved on 26th October 1993, as announced in a press communiqué dated 27th October?

**REPLY OF THE COUNCIL**

*communicated to the Assembly  
on 23rd March 1994*

The Council has duly noted the request made by Mr. Stoffelen on behalf of the parliamentary Assembly on 8th November 1993 that it be sent Annex IV, on relations between the Union and WEU, to Chapter IV of the document on the implementation of the Maastricht Treaty.

This annex was formally approved by the Permanent Council on 26th October 1993 and that approval endorsed by the Ministerial Council on 22nd November last. This text is a joint European Union and WEU working document.

The Council invites the Secretary-General to forward Annex IV to the parliamentary Assembly.

### QUESTION 325

*put to the Council by Mr. Pécriaux  
on 6th April 1994*

Has WEU played a rôle so far on the territory of Bosnia-Herzegovina and more particularly in Sarajevo? Does it intend to play a rôle there in the near future and, if so, what rôle?

### REPLY OF THE COUNCIL

No reply has yet been received from the Council.

### QUESTION 326

*put to the Council by Mr. Goerens  
on 25th April 1994*

Article VIII, paragraph 3 of the modified Brussels Treaty confers the power "to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability". Moreover, paragraph 2 of the same article stipulates that the Council "shall be so organised as to be able to exercise its functions continuously" and paragraph 1 states that it is empowered to "consider matters concerning the execution of this Treaty".

What is the basis of the Council's statement to the effect that:

1. It "cannot allude to the decisions of European Community countries regarding their relations with the successor states to the former Yugoslav Federation", or to "relations between the member states of WEU and those of the Commonwealth of Independent States (CIS)", in view of the threat to international peace from the situa-

tion in certain of these countries (Replies to Recommendations 548, 552 and 554)? Under such circumstances, what are the "topical questions" that the Council regards itself competent to consider and deals with, as we are led to believe from Chapter II of the second part of the thirty-ninth annual report? Has the Council not for many years essentially devoted its meetings to bilateral relations between member countries and non-member countries of the organisation? Does the Council consider that its competences have been modified since reactivation of WEU and, if so, by what acts?

2. The issue of possible financial compensation for the riparian countries implementing the Danube embargo "does not come within the competence of the WEU Permanent Council" even though WEU is participating in the implementation of this embargo (Reply to Recommendation 548)?

3. "Advanced technologies are outside the WEU Council's field of competence" when these concern the security of Europe, and that neither is it "within the competence of the WEU Council to recommend the creation of a European data centre nor even to discuss it" when it is "aware of the need to promote transparency in the transfer of equipment for civilian and military use" (Reply to Recommendation 554)?

4. The Permanent Council has separate competences from those attributed to the Council by the modified Brussels Treaty and that the Council need not reply to recommendations from the Assembly if the Permanent Council does not discuss the questions addressed by such recommendations (Reply to Recommendations 548 and 554)?

Does the Council no longer admit it should reply to Assembly recommendations dealing with the application of the modified Brussels Treaty, even if certain WEU competences are entrusted to other organisations? What is the point of exchanges between WEU and NATO or the European Union if they do not permit the Council to make such reply, despite the fact that it undertook to do so before such exchanges were organised?

### REPLY OF THE COUNCIL

No reply has yet been received from the Council.

**OPINION ON THE BUDGETS OF THE MINISTERIAL ORGANS  
OF WESTERN EUROPEAN UNION FOR THE FINANCIAL YEAR 1994<sup>1</sup>**

*submitted on behalf of the  
Committee on Budgetary Affairs and Administration<sup>2</sup>  
by Mr. Covi, Rapporteur*

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Rathbone (Chairman); MM. Covi, Redmond (Vice-Chairmen); MM. Alvarez (Alternate: Roman), Antretter, Biefnot, Branger, Büchler, Curto, Daniel, Dimmer, Mrs. Durrieu, Mr. Eversdijk, Dame Peggy Fenner, MM. Homs I Ferret, Howell (Alternate: Cummings), Jurgens, Maass (Alternate: Michels), Manisco, Masson, Meyer zu Bentrup, Mrs. Moreno Gonzalez, MM. Pinto, Pizzo, Tatarella, Thissen.

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 1994***

The Assembly,

(i) Considering that:

- (a) the Council has communicated to the Assembly the budgets of the ministerial organs for the financial year 1994;
- (b) the budget of the Secretariat-General comprises five sections, of which section D relates to the study on medium- and long-term studies on space and section E to the Planning Cell;
- (c) the Torrejón Satellite Centre has entered its second experimental phase and the Ministerial Council is proposing to discuss the future of the Centre towards the end of 1994;
- (d) the Council has allocated WEAG an operating budget for the financial year 1994 under a special procedure and that this budget is financed by thirteen countries;
- (e) the Council still has not undertaken the study recommended earlier by the Assembly leading to possible approval of a private health insurance scheme instead of the French social security system,

RECOMMENDS THAT THE COUNCIL

1. Communicate to it any decisions that are taken on the operation of the Torrejón Satellite Centre after completion of the experimental phase at the end of 1994;
2. Communicate to it the final arrangements for the preparation and management of WEAG's budget;
3. Take the necessary measures for WEU staff in Paris to be affiliated to a private health insurance scheme upon termination of the current agreement with the health insurance branch of the French national social security scheme.

## *Explanatory Memorandum*

*(submitted by Mr. Covi, Rapporteur)*

### *I. General*

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

2. The present report, prepared in application of this provision, relates to the five sections of the budget of the Secretariat-General for the financial year 1994 and to the budgets of the subsidiary organs of WEU which have administrative autonomy: the Institute for Security Studies and the Satellite Centre.

3. The analysis of these budgets is complicated by the fact that WEU is still undergoing a period of adjustment to the new political situation created by the coming into effect of the Maastricht Treaty and the strengthening of relations with NATO, the European Union and the countries of the Forum of Consultation.

4. It would not be reasonable, in this changing political context, to embark on a cost/efficiency assessment of the means made available to WEU by governments in relation to the objectives to be achieved. Your Rapporteur will, as last year, therefore confine himself to an analysis of those budgets that might provide a basis for reflection for the political bodies.

### *II. The budget of the Secretariat-General for 1994* *Section A*

5. The budget of the Secretariat-General for the financial year 1994 has five sections:

Section A – Secretariat-General

Section B – Pensions budget of the former ministerial organs in Paris

Section C – Agency for the Control of Armaments

Section D – Space studies in the medium and longer term

Section E – Planning Cell

6. In presenting its 1994 budget, the Secretariat-General did not fail to point out that:

"In 1993 the WEU Secretariat-General's budget had to take into consideration the move to Brussels, the changed working conditions in a new environment resulting from the transfer and the occupation of a

new building, additional staffing requirements, the co-location with the Planning Cell and the increasing involvement of WEU in European as well as international affairs.

The major refurbishment of the building has been carried out, additional staff has been recruited, new tasks assigned to WEU taken up.

Compared to the 1993 budget, the 1994 budget is the first normal "Brussels" budget for the Secretariat and the Planning Cell based upon the experience gained after one year in Brussels.

The 1994 budget still shows an increase related to the new physical environment as well as the operational activity:

- the growing volume of WEU-communications and the need for secure lines requires substantially increased credits;
- the security aspects, still under consideration, will also entail some additional personnel costs and some further adaptation to the building;
- credits for computer updating and networking, foreseen in the transfer budget, might have to be increased."

7. Indeed, as the recapitulatory table (Appendix I.1) shows, the total operating budget of the Secretariat-General stands at BF 242 157 469, a reduction of 6.7% as compared with the 1993 budget after the half-yearly adjustment. However, if account is taken of the fact that this budget represents an increase of 76.83% over that of the previous year, it must be concluded that the overall running costs of the Secretariat-General in Brussels are approximately 70% higher than those incurred by that body when in London.

8. Aware of the difficulties of certain countries in accepting the proposed increase in the budget of the Secretariat-General, while recognising, however, the legitimate need for such increase, the Budget and Organisation Committee decided to use 1993 surplus funds (BF 8 700 000) to reduce the overall contribution from the member countries to that budget.

9. It should also be noted that the Secretariat-General, at the request of the Budget and Organisation Committee, has arrived at a cost-sharing arrangement with the Planning Cell both in respect of the premises and administrative support.

10. Under this arrangement the Secretariat-General meets 70% and the Planning Cell 30% of costs as follows:

- (a) premises (the Planning Cell is accommodated on one floor of a five-storey building and uses the common areas: garage and two basement levels). Costs include: rent, "précompte immobilier" (property withholding tax), general maintenance, gas, electricity, water and office cleaning;
- (b) "secure" electronic transmissions equipment – WEUCOM network (nodal centre);
- (c) administrative support consisting of staffing expenditure for the registry, telephone exchange, security and messenger services, finance section and translation departments;
- (d) expenditure on postal and courier services;
- (e) uniforms for guards and messengers;
- (f) insurance.

11. A different (50/50) percentage cost-sharing basis has been adopted for telephone charges other than for direct lines. The 1994 budget also includes provision for financing software enabling costs to be apportioned accurately between the Secretariat, Planning Cell and the national delegations accommodated in the Brussels premises that all share the same network.

12. Finally it should be noted that the few national delegations which have been allocated offices in the Brussels premises will be required to contribute to the Secretariat's budget in proportion to the area they occupy at a cost of BF 8 825 per m<sup>2</sup>.

13. Close examination of the various heads of the budget of the Secretariat-General, estimates of which are contained in the recapitulatory tables in Appendix I.2, shows first of all, under "A.I - Personnel Costs", a net increase in staff due to the phased introduction over the year of the following posts in order to reduce costs:

1st April	LT2/3	English/French Translator
1st April	B3/4	Archivist/Crypto custodian responsible for the Central Office, FOCAL TOP SECRET and NATO classified documents
1st October	C3/4	Handyman
1st October	C2/3	Two security guards
1st April	A3/4	Head of Security Bureau

14. Additionally, the post of terminologist has been regraded from B4 to B5.

15. Subsequent to the creation of the various posts referred to above, the Secretariat-General (see Appendix II.1) now has a staff complement of 71 officials, whose duties are set out in the organogram (see Appendix II.2).

16. Provisions in the budget under "A.II - Travel" show a slight increase in respect of travel by officials as compared with the previous financial year (BF 4 264 000 as against BF 4 140 000 in 1993). To these must be added the sums requested to meet the travel costs of the auditors (one French, one German and one Italian) appointed to audit the accounts of the WEU organs in Brussels, Paris and Torrejón.

17. It will be noted that with the agreement of the Budget and Organisation Committee, the Secretariat-General has undertaken to submit a quarterly statement of anticipated journeys and the corresponding financial position. Moreover the travel allowances of the Secretary-General and the Deputy Secretary-General will be restricted to 25% of the total travel allowance.

18. Although the cost-saving measures taken by the Secretariat-General in response to the request from the Budget and Organisation Committee are substantial, it is nevertheless desirable that political work, in particular that of the Secretary-General, is not adversely affected at a time of developing relations with a number of Central and Eastern European countries.

19. "A.III - Other operating costs" shows various sums (see Appendix I.2) the most important of which relate to management of the Brussels premises. These account for 70% of total estimated expenditure, the remaining 30% being allocated to the Planning Cell budget as explained in paragraph 10 above.

20. It should be noted that the former WEU premises in London are still held under a lease which expires in 1998. Meantime WEU is committed to annual payments of £10 000 under the old contract to which are added portage, general supervision and management and insurance costs giving a total of £15 350.

21. In order save on these costs the Secretariat-General, after contacting three estate agencies, commissioned Jones Lang Wootton to explore the possibility of assigning the lease for the rest of the term. Action is therefore in progress.

22. A.IV - A.VII call for no special comment. It should be noted that amounts necessary for the purchase of certain office and computer equipment have been written into the 1994 budget; also for a service vehicle needed for transferring classified WEU documents to the venues of ministerial and other external meetings and for taking documents to NATO headquarters to be destroyed.

23. The budget of the Secretariat-General for 1994 also includes estimates in relation to the pensions of 27 retired employees and provision for two leaving allowances payable in 1994. Taking account of receipts of staff contributions to the pension scheme the net total amount under the pensions budget stands at BF 34 104 710 (See Appendix I.3)

### *III. The budget of the Secretariat-General for 1994 Sections B, C and D*

24. Sections B, C and D of the budget of the Secretariat-General call for no special comment. Section B sets out the implication of the Secretariat-General assuming responsibility for the payment of pensions to 74 retired staff of the former ministerial organs in Paris. These pensions account for BF 11 974 650 (See Appendix III), and represent an increase of 4.36% over the previous year.

25. Section C contains the operating budget for the Agency for the Control of Armaments whose seat is still in Paris. The sum of FF 863 536 provided under this head covers the salary of a permanent A grade official with control duties, the cost of his official journeys and expenditure on information.

26. Section D represents a budget of 3.3 m. ecus for medium- and long-term space studies, which breaks down as follows:

- 0.5 m. ecus for the running costs of the study management team (as in the past, costs are met proportionally from national budgets);
- supplementary financing of up to 0.3 m. ecus will be considered by the Space Group on the basis of supporting documents from the study management team, any call for funds is subject to authorisation from the Space Group;
- 2.5 m. ecus for industrial and consultancy work. This sum has been included subject to approval by the Ministerial Council at its spring meeting. In the meantime it will stay frozen, subject to approval by the Space Group on the basis of supporting documents from the study management team.

27. Presenting estimates for this section, the Secretariat-General recalled that:

“ The 1993 budget implemented the 20th November 1992 decision of the ministers [CM (92) 19] to carry forward to 1993 the balance of funds authorised for 1992 space studies and to allocate 2 505 000 ecus (£1 754 597) for Phase II of the feasibility

studies. Thus the additional funds required in 1993 for the feasibility studies Phase II were £1 754 597.

### *IV. The budget of the Secretariat-General for 1994 Section E*

28. For the second time the budget of the Secretariat-General includes a Section E, showing the sums necessary for running the Planning Cell.

29. The 1994 budget does not provide for any change to the organogram of the Cell. It shows the Cell's 30% contribution to the rent and management costs of the building and its contribution to administrative support services, as described in paragraph 10 above.

30. Total expenditure under this section thus stands at BF 62 260 100 (see the table in Appendix IV). This section does not show any income in respect of staff contributions to the pension scheme as this amount has been set against the pensions budget of the Secretariat-General.

31. The Council has taken note of the Assembly's suggestion regarding management procedures for the Planning Cell's budget. This matter was discussed by the Budget and Organisation Committee on 28th June 1994, which clarified that:

“ with the exception of Chapter III, which remains the responsibility of the Head of Administration, the responsibility and the decision-making of the Planning Cell budget lay with the Director of the Planning Cell, who has to comply with the existing financial regulations, remaining within the approved budget. The rôle of the Secretariat-General consists in the financial control of the execution of the budget in respecting the existing regulations, maintaining the bank accounts and ordering the payments as well as keeping of the financial records. Article 6 of the Financial Regulations would have to be amended accordingly. (Rôle of the Director, Planning Cell). Finance Section will circulate a proposal. ”

32. The Assembly has not yet been informed of the procedural changes adopted to give the Director of the Planning Cell greater administrative responsibilities.

### *V. The budget of the Institute for Security Studies for 1994*

33. The Institute for Security Studies has consolidated its work over the first years of its existence. Hence the 1994 budget estimates in

general terms update those for the previous year to take account of the rise in the cost of living.

34. The one exception is the creation of a post graded B3 and a part-time B3/B4 grade post. This type of contract represents an innovation in WEU staffing policy. The Staff Rules will be duly amended to take account of part-time contracts.

35. Appendix V contains a recapitulatory table of the budget estimates of the Institute.

#### ***VI. The budget of the WEU Satellite Centre for 1994***

36. For a better understanding of the nature and importance of the Satellite Centre budget, reference may be made to the introductory remarks that preface the present document. Emphasis is placed first upon the fact that in early 1994 the Satellite Centre enters its second experimental stage. All the preparatory stages will then be complete and the Centre will be in a position to undertake the tasks the ministers have agreed to allocate to it.

37. The ministers propose to discuss the future of the Centre in November 1994 and the budget for the Centre has been prepared with this meeting specifically in view, so that the bulk of the information essential for decision-making will be available.

38. The table in Appendix VI summarises the 1994 budget estimates according to the classification adopted by all the ministerial organs. This shows a total operating budget of Ptas 1 619 620 000. By deducting the amount of staff contributions to the pension scheme from this total, a net total of Ptas 1 603 360 000 is obtained.

39. Comparison of the figures for 1994 with those approved for 1993 show that the main changes relate to "Chapter IV - Mission Purchases". This difference is explained by the fact that provision has been made for regular maintenance and support of the technical equipment that has been purchased. Also the Centre has from time to time to purchase data, including imagery, (in increasing large quantities) for the specific missions assigned to it.

40. Lastly the establishment of the Centre remains unchanged. The 50 posts were filled during the course of 1993.

#### ***VII. The budget of the Western European Armaments Group (WEAG) for 1994***

41. The WEAG budget constitutes an addition to the traditional budgets of the other WEU ministerial organs and must be examined apart from them as it is financed separately from the contri-

butions of thirteen countries, whereas the WEU budgets are financed by nine countries.

42. Appendix VII shows the cost-sharing formulae for the 9 and the 13.

43. It should be recalled that WEAG was created when the functions of the Independent European Programme Group (IEPG) were transferred to WEU following a decision taken by the Council at the ministerial meeting held in Rome on 4th December 1992.

44. As this decision was implemented in 1993, a separate 1994 budget has been prepared to make the WEAG Secretariat operational. This document was approved by the Council under an accelerated procedure which – according to the budget submission note drafted by the Secretariat-General – does not prejudge procedure to be applied in the future.

45. The relevant estimates, totalling FB 15 500 000, are contained in Appendix VIII. They call for no particular comment.

#### ***VIII. Action taken on Assembly Recommendation 550***

46. In approving Recommendation 550 (Appendix IX) the Assembly recommended that the Council:

- “ 1. Inform the Assembly of any subsequent changes in the organograms of the WEU ministerial organs;
2. Ask the WEU Budget and Organisation Committee to examine in the framework of its responsibilities and as it did for the ministerial organs, the changes to the organogram of the Office of the Clerk of the Assembly proposed in the 1994 budget;
3. Consider the expediency of separating the budget of the Planning Cell from that of the Secretariat-General and make its Director responsible for managing it;
4. Take every possible step to make the Torrejón Satellite Centre fully operational and, in this context, authorise the Director of the Centre to enter into multi-annual expenditure commitments where necessary;
5. Inform the Assembly of the conclusions of the study of the financing of the pension scheme;
6. Study the possibility of adopting a private health insurance scheme for WEU staff in Paris as it did for staff in Brussels. ”



47. The reply has recently been given to this recommendation (See Appendix IX). Also the budget documents analysed in the present report already reflect the changes in the establishment of the WEU ministerial organs. Additionally decisions relating to changes in the organogram of the Office of the Clerk were taken when its 1994 budget was approved.

48. The Assembly can only take note of the fact that the Council, while recognising the principle of multi-annual expenditure commitments by the Satellite Centre, reserves the right to take any decision it sees fit at the end of the Centre's experimental phase. It will be possible therefore to reconsider this matter when the next report is drafted.

49. The Assembly also notes with approval the decision by the Budget and Organisation Committee not to proceed with the actuarial study on pensions as the effect of the actuarial data on WEU would be negligible in regard to the aggregated findings of the studies on the other co-ordinated organisations.

50. With regard to point 3, as stated in paragraph 31 above, the Director of the Planning Cell has been given increased responsibility for managing

his budget, although this remains an integral part of the budget of the Secretariat-General.

51. The reply to the question raised under point 6 cannot, however, be considered satisfactory as the study on the possible adoption of a private health insurance scheme for Paris staff to replace the arrangements under the French social security scheme is of major interest to staff.

52. The issue this raises cannot be considered within the general context of relations with the host country. Hence as paragraph 49 of the previous report states, the OECD has already cancelled its agreement with the French Government to extend arrangements under the French social security system to its staff and the Council of Europe has carried out a conclusive study on the matter. There is no reason for affiliating WEU staff in Paris to a health insurance scheme, the cost of which is more than double that of a private health insurance scheme for the same benefits. The Council is aware of this and has, moreover, adopted the private scheme for the staff of the Secretariat-General.

53. The Assembly recommends that the Council place the matter on its agenda for discussion so that the move to the new régime may be made as quickly as possible.

## APPENDIX I

*1. Recapitulatory table of Secretariat-General funds*

	1993 Budgets BEF	1993 Funds BEF	1994 Budget credits BEF	1994 credits to call BEF	(3):(1)	(4):(1)
Secret.-General	(1)	(2)	(3)	(4)	(5)	(6)
A. Secret.-General	259 745 090	8 700 000	242 157 469	233 457 469	(6.7)	(10.1)
A.I.A. Pensions	26 865 000	9 000 000	34 104 710	25 104 710	26.95	(6.5)
E. Planning Cell	26 516 250		62 260 100	62 260 100	134	134
TOTALS	313 126 340	17 700 000	338 522 279	320 822 279	8.11	2.45

*2. Recapitulatory table of the budget of the Secretariat-General, Section A**Secretariat-General Section A – Secretariat, recommended budget, in BEF*

Chapter heads and sub-heads	
<i>Chapter A.I - Personnel costs</i>	
1. Basic salary	190 871 848
2. Salary-related	19 656 732
2.A. Expatriation	14 580 297
2.B. Household	5 076 435
3. Special allowances	14 572 753
3.A. Dependants	4 280 000
3.B. Education	800 000
3.C. Rent	4 570 000
3.D. Language	261 300
3.E. Representation	1 339 453
3.F. Home leave	1 200 000
3.G. Termination	0
3.H. Unexpended	0
3.I. Secretariat allow.	562 000
3.J. C-grades spec.	1 560 000
4. Provident Fund	377 000
5. Social charges	8 304 400
6. Overtime	400 000
7. Temporary staff	5 000 000
7.A. Temporary staff	5 000 000
7.B. Experts, consultants	0
8. Recruitment	2 000 000
8.A. Travel costs	200 000
8.B. Removal	1 500 000
8.C. Installation	300 000
9. Staff association	261 000
9.A. Travel	161 000
9.B. NATO facilities	100 000
10. Medical examinations	310 000
11. Interorganisational charges	3 000 000
11.A. IOS	1 250 000
11.B. JPAS	1 750 000

**2. Recapitulatory table of the budget of the Secretariat-General, Section A**

*Secretariat-General Section A – Secretariat, recommended budget, in BEF (continued)*

Chapter heads and sub-heads		
<i>Chapter A.I - Personnel costs</i>		
12. Training costs	670 000	
12.A. Computer	350 000	
12.B. Terminology	50 000	
12.C. Language (contribution)	270 000	
<b>Total Chapter A.I</b>	<b>245 423 733</b>	
<i>Chapter A.II - Travel</i>		
1. Official journeys	4 264 000	
2. Auditors	457 470	
<b>Total Chapter A.II</b>	<b>4 721 470</b>	
<i>Chapter A.III - Other operating Costs</i>		
1. Premises	99 289 418	
1.A. Rent (préc. imm. incl.)	74 490 668	
1.B. Maintenance, repair	9 828 750	(1)
1.C. Gas, elect. water	8 343 000	
1.D. Daily office cleaning	4 575 000	
1.E. London premises	2 052 000	
2. Furniture and equipment	3 614 000	
2.A. Rent	2 560 000	
2.B. Maintenance	1 054 000	
3. Office supplies and printing	2 318 000	
3.A. Stationery	2 060 000	
3.B. Printing	258 000	
4. Communications	12 059 000	
4.A. Telecom	2 884 000	
4.B. WEUCOM	6 500 000	
4.C. TARE, IVSN	975 000	(2)
4.D. Postage	1 700 000	
5. Hospitality	665 000	
6. Motor vehicles	335 000	
6.A. Maintenance	120 000	
6.B. Petrol	215 000	
7. Information	787 500	
7.A. Newspapers	515 000	
7.B. Books	200 000	
7.C. CD-Rom.	72 500	
7.D. Reuters		
8. Insurances	2 749 000	
8.A. Premises and furniture	2 549 000	
8.B. Motor vehicles	200 000	
9. Uniforms	288 000	
10. Appeals board	202 000	
11. Other costs	215 000	
11.A. Bank charges	115 000	
11.B. Miscellaneous	100 000	
12. Contingencies	0	
<b>Total Chapter A.III</b>	<b>122 521 918</b>	

**2. Recapitulatory table of the budget of the Secretariat-General, Section A**

*Secretariat-General Section A – Secretariat, recommended budget, in BEF (continued)*

Chapter heads and sub-heads		
<i>Chapter A.IV - Purchases</i>		
1. Furniture and equipment	458 900	
2. Motor vehicles	275 000	
3. Informatics	0	
<b>Total Chapter A.IV</b>	<b>733 900</b>	
<i>Chapter A.V</i>		
1. Fire protection	60 000	
2. Security improvement	1 473 000	
3. Dilapidation London premises	p.m.	
<b>Total Chapter A.V</b>	<b>1 533 000</b>	
INCOME		
<i>Chapter A.VI - WEU tax</i>		
1. Article 2 WEU tax regulations	80 035 552	
2. Article 6 WEU tax regulations	165 000	
<b>Total Chapter A.VI</b>	<b>80 200 552</b>	
<i>Chapter A.VII - Other receipts</i>		
1. Bank interest	1 000 000	
2. Planning Cell administrative support	50 870 000	
3. Delegations rent	706 000	
4. Miscellaneous	0	
<b>Total Chapter A.VII</b>	<b>52 576 000</b>	
<b>NET TOTAL</b>	<b>242 157 469</b>	

(1) Of which BEF 500 000 frozen.

(2) Frozen pending communications experts advice.

Note: The 7% staff contribution to pensions is to be found as a receipt in the Secretariat's AIA pensions budget.

**3. Recapitulatory table of the budget of the Secretariat-General, Section B**

*Secretariat-General Section B PMO pensions, 1994 recommended budget in FF*

Expenditure	
1. Pensions	10 913 500
2. Allowances	705 000
3. Leaving allowance	–
4. Supplementary insurance premium paid by WEU	390 000
5. Bank charges	5 000
TOTAL EXPENDITURE	12 013 500
INCOME	
1.a. ACA Staff Contributions (7%)	38 850
2. Reimbursement of Provident fund withdrawals	
3. Other receipts	
TOTAL RECEIPTS	38 850
NET TOTAL	11 974 650

## APPENDIX II

*1. Establishment table of the Secretariat-General*

Post no.	Title	Grade of post
1.	Secretary-General	HG
2.	Deputy Secretary-General	HG
3.	Personal Assistant to SG	B.4
4.	Personal Assistant to DSG	B.4
<b>I.</b>	<b><i>Political Division</i></b>	
10.	Director for Political Affairs	A.6
11.	Secretary to the Director	B.3/4
12.	Division Assistant	B.4
<b>A.</b>	<b><i>Security Policy Section</i></b>	
15.	Head of Section	A.3/4
16.	Assistant	A.2/3
<b>B.</b>	<b><i>Defence Policy Section</i></b>	
19.	Head of Section	A.3/4
20.	Assistant	A.2/3
<b>C.</b>	<b><i>General Affairs and Planning Section</i></b>	
23.	Head of Section	A.3/4
24.	Research assistant	A.2/3
<b>II.</b>	<b><i>Council Secretariat</i></b>	
30.	Head	A.4/5
31.	Deputy Head	A.3/4
32.	Assistant	A.2/3
<b>III.</b>	<b><i>Press and Information</i></b>	
40.	Head	A.4
<b>IV.</b>	<b><i>Translation Department</i></b>	
50.	Head (Revier E/F)	LT.5
51.	Reviser/Translator F/E	LT.4
52.	Translator	LT.3
53.	Translator	LT.3
54.	Translator	LT.3
55.	Assistant/Terminologist	B.4/5
56.	Secretary	B.3/4
57.	Secretary	B.3/4
58.	Secretary	B.3/4
59.	Translator	LT.2/3
<b>V.</b>	<b><i>Administration Division</i></b>	
70.	Head of Administration/Legal Adviser	A.5
71.	Assistant for Personnel	B.4/5
72.	Secretary	B.3/4
76.	Stock Manager	B.4/5
	<b><i>General Services Section</i></b>	
80.	Head of Section	A.2/3
81.	Head of Registry	B.4/5

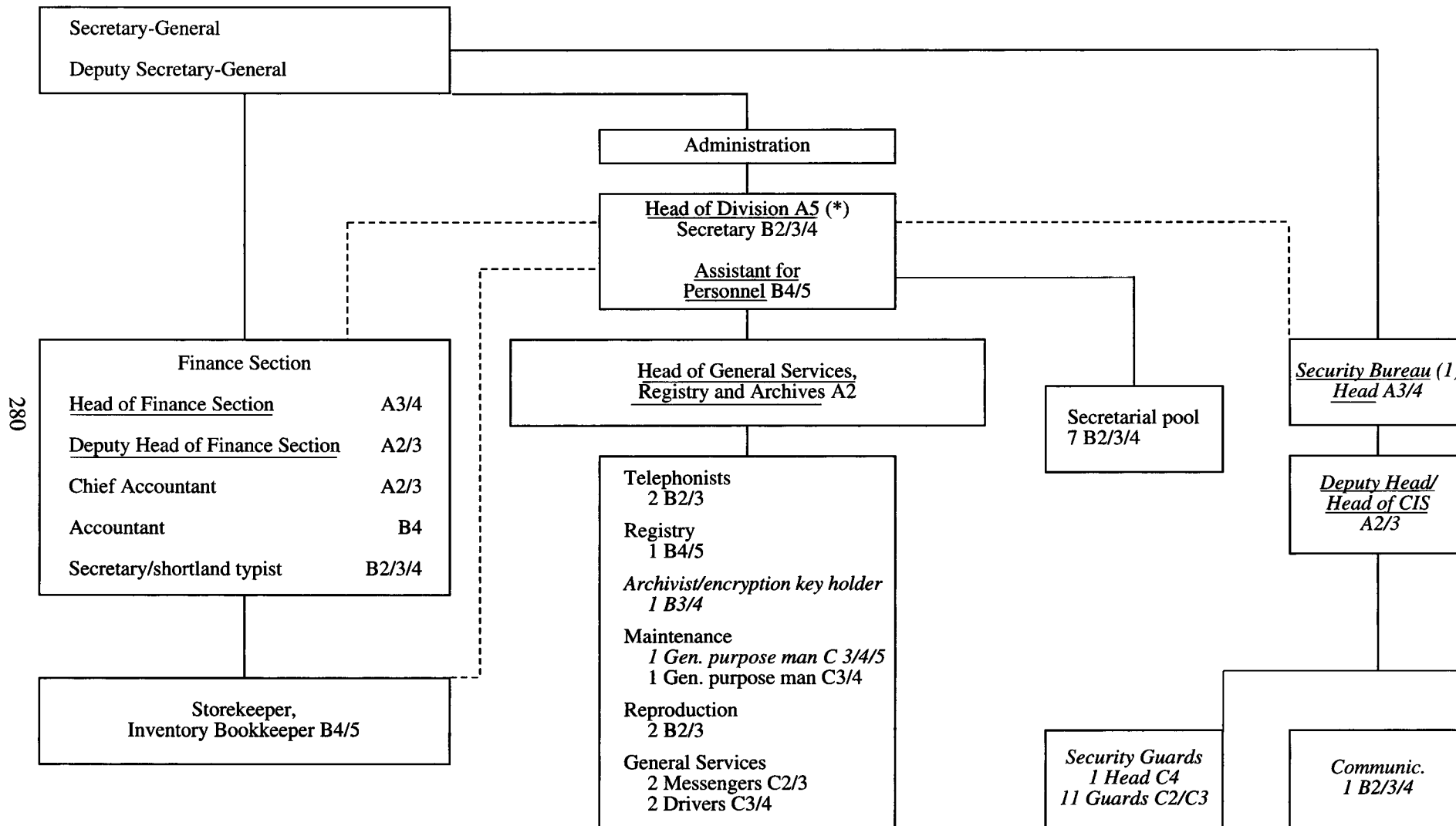
## APPENDIX II

*1. Establishment table of the Secretariat-General (continued)*

Post no.	Title	Grade of post
<b>V.</b>	<b><i>Administration Division</i></b>	
82.	Reproduction Clerk	B.2/3
83.	Reproduction Clerk	B.2/3
84.	Telephonist/Shorthand Typist	B.2/3
85.	Telephonist/Registry Clerk	B.2/3
86.	Messenger	C.2/3
87.	Messenger	C.2/3
88.	Driver	C.3/4
89.	Driver	C.3/4
90.	Maintenance/general handyman	C.3/4/5
91.	<i>Maintenance/general handyman</i>	C.3/4
92.	<i>Archivist/Crypto Clerk</i>	B.3/4
	<i>Secretarial Services</i>	
100.	Secretary/Shorthand Typist	B.3/4
101.	Secretary/Shorthand Typist	B.3/4
102.	Secretary/Shorthand Typist	B.3/4
103.	Secretary/Shorthand Typist	B.3/4
104.	Secretary/Shorthand Typist	B.3/4
105.	Secretary/Shorthand Typist	B.3/4
106.	Secretary/Shorthand Typist	B.3/4
	<b><i>Finance and Budget Section</i></b>	
120.	Head of Section	A.3/4
121.	Deputy Head of Section	A.2/3
122.	Chief Accountant	A.2/3
123.	Finance Assistant	B.4
124.	Secretary	B.3/4
128.	Stock Manager	B.4/5
	<b><i>Security Bureau</i></b>	
130.	<i>Head of Bureau</i>	A.3/4
131.	<i>Deputy Head/Head of Communications as of 1st Jan 95)</i>	A.2/3
132.	Communications Officer	B.3/4
133.	Head of Security Guards	C.2/4/4 (*)
134.	Security Guard	C.2/3/4 (*)
135.	Security Guard	C.2/3/4 (*)
136.	Security Guard	C.2/3/4 (*)
137.	Security Guard	C.2/3/4 (*)
138.	Security Guard	C.2/3/4 (*)
139.	Security Guard	C.2/3/4 (*)
140.	Security Guard	C.2/3/4 (*)
141.	Security Guard	C.2/3/4 (*)
142.	Security Guard	C.2/3/4 (*)
143.	Security Guard	C.2/3/4 (*)
144.	<i>Security Guard</i>	C.2/3/4 (*)

(\*) Only one post can be upgraded to C.4 (Head of Security Guards).

**2. Organogram of the Secretariat-General**

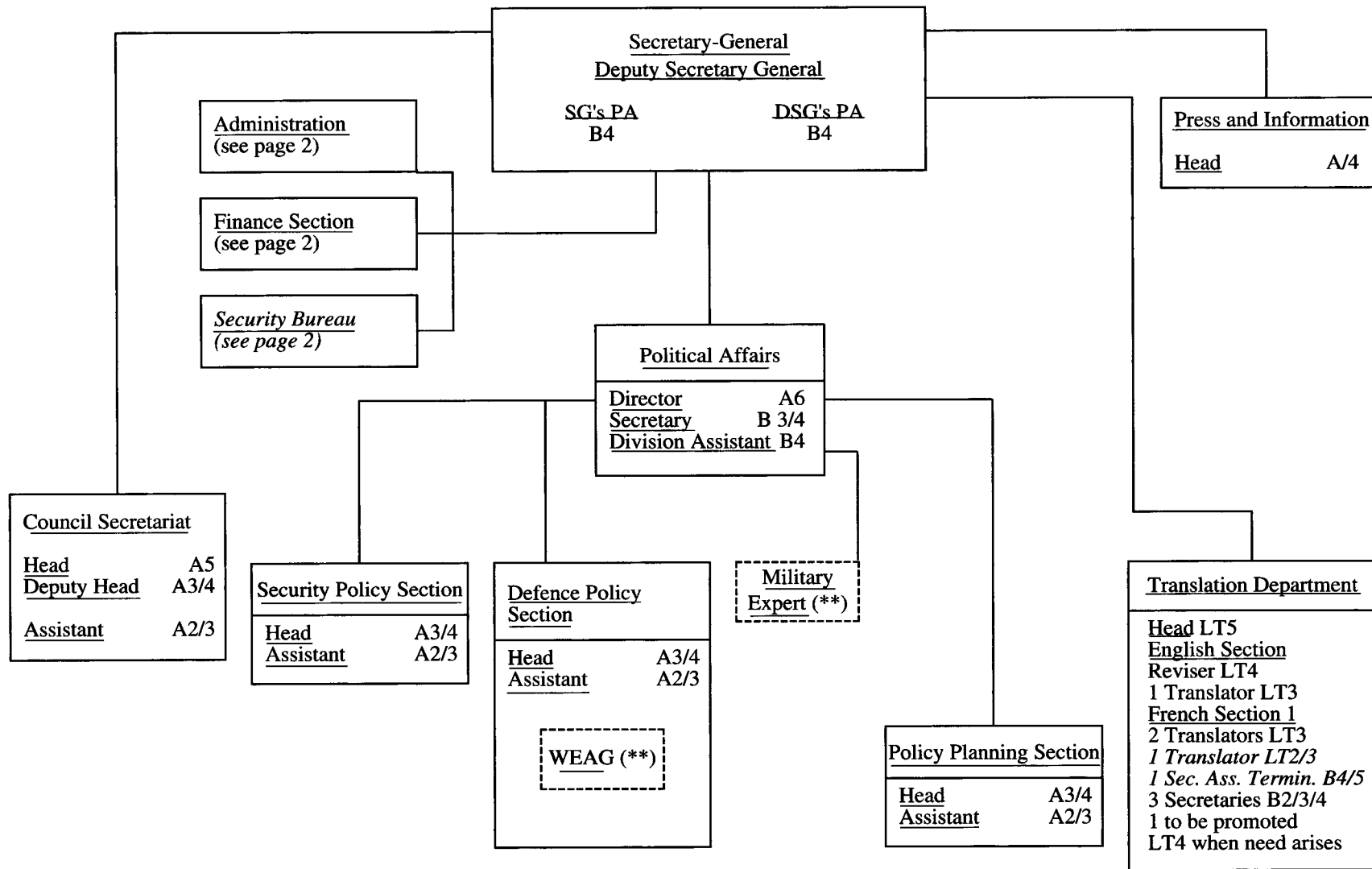


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(\*) And Legal Adviser.

(1) The Security Bureau is administratively attached to the Administration Division. It depends operatively from the Secretary-General and Deputy Secretary-General.





(\*\*) The incumbents are paid nationally and are with WEU on a temporary basis, without altering the establishment plan.

## APPENDIX III

**Recapitulatory table of the budget of the Secretariat-General,  
Section B, ex-PMO pensions***Secretariat-General Section B PMO pensions, 1994 recommended budget in FF*

Expenditure	
1. Pensions	10 913 500
2. Allowances	705 000
3. Leaving allowance	—
4. Supplementary insurance premium paid by WEU	390 000
5. Bank charges	5 000
TOTAL EXPENDITURE	12 013 500
INCOME	
1.a. ACA Staff Contributions (7%)	38 850
2. Reimbursement of Provident fund withdrawals	
3. Other receipts	
TOTAL RECEIPTS	38 850
NET TOTAL	11 974 650

## APPENDIX IV

**Recapitulatory table of the budget of the Secretariat-General, Section E, Planning Cell***Secretariat-General Section E- Planning Cell 1994, recommended budget in BF*

	1994 credits	
<b>E.I. Personnel costs</b>		
1. Basic salary	5 480 000	
2. Salary-related costs	190 000	
2.A. Expatriation allowance	190 000	
3. Special allowances	429 100	
3.A. Dependants	0	
3.B. Education	0	
3.C. Rent	300 000	
3.D. Language	30 100	
3.E. Representation	0	
3.F. Home leave	0	
3.G. Termination of contract	0	
3.H. Unexpended leave	0	
3.I. Secretariat allow.	99 000	
3.J. C-grades special allow.	0	
4. Provident Fund	0	
5. Social charges	190 000	
6. Overtime	0	
7. Temporary staff	0	
8. Recruit., arriv., depart.	0	
9. Staff association	0	
10. Medical examination	15 000	
11. IOSS, JPAS	0	
12. Training costs	0	
<b>Total Chapter E.I</b>	<b>6 304 100</b>	
<b>E.II. Travel</b>		
1. Official journeys	2 750 000	(1)
2. Auditors	0	
<b>Total Chapter E.II</b>	<b>2 750 000</b>	<b>(1)</b>
<b>E.III. Other operating costs</b>		
1. Premises (rent etc.)	A.S.	
2. Furniture and equipment	341 000	
2.A. Rental	341 000	
2.B. Maintenance	0	
3. Office supplies and printing	930 000	
3.A. Stationery	890 000	
3.B. Printing	40 000	
4. Communications	2 100 000	
4.A. Telephone	2 100 000	
4.B. WEUCOM	(A.S.)	
4.C. TARE	(A.S.)	
4.D. Postage	(A.S.)	
5. Hospitality	400 000	
6. Motor vehicles	250 000	
6.A. Maintenance	120 000	
6.B. Petrol	130 000	

## APPENDIX IV

**Recapitulatory table of the budget of the Secretariat-General, Section E, Planning Cell***Secretariat-General Section E- Planning Cell, recommended budget in BEF (continued)*

	1994 credits	
E.III. Other operating costs		
7. Information	300 000	
7.A. Newspapers	280 000	
7.B. Books	20 000	
8. Insurance	100 000	
8.A. Car	100 000	
9. Uniforms	(A.S.)	
10. Appeals board	0	
11. Other costs	50 000	
12. Contingencies	0	
13. Administrative support (*)	50 734 000	
<b>Total Chapter E.III</b>	<b>55 341 000</b>	
Chapter E.IV. Purchases		
1. Furniture and equipment	300 000	
<b>Total Chapter E.IV</b>	<b>300 000</b>	
Chapter E.V		
1. Fire protection	0	
2. Security improvement	p.m.	
<b>Total Chapter E.V</b>	<b>0</b>	
<b>INCOME</b>		
Chapter E.VI WEU tax		
1. Regulations Art. 2	2 290 000	
<b>Total Chapter E.VI</b>	<b>2 290 000</b>	
Chapter E.VII Other receipts		
1. Bank interest	145 000	
2. Miscellaneous	0	
<b>Total Chapter E.VII</b>	<b>145 000</b>	
Chapter E.VIII		
Staff contribution to pensions	(*)	
<b>Total Chapter E.VIII</b>	<b>(*)</b>	
<b>NET TOTAL</b>	<b>62 260 100</b>	

(\*) Income for Secretariat-General AIA pensions budget.

## APPENDIX V

*Recapitulatory table of the budget of the WEU Institute for Security Studies**WEU Institute for Security Studies, recommended budget, in FF*

Chapter heads and sub-heads	1994 credits	
<i>Chapter I - Personnel costs</i>		
1. Basic salary	13 623 500	
2. Salary-related	1 028 350	
2.A. Expatriation		
2.B. Household		
3. Special allowances	375 000	
3.A. Dependants		
3.B. Education		
3.C. Rent		
3.D. Language		
3.E. Representation		
3.F. Home leave		
3.G. Termination		
3.H. Unexpended		
3.I. Secretarial allow.		
4. Provident Fund		
5. Social charges	1 456 700	
6. Overtime	7 500	
7. Temporary staff	130 000	
7.A. Temporary staff		
7.B. Experts, consultants		
8. Recruitment	170 000	
8.A. Travel costs		
8.B. Removal		
8.C. Installation		
9. Staff association	0	
10. Medical examinations	5 000	
11. Interorganisational charges	0	
<b>Total Chapter I</b>	<b>16 796 050</b>	
<i>Chapter II - Travel</i>		
1. Official journeys	380 000	
2. Auditors	0	
<b>Total Chapter II</b>	<b>380 000</b>	
<i>Chapter III</i>		
1. Ad hoc studies	400 000	
2. Study grants	650 000	
3. Publications	350 000	
4. Colloquia	750 000	
5. WEU prize	50 000	
<b>Total Chapter III</b>	<b>2 200 000</b>	
<i>Chapter IV - Other operating costs</i>		
1. Rent and maintenance of furniture and equipment	300 000	
2. Office supplies	145 000	
3. Postage and telephone	90 000	

## APPENDIX V

**Recapitulatory table of the budget of the WEU Institute for Security Studies***WEU Institute for Security Studies, recommended budget, in FF (continued)*

Chapter heads and sub-heads	1994 credits	
<i>Chapter IV - Other operating costs</i>		
4. Hospitality	56 000	
5. Official car	25 000	
6. Information and documentation	190 000	
7. Uniforms	20 000	
8. Contingencies	3 000	
9. Appeals board	0	
10. Non-recoverable taxes	12 000	
<b>Total Chapter IV</b>	<b>841 000</b>	
<i>Chapter V - Purchases</i>		
1. Furniture and equipment	100 000	(1)
2. Motor vehicle	0	
<b>Total Chapter V</b>	<b>100 000</b>	
<i>Chapter VI - Contribution by the Institute to the joint charges of the building</i>		
1. Building maintenance, etc.	1 172 000	
2. Miscellaneous expenditure	30 000	
3. Telephone	300 000	
4. Insurance	39 000	
5. Other costs	45 000	
6. Major building work	0	
<b>Total Chapter VI</b>	<b>1 586 000</b>	
<b>TOTAL ESTIMATED EXPENDITURE</b>	<b>21 903 050</b>	
<b>INCOME</b>		
<i>Chapter VII - WEU tax</i>		
1. WEU tax regulations	6 117 000	
<b>Total Chapter VII</b>	<b>6 117 000</b>	
<i>Chapter VIII - Other receipts</i>		
1. Bank interest	100 000	
2. Miscellaneous	10 000	
<b>Total Chapter VIII</b>	<b>110 000</b>	
<b>TOTAL INCOME</b>	<b>6 227 000</b>	
<b>NET TOTAL</b>	<b>15 676 050</b>	

(\*) Of which FF 50 000 frozen.

## APPENDIX VI

*Recapitulatory table of the budget of the Satellite Centre**WEU Satellite Centre, recommended budget, in ESP*

Chapter heads and sub-heads	1994 credits	
<i>Chapter I - Personnel costs</i>		
1. Basic salary	471 130 000	
2. Salary-related	56 900 000	
2.A. Expatriation		
2.B. Household		
3. Special allowances	53 150 000	
3.A. Dependants		
3.B. Education		
3.C. Rent		
3.D. Language		
3.E. Representation		
3.F. Home leave		
3.G. Termination		
3.H. Unexpended		
3.I. Secretarial allow.		
4. Provident Fund	0	
5. Social charges	21 880 000	
6. Overtime	3 000 000	
7. Temporary staff	6 000 000	(1)
7.A. Temporary staff		
7.B. Experts, consultants		
8. Recruitment	25 250 000	
8.A. Travel costs		
8.B. Removal		
8.C. Installation		
9. Staff association	0	(2)
10. Medical examinations	200 000	
11. Personnel costs, miscellaneous	8 000 000	
<b>Total Chapter I</b>	<b>645 510 000</b>	
<i>Chapter II - Travel</i>		
1. Official journeys	30 000 000	
2. Auditors	0	
<b>Total Chapter II</b>	<b>30 000 000</b>	
<i>Chapter III - Other operating costs</i>		
1. Premises	15 400 000	
2. General services	23 050 000	
3. Office supplies and printing	4 000 000	
4. Telecom	9 390 000	
5. Hospitality	1 100 000	
6. Motor vehicles	14 270 000	(3)
7. Information	4 500 000	
8. Uniforms	240 000	
9. Insurance, uniforms	1 520 000	
10. Building maintenance	6 130 000	
11. Tools/spares for the building	1 500 000	
12. Appeals Board	200 000	
13. Non-recoverable taxes	340 000	

## APPENDIX VI

*Recapitulatory table of the budget of the Satellite Centre**WEU Satellite Centre, recommended budget, in ESP (continued)*

Chapter heads and sub-heads	1994 credits	
<i>Chapter III - Other operating costs</i>		
14. Bank charges	20 000	
15. Maint. off. equip. and S/W	3 000 000	
16. Miscellaneous	300 000	
<b>Total Chapter III</b>	<b>84 760 000</b>	
<i>Chapter IV - Mission purchases</i>		
1. Purchase of data, incl. imagery	176 000 000	
2. Consumables	19 000 000	
3. Maintenance of ops equipment	124 000 000	
4. Training	24 000 000	
5. Publications	1 600 000	
6. Colloquia	2 500 000	
<b>Total Chapter IV</b>	<b>347 100 000</b>	
<i>Chapter V - Capital expenditure and investments</i>		
1. Building, Modifications and Plant	40 000 000	
2. Furniture and office equipment	15 000 000	
3. Operational Equipment and S/W	138 000 000	
4. Motor vehicles	0	
5. Scientific support	100 000 000	
6. Special and Secure Communications	11 000 000	(4)
7. Incorporation of Future Applications	400 000 000	
8. Product Assurance	40 000 000	
<b>Total Chapter V</b>	<b>744 000 000</b>	
<b>TOTAL ESTIMATED EXPENDITURE</b>	<b>1 851 370 000</b>	
<b>INCOME</b>		
<i>Chapter VI - WEU tax</i>		
1. WEU tax regulations	206 000 000	
<b>Total Chapter VI</b>	<b>206 000 000</b>	
<i>Chapter VII - Other receipts</i>		
<b>Total Chapter VII</b>	<b>27 750 000</b>	
<b>NET OPERATING COSTS</b>	<b>1 619 620 000</b>	
<b>PENSIONS</b>		
1. Expenditure	1 050 000	
2. Net receipts	17 310 000	
<b>Net pension income</b>	<b>16 260 000</b>	
<b>NET TOTAL</b>	<b>1 603 360 000</b>	

(1) Of which ESP 1 500 000 frozen.

(2) See Secretariat-General's budget.

(3) Of which ESP 13 750 000 frozen.

(4) Of which ESP 5 000 000 frozen.



APPENDIX VII  
*WEU cost-sharing formulae*

	WEU organs (%)	WEAG (%)
Germany	17.00	16.35
Belgium	8.35	5.70
Denmark	0.00	3.00
Spain	13.00	12.10
France	17.00	16.35
Greece	0.00	1.50
Italy	17.00	16.35
Luxembourg	0.30	0.30
Norway	0.00	3.00
Netherlands	8.35	5.90
Portugal	2.00	1.30
Turkey	0.00	1.80
United Kingdom	17.00	16.35
TOTAL	100.00	100.00

## APPENDIX VIII

*Recapitulatory table of the budget of the Western European Armaments Group*

	Year 1994 credits BEF	
Chapter I. Personnel costs (1)		
I.1. Basic salary	9 800 000	
Total Chapter I		9 800 000
Chapter II. Travel		
II.1. Official journeys	1 200 000	
Total Chapter II		1 200 000
Chapter III. Other operating costs		
III.1. Premises		
1.A. Rent (2)	800 000	
III.2. Administrative support (3)	1 700 000	
III.3. Office supplies		
3.A. Stationary	200 000	
III.4. Communications	700 000	
III.5. Hospitality	100 000	
III.6. Information	50 000	
III.7. Other costs		
7.A. Support high-level meeting (4)	220 000	
7.B. Bank charges	30 000	
7.C. EUCLID symposium	4 000 000	
Total Chapter III		7 800 000
Chapter IV. Purchases		
IV.1. Furniture and equipment (5) (non-recurrent)	100 000	
IV.2. Informatics (6) (non-recurrent)	400 000	
Total Chapter IV	500 000	500 000
Chapter V. WEU tax		
V.1. Regulations Art 2	- 3 800 000	
V.2. Regulations Art 6	0	
Total Chapter V		- 3 800 000
NET TOTAL		15 500 000

(1) Details of chapter (e.g. expatriation allowances, rent allowance, etc.) to be inserted after appointment of the recruited personnel.

(2) Including furniture, electricity and cleaning.

(3) Including accounting, translation, printing, photocopying, and other general services.

(4) To support one NADs and one ministerial meeting.

(5) To buy a fax machine and a safe cupboard.

(6) To buy 3 personal computers, 1 portable computer and related printers.

**RECOMMENDATION 550<sup>1</sup>**

*on the budgets of the ministerial organs of Western European Union  
for the financial year 1993<sup>2</sup>*

The Assembly,

(i) Considering that:

- (a) the Council has communicated to the Assembly the budget relating to the transfer of the Secretariat-General from London to Brussels and the budgets of the ministerial organs for the financial year 1993;
- (b) the installation of the Secretariat-General and the Planning Cell in Brussels was accompanied by an increase of eleven in the number of staff of the Secretariat-General and the creation of three grade B posts in the Planning Cell;
- (c) the operating budget of the Planning Cell is included in the budget of the Secretariat-General as Section E;
- (d) the Director of the WEU Planning Cell, unlike the other subsidiary organs, does not have full responsibility for managing the budget of the Cell;
- (e) the Torrejón Satellite Centre is still in the organisational stage and is not fully operational;
- (f) the Director of the Centre has asked for authorisation to enter into multi-annual expenditure commitments to complete this organisational stage;
- (g) the study of financing the pension scheme for permanent staff has not yet been completed;
- (h) the affiliation of permanent staff of the Paris organs with the French social security system is proving very expensive, whereas the OECD has already adopted a private sickness insurance scheme that costs far less and the study conducted by the Council of Europe on the subject at first sight confirms the interest of this private insurance scheme;
- (i) furthermore, such a private insurance scheme has been adopted by the Secretariat-General for staff in Brussels as it had done for staff in London,

RECOMMENDS THAT THE COUNCIL

1. Inform the Assembly of any subsequent changes in the organograms of the WEU ministerial organs;
2. Ask the WEU Budget and Organisation Committee to examine, in the framework of its responsibilities and as it did for the ministerial organs, the changes to the organogram of the Office of the Clerk of the Assembly proposed in the 1994 budget;
3. Consider the expediency of separating the budget of the Planning Cell from that of the Secretariat-General and make its Director responsible for managing it;
4. Take every possible step to make the Torrejón Satellite Centre fully operational and, in this context, authorise the Director of the Centre to enter into multi-annual expenditure commitments where necessary;
5. Inform the Assembly of the conclusions of the study of the financing of the pension scheme;
6. Study the possibility of adopting a private sickness insurance scheme for WEU staff in Paris as it did for staff in Brussels.

1. Adopted by the Assembly on 30th November 1993 during the second part of the thirty-ninth ordinary session (9th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Rathbone on behalf of the Committee on Budgetary Affairs and Administration (Document 1399).

**REPLY OF THE COUNCIL<sup>1</sup>**

***to Recommendation 550***

1. The Council reminds the Assembly of its reply to Written Question 316 and confirms that, once finally approved, the establishment table will be formally forwarded to the Assembly. The same procedure will apply to any further changes that may be made.

2. The Council informs the Assembly that the budget of the ministerial organs for the year 1994 is still under consideration by the Budget and Organisation Committee, including the staff management aspects. The Council is not therefore in a position to give a reply on this point at this stage.

3. The Council feels that the expediency of separating the Planning Cell budget from that of the Secretariat does not need to be considered, in that the credits assigned to the Planning Cell are covered in a separate section of the Secretariat-General's budget.


The Council takes note of the Assembly's useful suggestion and informs it that the Director of the WEU Planning Cell has, since taking up his appointment, been given the responsibility for managing his budget within the limits defined by the organisation's financial regulations. To reduce administrative costs, the implementation of his decisions has been made the responsibility of the Secretariat's Finance Section.

4. The Council informs the Assembly that the WEU Satellite Centre will be fully operational by the end of the first half of 1994. With regard to multi-annual expenditure commitments, the Budget and Organisation Committee recognises the principle, when it is shown that such commitments produce savings. In the case of the Satellite Centre, however, the decision that ministers propose to take on its future in November 1994, at the end of its experimental phase, should not be prejudged.

5. With regard to WEU, the actuarial experts of the Co-ordinating Committee on Remuneration (CCR) considered that, given the size of this organisation, the findings of any actuarial study would have only a negligible effect on the aggregated findings of the studies on the other organisations. As a result, the WEU Budget and Organisation Committee has decided to accept the recommendation of the CCR Chairman and not to carry out an actuarial study on pensions.

6. This question should be considered in the general context of relations with host countries, and the Council could ask the Director of the WEU Institute for Security Studies to consider the question in greater detail.

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IMPRIMERIE  ALENÇONNAISE  
Rue Édouard-Belin : 3<sup>e</sup> trimestre 1994  
N° d'ordre : 29917

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1. Communicated to the Assembly on 24th March 1994.