

ASSEMBLY OF WESTERN EUROPEAN UNION

PROCEEDINGS

TWENTY-THIRD ORDINARY SESSION

SECOND PART

November 1977

III

Assembly Documents

W E U

PARIS

ASSEMBLY OF WESTERN EUROPEAN UNION

PROCEEDINGS

TWENTY-THIRD ORDINARY SESSION

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November 1977

III

Assembly Documents

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PARIS

The Proceedings of the Second Part of the Twenty-Third Ordinary Session of the Assembly of WEU comprise two volumes :

Volume III : Assembly Documents.

Volume IV : 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. ADRIAENSENS Hugo | Socialist |
| BONNEL Raoul | PLP |
| HANIN Charles | Chr. Soc. |
| MANGELSCHOTS Jan | Socialist |
| PEETERS Renaat | Chr. Soc. |
| TANGHE Francis | Chr. Soc. |
| VAN WATERSCHOOT John | Chr. Soc. |

Substitutes

| | |
|------------------------|------------|
| MM. BRASSEUR Guy | <i>FDF</i> |
| DEJARDIN Claude | Socialist |
| LAMBIOTTE Fortuné | Socialist |
| PERIN François | PLP |
| VAN AAL Henri-François | Chr. Soc. |
| VAN DER ELST Frans | Volksunie |
| VERLEYSEN William | Chr. Soc. |

FRANCE

Representatives

| | |
|---------------------|--------------|
| MM. BOUCHENY Serge | Communist |
| BOULLOCHE André | Socialist |
| BRUGNON Maurice | Socialist |
| BURCKEL Jean-Claude | RPR |
| CERMOLACCE Paul | Communist |
| CERNEAU Marcel | Centre Union |
| DELORME Claude | Socialist |
| GRANGIER Edouard | Dem. Left |
| KAUFFMANN Michel | UCDP |
| NESSLER Edmond | RPR |
| PÉRIDIÉ Jean | Socialist |
| PÉRONNET Gabriel | RCDS |
| RADIUS René | RPR |
| RIVIÈRE Paul | RPR |
| SCHLEITER François | Ind. Rep. |
| SCHMITT Robert | RPR (App.) |
| VALLEIX Jean | RPR |
| VITTER Pierre | Ind. Rep. |

Substitutes

| | |
|-----------------------|----------------|
| MM. BEAUGUITTE André | Ind. Rep. |
| BELIN Gilbert | Socialist |
| BIZET Émile | RPR (App.) |
| BOURGEOIS Georges | RPR |
| CROZE Pierre | Ind. Rep. |
| DAILLET Jean-Marie | Soc. Dem. Ref. |
| DEPIETRI César | Communist |
| FORNI Raymond | Socialist |
| GRUSSENMEYER François | RPR |
| JEAMBRUN Pierre | Dem. Left |
| LA COMBE René | RPR |

MM. du LUART Ladislas
MÉNARD Jacques
PIGNION Lucien
ROGER Émile
SOUSTELLE Jacques
VADEPIED Raoul
WEBER Pierre

RIAS
Ind. Rep.
Socialist
Communist
Non-party
UCDP
Ind. Rep. (App.)

FEDERAL REPUBLIC OF GERMANY

Representatives

| | |
|----------------------------|---------|
| MM. AHRENS Karl | SPD |
| BARDENS Hans | SPD |
| Mrs. von BOTHMER Lenelotte | SPD |
| MM. ENDERS Wendelin | SPD |
| EVERS Hans | CDU/CSU |
| GESSNER Manfred | SPD |
| HANDLOS Franz | CDU/CSU |
| von HASSEL Kai-Uwe | CDU/CSU |
| President of the Assembly | |
| LAGERSHAUSEN Karl-Hans | CDU/CSU |
| MARQUARDT Werner | SPD |
| MENDE Erich | CDU/CSU |
| MILZ Peter | CDU/CSU |
| MÜLLER Günther | CDU/CSU |
| PFENNIG Gero | CDU/CSU |
| REDDEMANN Gerhard | CDU/CSU |
| SCHMIDT Hermann | SPD |
| SCHWENCKE Olaf | SPD |
| VOHRER Manfred | FDP |

Substitutes

| | |
|-------------------------------|---------|
| MM. ALBER Siegbert | CDU/CSU |
| AMREHN Franz | CDU/CSU |
| BÖHM Wilfried | CDU/CSU |
| BÜCHNER Peter | SPD |
| HOLTZ Uwe | SPD |
| KLEPSCH Egon | CDU/CSU |
| LEMMRICH Karl Heinz | CDU/CSU |
| LENZER Christian | CDU/CSU |
| MATTICK Kurt | SPD |
| PAWELCZYK Alfons | SPD |
| SCHÄUBLE Wolfgang | CDU/CSU |
| SCHEFFLER Hermann | SPD |
| SCHMIDHUBER Peter | CDU/CSU |
| SCHMIDT Hansheinrich | FDP |
| SCHULTE Manfred | SPD |
| SPIES von BÜLLESHEIM Adolf | CDU/CSU |
| UEBERHORST Reinhard | SPD |
| ZEBISCH Franz Josef | SPD |

ITALY

Representatives

| | |
|--------------------|----------------------|
| MM. ARFÉ Gaetano | Socialist |
| BERNINI Bruno | Communist |
| BOLDRINI Arrigo | Communist |
| BONALUMI Gilberto | Chr. Dem. |
| CALAMANDREI Franco | Communist |
| CORALLO Salvatore | Communist |
| DE POI Alfredo | Chr. Dem. |
| FOSSON Pietro | Val d'Aosta Union |
| GONELLA Guido | Chr. Dem. |
| MAGGIONI Desiderio | Chr. Dem. |
| MINNOCCI Giacinto | Socialist |
| ORSINI Bruno | Chr. Dem. |
| PECCHIOLO Ugo | Communist |
| PECORARO Antonio | Chr. Dem. |
| ROBERTI Giovanni | DN |
| SARTI Adolfo | Chr. Dem. |
| SEGRE Sergio | Communist |
| TREU Renato | Chr. Dem. |

Substitutes

| | |
|------------------------------|------------|
| Mrs. AGNELLI Susanna | Ind. Rep. |
| MM. ANTONI Varese | Communist |
| ARIOSTO Egidio | PSDI |
| AVELLONE Giuseppe | Chr. Dem. |
| BORGHI Luigi | Chr. Dem. |
| CAVALIERE Stefano | Chr. Dem. |
| DEL DUCA Antonio | Chr. Dem. |
| Mrs. FACCIO Adele | Radical |
| MM. GIUST Bruno | Chr. Dem. |
| MARAVALLE Fabio | Socialist |
| Mrs. PAPA DE SANTIS Cristina | Communist |
| MM. PINTO Biagio | Republican |
| ROMANO Angelo | Ind. Left |
| ROSSI Raffaele | Communist |
| RUBBI Antonio | Communist |
| SGHERRI Evaristo | Communist |
| TREMAGLIA Pierantonio Mirko | MSI |
| URSO Salvatore | Chr. Dem. |

LUXEMBOURG

Representatives

| | |
|------------------|--------------|
| MM. ABENS Victor | Soc. Workers |
| MARGUE Georges | Chr. Soc. |
| MART René | Dem. |

Substitutes

| | |
|-----------------|--------------|
| MM. HENGEL René | Soc. Workers |
| KONEN René | Dem. |
| SPAUTZ Jean | Chr. Soc. |

NETHERLANDS

Representatives

| | |
|---------------------|---------|
| MM. CORNELISSEN Pam | CDA |
| van HULST Johan | CDA |
| KOOPMAN Bram | Labour |
| PORTHEINE Frederik | Liberal |
| SCHOLTEN Jan Nico | CDA |
| STOFFELEN Pieter | Labour |
| VOOGD Johan | Labour |

Substitutes

| | |
|--|---------|
| Mr. ter BEEK Relus | Labour |
| Mrs. van den HEUVEL-de BLANK Ien | Labour |
| MM. KONINGS Martin | Labour |
| de KOSTER Hans | Liberal |
| PEIJNENBURG Marinus | CDA |
| SCHLINGEMANN Johan | Liberal |
| Mrs. van der WERF-TERPSTRA Anne Maria | CDA |

UNITED KINGDOM

Representatives

| | |
|--------------------------|-----------------|
| Lord BEAUMONT of WHITLEY | Liberal |
| Sir Frederic BENNETT | Conservative |
| MM. Paul CHANNON | Conservative |
| William CRAIG | Ulster Unionist |
| Julian CRITCHLEY | Conservative |
| John FARR | Conservative |
| Andrew FAULDS | Labour |
| W. Percy GRIEVE | Conservative |
| Peter HARDY | Labour |
| Paul HAWKINS | Conservative |
| Arthur LEWIS | Labour |
| John PAGE | Conservative |
| Lord PEDDIE | Labour |
| Sir John RODGERS | Conservative |
| MM. John ROPER | Labour |
| Thomas URWIN | Labour |
| John WATKINSON | Labour |
| Phillip WHITEHEAD | Labour |

Substitutes

| | |
|---------------------|------------------|
| MM. Gordon BAGIER | Labour |
| Robert BANKS | Conservative |
| Alan BEITH | Liberal |
| Robin COOK | Labour |
| Jim CRAIGEN | Labour |
| Lord DUNCAN-SANDYS | Conservative |
| Mr. Anthony GRANT | Conservative |
| Lord HUGHES | Labour |
| Mr. Toby JESSEL | Conservative |
| Mrs. Jill KNIGHT | Conservative |
| MM. Michael McGUIRE | Labour |
| Kevin McNAMARA | Labour |
| Cranley ONSLOW | Conservative |
| Dr. Colin PHIPPS | Labour |
| Mr. George REID | Scottish Nation. |
| Lord SELSDON | Conservative |
| MM. Frank TOMNEY | Labour |
| Kenneth WARREN | Conservative |

AGENDA

of the Second Part of the Twenty-Third Ordinary Session Paris, 28th November - 1st December 1977

I. Political Questions

- | | |
|--|---|
| 1. European security and African problems | <i>Report tabled by Mr. Müller on behalf of the General Affairs Committee</i> |
| 2. WEU's contribution to the development of European union | <i>Report tabled by Mr. Forni on behalf of the General Affairs Committee</i> |
| 3. Application of the final act of the CSCE | <i>Report tabled by Mr. Segre on behalf of the General Affairs Committee</i> |

II. Defence Questions

- | | |
|---|---|
| 1. Strategic mobility | <i>Report tabled by Mr. Tanghe on behalf of the Committee on Defence Questions and Armaments</i> |
| 2. Communications and crisis management in the Alliance | <i>Report tabled by Mr. Watkinson on behalf of the Committee on Defence Questions and Armaments</i> |

III. Technical and Scientific Questions

- | | |
|--|---|
| 1. Progress in aerospace | <i>Report tabled by Mr. Valleix on behalf of the Committee on Scientific, Technological and Aerospace Questions</i> |
| 2. The spread of nuclear energy and defence problems | <i>Report tabled by Mr. Jessel on behalf of the Committee on Scientific, Technological and Aerospace Questions</i> |

IV. Budgetary and Administrative Questions

- | | |
|---|---|
| 1. Budget of the Assembly for the financial year 1978 | <i>Report tabled by Mr. Dequae on behalf of the Committee on Budgetary Affairs and Administration</i> |
| 2. Accounts of the administrative expenditure of the Assembly for the financial year 1976 — The Auditor's Report and Motion to approve the final accounts | <i>Report tabled by Mr. Dequae on behalf of the Committee on Budgetary Affairs and Administration</i> |

V. Rules of Procedure of the Assembly

- | | |
|---|--|
| Procedure for electing the President of the Assembly when there is only one candidate | <i>Report tabled by Mr. Jessel on behalf of the Committee on Rules of Procedure and Privileges</i> |
|---|--|

VI. Relations with Parliaments

- | | |
|----------------------------|--|
| Relations with parliaments | <i>Information report tabled by Mr. Reid on behalf of the Committee for Relations with Parliaments</i> |
|----------------------------|--|

ORDER OF BUSINESS
of the Second Part of the Twenty-Third Ordinary Session
Paris, 28th November-1st December 1977

MONDAY, 28th NOVEMBER

Morning 9 a.m.

Meeting of Chairmen of National Delegations and Political Groups.

10 a.m.

Meeting of the Federated Christian Democrat Group and British Conservatives.

10.30 a.m.

Meeting of the Socialist Group.

12 noon

Meeting of the Committee on Scientific, Technological and Aerospace Questions.

Afternoon 2.30 p.m.

Meeting of the Committee on Budgetary Affairs and Administration.

3 p.m.

1. Opening of the Second Part of the Twenty-Third Ordinary Session.
2. Examination of credentials.
3. Address by the President of the Assembly.
4. Adoption of the draft Order of Business of the Second Part of the Twenty-Third Ordinary Session.

3.30 p.m.

5. Address by Mrs. Hamm-Brücher, Minister of State for Foreign Affairs of the Federal Republic of Germany.
6. Application of the final act of the CSCE :
presentation of the report tabled by Mr. Segre on behalf of the General Affairs Committee.
Debate.
Vote on the draft recommendation.
7. European security and African problems :
presentation of the report tabled by Mr. Müller on behalf of the General Affairs Committee.
Debate.
Vote on the draft recommendation.

6 p.m.

Meeting of the Presidential Committee.

TUESDAY, 29th NOVEMBER

Morning 8.30 a.m.

Meeting of the Committee on Defence Questions and Armaments.

9.30 a.m.

1. Budget of the administrative expenditure of the Assembly for the financial year 1978 :
presentation of the report tabled by Lord Selsdon on behalf of the Committee on Budgetary Affairs and Administration.
2. Accounts of the administrative expenditure of the Assembly for the financial year 1976 — The Auditor's Report and Motion to approve the final accounts :
presentation of the report tabled by Lord Selsdon on behalf of the Committee on Budgetary Affairs and Administration.
Debate.
Votes on the draft texts.
3. Communications and crisis management in the Alliance :
presentation of the report tabled by Mr. Watkinson on behalf of the Committee on Defence Questions and Armaments.
Debate.

11 a.m.

4. Address by General Haig, Supreme Allied Commander Europe.
Resumed debate.
Vote on the draft recommendation.

Afternoon 3 p.m.

5. WEU's contribution to the development of European union :
presentation of the report tabled by Mr. Forni on behalf of the General Affairs Committee.
Debate.
Vote on the draft recommendation

WEDNESDAY, 30th NOVEMBER

Revision of 29th November 1977

Morning 8.30 a.m.

Meetings of the General Affairs Committee and of the Committee on Rules of Procedure and Privileges.

9 a.m.

1. The spread of nuclear energy and defence problems :
presentation of the report tabled by Mr. Jessel on behalf of the Committee on Scientific, Technological and Aerospace Questions.
Debate.
Vote on the draft recommendation.

11.30 a.m.

2. Address by Mr. Deniau, Secretary of State for Foreign Affairs of the French Republic.
3. Progress in aerospace :
presentation of the report tabled by Mr. Valleix on behalf of the Committee on Scientific, Technological and Aerospace Questions.
Debate.
Vote on the draft recommendation.
4. Strategic mobility :
presentation of the report tabled by Mr. Tanghe on behalf of the Committee on Defence Questions and Armaments.

Debate.

Vote on the draft recommendation.

Afternoon 2.30 p.m.

5. International terrorism :

presentation of the report tabled by Mr. Müller on behalf of the General Affairs Committee.

Debate under urgent procedure.

Vote on the draft recommendation.

6. Relations with Parliaments :

presentation of the information report tabled by Mr. Reid on behalf of the Committee for Relations with Parliaments.

Debate.

Vote on the draft order.

7. Procedure for electing the President of the Assembly when there is only one candidate :

presentation of the report tabled by Mr. Jessel on behalf of the Committee on Rules of Procedure and Privileges.

Debate.

Vote on the draft text.

At the close of the sitting

Meeting of the Committee for Relations with Parliaments.

CLOSE OF THE TWENTY-THIRD ORDINARY SESSION

**Accounts of the Administrative Expenditure of the Assembly
for the Financial Year 1976**

THE AUDITOR'S REPORT

TABLE OF CONTENTS

REPORT OF THE EXTERNAL AUDITOR TO THE ASSEMBLY OF WESTERN EUROPEAN UNION ON THE ACCOUNTS FOR THE FINANCIAL YEAR 1976.

EXPLANATORY MEMORANDUM COMMUNICATED BY THE PRESIDENT TO THE AUDITOR OF THE ASSEMBLY IN CONNECTION WITH THE FINANCIAL YEAR 1976.

APPENDICES

Appendix I : Summary of income and expenditure for the financial year 1976. Financial position as at 31st December 1976.

Appendix II : Statement of budget authorisations, expenditure and unexpended credits for the financial year 1976.

Appendix III : Statement of sums due and received from the Secretary-General of WEU, London, in respect of contributions to the WEU Assembly budget for 1976.

Appendix IV : Provident Fund — Account for the financial year ended 31st December 1976.

**Report of the external Auditor
to the Assembly
of Western European Union
on the accounts for the financial year 1976**

General

1. The following financial statements, together with an explanatory memorandum, were submitted to me by the President :

- (a) Summary of income and expenditure for the financial year 1976 and financial position as at 31st December 1976 (Appendix I).
- (b) Statement of budget authorisations, expenditure and unexpended credits for the financial year 1976 (showing also transfers between sub-heads) (Appendix II).
- (c) Statement of sums due and received from the Secretary-General of Western European Union, London, in respect of contributions to the Assembly of Western European Union budget for 1976 (Appendix III).

(d) Account of the provident fund for the financial year ended 31st December 1976 (Appendix IV).

2. My examination of the accounts has been carried out in accordance with Article 14 of the Financial Regulations of the Assembly.

Summary of Income and Expenditure

(Appendix I)

3. The approved original budget provided for expenditure of F 6,596,500 of which F 37,500 was expected to be covered by miscellaneous receipts and the balance by contributions.

4. Actual expenditure in the year amounted to F 6,245,893 and income amounted to F 6,664,882 comprising F 6,559,000 from contributions requested and received and F 105,882 from miscellaneous receipts. There was thus an excess of income over expenditure of F 418,989 arising from a budgetary surplus of F 350,607 (as shown in Appendix II) and extra miscellaneous receipts of F 68,382.

Statement of budget authorisations, expenditure and unexpended credits

(Appendix II)

(a) Head V, Sub-head 19 : Contingencies and other expenditure not elsewhere provided for

5. In 1964 the Council of Western European Union authorised the use of 1964 budgetary surpluses to establish a provident fund compensation account to be maintained by the Secretary-General. Specific amounts were set aside for certain staff members as compensation for ending the use of guaranteed exchange rates for assessing withdrawals from the provident fund ; the compensation was to be paid on termination of the members' employment in addition to the sums due from the provident fund. Interest earned on the principal of the compensation account was not credited to the account for the benefit of the staff members, but has been credited to miscellaneous income in the Western European Union accounts.

6. At their 112th meeting in September 1976 the Western European Union Budget and Organisation Committee agreed that the Office of the Secretary-General should submit for approval by delegations a proposal that an amount equivalent to the interest earned on the principal held in the compensation account should be credited to that account and distributed, along with the principal, to the eligible staff members still serving at 1st January 1976. The amount required for this purpose was to be met from the 1976 budgetary surpluses of all the organs of Western European Union. The Office of the Secretary-General calculated that interest payments due to eligible assembly staff members totalled F 20,945.

7. During March 1977 the Office of the Secretary-General informed the Clerk of the Assembly that all delegations had agreed the proposal and requested him to charge Head V, Sub-head 19, in the Assembly's 1976 accounts with the amount of F 20,945 and credit a suspense account, delaying payment to the staff members until the Council had formally approved the proposal in April 1977. Article 9 of the Financial Regulations permits credits granted in the budget to remain available for use until 31st March in the ensuing year, but there is no provision for payments to be charged against the budget and the corresponding credits to be placed in suspense for use after 31st March. The Clerk of the Assembly acted as requested and charged F 20,945 to Sub-head 19 and included a corresponding credit in accounts payable (Appendix I). However on 15th April 1977 one delegation informed the Secretary-General that it had withdrawn its agreement to the proposal, and accordingly the formal approval of the Council has not yet been given. Thus F 20,945 has been charged to Sub-head 19

although the actual payments to the staff members have not been authorised and made. I understand that the proposal will be reconsidered at forthcoming meetings of the Budget and Organisation Committee and the Council.

(b) Transfers between sub-heads

8. All the transfers between sub-heads within the same head of the budget, as shown in Appendix II, were duly authorised in accordance with Article 6 of the Financial Regulations.

Provident fund

(Appendix IV)

9. The assets of the provident fund of the Assembly are amalgamated with the assets of the provident funds of the other organs of Western European Union in joint deposits held in a number of currencies and administered by the Office of the Secretary-General. On the advice of an Advisory Panel representing all the interested parties, the number of currencies held was increased during 1976 from three to four.

10. In accordance with a decision taken in 1974 by the Office of the Secretary-General the balances on the accounts of staff members of the Assembly reflect the book value of the Assembly's share of the joint deposits and have not been adjusted for differences between book and market values resulting from fluctuation in exchange rates. Withdrawals from the fund in 1976 of F 295,558 include F 127,853 repaid to former staff members who left in 1975 : the difference of F 2,286 between book and market value on these members' accounts, referred to in paragraph 8 of my report on the 1975 accounts, was offset against gains totalling F 3,657 arising in 1976, leaving a net gain on valuation of F 1,371, as recorded in Appendix IV. At 31st December 1976 the total book value of the balances was F 4,553,882, which includes F 7,056 due for repayment in 1977 to a former staff member and unapportioned interest of F 88 which will be credited to staff members' accounts in 1977.

11. I have received from the Office of the Secretary-General a certificate by the depositary showing the amount of the joint deposits held at 31st December 1976 and a statement confirming the share of those deposits standing to the credit of the Assembly's provident fund in the Office's books at 31st December 1976. A valuation of the currencies held in the joint deposits at that date showed a loss on book value of some F 807,445 of which F 175,962 related to the accounts of the staff of the Assembly.

12. I wish to record my appreciation of the willing co-operation of the officers of the Assembly during my audit.

Sir Douglas HENLEY, K.C.B.
(Comptroller and Auditor General,
United Kingdom)
External Auditor

17th June 1977

Explanatory Memorandum

(communicated by the President to the Auditor of the Assembly in connection with the financial year 1976)

1. The statements attached hereto refer to :
 - (a) Summary of income and expenditure — financial position as at 31st December 1976 (Appendix I) ;
 - (b) Statement of budget authorisations, expenditure and unexpended credits (Appendix II) ;
 - (c) Contributions (Appendix III) ;
 - (d) Provident fund (Appendix IV).
2. The statement of budget authorisations, expenditure and unexpended credits indicates that a sum of F 350,607 remains unexpended, whereas the final balance of income over expenditure was F 418,989. The difference between these two figures, F 68,382, represents :

| | F | F |
|---------------------------|---------|---|
| — Bank interest | 81,385 | |
| — Sundry receipts | 3,356 | |
| — Sale of publications .. | 21,141 | |
| | 105,882 | |

| | |
|--|--------|
| — Less receipts for 1976 estimated in the budget | 37,500 |
| | 68,382 |

Transfers

3. Excess expenditure amounting to F 70,844 has been met by transfer between sub-heads within heads.

Contributions

4. All contributions were received from the Secretary-General WEU London before 31st December 1976.

Provident fund

5. The Assembly's funds are incorporated with those of the other organs of WEU and the entire fund is administered by the Secretary-General in consultation with the Clerk of the Assembly.

6. The Secretary-General has continued to receive advice from the advisory panel set up within WEU and from outside bankers on the investment of the funds. These are at present held in United States dollars, French francs and pounds sterling with the International Westminster Bank Ltd., London.

7. Interest was distributed to individual accounts on 31st December 1976. As shown in Appendix IV, the balance of the fund on 31st December 1976, including F 88 still to be distributed, was F 4,546,826.

8. The President would like to take this opportunity of expressing the appreciation of the Assembly for the help which was extended to the Office of the Clerk by the United Kingdom Comptroller and Auditor General.

Edmond NESSLER
President of the Assembly

18th April 1977

APPENDIX I

Summary of income and expenditure for the financial year 1976

(in French francs)

Per attached statement

| | | |
|---|-----------|-----------|
| Assessments of member States (see Appendix III) | 6,559,000 | |
| | | 6,559,000 |

Miscellaneous

| | | |
|---|--------|------------------|
| Bank interest | 81,385 | |
| Sundry receipts | 3,356 | |
| Sale of publications | 21,141 | |
| | | 105,882 |
| | | 6,664,882 |
| Expenditure under budget authorisation (see Appendix II)..... | | 6,245,893 |
| Excess of income over expenditure | | <u>F 418,989</u> |

*Financial position as at 31st December 1976**Assets*

| | | |
|---------------------------|---------|---------|
| Cash at bank | 737,047 | |
| Sundry advances | 62,700 | |
| Salary advances | 16,000 | |
| Accounts receivable | 43,706 | |
| | | 859,453 |

*Less:**Liabilities*

| | | |
|---|---------|------------------|
| Supplementary insurance | 12,914 | |
| Accounts payable | 427,550 | |
| Excess of income over expenditure | 418,989 | |
| | | <u>F 859,453</u> |

Certified correct :

Edmond NESSLER
President of the Assembly

Francis HUMBLET
Clerk of the Assembly

André DEQUAE
*Chairman of the Committee on
Budgetary Affairs and Administration*

I have examined the foregoing Summary of Income and Expenditure and the Statement of Assets and Liabilities. I have obtained all the information and explanations that I have required, and I certify, as the result of my audit, that in my opinion these Statements are correct.

Signed: Sir Douglas HENLEY, K.C.B.
Comptroller and Auditor General,
United Kingdom
External Auditor

17th June 1977

STATEMENT OF BUDGET AUTHORISATIONS, EXPENDITURE AND

| DETAILS | Total budget for 1976 ¹ |
|---|---------------------------------------|
| HEAD I - EXPENDITURE FOR STAFF | |
| <i>Sub-Head 1</i> (a) Salaries of permanent establishment | 2,725,000 |
| (b) Recruitment of additional temporary staff (grades B and C), including travelling expenses and French social security | 9,000 |
| <i>Sub-Head 2 Allowances, social charges, etc.</i> | |
| (A) <i>Allowances</i> | |
| (a) Household allowance | 95,000 |
| (b) Children's allowance | 132,000 |
| (c) Expatriation allowance | 234,000 |
| (d) Compensatory rent allowance | 10,000 |
| (e) Overtime | 14,000 |
| (f) Guarantee against currency devaluation for non-French staff | — |
| (g) Education allowance | 38,000 |
| (h) Allowance for language courses | 2,000 |
| (B) <i>Social charges</i> | |
| (a) Social security | 180,000 |
| (b) Supplementary insurance | 112,000 |
| (c) Provident fund | 368,000 |
| (d) Retirement pension | — |
| (C) <i>Expenses relating to the recruitment, arrival and departure of permanent officials</i> | |
| (a) Travelling expenses and per diem for candidates not residing in Paris, who are convened for examinations and interviews, and cost of marking examination papers | 1,600 |
| (b) Reimbursement of travelling expenses on arrival and departure of staff and dependent persons | 1,500 |
| (c) Removal expenses | 3,000 |
| (d) Installation allowance | 4,500 |
| (e) Biennial home leave for non-French officials | 7,000 |
| (f) Medical examination | 2,400 |
| Total of Head I | 3,939,000 |

1. Document 678.

DIX II
UNEXPENDED CREDITS FOR THE FINANCIAL YEAR 1976

| Transfers | | Total after transfers | Total expenditure | Unexpended credits |
|-----------|--------|-----------------------|-------------------|--------------------|
| + | - | | | |
| | 18,452 | 2,706,548 | 2,674,884 | 31,664 |
| 4,695 | | 13,695 | 13,695 | — |
| | | 95,000 | 92,900 | 2,100 |
| | | 132,000 | 130,384 | 1,616 |
| | | 234,000 | 223,277 | 10,723 |
| | | 10,000 | 4,974 | 5,026 |
| | | 14,000 | 11,976 | 2,024 |
| 2,292 | | 40,292 | 40,292 | — |
| | | 2,000 | 270 | 1,730 |
| 11,465 | | 191,465 | 191,465 | — |
| | | 112,000 | 102,172 | 9,828 |
| | | 368,000 | 360,912 | 7,088 |
| | | 1,600 | 1,192 | 408 |
| | | 1,500 | — | 1,500 |
| | | 3,000 | — | 3,000 |
| | | 4,500 | — | 4,500 |
| | | 7,000 | 6,898 | 102 |
| | | 2,400 | 2,186 | 214 |
| 18,452 | 18,452 | 3,939,000 | 3,857,477 | 81,523 |

| DETAILS | Total budget for 1976 |
|--|--------------------------|
| HEAD II - EXPENDITURE RELATING TO THE SESSIONS OF THE ASSEMBLY | |
| <i>Sub-Head 3</i> 1. <i>Temporary staff</i> | |
| Temporary staff required for the sessions of the Assembly | 331,000 |
| 2. <i>Linguistic staff</i> | |
| (A) <i>Interpretation services</i> | |
| (a) Interpretation services required for the sessions of the Assembly | 151,000 |
| (b) Interpretation services required for meetings of Committees between sessions | 130,000 |
| (B) <i>Translation services</i> | |
| Temporary translators for the sessions of the Assembly | 276,000 |
| 3. <i>Insurance for temporary staff</i> | 4,500 |
| 4. <i>Installation of equipment and hire of offices for the sessions</i> | 147,000 |
| 5. <i>Miscellaneous expenditure during sessions</i> | 34,000 |
| Total of Head II | 1,073,500 |
| HEAD III - EXPENDITURE ON PREMISES AND EQUIPMENT | |
| <i>Sub-Head 4</i> Premises | 153,000 |
| <i>Sub-Head 5</i> Capital equipment | 57,000 |
| Total of Head III | 210,000 |

APPENDIX II

| Transfers | | Total after transfers | Total expenditure | Unexpended credits |
|-----------|-------|-----------------------|-------------------|--------------------|
| + | - | | | |
| | | 331,000 | 295,726 | 35,274 |
| | | 151,000 | 131,358 | 19,642 |
| | | 130,000 | 113,795 | 16,205 |
| | | 276,000 | 263,435 | 12,565 |
| | | 4,500 | 3,634 | 866 |
| | 3,444 | 143,556 | 141,263 | 2,293 |
| 3,444 | | 37,444 | 37,444 | — |
| 3,444 | 3,444 | 1,073,500 | 986,655 | 86,845 |
| | 3,274 | 149,726 | 134,552 | 15,174 |
| 3,274 | | 60,274 | 60,274 | — |
| 3,274 | 3,274 | 210,000 | 194,826 | 15,174 |

| DETAILS | Total budget for 1976 |
|--|--------------------------|
| HEAD IV - GENERAL ADMINISTRATIVE COSTS | |
| <i>Sub-Head 6</i> Postage, telephone, telegraph charges, transport of documents | 250,000 |
| <i>Sub-Head 7</i> Paper, stationery and office supplies | 125,000 |
| <i>Sub-Head 8</i> Printing and publishing of Assembly documents | 620,000 |
| <i>Sub-Head 9</i> Purchase of documents, reference works, etc. | 18,500 |
| <i>Sub-Head 10</i> Official car | 22,000 |
| <i>Sub-Head 11</i> Bank charges | 500 |
| Total of Head IV | 1,036,000 |
| HEAD V - OTHER EXPENDITURE | |
| <i>Sub-Head 12</i> Travel and subsistence allowances and insurance for the President of the Assembly, Chairmen of Committees and Rapporteurs | 55,000 |
| <i>Sub-Head 13</i> Expenses for representation and receptions | 80,000 |
| <i>Sub-Head 14</i> Committee study missions | 3,000 |
| <i>Sub-Head 15</i> Official journeys of members of the Office of the Clerk | 125,000 |
| <i>Sub-Head 16</i> Expenses of experts and the auditor | 20,000 |
| <i>Sub-Head 17</i> Expenditure on information | 30,000 |
| <i>Sub-Head 18</i> Expenses for groups of the Assembly | 15,000 |
| <i>Sub-Head 19</i> Contingencies and other expenditure not elsewhere provided for | 3,000 |
| <i>Sub-Head 20</i> Non-recoverable taxes | 7,000 |
| Total of Head V | 338,000 |
| TOTAL | 6,596,500 |

The expenditure figures include charges for goods delivered and services rendered by 31st December 1976, and

Edmond NESSLER
President of the Assembly

Francis
Clerk of the

| Transfers | | Total after transfers | Total expenditure | Unexpended credits |
|-----------|--------|-----------------------|-------------------|--------------------|
| + | - | | | |
| | 7,902 | 242,098 | 183,663 | 58,435 |
| | | 125,000 | 119,600 | 5,400 |
| | | 620,000 | 536,295 | 83,705 |
| 2,555 | | 21,055 | 21,055 | — |
| 5,347 | | 27,347 | 27,347 | — |
| | | 500 | 87 | 413 |
| 7,902 | 7,902 | 1,036,000 | 888,047 | 147,953 |
| | 37,772 | 17,228 | 11,572 | 5,656 |
| 14,827 | | 94,827 | 94,827 | — |
| | | 3,000 | 2,025 | 975 |
| | | 125,000 | 117,036 | 7,964 |
| | | 20,000 | 16,445 | 3,555 |
| 1,000 | | 31,000 | 31,000 | — |
| | | 15,000 | 14,038 | 962 |
| 18,811 | | 21,811 | 21,811 | — |
| 3,134 | | 10,134 | 10,134 | — |
| 37,772 | 37,772 | 338,000 | 318,888 | 19,112 |
| 70,844 | 70,844 | 6,596,500 | 6,245,893 | 350,607 |

paid for up to 31st March 1977, in accordance with the Financial Regulations of the Assembly.

HUMBLET
Assembly

André DEQUAE
*Chairman of the Committee on
Budgetary Affairs and Administration*

APPENDIX III

**STATEMENT OF SUMS DUE AND RECEIVED FROM THE SECRETARY-GENERAL
OF WEU LONDON IN RESPECT OF CONTRIBUTIONS TO THE WEU ASSEMBLY
BUDGET FOR 1976**

| Member States | 600ths | Contributions overpaid in 1975 | Budget surplus 1975 | Main budget for 1976 | Net contributions required |
|--------------------------------|--------|-----------------------------------|------------------------|-------------------------|----------------------------------|
| | | F | F | F | F |
| Belgium | 59 | (—) 4,730 | (—) 54,753 | 644,968 | 585,485 |
| France | 120 | (—) 9,621 | (—) 111,363 | 1,311,800 | 1,190,816 |
| Federal Republic of Germany | 120 | (—) 9,621 | (—) 111,363 | 1,311,800 | 1,190,816 |
| Italy | 120 | (—) 9,621 | (—) 111,363 | 1,311,800 | 1,190,816 |
| Luxembourg | 2 | (—) 160 | (—) 1,856 | 21,864 | 19,847 |
| Netherlands | 59 | (—) 4,730 | (—) 54,753 | 644,968 | 585,485 |
| United Kingdom | 120 | (—) 9,621 | (—) 111,363 | 1,311,800 | 1,190,816 |
| | 600 | (—) 48,104 | (—) 556,814 | 6,559,000 | 5,954,081 |

APPENDIX IV

PROVIDENT FUND

ACCOUNT FOR THE FINANCIAL YEAR ENDED 31st DECEMBER 1976

| | F | | F |
|--|-----------|---|-----------|
| Accounts of staff members as at 1st January 1976 | 3,960,959 | Withdrawals | 295,558 |
| Accounts of former staff members awaiting settlement at 31st December 1975 | 130,139 | Loans to staff members | 240,000 |
| Contributions of staff members and of the Assembly of Western European Union | 529,831 | <i>Balances carried forward :</i> | |
| Repayments of loans by staff members | 152,100 | Accounts of a former staff member awaiting settlement at 31st December 1976 | 7,056 |
| Interest received during year | 315,040 | Accounts of existing staff members as at 31st December 1976 | 4,546,738 |
| Gain on valuation by staff who have left the organisation | 1,371 | Interest to be distributed | 88 |
| | 5,089,440 | | 5,089,440 |

Edmond NESSLER

President of the Assembly

Francis HUMBLET

Clerk of the Assembly

André DEQUAE

*Chairman of the Committee on
Budgetary Affairs and Administration*

I have examined the foregoing Statement. I have obtained all the information and explanations that I have required, and I certify, as the result of my audit, that in my opinion this Statement is correct.

Sir Douglas HENLEY, K.C.B.

*Comptroller and Auditor General, United Kingdom
External Auditor*

17th June 1977

*Accounts of the Administrative Expenditure of the Assembly
for the Financial Year 1976*

**MOTION TO APPROVE THE FINAL ACCOUNTS OF THE ASSEMBLY
FOR THE FINANCIAL YEAR 1976¹**

*submitted on behalf of the Committee on Budgetary Affairs and Administration²
by Lord Selsdon, Acting Chairman and Rapporteur*

The Assembly,

Having examined the final accounts of the Assembly for the financial year 1976, together with the Auditor's Report, in accordance with Article 16 of the Financial Regulations,

Approves the accounts as submitted and discharges the President of the Assembly of his financial responsibility.

1. Adopted unanimously by the Committee.

2. *Members of the Committee*: Lord Selsdon (Alternate: Channon) (Acting Chairman); Mr. Schmitt (Vice-Chairman); MM. *Adriaensens, Alber, Antoni, Bonalumi* (Alternate: *Cavaliere*), Del Duca (Alternate: *Borghì*), *Depietri, Evers, Hengel, Kauffmann* (Alternate: *Bizet*),

Koopman, Lewis (Alternate: *Bagier*), *McNamara* (Alternate: *Lord Peddie*), *Orsini* (Alternate: *Giusti*), *Page* (Alternate: *Jessel*), *Schleiter, Vadepiet* (Alternate: *La Combe*), *Vohrer, Mrs. van der Werf, MM. Bonnel, Schwencke*.

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

**DRAFT BUDGET OF THE ADMINISTRATIVE EXPENDITURE
OF THE ASSEMBLY FOR THE FINANCIAL YEAR 1978¹**

*submitted on behalf of the Committee on Budgetary Affairs and Administration²
by Mr. Dequae, Chairman and Rapporteur*

TABLE OF CONTENTS

Summary of Estimates for the Financial Year 1978
Allocation of Expenditure under Heads and Sub-Heads
Explanatory Memorandum

Summary of Estimates for the Financial Year 1978

| Details | Estimate for 1978 F |
|--|------------------------|
| <i>Head I</i> : Expenditure for staff | 5,026,000 |
| <i>Head II</i> : Expenditure relating to temporary personnel | 1,302,000 |
| <i>Head III</i> : Expenditure on premises and equipment | 252,000 |
| <i>Head IV</i> : General administrative costs | 1,153,000 |
| <i>Head V</i> : Other expenditure | 403,000 |
| <i>Head VI</i> : Pensions | 62,000 |
| TOTAL EXPENDITURE | 8,198,000 |
| TOTAL RECEIPTS | 92,000 |
| NET TOTAL | 8,106,000 |

1. Adopted unanimously by the Committee on Budgetary Affairs and Administration and approved unanimously by the Presidential Committee.

2. *Members of the Committee* : Mr. Dequae (Chairman) ; Lord Selsdon, Mr. Schmitt (Vice-Chairman) ; MM. Alber, Antoni, Bonalumi, de Bruyne, Del Duca,

Depietri, Evers, Hengel, Kauffmann, van Kleef, de Koster, Lemp, Lewis, McNamara, Orsini, Page, Schleiter, Vadepted, Vohrer.

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

Allocation of Expenditure under Heads and Sub-Heads

| Details | Estimate for 1978 F |
|---|------------------------|
| Head I — EXPENDITURE FOR STAFF | |
| Sub-Head 1: Salaries of permanent establishment | 3,500,000 |
| Sub-Head 2: (A) Allowances | 674,000 |
| (B) Social charges | 828,000 |
| (C) Expenses relating to the recruitment, arrival and departure of permanent officials | 24,000 |
| TOTAL OF HEAD I | 5,026,000 |
| Head II — EXPENDITURE RELATING TO THE SESSIONS OF THE ASSEMBLY | |
| Sub-Head 3: 1. Temporary staff | 396,000 |
| 2. Linguistic staff | 684,000 |
| 3. Insurance for temporary staff | 5,000 |
| 4. Installation of equipment for sessions | 173,000 |
| 5. Miscellaneous expenditure during sessions | 44,000 |
| TOTAL OF HEAD II | 1,302,000 |
| Head III — EXPENDITURE ON PREMISES AND EQUIPMENT | |
| Sub-Head 4: Premises | 182,000 |
| Sub-Head 5: Capital equipment | 70,000 |
| TOTAL OF HEAD III | 252,000 |
| Head IV — GENERAL ADMINISTRATIVE COSTS | |
| Sub-Head 6: Postage, telephone, telegraph charges, transport of documents, typewriters, etc. | 260,000 |
| Sub-Head 7: Paper, stationery and office supplies | 150,000 |
| Sub-Head 8: Printing and publishing of Assembly documents | 680,000 |
| Sub-Head 9: Purchase of documents, reference works, etc. | 22,500 |
| Sub-Head 10: Official cars | 40,000 |
| Sub-Head 11: Bank charges | 500 |
| TOTAL OF HEAD IV | 1,153,000 |
| Head V — OTHER EXPENDITURE | |
| Sub-Head 12: Travel and subsistence allowances and insurance for Chairmen of Committees, Rapporteurs and Represent- atives attending meetings of the Bureau, Presidential Committee and joint meetings | 55,000 |
| Sub-Head 13: Expenses for representation and receptions | 100,000 |
| Sub-Head 14: Committee study missions | 3,000 |
| Sub-Head 15: Official journeys of members of the Office of the Clerk | 155,000 |
| Sub-Head 16: Expenses of experts and the auditors | 24,000 |
| Sub-Head 17: Expenditure on information | 36,000 |
| Sub-Head 18: Expenses for groups of the Assembly | 17,000 |
| Sub-Head 19: Contingencies and other expenditure not elsewhere provided for | 3,000 |
| Sub-Head 20: Non-recoverable taxes | 10,000 |
| TOTAL OF HEAD V | 403,000 |
| Head VI — PENSIONS | |
| Sub-Head 21: (A) Pensions | 62,000 |
| (B) Allowances | Pro mem. |
| (C) Severance grant | Pro mem. |
| (D) Payments to member States for validation | Pro mem. |
| TOTAL OF HEAD VI | 62,000 |

Head I — Expenditure for Staff**Sub-Head 1****SALARIES OF PERMANENT ESTABLISHMENT***Estimate* : F 3,500,000**(a) Basic salaries***Estimate* : F 3,488,000

| Rank | WEU Grade | No. | Total F |
|---|------------|-----|-----------|
| The Clerk | Hors cadre | 1 | 118,000 |
| The Clerk Assistant | Hors cadre | 1 | 209,000 |
| Counsellors | A5 | 5 | 1,083,000 |
| First Secretaries | A4 | 2 | 368,000 |
| Secretary | A3 | 1 | 157,000 |
| Secretaries-Translators/Publications | A2 | 3 | 351,000 |
| Administrative Assistant/Assistant Translator | | | |
| Chief Accountant | B6 | 1 | 124,000 |
| Personal Assistants | B4 | 4 | 368,000 |
| Bilingual Shorthand Typists | B3 | 6 | 463,000 |
| Switchboard Operator | B3 | 1 | 80,000 |
| Head Roneo-Storekeeper | C6 | 1 | 67,000 |
| Messengers | C3 | 2 | 100,000 |
| | | 28 | 3,488,000 |

(b) Recruitment of additional temporary staff (grades B and C), including travelling expenses and French social security*Estimate* : F 12,000

Sub-Head 2

ALLOWANCES, SOCIAL CHARGES, ETC.

(A) ALLOWANCES

Estimate : F 674,000

(a) Household allowance

Estimate : F 127,000

| Rank | WEU Grade | No. | Total F |
|-----------------------------------|------------|-----|---------|
| Clerk Assistant | Hors cadre | 1 | 13,000 |
| Counsellors..... | A5 | 4 | 52,000 |
| First Secretary | A4 | 1 | 11,000 |
| Secretary | A3 | 1 | 9,000 |
| Personal Assistants | B4 | 3 | 17,000 |
| Bilingual Shorthand Typists | B3 | 3 | 14,000 |
| Head Roneo-Storekeeper | C6 | 1 | 4,000 |
| Messengers | C3 | 2 | 7,000 |
| | | 16 | 127,000 |

(b) Children's allowance

*Estimate : F 174,000*5,800 F per year per child : $5,800 \times 30$ F 174,000

(c) Expatriation allowance

Estimate : F 291,000

| Rank | WEU Grade | No. | Total F |
|--|-----------|-----|---------|
| Counsellors..... | A5 | 3 | 122,000 |
| First Secretary | A4 | 1 | 37,000 |
| Secretary | A3 | 1 | 33,000 |
| Secretary-Translator / Publications Administrative Assistant / Assistant Translator | A2 | 2 | 39,000 |
| Personal Assistants | B4 | 2 | 34,000 |
| Bilingual Shorthand Typists | B3 | 2 | 26,000 |
| | | 11 | 291,000 |

(d) Compensatory rent allowance

Estimate : F 10,000

(e) Overtime

Estimate : F 15,000

(f)

(g) Education allowance

Estimate : F 55,000

(h) Allowance for language courses

Estimate : F 2,000

(B) SOCIAL CHARGES

Estimate : F 828,000

| | |
|---|-----------------------------|
| (a) Social Security | <i>Estimate</i> : F 250,000 |
| 27 officials | F 250,000 |
| (b) Supplementary insurance | <i>Estimate</i> : F 141,000 |
| 3.40 % of total emoluments \times 4,145,000 F | F 141,000 |
| (c) Provident fund | <i>Estimate</i> : F 437,000 |
| 14 % of basic salaries \times 3,120,000 F | F 437,000 |

(C) EXPENSES RELATING TO THE RECRUITMENT, ARRIVAL AND DEPARTURE OF PERMANENT OFFICIALS

Estimate : F 24,000

| | |
|---|----------------------------|
| (a) Travelling expenses and per diem for candidates not residing in Paris who are convened for examinations and interviews and cost of marking examination papers | <i>Estimate</i> : F 1,600 |
| (b) Reimbursement of travelling expenses on arrival and departure of staff and dependent persons | <i>Estimate</i> : F 1,500 |
| (c) Removal expenses | <i>Estimate</i> : F 3,400 |
| (d) Installation allowance | <i>Estimate</i> : F 4,500 |
| (e) Biennial home leave for non-French officials | <i>Estimate</i> : F 10,000 |
| (f) Medical examination | <i>Estimate</i> : F 3,000 |

Head II — Expenditure relating to the sessions of the Assembly*Estimate* : F 1,302,000**Sub-Head 3****1. TEMPORARY STAFF****Temporary staff required for the sessions of the Assembly**

| Function | Paris : 10 days | | |
|------------------------------------|-------------------------|-------------|------------|
| | Daily remuneration F | No. | Total F |
| Head of the sittings office | 450 | 1 <i>a</i> | 6,800 |
| Heads of sections | 345 | 2 <i>a</i> | 29,000 |
| | 450 | 4 <i>b</i> | |
| Sergeant-at-Arms | 390 | 1 <i>b</i> | 4,800 |
| Secretaries for the Assembly | 320 | 2 <i>a</i> | 15,600 |
| | 390 | 2 <i>b</i> | |
| Précis writers | 320 | 4 <i>a</i> | 31,400 |
| | 390 | 4 <i>b</i> | |
| Verbatim reporters | 390 | 14 <i>b</i> | 84,400 |
| | 500 | 4 <i>c</i> | |
| Assistants | 255 | 4 <i>b</i> | 108,200 |
| | 240 | 23 <i>b</i> | |
| | 190 | 6 <i>a</i> | |
| | 170 | 10 <i>a</i> | |
| Head ushers | 120 | 2 <i>a</i> | 3,000 |
| Ushers | 110 | 16 <i>a</i> | 18,900 |
| Roneo /Assemblers | 110 | 18 <i>a</i> | 19,400 |
| | | 117 | 321,500 |

a. Recruited locally.*b.* Recruited outside France.*c.* Recruited as free-lance staff.

Travelling expenses F 74,500

396,000

2. LINGUISTIC STAFF

(A) Interpretation Services

(a) Interpretation services required for the sessions of the Assembly

| Function | 10 days | |
|--------------------|---------|------------|
| | No. | Total F |
| Interpreters | 12 | 165,000 |
| | 12 | |

Travelling expenses F 13,000
 F 178,000

(b) Interpretation services required for meetings of committees between sessions F 160,000

(B) Translation Services

Temporary translators for the sessions of the Assembly

| Function | Daily remuneration F | No. | Estimate ¹ F |
|-------------------|-------------------------|-----|----------------------------|
| Revisers | 430 | 2 a | 127,000 |
| | 668 | 4 b | |
| Translators | 333 | 4 a | 126,000 |
| | 544 | 4 b | |
| Assistants | 175 | 4 a | 83,000 |
| | 235 | 3 b | |
| | 160 | 3 a | |
| | 225 | 2 b | |
| | | 26 | 336,000 |

1. Based on 32 days for the revisers and translators.

a. Recruited locally.

b. Recruited outside France.

Travelling expenses F 10,000
 F 346,000

3. INSURANCE FOR TEMPORARY STAFF

Estimate : F 5,000

4. INSTALLATION OF EQUIPMENT FOR SESSIONS

| | |
|---|-----------|
| — Installation of simultaneous interpretation equipment | F 140,000 |
| — Installation of telephone booths | F 14,000 |
| — Installation of tape-recorders and a teleprinter "France-Presse" for the Press Service | F 11,000 |
| — Technicians necessary for the operation of the simultaneous interpretation equipment in the WEU committee rooms | F 8,000 |

Estimate : F 173,000

5. MISCELLANEOUS EXPENDITURE DURING SESSIONS

| | |
|---|----------|
| — Removal expenses | F 5,000 |
| — Medical Service (Doctor and Nurse) | F 5,500 |
| — Hire of typewriters and technicians | F 5,500 |
| — Servicing of lifts | F 8,000 |
| — Cleaning | F 8,000 |
| — Miscellaneous | F 12,000 |

Estimate : F 44,000

Head III — Expenditure on premises and equipment

Estimate : F 252,000

Sub-Head 4

PREMISES

| | |
|---|-----------|
| — Hire of committee rooms outside Paris and installation of simultaneous interpretation equipment | F 8,000 |
| — Technician necessary for the operation of the simultaneous interpretation equipment in the WEU committee rooms between sessions | F 4,000 |
| — Joint overheads for the premises | F 160,000 |
| — Minor repairs to equipment and machines and removal of furniture | F 10,000 |

Estimate : F 182,000

Sub-Head 5

CAPITAL EQUIPMENT

- Purchase of 2 roneo machines (SAM) F 60,000
- Replacement of armchairs and typists' chairs..... F 10,000

Estimate : F 70,000**Head IV — General administrative costs***Estimate* : F 1,153,000*Sub-Head 6*

POSTAGE, TELEPHONE, TELEGRAPH CHARGES, TRANSPORT OF DOCUMENTS

- Postage F 150,000
- Telephone..... F 88,000
- Telegrams..... F 8,000
- Transport of documents F 14,000

Estimate : F 260,000*Sub-Head 7*

PAPER, STATIONERY AND OFFICE SUPPLIES

- Purchase of roneo paper, stencils, headed writing paper and other office supplies

Estimate : F 150,000*Sub-Head 8*

PRINTING AND PUBLISHING OF ASSEMBLY DOCUMENTS

- Printing of Assembly documents (includes the record of debates, minutes of the Assembly and Assembly documents)
- Printing of Reports of the Council
- Printing of Texts Adopted
- Miscellaneous — Bulletins, printing of the Agenda and Order of Business of the Assembly, voting lists, etc.
- Reprints
- Brochures

Estimate : F 680,000*Sub-Head 9*

PURCHASE OF DOCUMENTS, REFERENCE WORKS, ETC.

Estimate : F 22,500

Sub-Head 10

OFFICIAL CARS

— Hire of official cars

Estimate : F 40,000

Sub-Head 11

BANK CHARGES

Estimate : F 500

Head V — Other expenditure

Estimate : F 403,000

Sub-Head 12

TRAVEL AND SUBSISTENCE ALLOWANCES AND INSURANCE FOR THE PRESIDENT OF THE ASSEMBLY,
CHAIRMEN OF COMMITTEES AND RAPORTEURS

Estimate : F 55,000

Sub-Head 13

EXPENSES FOR REPRESENTATION AND RECEPTIONS

Estimate : F 100,000

Sub-Head 14

COMMITTEE STUDY MISSIONS

Estimate : F 3,000

Sub-Head 15

OFFICIAL JOURNEYS OF MEMBERS OF THE OFFICE OF THE CLERK

Estimate : F 155,000

Sub-Head 16

EXPENSES OF EXPERTS AND THE AUDITOR

Estimate : F 24,000

Sub-Head 17

EXPENDITURE ON INFORMATION

Estimate : F 36,000

Sub-Head 18

EXPENSES FOR GROUPS OF THE ASSEMBLY

Estimate : F 17,000

Sub-Head 19

CONTINGENCIES AND OTHER EXPENDITURE NOT ELSEWHERE PROVIDED FOR

Estimate : F 3,000

Sub-Head 20

NON-RECOVERABLE TAXES

Estimate : F 10,000

Head VI — Pensions*Sub-Head 21***PENSIONS, ALLOWANCES, ETC.****(A) Pensions***Estimate* : F 62,000

- (a) Retirement pension *Estimate* : F 40,000
 (b) Invalidity pension *Estimate* : pro mem.
 (c) Survivors' pension *Estimate* : F 22,000
 (d) Orphans' pension *Estimate* : pro mem.

(B) Allowances*Estimate* : pro mem.

- (a) Household allowance *Estimate* : pro mem.
 (b) Dependants' allowance *Estimate* : pro mem.
 (c) Education allowance *Estimate* : pro mem.
 (d) Relief allowance *Estimate* : pro mem.

(C) Severance grant*Estimate* : pro mem.**(D) Payments to member States for validation***Estimate* : pro mem.**Income***Estimate* : F 92,000**(A) Sundry receipts**

- (a) Sale of publications F 15,000
 (b) Bank interest F 50,000
 (c) Social security reimbursements F 10,000
Estimate : F 75,000

(B) Pensions

- (a) Contributions (7 %) *Estimate* : F 17,000
 (b) Reimbursement of provident fund withdrawals (loans, etc.). *Estimate* : pro mem.
 (c) Validation receipts from the provident fund and interest to
 30th June 1974 *Estimate* : pro mem.
 (d) Provident fund contributions and interest since 1st July 1974 *Estimate* : pro mem.

Explanatory Memorandum

(submitted by Mr. Dequae Chairman and Rapporteur)

1. The draft budget now before you amounts to F 8,106,000. The budget for 1977 amounted to F 7,317,523¹. The difference is therefore F 788,477, i.e. 10.77%.

2. *Head I — Expenditure for staff*

The increase (F 571,477) in the estimate for this head takes account of :

- (i) the effect over a full year of increases granted in 1976 in basic salaries and payments to the provident fund, expatriation and household allowances and contributions in respect of supplementary insurance ;
- (ii) annual increments ;
- (iii) an expected increase of 9% in 1978.

3. *Head II — Expenditure relating to sessions of the Assembly*

Sub-head 3.1 — Temporary staff

The estimated increase is F 30,000.

Salaries for temporary staff follow the scales applied in the Council of Europe and the European Parliament. In accordance with the decision of the Budget Committee of the Council, the WEU Assembly applies automatically, in the course of the year, all increases in salary scales as and when they are applied by the Council of Europe and the European Parliament.

Sub-head 3.2 (A) — Interpretation services

The increase (F 23,000) in the estimate for this sub-head takes into account probable increases in the scales applied by the co-ordinated organisations for salaries and daily allowances payable to interpreters.

Sub-head 3.2 (B) — Translation services

The increase (F 25,000) in the estimate for this sub-head corresponds to the scales applied in the Council of Europe.

Sub-head 3.4 — Installation of equipment for sessions

The increase (F 15,000) in the estimate for this sub-head corresponds to the expected increase in the cost of installing equipment needed for two part-sessions held in Paris.

Sub-head 3.5 — Miscellaneous expenditure during sessions

The increase (F 4,000) in the estimate for this sub-head, covering two part-sessions held in Paris, is to meet certain expenses affected by the rise in the cost of living.

4. *Head III — Expenditure on premises and equipment*

Sub-head 4 — Premises

The increase (F 17,000) in the estimate for this sub-head is to meet the higher cost of maintenance for the premises at 43, avenue du Président Wilson.

Sub-head 5 — Capital equipment

The sum of F 70,000 is for the replacement of two roneo machines (those now in use having been purchased in 1964 and 1969) and of a number of chairs purchased in 1962 which are now worn out.

5. *Head IV — General administrative costs*

Sub-head 6 — Postage, telephone, telegraph charges, transport of documents

The increase (F 10,000) in the estimate for this sub-head corresponds to rising prices.

Sub-head 7 — Paper, stationery and office supplies

The increase (F 15,000) in the estimate for this sub-head corresponds to the higher cost of paper and office supplies.

Sub-head 9 — Purchase of documents, reference works, etc.

1. The 1977 budget included F 81,523 from Head I of the 1976 budget for the retroactive payment in 1977 of sums due for salary increases.

The increase (F 3,000) in the estimate for this sub-head is due to the higher cost of subscriptions to newspapers, periodicals and reference works.

Sub-head 10 — Official cars

The increase (F 18,000) in the estimate for this sub-head is due to the higher cost of hiring cars.

6. *Head V — Other expenditure*

Sub-head 13 — Expenses for representation and receptions

The increase (F 10,000) in the estimate for this sub-head corresponds to rising prices.

Sub-head 15 — Official journeys of members of the Office of the Clerk

The increase (F 15,000) in the estimate for this sub-head corresponds to an increase in travelling expenses and daily allowances expected in 1978.

Sub-head 16 — Expenses of experts and the auditors

The increase (F 2,000) in the estimate for this sub-head corresponds to increases in fees payable to the auditor and experts.

Sub-head 17 — Expenditure on information

The increase (F 3,000) in the estimate for this sub-head corresponds to the increase in the cost of living.

Sub-head 18 — Expenses for groups of the Assembly

A fourth political group was formed in November 1976 and was granted the same subsidy as the other groups, thus involving an increase of F 2,000 in the estimate for this sub-head.

Sub-head 20 — Non-recoverable taxes

The increase (F 3,000) in the estimate for this sub-head corresponds to the increase in the cost of living and the growing number of bills on which tax is not recoverable.

7. *Head VI — Pensions*

In this budget, account has been taken of only two pensions to be paid, one retirement and one survivor's.

8. *Sundry receipts*

Expected receipts in 1978 include :

- (i) sale of publications ;
- (ii) bank interest ;
- (iii) social security reimbursements in respect of staff on sick leave ;
- (iv) income resulting from the entry into force of the pension scheme in 1978 (pro mem.).

Head I — Expenditure for Staff

Sub-Head 1

SALARIES OF PERMANENT ESTABLISHMENT

(a) Basic salaries

| | |
|-------------------------|-------------|
| Estimate for 1978 | F 3,488,000 |
| Budget for 1977 | F 3,061,664 |
| Net increase | F 426,336 |

See the explanatory memorandum, paragraph 2.

(b) Recruitment of additional temporary staff (grades B and C), including travelling expenses and French social security

| | |
|-------------------------|----------|
| Estimate for 1978 | F 12,000 |
| Budget for 1977 | F 10,000 |
| Net increase | F 2,000 |

This estimate has been calculated on the basis of increased rates payable to temporary staff.

Sub-Head 2

ALLOWANCES, SOCIAL CHARGES, ETC.

(A) ALLOWANCES

(a) Household allowance

| | |
|-------------------------|-----------|
| Estimate for 1978 | F 127,000 |
| Budget for 1977 | F 107,100 |
| Net increase..... | F 19,900 |

This allowance has been calculated on the basis of the status of staff.

(b) Children's allowance

| | |
|-------------------------|-----------|
| Estimate for 1978 | F 174,000 |
| Budget for 1977 | F 146,616 |
| Net increase..... | F 27,384 |

This allowance has been calculated on the basis of the status of staff.

(c) Expatriation allowance

| | |
|-------------------------|-----------|
| Estimate for 1978 | F 291,000 |
| Budget for 1977 | F 261,723 |
| Net increase..... | F 29,277 |

This estimate has been calculated on the basis of the number of non-French staff entitled to the allowance.

(d) Compensatory rent allowance

| | |
|-------------------------|----------|
| Estimate for 1978 | F 10,000 |
| Budget for 1977 | F 15,026 |
| Net decrease..... | F 5,026 |

This estimate has been calculated on the basis of the rent allowance now paid and the number of officials qualifying for an allowance.

(e) Overtime

| | |
|-------------------------|----------|
| Estimate for 1978 | F 15,000 |
| Budget for 1977 | F 16,024 |
| Net decrease | F 1,024 |

(f)

(g) Education allowance

| | |
|------------------------|----------|
| Estimate for 1978..... | F 55,000 |
| Budget for 1977 | F 38,000 |
| Net increase | F 17,000 |

This estimate has been calculated on the basis of the number of officials entitled to this allowance.

(h) Allowance for language courses

| | |
|-------------------------|---------|
| Estimate for 1978 | F 2,000 |
| Budget for 1977 | F 3,730 |
| Net decrease | F 1,730 |

This estimate has been calculated on the basis of the number of officials entitled to this allowance.

(B) SOCIAL CHARGES**(a) Social security**

| | |
|-------------------------|-----------|
| Estimate for 1978 | F 250,000 |
| Budget for 1977 | F 215,000 |
| Net increase..... | F 35,000 |

(b) Supplementary insurance

| | |
|-------------------------|-----------|
| Estimate for 1978 | F 141,000 |
| Budget for 1977 | F 132,828 |
| Net increase | F 8,172 |

This calculation is based on 3.40 % of total emoluments.

(c) Provident Fund

| | |
|-------------------------|-----------|
| Estimate for 1978 | F 437,000 |
| Budget for 1977 | F 417,088 |
| Net increase | F 19,912 |

This calculation is based on 14 % of basic salaries.

(C) EXPENSES RELATING TO THE RECRUITMENT, ARRIVAL AND DEPARTURE OF PERMANENT OFFICIALS**(a) Travelling expenses and per diem for candidates not residing in Paris, who are convened for examinations and interviews, and cost of marking examination papers**

| | |
|-------------------------|---------|
| Estimate for 1978 | F 1,600 |
| Budget for 1977 | F 2,008 |
| Net decrease | F 408 |

(b) Reimbursement of travelling expenses on arrival and departure of staff and dependent persons

| | |
|-------------------------|---------|
| Estimate for 1978 | F 1,500 |
| Budget for 1977 | F 3,000 |
| Net decrease | F 1,500 |

Calculated on the basis of estimated departures and replacement of staff.

(c) Removal expenses

| | |
|-------------------------|---------|
| Estimate for 1978 | F 3,400 |
| Budget for 1977 | F 6,000 |
| Net decrease | F 2,600 |

Calculated on the basis of estimated departures and replacement of staff.

(d) Installation allowance

| | | |
|-------------------------|---|-------|
| Estimate for 1978 | F | 4,500 |
| Budget for 1977 | F | 9,000 |
| Net decrease | F | 4,500 |

Calculated on the basis of possible replacement requirements.

(e) Biennial home leave for non-French officials

| | | |
|-------------------------|---|--------|
| Estimate for 1978 | F | 10,000 |
| Budget for 1977 | F | 7,102 |
| Net increase | F | 2,898 |

Based on the number of staff entitled to home leave in 1977.

(f) Medical examination

| | | |
|-------------------------|---|-------|
| Estimate for 1978 | F | 3,000 |
| Budget for 1977 | F | 2,614 |
| Net increase | F | 386 |

Head II — Expenditure relating to the sessions of the Assembly**Sub-Head 3****1. TEMPORARY STAFF**

Temporary staff required for the sessions of the Assembly

| | | |
|-------------------------|---|---------|
| Estimate for 1978 | F | 396,000 |
| Budget for 1977 | F | 366,000 |
| Net increase | F | 30,000 |

The basis of the calculation is two part-sessions in Paris making a total of 10 sitting days.
See the explanatory memorandum, paragraph 3.

2. LINGUISTIC STAFF**(A) Interpretation Services**

(a) Interpretation services required for the sessions of the Assembly

| | | |
|-------------------------|---|---------|
| Estimate for 1978 | F | 178,000 |
| Budget for 1977 | F | 165,000 |
| Net increase | F | 13,000 |

See the explanatory memorandum, paragraph 3.

(b) Interpretation services required for meetings of committees between sessions

| | | |
|-------------------------|---|---------|
| Estimate for 1978 | F | 160,000 |
| Budget for 1977 | F | 150,000 |
| Net increase | F | 10,000 |

See the explanatory memorandum, paragraph 3.

(B) Translation Services**Temporary translators for the sessions of the Assembly**

| | |
|-------------------------|------------------|
| Estimate for 1978 | F 346,000 |
| Budget for 1977 | <u>F 321,000</u> |
| Net increase..... | F 25,000 |

See the explanatory memorandum, paragraph 3.

3. INSURANCE FOR TEMPORARY STAFF

| | |
|-------------------------|---------|
| Estimate for 1978 | F 5,000 |
| Budget for 1977 | F 5,000 |
| Estimate unchanged | |

4. INSTALLATION OF EQUIPMENT FOR THE SESSIONS

| | |
|-------------------------|------------------|
| Estimate for 1978 | F 173,000 |
| Budget for 1977 | <u>F 158,000</u> |
| Net increase..... | F 15,000 |

This calculation is based on the installations necessary for two part-sessions held in Paris.
See the explanatory memorandum, paragraph 3.

5. MISCELLANEOUS EXPENDITURE DURING THE SESSIONS

| | |
|-------------------------|-----------------|
| Estimate for 1978 | F 44,000 |
| Budget for 1977 | <u>F 40,000</u> |
| Net increase | F 4,000 |

See the explanatory memorandum, paragraph 3.

Head III — Expenditure on premises and equipment**Sub-Head 4****PREMISES**

| | |
|-------------------------|------------------|
| Estimate for 1978 | F 182,000 |
| Budget for 1977 | <u>F 165,000</u> |
| Net increase | F 17,000 |

This estimate has been calculated on the basis of the Assembly's share in maintenance costs and hire of committee rooms.

See the explanatory memorandum, paragraph 4.

Sub-Head 5**CAPITAL EQUIPMENT**

| | |
|-------------------------|-----------------|
| Estimate for 1978 | F 70,000 |
| Budget for 1977 | <u>F 83,000</u> |
| Net decrease | F 13,000 |

See the explanatory memorandum, paragraph 4.

Head IV — General administrative costs*Sub-Head 6*

POSTAGE, TELEPHONE, TELEGRAPH CHARGES, TRANSPORT OF DOCUMENTS

| | |
|-------------------------|------------------|
| Estimate for 1978 | F 260,000 |
| Budget for 1977 | <u>F 250,000</u> |
| Net increase | F 10,000 |

See the explanatory memorandum, paragraph 5.

Sub-Head 7

PAPER, STATIONERY AND OFFICE SUPPLIES

| | |
|-------------------------|------------------|
| Estimate for 1978 | F 150,000 |
| Budget for 1977 | <u>F 135,000</u> |
| Net increase..... | F 15,000 |

See the explanatory memorandum, paragraph 5.

Sub-Head 8

PRINTING AND PUBLISHING OF ASSEMBLY DOCUMENTS

| | |
|-------------------------|-----------|
| Estimate for 1978 | F 680,000 |
| Budget for 1977 | F 680,000 |
| Estimate unchanged | |

Sub-Head 9

PURCHASE OF DOCUMENTS, REFERENCE WORKS, ETC.

| | |
|-------------------------|-----------------|
| Estimate for 1978 | F 22,500 |
| Budget for 1977 | <u>F 19,500</u> |
| Net increase..... | F 3,000 |

See the explanatory memorandum, paragraph 5.

Sub-Head 10

OFFICIAL CARS

| | |
|-------------------------|-----------------|
| Estimate for 1978 | F 40,000 |
| Budget for 1977 | <u>F 22,000</u> |
| Net increase | F 18,000 |

In the absence of a car belonging to the Assembly, provision must be made for the hire of chauffeur-driven cars for the President of the Assembly and the Clerk.

See the explanatory memorandum, paragraph 5.

Sub-Head 11

BANK CHARGES

| | |
|-------------------------|--------------|
| Estimate for 1978 | F 500 |
| Budget for 1977 | <u>F 500</u> |
| Estimate unchanged | |

Head V — Other expenditure*Sub-Head 12***TRAVEL AND SUBSISTENCE ALLOWANCES AND INSURANCE FOR THE PRESIDENT OF THE ASSEMBLY, CHAIRMEN OF COMMITTEES AND RAPPORTEURS**

| | |
|-------------------------|----------|
| Estimate for 1978 | F 55,000 |
| Budget for 1977 | F 55,000 |
| Estimate unchanged | |

Travel and subsistence allowances for members of the Assembly attending committee meetings, including meetings of the Presidential Committee, are paid by the governments.

The Assembly is responsible for travel and subsistence allowances for visits by the President of the Assembly, Rapporteurs and, on occasion, Committee Chairmen when such visits are connected with the preparation of a report or Assembly business. Journeys by Chairmen and Rapporteurs are subject to the approval of the Presidential Committee.

*Sub-Head 13***EXPENSES FOR REPRESENTATION AND RECEPTIONS**

| | |
|-------------------------|-----------|
| Estimate for 1978 | F 100,000 |
| Budget for 1977 | F 90,000 |
| Net increase | |
| | F 10,000 |

See the explanatory memorandum, paragraph 6.

*Sub-Head 14***COMMITTEE STUDY MISSIONS**

| | |
|-------------------------|---------|
| Estimate for 1978 | F 3,000 |
| Budget for 1977 | F 3,000 |
| Estimate unchanged | |

*Sub-Head 15***OFFICIAL JOURNEYS OF MEMBERS OF THE OFFICE OF THE CLERK**

| | |
|-------------------------|-----------|
| Estimate for 1978 | F 155,000 |
| Budget for 1977 | F 140,000 |
| Net increase | |
| | F 15,000 |

See the explanatory memorandum, paragraph 6.

*Sub-Head 16***EXPENSES OF EXPERTS AND THE AUDITORS**

| | |
|-------------------------|----------|
| Estimate for 1978 | F 24,000 |
| Budget for 1977 | F 22,000 |
| Net increase | |
| | F 2,000 |

See the explanatory memorandum, paragraph 6.

*Sub-Head 17***EXPENDITURE ON INFORMATION**

| | |
|-------------------------|----------|
| Estimate for 1978 | F 36,000 |
| Budget for 1977 | F 33,000 |
| Net increase | |
| | F 3,000 |

See the explanatory memorandum, paragraph 6.

Sub-Head 18

EXPENSES FOR GROUPS OF THE ASSEMBLY

| | | |
|-------------------------|---|---------------|
| Estimate for 1978 | F | 17,000 |
| Budget for 1977 | F | <u>15,000</u> |
| Net increase | F | 2,000 |

See the explanatory memorandum, paragraph 6.

Sub-Head 19

CONTINGENCIES AND OTHER EXPENDITURE NOT ELSEWHERE PROVIDED FOR

| | | |
|-------------------------|---|--------------|
| Estimate for 1978 | F | 3,000 |
| Budget for 1977 | F | <u>3,000</u> |
| Estimate unchanged | | |

Sub-Head 20

NON-RECOVERABLE TAXES

| | | |
|-------------------------|---|--------------|
| Estimate for 1978 | F | 10,000 |
| Budget for 1977 | F | <u>7,000</u> |
| Net increase | F | 3,000 |

See the explanatory memorandum, paragraph 6.

*Head VI — Pensions**Sub-Head 21*

PENSIONS, ALLOWANCES, ETC.

(A) *Pensions*

| | | |
|-------------------------|---|-----------------|
| (a) Retirement pension | | |
| Estimate for 1978 | F | 40,000 |
| Estimate for 1977 | | <u>pro mem.</u> |
| Net increase | F | 40,000 |

See the explanatory memorandum, paragraph 7.

(b) Invalidity pension pro mem.

| | | |
|-------------------------|---|-----------------|
| (c) Survivors' pension | | |
| Estimate for 1978 | F | 22,000 |
| Estimate for 1977 | | <u>pro mem.</u> |
| Net increase | F | 22,000 |

See the explanatory memorandum, paragraph 7.

(d) Orphans' pension pro mem

(B) *Allowances*

pro mem.

(C) *Severance grant*

pro mem.

(D) *Payments to member States for validation*

pro mem.

**Draft budget of the administrative expenditure
of the Assembly for the financial year 1978**

**AMENDMENT No. 1¹
tabled by Lord Selston**

Summary of revised estimates for the financial year 1978

| Details | Initial estimate for 1978 Frs. | Amended estimate for 1978 Frs. |
|--|---|---|
| <i>Head I</i> : Expenditure for staff | 5,026,000 | 4,807,000 |
| <i>Head II</i> : Expenditure relating to temporary personnel | 1,302,000 | 1,302,000 |
| <i>Head III</i> : Expenditure on premises and equipment | 252,000 | 252,000 |
| <i>Head IV</i> : General administrative costs | 1,153,000 | 1,153,000 |
| <i>Head V</i> : Other expenditure | 403,000 | 403,000 |
| <i>Head VI</i> : Pensions | 62,000 | 62,000 |
| TOTAL EXPENDITURE | 8,198,000 | 7,979,000 |
| TOTAL RECEIPTS | 92,000 | 201,000 |
| NET TOTAL | 8,106,000 | 7,778,000 |

Changes in the draft budget for the financial year 1978

Head I — Expenditure for staff

Sub-Head 2 — (B) Social charges

(c) Provident fund²

instead of: Frs. 437,000 read: Frs. 218,000.

Income — (B) Pensions²

(a) Contributions (7 %)

instead of: Frs. 17,000, read: Frs. 126,000.

1. See 10th Sitting, 29th November 1977 (Amendment agreed to).

2. See Document 750, Addendum, paragraph 2.

**DRAFT BUDGET OF THE ADMINISTRATIVE EXPENDITURE
OF THE ASSEMBLY FOR THE FINANCIAL YEAR 1978**

***Letter from the Secretariat-General dated 11th November 1977
and Secretary-General's note***

11th November 1977

Dear Mr. Humblet,

I am writing to inform you that the Council have now examined the WEU Assembly budget for 1978 and, in accordance with the agreed procedure, have expressed a favourable opinion on the budget as amended in paragraph 4 of document C-B (77) 8.

Yours sincerely,

P. B. FRASER
Assistant Secretary-General

Mr. F. Humblet,
Clerk of the Assembly of
Western European Union,
43, avenue du Président Wilson,
75775 Paris CEDEX 16.

Secretary-General's note
WEU Assembly budget for 1978

1. The draft budget of the WEU Assembly for 1978 (Assembly document A/WEU/BA (77) 4) was circulated under reference B (77) 11 and was examined by the Budget and Organisation Committee at its meeting in London on 29th September (BR (77) 1, VII — to be circulated).
2. Delegates noted that the only new element in the budget stemmed from the introduction of the pension scheme. They observed, however, that credits in this as well as in the WEU budget for 1978 covering the organisation's contributions to the WEU provident fund did not take account of the fact that, in the early part of the year, a number of serving staff would join the pension scheme. It was agreed that the budget estimates should be modified to assume that at least 50 % of the staff would join the scheme thereby permitting the provident fund estimate to be reduced and pensions contribution income to be correspondingly increased. The financial consequences of this decision appear below.
3. Examining the remainder of the budget, there was general agreement that a positive effort should be made to combat the effect of rising prices. Delegates specifically referred to a number of items of expenditure which were increased in 1978 and proposed the reductions itemised in paragraph 4 below. There was support for the view, expressed by one delegate, that future budgets of the organisation should not be permitted to increase at a rate beyond that acceptable to member States in the context of their national budgets.
4. In accordance with the recommendations of the Budget and Organisation Committee the following estimates would be modified as shown :

Head I — Expenditure for staff

Sub-head 2 (B) (c) — Provident fund (see paragraph 2 above)

Credit reduced by Frs. 219,000 from Frs. 437,000 to Frs. 218,000.

Head IV — General administrative costs

The following credits to be reduced :

Sub-head 7 — Paper, stationery, etc. by Frs. 3,000 from Frs. 150,000 to Frs. 147,000 ;

Sub-head 10 — Official car by Frs. 3,000 from Frs. 40,000 to Frs. 37,000.

Head V — Other expenditure

Sub-head 13 — Expenses for representation, etc. by Frs. 2,000 from Frs. 100,000 to Frs. 98,000 ;

Sub-head 15 — Official journeys of members of the Office of the Clerk by Frs. 2,000 from Frs. 155,000 to Frs. 153,000.

Income — (B) Pensions (see paragraph 2 above)

(a) Contributions (7 %)

Increased by Frs. 109,000 from Frs. 17,000 to Frs. 126,000.

The net effect of these changes would be to reduce the total of the budget by Frs. 338,000 from Frs. 8,106,000 to Frs. 7,768,000.

5. Under the agreed procedure for the approval of Assembly budgets, given in paragraph 5 of the cover-note to document B (77) 11, the next stage is for the Council to give its opinion on the budget, indicating either preparedness to accept the draft or proposing amendments. That opinion is to be conveyed to the Assembly prior to the next session which commences in Paris on 28th November 1977. After the session, the budget will be referred back to the Council for final approval.

6. The Council's opinion will be sought at the meeting to be held on 19th October 1977.

**Procedure for electing the President of the Assembly
when there is only one candidate**

REPORT¹

**submitted on behalf of the Committee on Rules of Procedure and Privileges²
by Mr. Jessel, Rapporteur**

Explanatory Memorandum

(submitted by Mr. Jessel, Rapporteur)

1. When there is only one candidate for the Presidency of the Assembly, it is customary for him to be elected by acclamation. However, at the last session certain members of the Assembly, without nominating another candidate, wished to express either abstention or even opposition. In the absence of a precedent, the Provisional President, asked how such abstention or opposition could be expressed, stated: "Those who wish to vote for the candidate should place their ballot paper in the envelope, those who do not wish to vote for the candidate should strike out his name, and those who wish to abstain should refrain from placing the ballot paper in the envelope."

2. This procedure exasperated some members of the Assembly. The unconstructive opposition expressed by striking out the name of the only candidate without proposing another appeared

to be at the very most a demonstration of bad temper. In fact it was tantamount to an abstention; it did not enhance the dignity of the Assembly.

3. Moreover, election of the only candidate should reflect the Assembly's unanimity or near-unanimity, failing which a contested election would definitely be preferable.

4. Were such a situation to reoccur, the Provisional President should inform members of the Assembly that with only one candidate abstentions may be expressed by means of a blank or spoiled paper (by striking out the name of the candidate, refraining from placing a ballot paper in the envelope or by placing a blank paper in the envelope), but that opposition may be expressed only by nominating another candidate in accordance with the rules and voting for him.

1. Adopted unanimously by the Committee.

2. *Members of the Committee:* Mr. Borghi (Acting Chairman); Mr. Grieve (Alternate: *McGuire*) (Vice-Chairman); MM. Brasseur (Alternate: *Van der Elst*), *Burckel*, Cerneau (Alternate: *Péridier*), Craigen, Mrs. Faccio (Alternate: *Treu*), MM. *Giust*, van Hulst

(Alternate: *de Koster*), *Jessel*, Konen, du Luart, Marquardt, Dr. Phipps (Alternate: *Lewis*), MM. Pignion, Schäuble, Schmidhuber, Sgherri (Alternate: *Sarti*), Van Aal, Voogd, Zebisch.

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

Relations with Parliaments

INFORMATION REPORT ¹

**submitted on behalf of the
Committee for Relations with Parliaments ²
by Mr. Reid, Rapporteur**

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DRAFT ORDER

on laws governing elections to the European Parliament and the broadcasting of parliamentary debates on radio and television

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submitted by Mr. Reid, Rapporteur

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- V. Systems for allocating seats in parliamentary assemblies
- VI. Questionnaire on broadcasting parliamentary debates on radio and television

1. Adopted unanimously by the Committee.

2. *Members of the Committee* : Mr. Radius (Alternate for Mr. Delorme) (Chairman) ; MM. Schlingemann, Enders (Vice-Chairmen) ; MM. Arfé (Alternate : Borghi), Bonnel, De Poi (Alternate : Giust), Farr (Alternate : Mrs. Knight), Hengel, Jeambrun, Reddemann, Roper

(Alternate : Reid), Spautz, Stoffelen, Tanghe (Alternate : Dejardin).

Also present : Mr. Antoni.

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

Draft Order

***on laws governing elections to the European Parliament
and the broadcasting of parliamentary debates on radio and television***

The Assembly,

Having noted the report of the Committee for Relations with Parliaments on the laws governing elections to the European Parliament and the impact of radio and television on parliamentary debates and the public,

INSTRUCTS THE COMMITTEE

To up-date this report as decisions are taken in national legislatures and particularly in respect of :

- (i) voting systems, regional weighting, dual mandate and electoral rules and procedures ;
- (ii) laws governing the broadcasting of parliamentary debates on radio and television.

Information Report
(submitted by Mr. Reid, Rapporteur)

I. Introduction

1. The Committee for Relations with Parliaments decided during its meeting in Rome on 27th June to prepare reports on the broadcasting of parliamentary debates and on the laws governing the election of the European Parliament. Your Rapporteur was appointed on 4th July.

2. The months of August and September are not the best time to extract information from the parliaments of the WEU countries, and at the time of writing (1st October) replies are still awaited from three legislatures. In addition direct elections are still under active consideration in most parliaments, and in others broadcasting is also being reviewed. What follows therefore is purely an interim report which will require to be up-dated in due course.

3. Consideration has been given to the possibility of rewriting the reports by Mr. Péronnet on regional assemblies and the Assembly of WEU. Developments in the Netherlands, Luxembourg, Belgium, Italy and the United Kingdom in recent years provide much additional material. In balance, however, it was thought better not to tackle this subject until devolutionary bills for Scotland and Wales had completed their passage through the House of Commons, so allowing a pan-WEU review of the situation.

4. The Committee hopes that the manner in which its reports have been written since November 1976 makes for more interesting reading and for greater assistance to members of the Assembly of WEU.

II. Activities of the Committee

5. On 3rd and 4th November 1977, the Committee visited the Federal German parliament in Bonn and also the Landtag, the regional parliamentary assembly of Hesse in Wiesbaden. At the same time the government of that Land held discussions with the Committee. Texts of statements made will be appended to the next report, since there was insufficient time for editing and translating them before the session of the Assembly.

6. As can be seen from the table at Appendix I, the frequency of these visits varies very much from one country to another. Four countries have afforded hospitality to the Committee on two occasions over the past fourteen years, one country on three occasions. Naturally it would be quite wrong to deduce from these figures that

WEU is more favoured in some member States than others, since account should also be taken of visits paid by other Committees. An overall picture would doubtless show a very balanced WEU presence throughout our member countries.

7. Nevertheless your Rapporteur feels that since the Committee for Relations with Parliaments is the link between WEU and individual legislatures, it is proper that the four countries which have been visited only twice in the past fourteen years should be the next to receive visits. Moreover, as a Scot who has been deeply involved in proposals at Westminster to set up a Scottish sub-parliament, your Rapporteur feels that it would be helpful if some of these visits could be paid to regional assemblies in WEU countries and not just to capital cities. Given the importance of "regionalism" in many of the countries, this is a matter of general interest to the Committee.

8. Your Rapporteur is also concerned about the lack of press and media coverage of WEU affairs, and particularly at regional level. He hopes that it will be possible for the information directorate to issue a brief résumé of the Committee's business after each meeting and to advise members of the channels which exist for the issue of press releases to their local newspapers and other media.

9. The Committee has selected two recommendations for official transmission to the presidents of the national parliaments:

- 298 on the political activities of the Council;
- 299 on the application of the Brussels Treaty.

10. All the texts adopted by the WEU Assembly are regularly sent to all members of our national parliaments in our small booklet "Texts adopted and brief account of session". Around 3,000 parliamentarians receive copies of this booklet in our five languages in the weeks following each session.

11. The summer holidays and various political crises have made it difficult for members to put questions. As of 15th September the secretariat of the Committee has been able to register only 8 Italian, 4 French and 1 German intervention. More activities could probably have been recorded, however, if only all members would send in accounts of their WEU follow-up actions: debates, oral and written questions, visits to ministers, etc.

III. Laws governing elections to the European Parliament

12. Your Rapporteur sent a questionnaire on this subject to all parliamentary assemblies of the seven member countries of Western European Union on 25th July 1977 (Appendix IV). To date, replies have been received from France, Federal Republic of Germany, the Netherlands, Belgium, and the United Kingdom. While the matter has been discussed at committee level in Italy, the parliamentary clerks there did not feel free to answer the questionnaire until a draft bill had been presented.

13. Your Rapporteur is therefore in the difficult position of having to work with incomplete information, which he has tried to supplement where possible from media sources. He has also the problem of having to comment on matters which are still under active consideration by national legislatures and at a delicate stage of discussion in several member countries. At this stage, therefore, he has confined himself to producing a largely information document and to delineating areas of common concern to WEU representatives.

14. He hopes that the Assembly will permit him to up-date his material as legislation progresses in the parliaments of member countries.

A. Action by the European Communities

15. Article 138 of the EEC Treaty of Rome commits member States to hold direct elections. At the European Communities Heads of Government meeting in Paris in December 1974, seven of the nine set a target date for elections in 1978, the United Kingdom and Denmark reserving their position. Following the "yes" vote in the June 1975 referendum, a clear British commitment to direct elections was given in December 1975.

16. Agreement among all member States was reached on 20th September 1976 with the signing of the convention "Act concerning election of the representatives of the assembly by direct universal suffrage" which provides, *inter alia*, for :

- a European assembly of 410 representatives, elected for a fixed term of five years ;
- elections to be held in all member States within an agreed Thursday-Monday period, designated in the first instance by the Council of Ministers. May-June 1978 to be the chosen period ;
- membership of national parliaments not to constitute incompatibility, and each legislature to be free to make its own choice about the dual mandate ;

— the first directly-elected assembly to draw up a proposal for a uniform electoral procedure, and meanwhile governments can choose their own proposals ;

— the 410 representatives to be divided among member States as follows : France, Federal Republic of Germany, Italy and United Kingdom — 81 each ; Netherlands — 25 ; Belgium — 24 ; Denmark — 16 ; Ireland — 15 ; Luxembourg — 6.

17. The act does not come into force until all the member States have ratified it. In section B your Rapporteur gives a brief sketch of his understanding of what stage legislation has reached in WEU member countries.

B. Action by WEU member countries

(i) Belgium (24 seats)

18. The bill ratifying the Community act of September 1976 is under study by the parliament's Foreign Affairs Committee. So far, no bill on electoral law has been published.

19. All parties in Belgium are agreed on a system of proportional representation. There have been disagreements, however, on how the country's 24 seats are to be distributed between the French-speaking and Flemish-speaking communities, with Brussels also asking for separate treatment. The Prime Minister, Mr. Tindemans, has suggested national lists for the whole country, while the former Minister of the Interior, Mr. Michel, has proposed a repartitioning of the 24 seats into three "regions": 12 for Flanders, 8 for Wallonia and 4 for Brussels. The Egmont agreement of May 1977 provided for 13 seats to be allocated to the Flemish-speaking and 11 seats to the French-speaking list ; residents in the Brussels area would be able to designate which list they vote upon.

(ii) Federal Republic of Germany (81 seats)

20. The Community act was ratified by the Bundestag on 16th June and by the Bundesrat on 24th June.

21. The electoral bill, however, has been facing certain difficulties. A bill was tabled by the government on 30th March which provided for proportional representation through national lists with a minimum of 5 % of the votes needed for election. On 6th May, however, this was rejected by the Bundesrat in favour of Land (regional) lists. The latter proposal is intended to translate the federal nature of West Germany to the European assembly, which the government argues is catered for by the 5 % threshold. Broadly the government parties — social democrats and free democrats — have been in favour of national lists ; the opposition parties — christian demo-

crats and christian social union — in favour of regional lists. But the Bavarian social democrats, for example, have declared for regional lists. The debate continues in the autumn.

22. The Government of the Federal Republic has declared that, in view of the special situation of Berlin, the House of Deputies there will elect representatives to those seats (three) within the German quota which fall to Land Berlin.

(iii) *France (81 seats)*

23. At one time it was widely thought that France would face considerable difficulties in passing the necessary European elections legislation. In the event, France is the first country to complete both ratification and the passage of the electoral bill. In the face of possible opposition to the elections from both the communists and the Gaullists, President Giscard d'Estaing referred the issue in 1976 to the French constitutional court. They ruled that no constitutional objections existed, since no increase in the European Parliament's powers was involved. In the spring, the communists declared support in principle for the elections. A large body of Gaullists, however, continued to have doubts. When the ratification bill was presented to the National Assembly on 16th June, Article 49.3 of the French constitution was therefore invoked: the opponents of the measure declined to table a motion of no confidence, and the act was ratified. On 24th June the Senate voted by 220 to 0 with 23 abstentions in favour of ratification.

24. On 25th May an electoral bill was tabled by the government providing for proportional representation by national lists (as opposed to the single-member seat system used for National Assembly elections). The *plus forte moyenne* system of proportionality will be used (see Appendix V), with seats going to candidates in order of presentation on their party's list. This bill was passed with minor amendments by the Assembly on 21st June (474 votes to 2) and by the Senate on 29th June (256 votes to 0).

25. French citizens resident in other countries will be able to vote for a French member if they are inscribed in the national election lists. Also voting as part of France will be the five French overseas departments (Guyane, Guadeloupe, Martinique, Réunion, St. Pierre and Miquelon) and the French overseas territories (Polynesia, New Caledonia, Mayotte).

(iv) *Italy (81 seats)*

26. Italy was the first country to ratify the Community act. It was approved by the Chamber of Deputies on 17th February by 384 votes to 16, and by the Senate on 24th March, unanimously.

27. There is general agreement on proportional representation by the list system, but so far no electoral bill has been published.

28. Discussion in committee and among the parties has revealed support for national lists, for lists covering all twenty existing regions, and for a division of the country into three — north, centre, south and islands. The government of the autonomous region of Val d'Aosta has tabled its own bill in the Italian Senate, seeking its own representative in the European assembly.

(v) *Luxembourg (6 seats)*

29. The Luxembourg Parliament ratified the Community act on 5th July, by 54 votes to 5. A draft elections bill is currently being discussed between the parties.

30. The system of election will be proportional representation, though it is not yet decided whether there will be more than one constituency, there being support both for a single one and for two: Luxembourg city and the rest of the country. Whichever is decided, the outcome is not expected to be different. The return of two social christians, two socialists and two liberals is predicted.

(vi) *Netherlands (25 seats)*

31. The Community act was ratified, by acclamation, in the *Tweede Kamer* (lower house) on 23rd June; and by the *Eerste Kamer* (upper house) on 28th June. The elections bill will provide for proportional representation in a single national constituency. The elector will be able to vote for any given candidate on a list, but if this candidate collects less than 380,000 personal votes he will not be elected, and his votes will be distributed in order of party preference (i.e. list order). "Left-over" votes and seats will be distributed according to the d'Hondt system (see Appendix V). Immigrants from other EEC countries who do not have the vote at home will probably be able to vote in the Netherlands.

(vii) *United Kingdom (81 seats)*

32. The European assembly elections bill was published on 24th June and given a second reading (a favourable vote on the principle) by the House of Commons on 7th July by 394 votes to 147. The Conservative, Liberal and Scottish National Parties were in favour, the Labour Party split (132 for, 124 against) and the majority of the Ulster Unionists opposed. It will be necessary for the government to reintroduce the bill in the next session of parliament, beginning in November.

33. The bill divides the United Kingdom into its constituent nations: of the total 81 seats, England will get 66, Scotland 8, Wales 4 and

Northern Ireland 3. The bill is curious in format in that it proposes voting by the regional list system for Great Britain, while allowing the Commons to replace this with simple majorities in single member constituencies ("first past the post"). Northern Ireland, regardless, will elect its representatives by the single transferable vote system, as in the Irish Republic. (See Appendix V for description of these systems.)

34. If the regional list system stands, England will be divided into nine regional constituencies returning from three to fourteen members. If the Commons opts for single-member seats, these will be based on an amalgam of two or more parliamentary constituencies with an electorate as near as possible the area's electoral quota (e.g. total Scottish electorate divided by eight).

35. For the proportional representation system, the parties would be listed alphabetically in vertical order on the ballot paper, with candidates

listed horizontally, again in alphabetical order. Seats would be allocated on the d'Hondt principle to parties, with the party seat being filled by their candidates in order of their personal vote. For "first past the post" the candidates would be listed alphabetically and "the winner takes all", regardless of the percentage size of his vote.

36. The bill will be keenly contested at Westminster and progress will be dependent on a successful guillotine motion to time-table it thereafter.

C. Impact on the WEU countries

37. Before commenting on the detailed provisions of national legislation on direct elections, your Rapporteur feels that it may be helpful to set out a table showing the statistical effect of the allocation of seats on the population of member countries :

| Country | Population | Electorate | Seats | Population per representative |
|-----------------------------|------------|------------|-------|-------------------------------|
| Belgium | 9,883,302 | 6,416,662 | 24 | 267,000 |
| France | 52,655,802 | 33,752,779 | 81 | 417,000 |
| Federal Republic of Germany | 61,832,000 | 41,600,000 | 81 | 514,000 |
| Italy | 55,812,000 | | 81 | |
| Luxembourg | 359,000 | | 6 | |
| Netherlands | 14,000,000 | 9,500,000 | 25 | 380,000 |
| United Kingdom | 56,042,000 | 40,960,843 | 81 | 507,000 |

38. These figures show a substantial "weighting" in representation towards the smaller member States (and, in your Rapporteur's opinion, rightly so). They also conceal disparities within "national" totals. Within the British figures, for example, there is a similar "weighting" towards Scotland (population per representative 473,000 compared to 514,000 for England), but Scotland is disadvantaged in seats per population in comparison to the Benelux countries. This is a subject on which your Rapporteur has had representations from groups in Belgium, France and Italy and to which he returns under section D.

D. The disfranchised Europeans

39. As direct elections to the European Parliament will take place at the same time throughout the whole Community, and as more and more nationals from one member country are now residing in another without changing their nationality, how widely can the EEC franchise be extended? Such persons belong to one of the

nations which will vote, live in one of the others, and have vested interest in the outcome of the election and the composition of the parliament.

40. Your Rapporteur first attempted to establish the size of the problem, and requested an estimate from each WEU assembly of how many nationals are currently living in another EEC country. He received the following information on the number of expatriates living elsewhere in the EEC :

| | | |
|-----------------------------|-------|-----------|
| Belgium | | |
| France | | 299,571 |
| Federal Republic of Germany | | 235,000 |
| Italy | | 1,400,000 |
| Luxembourg | | |
| Netherlands | | 300,000 |
| United Kingdom | | 270,000 |

41. Given the fact that over 2,500,000 Europeans fall into this category, he then attempted to establish what voting rights they currently have.

42. In *Luxembourg*, citizens who reside in another Community country have no right to vote in home elections. In *Belgium*, members of the public service posted abroad have the right to vote by proxy, and their names are entered in the electoral roll of the commune where they last lived. In the *Federal Republic of Germany*, members of the public service and armed forces and their spouses who are posted abroad are eligible to vote (Bundeswahlgesetz, Section 12). In *France*, members of the public service posted abroad have the right to vote by proxy or by post. In the *United Kingdom*, members of the public service and armed forces and employees of the British Council, and their spouses, are eligible to vote by proxy. Similar provisions have recently been adopted in the *Netherlands*. In *Italy*, citizens living abroad can, if registered on the electoral roll there, vote in their home commune.

43. In recent years certain immigrants' councils have obtained the right to be consulted at municipal level in Belgium, the Federal Republic of Germany and the Netherlands. There have also been proposals in the Belgian and Italian parliaments to extend voting rights to immigrants in local elections: they have not yet been discussed in committee however.

44. The imminence and special nature of direct elections to the European Parliament have led all WEU member countries to take a fresh look at the problem. Broadly, their response falls into two categories:

- to extend the franchise to nationals living in another EEC State by giving them the vote in their home country, either by returning there to vote, by proxy or postal vote, or by voting in the nearest embassy or consulate;
- to allow such nationals voting rights in the host country.

45. In *France*, citizens will have the right to vote provided they are inscribed on the national election lists; no voting will be possible inside France for nationals of other EEC countries. In the *Federal Republic of Germany*, all citizens living within the European Communities will be enfranchised; those who live outwith the EEC will not, nor will other EEC nationals living within the Federal Republic of Germany be allowed to vote there. In the *United Kingdom*, the Select Committee on Direct Elections (of which your Rapporteur was a member) recommended that the right to vote at home in Community elections be extended world-wide to all nationals who satisfied the 1971 Immigration Act. This was subsequently refused by the government.

46. In *Italy*, the permanent committee for emigration met on 12th July to consider the problem: reciprocity was suggested — if the franchise were extended to Italians in a host

country, then similar rights might be given to citizens of that country in Italy. The matter of bilateral agreements, or of writing such a clause into the elections bill, will be considered later this year.

47. No final decision has yet been taken in the *Netherlands*. Your Rapporteur is informed, however, that Dutch nationals resident in other EEC countries will probably be entitled to vote at home, provided they sign a declaration stating that they will not make use of any voting rights in their host country. Immigrants to the Netherlands from other EEC countries will probably be allowed to vote if they have no voting rights in their own country.

48. There are three problems here: the first is to ensure that all citizens of EEC member States, resident within the Community, have the right to vote; the second is to avoid double voting; and the third is to avoid different practices being established in different States.

49. Since this is a matter which falls within the competence of the national legislators of the EEC, your Rapporteur trusts that the Council of Ministers will take steps to co-ordinate proposals for enfranchisement. It is his personal view that *all* the potential 181,000,000 electors in the Community from the Shetland Isles to Sicily and from Brittany to Berlin should have the vote, and that if all member States enabled their citizens resident abroad to vote in their home country by one means or another, adequate control of double voting could be exercised.

E. Regionalism and direct elections

50. To what extent should the ancient nations, regions and provinces of Europe be represented through the agency of direct elections? As power and decision-making are concentrated at the centre, to what extent should there be a corresponding growth of decision-making at the periphery? What can direct elections do for the cultural, linguistic and economic identities of Europe's "regions"? When the elections are held, will candidates say "I am a Fleming — and a European", "I am a Scot — and a European", leapfrogging their own "national" legislatures? What links can be established between the European Parliament and regional assemblies in member States?

51. As a Scot, it is inevitable that your Rapporteur should be interested in this area. But it is worth noting that the regional/national approach to direct elections has been part of the discussions leading to draft bills in most WEU countries.

52. The question of the separate representation of the Flemish-speaking and Francophone communities has dominated proposals in *Belgium*. The *United Kingdom* bill is openly regionalist

in approach, in response to political developments in Scotland, Wales and Northern Ireland: no matter which voting system is chosen, a separate number of seats has been reserved to each of them. In the *Federal Republic of Germany*, the differing proposals of the Bundestag and Bundesrat and between government and opposition centre on whether a unitary or federal approach should be adopted towards the assembly. Is a 5% threshold sufficient to guarantee representation to regional parties, as the German Government argues? (In Scotland it would mean the Scottish National Party having to gain 60% of the Scottish vote to qualify.) In *Italy*, proposals to base direct elections on the twenty regions or on three super-regions have been steadily canvassed. On 20th June 1977 the government of the Val d'Aosta region tabled a draft bill in the Italian Senate, seeking one locally-elected European representative, and your Rapporteur understands that a similar proposal is under active consideration in the Trentino-Alto Adige. The problem does not arise to the same extent in the *Netherlands* or in *Luxembourg* (though, in the latter case, there is a vigorous debate about separate constituencies for Luxembourg city and the rest of the country). In *France*, the government has steadfastly followed a unitary approach to direct elections: Bretons and Corsicans for example are to vote on exactly the same kind of ballot paper as Alsations and everyone else.

53. Your Rapporteur is well aware that the issues of regional identity and the self-determination of national minorities is largely a matter for the legislatures of individual WEU countries. Nonetheless, he believes that these are important threads in the direct elections skein (and with the return of the Generalitat to Catalonia, they are likely to become more important still). He asks the Assembly to note the growing importance of regionalism, and to commission further work in this area.

F. The dual mandate

54. With minor modifications (in the United Kingdom, for example, peers and certain ministers of religion will be able to stand), qualifications for candidature in direct elections are the same as for national elections. How possible, in reality, will it be for someone to be a member of both? And what links are envisaged between representatives in the European Parliament and their national parliaments?

55. Article 5 of the Community act stipulates that "membership of the European Parliament shall be compatible with membership of a parliament of a member State". Individual members may therefore decide whether, in addition to their European mandate, they also wish to belong to their national legislatures. These legislatures

may also lay down conditions and rules governing simultaneous membership, for example:

- members of the European Parliament might also be members of national parliaments with or without voting rights;
- members of the European Parliament might be released from active participation in national parliaments;
- members of the European Parliament might delegate their voting rights in their national parliament to another member.

56. At the moment such rules are under active consideration in the member countries of WEU. From information available to your Rapporteur, there seems general agreement that — for a transitional period at least — the dual mandate must continue for a number of members. This argument is advanced on two grounds: the need for a personal link between the European Parliament and national parliaments, and the political unacceptability in certain countries of a substantial number of members resigning to contest direct elections. In the opinion of your Rapporteur, however, the pressures of work, travel, voting (and in those countries with single-member seats, constituency interest) will in time force representatives to choose which mandate they hold. The dual mandate will wither away.

57. It is already clear that a considerable number of candidates in direct elections will wish to stand for the European Parliament only. If in addition, as your Rapporteur suggests, the dual mandate in time "withers away", how are links to be maintained — and, possibly, institutionalised — between European representatives and their national legislatures? It should be obvious that reams of documentation and published decisions will not be enough. There will need to be face-to-face meetings and discussions.

58. This is a matter which has provoked some discussion in WEU parliamentary circles. In most countries it is forbidden to speak in national assemblies, let alone vote, if one is a non-member. Constitutions and standing orders would have to be re-written.

59. Preliminary talks between the parties in the United Kingdom are indicative of the general approach being adopted. Some members have advocated that European representatives should become members of a reformed House of Lords; others have suggested that they should have speaking, but not voting rights, in the Commons; another grouping is resolutely opposed to European representatives having any right to sit in the national parliament, and propose instead a joint standing committee of national and European members.

60. Since such talks are at a preliminary stage throughout WEU, it is too early for your Rapporteur to draw any conclusions. He does, however, advocate further study of this area.

G. Electoral procedures

61. In the absence of published bills in some WEU countries, your Rapporteur can only pinpoint subjects on which the subsequent publication of comparative tables might prove helpful.

(i) *Deposits*: Candidates will have to furnish a deposit of £500 each in the *United Kingdom*, "sufficient to deter frivolous candidature without unreasonably inhibiting candidates", as the government put it. In *France* the sum is 100,000 French francs per list. In the *Netherlands*, 18,000 Dutch guilders per list. In the *Federal Republic of Germany*, no deposits are required. The deposit will be forfeited in the *Netherlands* if a list collects less than 75 % of the votes corresponding to the electorate per representative, i.e. about 285,000 votes. In *France*, the deposit will be returned only to those lists which obtain more than 5 % of the votes cast. In the *United Kingdom*, the deposit is forfeit from the individual candidate who polls less than 25 % of the electoral quota or from the group candidate where none of the group has been elected and the group has polled less than 25 % of the electoral quota.

(ii) *Ballot papers*: In the majority of WEU countries (with the *United Kingdom* an exception), these will be familiar in form to the elector. The main difference lies between those countries where the electorate chooses simply between lists drawn up by the parties, where the precedence of candidates has already been determined, and those countries (e.g. the *United Kingdom* and the *Netherlands*) where the electorate can choose between candidates of the same party. If the *United Kingdom* decides on the "first past the post" system, the choice will of course be simply between individual candidates. In Northern Ireland, the parties will field teams of three candidates (but standing as individuals rather than as a list); electors will number their candidates in order of preference (1, 2, 3, 4, etc.) and the seats will be allocated according to the "droop quota" method of single transferable vote.

(iii) *Returning officers*: Once all the bills have been published, it will be possible to issue a comparative table.

(iv) *Decisions yet to be taken*: In most countries, the power is given to make adaptations to national electoral rules by order: registration rules and election expenses being mentioned specifically. Governments will also have to decide on a formula for limiting campaign expenses and on the possible use of public funds to assist

candidates. Likewise, rules will have to be drawn up for the premature resignation of representatives from the European Parliament.

(v) *Cost of elections*: Your Rapporteur has sought to calculate a total estimated cost for direct elections. From financial memoranda published by WEU governments, he has obtained the following estimates: *Federal Republic of Germany* — 40 million DM; *Netherlands* — 16 million guilders; *United Kingdom* — £10 million. If your Rapporteur be permitted to extrapolate these figures to other WEU countries, the following table results:

| | F. frs (million) |
|---|---------------------|
| Belgium | 31 |
| France | 85 |
| Federal Republic of Germany (DM 40m) | 86 |
| Italy | 85 |
| Luxembourg | 1 |
| Netherlands (G 16m) | 32 |
| United Kingdom (£10m) | 85 |
| | 405 |

for 379 representatives

62. The estimated cost to national governments, per elected member of the European Parliament, is therefore of the order of 1,068,600 French francs, 497,000 Deutschmarks, 503,500 Dutch guilders, £125,720, 194,300,000 Italian liras, and 7,828,600 Belgian francs.

H. Conclusions

(i) This is largely an information document, aimed at giving parliamentarians an outline view of what progress is being made towards the enactment of a direct elections bill in WEU member States. Since the matter is still under active consideration by national legislatures and since no bill has yet been published in several countries, your Rapporteur does not feel so far able to draw any conclusions apart from the three listed below.

(ii) Given the importance of direct elections in WEU member States, your Rapporteur seeks permission to update this report as decisions are taken in national legislatures, and particularly in the area of voting systems, constituencies, regional weighting, the dual mandate, and election rules and procedures.

(iii) Your Rapporteur submits that the Council of Ministers be urged to take steps to ensure that all member States grant the vote in direct elections to their citizens resident abroad within the European Communities.

(iv) Your Rapporteur asks the Committee to endorse his view that there be no restrictions on

the dual mandate in the first elections to the European Parliament, but that the normal pressures of work, travel, and voting will ultimately force representatives to choose between one mandate and the other.

IV. The impact of radio and television on parliamentary debates and the public

63. On this subject your Rapporteur is in the difficult situation — as the English phrase has it — of being “a poacher turned gamekeeper”. For ten years before he entered parliament, he was a television producer with special responsibility for covering politics, and in the mid-1960s he was closely involved in preparing evidence on the broadcasting of the House of Commons. He has to admit immediately that his media objectives today, as member of parliament, are somewhat different from what they were then, as a television man.

64. As a broadcaster, your Rapporteur was concerned with gaining the maximum audience for his political programmes. This involved the simplification of often very complex issues, and their “humanisation” for the televiewer by the personalisation of argument: two speakers with radically opposed points of view, expressed briefly, were much more likely to gain exposure on television than the conscientious member who wished to examine all the shades of grey of an issue. Members with a specialist knowledge of the finer points of fiscal policy did not appear “on the box” with nearly the regularity of those who pursued the emotive issues (the killing of baby seals, the needs of autistic children, etc.) or who had an immediate comment on the hot news of the day. Subjects in which the member could be intercut with good visual material (baby seals, Concorde, North Sea oil) were obviously favoured by the television staff. Ministers were much more likely to be featured than backbenchers. The “set piece” parliamentary occasions — votes of confidence, for example, with their gladiatorial contests — were certain to gain television time: run-of-the-mill committee debates (often of much more immediate importance to the man in the street, and his pocket) were not.

65. (Your Rapporteur should perhaps at this stage remind the reader that there is no television coverage as yet of Westminster, apart from the pomp and circumstance of the formal opening of parliament. The British television producer therefore has to recreate the events of the day on film or in the adjacent television studios. There is no shortage of members wanting to participate: “I can reach more electors in five minutes on the screen than in a year plodding round my constituency”, one said in evidence.)

66. In his television days, your Rapporteur wanted access for his cameras to the actual

chamber for supplementary coverage. Ministerial questions and answers would often be of interest. Snatches of debate would provide the “feel” and atmosphere of parliament at work. “Wide-shots” (a general view of the whole chamber) would be helpful in “bridging” other sequences. The occasional major debate might be covered live and in entirety, though it would play hell with the programme schedules. From time to time there might be the fortuitous gem (Bessie Braddock, an extremely large Labour lady, dancing a jig on the floor of the house; or Michael Heseltine, a strapping Tory, seizing the mace and swinging it high above his head, hence confirming his nickname of “Tarzan”).

67. But is this parliament? Should mediemen ever play impresario to their national legislators? Are some things not better kept discreetly hidden? Can television ever present a fair and true picture of what our parliamentary assemblies do? Can the media help the democratic process and strengthen public participation and understanding?

68. After almost four years in the House of Commons, your Rapporteur is now, of necessity, a gamekeeper. He appreciates that much of what parliament does is boring but important: it does not translate easily into pictures. He is concerned about fairness and overall balance: how to capture the flavour of a debate and not just the collisions of ministers with their opposite numbers; how to ensure that minority parties (admittedly, like his own) are not “squeezed out”; how to remind viewers that the honourable member for Blankshire, who has not been seen on the screen all day, is attending a WEU plenary session in Paris; how to explain that the gentleman with his feet up, who looks ready to drop off to sleep any minute, has actually been speaking and voting in committee somewhere else in the house all night.

69. There is also the problem of what coverage to give to the member who is not a star, but may be rendering indispensable service to his party or constituents. Your Rapporteur recalls suggesting on one occasion, somewhat naively, that the democratic process in Britain demanded that every member should be given the opportunity to appear briefly in a series of constituency reports: given single member seats, it was right and proper that the electorate should see what their parliamentarian looked like, and what his views were. He was taken aside by a chief whip and disabused of the notion very quickly: “Old Bloggs might be an absolute sweetie, but put him on the box and he will lose us half a million votes overnight...”

70. At the opposite extreme, there is the publicity-seeker and “headline-grabber”: the member who very quickly learns to read the cue-lights of cameras and respond accordingly (“A

furious face?" Certainly. "A shrug of disdain?" Coming up now. And often conveying more, without having to go on the record, than a five-minute speech would have done.) There is also the member who will obtain exposure by hook or by crook, and even if it takes half a dozen bogus points of order or interventions to do so.

71. And finally, there is the consideration that broadcasting is shaped by the physical lay-out of our national legislatures, and by their different rules and procedures. A circular chamber poses entirely different problems and opportunities from a face-to-face chamber such as Westminster. Parliaments elected by a list system look very different from those elected by the first-past-the-post method. The very hours when our legislatures are in session can be radically different. Assemblies with a highly-developed committee system might be better served by placing the cameras there, and largely ignoring the speech "for the record" on the chamber floor.

72. Nonetheless, your Rapporteur believes that there is one question common to the broadcasting of all WEU assemblies: *how to use the media as a window on how decisions are taken, by whom, and why; and not simply as a "staged" reflection of formal debates.*

73. Your Rapporteur framed a questionnaire (Appendix VI) aimed specifically at providing answers in this area. Unfortunately only four of the WEU parliaments have so far replied, and in those which have, the clerks have referred him to the national broadcasting organisations¹ on the questions of audience response, members' reaction, and technical equipment. What follows, therefore, is purely an interim report, aimed at:

- (a) giving a pen-portrait of current broadcasting practice in our national assemblies, and
- (b) drawing a few tentative conclusions on what lessons have been learned in those countries where there is radio or television coverage of parliament.

74. Your Rapporteur seeks permission to continue his research, particularly in association with the broadcasting organisations.

A. The current situation

75. There follows a brief statement, per member country of WEU, of your Rapporteur's understanding of the rules and procedures governing the broadcasting of parliamentary debates.

¹ To date, your Rapporteur has had discussions with representatives of the British Broadcasting Corporation and the Independent Broadcasting Authority, and with Mr. Joseph Puly of the first chain in France. He hopes to talk with German broadcasters while in Bonn in November.

(i) Belgium

76. It is only within the last three years that the media have been allowed into the legislature and then only to cover major debates, though recorded extracts are used in news and current affairs programmes. Discretionary powers are accorded to the President of the Chamber to authorise the broadcasting of debates. The coverage is complicated by the two-language situation, but there is pressure in some quarters for a more welcoming attitude to the media.

(ii) France

77. Radio and television were not allowed to broadcast from the National Assembly until 1966, but both now carry "live" relays of major ministerial announcements and debates while there is also extensive use of recorded extracts in other programmes, including news bulletins. Transmissions are regulated both by the law and by parliamentary procedure.

78. General legislative provisions on broadcasting and television entitle each assembly to supervise radio and television broadcasts of parliamentary debates and allocate equal time for parliamentary groups of the majority and of the opposition. The bureau of the National Assembly has issued directives in this sense and a delegation from the bureau, elected each year, exercises *a posteriori* control over broadcasts of parliamentary debates. This delegation intervenes only if the impartiality of broadcasts is contested.

79. Important parts of plenary sittings are also broadcast by audio-visual media in France and Italy. In the French National Assembly, there are elements concerning regularity and organisation in the "live" or recorded broadcasting of important debates which are worthy of mention. Debates in which the government's responsibility is committed and other important debates are televised direct. In debates where the government's responsibility is committed, the assembly's sitting is organised so as to allow broadcasting until 7 p.m., including government statements of unlimited duration and a speech lasting not more than half an hour by a representative of each political group. Televised broadcasts of other important debates are organised so as to include the first speaker from each political group and the government representative. For an important debate, there may be a special recorded half-hour programme after the television news. The time is then divided into three equal parts: government, majority and opposition. The choice of speakers is made by the television authorities in liaison with the leaders of political groups, while the choice of extracts is left to the journalists producing the programme except when leaders of political groups have said they wished specific parts of the debates to be broadcast.

(iii) Germany

80. Apart from a short period when permission to cover proceedings was withdrawn, television and radio have been allowed into the Bundestag since 1953. For regular general coverage film cameras are used, with electronic cameras being brought in for major occasions and to cover the more important committees. There is extensive radio coverage — around 80 % — of plenary sessions.

81. Important parliamentary sessions are televised "live" by NDR3, generally between 9 a.m. and 6 p.m. In addition to "live" programmes of this kind there is a 30 to 40 minute evening summary of the proceedings, including actuality, on NDR1, but in North Germany only. Edited extracts of debates are also shown in news bulletins. On average German viewers see around sixty hours of parliament "live" each year, plus a far larger amount of recorded and edited material. This extensive coverage is significant in that, for a time, many members of parliament were sensitive about the presence of cameras and contemplated taking over the responsibility for producing the programmes themselves. These doubts, however, were rapidly overcome and today the presence of cameras and microphones is accepted as a normal part of parliamentary life.

82. A procedure has been established whereby the television station puts in a request to the press department, which is under the jurisdiction of the President of the Bundestag, to be allowed to televise certain proceedings. Permission is granted by the press department following consultation with party representatives. Once permission has been granted, as it normally is, the actual televising and editing becomes the responsibility of the television station which has to conform to certain conditions with regard to the placing of cameras.

(iv) Italy

83. In Italy there is no regular service on either radio or television, but permission is given for occasional "live" broadcasts on both media, and edited versions are subsequently rebroadcast. Votes of confidence are covered in entirety by radio. A parliamentary committee has residual powers over what is transmitted.

*(v) Luxembourg (see next report)**(vi) Netherlands*

84. In the Netherlands, television was at first restricted to the coverage of a few major debates each year, while radio carried a parliamentary programme, including recorded actuality, almost every day. There are now, however, virtually no

restrictions on either medium, although the emphasis is still on radio, which carries a daily parliamentary programme from Mondays to Fridays after 10.30 p.m. containing approximately ten minutes of extracts from speeches. The selection of items for inclusion is at the discretion of the broadcasting editor. The broadcasting of committees is very infrequent both because of the technicality of many of the subjects and because committees mostly meet in camera.

85. The radio and television authorities in the Netherlands have standing permission granted by parliament to cover the debates of both chambers. In practice the proceedings of the upper house are seldom broadcast.

(vii) United Kingdom

86. The BBC has broadcast since 1945 a daily report of proceedings in parliament called "Today in parliament", which lasts for fifteen minutes and is repeated the following morning as "Yesterday in parliament". It is on radio only and includes many extracts from individual speeches, read as reported speech in the studio. In addition, there are many studio-based news and current affairs programmes featuring members of parliament.

87. In 1966 a Select Committee on Broadcasting recommended the recording of debates for use in extract form in subsequent programmes; it saw no objection to the occasional "live" coverage of major debates. The committee proposed that the Commons take no decision until an experiment in closed-circuit television and radio covering both houses had been held: this was defeated, however, by 131 to 130 votes and the idea lapsed.

88. The House of Lords proved itself much more enthusiastic. In 1966 it approved a motion for a closed-circuit experiment, and this was subsequently held over a three-day period in 1968. Stung, perhaps, by the Lords' action, the Commons authorised a radio experiment — for edited summarised programmes — over April-May 1968.

89. Subsequent attempts to ensure permanent coverage were unsuccessful until the government promised a fresh look at the situation in October 1974. In February the following year the Commons authorised an experiment in public sound broadcasting, which took place in extract form on the radio networks in June-July 1975. A similar motion to allow television coverage was defeated. In March 1976 the Commons voted to put extract radio coverage on a permanent basis, and discussions since then have revolved round the technicalities and costs. The chamber has now been provided with a commentators' booth, accommodation set up for editors in the Palace of Westminster, and it is hoped that radio coverage will commence within the next four

months. There is provision for "live" coverage, both from the house and committee, but it is anticipated that most material will be used in extract form, with the BBC providing a "clean feed" to other broadcasting organisations. "Today in parliament" will be expanded to take account of recorded actuality.

90. Television cameras are allowed into Westminster for the formal State opening of Parliament by Her Majesty the Queen.

(viii) *European assemblies*

91. Facilities exist for broadcasting coverage of the parliamentary assemblies of Western European Union, the Council of Europe, and the European Communities. Indeed, the most up-to-date technical equipment in any European parliament probably exists in the Palais de l'Europe in Strasbourg. Inevitably, however, coverage falls between two stools: the great international event (such as the admission of Spain to the Council of Europe) and the purely "national" speech which comes high on the bulletin order of a particular locale (e.g. a speech by your Rapporteur on Scottish Gaelic in Strasbourg) but is of minimal interest elsewhere. Since the pan-European events are sporadic, as far as the broadcasters are concerned, they tend to be covered on film, not electronically; local speeches are much more feasible — they can either be relayed by telephone circuit for subsequent re-broadcast, or posted in tape or cartridge form.

92. Your Rapporteur believes that it would be helpful if the press section of WEU could provide a guidance sheet to members on the facilities which exist in the Palais d'Iéna and the various committee centres.

93. Your Rapporteur also draws the Committee's attention to, in his opinion, an interesting intra-European radio development. The BBC have proposed a news and current affairs programme in French, German and English to broadcast to two-thirds of the population of the EEC countries by the end of 1978. There would be direct circuits between Paris, Bonn, Brussels and London; and the editorial line would be *Il faut concrétiser l'Europe* — allowing national attitudes to be heard, but within a European framework. The concept has the support of the EBU and the EEC Commission, and, your Rapporteur trusts, of WEU. Through this medium, plenary sessions of WEU and its Committees' meetings might, for the first time, receive much wider coverage. It is hoped that a link to Italy, the Netherlands and Luxembourg would follow shortly after the initial transmissions of the programme.

B. Conclusions

94. What follows are simply a few initial thoughts from your Rapporteur. They are by no

means his final conclusions, and they are set down primarily to initiate discussion into possible ways in which this report might develop.

(i) The aims and objectives of broadcasting our assemblies are fairly clearly summed up in a report issued by the Canadian parliament in 1972:

"Parliament represents the people: its business is the nation's business; and one of our prime responsibilities is to inform the people. The people therefore have a right to see their parliament in action and through television and radio coverage this right could become a reality. Through these agencies the public gallery of the House of Commons could be extended to the furthest limits of the nation. The bond between parliament and the electorate would be strengthened because the House of Commons would be brought into the homes of all who wished to tune in to its proceedings."

95. These are fine sentiments with which few parliamentarians would disagree. In this report, however, your Rapporteur has hoped to show that these ideals face certain practical difficulties: cost, editorial control, the need to win and hold a viewing or listening audience, technical developments, and the dangers of excluding all but "star performers" from the media.

96. In the ensuing paragraphs, your Rapporteur discusses some of these difficulties.

(ii) It should be said immediately that radio coverage provides few technical problems. In all our assemblies, the existing sound systems can be readily adapted — with the addition of a couple of microphones for background noise to provide "atmosphere". The costs of radio and the number of personnel involved are minimal compared to television. Your Rapporteur is firmly of the view that the major way in which parliament can "inform the people" is via the medium of radio.

97. Television does not present nearly as many technical problems as it did a decade ago, though these remain considerable. Electronic cameras have become considerably smaller in size, and can also be automated. It should be perfectly possible to televise the Commons, for example, with two automated cameras slung under the galleries, one manned camera in the commentators' booth, and two manned cameras in the galleries. Fears of disruption on the floor of the chamber can therefore be discounted. Cables could be run through existing ducting. With new light-sensitive cameras now available, the problem of excessive lighting and consequent heat has largely disappeared. The "behind the scenes" crew remains large, however (around forty) and a control room has to be provided — either permanently or through mobile units which have to be linked up.

98. Permanent television coverage has certain attractions. It would provide a record for all time of what was said and done in the chamber. It would mean that no event was missed, and your Rapporteur finds it difficult to believe that an evening's news would go by without several extracts being included. "Today in parliament" type programmes would have fresh material daily. There would be no need to rush in crews at short notice. Against this, your Rapporteur wonders whether the very substantial cost involved justifies an operation of this size, especially when there are alternative ways of achieving the same coverage.

99. The most obvious alternative is the skilled parliamentary correspondent: in a few minutes he can deliver the feel and flavour of a debate, objectively and in fairness to all sides. To do the same using electronic extracts would take four or five times as long, if only because the parliamentarian's speech patterns are not tailored to telecast form. (If any member doubts this, let him try making his point in one minute, twenty-three seconds precisely, which is the specific sort of time broadcasters work to.) The second alternative is to use film cameras — as already happens in our assemblies for most television coverage — which require much smaller crewing (around 5 or six): these can provide perfectly adequate extract material, although naturally there is some loss in picture quality and immediate coverage is impossible, since the film has to be processed and edited.

(iii) Your Rapporteur notes that, in all countries where television has been allowed into the chamber, this has rapidly been followed by a request for the same facilities to be extended to press photographers. As a matter of equity, it is extremely difficult to refuse this request. In practice it can lead to a plethora of cameramen being present, and to great distraction. While individual newspapers may object, your Rapporteur feels this problem can be overcome only by "licensing" a small number of press photographers on any given day, who will share their work on a pooled basis.

(iv) Who does the "licensing", and who determines the rules and procedures? Prior to the admission of radio and television to our legislatures, this has led to much debate and heartsearching among members. Is privilege extended to such transmissions? How can objectivity be assured? What penalties can be enforced on the broadcaster? Does the absolute freedom of the press extend to radio and television? In practice, such problems seem to arise only rarely. The broadcasters take great pride in the fact that their trade is built on objectivity ("When the Labour Party, Conservative Party, Liberal Party and all the other parties tell me that my last transmission was biased against them, I know it was probably spot-on", one producer said.)

100. "Controls", such as they are, depend largely on existing national parliamentary practice. In some countries, they are written into a specific law; in others no such law exists, though broadcasting may be covered by standing orders, or by specific conventions, or in detailed rules issued by the broadcasting organisations. Somewhere in the legislation covering broadcasting in general in our countries there must be a requirement that *all* programmes should be "objective" and "balanced".

101. Who is responsible for the origination of programmes also varies widely. In Belgium and Germany discretionary powers lie with the President of the Chamber to authorise transmissions, though in practice matters are arranged between the parties and the broadcasting organisations. In France, similar powers lie with the praesidium; in Italy with a parliamentary committee. In the Netherlands and the United Kingdom there are no such residual powers though in the latter a joint committee of the Commons and the Lords will hold a "watching brief" on the situation.

102. In general, it appears to your Rapporteur that parliamentarians and broadcasters have managed to coexist remarkably well. It is significant that in no country where broadcasting facilities have been granted have they been permanently withdrawn. The ultimate sanction lies, of course, with the members of parliament themselves who, if dissatisfied, can change the rules.

(v) In the short time available to prepare this report, it has not been possible to publish a table of comparative costings and hours of parliamentary broadcasting (with a breakdown of the type of programme in which extracts are shown, and when). Your Rapporteur hopes to be given permission to continue his research in this area.

103. He simply notes that, as a broadcaster, he was an advocate of the establishment of a "television Hansard", with staff and technical facilities coming under the control of the house and a "clean feed" being provided on a charge basis to the broadcasting organisations. He still feels that this is the ideal situation, but having reviewed practice among our legislatures — where the broadcasters run the entire service themselves — he has to admit that it is working perfectly adequately.

(vi) The problem of the "neglected" backbencher still remains. There is no obvious solution, apart from continuous live transmissions. It could be argued, of course, that skill in self-presentation on radio and television is an essential part of the trade of any politician these days; a member does not need to appear personally to be quoted in news bulletins, for example. The onus is therefore largely on the individual. Your Rapporteur feels, however, that the broadcasting organisa-

tions could do more in initiating the backbencher into the mysteries of the media, and in devoting more programmes specifically to his interest.

(vii) In summary, your Rapporteur believes :

(a) Radio and television can encourage intelligent communication between parliament and its electorate. It cannot guarantee it. Its use depends as much on cost, audience reaction, and technical facilities as on the parliamentary time-table.

(b) Until more channels become available, the continuous live transmission of parliament is hardly feasible ; even then, it would likely be counter-productive in terms of audience reaction. Continuous radio transmissions, while possible, might also produce a hostile or apathetic audience response. It would be extremely difficult to justify the costs involved.

(c) The most advantageous use of radio and television is in the form of edited reports rather than continuous live transmissions. Matters of major importance would still be broadcast live, but the bulk of coverage would be via parliamentary reports or in news and current affairs programmes. The complexities of debate would be explained by a commentator, and points of order and privilege edited out unless they were of public interest.

(d) Radio has a more important rôle in explaining parliament to the people than television. It is

cheaper, much more flexible, and far easier to assemble in edited form. It does not offer the same advantages to the publicity seeker. Selected extracts used live in newscasts and in parliamentary reports can do much to bring understanding of what members of parliament actually do. Continuous recording is perfectly feasible. With intelligent scheduling at "peak hours", a vast audience can be gained. Continuous video-recording for television is less attractive. Experience in those WEU legislatures which have television coverage indicates that there is a demand for extended live coverage only on major occasions — formal openings, budgets, votes of censure and so on. For such coverage it is desirable that jack-points for electronic cameras are already available, so that the unit has "drive in" facilities. For standard debates, film cameras provide an adequate alternative facility.

(e) The potential for conflict between the broadcaster and parliamentarian does not appear to have been exploited on either side. While there have been grumbles, the rules of impartiality and objectivity would appear to have been observed.

(f) A basic skill in the use of radio and television is part of the trade of all politicians. The onus of appearing is on them. Nonetheless, the broadcasting organisations could do more to give members of parliament outline knowledge of the media ; they could also devote more time to the interests of backbenchers.

APPENDIX I

Table of action in the parliaments of member countries
(Totals by country for each session)

| Recommendations adopted in | Member countries | | | | | | | Total |
|----------------------------|------------------|-------------|-----------------------------|--------------|-------------|-------------|----------------|--------------|
| | Belgium | France | Federal Republic of Germany | Italy | Luxembourg | Netherlands | United Kingdom | |
| 1956 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 3 |
| 1957 | 4 | 0 | 1 | 0 | 0 | 5 | 2 | 12 |
| 1958 | 2 | 0 | 3 | 0 | 0 | 4 | 3 | 12 |
| 1959 | 0 | 0 | 9 | 0 | 0 | 0 | 0 | 9 |
| 1960 | 3 | 12 | 2 | 8 | 0 | 3 | 1 | 29 |
| 1961 | 0 | 2 | 0 | 3 | 0 | 6 | 0 | 11 |
| 1962 | 2 | 4 | 4 | 6 | 2 | 3 | 10 | 31 |
| 1963 | 0 | 0 | 13 | 22 | 1 | 2 | 3 | 41 |
| 1964 | 4 | 14 | 9 | 11 | 1 | 5 | 2 | 46 |
| 1965 | 0 | 11 | 12 | 24 | 0 | 5 | 28 | 80 |
| 1966 | 2 | 12 | 12 | 49 | 1 | 4 | 18 | 98 |
| 1967 | 14 | 9 | 22 | 29 | 2 | 6 | 16 | 98 |
| 1968 | 6 | 14 | 20 | 22 | 1 | 16 | 47 | 126 |
| 1969 | 11 | 15 | 17 | 8 | 0 | 4 | 36 | 91 |
| 1970 | 3 | 15 | 15 | 7 | 2 | 3 | 10 | 55 |
| 1971 | 0 | 4 | 19 | 9 | 0 | 6 | 10 | 48 |
| 1972 | 0 | 6 | 2 | 1 | 0 | 1 | 0 | 10 |
| 1973 | 0 | 4 | 2 | 6 | 1 | 0 | 0 | 13 |
| 1974 | 0 | 1 | 3 | 13 | 2 | 0 | 0 | 19 |
| 1975 | 10 | 28 | 8 | 19 | 3 | 11 | 3 | 82 |
| 1976 | 16 | 40 | 13 | 10 | 2 | 3 | 8 | 92 |
| 1977 | 0 | 7 | 2 | 7 | 0 | 0 | 0 | 16 |
| Total | 77 | 198 | 191 | 254 | 18 | 87 | 197 | 1,022 |
| Annual average | 3.50 | 9.00 | 8.68 | 11.55 | 0.82 | 4.00 | 9.00 | 6.64 |

APPENDIX II

Table of interventions (debates, questions, replies, etc.) on texts adopted since December 1975

| Session | Recommendation | Transmitted to parliaments | Belgium | France | Federal Republic of Germany | Italy | Luxembourg | Netherlands | United Kingdom | Total | Total for each part session | |
|--------------|----------------|----------------------------|---------|--------|-----------------------------|-------|------------|-------------|----------------|-------|-----------------------------|---|
| Dec. 1975 | 273 | x | 2 | | | 1 | | 3 | | 6 | 54 | |
| | 274 | x | 2 | 2 | | 1 | | | | 5 | | |
| | 275 | | | 4 | | | | | | 4 | | |
| | 276 | x | 2 | | | 1 | | | | 3 | | |
| | 277 | | | | | | | | | — | | |
| | 278 | | | | | | | | | — | | |
| | 279 | | | | | | | | | — | | |
| | 280 | | | | | | | | | — | | |
| | 281 | | | | | | | | | — | | |
| | 282 | | | | | | | | | — | | |
| | 283 | | | | | | | | | — | | |
| | Res. 55 | | | 2 | 1 | | 3 | 2 | | | | 8 |
| | Res. 56 | | | | | | | | | | | — |
| Res. 57 | | | | | | | | | | — | | |
| Res. 58 | | | | | | | | | | — | | |
| Other action | | | 2 | 17 | 4 | 1 | 1 | 2 | 1 | 28 | | |
| June 1976 | Res. 59 | | 2 | 4 | | | | 2 | | 8 | 47 | |
| | 284 | | | | | | | | | — | | |
| | 285 | x | 2 | 5 | 2 | 2 | | | | 11 | | |
| | 286 | | | | | | | | | — | | |
| | 287 | | | | 2 | 1 | | 1 | 2 | 8 | | |
| | 288 | x | | | | | | | | — | | |
| 289 | x | 4 | 5 | 2 | 2 | | | | 13 | | | |
| 290 | x | 4 | 2 | | 1 | | | | 7 | | | |
| Nov. 1976 | 291 | | | | | | | | | — | 45 | |
| | 292 | | | | | | | | | — | | |
| | 293 | x | 2 | 2 | | 1 | | | | 5 | | |
| | 294 | | | | | | | | | — | | |
| | 295 | x | | | 2 | 1 | 2 | | | 5 | | |
| | 296 | | | | 2 | 1 | | | | 3 | | |
| Res. 60 | | | | | | | | | — | | | |
| Other action | | | 5 | 15 | 5 | 1 | | 6 | | 32 | | |
| June 1977 | 297 | | | | | 1 | | | | — | 16 | |
| | 298 | x | | | | 1 | | | | 1 | | |
| | 299 | x | | | | 1 | | | | 1 | | |
| | 300 | | | | | 1 | | | | 1 | | |
| | 301 | | | | | 1 | | | | 1 | | |
| | 302 | | | | | 1 | | | | 1 | | |
| | 303 | | | | | | | | | — | | |
| | 304 | | | | | 1 | | | | 1 | | |
| | 305 | | | | | 1 | | | | 1 | | |
| 306 | | | | | | | | | — | | | |
| Other action | | | | 7 | 2 | | | | | 9 | | |

APPENDIX III

(a) Visits by the Committee for Relations with Parliaments

| | |
|--------------------------------|--|
| 22nd February 1963 | Paris |
| 10th October 1963 | Rome |
| 11th-12th November 1964 | Bonn |
| 28th-29th April 1965 | The Hague |
| 15th-16th December 1965 | Brussels |
| 30th October-1st November 1966 | London |
| 23rd-24th November 1967 | Berlin (Regional parliament of Land Berlin) |
| 2nd-3rd April 1968 | Luxembourg |
| 26th-27th March 1969 | Rome |
| 27th-28th October 1969 | Paris |
| 14th-15th April 1970 | Bonn |
| 1st-2nd April 1971 | Rome |
| 4th-5th November 1971 | Bonn |
| 24th-25th February 1972 | The Hague |
| 18th-19th September 1972 | Florence (Regional parliament of Tuscany) |
| 1st-2nd May 1973 | St. Hélier (Regional parliament of the States of Jersey) |
| 15th-18th October 1973 | Munich (Regional parliament of the Free State of Bavaria) |
| 8th-10th July 1974 | Palermo (Regional parliament of Sicily) |
| 27th-28th October 1975 | The Hague |
| 11th-12th May 1976 | Luxembourg |
| 25th-26th November 1976 | Brussels |
| 9th-10th May 1977 | Rome |
| 3th-4th November 1977 | Bonn — Wiesbaden (Regional parliament of Hesse) ¹ |

1. Statements made in Wiesbaden will be published in the next report.

APPENDIX IV

Questionnaire**on the laws governing elections to the European Parliament**

1. What position has been reached in your national legislation ?

(If a law has been passed, could you attach a copy to the answer to this questionnaire)

2. Can you give a brief summary of the attitude of the major political parties in your country ?

3. What is the total population and electorate of your country ?

How many seats are allocated to your country ?

What is the electorate per representative ?

4. How will you elect your representatives :

National list ?

Regional lists ?

Single-member seats ?

Other ?

5. If the elections are held by lists, are candidates elected in order of party preference or may the elector vote for any given candidate ?

Is there any provision for allocating seats to compensate for votes "left over" under the list system ?

6. Are the different regions weighted in your country ?

If so, how ?

(e.g. Flanders, Wallonia, etc. in Belgium ; Scotland, Wales, England in Britain ; Brittany, Basque area, etc. in France ; Laender in Germany)

7. Is it possible for nationals resident in another EEC country, and immigrants from other EEC countries to vote ?

8. What is the estimated number of your nationals of voting age resident outwith your country but within the European Communities ?

9. What are the qualifications for standing as a candidate ?

What are the conditions for disqualification ?

10. Must representatives already hold office in their national parliament ? Or is this forbidden.

11. What links are envisaged between your representatives in the national and European Parliaments ? (e.g. joint standing committee, speaking rights in the national parliament for MPs, compulsory dual membership, etc.)

12. What expenses are candidates and/or parties allowed ?

May contributions be made to campaign funds from foreign countries, parties or institutions ?

What is the deposit required for each candidate or list ?

What % of vote must be obtained not to forfeit the deposit ?

13. Has the total estimated cost of the elections already been calculated and if so, how much is the estimate ?

How does this figure compare with normal general elections in your country ?

APPENDIX V

Systems for allocating seats in parliamentary assemblies

1. *First-past-the-post* : This is the system currently employed in the United Kingdom, and the suggested alternative (to regional lists) for direct elections. Based on single member constituencies, the candidate with the highest personal vote is elected, regardless of his percentage of the poll.

2. *Single transferable vote* (STV) : this is the system used in the Irish Republic and which will be used for direct elections in Northern Ireland.

The effect of the single transferable vote system is to ensure that the candidates who are finally elected represent accurately the preferences of the whole electorate and in the proportion in which those preferences are held.

Under this system, the voter indicates on his ballot paper his order of preference for as many of the candidates as he wishes.

When the electoral officer comes to count the votes, his first step is to work out a "quota" — the figure which represents the number of votes a candidate must receive if he is to be elected.

For example : if 30,000 votes are cast, this total would be divided by the number of vacant seats in the constituency (say 5) plus 1. Then, the quota would be one more than this figure. Thus, $30,000:6 = 5,000$ plus 1 = 5,001. The effect of this is to ensure that there is less than a quota for any other candidate after five have been elected. Any candidate, therefore, who obtains 5,001 votes is elected. Any votes which he receives over and above the quota are regarded as a "surplus". The second preferences shown on these surplus votes are then distributed to the other candidates. This distribution is mathematically worked out to ensure that the second preferences of the candidate's surplus are proportional to the second preferences shown in the candidate's entire vote.

Possibly, after this, other candidates will have reached the quota figure and will therefore be elected. If there are still vacancies i.e. if the five seats available in this hypothetical situation have not been filled, then the second preferences of those whose first choice received the smallest number of votes are distributed until five candidates have reached the quota figure and been elected.

Under the STV system, voters may vote for party or personality or sex or on other factors or combinations. There are various methods of overcoming the by-election problem. There can be, as in Eire, another election over the whole constituency by what amounts to the alternative vote method. The new member will necessarily

represent the majority party : if the vacancy being filled was that of a minority party, it will lose its representation. Alternatively, a by-election may be held (by STV or by simple majority) over part of the constituency ; or the next highest candidate of the same party as the missing member may be co-opted.

3. *Party lists* : this is the system which is commonly used in Europe and which is almost certain to be recommended by the European Parliament for subsequent direct elections. The list can be either national, covering the entire country as in France, or regional as in the United Kingdom, with a specific number of seats allocated to individual areas of the country. Most list systems are modified in order to allow electors to express individual preferences among each party's candidates.

There follows a brief description of the various methods used to allocate seats, by far the most common of which is the d'Hondt system :

(a) *The d'Hondt system* is the one of the highest averages. It works as follows : in a parliament with 20 seats for which 7 parties have nominated candidates, list A obtains 222,000 votes, list B 190,000, list C 120,000, list D 66,000, list E 60,000, list F 50,000 and list G 31,000. When the votes have been counted, the results obtained by each list are divided by 1, then 2, then 3, then 4, and so on. Seats are then allocated according to the quotas obtained.

This gives the following results (seat numbers are given in brackets, i.e. seat 1 is allocated to list A, seat 2 to list B, seat 3 to list C, seat 4 to list A, and so on :

| <i>List A</i> | | <i>List B</i> | |
|----------------|------|----------------|------|
| 222 : 1 = 222 | (1) | 190 : 1 = 190 | (2) |
| 222 : 2 = 111 | (4) | 190 : 2 = 95 | (5) |
| 222 : 3 = 74 | (6) | 190 : 3 = 63.3 | (8) |
| 222 : 4 = 55.5 | (11) | 190 : 4 = 47.5 | (13) |
| 222 : 5 = 44.4 | (14) | 190 : 5 = 38 | (16) |
| 222 : 6 = 37 | (17) | 190 : 6 = 31.6 | (20) |
| 222 : 7 = 31.7 | (19) | 190 : 7 = 27.1 | |

| <i>List C</i> | | <i>List D</i> | |
|---------------|------|---------------|------|
| 120 : 1 = 120 | (3) | 66 : 1 = 66 | (7) |
| 120 : 2 = 60 | (10) | 66 : 2 = 33 | (18) |
| 120 : 3 = 40 | (15) | 66 : 3 = 22 | |
| 120 : 4 = 30 | | | |
| 120 : 5 = 24 | | | |
| 120 : 6 = 20 | | | |

| <i>List E</i> | <i>List F</i> | <i>List G</i> |
|-----------------|------------------|---------------|
| 60 : 1 = 60 (9) | 50 : 1 = 50 (12) | 31 : 1 = 31 |
| 60 : 2 = 30 | 50 : 2 = 25 | 31 : 2 = 15.5 |
| 60 : 3 = 20 | | |

Seats are thus allocated as follows : 7 to A, 6 to B, 3 to C, 2 to D, 1 to E and F and 0 to G.

But to obtain a seat A needed 31,700 votes, whereas B needed 31,600, C 40,000, D 33,000, E 60,000 and F 50,000. Furthermore, G needed only 601 more votes to obtain the twentieth seat, which was allocated to B with 31,600 votes.

This system thus favours the larger parties. From a purely mathematical standpoint, the result may seem unfair : lists A and B obtain 7 and 6 seats for 31,700 and 31,600 votes each respectively while list E, with a total of 60,000 votes, has only one. Politically speaking, the result is intentional : although parliament must represent the opinions of the electorate it also needs a majority and some degree of stability if it is to be able to govern.

(b) *The Roget system* is slightly simpler : the total number of votes cast is divided by the total number of seats. In the example given, the total of 739,000 votes cast is divided by 20 and the quotient is then 36,950, which means that list A obtains 6 seats, list B 5, list C 3 and lists D, E and F one seat each. This leaves 3 seats, which are allocated to those which have the highest decimal figure : D, E and F are each given another seat.

(c) *The Hagenbach-Bischoff system* starts like the Roget system : the quotient of 36,950 gives

6 seats to A, 5 to B, 3 to C and 1 each to D, E and F. The total number of votes is then divided by $6 + 1$, $5 + 1$, $3 + 1$ and $1 + 1$ to give the highest average for each seat allocated. Lists D, A and B are thus each allocated one seat and the final result gives 7 seats to A, 6 to B, 3 to C, 2 to D, 1 to E and 1 to F.

(d) *The reduced quotient system* seeks to facilitate mathematical calculations after elections. Instead of using the quotient obtained by dividing the total number of votes (739,000) by the number of seats (20), i.e. 36,950, which means that only 17 seats are attributable immediately the quotient is reduced slightly in order to give a total of 20 seats. In this example, a figure of 31,600 might be taken, which would make for list A $222 : 31.6 = 7$, for B 6, for C 3, for D 2 and for E and F 1 each.

(e) Finally, there is *the corrected allocation system*, invented by Mr. Lisman : to start with, the quotient is calculated (36,950) ; any parties which do not reach this quotient are discounted, which would be the case for list G in the example given. Another percentage is then calculated : the total number of votes cast for each of the remaining parties is divided by the total of the votes cast for lists A to F, which is then multiplied by 20 (total number of seats to be allocated). Added together, these 6 totals come to 20, but of course with decimal figures which are then rounded off : upwards for 0.5 % and over, downwards for less. The advantage of this system is that the proportions between the various parties remain intact and there are no seats left over for subsequent allocation.

APPENDIX VI

Questionnaire

on broadcasting parliamentary debates on radio and television

1. Are parliamentary debates broadcast in your country on the radio ?

Are parliamentary debates broadcast in your country on television ?

If so, when did it begin ?

Was the question of allowing debates to be broadcast raised in parliament ; if so, when and what was the outcome of the debate ?

If not, why not ?
2. How are debates broadcast ?
 - (a) blanket coverage ?
 - (b) formal occasions only ?
 - (c) only very important debates, such as the debate on the budget, etc. ?
 - (d) are committee meetings covered ?
 - (e) any other form ?
3. Who is in charge of the broadcasting coverage :
 - (a) parliamentary staff ?
 - (b) radio and television organisations, and if so, all of them or only one or two (if possible provide names of organisations) ?

Further to this question :

 - (i) are the producers and technicians paid by parliament ;
 - (ii) are they responsible to the Speaker, President of the Chamber, Clerk, etc. ?
4. What are the rules covering live and other broadcasts, availability and editing of tapes, etc. ?
5. How are the broadcasts financed ?
 - (a) by the government ?
 - (b) by parliament ?
 - (c) by the broadcasting organisations ?
 - (d) by two or three of the abovementioned (please give breakdown) ?
 - (e) in yet another way ?
6. How much coverage is broadcast (please give details in hours and minutes) ?
 - (a) live ?
 - (b) in news bulletins ?
 - (c) in current affairs programmes ?
 - (d) in political debates between MPs ?
 - (e) in regional programmes ? (i.e. dealing with matters of interest to a specific locality, featuring local members, and perhaps originating from a regional TV or radio station)
 - (f) in other ways ?
7. Who is in control ?
 - (a) who has the final authority ?
 - (b) how are the parties "balanced" ?
 - (c) what is the balance between ministers and MPs ?
 - (d) what is the balance between leading figures and backbenchers ?
 - (e) what check is there on a producer "dramatising" his broadcast ? (e.g. spot on the MP who plays the "gallery" or is sound asleep, etc.)
8. Who owns the copyrights ?
 - (a) on radio and VTR tapes, films, tele-recordings, pictures ?
 - (b) where are they stored ?
 - (c) who has access to them ? (free or on payment)
9. Do the broadcasting organisations have an automatic right to film and/or record proceedings, or do they apply for it debate by debate ? (if the latter, to whom do they have to apply ?)
10. Technical facilities in parliaments :
 - (a) what facilities are permanently installed ?

(please give numbers)

 - electronic cameras ? video-recording machines ?
 - are there permanent control rooms, and how much space do they occupy ?
 - are there studios for interviews, and if so, how many ? and how are they equipped ?
 - how many cameras are manned and how many are automatic ?

- (b) how has broadcasting in your parliament been affected by the miniaturisation of equipment, by newer light-sensitive cameras ?
- (c) who owns these permanent installations ?
- (d) how many permanent and temporary staff are involved and who pays them ?
11. What is the total cost per annum and what costs are recovered by parliament from the broadcasting organisations ?
12. What are the reactions :
- (a) of MPs ?
- (b) of the public ?
- (c) what is the attitude of MPs to broadcasters and vice-versa ?
13. Is broadcasting worthwhile ?
- (a) does it help and promote parliamentary work ?
- (b) does it bring parliaments and MPs closer to the population ?
- (c) or the contrary (why) ?
14. Any further comments on the subject will be appreciated.

Application of the final act of the CSCE

REPORT¹

**submitted on behalf of the General Affairs Committee²
by Mr. Segre, Rapporteur**

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1. Adopted in Committee by 10 votes to 5 with 1 abstention.

2. *Members of the Committee*: Mrs. von Bothmer (Chairman); Sir John Rodgers (Alternate: *Channon*), Mr. *Sarti* (Vice-Chairmen); MM. Abens, Ariosto, Beith, *Sir Frederic Bennett*, MM. Bizet, Brugnon (Alternate: *Fornì*), *Cermolacce*, Faulds (Alternate: *McGuire*),

Gessner, Gonella, Grangier (Alternate: *Burckel*), Hanin, Mrs. van den Heuvel-de Blank, MM. Mangelschots, *Mende*, Minnocci, *Müller*, Peijnenburg, *Péridier*, Perin, *Portheine*, *Reddemann, Segre, Urwin* (Alternate: *Cook*).

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

Draft Recommendation
on the application of the final act of the CSCE

The Assembly,

Considering that the final act of the conference on security and co-operation in Europe held in Helsinki together with earlier treaties between eastern and western countries opened the way for a process which is intended to lead towards international peace, freedom of peoples and the fulfilment of human rights ;

Considering that the development of this process will inevitably be by successive steps ;

Considering that jointly-planned developments must be achieved by all ;

Considering that further steps towards détente at the Belgrade meeting and in other negotiations are essential for the pursuit of the process of détente ;

Considering that such a stage cannot be completed unless all the participants are firmly determined to achieve positive results,

RECOMMENDS THAT THE COUNCIL

1. Continue to examine the conduct of the Belgrade meeting in parallel with governments and relevant European and Atlantic organisations ;
2. As a priority, endeavour to promote the process of détente with a view to improving understanding and co-operation between all the signatory States and affirming human rights and fundamental freedoms ;
3. Ensure that all signatory countries apply the clauses of the Helsinki final act.

Explanatory Memorandum

(submitted by Mr. Segre, Rapporteur)

I

1. The heat of the ongoing debate preliminary to the follow-up conference at Belgrade between the countries signatories to the final act of the Helsinki conference, and the very fluidity of the situation, render difficult, in the Rapporteur's view, the presentation at the present juncture of any preliminary draft report capable of providing with a sufficient degree of approximation a snapshot of the situation that will arise when the WEU Assembly is called upon next June to pronounce a substantive opinion. In the words of Mr. Kurt Waldheim, Secretary-General of the United Nations, we are in fact "in a period of transition and uncertainty". There are many variable factors on the international scene. Among the more important, mention should be made of the international running-in of the new Carter Administration and developments in the SALT II negotiations. Other factors play an important rôle such as the strife in Africa, the continuing Middle East crisis and the question of civil rights. The first meeting between the two great powers in Moscow, immediately after the American elections, was a failure. However, both parties hastened to underline that this was just a mishap not to be interpreted as a change of policy and discreet contacts were immediately established in order better to prepare the talks to be held by Mr. Vance and Mr. Gromyko in Geneva in May.

"I do not think", said Mr. Waldheim, "that this incident can bring détente to a halt... Both the Americans and the Russians are still just as interested in continuing the policy of détente."

2. It is clear that the state of American-Soviet relations has and will have far-reaching repercussions on the state of international relations and consequently on the preparation and work of the Belgrade conference. Hence the present uncertainty. It is impossible to foresee the length of this "period of transition and uncertainty". Rather than go back over the controversies of that period and the points of view which have been and still are decisive, your Rapporteur feels he should try to bring out the basic tendencies and then highlight the other recurring variables which must not be overlooked or underestimated. The main constant is still the conviction that there is no rational alternative to the policy of détente and peaceful coexistence, although there may be adjustments and differences in approach compared with other years. Thus it can be seen that there have been pauses and difficult periods, but it is not realistic

today to expect this universal awareness of a common destiny which in so many respects has been a feature of recent years to be seriously challenged or undermined. Admittedly, each time relations between the two superpowers enter a difficult stage, the first negative consequence is the breach in the barriers which had been raised against the Manichean habit, characteristic of the cold-war period, of considering international questions not on a rational basis but primarily in ideological terms and, in extreme cases, from a purely propaganda point of view. A hint of such a phenomenon, fortunately not yet general, has also been ascertained in recent weeks. To believe certain newspapers in both East and West, we seem to have gone back to the fifties. But an immediate denial has been reported — after the failure of the Moscow talks — in statements by the leaders of both countries who are convinced that, while it is difficult to build up confidence, it is easy to restore mistrust, with the evident negative consequences which this implies. To quote a correct methodological viewpoint given recently (March 1977) in a Soviet review, *New Times* :

"The question of confidence is most delicate. Decades of hostility and opposition have created stereotypes in East and West which judge each other primarily through the prism of mistrust. At the beginning, détente was in a sort of vicious circle: mistrust stood in the way of constructive talks and the absence of results prevented mistrust being overcome. The circle has been broken thanks to political lucidity and, perhaps, the political courage of those who were able to resist the inertial force of the cold war and progress towards détente."

3. It is now a matter of preventing a return to the vicious circle and avoiding a repetition of the state of affairs in which mistrust would stand in the way of constructive negotiations and the absence of results would not allow mistrust to be overcome. In a "period of transition and uncertainty" in international relations, and as the Belgrade conference draws near, this appears to be the central issue. It obviously includes an objective analysis of what Helsinki has produced to date, and as realistic an assessment as possible of the process which started with the CSCE.

II

4. It is a concrete fact, in the current international situation, especially in Europe, that we find ourselves, in this preparatory phase of

the Belgrade conference, at one of those critical moments (exaggerated as it may be in the present state of affairs to speak of an actual crisis) which recurred on several occasions during the years and the months which preceded the conclusion of the final act in Helsinki during the summer of 1975 and, time and again, called into question, more in form than in substance, the process of détente which has, for almost the past ten years now, been at work throughout our continent. For, let it be asseverated right at the outset of this report, what is at issue is not some casual occurrence but a long-term process, with all the typical complexities and contradictions which this sometimes implies, including even its moments of standstill and backsliding. A process which, for all that, seems fated to set its mark on the whole of Europe's political, economic and social development. While this undoubtedly throws up very knotty problems of the relationship between this evolutionary process and that of other world regions and other continents, it should nevertheless be clear to everyone, even to those who now have the profoundest doubts about the progress of détente, that the only alternative hypothesis would carry with it dramatic consequences for the future of the European continent.

5. Over and above the polemics that have marked the past weeks, the belief that this is the case still continues to emerge sufficiently clearly from the pronouncements of the principal statesmen responsible for international affairs.

"I think that détente does exist today", said the new United States Secretary of State, Mr. Vance, at a press conference on 4th March, "and I believe and hope that it will continue to exist".

6. With particular reference to American-Russian relations, he went on to say :

"I note a continuing, deep and abiding interest in the Soviet Union and among Soviet leaders for pursuing with us the questions relating to arms control, particularly in the nuclear area, and in a variety of other matters."

7. On the prospects for détente in United States-Soviet Union relations, he added :

"I think it is in the interest of both of our nations to search for common ground, and to lessen the tensions which divide the nations. In this process, I think it is necessary to try and work out a clear understanding of what the meaning of détente is as between the two nations. In a sense, it is the setting down or arriving at a set of ground rules which permit competition side-by-side with the resolution of outstanding questions. And it is not, again, a simple

task. It is one that has to be worked out by discussion and by action ; and I hope that as we get into closer dialogue on a face-to-face basis, we may develop a clearer understanding amongst us of what will be acceptable conduct on both sides."

8. In this manner Mr. Vance seemed to be replying to some of the assurances and pledges given, in his latest public speech (Tula, 18th January), by Leonid Brezhnev :

"Statements to the effect that the Soviet Union is going further than necessary for its defence and aiming at arms supremacy so as to be able to 'get in the first strike', are absurd and absolutely groundless. Our policy is not aimed at arms supremacy but at reduction of armaments, attenuation of warlike confrontation."

9. Among other things he said that "détente is a specific trust, and the ability to take account of one another's legitimate interests".

10. Indeed, the ability to take account of one another's legitimate interests is the central and trickiest crux of a balanced relationship that is undoubtedly never assured once and for all, but has to be constantly reaffirmed through a dialectic, an antagonism that has certainly never vanished from the international scene.

11. In this connection, the United States President's Assistant for National Security Affairs, Zbigniew Brzezinski, recently remarked that :

"The ideological as well as political conflict between the United States and the Soviet Union will go on for a long time but we should strive to moderate it gradually. To achieve that moderation both co-operation as well as vigilance will be necessary. Consequently, the maintenance of a strong American military deterrent is a necessary precondition for a stable and increasingly comprehensive as well as reciprocal détente — a détente which will remain both competitive as well as co-operative."

12. Indeed, it is now plain that we have once more arrived at a difficult point in time for achieving such a balance of relations, not least by reason of the fact that the United States and its Democrat Administration have announced that concern for civil and human rights throughout the world "will be threaded through our foreign policy" (Vance). The Secretary of State was asked : "Do you have a rule in your mind at what point does legitimate concern with human rights in other countries become unwarranted interference in the internal affairs of another country, either adversary or ally ?", and his reply was : "There is no precise black-and-white rule that I can set down. It is a much

more complicated process than that. It is a balancing process." The point of equilibrium has still to be reached, and most likely never will be once and for all, which is precisely one of the reasons for the uncertainty that currently looms over the international outlook. Yet the proceedings in Geneva of the United Nations Commission for Human Rights indicate and confirm how seriously the diplomacy of the various countries is engaged in this search for an equilibrium.

III

13. It is necessary here — because it forms part of the ongoing debate between governments and political forces on what the follow-up conference in Belgrade should be about — to refer back to the final act of Helsinki and what may be termed its philosophy. In this context, it is practically impossible to review all the elements of the debate (and of the controversies) which in recent months have mainly been concerned with the importance accorded to the campaign for civil rights in American foreign policy and also the East's reactions to actions and signs which have been interpreted as pure and simple interference in internal affairs. Consequently, there is a wall of misunderstanding and mistrust and a growing and bitter confrontation of ideologies and internal propaganda around the correct interpretation of the Helsinki final act and its three baskets, the provisions of which, on the one hand, ban (section I, paragraph VI) "any intervention, direct or indirect, individual or collective, in the internal or external affairs falling within the domestic jurisdiction of another participating State, regardless of their mutual relations" and, on the other, stipulate (section I, paragraph VII) that :

"The participating States will respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion.

They will promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development."

14. Not only since Helsinki but for far longer, there have been discussions the world over to determine where intervention in the internal affairs of another State actually starts. An accurate answer has never been found. There is a margin of interpretation which always and above all depends on the state of relations and hence of confidence between the various countries. This margin of interpretation also applies to the Helsinki final act which, as a declaration of intention and not a treaty, makes no provision

for penalties against defaulting contracting parties. It nevertheless sets a precedent in international law since it is central to matters concerning relations between States and also their domestic affairs. This makes it difficult to find and define an appropriate code of conduct. The ensuing discussion included comments on the existence of a degree of contradiction noted by several commentators in the general principles of the Helsinki final act between the said section VI establishing the principle of non-interference in the internal affairs of the participating States and section VII calling for respect for human rights and fundamental freedoms. The contradiction, if it does in fact exist, stems from the real state of international political relations on which the Helsinki act was erected ; what we must realise above all is that the contradiction can only be resolved by maintaining and fostering the process of détente, and in any case only in the longer prospect. Your Rapporteur thinks it obvious that violations of such rights are committed in both East and West. President Carter's comment at his press conference on 23rd February is significant in this respect. He said :

"We have, I think, a responsibility and a legal right to express our disapproval of violations of human rights. The Helsinki agreement, so called basket III provisions, ensures that some of these human rights shall be preserved. We are signatory to the Helsinki agreement. We are, ourselves, culpable in some ways for not giving people adequate right to move around our country, or restricting unnecessarily in my opinion visitation to this country by those who disagree with us politically."

15. It is, on the other hand, an incontrovertible fact that what has caught the notice of public opinion in recent months has been chiefly new items emanating from some of the Eastern European countries and the Soviet Union, and reflecting a great variety of situations and behaviours in a context which, while demonstrating, to say the least, the continuance of "contradictions and limitations which have so far prevented those societies from achieving that full measure of freedom, democracy and participation which is an essential characteristic of the socialist ideal" (Enrico Berlinguer, Secretary-General of the Italian Communist Party), also indicates, with due allowance for exceptions, that things are no longer the same as they were in the 1950s. With respect to that period there has moreover been a growing demand on all sides for democracy and effective participation in decision-making. This is as true of the East as it is of the West, within the framework of the deep-seated processes which are everywhere at work.

16. It is plain to most observers that this has also, and largely, depended upon (a) the new climate of international relations that has set in

with the transition from the cold war to détente, (b) the new interdependencies that have been growing up in the contemporary world, (c) the weight and influence of a public opinion that lives in an ever-smaller and intercommunicating world. These are factual circumstances to which every country is, and will increasingly find itself, compelled to pay heed, whether it likes it or not, given the interconnections which exist in effect between its own internal behaviour and its external relations, and more generally between its own behaviour and the prospects ahead for détente. This had led to the growing conviction, particularly in Europe, about the nature of the process for applying the Helsinki agreements and the fact that détente, apart from being essential to coexistence in the world, is also the necessary framework for gaining major sectors of democracy and freedom within each of the individual countries.

17. It is not merely a question of Helsinki. International pacts on civil and political rights and on economic, social and cultural rights had already been approved even before the conference on security and co-operation in Europe (and have often not yet been ratified by the United States and many western countries). The various articles of these pacts define a perfect world, a sort of radiant city, very remote in any event from circumstances in any given country. "The right to employment is a human right", said the communiqué of the conference of European Social Democrat parties and trade union organisations held in Oslo from 1st to 3rd April 1977. Nothing would be easier than an exchange of accusations and counter-accusations between the various States about their respective abuses, for instance as regards the application (or non-ratification) of the two pacts endorsed unanimously by the United Nations General Assembly at its meeting on 16th December 1966. But such a performance would bring us neither civil and political rights nor economic, social and cultural rights. The only real result — in a world formed of countries destined to live together in peace, to co-operate and to solve common problems — would be to unleash a spirit of crusades. Mistrust, not confidence, would govern relations between States, with all the serious consequences that involves. It is therefore evident that the discussion in recent months — although it has undeniably had its bitter moments — has certainly not been useless and will perhaps have a positive influence on the preparation and conduct of the Belgrade conference. This discussion is indeed an important stage in an overall process and of more detailed thinking about all the complex interdependent features of the world today which the Helsinki final act in fact confirmed. As one of the principal representatives of christian-democracy in Italy, Luigi Granelli, head of the party's international office and former Under-Secretary of State for Foreign

Affairs, recently remarked, it is essential, in view of the complexity of this process "to take any action which would avoid culpable inaction or sterile provocation: ... to do this, and we say so quite clearly, we oppose those who, under the illusion of better defending their own convictions, may suddenly revert to the logic of the Manichean struggle between East and West, ultimatums, demonstrations of force, in short, to the more or less covert spirit of the cold war... And for the very reason that we must firmly uphold the right of the opponents, we must not maintain a complacent silence, which would amount to complicity, but act", added the representative of the christian-democrats, "with determination and a sense of measure in calling for respect for the principles of human rights adopted in Helsinki and upheld by the United Nations Charter. At the same time we must avoid provocation or pure propaganda which might bring a few short-lived results which would soon come back like a boomerang". Indeed, "the return to inflexible opposition between the two blocs, a split between the United States and the Soviet Union, the abandonment of dialogue and of the search for understanding" would impede any possibility of positive developments either in international relations or in each country progressively gaining ever wider areas of freedom and democracy. Fairly similar opinions were expressed at the meeting of Socialist and Social-Democrat Parties in Amsterdam on 16th and 17th April 1977 to review implementation of the Helsinki final act and consider prospects for Belgrade. *Inter alia*, it is stated in the final communiqué that :

"Abuses of human rights, wherever in the world they occur, should be met by adequate action.

The member parties of the Socialist International do not see any contrast between these efforts and the policy of détente. Therefore they are opposed to conservative forces putting into danger in the name of human rights what has been initiated in the field of humanitarian reliefs by the policy of détente."

18. The need for "the full application, by all States, of all the provisions of the final act of the Helsinki conference" and for "positive work at the Belgrade meeting" was also stressed recently by the Secretaries-General of the Italian, French and Spanish Communist Parties when they met in Madrid on 2nd-3rd March.

19. In short, in Western Europe, there is now a major convergence of political forces of various leanings on the fundamental difficulties raised by the approach to problems arising since the Helsinki conference and prior to the Belgrade meeting. This is a political fact whose importance must not be underestimated.

20. And here we come to the real difficulty : on the eve of the Belgrade conference, the dialectical relation between (a) the process set in train at Helsinki, (b) the satisfactory or unsatisfactory state of its progress (and here, to be able to give an overall picture, the analysis will have to determine how far the contracting States have "paid due regard", unilaterally, bilaterally and multilaterally, to the provisions of the final act), and (c) the best way to be taken, at the follow-up conference in Belgrade and more generally in intergovernmental relations in general, to ensure that the process can come to full fruition in a climate of trust. Hence, it is obvious that an appraisal of the status of implementation of the Helsinki act, critical to be sure, but historically, indeed historically balanced, is one of the factors that can contribute effectively to the promotion of co-operation and détente.

IV

21. In the face of such a factual situation, in that part of Europe in which we are chiefly interested, i.e. Western Europe, two substantially diametrically-opposed attitudes have emerged. One, advocated by a minority, starts from the postulate that the Soviet Union has now emerged upon the international scene not merely as a superpower in its global characteristics but as a country nurturing more or less overt intentions of seeking world dominion. For countries endorsing this view the policy of détente would therefore be, for the Soviet Union, a mere tactical expedient having as its object to lull the western democracies into a false sense of security and make them drop their guard, thus enabling the USSR to achieve the more easily its imperialistic ends. The result is a deeply-pessimistic evaluation of the Helsinki act as such and of the initial phase of its implementation, an emphasis on the latest Soviet policy for nuclear and conventional armaments, a refusal to develop East-West economic co-operation, a highly polemical denunciation of the non-application by the socialist countries of the provisions of the third basket, and a substantial opposition to any broadening or stabilisation of the policy erected around the Helsinki act. In short, the upshot is a unilateral appreciation ignoring, to such an extent as to turn it completely inside out, the example provided by the difficult and laborious process at work in Spain, and the responsibility of the attitudes taken by the various countries and political formations towards it.

V

22. The alternative hypothesis starts from the premise that Europe is now, and probably will for a long time to come remain, in a situation

characterised by the existence of two blocs (inside which at present the United States and the Soviet Union objectively play a dominant rôle, if only by reason of their own specific weight) and a great many neutral and non-aligned countries. Simply taking note of this reality means regarding the European situation not solely in terms of a bipolarity and recognising the greater room for autonomy and initiative which, at any rate in the abstract, the progress of détente opens up for the various countries. Yet nonetheless the two alliances, of the Atlantic and Warsaw Pacts, still constitute the principal factor in the pattern of post-war Europe. The dominant trend in recent years, in a Europe organised with sufficient stability to stand up to a confrontation not involving any conflicts, has been to go beyond the idea, still very obvious for reasons we do not propose to go into here, that we are all strangers to each other. In short, what is proposed is to endeavour, by accepting the process begun at Helsinki, to introduce more normal relations between Eastern and Western Europe, better able to take account of human factors in a new spirit of co-operation, to the benefit of both sides. This interpretation, which of course lays stress on the overriding importance of the political aspect, carries as a corollary a continuing search to find common ground for co-operation, and as a premise, based on compulsory reciprocity, maximum good faith in implementing "measures aimed at increasing mutual trust". While the criteria for determining the degree of respect and activation of the provisions of the final act may differ and these criteria are themselves at present a bone of contention, your Rapporteur believes it is clear that this kind of approach is capable not so much of "saving Helsinki" (for in fact, and luckily, it has not yet come to that), as of allowing the CSCE to realise in future, and more and more as time goes on, all its great potentialities. Hence the fact that :

"At the meeting of representatives of the CSCE participating States to be held in mid-June 1977 at Belgrade, it will not be a question of fending off accusations, but first and foremost of ascertaining what it has been possible to put in train on the lines of the common resolutions, and secondly, of examining what can, more realistically, more quickly and more rationally, be attempted." (Willy Brandt)

23. Developing this viewpoint in his opening speech at the conference of Socialist and Social-Democrat Parties in Amsterdam on 16th April, Willy Brandt added :

"The chances of détente must not necessarily be considered with pessimism ; on the contrary, dangerous errors of appreciation must be fought and illusory ideas opposed.

The policy of détente has never sought to eliminate differences between States and types of society in East and West. Now as before, it is far more a matter of learning to live with these differences, abolishing or mastering possible tension and at the same time developing fields of joint interest. The policy of détente and the defence of human rights are not contradictory. If we do not manage to eliminate tension, thereby making peace more stable, it is not worthwhile or possible to talk seriously about human rights. Reference to human rights is then merely a slogan and ineffective if it moves too far from reality. Anyone who nurtures illusions about the policy of détente does not help to ensure peace but encourages an atmosphere of insecurity, instability and tension."

24. On the prospects of Belgrade, Willy Brandt noted in the same speech that it was necessary to :

"pursue what was started in 1975 through European co-operation. The Belgrade conference is certainly not intended to add to the already ambitious Helsinki catalogue.

All participating States must naturally have an opportunity of expressing critical opinions in the context of this provisional review. To this end, a sufficiently clear picture must be obtained of the positive developments noted since Helsinki, particularly in the humanitarian field. But in Belgrade the representatives of the thirty-five governments concerned would not get very far if they were asked to put each other on trial as if they were in court.

One thing to be attempted must be to define two or three concrete tasks under a few major headings. These projects, which would encourage closer co-operation, might be launched in the economic field to solve the problems of energy and raw materials supplies, in the field of environmental policy and transport."

VI

25. To attempt to define more precisely the areas in which one or other of the alternative hypotheses prevails, it would have to be acknowledged (with all the defects always inherent in any generalisation, and all the natural shifts of emphasis and concept) that the governments of Western Europe, in general, espouse the second hypothesis in the context of an effort, whose importance should be underlined, with a view to preventing the Helsinki process becoming bogged down and seeking the bases and broad lines of its subsequent development. In view of

the relations between them, particular attention should be paid to the EEC countries and the neutral and non-aligned countries.

26. A few examples will suffice to demonstrate this orientation.

27. In the case of *France*, the declarations by the Prime Minister, Mr. Barre (16th March), define the principles which guide government action :

"Détente is a lengthy process which will inevitably encounter difficulties. But we still consider it to be the only means of tackling opposition between blocs and avoiding a split between countries with different social systems... As for the long-term prospects of détente, no country is more attached to it than France which, since the beginning of the last decade, has made it one of the essential bases of its foreign policy."

28. Referring to the new American leaders, Mr. Barre then said :

"We trust that, without prejudice or dogmatism, they will view the world as it is. They will see that each country has its problems, its interests, its policy, and that if each one's independence and dignity is respected, there is every chance that the international co-operation which the world needs will be intensified."

29. All these views were subsequently developed more fully by President Giscard d'Estaing in his televised talk on 12th April, during which he gave some interesting indications about France's general attitude. *Inter alia*, the French President said with regard to political and methodological problems :

"First, what is our concept of the policy of détente which is being talked about? For me, the policy of détente is an effort to improve relations between countries of East and West, accepting their reciprocal existence on a basis of equality. Fundamentally, therefore, the policy of détente is an attempt to improve relations between the countries of East and West. It is not a policy for the ideological conquest of the West by the East or of the East by the West. To this policy of détente, which calls for patience since it aims at improving relations, are to be added certain fundamental concerns which for us are human rights and application of the Helsinki agreement.

First, where human rights are concerned, I would remind you that France, in all its fundamental texts, in its constitution, insists on the recognition of human rights, freedom in all its forms and the full exercise thereof, and when President Carter wishes to intro-

duce a clearer and stronger affirmation of human rights into world politics, he will find an active part being played by France. Then there are the Helsinki agreements, in which a number of principles are laid down. They were laid down by all the countries which signed the agreements, including the Soviet Union. I brought the Helsinki agreement with me, thinking this question would be raised. It reads as follows: 'The participating States' — and thus the Soviet Union — 'will promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development.' And a little further on the agreement reads: 'They confirm the right of the individual to know and act upon his rights and duties in this field.' France therefore considers that application of the Helsinki agreements does in fact include the exercise of civil rights and freedoms and France will express or recall this each time there is a question of applying the Helsinki agreements. In this connection, France disapproves of action which seeks to ill-treat or persecute individuals or groups of individuals because they are urging their countries to apply the agreements. You asked whether, in view of this attitude, France — and I myself — should receive a specific individual, from the Soviet Union or another country, who considers he is being persecuted. There are relations between States and personal relations. Where relations between States are concerned, France will continue to stress the need to recognise the effective exercise of freedoms. If freedoms are not exercised, it will pass judgment accordingly. Conversely, it will not intervene in particular situations within other States. Why not? First, because we would not agree to others taking such action towards us. How would the French people react if, with regard to a trial or contestation, the leaders of another State were to express opinions on the position of a French citizen? We would not accept it. Second, we will not do so because I am not sure that it is the most effective way of encouraging respect for human rights and freedom. I can tell you that each time we have an opportunity, with the principal leaders of the eastern countries, we raise and solve personal problems, i.e. persons wishing to leave their country or families wishing to be reunited or situations to which our attention has been drawn because they are distressing, and we solve a large number of problems.

Conversely, to want to intervene in public in particular cases is imagining that by

doing so a country such as the Soviet Union can be made to go back on its own decisions. Those who know the Soviet Union know that it would consider this a setback or humiliation and it is not by such methods that the problems arising will be solved."

30. He subsequently made his own thoughts clear in the following terms:

"To revert to what I was saying earlier, détente is not a means of conquering each other but of improving relations by recognising the existence of both sides in present circumstances. Of course we stand by our ideology and attachment to our political and economic system. We know the same is true for the Soviet Union. We are not trying to make use of this occasion to substitute our's for their's, nor the contrary; we are trying to improve our relations in the world of today. I believe that, in view of the considerable threat to humanity from nuclear means — we shall not have time to speak about this — because of the volume of armaments, détente must continue to be the course to be followed in our efforts."

31. In the case of the *Federal Republic of Germany*, Chancellor Schmidt, on 17th February, commented on the prospects for Belgrade in the following terms:

"There, a kind of interim balance-sheet will be drawn up of what Helsinki has actually achieved. On this occasion, the Soviet Union is likely to put forward three proposals, for international conferences on the environment, transport and energy. Possibly conferences on other topics will be proposed by the West. But Belgrade ought not to become an occasion for confrontation, as the CDU would like it to be. Such mischievous talk can only be indulged in by members of the opposition who have no responsibility of office."

32. More recently, in a speech in Amsterdam on 16th April during the conference of Socialist and Social-Democrat Parties, Chancellor Schmidt *inter alia* summed up the position of the Federal Government towards the trend of East-West relations since the Helsinki conference as follows:

"1. The Helsinki agreements represent a tremendous progress compared to the situation thirty years ago. While their implementation has not yet produced satisfactory results, there have already been positive consequences for Europe, i.e. with regard to economic co-operation and the reunification of families.

2. However, governments must recognise that there is still a danger of the dialogue on détente becoming bogged down.

Development of the policy of force in other parts of the world confronts the process of détente with other problems. Africa, the Indian Ocean and other regions must not remain outside the attempt to eliminate tension. It is essential to maintain the dialogue on détente and to deepen and enlarge it geographically.

3. The Belgrade follow-up conference could be a major intermediary stage. The thirty-five governments should adopt as their intermediary aim support for the joint decision taken in Helsinki to renounce solving disputes by means of arms. The western bloc must be careful not to play the rôle of public prosecutor and leave itself open to a situation in which it would only react to proposals emanating from communist States. A joint western position can be discussed beforehand with member and non-aligned countries.

4. In the long run, the discussion on human rights will play a capital rôle in the ideological confrontation between democratic and communist societies. The true meaning of the policy of détente is to ensure respect for human dignity. To this extent, there is no contradiction between the policy of détente and action in favour of human rights. This trend should not therefore be compromised by verbal violence; the discussion should be conducted so as to ensure the maximum chance of success for the individuals concerned.

5. Détente is a long-term process whose two main aims are :

- progressively to defuse hostilities ;
- to bring together the elements for better co-operation, for instance in the economy, production and trade, energy policy, raw materials supplies or environment policy."

33. Certain statements by the SPD's spokesman for foreign affairs, Mr. Horst Ehmke, during the debate in the Bundestag on 19th January, are also significant :

"But let everybody be clear that at Helsinki far-reaching measures were laid down that it will take a great deal of patience to implement. The Helsinki resolutions are only two years old. The EEC treaties are twenty years old, and even these have not yet been fully applied. Helsinki is no legal instrument whose execution can be enforced. It is the starting point of an arduous political process in Europe."

34. Still more recently (6th April), Mr. Ehmke said :

"The Federal Republic must now make an active contribution to avoiding a return to East-West confrontation and allowing the two great powers to pursue their policy of détente in Europe."

35. In the case of the *United Kingdom*, the new Secretary of State for Foreign Affairs, Mr. David Owen, having noted in a speech on 3rd March that "the present relationship is essentially unstable. It still carries the risk of miscalculation and disaster. We have to reduce this risk", underlined "the Jekyll and Hyde nature of détente — competition on the one hand, co-operation on the other" and described the outlook as follows :

"Public opinion in the West has tended to display an increasing scepticism both towards the final act and by extension towards the process of détente itself. But it is equally true that some of this scepticism and disappointment has been misconceived, and that expectations have outstripped by far the limits of what détente could have reasonably delivered.

For while détente has substantial achievements to its credit, the process started from a low threshold and represents to date only a limited, though vitally important, accommodation in Europe and between the superpowers. We are witnessing the early stages of this process, not its culmination. Détente has solved some of the most urgent and obvious problems in East/West relations and it has established a basic framework for the solution of those which remain. But there is still a long way to go.

The blunt truth is that the first and easier stage of détente is over. The issues which are today on the agenda of East/West relations are more complex, more contentious and far more intractable. We are beginning to encroach on fundamental attitudes on human behaviour, and the issues go to the heart of each side's perception of itself and its interests. Inevitably we cannot expect to maintain the momentum of the early 1970s.

This makes it all the more important that we should be realistic. Détente on its own could not, and was never intended to, stop the Soviet Union from being a world power, still less to convert the Russians and their allies from communism. Already in the last century it was clear that it was only a matter of time before a country of the size, population and resources of Russia emerged as a global power. Any idea that détente could or should have reversed this process is absurd. The basic premise from which we in the West must start is that the Soviet Union is a world power with national interests and ambitions to match, which

inevitably bring it into competition, and sometimes confrontation, with the West. To this we must add that communist ideology invests the natural rivalry between East and West with a dynamic of unceasing struggle.

Détente is an immensely complex process, comprising innumerable strands and relationships on different levels: political dialogue, commercial and technological exchange, cultural contacts, ideological debate and military vigilance. There is no magic formula which will enable us, East or West, to strike the right balance in our relations at all times. Both sides are still feeling their way. All we can say is that balance there must be between the elements of confrontation and co-operation, whether we are talking of the détente process as a whole or of its constituent parts.

These considerations apply with particular force to the Helsinki final act. While the act marked an important stage in the development of co-operative relations between East and West, there is no denying that several of its provisions contain the seeds of confrontation.

It is important therefore that we should clearly understand its significance. The final act is not a treaty which has given the sanction of international law to the status quo in Europe. It is, on the contrary, a declaration of purpose which looks to the future, not to the past. It provides specifically for peaceful change. Its value is fundamentally long-term: as a charter and code of behaviour for what we hope will in time become a more normal and open relationship between both governments and peoples in East and West. It reflects détente's highest aspirations.

Anyone judging the final act in terms of quantifiable, concrete results, would conclude that progress so far has been extremely limited. But the government never expected the provisions of the final act to be implemented immediately or all at once. Those in this country who have already dismissed the final act as not worth the paper on which it is written are at best short-sighted, at worst all too ready to substitute short-term political rhetoric for long-term political progress. In pressing for the implementation of the final act, we are in many areas dealing with entrenched attitudes which in the nature of things will not change overnight. But recent events in Europe have shown that the final act has already begun to be an inspiration and a point of reference for those who want to see their societies evolve peacefully and constitutionally in a more open direction."

36. The Prime Minister, James Callaghan, in turn defined Britain's position in a speech to the conference of Socialist and Social-Democrat Parties on 17th April:

"You will see that Britain looks towards Belgrade with a determination that it should be a further positive development of détente. We shall not go there to win propaganda victories, but to have a businesslike and constructive discussion if at all possible. We do not nurse expectations which are too high — of what can be achieved at Belgrade. We are both realistic and patient. European security and co-operation is essentially a long-term process. Nevertheless we are convinced of the political importance of the Belgrade meeting for its long-term value in continuing the dialogue which has opened between East and West, and in emphasising the seriousness of the political commitment which all the signatory States have assumed. It will not be the task of the Belgrade meetings to rewrite or prejudice the final act. This remains a central and fundamental document, and we should satisfy ourselves that the final act is working effectively before we plan sequels or supplements to it. The implementation of the final act is a continuing process, and at Belgrade we shall be looking for steady and measured progress towards the equal implementation of all three baskets, which in our view constitute a balanced whole. I must point out that public opinion in Britain is concerned about the freer movement of peoples and ideas, and respect for human rights. We will draw attention at Belgrade to shortcomings where there is good evidence that they exist. We have never denied that abuses of human rights, wherever in the world they occur, are a legitimate subject of international concern. Concern for human rights — whether voiced at international fora like Belgrade or in private bilateral representations — is an integral part of British policy, and not a diversionary tactic, hastily conceived and as quickly forgotten. The CSCE process has already achieved a number of gains; it has opened a dialogue from which we work for improvements in many fields; it has enabled us to develop habits of co-operation; it is serving as a source of encouragement to those who seek to make their own societies more open. These gains, and the many opportunities which CSCE may provide us in the future, are not lightly to be abandoned. We in Britain attach real importance to the development of the CSCE process, and we intend to play an active rôle in the Belgrade meetings."

37. In the case of *Italy*, the Minister for Foreign Affairs, Mr. Arnaldo Forlani, in statements in Strasbourg (28th January) and London (meeting

of EEC Foreign Ministers, 1st February), emphasised that :

"The principles of Helsinki cannot be implemented by the wave of a magic wand. Radically different institutional systems stand confronted : yet there is no lack of ferments at work and new developments indicating a possibility for evolution. These ferments will have greater possibility to mature the more we advance along the path of détente and collaboration, even if only on a sector-by-sector basis."

38. Mr. Forlani remarked in London, of the exchange of persons and ideas between East and West, albeit in the context of a critical appraisal, that :

"There is, at certain levels in the USSR and other Eastern European countries, a new ferment at work allowing the tentative assertion of personal autonomy. This is possible for few people only, and carries with it very high risks : it is nevertheless a sign and indication that the path of discussions and negotiations may open upon some new gleams of hope... We should", the Italian Minister for Foreign Affairs went on, "take this fact as a reason to go to Belgrade with a common attitude : clear, to be sure, on the invocation of principles, but also realistic and constructive as regards further progress on the road of détente, within a process of searching that can only be gradual and slow."

Mr. Forlani also said, at that forum, that :

"The optimism of willpower must prevail over causes of pessimism. I think the conviction is steadily gaining ground that any hardening of the international situation would not only bring with it the grave perils that we already knew in the dark years of the cold war. It would also stifle, perhaps for good, the hopes we cherish of a gradual process of liberalisation in Eastern Europe... The way towards détente is narrow and rough, but is in any case the only one we can travel.

If we really want to arrive at a different relationship of trust, we must aim at achieving a balance of armed forces and weaponry at lower levels, and resume the nuclear disarmament talks between the United States and the USSR. Only if tangible results are achieved in this sense will the goal of general disarmament appear less utopian."

39. In the case of *Finland*, the Prime Minister, Mr. Martti Miettunen, said :

"In the implementation of the principles of the final act of the European conference at Helsinki promising results have already been

achieved. To assist towards further progress, constant efforts must be exerted in all directions. To this end we should like the Belgrade follow-up conference to become a constructive phase in the same process, so vital for the peace and security of the nations. Maintenance of the positive spirit of collaboration should not be jeopardised by choosing to tread the path of exchanges of abuse. In my opinion the final act forms a single whole and is to be regarded as such throughout the implementation of its provisions."

40. In the case of *Sweden*, the Minister for Foreign Affairs said in his report to the Riksdag on 30th March 1977 :

"The question at present arousing the greatest interest in international politics is that of the immediate prospects of détente. Efforts at détente have now been a feature of East-West relations for more than half a decade. Considering earlier relations, particularly during the cold war, the results achieved are significant. This does not mean that fundamental differences and suspicion between the great powers are no longer there. But a network of contacts has been established, the practice of exchanging views has developed and confidence has been strengthened and this should gradually lead to the realisation that security can be obtained by means other than a constant increase in armaments."

41. On the preparation of the Belgrade conference, Sweden's position was defined as follows :

"The government is now carefully preparing its participation in the Belgrade meeting which, in accordance with a decision taken at the Helsinki conference almost two years ago, is to verify how the commitments entered into in the final act have been fulfilled and lay down guidelines for the pursuit of co-operation. These preparations are being made in close co-operation with other participating States, including in particular the Nordic countries and the group of neutral countries which, apart from Sweden, also includes Austria, Finland and Switzerland.

The Helsinki text sets out at length the undertakings and recommendations intended to promote co-operation in a host of fields and facilitate détente in the long term. The various parts of the text have an internal relationship and together form a balanced entity. The achievement of the aims which participating States set themselves means that they must move clearly and energetically in the agreed direction but with patience and caution. They have no reason

to conceal their feelings about the way a State, or group of States, fulfils its undertakings.

There is nothing to prevent them from criticising objectively situations which they consider contrary to these undertakings. Such criticism is obviously not contrary to the wish to pursue efforts towards détente and peaceful co-operation.

In the light of these considerations, Sweden believes that the Belgrade meeting should not be transformed into a forum for exchanging accusations and charges which might obscure the ultimate aim, the promotion of peace.

We shall endeavour to make the work at Belgrade look to the future. The Helsinki text provides a good basis. We hope that understanding will be established on this basis with a view to pursuing co-operation. *Inter alia*, we are considering submitting proposals to allow participating States to draw greater benefits from so-called confidence-building measures. The purpose of these measures is to give real information about certain troop movements and military manoeuvres so as to avoid any unjustified suspicion about their aim and direction.

We shall strive to ensure that the discussions in Belgrade on economic and cultural co-operation lead to real progress. We know that in this respect there are particular difficulties in the way of co-operation stemming from differences between systems applied in the various countries. But we feel that there will be sufficiently strong joint interest to allow agreement to be reached on certain worthwhile measures. It might be a matter of affording greater facilities for economic contacts between the partners, opening the way for a wider exchange of information and more widespread reporting by the mass media or allowing countries to become better acquainted, in a free manner, with their respective cultures.

In this connection, it is particularly important to be able to continue work to reunite divided families. This work is closely connected with the destiny of individuals. We shall persevere in finding solutions for cases still unsolved and for new cases which arise.

Much attention will be paid at the Belgrade meeting to matters affecting the protection of human rights. This is both natural and necessary. We have great sympathy for those who are subjected to humiliation and persecution because they wish to express their opinions on matters concerning the community, for instance, because they wish

to practise their religion because they wish to meet and work together for political, trade union or other aims. We admire the heroism of those who are fighting for these fundamental freedoms in Eastern Europe. Pursuit of the process of détente lies in governments' respect for and satisfaction of individual needs and rights. That is why we consider that criticism of the violation of human rights is beneficial rather than harmful to détente.

The Helsinki final act specifically mentions the connection between protecting human rights and developing peaceful relations between States. When, by statements and measures, we endeavour to protect human rights, our action is not only beneficial to specific individuals; it also consolidates the foundations of peace.

But although this is our attitude, we must also ensure that our words and deeds have the desired effect and do not run counter to the goal sought. Our criticism must be such as not to jeopardise the cause we wish to defend. This balance is often difficult to achieve.

All countries are very sensitive about anything which might be considered as interference in their internal affairs. The fact that at international level human rights are no longer considered to be the exclusive concern of each separate State is naturally a very significant achievement."

42. For reasons of space, it is impossible to give a complete review of the judgments and orientations formulated in the different Western European capitals. One political-geographical exception must, however, be permitted, in order to illustrate the opinion of the government of the host country for the follow-up conference, *Yugoslavia*. The Vice-President of the Federal Executive Council, Anton Vratusa, wrote recently that :

"Over the past two years there has been discernible a favourable development in line with the final act of Helsinki. Such changes for the better are even more impressive if we compare current trends and relations in Europe with the situation prevailing in 1967 when, on the initiative of nine European countries, the resolution of the United Nations General Assembly was barely beginning to encourage regional action 'with a view to improving good-neighbourly relations among European countries having different social and political systems'."

He went on :

"It is all the more essential that the coming Belgrade conference should examine, as well

as the results of the activities deployed following adoption of the final act of the CSCE, the essential measures to be taken in order to liquidate more speedily any foci of crisis and causes of antagonistic division in Europe and the world, and ensure the progress of the processes initiated, of reconciliation among the nations and consolidation of peace. This is no time for vying with one another, for propaganda purposes, in denouncing *whatever some people have failed to do* in implementing the final act of Helsinki, but a time for conducting an honest and responsible analysis of what must be done in order for the democratic processes set in motion in Europe and the rest of the world by the Helsinki conference to be continued with as few impediments as possible, and lastingly consolidated. The final act of Helsinki forms a balanced whole, but is still a compromise. Consequently it cannot be implemented unless account is taken of the interests of all the participants. There can be no question of scrutinising the attitude of the participating States to any one particular basket, but only of surveying political security and economic and cultural relations as a whole, and the need for firmer reciprocal commitments guaranteeing continuity of effort. It would be no use judging things in a spirit of winners and losers. Everyone will be a winner if we resolutely address ourselves to removing the obstacles impeding free contacts between the independent peoples of Europe, and everyone will be a loser if we obstinately strengthen the exclusive attitudes and barriers of separate blocs. In that case the real loser is the cause of world peace and security, and the real winner the forces of violence and passion. Undoubtedly, by reducing the issue to one of the stance of individual members of the intellectual élite of one country or another, we distract attention from the big, urgent, socio-economic and political problems, a settlement of which is a prerequisite for the achievement of democratic freedoms for all, in the different countries and among nations with equal rights."

VII

43. Having thus briefly summarised the opinions which have emerged, or are emerging in the position of the western governments, and which are logically founded on a comprehensive and complex analysis of the status of implementation of the final act of Helsinki, the next problem is to identify what steps forward have been taken, bilaterally and multilaterally, in application of the provisions of Helsinki. The balance-sheet at the end of the early months of 1977

cannot be termed wholly negative. It would have been foolish to expect much more progress to have been made in such a short time. And it would, in any event, be misleading to fail to perceive, or ignore, the nature of the implementation of the final act as an ongoing process. However, there are two general aspects that deserve to be underlined. The final act looms considerably larger now on the international scene, compared with the time of signature, and more and more references to it are being made, albeit for very different reasons. Moreover, and this is my second comment, the Central European set-up which some may have seen as underlying its conception is in rapid transformation: partly for negative reasons, such as the macroscopic breach of the act constituted by the Cyprus question, but also for a number of positive ones, such as the Italo-Yugoslav agreement, the beginnings of technical collaboration among the Balkan countries, and the growing demand for extending the system to take in the Mediterranean region.

VIII

44. As regards the concrete achievements connected with the first basket, mention should be made of certain bilateral co-operation agreements which have assumed fundamental importance for the signatory countries: the agreement between Italy and Yugoslavia, the one between Poland and the Federal Republic of Germany for the repatriation of families. The conclusion of the Osimo treaties between Italy and Yugoslavia represented for both countries the final settlement of a dispute dating back to the birth of the two States and in fact completed in Europe the fundamental process of recognising frontiers which started with the *Ostpolitik* and was confirmed by the Helsinki final act. Nor is its importance political only, but economic and cultural too, given that these agreements, by putting paid to a past fraught with hostility (we need only recall the boost of aggressivity the question of the Adriatic for so long supplied to fascism and neo-fascism), open the way to a future of co-operation, in some ways highly-innovating compared with previous international experiments carried out in this field. It is extremely significant that this agreement should be connected with the Helsinki act, and at the same time noteworthy that, within the framework of this multilateral approach, it should stem from a fully-independent decision by both countries. The Italian Minister for Foreign Affairs, Mr. Forlani, specifically drew attention to this aspect when winding up the debate in the Chamber of Deputies:

"I note that the Osimo treaties consistently conform to the spirit of the letter of the conference on security and co-operation in

Europe, to which Italy wholeheartedly subscribes.”

45. The same could be said of the agreement between Poland and the Federal Republic of Germany for the repatriation of families, which also gratified the wishes of tens of thousands of people of German origin, at the same time offering them a free choice of going back to their homeland or definitely staying on in their country of adoption. In this case too, the independent decision of the two governments, unrelated to any question of blocs, contributed as we believe very profoundly to rapprochement and friendship between the two countries. It is worth remembering, too, the concrete use by the Vatican of the Helsinki act for normalising the situation of the church in Hungary and, more recently, regularising the Berlin bishops' conference, the communiqué concerning which (27th October 1976) explicitly refers to the Helsinki act.

46. On the multilateral plane we have witnessed interesting developments like the inauguration of technical co-operation between the Balkan countries, whether, like Greece and Turkey, members of NATO or, like Romania and Bulgaria, members of the Warsaw Pact, or again, like Yugoslavia, one of the non-aligned. Such co-operation gives hope of an expansion within the Helsinki framework of détente and agreement among the European countries of the Eastern Mediterranean basin. Another notable result of the Helsinki act has been the co-operation established among countries bordering on the Mediterranean for collectively combating the pollution of its waters, which led in February 1977 to their signing an agreement at Split. In this case too Helsinki seems to have opened a way that could be followed by countries belonging to both military blocs as well as neutral and non-aligned countries, and bring about tangible results beneficial to all the populations concerned.

47. Steps forward of some importance have also been taken in the field of confidence-building measures (point 2 of the first basket). Important manoeuvres have been notified, by one side or the other, to the adjacent countries, which have generally been able to send observers. There was at first some grumbling on the NATO side, but things have settled down subsequently in patterns apparently satisfactory to all. True, these are measures of limited scope, in that the territories in which they are compulsory are limited so that it is still possible for either side to engage in large-scale manoeuvres without giving notice, while only a non-aligned country like Yugoslavia is, in practice, obliged to notify all the manoeuvres carried out on its territory (nor has it made any attempt to evade this obligation). Whether these are actually measures sufficient to the end of strengthening mutual trust is

another matter, hence the necessity for genuine progress in the MBFR talks in Vienna, but within the scope of the Helsinki act provisions, it does represent a real achievement.

48. Some see as the main obstacle to greater progress in the reduction of armed forces and armaments in Europe the continued existence of the two military blocs whose strategies are still offensive, even if the political lines accompanying them are defensive. Others instead argue that the existence of blocs themselves may in fact facilitate, at least in the present stage, a balanced and controlled reduction of armaments.

49. Certainly there are firm, albeit contested, statistical grounds for asserting that the Warsaw Pact countries have a growing preponderance in Central Europe. But we know that in the other camp statistics compiled on a different basis point to a totally opposite conclusion. According to whether forces in the Mediterranean theatre, where the West has a marked preponderance, are or are not included, radically different conclusions are reached about the balance of forces in Europe. Depending on whether numbers of divisions or numbers of men are counted, whether this or that definition of an armoured vehicle, strategic or tactical nuclear weapons is adopted, opposite results are reached, with the result that either side, considering itself to be in a state of inferiority, could think itself threatened and seek to restore or alter the balance of forces in its own favour.

50. Plainly, methods like these cannot produce any results in the area of détente and disarmament, and are largely responsible for the protracted dragging out of the MBFR negotiations the last round of which terminated unsuccessfully on 15th April.

51. These talks are in turn influenced, positively or negatively, by the course of American-Soviet strategic negotiations. In addition to this obstacle, it should be noted how the question of the Vienna talks has been viewed recently, at a very important political juncture. In his speech to the conference of Socialist and Social-Democrat Parties in Amsterdam on 5th and 6th November 1976, Willy Brandt, Chairman of the SPD, said in this connection :

“In 1975, almost \$300,000 million were spent throughout the world for military purposes, of which 80 % by States taking part in the CSCE. According to expert estimates, *tactical* nuclear weapons stockpiled in Europe alone represent a destructive power equivalent to 10,000 times that of the Hiroshima bomb. These figures show to what extent material, financial, technological and human resources are being wasted for destructive purposes, whereas if they were used for improving the condition of mankind, this could relieve considerable poverty.”

Mr. Brandt also said :

“A balanced reduction in these destructive forces is of capital importance for the future of détente and the establishment of mutual confidence in East-West relations, but success cannot be achieved by one side alone.”

And he added :

“The aim of the policy of détente in this field is to move gradually towards a situation in which a surprise attack is impossible. This will take time ; it will unfortunately be a long time before savings are felt in the budgets. However, it is possible, without being unrealistic, to agree in the coming years on two measures to be implemented, one being an initial limitation of armed forces in the same context.”

52. More recently (*Europa Archiv*, 25th January 1977), the Chairman of the Sub-Committee on Disarmament and the Control of Armaments of the Bundestag Defence Committee, Mr. Alfons Pawelczyk (SPD), noted in Vienna that :

“The process of clarification is making such good progress that a first agreement seems possible. At this stage of development, it might include the following elements : all States playing a direct part in the negotiations would undertake to reduce their armed forces ; the process of reduction would be divided into two stages. To strengthen and improve confidence in the policy of détente, a first measure might be limited to the reduction of American and Soviet forces. Ways to reduce the forces of the other direct participants would then have to be agreed upon. This reduction might cover land and air forces and to a certain extent conventional and nuclear weapons. A limited reduction of the forces of both parties would not endanger security but could be an essential part of the process of détente. Such an agreement would help to ensure that the policy of détente led not only to the establishment of confidence but also to an effective reduction of forces. In this way we should be approaching the goal, which is to find a means of making it increasingly impossible to use military means to impose political aims.”

In mid-April, Mr. Pawelczyk again underlined that :

“At the present stage in the Vienna talks, it is possible to negotiate a first agreement preventing the conventional armaments race and allowing a first reduction measure. At the present international juncture, what really counts for security policy is not the size of the first reduction but the very fact that there is a reduction.”

53. The difficulties encountered in the Vienna negotiations already show that while the dismantling of the military blocs may possibly be a long-term goal, it is quite out of the question at present. Now, the disappearance at this time of the existing military blocs would, in the opinion of many experts, present a number of perils (in particular, a multiplication of disputes among smaller powers with the consequence of one or more larger ones being moved to intervene to settle the dispute and thus bring to an end the period of peace, armed peace certainly, but still peace, that Europe has known since 1945). It would therefore be a very tricky path that Europe would have to tread, at least initially, once effective action is begun, to open up the prospect of dismantling the blocs. Most likely, the time is not yet ripe, but already it should be possible to imagine a number of changes in foreign policy and defence policy by one or other side with a view to paving the way for such a future development.

IX

54. As regards the problems of the second basket, considered the easiest sector at Helsinki, there are also considerable difficulties, though not so serious as those in other sectors. We have tabled before us the three Soviet proposals concerning energy, transport and ecology. These are long-term projects in areas which have made little progress to date, among other reasons because the promoters have lately shown little sense of urgency, and which are still under study in the United Nations Economic Commission for Europe.

55. With more specific reference to trade, there is a series of both general problems (non-discrimination and most-favoured-nation treatment, reciprocity, the abolition of quantitative restrictions and administrative obstacles, the indebtedness of the eastern countries and their shortage of capital), and particular problems concerning concrete conditions for business contacts and commercial information. Certainly, we find ourselves at present in a difficult pass, but the fact remains that there is still a steady flow of western businessmen towards the socialist countries, since the problem of the growing interdependence of the capitalist and socialist economies, especially in the current international economic situation, is clearer to both parties than ever before in the past. Long-term co-operation programmes in various fields including energy and exploitation of the sea are now prepared in both East and West in different economic and government circles. The highly favourable fact must also be stressed that this year for the first time contacts have been established between the EEC and Comecon and genuine discussions between the two economic

areas, Comecon and the Common Market, have been opened with the multilateral negotiations about fishing.

56. These programmes provide for co-operation agreements in trade (long-term agreements, joint companies, compensatory trade and related problems), agreements on joint production (with the possibility of joint ventures and triangular co-operation), agreements on technological co-operation including the joint development of specific technologies, aimed at supplying technical equipment to third countries, and agreements on recourse to the international financial system.

X

57. The third basket is the section of the final act which has roused, and continues to rouse, the fiercest controversy, for the reasons stated above. The problem is particularly delicate in that it involves in fact each country's internal legislation and not merely problems of governments' behaviour. Nor can the question be strictly localised in its incidence. It is quite true, as already said, that for the last few months public opinion has been mainly focused on the USSR and the various socialist countries of Eastern Europe, in which persons and groups of persons have invoked the final act to denounce breaches of its provisions and claim wider freedoms. But the question arises elsewhere too. We have already alluded to what President Carter has said about entry visas. Other situations can also be cited (the transition phase through which Spain is passing; the controversy about *Radikalenerlass* and telephone monitoring in the Federal Republic of Germany; Cyprus and Northern Ireland). Therefore the problem has two aspects: one internal to each country and one international, in view of the growing importance the question of human rights has assumed in international relations. The Helsinki act has in this respect been certainly innovatory, as the first of its kind devoting so much space, albeit with no compulsory force, to economic, social and cultural questions of universal impact.

58. However, a philosophy of conduct has still to be formulated. As Mr. Vance says, "It is a balancing process". But already one element seems to emerge with sufficient clarity, the more and more commonly-held conviction — already mentioned above — that there is a close connection between progress in détente and co-operation and the creation on all sides of wider and wider areas of freedom and democracy. Any pause, or worse still backsliding, would certainly not encourage a growing and widespread assertion of human rights. On the contrary, it is precisely progress towards détente that will, in an intercommunicating world, render more and more difficult any transgressions of the major goals

which the final act of Helsinki sets for Europe. An apt illustration is the remarks by Marshall D. Shulman, Director of the Russian Institute of Columbia University, and now President Carter's adviser on Soviet affairs (*Foreign Affairs*, January 1977, pages 333-334) :

"It should be clear that the effort to compel changes in Soviet institutions and practices by frontal demands on the part of other governments is likely to be counterproductive. Yet external pressures may well be marginally effective, provided they take into account a scale of reasonable feasibility; for example, demands for humane measures in reuniting families may be feasible, whereas demands for measures which threaten to undermine the system's monopoly of political authority are not.

We cannot predict which way the Soviet system will evolve in the future. But it seems reasonable to believe that easing of repression is more likely to result from evolutionary forces within the society under prolonged conditions of reduced international tension than from external demands for change and the siege mentality they would reinforce."

He added the basic consideration that :

"For governments, therefore, the first order of business must be to regulate the military competition" and that "the objective of the United States and other democratic governments to seek to reduce the danger of nuclear war by negotiations with the Soviet leaders is a moral obligation."

59. Still more, the achievement of agreements to ensure for the world the possibility of living under a system of peaceful coexistence, détente and co-operation, is increasingly coming to be seen as a path for which there are no rational alternatives: the only one that can, at the same time, lead the world onwards toward the more advanced goals of democracy and freedom.

XI

60. Lastly, there are two problems that remained marginal at Helsinki but on which the Belgrade conference cannot abstain from taking a stand. One is that of the Mediterranean. From the foregoing it is clear that this area with its Middle East extension is now one of the world's "hot-spots" and there is a growing body of opinion, even among governments which opposed its inclusion among the topics for discussion at Helsinki, that genuine security in Europe cannot be achieved without a solution to Mediterranean problems and crises being found. Here too, we must tread softly, with a realistic appreciation that the blocs and their bases and fleets do exist, and cannot be wished away. But there is already during the

current phase broad scope for action and initiation by way of bilateral and multilateral co-operation, and extension to the Mediterranean of confidence-building measures in the longer prospect of stable security arrangements in that area. The other question is that of the follow-up of the Belgrade conference. A theme which already made heavy weather during the preparatory discussions for the Helsinki conference, it lies particularly close to the hearts of the smaller and uncommitted countries, which see in it a possibility of their making a more effective contribution to intra-European relations and securing a better safeguard of their own independence. At all events, Belgrade can definitely not be left without a sequel, and it would not suffice merely to decide on a further conference once it is over.

XII

61. The experience of Helsinki and the follow-up actions for the first two years allow us to advance certain considerations in connection with the coming Belgrade meeting. It is undoubtedly too early yet to attempt to convert a declaration of intent and informal commitments into legal obligations. With the exception of a few precise and clearly-defined points, any attempt to do so would end up in failure, or in a retreat from the results achieved at Helsinki. These are still substantial. A process has been set in train (both in relations between States, and in inducing the latter to adapt to this new philosophy of inter-relations and interdependence), and it is only logical that this process should become increasingly irreversible, unless the way is barred by a serious international crisis. It follows that the Belgrade meeting must be a success, and every effort made to reduce the danger that the polemics now in course be turned into an exchange of accusations and insults between the two blocs which could seriously compromise the results of the conference and diminish, *de facto*, the importance, function and independence of the neutral and non-aligned countries. At the same time we cannot but recognise the limitations stemming from an attempt to achieve an overall balance of concessions and advantages of the sort that was, to some extent, striven for or accepted at Helsinki. This sort of tendency will not allow us to advance very far, and carries some risk of strengthening the bloc mentality, with a consequently greater importance and influence of the bigger powers over the smaller. The search for realistic and balanced solutions to the major problems must instead leave more room for the autonomy of the individual States, starting from those which are not members of the blocs, so as to permit the flexible and open-ended solutions which alone can secure genuine progress along the guidelines laid down at Helsinki.

62. As Mr. Luigi Granelli, leader of the International Department of the Christian Democrat Party and former Under-Secretary for Foreign Affairs, recently wrote :

“There is no sense whatever in taking an ‘all or nothing’ attitude, when the subject matter of the negotiations is, objectively, extensive and complex, and demands, by its very nature, a strictly gradualist procedure. Helsinki and Belgrade, at different levels of course, are not final goals and as such subject to definitive criticism as concerns their limitations or to empty triumphalism as concerns their partial successes. They constitute the meaningful stages along a laborious road where there would be nothing to gain from stoppages occasioned by more grandiose ambitions or wishful thinking. A breaking off of the dialogue, or a specious search for pretexts for not reaching a conclusion on questions that can be solved through frank and honourable agreement, lead in the best of cases to preserving the status quo, and in the long run to the inevitable erosion of relationships, in a climate of growing mistrust. Would not this be the opposite of détente ?”

63. Wisdom and realism dictate that we should foresee a slow and uneven progress, depending on the different sectors. There is no use wringing our hands over this. On the contrary, we must allow for it, and not incur the risk of jeopardising this intricate and interdependent growth process which, in its underlying guidelines, answers the true interests and aspirations of all the peoples of our continent and all the countries signatory to the Helsinki final act.

XIII

64. The Assembly considered this report in depth at the first part of its twenty-third session. During the debate, so many amendments were tabled to the draft recommendation that the Chairman of the General Affairs Committee and your Rapporteur asked for the report to be referred back to Committee. Your Rapporteur is now submitting a new draft recommendation taking fullest account of every aspect of the debate and the amendments tabled. At the same time, he felt it necessary to prepare an addendum to the explanatory memorandum which he submitted in June 1977 to take account of subsequent developments. This addendum mainly covers the period up to the end of the first ten days in October, when the general debate ended in Belgrade and the work of the five ad hoc groups began in camera.

65. As everyone knows, on 15th June 1977 representatives of the thirty-five member countries of the CSCE met in Belgrade to prepare

the conference proper. The meeting lasted until 5th August, when a document was adopted entitled: "Decisions of the preparatory meeting to organise the Belgrade meeting 1977 of representatives of the participating States of the conference on security and co-operation in Europe, held on the basis of the provisions of the final act relating to the follow-up to the conference."

66. The work of the preparatory meeting was constructive and positive and in conformity with the wishes expressed at the opening by Mr. Milos Minic, Yugoslav Minister for Foreign Affairs:

"I must tell you that during our consultations with all the participating countries — I repeat, all the participating countries — we were assured that they would come to the meeting in Belgrade firmly determined not to allow the conference to become a forum for mutual recrimination and confrontation."

Basic agreement was in fact reached on the need to consider the two principles described by Mr. Minic in his opening speech:

"The final act and its three baskets, which form the basis for work at the Belgrade meeting, must be taken as a unique framework for the development of relations, security and co-operation in Europe. Every aspect of its application must be considered. That is why we are opposed to any partial, static approach and any attempt to destroy the integrity of the document.

.....

As one stage in the implementation of the guidelines adopted at the conference on security and co-operation in Europe, the Belgrade meeting must not change what was agreed in Helsinki. In conformity with the final act, however, it can and must adopt new measures and recommendations to help to strengthen these guidelines."

67. Nevertheless, in order to work out a satisfactory definition a number of difficulties had to be overcome whose political importance was summed up as follows by Mr. Forlani, the Italian Minister for Foreign Affairs, on the occasion of a cabinet meeting on 4th August:

"As regards the principal meeting, the position of the western, neutral and non-aligned countries was to stress the need for an 'open' meeting in the sense that the exact closing date should have been fixed when it was generally considered that appropriate results had been achieved in the discussions. The Soviet Union and other Eastern European countries asked that in any event a closing date be fixed without further delay.

A compromise was reached by making 15th February 1978 the latest possible closing date, the work nevertheless having to be wound up by the unanimous adoption of a final text by the thirty-five delegations. It was thus possible to avoid the discussion marking time. The final text will also have to specify the place and date of the next meeting similar to that in Belgrade in order to ensure that the process of détente in Europe is pursued."

The day after the conclusion of this agreement, *Il Popolo*, the official publication of the Italian christian democrats, made the following comments:

"This fact is of great importance: it means that the thirty-five signatories of the Helsinki final act, despite the deterioration in East-West relations which has been noted recently, still believe in détente and are determined to advance this process."

68. There is no need to enumerate the details of the compromise reached since everyone knows them. It will suffice to recall that the agenda drawn up provides that after two weeks of plenary meetings five committees will start work dealing respectively with:

- questions relating to security in Europe;
- co-operation in the fields of economics, science, technology and the environment;
- questions relating to security and co-operation in the Mediterranean;
- co-operation in humanitarian and other fields;
- follow-up to the conference.

69. This means that committees responsible for Mediterranean questions and for the follow-up to the conference have been added to the three committees corresponding to the three baskets of the Helsinki final act. It is quite clear that the main item on the agenda is the detailed exchange of views on the application of the provisions of the final act and its impact on the furtherance of détente.

70. It is generally felt that the two weeks of plenary debates have brought out a deep-rooted sense of responsibility and a constructive approach and an initial review may be made of the various positions. At the stage reached in the debate, it also appears that there has been some improvement in East-West relations and in particular in relations between the United States and the Soviet Union, as has been noted recently (outline agreement on the strategic arms limitation talks, joint statement issued in Washington and Moscow on the Middle East). Your Rapporteur's intention is not to recall the full details of

opinions and views expressed during the general debate by representatives of the thirty-five States but rather to note that the application of the final act is proving to be (as Mr. Radi, the Italian Under-Secretary of State for Foreign Affairs, said in a speech in Belgrade on 7th October) "a long-drawn-out process which will become increasingly binding once the initial stage has been left behind". The CSCE is therefore a "new, original instrument of peace designed to strengthen confidence between States and provide an ever more definite reply to certain hopes nourished by nations... These hopes grew in the hearts of Europeans when they saw a possibility in the lofty principles set out in the final act (sovereign equality, non-recourse to violence, peaceful settlement of disputes, respect for human rights, inter-State co-operation) of guaranteeing in the future a more secure, tranquil existence, richer in contacts, better respected and freer". (Speech by Bishop Achille Silvestrini, Under-Secretary of the Church Council for Public Affairs, on 8th October.)

71. To what extent have these hopes already had an echo and response? This basically is the theme of the debate. Significantly, there is now a tendency to consider together both light and shade, to take account of positive results already achieved (on religious freedom, the Vatican representative stated *inter alia*: "We note with satisfaction that a number of positive points have undoubtedly been ascertained in this field") and to emphasise what remains to be done in the framework of a dynamic and creative process.

72. On 6th October, Mr. Arthur J. Goldberg, Head of the United States Delegation, spoke in similar terms: "Our task is part of a great and ancient enterprise: the search for security, the advance of co-operation in Europe. This conference is one more step toward that high goal, one part of the broader process of reducing risks of confrontation in Europe and of replacing them with opportunities for co-operation." In the context of implementation in general, consideration of the more controversial points, which will certainly give rise to discussion and dissatisfaction about the time-table and methods of applying the final act, is the occasion of a remarkable effort to be objective. In this respect, Mr. Goldberg made the following revealing statement: "The assessment my country has made of the overall record of participating States over the last twenty-six months shows encouraging evi-

dence of progress. But the progress displayed is not progress enough. It still falls short of the goals of the final act and, just as important, of the high expectations the final act aroused." He also stressed that "human rights encompass economic and social rights, as well as political and civil liberties" and that in the opinion of the United States "one set of values cannot be stressed at the expense of the other. Rather, it is the combination of these rights and the respect in which governments hold them all which offer the best promise that all can be attained." He underlined that "we will need patience, perseverance and perspective. This conference in Belgrade is one stage of a dynamic process and a continuing dialogue. And that Helsinki process is part of an even larger effort to build more secure and humane relations among our nations and peoples. We are nearer the beginning than the end. This conference must give the people of the signatory countries and people throughout the world a first report of first progress. It must demonstrate to them our shared commitment to go further. We owe them our best efforts and results better than those so far achieved."

73. This joint determination must of necessity concern the whole of the final act and its three baskets. New and quicker progress must be accomplished in all fields. Nor should it be forgotten, since it is of particular importance, that "the Holy See is deeply concerned that no agreement has yet been reached on the reduction of armaments, without which there can be no effective security. Although this question goes beyond the undertakings set out in the final act", said Bishop Silvestrini in his speech in Belgrade, "it is nevertheless necessary for our meeting to be a sign of the will of the European peoples to witness the achievement of concrete and specific measures for reducing both conventional and strategic armaments".

74. Here too patience, perseverance and perspective will certainly be needed. But in this field as in the others there are already signs of the great driving force consisting of the expectations, hopes and wishes to which the Helsinki final act has given birth. It seems destined to carry still more weight in both European and international life. In any event, it is a sound basis which it will be increasingly difficult to ignore, a point of reference and a pole of attraction destined to exert a growing influence on the conduct of the various governments thanks to the active participation of public opinion.

APPENDIX ¹**Opinion of Sir Frederic Bennett on the application of the final act of the CSCE**

1. If the final act of Helsinki is to be regarded as an integral feature of détente the same basic considerations surely have to apply to the former as to the latter.
2. Détente itself has become increasingly regarded with a sense of disillusionment throughout the western world, the best that can be said of it being that it is preferable to the era of cold war that preceded it, the worst that it has proved an invaluable opportunity for the USSR to advance its own expansionist aims.
3. Such strong feelings have been aroused in the West in this context that both candidates in the recent American presidential election decided to drop the word détente from their political vocabulary.
4. Yet there never should have been any such misunderstanding if there had been an *initially* agreed interpretation of détente, which was *not* the case.
5. The West, for their part, until events forced on them a more realistic appreciation, believed that the introduction of détente in place of cold war would lead, and was intended to lead, through relaxation of East-West tensions, to meaningful, peaceful coexistence, entailing mutual respect, but without approval of each other's differing political, economic and social systems.
6. From the Kremlin's point of view however the Marxist-Leninist principle of international relations as interpreted and exploited by the Kremlin for Soviet nationalist purposes, dictates that there can be no real enduring peace, either externally or internally, in an inexorable thread of contemporary history, between the so-called capitalist world, including social democracies on the one hand and a global communist hegemony on the other.
7. Consequently, peaceful coexistence, which is, or purports to be, the real basis of détente, is in Soviet eyes not really peace, but an indulgence in continuing expansionist imperialism, without resort to war, leading ultimately to the establishment of such a hegemony, under Soviet domination.
8. If the early high hopes of the final act are not in their turn to follow détente into disappointment and cynicism, there must be no repetition of differing interpretations of the stated aims of Helsinki, nor a failure to appreciate the different motivations of the various signatory powers.
9. For their part, at least until the arrival of Mr. Carter on the scene, the Americans never attached great importance to the final act, supporting, rather than initiating, positions adopted by the European democracies.
10. These latter mostly felt that the agreements, however limited, contained in the act, in all three baskets, did open windows in the iron curtain, which in the long run could lead only to a lessening of totalitarian excesses and distrust and in consequence create greater East-West tolerance and so lessen tension, not only in Europe but anywhere else in the world where Soviet ambitions threaten long-established vital western interests.
11. The neutral and the non-aligned signatories of Helsinki quite simply felt that *any* measure which made them feel less insecure, however flimsy the guarantees offered to them, was worthwhile. Most probably the first test of the effectiveness or otherwise of such guarantees will sooner, rather than later, arise in Yugoslavia.
12. Finally, the USSR has never concealed its dislike of basket III on human rights and associated matters, or parts of basket I for that matter, from the very start of the negotiations; and only reluctantly agreed to the relevant provisions being included in the act as a price that had to be paid for their main ambition being achieved: the legitimisation of the present frontiers of Europe, irrespective of the wishes of their various inhabitants. Even so, to obtain the inviolability clauses the Kremlin had to accept a western reservation that the denial of any future changes in these frontiers was limited only to the *use* of force, not to negotiation: but Soviet political leaders have never regarded this reservation as a valid one.
13. Other areas where undoubted different, indeed conflicting, interpretations are increasingly becoming apparent are the provisions regarding non-interference in the internal affairs of another State. These are not seen by the Kremlin (the Brezhnev doctrine) as applying to subversion of democratic countries inside or outside Europe that show possibilities of conversion to communist rule, as part of what Soviet leaders have described as an inescapable progress towards a world-wide acceptance of Russian-type Marxist-Leninism, as the only enduring form of government. Pursuant to the same reasoning of course any attempt by the western countries to combine to strengthen their defences against

1. In a vote on 9th May 1977, the General Affairs Committee by 11 votes to 3 with 2 abstentions decided, in application of Rule 42(2) of the Rules of Procedure of the Assembly, to append to the report submitted by Mr. Segre and adopted by the Committee the text in which Sir Frederic Bennett set out a minority opinion.

communist penetration (and even more so to try to reverse trends or situations in favour of pluralism in countries already regarded by the USSR as won over to the cause of Marxism-Leninism) is decried as aggressive interference with a natural inevitable course of events, contrary both to Helsinki and, for that matter, détente too! Be that as it may, it was also hotly denied in Moscow that Russian intervention in Angola came within the purview of Helsinki because the latter was not a signatory of the final act and therefore did not thereby earn any right of protection against external intervention. The same claim is being made as each successive attempt to increase Soviet influence in Africa is undertaken.

14. Clarification on this latter point is therefore or should be a major western objective at Belgrade.

15. With so many separate and often incompatible strains of thought existing among the Helsinki signatories about the *raison d'être* of the final act it is not surprising that different estimates should also exist about the progress, if any, of steps towards its implementation, in regard to all the baskets.

16. The difficulties of obtaining a consensus under such conditions have been compounded by the emergence of an increasingly significant and articulate element in the original calculation, not directly represented in Helsinki, i.e. the dissidents within both the USSR and the satellite States that have achieved a prominence and an influence never envisaged in August 1975.

17. Those behind the iron curtain who are philosophically, ideologically or culturally opposed to totalitarianism, whatever its colour, have seized on Helsinki as a drowning man clutches at a straw in order to support and justify their aspirations for another way of life; and with a considerable degree of success such dissidents have enlisted popular sympathy and support for their dissent, within the western democracies, which their governments cannot or dare not afford to ignore.

18. Thus an admittedly embarrassing situation has arisen for the USSR, and to a differing extent for each of the other Warsaw Pact governments too.

19. The more they indulge in repressive measures to hold back the new forces of dissent in their midst the more they contravene the provisions of Helsinki basket III which they have signed, and the more they increase doubts in the West about the validity of the whole concept of détente.

20. If on the other hand they adopt a soft line with the dissidents these latter accentuate their voices of protest and reach an ever-increasing audience in the West, proving that criticism of Soviet tyranny is *not* limited to reactionary

capitalist circles abroad but is shared by men and women living *inside* the Warsaw Pact — and who, after all, should know better than these latter the truth? In the result too the millions of those who in the aftermath of the last war and during the last thirty years that have decided to live in exile, voluntary or enforced, in the West — Ukrainians, Armenians, Poles, Hungarians, Czechs and East Germans and many others deriving from East and Central Europe — have found a new public focus for their unchanging disapproval of the régimes now in power in their homelands.

21. Under circumstances when there is such wide variance about objectives and differing interpretations of some of the most important provisions of the final act, it is impossible to draw up a *single* balance-sheet of what has been, or has not been, attained at the end of the treaty's first two years of operation. Selective quotations aimed at lowering the political temperature, drawn from speeches by political leaders from East and West alike will not and cannot resolve this dilemma.

22. For none can alter, even if they manage to obscure, the fact that our Rapporteur, despite his gallant and sincere efforts, has been asked to reconcile the irreconcilable. Once again it has been shown that a joint international declaration of high principles and laudable aspirations can have little validity, if it requires for fulfilment an abandonment not just of different forms of government, but wholly incompatible outlooks on a way of life. To urge the Soviet Union to accept our ideals in the West is something we are bound to do if we are true to our own faith in the basic purposes of Helsinki; but for the Russians to make any substantial concessions would imperil the whole system and structure of their society — unlikely to receive their concurrence — and which in this context could even turn out to be counterproductive.

23. Belgrade can therefore be expected to achieve little more than a restatement of standpoints by the various signatories. The USSR will claim that active overt western concern about human rights in the eastern bloc represents interference in the internal affairs of another State and is contrary to Helsinki, despite the terms of basket III. The United States and most, if not all, the western nations will deny this premise, and also assert that non-interference in what form of government the people of a country freely choose is not a one-way privileged process; and furthermore emphasise that restraint should be observed right across the global board and not just in Europe.

24. So by the time the Belgrade conference ends, it is reasonable to assume that the ideological conflict between Marxist totalitarianism and those who will have none of it will continue, as heretofore.

Application of the final act of the CSCE

AMENDMENT No. 1¹

tabled by Mr. Roberti

1. Leave out the last paragraph of the preamble to the draft recommendation.
2. At the end of the preamble to the draft recommendation, insert the following new paragraph :
“Considering however that the process of détente depends on guaranteed security for all concerned and that WEU is the only European assembly with responsibilities in European defence matters.”.
3. At the end of paragraph 1 of the draft recommendation proper, insert :
“in order to ensure *inter alia* that these negotiations in no event affect, directly or indirectly, Western European Union’s conditions, possibilities and means of defence ;”.
4. Leave out paragraph 3 of the draft recommendation proper and insert :
“3. Ensure that the Eastern European countries apply strictly the clauses of the Helsinki final act in the same manner and at the same time as the WEU member countries.”.

Signed : Roberti

1. See 9th Sitting, 29th November 1977 (Amendment negatived).

Application of the final act of the CSCE

AMENDMENT No. 2¹

tabled by MM. Cavaliere and Roberti

At the end of the preamble to the draft recommendation, insert the following two new paragraphs :

“Noting with regret that the need to respect the principles of the third basket of the final act of the CSCE is incorrectly considered by the Soviet Union and other Eastern European countries to be unjustified interference in their internal affairs ;

Concerned at the serious and continuous violation of human rights still occurring in the Eastern European countries,”.

Signed : Cavaliere, Roberti

1. See 9th Sitting, 29th November 1977 (Amendment negatived).

Application of the final act of the CSCE

AMENDMENT No. 3¹

tabled by Mr. Cook

1. In the fourth paragraph of the preamble to the draft recommendation, after "negotiations" insert :
"particularly in the field of arms control and mutual reduction of forces in Europe".
2. In paragraph 2 of the draft recommendation proper, after "détente" insert :
"through arms control agreements".
3. In paragraph 3 of the draft recommendation proper, leave out "clauses" and insert "provisions".

Signed : Cook

1. See 9th Sitting, 29th November 1977 (Part 1 amended and agreed to ; parts 2 and 3 agreed to).

Application of the final act of the CSCE

**AMENDMENT No. 4¹
tabled by Mr. Bonalumi**

At the end of paragraph 3 of the draft recommendation proper, insert :

“, recognising that a reminder of the need to respect all the provisions of the final act in full does not constitute interference in the internal affairs of the signatory States.”.

Signed : Bonalumi

1. See 9th Sitting, 29th November 1977 (Amendment agreed to).

Application of the final act of the CSCE

AMENDMENT No. 5¹
tabled by Sir Frederic Bennett

In the first paragraph of the preamble to the draft recommendation, leave out "is intended to lead" and insert "ought to lead".

Signed : Bennett

1. See 9th Sitting, 29th November 1977 (Amendment agreed to).

European security and African problems

REPORT¹

**submitted on behalf of the General Affairs Committee²
by Mr. Müller, Rapporteur**

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on European security and African problems

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APPENDIX

Economic rôle of the South African Republic

1. Adopted in Committee by 13 votes to 0 with 4 abstentions.

2. *Members of the Committee*: Mrs. von Bothmer (Chairman); Sir John Rodgers (Alternate: *Channon*), Mr. Sarti (Vice-Chairmen); MM. Abens, Ariosto, Beith, Sir Frederic Bennett, MM. Bizet, Brugnon (Alternate: *Forni*), Cermolacce, Faulds (Alternate: *McGuire*),

Gessner, Gonella, Grangier (Alternate: *Burckel*), Hanin, Mrs. van den Heuvel-de Blank, MM. Mangelschots, *Mende*, Minnocci, *Müller*, Peijnenburg, *Péridier*, Perin (Alternate: *Van der Elst*), *Portheine, Reddemann, Segre*, Urwin (Alternate: *Cook*).

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

Draft Recommendation
on European security and African problems

The Assembly,

Considering that co-operation between Western Europe and the African countries is essential to the security of Europe and the necessary economic development of Africa ;

Welcoming the determination constantly expressed by the African States to settle problems between themselves free from intervention by powers outside the continent of Africa ;

Noting nevertheless that unrest in the African continent has often provided an opportunity or pretext for external intervention ;

Aware that the economic and social development of the African countries must take priority over matters of sovereignty and frontiers ;

Considering that respect for the sovereignty of African States remains a basic goal of any European policy ;

Deploring that the political framework left by decolonisation is ill-adapted to ethnic, linguistic and religious realities ;

Considering that Europe can contribute fully to the economic, social and cultural development of Africa only insofar as there is both internal and external peace among the States ;

Noting that the practice of apartheid in the South African Republic is contrary to all the principles on which western civilisation is based and constitutes a permanent threat to peace in Africa, imposing on the international community and Europe special responsibilities with particular regard to Chapter VII of the Charter of the United Nations,

RECOMMENDS THAT THE COUNCIL

1. Ensure that its members hold continuing consultations in the most appropriate framework with a view to co-ordinating their African policies ;
2. Co-ordinate the efforts of its members in order to improve the effectiveness of measures to compel the South African Republic to terminate apartheid, promote the independence of Namibia and establish a just and democratic régime in Rhodesia ;
3. Examine attentively, in the framework of the mandate given to the SAC, the sale of arms by its members in Africa ;
4. Study means of achieving a concerted limitation of such sales and in particular the embargo on arms supplies to the South African Republic ;
5. Approach other arms suppliers with a view to their participating in this undertaking ;
6. Foster the development of co-operation between Europe and Africa as defined in the Lomé Convention ;
7. Link the assistance Europe extends to the African States with the respect they show for human rights ;
8. Promote through co-operation with African States their economic and social development, as well as their democratic development, with due respect for human rights, account being taken of their specific conditions.

Explanatory Memorandum

(submitted by Mr. Müller, Rapporteur)

1. The African continent's importance for Western Europe

1. Since the nineteenth century, the African continent has been of considerable importance to Europe. In the nineteenth century in particular, Africa's economic value led to colonial expansion by a number of European powers which, by the twentieth century, covered almost the entire continent.
2. The end of the colonial empires after the second world war did not stop the flow of trade, which has developed still further since Africa has proved to be a source of a number of raw materials and foodstuffs consumed in large quantities in Europe. There are vast oil reserves, particularly in the Algerian and Libyan Sahara and in Nigeria. There are uranium reserves in Central and Southern Africa which Europe will find even more essential in the coming years since nuclear energy will be playing a more important rôle in industry. Finally, where non-ferrous metals are concerned, Africa supplies particularly large quantities of gold, copper and manganese, which are in very short supply in Europe.
3. Conversely, the present low level of industrialisation in Africa makes it a worthwhile customer for European industry offering outlets which will increase in time insofar as Africa manages to overcome its economic and technical underdevelopment. Economic association between Europe and Africa is not therefore solely the result of colonial relationships but something of a geographical necessity, particularly as Africa is closer to Western Europe than any other continent.
4. But it is not only for economic reasons that Europe cannot sever its ties with the African continent. Indeed, the latter plays an essential rôle in Europe's security now that military threats are no longer localised. Africa controls the whole southern shore of the Mediterranean, the eastern shores of the Atlantic and the western shores of the Indian Ocean. Its three maritime fronts would thus allow any adversary who might establish air or naval bases there to control shipping in the Atlantic and play an important rôle in the Indian Ocean, an essential launching base for American nuclear submarines which ensure Europe's security through their deterrent effect on the Soviet Union while giving the United States a second strike possibility in the event of the Soviet Union attempting a surprise nuclear attack on American territory.
5. In short, while the positive rôle of Africa in the West's defence policy remains secondary, the negative rôle it might play if it fell into the hands of other powers would be considerable. For all these reasons, therefore, Europe should keep a close watch on present developments in Africa and ensure that the African continent does not swing over to the side of a potential enemy. Ensuring real independence for the African States concords with the political principles upheld by the West and the economic, political and strategic interests of Europe, now the colonial era is over.
6. This is the view of the EEC, which has constantly sought a policy of assistance to and co-operation with any African countries which so wish, granting them a major proportion of its development aid and concluding preferential trade agreements. In defence matters, on the other hand, the Western European countries have no similar policy since some of them are linked with African States by bilateral treaties which in effect are alliances; this applies in particular to several former colonial mother countries and some of their former colonies, although others considered it preferable not to shoulder any permanent commitments in Africa. Thus, some European countries maintain armed forces ready to intervene at short notice in Africa and which are sometimes stationed on African territory, whereas their European allies contemplate no such intervention whatever may happen. This leads to differences between the WEU countries' concepts of Europe's ability to promote the freedom of peoples and independence of States in Africa. For instance, there were differences when France supplied aid to Morocco for transporting troops and equipment to Zaïre in spring 1977. The French Government's claims to be acting on behalf of Europe were particularly groundless since, as far as your Rapporteur is aware, it had consulted none of its European partners before acting.
7. In short, although to some extent the Western European countries have common views and interests which favour political, economic and social stability in Africa and real independence for the African States, this has produced no joint policy, outside the economic field, nor even mutual support, apparently due to insufficient consultation. On the other hand, in economic matters the Lomé Convention of 28th February 1975, which associates forty-three States with the European Community, thirty-seven of which are African¹, is a particularly important example of co-operation because it recognises and develops

reciprocal interests. It mainly concerns poor countries largely dependent on agriculture and guarantees them markets at sufficiently profitable prices. For these weaker States, it is their only guarantee against price fluctuations and the only way they can protect their economy.

8. The convention's main provisions covered :

- (i) the granting by the Community of duty-free access to all industrial and to 96 % of agricultural imports from signatory countries ;
- (ii) the creation of an export stabilisation scheme guaranteeing the exporting countries a certain level of income ;
- (iii) increased development aid ;
- (iv) increased co-operation ;
- (v) the creation of bodies to provide the institutional framework for the agreement.

9. The agreement is to remain in force until 28th February 1980, only the provisions on sugar being subject to revision at an earlier date.

10. This agreement meets a number of the African States' requirements. It is certainly not in the short-term interests of the European States but it is in the common interest for the African continent to develop rapidly and in a balanced manner.

II. *The internal situation*

11. The present-day political geography of Africa is strongly marked by the colonial period. Before colonisation by Europe there were few real States in Africa and the present frontiers are a result of the division of African territory between the colonial powers.

12. Very few countries have any ethnic, linguistic, cultural or religious unity. Most of them group several peoples and inter-State frontiers often divide the same people, which has been a major source of instability and above all a permanent threat to the stability of the States concerned. Thus, the military operations opposing Zaïre and forces from Angola which invaded the province of Shaba at the beginning of 1977 took place in a region where political frontiers divide

1. Benin, Botswana, Burundi, Cameroon, Central African Republic, Chad, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Kenya, Lesotho, Liberia, Malagasy Republic, Malawi, Mali, Mauritania, Mauritius, Niger, Nigeria, People's Republic of the Congo, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Tanzania, Togo, Uganda, Upper Volta, Zambia, Zaïre.

several ethnic groups living in both countries. Similarly, many of the difficulties now facing Ethiopia stem from the division of the Somali people between several States and the fact that in certain States several peoples have been brought together who have never been on good terms. Everywhere this fundamental instability makes it difficult to achieve the consensus which is needed for the stability of political régimes in many African countries and is a source of strong temptation to them to intervene in the internal affairs of neighbouring States.

13. Thus, the notion of interference in the internal affairs of States does not mean exactly the same as in other continents since frontiers are often contested, ill-defined and, particularly in regions such as the Sahara, where nomadic customs persist, barely respected by the populations themselves.

14. As soon as they became independent, the African States as shaped by the colonial divisions agreed to base their relationships on the maintenance of States and frontiers inherited from colonial days. This was the basic principle of the constitutive charter of the Organisation of African Unity adopted in Addis Ababa on 25th May 1963. Until quite recently this principle was quite well respected, but it is apparent that it is now being called in question in several regions. For instance, Libya is now occupying a fringe of territory which had been attributed to Chad. Similarly, when Spain withdrew from the Western Sahara, Morocco and Mauritania shared the territory, which led to disturbances which are still far from settled. Many African States therefore no longer feel secure because they know their neighbours can lay claim to one or another portion of their territory and in many cases with the support of part of the population. This has involved them in an arms race which has been most evident in recent years in West Africa, but which is also developing in North Africa, where Morocco and Algeria have acquired considerable military strength.

15. The Organisation of African Unity has constantly tried to impose the principle that the fate of Africa should, whatever the circumstances, remain in African hands. However, the conflicts and mistrust which have developed between African States mean that the OAU no longer affords the African States sufficient guarantees and they have formed other groups within the continent, turning increasingly to non-African powers in order to increase their influence or ensure their security.

III. *External interference*

16. This takes very many forms, some being an aftermath of the colonial era in that the former colonial powers endeavoured and in many

cases managed to maintain privileged relations with the territories of their former empires. The desire of certain African States to escape from what they considered to be the excessive influence of the former colonial powers led them to seek support elsewhere. Thus, the United States played an important rôle in the fighting which followed the decolonisation of the Congo. But the Soviet Union in turn has intervened to strengthen the positions of those African States which sought to break away more completely from the domination of the former colonial powers and this has resulted in the rivalry between the two great powers being extended to the African continent. Finally, the rapid increase in wealth in certain Arab countries and Iran since 1973 and the parallel development of their military strength give them an increasingly important rôle in the East African balance. In particular, they seem to have strongly encouraged Somalia's action against Ethiopia in 1977.

17. So far, the influence of the Soviet Union has not resulted in any permanent foothold, and its diplomatic activity in Africa may be considered above all as an attempt to weaken western positions, thus harming world capitalism, rather than an attempt to set up communist régimes. However, the considerable development of the Soviet fleet in the Indian Ocean in recent years gives reason to fear that the Soviet Union may endeavour to set up bases in the area and extend its economic, ideological, political and military influence.

18. In 1977, there was some development in American policy inasmuch as President Carter clearly showed that he did not intend the United States to intervene directly in Africa. Thus, he allowed a government to be set up in Angola which received aid and arms from outside and did nothing to ensure the defence of Zaire when it was invaded by forces from Angola.

19. The Angolan affair was considered very important by many African governments because they felt it was a challenge to the West's determination to keep Africa free of Russian or Chinese intervention. China too pursues an active policy on the shores of the Indian Ocean. It cooperates closely, particularly with Tanzania, most of whose arms it supplied, although it is not possible to speak of direct military intervention by China, any more than in the case of the Soviet Union which, even in Angola, seems to have relied on Cuban forces to ensure that its side won.

20. Future relations between Europe and Africa may therefore be in doubt because of external intervention on the African continent and this can but have major repercussions on both the economy and the security of Europe.

21. However, attempts by certain African countries such as Tanzania, Algeria, Tunisia and Mozambique to organise their economies along

"socialist" lines adapted to the characteristics of African society must not be considered as the result of external interference. On the contrary, greater economic strength and some balance in the division of wealth are elements of stability and independence worthy of encouragement.

IV. *Southern African problems*

22. The most serious problem in present-day Africa arises from the presence and policy of the white-dominated South African Republic at the southernmost tip of Africa. For a long time, it had the support of most western powers, which looked upon it as a major economic partner, a bastion of western civilisation standing in the way of the threats now hanging over the African continent and occupying an essential strategic position between the Indian Ocean and the Atlantic, particularly at a time when oil from the Arabian-Persian Gulf had to be routed via the Cape because of the closing of the Suez Canal.

23. However, the policy of racial discrimination has had effects which jeopardise the very objectives of western policy in Africa. The majority of African States find such a policy intolerable because they view it as the prolongation and aggravation of the colonial régime in forms most unacceptable to the African peoples leading to permanent opposition between black and white with world-wide repercussions.

24. There are now two things at stake in the unrest in Southern Africa. First, there is the question whether the future of the white inhabitants who settled in that part of the world is in remaining in the territories they have been developing for several centuries. But the question also arises as to what extent the black and white populations can cohabit on an equal footing after the minority element has dominated the majority for so long. It is thus a major problem which is raised on the basis of a number of seemingly minor matters. In fact, the fate of the government of Rhodesia and Namibia depends to a very large extent on the strength and will of the South African Republic.

25. It is evident that while all the Western European countries condemn the very principle of apartheid it would be easier to fight it effectively if the governments in power in other parts of Africa showed greater determination to ensure respect for human rights within their frontiers. Recent massacres in Burundi, persecutions and massacres of Christians in the Southern Sudan, torture in Equatorial Guinea and despotism in Uganda considerably diminish the strength of any complaints these countries may make about South Africa and to some extent explain why the white population of South Africa is against any move to bring them under the domination of the black majority.

A. The Rhodesian problem

26. This problem began twelve years ago. Rhodesia has a population of more than six million, only 270,000 of whom are white. It was the white population that terminated British colonisation and seized power in a country where they formed only a very small minority. The Rhodesian Government succeeded in recruiting among the black population certain units for its army which for several years has been fighting the rebellion of the Patriotic Front, which aims to set up a new African-dominated State on the territory of what is now Rhodesia : Zimbabwe.

27. Without delving into the history of the difficult relations between the Rhodesian Government and its African neighbours and the United Kingdom, your Rapporteur merely wishes to recall that during summer 1977 the United States and the United Kingdom informed Mr. Ian Smith's government of a plan to re-establish peace in Rhodesia. This plan has not been published, but from information issued it may be deduced that Mr. Smith's government would be withdrawn and replaced for six months by a British administrator in Salisbury. The government armed forces and those of the Patriotic Front would be disbanded and replaced by an independent peacekeeping force in which Nigeria, Canada and India might participate. The British administrator would arrange free elections based on the principle of equal voting rights for all persons and the government resulting from these elections would organise a new Rhodesian army. Finally, a fund of \$500 million would be set up to guarantee the property of the white population while the black population's adhesion to the new régime would be facilitated by a \$1,000 million development fund which would be granted in exchange for a guarantee of constitutional order ensuring freedom for all.

28. Information obtained to date suggests that the Rhodesian Government will not agree in full to such a plan, mainly because it would mean disbanding the government army, because it would have no confidence in the international force which might be deployed by the United Nations and finally because equal voting rights would ensure that the black majority triumphed over the white minority. Mr. Smith is therefore insisting on special representation for white residents and that justice, administration, the police and the army be independent of "politics", i.e. that they remain in the hands of the white minority. Finally, he is calling for the application of restrictive clauses in respect of voting rights which would take account *inter alia* of the cultural level of potential electors. He has at least agreed to a programme leading to the introduction of universal suffrage within two years.

29. Moreover, Rhodesia's neighbours, particularly Tanzania, which is the headquarters of the Patriotic Front forces, are opposed to the disbandment of these forces and claim that they form the framework of the future army of Zimbabwe.

30. In fact, Rhodesia's fate seems to depend essentially on the external support its government receives from outside. Although it was difficult to achieve a united western front to ensure respect for a trade embargo intended to bring pressure to bear on the Rhodesian Government, it seems that Mr. Smith's government can no longer expect direct assistance from any European government, particularly if it rejects the Anglo-American plan.

31. No great results are to be expected however from the boycott measures since they are applied very unevenly by both eastern and western countries. There have even been cases of "socialist" countries serving as intermediaries between western countries and Rhodesia. For instance, it has been claimed that Yugoslavia sold, at world rates, butter purchased at cut price from the EEC, the Soviet Union is said to have sold to the United States chromium imported from Rhodesia, and China to have sold Rhodesian tobacco.

32. The government's survival therefore depends mainly on South African assistance. But South Africa seems to have two ways of looking at the problems. On the one hand, Rhodesia is seen as the forward bastion of the white cause in Southern Africa, which would induce South Africa to give the Rhodesian Government unconditional support. On the other hand is the acknowledged fact that Rhodesia is at present facing problems which are unknown in South Africa and an understanding with the western powers or a certain number of African States which might involve abandoning Rhodesia might strengthen South African positions.

33. There is thus some ambiguity in South Africa's attitude towards the Rhodesian problem and it is anxious to demonstrate that there is absolutely no connection with the problems peculiar to the South African Republic. The South African Government's reception of the proposals made by Mr. Owen and Mr. Young will now reveal its true intentions.

B. The problem of Namibia

34. South-West Africa, a former German colony, was entrusted by League of Nations mandate to the then South African Union after the first world war. When the United Nations decided to terminate this mandate and make South-West Africa independent, South Africa unilaterally annexed the territory, thus placing considerable strain on relations between many African countries and South Africa and also between those

countries and the western powers, which were accused of being accomplices in the South African action.

35. The result was to further justify the retaliatory measures against South Africa and the boycott recommended by the United Nations General Assembly. Although such recommendations are not binding, they have been respected by certain countries. The fact that several European governments have not respected them, however, has been partly responsible for the deterioration of their relations with many African countries. During his visit to Southern Africa in August 1977, Mr. de Guiringaud, French Minister for Foreign Affairs, ascertained that France's policy towards South Africa, to which it has sold arms and where it is to build several nuclear power stations, has aroused strong hostility among the black States in the region.

C. The South African problem

36. In South Africa itself the numerical balance between the various elements of the population swings less against the white population than in Rhodesia, there being 4.3 million whites compared with 22 million blacks, Indians or coloured. The latter large minorities further complicate the confrontation between black and white populations.

37. Despite a régime which radically separates the various elements of the population, heightening the considerable economic disparities between them, the South African Government has for many years managed to maintain peace within its frontiers. But it is pursuing an increasingly repressive policy which can but lead to increased tension. To meet demands for independence, the government has set up autonomous black States (Bantustans), which are generally located in the poorer regions where few whites had settled. However, for the last few years South Africa has been having internal difficulties, particularly in the suburbs of large cities, and disturbances are increasingly frequent. In August 1977, a large number of black secondary schools and universities had to be closed by the government.

38. South Africa has such economic and military strength that even with the support of neighbouring black countries the native populations have little hope of achieving even their most rightful claims without the co-operation of the whole international community.

39. The South African Government's present threat to acquire nuclear weapons would appear to demonstrate its determination to resist any intervention from without and at all costs maintain a régime of white domination over the black element. For the first time, however, this threat

appears to have given rise to a unanimous reaction among the western powers, which are showing their radical opposition to the use of this means of intimidation. But there is little doubt that South Africa would use every means available to ensure its security if it found itself completely abandoned by the West. But there are signs that South Africa's aim is now economic autarky which would shelter it from external pressure and the white population, thus hemmed in, would feel itself less influenced by views from outside.

40. Southern Africa is therefore the most important area of tension on the African continent and there is every reason to foresee a considerable increase in tension in the coming months and years to the point that, although South Africa does not seem seriously threatened at present, no guarantee can be given of its longer-term survival.

41. This situation raises a number of problems for all the western powers, particularly as to the steps they can and should take with regard to the South African Republic, which is a major economic partner for many of them and with which some, such as the United Kingdom and the Netherlands, maintain a relationship based on common languages.

42. The "front-line" African States, i.e. those which have frontiers with South Africa, Rhodesia or Namibia, wish the investment and trade boycott of South Africa to be applied in full, very probably not only in order to impose their solution to the Rhodesian problem, obtain independence for Namibia and terminate racial discrimination in the South African Republic, but also to put an end to the domination of whites throughout Southern Africa. They have received a certain amount of outside support, particularly from the Soviet Union and China, which have supplied arms to several of them (Tanzania and Zambia, for instance), and they have a strong majority in the United Nations. Moreover, all African countries have affirmed the principle of solidarity with the cause of the black population of Southern Africa, although some are afraid that new communist régimes may be set up in Southern Africa and stop well short of unconditional opposition to the South African Republic.

43. The western countries certainly agree that a solution should be found in Rhodesia and Namibia which meets the claims of the African countries. They are not so unanimous when they envisage the consequences of a possible overthrow of the present régime in South Africa. Admittedly, they all feel that the policy of racial discrimination practised by the South African Government is morally unacceptable and endangers relations between Europe and Africa. But none

of them has dared to consider openly the consequences of the black population assuming power in South Africa which might mean strongly anti-western forces being moved into this vital area. Thus, on 25th August 1977, Mr. Young, United States representative at the Lagos anti-apartheid conference, did not hesitate to warn the African countries against a policy of over-radical sanctions against South Africa, which he said might kill rather than cure the patient.

44. So the principal aim of western pressure on South Africa is to induce it to halt its policy of annexation in Namibia, stop supporting the Rhodesian régime and transform its internal régime by giving equal treatment to blacks and whites. But if this pressure were to lead to total isolation of South Africa and endanger the continued presence of the white element there, it may be wondered what policy the western powers should adopt.

45. In short, it is most important for all members of the Atlantic Alliance, particularly the EEC countries which are endeavouring to work out a common policy for their relations with Africa, to hold close and frequent consultations on the action to be taken and also on the very aims of their policy so as to avoid hasty action which might compromise the permanent interests of Europe and the West and lead to a situation in Africa liable to harden positions or encourage intervention from without.

V. Equatorial Africa

46. Equatorial Africa is dominated by the former Belgian Congo, now Zaïre, which occupies a central position, covers a large area and has a population of 26 million. The West, and particularly the United States, made considerable efforts following the decolonisation of the Congo to maintain its territorial unity, which was threatened by a large number of internal and external forces working to break it up.

47. But when Portugal granted independence to Angola, several political organisations fought for power until the MPLA won with the help of the Soviet Union. The régime set up in this region traversed by most of Southern Zaïre's lines of communication with the Atlantic thus received considerable military assistance from the Soviet Union, particularly through the intermediary of Cuba which sent several thousand "volunteers" to Angola (more than 20,000 according to reliable sources). Nor does it seem, despite the presence of these Cuban forces, that the MPLA is able to exercise effective control over the whole country.

48. The régime which has been established in Mozambique moreover does not seem content, as is the case in many African countries, with

developing the alliance with Moscow or Peking and purchasing arms from them. Recent information indicates that the aim is to impose a real economic and political dictatorship by authoritarian means.

49. Moreover, since relations between Southern Zaïre and the Indian Ocean are controlled either by Tanzania, where there is a considerable Chinese presence, or by Mozambique, the former Katanga, the province with the largest copper and uranium reserves, was in danger of being asphyxiated, which explains why Zaïre assisted the opponents of the MPLA during the Angolan war of independence.

50. At the beginning of 1977, when President Mobuto's government in Zaïre appeared weakened by the effects of the world economic crisis, this province, now known as Shaba, was invaded by forces from Angola which threatened to cause a further split in Zaïre or to overthrow the régime. Finally, the Katanga "police force" seems to have returned to Angola. Zaïre received no direct assistance from the western powers apart from France's help in transporting Moroccan forces to Zaïre. During the crisis the United States did not wish to intervene on the side of the Zaïre régime as it had done fifteen years before.

51. It may be quite a reasonable policy to leave the Africans full responsibility for organising their security. In any event, the West should not act in disarray and through one country's unilateral action find itself involved in a political and military venture about which there had been no consultation or real consensus. Conversely, Europe cannot allow powers outside Africa to exploit internal African conflicts in order to establish an economic, political and military presence. In short, consultations with a view to joint action by the Western European countries should be essential in such circumstances.

VI. North-West Africa

52. Frontiers between North-West African States are particularly precarious and questionable because they mainly cut across desert areas inhabited by nomadic tribes over which the governments have little control. Since the end of French control in Algeria, the latter has had clashes with Morocco over the position of its western frontiers, and this dispute flared up again in 1976 after Spain granted independence to the Western Sahara.

53. This region was shared between its two neighbours, Morocco and Mauritania, although at least part of the population (the Sahrawis) wished to remain independent. They formed the Polisa-

rio, which is waging guerrilla warfare against both Morocco and Mauritania. The latter, mainly desert, has very few armed forces and appears to be having great trouble resisting Polisario raids. Algeria supplies the Polisario with military assistance and also provides a base for the fighting or non-fighting elements responsible for the raids on Morocco and Mauritania. The seriousness of this affair stems *inter alia* from the fact that when Morocco and Mauritania shared the Western Sahara they took no account of the principle that frontiers established in Africa during the colonial period should be maintained. Their action would have been justifiable only if there had been very wide agreement from the inhabitants of the Western Sahara, which does not appear to have been the case.

54. The covert war being waged in this region is one reason for the serious tension between Algeria and its western neighbours, and the European countries interested in the exploitation of Mauritania's mineral resources may find themselves involved in this problem one way or another. This is particularly true of France, several of whose nationals have been kidnapped or killed during Polisario raids.

55. There is a similar problem in the frontier area between Libya and Chad. The Government of Chad has never had any real control over an immense territory consisting mainly of very sparsely populated desert. Northern Chad (the Tibesti area) and particularly the Toubou tribe have been in constant rebellion since Chad became independent. They are supported by Libya, which has territorial claims to the northern part of Chad of which it occupies a part. For several years France gave Chad military support in putting down the rebellion. It has now withdrawn its armed forces from Chad but continues to supply it with military equipment and is thus indirectly involved in the conflict.

56. It is extremely difficult to assess how representative the Chad rebellion is compared with the N'Djamene government and to obtain an accurate picture of the positions occupied by the forces on either side. So far, action by non-African powers in the Western Sahara and in Chad has been very limited, and it would probably be wiser for Western Europe to adopt a cautious wait-and-see attitude in both areas.

VII. North-East Africa

57. Ethiopia, which is in the centre of this region, is its largest and most heavily-populated country. It might have been thought that its long history and the existence of a State reconstituted after the collapse of a brief Italian rule would have allowed it to evade the kind of challenges arising in States of colonial origin. This

is not so. Ethiopia annexed the former Italian colony of Eritrea, where a major rebellion has progressively developed. As long as there was still a sufficiently strong régime in Addis Ababa, external powers refrained from intervening in Ethiopia. However, there was a growing number of revolts and Haile Selassie's régime proved increasingly incapable of maintaining internal order. When this régime collapsed and was replaced by a military directorate, the situation deteriorated still further. The rebellions spread to a very large part of the territory and in the Somali-populated south-east, support is received from Somalia, which in turn seems to be receiving considerable military and financial assistance from Saudi Arabia after previously having received support from the Soviet Union. In the early months of 1977, the insurgent Somalis and the regular forces of the Somali army occupied a large section of Ethiopian territory, including the Ogaden Plateau, which is now completely out of the control of the Ethiopian Government.

58. The former Eritrea is in full revolt and the French withdrawal from Djibouti in spring 1977 may give further extension to a conflict which stemmed partly from the wish of the Somali people to reconstitute a vast Somali empire covering present-day Somalia, Djibouti and a large part of Ethiopia. The Somali Government denies such expansionist aims but it is hard to see how it can avoid becoming involved in the revolt of the Somali people in Ethiopia. On the contrary, all press reports indicate that it is co-operating closely with them. The West is not at the moment directly involved in the North-East African conflicts but the maintenance of a French force in Djibouti raises the question of how much longer involvement can be avoided.

59. Following the fall of Haile Selassie, Ethiopia turned to the Soviet Union for technical and military assistance. But until quite recently Somalia was also supported by the Soviet Union which provided it with weapons too. In the circumstances, it is therefore the Soviet Union which is making the greatest effort to re-establish peace between its allies, but it is not at all sure that it will succeed. Although it announced in September 1977 that it would no longer supply arms to Somalia, there may be a strong temptation to intervene more directly in order to make its view prevail if fighting continues and the situation becomes worse.

60. Furthermore, in the next few years, all the problems connected with East Africa may feel the repercussions of the considerable development of the wealth and power of certain Middle Eastern countries, particularly Saudi Arabia and Iran. The reputation of the Arab countries which for a long time practised slave trading, probably leaves much to be desired in black Africa. But the vast sums they have accumulated from the sale of oil now allow them to provide large-scale

development assistance to countries which are still very poor as Saudi Arabia has done in the Sudan and Kenya. They can also supply arms either to States or to insurgents and have very probably done so in Eritrea and Somalia. Finally, Iran is in the process of building up a powerful navy which will probably play a decisive rôle in the Indian Ocean in future years.

61. Such interventions at present favour conservative forces, particularly in Oman, where Iranian assistance has enabled the sultan to overcome the Dhofar revolt and in the Sudan, where Mr. Nemery's government seems to have abandoned its former radical positions.

62. But the indications are that African problems will slip increasingly away from the control of those who envisaged a continental order in Africa and will gradually find a point of balance controlled from outside Africa. The economic progress of certain Middle Eastern countries is already making them a pole of attraction for immigrant workers from Pakistan and Somalia. The control they can exercise over Red Sea and Arab-Persian Gulf issues is thereby becoming ever more real and they will probably soon be able to extend this control along the western shores of the Indian Ocean.

63. The Ethiopian affair is particularly serious because it might be the start of a challenge to everything that seemed stable in Africa, particularly the principle of the intangibility of States and frontiers inherited from colonial times. Indeed, the situation in Ethiopia where different tribes, languages and religions are grouped together is to be found throughout the whole of Africa and has already led to disturbances and fighting as in Zaïre and Nigeria. But the case of Ethiopia is even more complicated by outside intervention and particularly by the flow of Arab money to Somalia.

VIII. *Western Europe's policy in Africa*

64. A rapid review of developments on the African continent in recent years and the problems now facing it demonstrates the extreme complexity of the situation that has developed there. Over-simplified or over-hasty judgments such as the classification of the African countries into supporters or opponents of the West, the Soviet Union or China are very misleading since the courses followed by those countries are always liable to change at very short notice as has often occurred in the past.

65. There is probably one permanent factor, i.e. the Africans' desire to settle African problems themselves. But even this principle, to which they all claim to be attached, is often infringed by the African States themselves and

even more so by revolutionary movements endeavouring to change the status quo.

66. Faced with this extremely complex situation, Europe has the utmost difficulty in defining a meaningful policy. Several European States admittedly have an African policy but rare are those whose policy covers all African problems. Most have special relationships with a specific State or group of States and consider their action in Africa as a development of these connections.

67. In this respect, the EEC was perhaps for too long guided by the fact that, prior to the accession of the United Kingdom, France and Belgium played a major rôle in working out the Community's African policy. The Community was more concerned with Northern, Western and Central Africa than with Eastern and Southern Africa. Western Europe's policy towards Africa should probably now be reviewed because the links between ex-colonial powers and some of their former colonies are more relaxed and greater interest is being taken in African problems, precisely because of the close relations between the EEC and Africa, by countries which had not played a major rôle in Africa in the early post-war years. Furthermore, the fact that Europe is seeking political unity means it should try to unify the policies of the separate European countries. Encouragement is to be found in the fact that Africa is essential to Europe and will be increasingly so insofar as the latter seeks a place in the economic, political and military balance of the world. The limited area covered by Western Europe, sadly lacking in raw materials, means that industrial and trade activities can be developed only in close association with a larger continent with greater resources but less geared to such activities.

68. Moreover, Europe's African policy cannot be seen in isolation from its general policy be it in economic matters or external policy and defence. A cursory review of Africa's present problems shows that all the forces now playing a rôle in the world have one or more points of contact on the African continent. It therefore seems increasingly difficult to uphold certain principles, in East-West relations in Europe, for instance, and at the same time act in a manner which is contrary to these principles in Africa. This is certainly true of the Soviet-Union's intervention in Angola when it ignored the principles of non-intervention and respect for frontiers which it upholds in Europe in the framework of the CSCE.

69. But it also applies to the Western European countries which, in Southern Africa, for instance, can hardly ignore breaches of human rights no less serious than those they denounce in the Soviet Union's application of the Helsinki third basket. Finally, it is quite evident that a European defence policy requires security of access

to raw materials and lines of communication, which cannot be guaranteed if external powers install themselves on the African continent.

70. Again, Europe must fully realise the Africans' need for close co-operation. For the African countries, only such co-operation can compensate the disadvantages of very sharp fluctuations in the price of raw materials, exports of which are an essential part of their economy. They also know that their development, including their agriculture, cannot be satisfactorily pursued without continuing technical co-operation or even financial assistance from Europe, whose investments are often essential.

71. Thus, the idea sometimes expressed in the term "Eurafrica" must be retained. There must be no question of resuscitating an obsolete colonial system or again making Africa dependent on or subordinate to Europe. But underlying this notion is the idea of deep solidarity which neither side can avoid. The colonial past certainly still plays a major rôle, both positive and negative, in relations between Europeans and Africans, but it must not veil the fact that there are even earlier, and so to speak permanent, links between the two continents.

72. Nevertheless, while it is possible to define a few principles which should govern relations between Europe and Africa such as respect for human rights or non-intervention in the internal affairs of States, it is very difficult to translate these principles into a common policy.

73. Thus Europe is bound to take account of the special agreements associating certain Community members with certain African States. But because of these agreements it might find itself involved, as France was *inter alia* in the Chad conflict, on the side of established régimes which are also contested régimes and consequently have to take part in defending a political and territorial status quo which the African people find increasingly unacceptable and which would conform neither to the principles it claims to defend nor to its own true interests.

74. Nor, clearly, can it support or allow to develop revolutionary forces which sometimes have considerable ambitions but which may not necessarily be representative of the country as a whole. Naturally, the principle that it is for the Africans to settle problems concerning their continent fully conforms to the interests of Europe, which would have nothing to gain from a military undertaking whose principal result would be to turn the Africans unanimously or almost unanimously against it. But full application of the principle of non-intervention would also involve dangers which would be the greater since external powers such as the Soviet Union and China have no compunction about intervening directly or indirectly according to the case.

75. Moreover, Europe is still the principal supplier of arms to Africa. Generally speaking, European arms are sold to States and not to insurgents and they should help to maintain a certain degree of stability. But in the event of civil war in those States or hostilities with their neighbours these sales of arms involve Europe in spite of itself in sometimes dubious and morally ill-founded complications.

76. At first sight therefore it seems impossible to define a policy which the European countries should follow in Africa. They must exercise great discernment and above all exchange information on a continuing basis about their respective interests and aims in order to avoid their legitimate interests bringing them into conflict or involving them in differences over which there has been no prior agreement.

77. Such consultations are held in the framework of the EEC where trade and economic and technical assistance are concerned. Views are not sufficiently concerted on political and military matters, as has been clearly demonstrated by events in recent months and the mistrust they have aroused between Western European countries. Now that African problems seem to be taking a more serious turn, it is primordial to call upon our governments to intensify such consultations.

APPENDIX

*Economic rôle of the South African Republic***1. Share of South Africa in world mineral production and reserves**

| | Known reserves | | | Production | | | |
|-----------------------------|----------------|---------------------|------------|------------|-----------------------|------------|-------------------------|
| | Tons | % of world reserves | World rank | Tons | % of world production | World rank | % of African production |
| Gold | 15,000 | 49 % | 1 | 713 | 59 % | 1 | 94 % |
| Platinum and related metals | 30,000 | 86 % | 1 | 125 | 55 % | 1 | 100 % |
| Vanadium | 14,000,000 | 64 % | 1 | 8,510 | 46 % | 1 | 92 % |
| Antimony | 200,000 | 4 % | 5 | 15,173 | 21 % | 1 | 87 % |
| Chromium | 3,000,000,000 | 83 % | 1 | 2,607,000 | 30 % | 2 | 74 % |
| Manganese | 3,000,000,000 | 48 % | 1 | 5,900,000 | 24 % | 2 | 73 % |
| Diamonds | 10 | 7 % | 2 | 1.5 | 17 % | 3 | 20 % |
| Uranium | 250,000 | 17 % | 4 | 2,900 | 13 % | 3 | 60 % |
| Asbestos | 9,000,000 | 10 % | 5 | 354,500 | 10 % | 3 | 56 % |
| Nickel | 5,000,000 | 10 % | 3 | 20,750 | 3 % | 7 | 62 % |
| Fluorine | 200,000,000 | 46 % | 1 | 202,580 | 5 % | 8 | 62 % |
| Zinc | 12,000,000 | 9 % | 4 | 61,260 | 1 % | 18 | 23 % |

2. South Africa's customers (%)

| | |
|-----------------------------|--------|
| 1. Western Europe | 55.2 % |
| of which | { |
| Federal Republic of Germany | 18.2 % |
| United Kingdom | 16.6 % |
| 2. Japan | 19.6 % |
| 3. United States | 10.6 % |
| 4. Africa | 7.4 % |
| 5. Canada | 4.1 % |

3. Oil transported via the cape route

| |
|--|
| 596 million tons |
| 65 % of Middle East oil exports |
| 58 % of the oil tankers in commission |
| 42 % of all oil transported by sea |
| 65 % of the oil consumed in Western Europe |

European security and African problems

AMENDMENT No. 1¹

tabled by Mr. Roper

In paragraph 2 of the draft recommendation proper, after "measures" in line 1 insert "(i)"; after "apartheid" in line 2 insert "(ii) to", and after "and" in line 3 insert "(iii) to".

Signed: Roper

1. See 10th Sitting, 29th November 1977 (Amendment withdrawn).

European security and African problems

AMENDMENT No. 2¹

tabled by Mr. Whitehead and others

1. Leave out the fourth paragraph of the preamble to the draft recommendation.
2. In the sixth paragraph of the preamble to the draft recommendation, leave out "left by decolonisation" and insert "inherited from the colonial period".
3. In the seventh paragraph of the preamble to the draft recommendation, leave out "can" and insert "should" and leave out all the words after "Africa".
4. After the seventh paragraph of the preamble to the draft recommendation, insert the following new paragraph :
"Reaffirming our condemnation of the systematic violation of human rights in certain despotic post-colonial régimes in Africa ;".
5. In the eighth paragraph of the preamble to the draft recommendation, leave out "practice" and insert "policy" and after "principles" insert "of democracy and human rights".
6. At the end of the preamble to the draft recommendation, insert the following new paragraph :
"Condemning the violation of human rights and fundamental freedoms and the suppression of civil liberties by the white minority government of South Africa,".
7. In paragraph 2 of the draft recommendation proper, after "members" insert "to establish peace and security in Southern Africa" ; leave out "improve the effectiveness of measures to" and leave out "régime" and insert "transition to majority rule".
8. Leave out paragraph 3 of the draft recommendation proper and insert :
"Initiate steps to reduce the present deplorable level of arms sales from external countries to Africa ;".
9. In paragraph 4 of the draft recommendation proper, leave out "concerted" and insert "strict" and after "particular" insert "enforcing".
10. In paragraph 8 of the draft recommendation proper, leave out all the words after "rights".

Signed : Whitehead, Stoffelen, Roper, Hardy, Urwin, Watkinson

1. See 10th Sitting, 29th November 1977 (Parts 1, 2, 3, 4, 5, 6, 8, 9 and 10 agreed to ; part 7 amended and agreed to).

European security and African problems

AMENDMENT No. 3¹

tabled by Mr. Boucheny

1. At the end of paragraph 2 of the draft recommendation proper, insert “, ensuring the departure of Mr. Ian Smith’s illegal government ;”.
2. After paragraph 5 of the draft recommendation proper, insert the following new paragraph :
“Reconsider policies of investment and technology transfer in South Africa and Rhodesia which might *inter alia* render ineffective the embargo on supplies of military equipment by strengthening the economies of these countries ;”.
3. At the end of paragraph 6 of the draft recommendation proper, insert : “so as to foster the economic progress of the African countries and not the interests of multinational firms attracted by low wages and the absence of social guarantees”.
4. After paragraph 8 of the draft recommendation proper, insert the following new paragraph 9 :
“Afford its support to the liberation movements in Namibia, South Africa and Rhodesia which are recognised by the United Nations and the Organisation of African Unity, i.e. the ANC, the SWAPO and the Zimbabwe Patriotic Front ;”.
5. Insert the following new paragraph 10 :
“Condemn the repeated attacks by the South African and Rhodesian régimes on neighbouring States and particularly the military operation against Mozambique on 27th November.”.

Signed : Boucheny

1. See 10th Sitting, 29th November 1977 (Parts 1 and 3 negatived ; parts 2 and 5 agreed to ; part 4 amended and agreed to).

European security and African problems

AMENDMENT No. 4¹

tabled by Mr. Banks and others

1. In paragraph 2 of the draft recommendation proper, leave out "improve the effectiveness of measures to compel" and insert "convince"; and after "Republic" insert "of the need".
2. In paragraph 4 of the draft recommendation proper, leave out all the words after "sales".

Signed: Banks, Page, Hawkins

1. See 10th Sitting, 29th November 1977 (Amendment negatived).

European security and African problems

AMENDMENT No. 5¹

tabled by Mr. Page and others

Leave out the eighth paragraph of the preamble to the draft recommendation and insert :

“Condemning the violation of human rights and fundamental freedoms and the suppression of civil liberties by African governments ;”.

Signed : Page, Banks, Hawkins

1. See 10th Sitting, 29th November 1977 (Amendment negatived),

Progress in aerospace

REPORT¹

*submitted on behalf of the
Committee on Scientific, Technological and Aerospace Questions²
by Mr. Valleix, Rapporteur*

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Requirements for new aircraft

1. Adopted in Committee by 13 votes to 0 with 2 abstentions.

2. *Members of the Committee*: Mr. Warren (Chairman); MM. *Valleix, Lenser* (Vice-Chairmen); MM. *Adriaensens, Bernini, Bouloche* (Alternate: *Biset*), *Cavaliere, Cornelissen, Hawkins* (Alternate: *Jessel*), *Konings* (Alternate: *Koopman*), *Lewis, Mart, Müller*

(Alternate: *Spies von Büllesheim*), *Péronnet, Phipps* (Alternate: *Bagier*), *Pinto, Schmitt* (Alternate: *La Combe*), *Schwencke* (Alternate: *Scheffler*), *Treu, Ueberhorst, Van Waterschoot*.

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

Draft Recommendation
on progress in aerospace

The Assembly,

Considering its original aim of promoting a European aircraft industry to be ambitious in present circumstances but essential if the industry is to survive ;

Believing that the present national concentrations and nationalisations in Europe's airframe industries have not strengthened Europe's position vis-à-vis the United States aircraft manufacturing industries ;

Aware of the vast differences between the airframe industries in the various countries of the Common Market and considering that in the military field only those of the United Kingdom and France are economically, commercially and politically comparable since both countries have :

- (a) a large military production ;
- (b) a wide military export market ;
- (c) a comparable approach on several matters relating to defence policy ;
- (d) well-established helicopter and aero-engine industries ;

but aware also of the will of all member countries to widen their share of the civil market for medium-range aircraft at world level ;

Noting with regret that apart from some common research, development and finance activities the governments of member countries will not :

- (a) agree on a common aeronautical policy ;
- (b) promote a unified civil and military aircraft manufacturing and user market ;
- (c) set up a European military aircraft procurement agency ;
- (d) form a European aeronautical council ;

Convinced however of the need to sustain a European aircraft industry, but recognising that this calls for solidarity between participating industries and governments which are now omnipresent in elaborating aeronautical policy ;

Underlining that output for military purposes, which partly offsets a low level of civil production, involves a permanent risk since military orders depend largely on political factors,

RECOMMENDS THAT THE COUNCIL

Urge all member governments :

1. To establish a long-term relationship between their national airframe industries — alternating design leadership — in order to promote families of aircraft based on the Airbus and aircraft equipped with CFM-56 engines ;
2. To agree on a form of specialisation and rationalisation based on these types of medium-range aircraft ;
3. To open discussions on a permanent relationship for the construction of military aircraft and helicopters ;
4. To examine the advisability or otherwise and the possibility of a concerted military aircraft export policy to countries considered acceptable by WEU member countries and to seek this concertation in the framework of the Standing Armaments Committee ;
5. To seek a co-ordinated approach with a view to collaboration with American aircraft manufacturers on long-range civil aircraft.

Explanatory Memorandum

(submitted by Mr. Valletx, Rapporteur)

Introduction

1. Co-operation in advanced technology such as aircraft production is still extremely complex. Whether the end-product is for civil or military purposes, it comprises a multitude of components which have to work independently and simultaneously. International co-operation is even more difficult as it requires a very high degree of management. Since co-operation on Concorde was started in 1961, many different forms of international co-operation have been practised and it may rightfully be claimed that good management methods have since been established and adopted as in the case of the Airbus and the MRCA.

2. For international co-operation on military aircraft, a difficulty is that the various governments have evaluated their own requirements separately and differently in terms of both time-scale and methods. The average life of an aircraft is twenty years, but when one government needs to renew certain types of aircraft the time is not necessarily ripe for other governments to do likewise — they may not need to renew their aircraft for another five or ten years. Some governments, for example the German Government, require short-range aircraft whereas others, the British Government for instance, prefer long-range aircraft. Furthermore, for countries such as France and the United Kingdom armament exports are an important factor in their industrial policy, international trade and balance of payments. The requirements of a country such as Germany, which has no share in international arms trade, are not therefore comparable with those of France and the United Kingdom.

3. Since the Committee reported on European aeronautical policy in May 1976, there have been major changes in the European aeronautical industry.

4. First, there was the decision to buy the F-16 from the United States. Your Rapporteur has always regretted that most member countries are inclined to make the greater part of their purchases in the United States, which does not help to strengthen the industrial capacity of Western Europe. For instance, one side effect of the so-called "deal of the century" will be the development of new engine production facilities in Europe. Europe already has an over-capacity in this field and if Belgian factories are now to manufacture F-16 engines under licence this will result in facilities which are unbalanced as they will have no design teams and will therefore be unable to prepare future projects once production of the F-16 engine terminates. In the near future the United Kingdom Government will

have to inject another £ 20 million of taxpayers' money into Rolls-Royce to allow it to continue work on the RB-211 engine ; Rolls-Royce's own profits have not been high enough to produce a capital reserve for the further development of the RB-211 series. Like situations will lead to economic weakness in Western Europe mainly due to an inability to produce at competitive prices.

5. Second, the three major aircraft constructing countries have opted for national concentrations of their industries. In Britain aircraft construction activities have been concentrated through the nationalisation of Hawker Siddeley, British Aircraft Corporation and Scottish Aviation which have now become British Aerospace. In France a co-ordinator has been appointed between Aérospatiale and Dassault. His task will be to avoid competition between the two companies which, in the past, often tended to compete in the same type of programmes. In the Federal Republic there is discussion between VFW-Fokker and MBB with a view to concentrating the North and South German aircraft industries in one consortium. It is not quite clear whether the Netherlands part of VFW-Fokker is also to be included in this concentration. Both the German and Netherlands Governments are negotiating with the companies concerned, but a decision cannot be reached until the new Netherlands Government has been able to examine the situation. A decision is becoming increasingly urgent as Fokker in the Netherlands is introducing shorter work shifts due to present production difficulties with their F-27 and F-28 aircraft. When production of the F-16 starts the Netherlands factory will again have a sufficient workload. In Bremen the situation is even worse as it has been impossible to sell the VFW-614, only thirteen of which have been built.

6. National concentrations are therefore now taking place in the airframe industry. The Commission of the Communities has often pleaded for international consortia at European level. The general idea was that Hawker Siddeley, Dassault and MBB should form one European consortium and British Aircraft Corporation, Aérospatiale and VFW-Fokker the other European consortium. Now, with the concentration of national groupings, the question is whether this will promote a "European" aircraft industry which, according to the governments and industrialists, is the goal to be reached. Individually the national groupings will be unable to meet the civil and military requirements of Western Europe, nor will they be able to compete with the American aircraft industry. This will be possible only if they collaborate and if the European

work force attains the same productivity rate as that of the United States. Moreover, European products cannot pierce the world market without gaining a foothold in the United States. With the present national concentrations and nationalisations in Europe it is doubtful whether Europe's position has been strengthened in competition with the United States. Governments which already have great influence on their national aircraft companies are unlikely to agree to reductions in the numbers employed when they are over strength. It is also to be wondered whether they would support new programmes more on a national than on a European basis.

7. On the other hand, however, as the older generation of industrial leaders gives way to new managers in the European aircraft industries there will be a move towards greater co-operation and specialisation which are vital in order to survive. All are now convinced that collaboration with the Americans on medium-range civil transport aircraft means in fact that they would become risk-sharing subcontractors; they would have neither the advantages of a risk-sharing partnership nor those of independent subcontractors. The major European manufacturers realise that they need one another if they are to attain their ambitious targets.

8. In the aircraft engine industry the situation is very different as Europe has too small a civil market in this field. Thus, collaboration with the Americans is essential in order to attain satisfactory production runs. Only four major firms are left: two in the United States — General Electric and Pratt and Whitney; and two in Europe — Rolls-Royce and SNECMA. German engine manufacturers are linked with the German car industry, of which they form only a very small part.

9. In the Commission of the European Communities' publication of 2nd August 1977, "The European aerospace industry — Trading position and figures", a breakdown by country is given on the importance of the European aero-engine industry. These figures show that France and the United Kingdom together account for 91,263 of the total EEC work force of 104,225, and the United Kingdom aircraft engine industry employs three times as many people as the French industry.

10. The French firm, SNECMA, has direct relations with General Electric for building its CFM-56 engine, and Rolls-Royce has similar relations with Pratt and Whitney.

11. This is a general outline of the facts and the present-day situation, but the question is what progress is possible in aeronautical matters at the present juncture.

I. Developments in the European aircraft industry

12. The following figures underline the historical importance of the European aircraft industry. During the first world war aircraft production figures were as follows: United Kingdom, 55,000 aircraft; France, 51,000; Germany, 48,000; Italy, 12,000; United States, 14,000.

13. For 1944, at the end of the second world war, military aircraft production figures were: United Kingdom, 27,000; Germany, 36,000; United States, 95,000; Japan, 33,600. In 1944 production in France had been reduced to the manufacturing of spare parts for the German industry. No figures are available for Italy, but its aircraft industry then employed 600,000. The aircraft industries of Germany, Italy and Japan were dismantled at the end of the second world war and remained inactive until 1955, 1956 and 1952 respectively.

14. After the second world war the United States industry started to produce mainly civil aircraft and, in 1946 alone, turned out 35,000 aircraft. The conversion to civil production was so fast that the civil market was unable to absorb the annual output. Only the larger firms therefore managed to survive and by 1948 production had dropped to some 7,500 aircraft a year. By 1971 there remained only twelve main companies in the United States and factories are still being merged. The aircraft industry is America's major exporter and this has a direct influence on the European aircraft industry.

15. The Communities' publication of 2nd August 1977 indicates that in 1975 aerospace revenues for the nine Common Market countries amounted to \$9.8 billion compared to \$35.6 billion for the western world as a whole. Within the overall results, performance varied from sector to sector. The study notes that in the Community's military fleet the proportion of European-designed aircraft is as high as 67% in some member countries but the percentage varies widely from one nation to another.

16. The work of the aeronautical industries within the EEC increased by 27% between 1970 and 1975 while the gross domestic product for the nine nations as a whole increased by only 13% during the same period. The revenues of the French industry now slightly exceed those of the British industry. The main export markets for military aircraft from these two countries are the Middle East and North Africa.

17. The market for civil transport aircraft continues to be a problem area for the European industry whose share of the free world market dropped from 9.5% in 1970 to 7.8% in 1976. According to Common Market figures the European industry now has only 2.4% of the western

market for long-range aircraft and 13 % of that market for short- and medium-range aircraft. As a result, military sales represent 72 % of overall EEC aerospace revenues. The study forecasts a slow but steady upward trend in the proportion of short- and medium-range aircraft in future years: 55 % of the total world market will be for short- and medium-range aircraft during the period 1976 to 1985 and this trend might be accentuated after 1985.

18. Your Rapporteur feels that the position of Airbus-Industrie has recently improved. It is on the brink of penetrating the American market and Congressional attempts to legislate against European aircraft have been rejected by the Federal Government in Washington.

19. In the field of general aviation and business aircraft the United States aircraft industry is increasing its share of the market whereas the European industry is losing ground. The estimated numbers of light and executive aircraft produced by companies in the EEC in the period 1973-75 are :

| | 1973 | 1974 | 1975 |
|--------------------|-------|-------|------|
| Light aircraft | 1,500 | 1,200 | 800 |
| Executive aircraft | 100 | 70 | 70 |
| | 1,600 | 1,270 | 870 |

Nearly half the light aircraft produced within the EEC are manufactured under United States Cessna licence by Reims Aviation in France. In the United States the recent trend in the number of aircraft produced is as follows :

| | 1973 | 1974 | 1975 |
|------------------------------------|--------|--------|--------|
| Total number | 13,645 | 14,165 | 14,057 |
| — of which single-engined aircraft | 10,633 | 11,000 | 11,798 |

If these figures are compared, it can be seen that Community production decreased from 12 % of United States production in 1973 to 6.2 % in 1975. In the helicopter sector, on the other hand, Western Europe has steadily increased its share of the free world market.

20. The overall productivity level of the European industry is still lower than that of the United States industry. In Europe production runs are shorter and the structure of its industry is not so well balanced as in the United States.

21. The EEC publication also stated that aircraft sales were rather disappointing in 1976: only three Airbuses and six F-28s compared with sixteen Airbuses and twenty-six F-28s in 1975. In 1976 Boeing sold 113 B-727s and thirty-six B-737s.

II. The situation in the United Kingdom

22. During the past year the most important topic has been the nationalisation of the aerospace industry as set out by the government in its Aircraft and Shipbuilding Industries Bill. The resulting single company is British Aerospace. During the nationalisation process the British aerospace industry could not take any initiatives but it has since contacted American and European industries in order to sound out possibilities for European or Anglo-American co-operation. The British Airways' decision to buy six long-range Lockheed TriStars emphasises the lack of a cohesive European aircraft industry in the face of continuing United States domination.

23. The action programme proposed by the Communities for the European aeronautical sector has given rise to much discussion in the United Kingdom. This programme favours more Community control and financing of the aircraft industry and a concerted air transport policy. The Commission of the Communities is of the opinion that the European aircraft industry may disappear if drastic measures are not taken in order to ensure Community-wide co-operation which will require common financing as well as common research, development and production. The British Government however does not agree to its independent aircraft industry being controlled by an international body such as the Commission, or to it being submerged in the type of multinational organisation proposed in the Commission's action programme. In a world dominated by the American market and the American industry, the British consider it unwise to set up an exclusive European air manufacturing industry and establish a European market and have so far nearly always opted for transatlantic co-operation.

24. As an advanced industrial country, the United Kingdom wishes to maintain its own independent capabilities in this field and is not willing to share responsibility for it. Moreover in the field of aero-engine manufacturing a European aero-engine policy would not make much sense in view of the need to collaborate with United States aero-engine manufacturers. Rolls-Royce is predominant in Europe and has an international reputation since it meets an international, and in particular an American, requirement. The United Kingdom Government feels that it has the ability to produce both military and civil aircraft and wants to continue producing them. Just as it does not wish to be a simple warship-manufacturing nation, not making merchant ships, so it does not wish to be only a military aircraft-manufacturing nation.

25. It is convinced that any new transport aircraft project must be viable and competitive in the world market. This means that the Europeans have to become more efficient if they are

to increase their production rates and thus reduce costs. A special effort is needed in research and development. In this field Europe is falling behind the United States and there might thus be serious repercussions in future years.

26. Neither the Europeans nor the Americans have appropriate engines for a small aircraft of about 120 seats but the European industry should try to meet this requirement as there is a wide market for such an aircraft.

III. *The situation in France*

27. In his speech on 11th June 1977 at the close of the 32nd Paris air show, the French Prime Minister, Mr. Barre, said that the Airbus programme was the basis of the French aeronautical policy. This programme should be developed to arrive at a family of aircraft derived from the present Airbus. He thus enlarged upon views already partly defined by Mr. Chirac, his predecessor, which demonstrates definite continuity in French aircraft policy :

“The government has agreed to the development of two alternative versions of the Airbus, one equipped with new engines and the other allowing an increase in the aircraft's take-off weight and radius of action.

The government is also in favour of a detailed technical and commercial study being made of a lower-capacity version.

This study should of course be set in the context of co-operation covering all medium-haul aircraft.

We should in fact intensify our efforts in respect of smaller-capacity aircraft since commercial requirements will compel constructors to offer equipment superior to present aircraft in this category.

In order to launch such a programme, there will have to be action in three fields : development of engines especially adapted to these requirements, organisation of international co-operation and search for a wide market.

Where engines are concerned, I will merely mention the CFM-56 programme, whose performances are well known.

At international level, two years ago France took the initiative of proposing co-operation with our European partners in a medium-haul aircraft programme.

Some felt our action to be premature. French or European firms then thought of starting talks with their American counterparts. The public authorities were not

against this insofar as these firms preserved Europe's future prospects.

The government has just drawn conclusions from these talks. First, it notes that there is a more definite need for a medium-haul aircraft than two years ago. It also considers that equitable co-operation with American firms depends on European means first being strengthened.

France therefore proposes that the governments associated in the Airbus project and any other European governments so wishing study the joint construction of a new medium-haul aircraft equipped with CFM-56 engines.

At the right time and when the principal options have been made, this co-operation might be opened to include American firms.

Since the Airbus-Industrie structure has proved its worth, we propose that it be used for this new aircraft too.

The Société Aérospatiale, France's leading firm in this programme, will therefore continue the necessary work with its European partners.

The airlines will of course have to be associated with defining the specifications of the aircraft.

The final decision to launch the programme will be subject to three conditions :

- a fair division of responsibilities and risks ;
- solidarity between participating governments ;
- adequate commercial and financial prospects accompanied by suitable assurances from the airlines of the countries participating in the programme.

The government's course is thus now clear : to implement a policy of civil programmes based on the Airbus family and on a new medium-haul aircraft.

.....

But however ambitious our programme policy may be and however coherent our equipment policy, what would be the point of these efforts if our industrial structures are not strengthened ?

More than in any other sector, the State plays an omnipresent rôle in aeronautical policy, and this is so in France as in other countries. It gives its views on all programmes and finances their development before, in many cases, becoming the principal customer. This situation has no equivalent. The

State must therefore provide itself with all the means necessary for ensuring the cohesion of concepts and control of the results of the policy it defines in this field."

28. The Prime Minister then announced the creation of a new company, chaired by Mr. Jean Blancard, which would act as overlord for both Aérospatiale and Dassault-Bréguet.

29. Although French policy on European projects has not yet evoked a positive response from the other European Ministers concerned, it is still hoped that there will be a favourable reaction. The prospects of the market for a medium- and short-haul programme seem more promising than in 1975.

30. During a meeting on 17th June 1977 between the French President and the Federal Chancellor it was agreed that, if possible, future aeronautical co-operation would be based on the development of a family of Airbus aircraft.

31. The French proposals are now being studied by British Aerospace, MBB and VFW-Fokker, especially the proposal for a twin-CFM-56 (140-160 seat) jet liner.

32. Although implicitly confirming that no final decision would be taken on starting work on a twin-CFM-56 aircraft before the middle of next year, Mr. Cavallé, Secretary of State for Transport, pointed out that Frs. 75 million for the programme authorisation for this project were earmarked in the budget of his secretariat of State. Airbus developments were allocated Frs. 227 million in programme authorisations and Frs. 10 million for the further study of supersonic commercial transport aircraft.

33. The Prime Minister, who, since his speech at Le Bourget in June, had given no further details about the government's intentions in aeronautical matters, reverted to these questions during a visit to Toulouse in August 1977.

34. Mr. Barre added two new elements to the measures announced in June: the examination of the resumption of work on the Nord 262 and the government's determination to promote the twin-CFM-56 medium-haul aircraft with or without British participation.

35. Resumed production of the Nord 262 would require initial financial support from the State and orders from the navy and civil defence and other authorities. On the other hand, the operation would very soon be able to provide a worthwhile workload, about half of which would go to the aircraft division of Aérospatiale.

36. The French Government is further prepared to reopen the Transall production line if there is sufficient demand for this aircraft. The French defence authorities would order twenty-five if other European countries, especially Germany, ordered another twenty-five, fifty orders

being the minimum requirement for starting up again.

37. Finally, your Rapporteur wishes to mention that plans to build a Mercure 200 with McDonnell Douglas have been abandoned. It was foreseen that design leadership would go to Dassault and that the marketing would be done by McDonnell Douglas. However, in June 1977, the French Minister of Equipment decided that this type of collaboration did not offer sufficient economic advantages for the French company.

IV. *The situation in Germany*

38. In 1976, at the request of the Federal Government the Secretary of State for Economic Affairs in charge of the co-ordination of the German aerospace industry, Mr. Martin Grüner, submitted a report on developments in aerospace in the Federal Republic in which he concluded that existing aerospace projects should be continued. This means, on the civil side, continuing production of the Airbus and the VFW-614 and, on the military side, the Tornado (MRCA) and the Alpha-Jet, as well as helicopters and missiles. German industry and the Federal Government believed that for both technological and economic reasons the Federal Republic should keep an aerospace industry. The ratio between the Federal German, French and British aircraft industries is 1:2:4, the numbers employed being 50,000, 100,000 and 200,000 respectively.

39. Federal aid will be necessary in order to continue the abovementioned programmes. At the end of September 1977, Mr. Grüner announced that the Federal Government would give short-term financial aid to VFW-Fokker, the exact amount not being mentioned. The conditions of this aid will be discussed by the Ministers of Economic Affairs and Defence and will depend on the development of the discussions on co-operation between VFW-Fokker and MBB in order to rationalise the German aerospace industry.

40. The marketing positions of MBB and VFW-Fokker are rather different — the first being in a much better position than the second. Collaboration between these two firms might be possible; this would come under the responsibility of the governing boards and the shareholders. The Federal Government will not participate in the future organisation or force MBB and VFW to adopt a specific structure. It will however try to alleviate certain burdens which at present weigh heavily on VFW. It hopes that Fokker Amsterdam will eventually participate in the German group since Dutch-German commercial interests are complementary in this field. Moreover, a concentration of German, Netherlands and Belgian aircraft industries (Société Anonyme Belge de Constructions Aéronautiques —

SABCA — belongs to Fokker) would make for a better balance between this group and the French and British groups.

41. It is still extremely difficult to gain a foothold in the world market because of American competition and in the internal European market airlines are still reluctant to convert to a policy of buying national or European products. German participation is essential because of the Airbus, Tornado and Alpha-Jet production and the possible reopening of the Transall production line. However, in the near future the market is expected to expand, thereby offering greater opportunities for this industry. Recent orders placed by Lufthansa for the Airbus and by KLM for Fokker aircraft seem to indicate that the outlook is brighter.

42. Of major importance is the recently-signed memorandum of understanding concerning Euromissile which covers the period up to 1985. This general agreement covers all types of missiles: those used by aircraft as well as by tanks and other vehicles.

V. Prospects of the European market

43. In September 1977 the OECD published an important study on the future of European air transport in which it noted that between 1970 and the year 2000 the European airline fleets would increase from 600 to more than 1,100 aircraft, 75 % of which would seat 100-150, some 11 % 150-225, some 10 % would be small aircraft seating 50-100, and the rest would be taken up by very large aircraft with a 300-450 capacity. The OECD came to the conclusion that the aircraft industry would have to expand considerably in order to meet the airlines' demands.

44. The present situation remains uncertain as the major American manufacturers are also fighting for this market. Boeing is offering the British a plan for the joint construction of a further development of the B-737, and is also offering co-operation on projects such as the B-7N7 and the B-7X7; it is already co-operating with the Italians on the latter. However, a decision had not yet been taken and this underlines the great difficulty and risks involved in starting a new programme. This is also illustrated by the fact that McDonnell Douglas is not launching a new aircraft but developing a new version of its DC-9 — the DC-9 Super 80. This decision by McDonnell Douglas should hasten the British-French-German discussions as speed is now extremely important.

45. At Weybridge in the United Kingdom fifteen representatives of the European aircraft industry (five from the United Kingdom, five from France and five from Germany) are discussing which aircraft could best conquer the

new market¹. Your Rapporteur is convinced that if Europe promotes several national projects at the same time it will lose to American competition. He hopes therefore that as a result of the discussions the European airframe manufacturers will promote one prototype to be developed into a joint series or family of aircraft. Although the BAC X-11 and the Airbus 200 and their modifications and derivations — 130-170 seats — are not being discussed directly since the representatives are to define the future short- and medium-haul aircraft, these aircraft are foremost in the minds of the manufacturers concerned: British Aerospace, Aérospatiale, MBB and VFW-Fokker.

46. On the other hand, if co-operation with the United States seems necessary on another type of aircraft then the question arises whether the American manufacturer — Boeing or McDonnell Douglas — will collaborate with several European countries or just one European manufacturer. The SNECMA-General Electric precedent might allow consideration to be given also to transatlantic co-operation under European leadership.

47. There is no doubt whatsoever that collaboration with the United States would be essential if a super Concorde were to be developed.

VI. Developments in space

48. The Committee's last report dealing with European space activities² was submitted by Mr. Lenzer who discussed, in Chapter II, the first meeting of the Ministerial Council of the European Space Agency which was held at the new seat of the agency in Paris on 14th and 15th February 1977. At this meeting the Council adopted a declaration on an overall programme in the field of communications satellites, a declaration on the Ariane launcher programme production phase and resolutions on the Earthnet programme, the agency and operational systems and, finally, the agency and its external relations. Your Rapporteur will not delve into the details of the decisions of this first Ministerial Council meeting of the agency since they have already been described in the main by Mr. Lenzer. There are, however, a number of points relevant to the present state of European space activities which are worthy of mention.

49. Visiting the 32nd Paris Air Show in June 1977, it became evident to the Committee that the United States aerospace industry wishes to retain its place in the world market and especially where satellites and space platforms

1. See Appendix.

2. Document 736.

are concerned. NASA's participation in the air show centred on the space shuttle, but it also emphasised economical space vehicles, full-scale models of which were displayed. An experimental ocean survey spacecraft called Seasat was exhibited as well as a mock-up of a solar power satellite. Such a satellite could capture energy from the sun and convert it into direct electrical energy, this subsequently being transmitted to earth by microwaves. It is estimated that such a satellite could be in orbit as early as 1995.

50. On the European side the European Space Agency as well as individual countries were exhibiting full-scale models of spacelab, the European Ariane launcher and of the many types of satellites now under construction either in European or in national frameworks. It has become quite clear that the sale of satellites might become an interesting financial operation.

51. The space shuttle will be the first major step towards giving mankind access to new previously untapped resources which will be available not only for research but also for manufacturing and meeting the needs of mankind. The space shuttle will provide a continuous view of the earth and its total environment. It will be possible to conduct research and services in meteorology, oceanography, geology and environment and also broadscale exploration of new terrestrial resources. Solar power stations, such as that shown by NASA at the air show, might become feasible alternatives to fossil fuels.

52. Of immediate importance are communications satellites which have aroused the interest of several countries such as Brazil, India, Pakistan, etc.

53. In December 1976, twenty Arab States established the Arab satellite telecommunications organisation with its headquarters in Riyadh, Saudi Arabia. Participating States have already pledged \$100 million to the Arab satellite project. They are now seeking a consultant organisation to help define specifications for the telecommunications system of the participating countries. The consultant organisation will also participate in the choice of contractors to implement the system and oversee its implementation and the training of personnel needed to operate the system. The selection of the management consultant will be made not later than 1978. A hardware manufacturer cannot compete for the management consultancy contract.

54. The main participating countries are Saudi Arabia with 26.5 %, and Libya with 18 %. The Chairman of the seven member board of directors will be a Saudi Arabian minister.

55. The Arabs are not the only ones to be actively interested in setting up a satellite communication system ; a Chinese Delegation has also visited the European Space Agency. All

aspects of Western European communications satellite activities, including the ESA orbital test satellite, the Marots system, the European communication satellites programme and the Franco-German Symphonie satellite programme have been studied. The Chinese Delegation was also very interested in the European earth stations, mobile or fixed.

56. However, no European hardware will be sold if it has not been proved beforehand. The European launcher Ariane not yet being operational the European Space Agency had to ask the Americans to put the European satellites into orbit. As is known, this was not successful and your Rapporteur put the following questions to the Council of Ministers :

"1. On 14th September 1977, the American Thor-Delta rocket carrying the European Space Agency's OTS satellite was destroyed a few seconds after launching, thus leading to the loss of the first European satellite of this type. Was this type of rocket also used for launching the European scientific satellite Geos on 20th April 1977 which failed to achieve the expected results ?

2. Why did the American authorities use a type of rocket which had not yet proved its reliability for this launching ? Why did the European authorities concerned agree to this choice ?

3. What is the Council's assessment of the financial, technical and commercial consequences of the failure on 14th September ? In particular, does it consider that the Marots programme can be carried out in the conditions planned ? Is it not urgent to review the terms of the contract with NASA, under which all the risks and costs are borne by the customer alone, i.e. ESA ?

4. Does the Council consider that co-operation between Europe and the United States in space matters has proved to be satisfactory enough to justify its being pursued ?"

57. When the Ariane launcher is ready for launching in 1981 it might well meet with competition from outside the United States through a privately-financed German-built heavy launch vehicle. The engineers of the German firm, Orbital Transport- und Raketen-Aktiengesellschaft (OTRAG), believe that from a basic two-tank, two-engine model they can produce effective inexpensive launchers.

58. Your Rapporteur has been informed that such a launcher would cost at least as much as the Ariane. The ESA Council should now lose no time in taking a decision on the production of the operational series of Ariane launchers.

59. The future orientation of ESA should be as follows. The scientific programme should be strengthened since, as a result of European collaboration, budgets for national activities have now been greatly reduced.

60. ESA should foresee the possibility of providing launching services in order to ensure the success of the spacelab programme and the future use of the Ariane launcher. ESA should contact possible clients to ensure correct use of the application satellites.

61. The European space industry should become independent and cater directly for clients wishing to use its space systems. Your Rapporteur hopes that the European telecommunication authorities, the national post office authorities, will overcome their reluctance to use satellite systems being developed within the framework of ESA.

62. Finally, when your Rapporteur compares the situation in the aeronautical and space industries he notes that in both fields it is

essential for the Europeans to become strong enough to compete successfully with American, and maybe in the future Japanese, aerospace industries. In neither field are the European industries yet capable of competing in the world market and concentration and specialisation are necessary to overcome this handicap. Your Rapporteur feels that the only present possibility for permanent structural relations in Europe lies in the successive launching of individually-studied co-operative projects intended for the world market. The success of such projects would already be an important step towards strengthening the European industry.

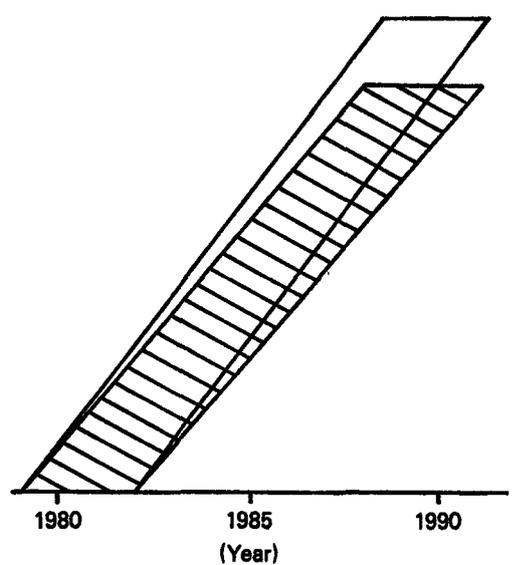
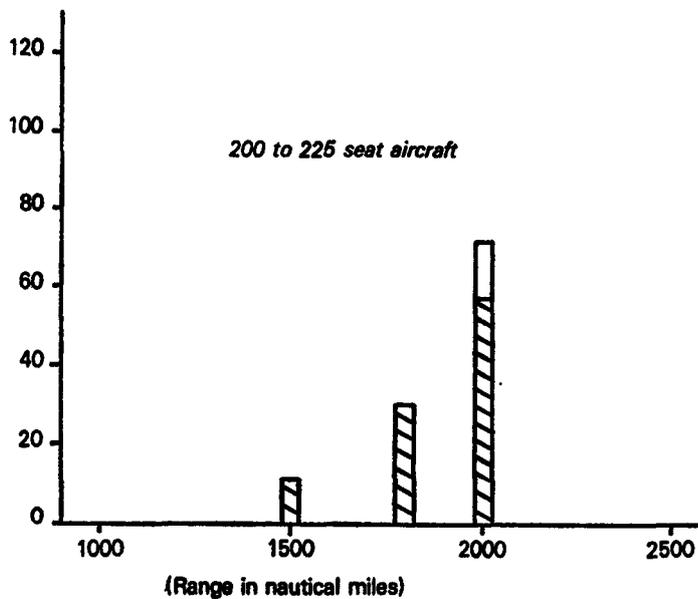
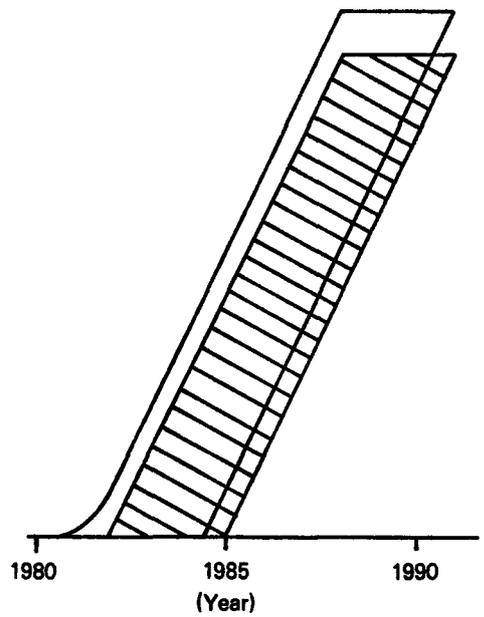
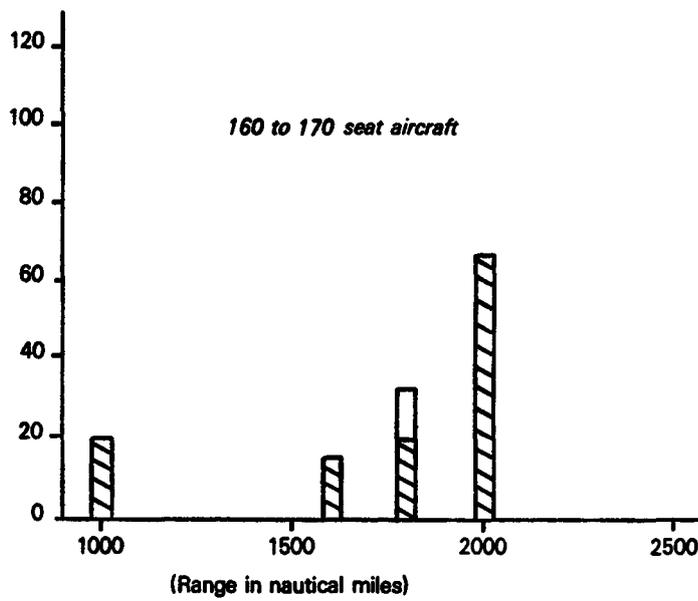
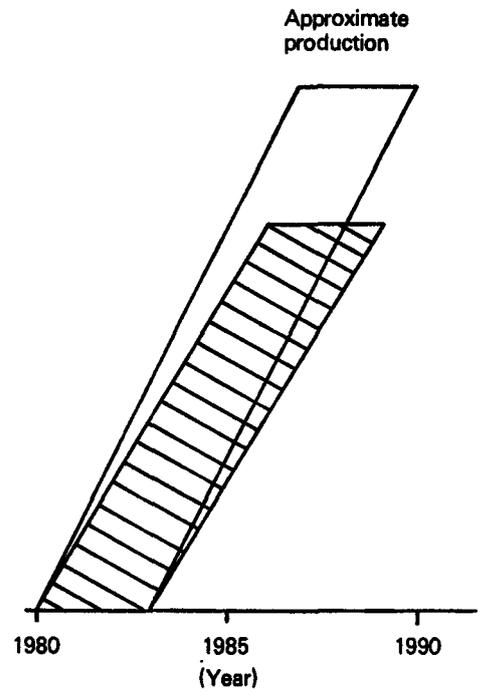
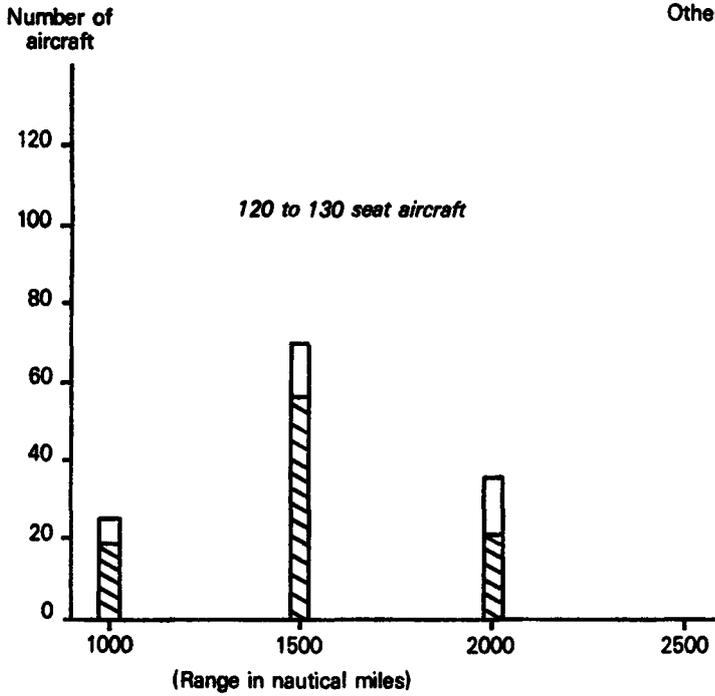
63. If the various European firms made an effort to become as efficient as American firms, which would necessarily involve staff cuts, then it would become possible to consider structural changes aimed at bringing Europe's industries closer together.

64. It would be dangerous to leave decisions in abeyance for too long.

APPENDIX

Requirements for new aircraft

Atlas/KSSU/BA 
 Others 



WEU's contribution to the development of European union

REPORT¹

***submitted on behalf of the General Affairs Committee²
by Mr. Forni, Rapporteur***

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DRAFT RECOMMENDATION

on WEU's contribution to the development of European union

EXPLANATORY MEMORANDUM

submitted by Mr. Forni, Rapporteur

- I. European union and defence
- II. Defence policy
- III. Level of forces, limitation and control of armaments
- IV. Armaments production
- V. The parliamentary dimension
- VI. Conclusions

1. Adopted in Committee by 11 votes to 0 with 4 abstentions.

2. *Members of the Committee*: Mrs. von Bothmer (Chairman); Sir John Rodgers, Mr. Sarti (Vice-Chairmen); MM. Abens, Ariosto, Beith, Sir Frederic Bennett (Alternate: Page), MM. Bizet, Brugnon (Alternate: Forni), Cermolacce, Faulds, Gessner, Gonella, Grangier,

Hanin, Mrs. van den Heuvel-de Blank, MM. Mangelschots, Mende, Minnocci, Müller, Peijnenburg, Périquier, Perin (Alternate: Van der Elst), Porthoine (Alternate: de Koster), Reddemann, Segre, Urwin (Alternate: Channon).

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

Draft Recommendation
on WEU's contribution to the development of European union

The Assembly,

Considering that Article V of the modified Brussels Treaty contains a binding commitment to automatic military assistance ;

Convinced that application of this provision, as of Article VIII, calls for close and continuing consultations between its signatories on external policy and defence questions ;

Further convinced that only full application of the treaty can maintain mutual confidence, which gives full deterrent value to Article V ;

Considering that neither the North Atlantic Council nor, in present circumstances, the political consultations organised between members of the EEC are able to replace entirely the consultations provided for in the modified Brussels Treaty, particularly under Article VIII ;

Considering that the modified Brussels Treaty has introduced a new ethical dimension into relations between signatory States ;

Considering that the mandate given to the Standing Armaments Committee by the Council on 31st May 1976 should make a substantial contribution to :

- (a) paving the way towards a harmonisation of armaments with a view to protecting the production capability of industries which are essential for maintaining employment and safeguarding the independence of member countries ;
- (b) preparing a joint policy for member countries in respect of sales of arms, which might lead to disarmament ;

Deploring the fact that in practice the Council takes no account of these considerations ;

Convinced that a future European union can be based only on treaties and institutions associating member countries,

RECOMMENDS THAT THE COUNCIL

1. Examine to what extent the modified Brussels Treaty is really applied by organisations other than WEU ;
2. Implement Article VIII of the modified Brussels Treaty whenever the international situation so requires, i.e. consult with regard to any situation which may constitute a threat to peace or to economic stability ;
3. Examine the implications of Article V for all member States, with the aim *inter alia* of harmonising strategic concepts and strengthening procedure for consultation ;
4. In the context of the search for universal, progressive and controlled disarmament, consider how WEU can contribute to the establishment of lasting peace ;
5. Ensure that the task given to the Standing Armaments Committee is pursued promptly and efficiently and is extended to cover the sale of arms with a view to making meaningful progress towards general and complete disarmament ;
6. Meet the wish regularly expressed by the Assembly to hold a true dialogue on the various aspects of the application of the modified Brussels Treaty ;
7. Give favourable consideration to the possibility of revising Article IX of the treaty so as to allow better participation by members of parliament in the work of the Assembly.

Explanatory Memorandum

(submitted by Mr. Forni, Rapporteur)

I. European union and defence

1. While it might have seemed possible ten years ago to project the shape of Europe in the near or more distant future on the basis of earlier concepts and extrapolations starting from the Rome Treaty and its preamble, any such attempt today would be difficult and hazardous. The nine EEC countries have admittedly agreed to call the goal of their joint undertaking "European union", but both the substance and the shape of this European union are increasingly uncertain.

2. Spain and Greece wish to join the Economic Community without delay. Others such as Turkey wish to strengthen their links with the Community with a view to future membership. Yet others are prepared to co-operate closely with their neighbours in economic matters but do not wish to engage in political or military undertakings.

3. Community Europe will probably have to be enlarged in the next ten years and this will bring with it wide-ranging changes in the present European system, particularly in agriculture. But many other aspects of the European undertaking may need revision, perhaps because of enlargement or because of internal developments in member States or because of changes in international society and the balance of political, economic or military forces, not to mention foreseeable or unforeseeable developments in the crisis with which the capitalist world has been at grips since 1973 and which shows every sign of becoming worse rather than better in years to come. The EEC, which was set up at a time when steady, rapid economic progress was an accepted fact, seems to be having greater difficulty than member States in adjusting its economic and trade policy to the demands of the crisis.

4. The last attempt to explore if not to define the substance of the future European union was the Tindemans report. This provided a basis for a number of discussions in the European Council, but it very soon became apparent that it was destined to fall into oblivion.

5. For instance, the proposal to include defence among the responsibilities and activities of the European union met with a host of objections. The thought of extending the responsibilities of the European Parliament at the expense of the WEU Assembly seems to have been endorsed by none of the governments. The only point on which the nine governments managed to agree was that the European Parliament should be elected by direct universal suffrage before summer 1978. But now it is not at all clear that the

nine countries will be able to agree on electoral procedure or on a date. Some are wondering whether it will be possible to hold elections within the prescribed time limits.

6. While the era of high-flung speculation about the future of Europe now seems over, it is clearer than ever that the future European union, if it is ever to see the day, can be based only on what already exists where treaties and institutions are concerned. But one way or another the modified Brussels Treaty is the only sound basis for a common defence policy.

7. On 5th August 1977, the WEU Council answered written question 176 put by a British member of parliament in the following terms:

"There can be no doubt about the binding character of the automatic mutual assistance clause in Article V of the modified Brussels Treaty, which constitutes a commitment in international law."

This means that the seven governments agree to interpret Article V of the modified Brussels Treaty as an "automatic" commitment clause leaving no margin of interpretation of what may be covered by the word "attack". Without anything else, this statement determines the rôle of WEU and particularly of its Council, since there can be no such commitment if policies are not closely concerted: it is impossible for States to envisage "automatic" military commitment without first agreeing on the main aspects of their defence policies and on the direction of their foreign policies. Failing this, all the signatories of the pact would be committed by each other's actions and might find themselves having to condone policies of which they might not approve.

8. However this may be, Western Europe stands as one in face of the vital need to avoid at any cost a war which, whatever arms may be used, conventional or nuclear, would bring total ruin. Therefore, while there may be wide divergences between the defence policies of the Western European countries, they draw close together in their recognition of the need for a deterrent. It is no secret that today only nuclear weapons can provide a deterrent capable of making a possible enemy renounce the use of force because of the risk of incurring intolerable destruction on his own territory. It also implies a desire to defend oneself by every means in the event of an attack and also a strategy, i.e. a doctrine for the use of nuclear weapons to make them the instrument of a policy of deterrence rather than of war.

9. Thus, *de facto* solidarity, the need for a deterrent defence policy and divergences between

the defence policies of European States determine the framework of WEU. It must continually consider how passive solidarity can be transformed into active solidarity by deterrent action in the general interest but for which defence policies based on different assessments of the situation must be harmonised. Thus France, which is no longer a member of NATO and will very probably continue to pursue an independent defence policy, is essential to the security of Western Europe because of its geographical position and the existence of its nuclear force, just as Western Europe — and in particular the Federal Republic of Germany — is essential to the security of France.

10. The French Socialist Party, for its part, has clearly and on several occasions given its views on associating the national nuclear force with this solidarity and most recently in an interview with Robert Pontillon in *Le Point* of 10th October 1977 :

“...The claim to wish to defend national territory alone means refusing to take account of undertakings stemming from France's adherence to the Brussels or Paris Treaties, and I intentionally refrain from mentioning the North Atlantic Treaty which does not make the commitment of forces automatic.

But for us there is no sense in France withdrawing behind its frontiers. The ‘threat’, as the military say, can be in two forms : direct pressure on our frontiers or on the frontiers of countries of the Alliance to which we belong. By leaving the Alliance, we would accept that our neighbours may be attacked without a move on our part and that we should defend ourselves alone in the event of a direct threat to our frontiers. This is unthinkable.

.....

When Mitterrand says that he does not believe in a national deterrent, it is because he believes in the alliances and for him national deterrence means nothing if it is not included in a system of alliances and solidarity.

What Mitterrand says is that even with a national strike force France cannot argue its case in isolation from its alliances...”

11. A union of countries pursuing very different defence policies would be meaningless without a political expression of their solidarity and so far there is no other than the modified Brussels Treaty. This, and hence WEU itself, is thus the common element serving the security of all in a deterrent which each one exercises with the means available to it : integration of conventional forces in NATO for some, an independent policy with

the support of a nuclear force in the case of France.

II. Defence policy

12. From the very beginning, the exercise of most of the WEU Council's military tasks was handed over to NATO. It lost many of its economic activities when the United Kingdom joined the European Communities and much of its political work when nine-power political consultations began. The Council of Ministers has spaced out its meetings and now considers only fairly secondary matters. Nor is there any great political activity at meetings of the Permanent Council. However, the WEU Council has not thereby lost any of the responsibilities assigned to it under the modified Brussels Treaty which is still essential in view of present uncertainty about the future of Europe.

13. Even in the near future, it is not out of the question that internal developments in certain member countries might make their relations with the American partners in the North Atlantic Treaty far more difficult, either because the United States would not be prepared to accept the participation of communists in these countries' governments or because the course adopted by a new majority in their economic, social, trade or even defence policy would not be appreciated across the Atlantic. Moreover, the achievement of an economic and social policy in conformity with the interests of the peoples of these countries might make them stand apart from Community Europe, dominated by the ideology of free enterprise, for there could be no question of a democratically-chosen government subordinating its economic and social policy to foreign policy considerations.

14. In any event, a French majority, whatever it may be, will have to take account of the *de facto* solidarity between France and its partners and will consequently have to maintain and develop, in the framework of the modified Brussels Treaty, consultations and co-operation with the European members of NATO, which will have to be intensified as France moves further away from NATO. In such a case, the WEU Council may have to resume its rôle as a link between one country of Western Europe and the principal European members of the Atlantic Alliance as it did in the days when the United Kingdom was outside the EEC. WEU's intergovernmental character can but encourage action in this field which would be out of the question for a supposedly supranational organisation.

15. Consequently, this does not mean major changes in the immediate future, but rather the maintenance of what exists, it being particularly

essential to be able to resort to the Council since it provides the basis for all the activities of WEU. But the Council must continue to fulfil effectively the rôle incumbent on it under the modified Brussels Treaty.

16. Yet, the WEU Council as it now operates does not appear to be taking its tasks seriously. It is just as if the seven governments have agreed not to touch the modified Brussels Treaty or to apply it only in a most restricted manner to a point that one may wonder whether they really apply it. In fact, the Council's annual report to the Assembly shows quite clearly that the Council is doing practically nothing to keep itself informed of matters which are within its terms of reference but are supposed to be exercised elsewhere. It hardly wonders to what extent its responsibilities are in fact being exercised by other bodies. For instance, it is evident that France's non-participation in certain NATO activities makes it impossible for the latter to exercise in full the responsibilities assigned to the WEU Council by the Brussels Treaty. Has the Council ever done anything to make up for this lacuna?

17. The question therefore arises as to why the Council systematically adopts a restrictive view of its commitments and thus does not really respect the treaty it is responsible for applying, nor the promises it has itself made to the Assembly concerning *inter alia* the information it must furnish, nor even certain decisions it has taken such as that of 31st May 1976 conferring a mandate on the Standing Armaments Committee.

18. Admittedly, it is realised that all the governments agree that NATO, the Nine and the independent European programme group allow them to consider together in wider forums than that of the WEU Council matters which concern the application of the modified Brussels Treaty and that they are anxious to avoid duplication and make rational use of the multilateral consultative bodies at their disposal. However, this is not enough to explain the deliberately passive attitude adopted by the Council and its steadfast wish not to implement any of its treaty responsibilities other than those which concern its relations with the Assembly. Even this shows evidence of ill-will in the brevity of its replies to recommendations and written questions, the growing poverty of its annual report and its reluctance whenever there is question of implementing the procedure for a dialogue with the Assembly. In short, everything indicates that the seven governments are aiming at progressively killing off a treaty which they still claim to respect but which they are in fact emptying of substance. There is, for instance, every reason to suspect that they discouraged any attempt by Greece and Turkey to accede to the modified Brussels Treaty. It may

therefore be wondered whether there are other reasons for the Council's attitude. Three possible types of motivation may be considered, although it is not possible to determine just how decisive each one may be for each member country, for it is not sure that they all have the same motives, even if the resulting inertia is the same.

19. (i) The fact that certain member countries rely mainly on American strength to ensure their security encourages them to give priority to NATO rather than any collective security organisation to which the United States does not belong. They even seem afraid that the United States may take offence at the smooth operation of any truly European defence organisation, which explains the cold reception given to Mr. Tindemans' proposals on defence matters and the mediocre results of attempts made on the fringes of NATO, such as Eurogroup and the independent European programme group, to work out a European armaments policy or the hardly-veiled wish in some quarters to reduce WEU's activities as far as possible. When it visited Norway and Denmark, the General Affairs Committee was able to see how wary these countries were of any European initiative in defence matters. It is not certain that the attitude of all the members of WEU is very different to that of the Norwegians and the Danes.

20. (ii) The modified Brussels Treaty involves different obligations for the various member countries, which has given some of them to believe that it was discriminatory at their expense. For instance, the United Kingdom is not allowed to withdraw forces from Germany without the agreement of its allies. There are ceilings on certain armaments that the Federal Republic may manufacture or possess. It is not difficult to understand why such countries find commitments or bans of this kind hard to bear and deplore the fact that their association with Western Europe in defence matters is linked to such discrimination, since the United Kingdom has to ask its allies for authorisation before moving any troops from the mainland of Europe to Ireland, and the Federal Republic has to face lengthy procedure every time it wishes to build certain types of ship.

21. The reason for such unequal treatment probably resides in the special position of each European country at the time of the negotiations which led to the modification of the Brussels Treaty in 1954. However, some overall balance is to be found since, although the United Kingdom agreed to special commitments, its territory is not subject to the limits and controls imposed on the countries on the mainland of Europe, while the Federal Republic which, because of its situation, is Europe's most sensitive point, is subject to particular constraints. In short, the

discrimination found in the modified Brussels Treaty is less evident if all its provisions are considered than if the parts applying to one or other signatory are considered.

22. (iii) The existence of an assembly, where the parliaments of member countries are represented relatively fairly, obviously disturbs the governments, which are anxious to keep their external policy at a discreet distance beyond the reach of demonstrations of public opinion. All relations between the Council and the Assembly are branded by this taste for diplomatic secrecy, a long-standing tradition, admittedly, but also essential for camouflaging action abroad which is often a long shot from principles voiced at home. The new factor brought into international relations by the modified Brussels Treaty was precisely the element of parliamentary supervision in the day-to-day life of a defensive alliance, the aim being to ensure democracy in Europe, whose institutional foundations were just being laid. But in practice the Council seems to be intent on depriving the organisation of substance and the governments seem to prefer organisations which are more discreet than WEU.

23. Whatever their reasons, it is clear that the governments are deliberately keeping the Council in a state of semi-lethargy and that the latter is doing nothing it could and should do to apply the modified Brussels Treaty effectively, i.e. :

- (a) keep itself informed about how matters within its competence are being dealt with or not in other bodies and take upon itself to do what others are not doing satisfactorily in the foreign policy and defence fields ;
- (b) keep the Assembly suitably informed about what is being done elsewhere and to this end reach agreement with the organisations concerned for the communication of information that may be transmitted to the Assembly ;
- (c) implement the protocols on armed forces and the control of armaments, not only in the routine, bureaucratic and superficial manner which is now the rule but bearing in mind their implications for a European defence policy ;
- (d) establish a European armaments policy, taking account of the requirements of joint defence and the economic and social possibilities and requirements of each member country ;
- (e) prepare measures for applying Article VII, paragraph 3, of the treaty which makes it incumbent on the Council :

“... 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” ;

- (f) endorse the Assembly's efforts to study and reflect upon all the problems raised by Europe's security and to prepare for the rationalisation of European bodies active in defence matters in anticipation of the time when it will be possible to include these questions in the framework of a European union.

III. Level of forces, limitation and control of armaments

24. It is evident that the situation which induced the signatories of the Brussels Treaty to prescribe procedure for limiting the level of member countries' armed forces and to create the Agency for the Control of Armaments in 1954 is not at all the same today. Other factors now advocate maintaining multilateral control of armaments.

25. First, the limits and control contribute to the level of confidence in the Alliance. For instance, the fact that it is incumbent on the United Kingdom under the treaty not to reduce the level of its forces stationed on the mainland of Europe without the agreement of all its partners is an essential token of confidence in European solidarity and a major factor of deterrence since it is evident to any possible aggressor that it links the United Kingdom to the defence of the continent.

26. Second, the control system, which seems to be applied satisfactorily, might if necessary form a useful brake on an undue increase in armaments by one or other signatory country. It guarantees that none of these countries can be suspected of wishing to follow a course of aggression inside or outside Europe.

27. The existence of armaments control, including *inter alia* the treaty provisions concerning the Federal Republic of Germany, makes a valuable contribution to détente because it protects the members of WEU against slander campaigns which might provide a pretext for accelerating the armaments policy of their eastern neighbours and demonstrates that the defence of Western Europe is indivisible.

28. The fact that Western Europe's armaments are subject to a controlled agreement allows the WEU countries to tackle problems of security and co-operation in Europe and disarmament problems in the best conditions. It may be hoped that these matters will be considered in a more positive manner in the coming years in the context of more general and complete disarmament than hitherto. Then the Agency might

constitute a model for a wider and more ambitious organisation, for the degree of perfection to which it has raised its methods of controlling armaments is probably unequalled. In short, the maintenance and pursuit of the Agency's activities may, in the future, be a very useful contribution to a policy of détente and peace.

29. However, the Agency will not be able to play its full rôle unless all the signatories of the modified Brussels Treaty are prepared to fulfil all their commitments.

30. At present, Article III of Protocol No. III on the control of armaments is not applied by one of the signatory countries, i.e. France, which has moreover apparently never been asked to do so by its partners. This article reads as follows :

“When the development of atomic, biological and chemical weapons in the territory on the mainland of Europe of the High Contracting Parties who have not given up the right to produce them has passed the experimental stage and effective production of them has started there, the level of stocks that the High Contracting Parties concerned will be allowed to hold on the mainland of Europe shall be decided by a majority vote of the Council of Western European Union.”

31. It is clear that French nuclear armaments have now “passed the experimental stage”, but France is subject to neither authorisation for nor control over these weapons. Very probably, if its partners have not asked it to apply the protocol, it is because they are fully aware of the reasons why France could not comply. These reasons are clear enough. On the one hand, they stem from the fact that nuclear weapons have a deterrent effect only if they are in the hands of a purely national authority, alone capable of taking decisions on the use of such weapons ; on the other hand, there is the disagreement between France and its partners over NATO. In other words, France does not wish to risk being deprived of its nuclear weapons or restricted in their possible use by a decision of its partners. But, rightly or wrongly, it suspects some of its partners of subordinating their decisions on the defence of Europe to their concern to give the United States every satisfaction it might wish in return for its military protection of Western Europe. For a long time, there has been no doubt about the United States' hostility towards France's nuclear weapons and it could rightly be feared that it might use the means available to it to encourage France's partners in WEU to put a brake on France's nuclear weapons since it has never approved of another member of the Atlantic Alliance having an independent decision-taking ability in respect of the use of the deterrent.

32. Today, some of France's partners are certainly less hostile than in the past to French nuclear weapons. At its meeting in Ottawa on 19th June 1974, the North Atlantic Council even said that :

“... The European members who provide three-quarters of the conventional strength of the Alliance in Europe, and two of whom possess nuclear forces capable of playing a deterrent rôle of their own contributing to the overall strengthening of the deterrence of the Alliance, undertake to make the necessary contribution to maintain the common defence at a level capable of deterring and if necessary repelling all actions directed against the independence and territorial integrity of the members of the Alliance.”

33. However, it may still be wondered whether all the governments participating in NATO were sincere in Ottawa. In particular, it is known that the Netherlands Government implied that this part of the Ottawa declaration hardly concurred with its views.

34. Indeed, replying to a question put by Mr. Wattmans on 23rd December 1975, Mr. van der Stoel, Minister for Foreign Affairs of the Netherlands, said :

“Every one of us has had to put up with a phrase here or there which he might not have written if this declaration had been a unilateral one. One of the most difficult paragraphs for my government has been the one dealing with the nuclear forces of certain European allies. I have finally accepted the present formula as a statement of fact and in order not to stand in the way of a consensus, but in doing so I must stress, once again, that in my opinion nothing in the declaration can be construed as support by my government for the idea of a European nuclear force, an idea which is to the Netherlands, now as before, unacceptable.”

35. Nuclear weapons are a sufficiently serious matter for a country which has chosen to develop them and for many years made the necessary effort to have a full and sophisticated range not to be able to leave it to an international forum to decide on their possible limitation or abandonment. The French socialists and communists, who were for a long time against the development of French nuclear weapons, can no longer disregard their existence. They have turned their thoughts to the search for means of using these weapons as a factor of security, peace and disarmament. As matters now stand, they too could not leave it to a majority of the members of WEU to take decisions which are essential for France's defence policy.

36. Conversely, if it were seen that France's partners were really applying the spirit and the letter of the modified Brussels Treaty and of the Ottawa declaration, i.e. if they were prepared to consider, with France, and without being influenced from outside all the problems relating to the defence and security of Europe, in other words to make the WEU Council's activities correspond to its responsibilities, a French Government representing the true ambitions of the people and aware of the *de facto* solidarity linking the defence of France with that of Europe might then consider applying Article III of Protocol No. III. But there can be no question of solidarity being one-way: if France's partners are convinced that French nuclear weapons contribute to Europe's security, as they declared in Ottawa, they too must come to grips with the consequences and demonstrate that they too take seriously the prospect of a real policy for the defence of Europe by Europeans.

37. It might moreover be added that such a choice would also put an end to the mistrust which is constantly re-emerging among European countries, and in particular, between the Federal Republic and its partners. For instance, in recent months there have been accusations in the French press (*L'Express*, 22nd-28th August 1977) that the Federal Republic had evaded the provisions of the modified Brussels Treaty by producing missiles in Zaïre which might be used for military as well as for civil purposes and which thus escaped the WEU limits and controls. On the building of two tankers needed by the federal navy, the German press (*Wehrtechnik*, September 1977) complained, *inter alia* about the slowness of WEU procedure used by the Federal Republic's partners to force it to purchase these tankers abroad. How valid are these accusations? Your Rapporteur cannot say, but they reveal mistrust which would be perfectly unjustified if the *de facto* solidarity uniting the Western European countries became active solidarity.

38. It is not by turning down the tone of reciprocal accusations or by trying to satisfy the complaints of the other side one by one that France and Federal Germany will manage to overcome the differences voiced by public opinion in the two countries in recent months but by re-establishing confidence based on a shared conviction that the two countries are pursuing a common aim.

39. Finally — and your Rapporteur considers this essential — while the first aim of a defence policy is to be effective, i.e. deterrent, it must also meet certain ethical standards and not merely the requirements of total pragmatism. Armaments are only a means and care must be taken to avoid this means becoming an end for States with all the dangers that involves for world peace. In this respect, the modified Brus-

sels Treaty was an innovation by "moralising" so to say the necessary armaments policy. This is one of the reasons why the task of limiting and controlling levels of forces and armaments, of which it was the first step, must be maintained, pursued and strengthened, for peace and disarmament are the primary interests of all.

IV. Armaments production

40. During the 1954 negotiations which led to the modification of the Brussels Treaty, France was the one to propose that WEU's responsibilities be extended to cover matters relating to armaments production. France's partners appear to have greeted Mr. Mendès-France's proposals in this sense with some scepticism, traces of which are to be found in the pages of Lord Avon's memoirs on this matter. However, they agreed to the creation of the Standing Armaments Committee to promote the joint production of armaments by the WEU member countries.

41. Their scepticism now appears only too justified in view of the work accomplished by the SAC, but this is due largely to the total absence of determination to succeed shown by the seven governments in this connection. However, on 31st May 1976, the Council, following initiatives taken in the Assembly by Mr. Jobert and Mr. Van Elslande, decided to confer a new task on the SAC.

42. The decision taken in 1976 to reactivate the Standing Armaments Committee led the Assembly to put frequent questions to the Council on its intentions in taking this decision. It is now clear that while the independent European programme group is still closely linked with an Atlantic view of defence requirements, although administratively it is independent of NATO, the rôle of the SAC can be defined in relation to the European armaments industries rather than to a defence policy.

43. Until the enquiries conducted by the SAC have led to a published report, it is difficult to say what this rôle will be. But it can already be foreseen that one of its aims will be to remove the obstacles to dividing work between European industries rationally enough to allow worthwhile reductions in the cost price of armaments by lowering operational and marketing expenses as well as investments, without Europe's defence potential suffering. Secondly, a remedy will have to be found for the difficulties to which the European industries are subjected because the crisis in the capitalist world favours large non-European manufacturers.

44. Including sub-contracting, the WEU countries' armaments industries employ almost a million persons. If a determined effort to cut

expenditure on armaments is not accompanied by an organisation of production, a large proportion of these workers would become unemployed and Europe's armaments research capability would gradually dry up.

45. Finally, several European countries have had to try to compensate the smallness of their national markets and the difficulty of penetrating the markets of their partners by selling arms to African, Asian or South American countries, thus accelerating the arms race in those areas. The fast increase in the price of oil since 1973 has added to the arms-producing countries' determination to sell and improve the purchasing capacity of their customers. This matter needs sorting out, as President Carter recently underlined, but this is hardly possible unless a code of good behaviour is drawn up between arms-producing countries.

46. Here too the SAC might play an important rôle if it does not limit its ambitions to purely industrial organisation but considers the overall problem of arms sales with a view to reaching a common definition of principles seeking to reduce the scale of arms sales and prevent them from upsetting the balance and fanning the flames of conflicts outside Europe.

47. On 10th September 1977, the important Hamburg newspaper *Die Welt* gave a particularly remarkable example of the effects of joint production on the currently prevailing anarchy in the sale of European armaments to the developing countries. According to *Die Welt*, a number of Middle Eastern countries were believed to have signed a contract with the French manufacturer of the Alpha-Jet, Marcel Dassault, for 200 aircraft of this type. This aircraft is a co-production of Dassault in France and Dornier in the Federal Republic, but the French Government was prepared to sell aircraft to these countries to which the Government of the Federal Republic considered it undesirable to supply military equipment of this kind. But the Federal Government could not prevent Dornier from delivering German-manufactured parts for the aircraft to its French associate, which allowed the Dornier-Dassault consortium to circumvent the decisions of the Federal Government, just as it could if necessary circumvent decisions of the French Government.

48. This example shows that in the absence of adequate intergovernmental consultations co-production can be a way for industrialists to evade control by governments, already not very inclined to restrict sales of arms to underdeveloped countries. An essential aspect of the SAC's mandate might thus be to work out procedure to prevent industrialists from acting in this way by creating a European office for the armaments trade to harmonise principles and practice in selling countries with a view to

preventing unrestrained competition leading to the over-arming of countries whose only real priority should be economic development. This would be a major contribution to general and complete disarmament.

49. Generally speaking, the SAC's mandate, which is economic rather than military, the latter field being left to the independent European programme group, should eventually place it in the framework of the future European union rather than NATO, making it something of an extension of the Community institutions to the armaments field.

50. But this is only one course. The effectiveness of the SAC's work will depend solely on the determination of governments, to organise the European armaments industry in order to rescue it from its present crisis and to lay down industrial, social and commercial standards with which they would be prepared to comply. As long as this determination is not manifest, the charter of the Standing Armaments Committee, like the decision of 31st May 1976, will remain a dead letter.

51. One of the prospects offered by Mr. Mendès-France in 1954 when he proposed creating the SAC was in fact to limit competition, organise production and prevent the development of anarchy in the sale of arms. Twenty-three years later, it is time for the seven governments to abandon the ambiguous positions behind which they have been constantly hiding to paralyse the SAC and say whether they really have the political will to inject life into this body.

V. The parliamentary dimension

52. The WEU Assembly will continue to be distinct from other European parliamentary assemblies not only because of its responsibilities but also because of its membership. Whereas the North Atlantic Assembly represents only very partially the parliaments of the member countries of the Atlantic Alliance, since *inter alia* there is no communist representation, which is possible because of its rather vague statutes, the European Parliament will no longer ensure a permanent link with the parliaments of member countries when it is elected by direct suffrage.

53. On the other hand, the Parliamentary Assembly of the Council of Europe and consequently the WEU Assembly are composed of delegations which are fairly representative of national parliaments. This is an essential aspect because no co-ordination of independent defence policies can be achieved other than through the national parliaments. Moreover, the Assembly has received its responsibilities from the modified Brussels Treaty itself. Since it receives a

report from the Council, it is empowered to deal with all matters relating to European security.

54. The remarks of Mr. von Hassel, as reported in *Die Welt* of 1st August 1977, should thus be borne in mind. He warned against "the danger of the establishment of a nine-power European Parliament in the framework of the EEC leading to the other institutions created in Europe being shelved".

55. It is not therefore its membership which hinders the work of the WEU Assembly but first and foremost the fact that its partner, the Council, is constantly evading its responsibilities, carefully providing only a strict minimum of information and avoiding any dialogue or debate, while at the same time pouring out a wealth of fine words to attenuate the Assembly's discontent.

56. It is obvious that a clash is inevitable if the Assembly is generally anxious to apply the modified Brussels Treaty correctly whereas the Council's main concern is to apply it in the most restrictive manner possible. The Assembly's principal duty is therefore to inform public opinion by every means available to it of the Council's demise.

57. But in order to widen its audience, the Assembly should follow in the wake of its President's encouragement and, throwing linguistic and diplomatic habits to the winds, tackle the essential fundamental problems of Europe's defence policy. Only too often has it confined itself to matters more technical than political, or skirted round the substance of debates by using procedural devices or by concealing deep-seated divergences behind unanimous votes. By endeavouring to reach the core of the subject, your Rapporteur does not expect to achieve unanimity on his report but hopes to open a debate in which fundamental problems will be tackled in full view of European public opinion. The danger threatening European parliamentarism is not differences of views but the camouflaging of such differences with fine words likely to obtain false majorities but which in the long run lead only to indifference and scepticism among public opinion.

58. The WEU Assembly's responsibility is the defence of Western Europe in all its aspects: political, military, strategic, scientific and technical. Its means of action, faced with a defaulting Council, is to draw on public opinion

and to this end it must be clear in what it says, firm in its attitude and steadfast in its requirements vis-à-vis the Council.

VI. Conclusions

59. At a time of such uncertainty regarding the future of Western Europe, as envisaged so far, and of NATO, the modified Brussels Treaty provides relatively firm ground because of the "automatic" nature of its Article V. WEU, having little support from advocates of a European defence community as of an Atlantic community, constitutes the minimum on which the member countries can agree in defence matters. It is there to ensure a permanent link between countries which cannot consider their security in isolation but yet do not share the same political, economic and social concepts and do not have the same concept of a defence policy based on deterrence.

60. Furthermore, WEU offers a number of instruments which might prove most useful in a policy for "moralising" international relations in the manufacture and sale of arms and in the limitation of forces and control of armaments. At present, the use it makes of these instruments is too limited but the Assembly's efforts should be directed towards urging governments to meet their mutual undertakings in full in order to achieve greater security no longer based solely on the accumulation of armaments but on mutual confidence, controlled disarmament and international co-operation.

61. The institutional framework is not the only means offered by WEU for helping to prepare the future European union in fields within its competence. Of greater importance is its experience and fundamental work at the level of the Council and its technical bodies and of the Assembly. An attempt has been made in this report to define a number of lines of action which your Rapporteur proposes for WEU because he feels they are appropriate for a European union based on democracy and seeking to promote a little more peace and justice in Europe and throughout the world. Should the future European union come into being, it will not make its presence felt by breaking in new ground. On the contrary, it is by pursuing and organising work which can be started here and now in the framework of existing institutions that we can lay the foundations for tomorrow's Europe.

WEU's contribution to the development of European union

AMENDMENT No. 1¹

tabled by Mr. Roper

In the penultimate paragraph of the preamble to the draft recommendation, leave out "takes no" and insert "fails to take adequate".

Signed: Roper

1. See 10th Sitting, 29th November 1977 (Amendment agreed to).

Communications and crisis management in the Alliance

REPORT ¹

**submitted on behalf of the
Committee on Defence Questions and Armaments ²
by Mr. Watkinson, Rapporteur**

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1. Adopted in Committee by 12 votes to 0 with 2 abstentions.

2. *Members of the Committee* : Mr. *Roper* (Chairman) ; MM. de *Koster*, *Paweloszyk* (Vice-Chairmen) ; MM. *Ahrens*, *Beauguitte*, *ter Beek*, *Boldrini*, *Bonnel*, *Boucheny*, *Critchley* (Alternate : *Banks*), *Dejardin*, *Fosson*, *Grant*,

Handlos, *Hardy*, *Konen* (Alternate : *Spautz*), *Lemmerich*, *Maggioli*, *Ménard*, *Nessler*, *Pecchioli*, *Rivière*, *Roberti*, *Schmidt Hermann*, *Scholten* (Alternate : *van Hulst*), *Tanghe*, *Whitehead* (Alternate : *Watkinson*).

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

Introductory Note

In preparing this report, the Rapporteur had interviews as follows :

Brussels, 16th February 1977

United Kingdom Delegation to NATO

Sir John Killick, KCMG, Permanent Representative ;

Mr. John Peters, Counsellor, Defence ;

Mr. J. M. Legge, First Secretary, Defence Planning ;

Mr. E. W. L. Hedley ;

Commander David J. Lean, RN, United Kingdom Military Representative Support Staff.

London, 11th July 1977

Ministry of Defence

Mr. Kevin Tebbit (DS 12) ;

Wing Commander Hutchinson (Cabinet Office) ;

Mr. John Horley (Crisis Management, DS 12).

London, 13th October 1977

Admiral of the Fleet Sir Peter Hill-Norton, GCB (retd.), former Chairman of the NATO Military Committee.

The Committee as a whole met in NATO Headquarters, Brussels, on 16th February 1977, where it was briefed by :

Lt.-General Schmäuckle, Director, International Military Staff, on "Crisis Management in NATO" ; and by :

Major-General Sir John Anderson, Director General, NATO Integrated Communications System Management Agency, on "The NATO communications system".

The Committee next met in Paris on 19th and 20th September 1977 when it discussed a first draft of this report and held a meeting with the Military Committee of the North Atlantic Assembly. The Committee was briefed by :

Admiral Tutenuit, Head of the *Transmissions-Electronique-Informatique* Division of the French Combined Chiefs of Staff, on communications infrastructure — the RITTER ; RA-70 and navy systems ; and by :

Lt.-Colonel Lemercier of the *Direction Centrale des Transmissions*, on the French army RITA communications system, and the Committee saw a film concerning it.

The Committee then visited the French 8th Division Headquarters and 58th Command and Communications Regiment in Compiègne, where it was received by *General Crouzillac*, General Officer commanding 8th Division, and was briefed on the divisional communications system by *Colonel Pétorin*, commanding communications of 8th Division. Conducted by General Crouzillac and Colonel Pétorin, the Committee then visited a display of communications equipment of the 58th Command and Communications Regiment.

The Committee met at Headquarters Allied Forces Central Europe in Brunssum on 3rd November 1977, where it was briefed by the Commander-in-Chief, *General F.-J. Schulze*, German army, and members of his staff. The Committee met finally in Bonn on 4th November, where it was addressed by *Mr. Andreas von Bülow*, German Parliamentary Secretary of State for Defence. At that meeting it discussed and adopted a revised draft of the present report.

The Committee and the Rapporteur express their thanks to the Ministers, officials and senior officers who addressed it and replied to questions. The views expressed in the report, unless expressly otherwise attributed, are those of the Committee.

Draft Recommendation
on communications and crisis management
in the Alliance

The Assembly,

Stressing that the Alliance's first purpose of preventing and deterring war, without prejudice to its vital interests, requires a system of crisis management to ensure that the Alliance and its members, acting in concert, take timely measures to prevent a crisis developing or to defend its interests ;

Calling for measures of crisis prevention to be strengthened and increased ;

Welcoming the development of the crisis management system centred on NATO headquarters and believing the loyal participation of all countries of the Alliance to be essential ;

Calling on the member governments never to shirk the burden of responsibility for the timely implementation of readiness measures whenever warning time is available,

RECOMMENDS TO THE COUNCIL

That it urge member governments :

1. To promote crisis prevention measures designed to improve stability and increase warning time of any real threat :
 - (a) in the CSCE negotiations by calling for the confidence-building measures agreed at Helsinki to be strengthened and augmented ;
 - (b) in the MBFR negotiations, by calling for progress to be made on NATO proposals for the reduction of forces and for associated measures ;

2. To seek to improve arrangements for NATO crisis management :
 - (a) by calling on all NATO countries to participate fully :
 - (i) in the early completion of the NATO Integrated Communications System ;
 - (ii) at an appropriate high official and, from time to time, at political level, with all relevant government departments, in crisis management exercises based on likely and realistic scenarios ;
 - (iii) in the provision and evaluation of information, and in consultation, on a world-wide immediate and continuous basis, covering any events that may involve allied interests with a view to developing a collectively agreed assessment of a crisis situation ;
 - (iv) in subsequent crisis management decisions as often as may be necessary, including the implementation of diplomatic and economic measures ;
 - (v) in the augmentation of the NATO mobile, standing and on-call forces to provide a greater range of deterrent options in periods of tension ;
 - (vi) in ensuring that full use is made of military warning time by making timely preparation through the implementation of the agreed alert measures ;
 - (b) by calling on the North Atlantic Council to establish an ad hoc group to review and make recommendations for the improvement of the existing NATO crisis management machinery and procedures ;
 - (c) by calling on the North Atlantic Council to study the possibility of establishing a permanent teleprinter link between NATO headquarters and the Government of the Soviet Union and of designating an authorised NATO spokesman to use the link on appropriate occasions.

Explanatory Memorandum

(submitted by Mr. Watkinson, Rapporteur)

I. Introduction

1. NATO is a defensive organisation. If the Alliance is to be preserved it is vital that NATO should have the machinery and will to respond adequately to crises which may confront the Alliance. No two crises are the same; therefore NATO must have crisis management techniques that are adaptable, and a crisis machinery that can function swiftly and purposefully. The complexity of crisis management stems from the fact that it is in this area that the politicians and the military must combine to reach swift decisions acceptable to and binding on the Alliance. It is this interface that this report attempts to probe.

2. The Committee asked your Rapporteur to examine the arrangements for top-level political consultations in the Alliance in a period of tension; to outline the communications systems that are presently available in NATO; to stress the need for early political decisions on preventive and readiness measures in any period of tension; and for immediate decisions should hostilities break out.

3. The term crisis does not lend itself to easy definition. Your Rapporteur agrees with Admiral Sir Peter Hill-Norton in his article on crisis management in the NATO Review and General Schmückle in his briefing of the Committee, that the most appropriate definition is that of Lipson who has stated:

“A crisis is a controversy between single governments, or groups of governments, over an issue which is deemed fundamental to the basic interests of one side or both. An unusual intensity of feeling is generated, and there is a possibility that force may erupt. A crisis is *managed* if a solution acceptable to both sides is reached without resort to force. It is *successfully managed* if the underlying sources of conflict are removed for the future.”

4. With the exception of the Berlin crises from 1958-63, NATO itself has not had to face a crisis in these terms, though there have been several such crises since World War II. Nevertheless the Committee believes that in public debate there has been insufficient attention paid to the problem of crisis management. A pre-emptive strike at nuclear level of itself rules out crisis management but conventional wisdom for well over a decade has had it that no such pre-emptive strike could be made from the East at a conventional level. It was thought that a strike would take months to prepare.

Thus the Alliance would have lengthy warning time. This wisdom now appears to be dated. There has been a build-up of such quantity and quality of armaments on the central front, and the readiness of Warsaw Pact forces is at such a level that previous estimates of warning time should be drastically reduced. Hence the Committee believes that it is vital that there be a crisis management system in NATO to cope with this new reality. Any new development demands an equal updating in crisis management procedures.

5. Your Rapporteur stresses that the nature of NATO itself makes the business of crisis management within the Alliance complex and difficult. In a crisis fifteen different nations have to adjust their individual responses rapidly and decisively into a collective response. No such problem faces a crisis manager in the Warsaw Pact. Hence the relevance and importance of the subject.

6. The report itself is divided thus:

- an account of crises past;
- the lessons that can be learnt from those crises;
- possible destabilising factors that could provoke a crisis;
- a brief account of crisis prevention measures;
- an analysis of crisis management techniques and machinery;
- summary of possible improvements.

II. Crises past

7. It is worthwhile studying, and in part analysing, a series of crises which have arisen since the end of the second world war; certain lessons can be learnt — not least the poverty of historicism.

(i) The Berlin blockade, June 1948 to May 1949

8. In an attempt to integrate West Berlin into the Soviet zone, the Soviet Union began to impose restrictions on road, rail and water communications between the western zones and West Berlin on 10th March 1948. A total blockade began in June and on 21st June special air transport arrangements were inaugurated by Britain and the United States which became a full-scale air lift by 28th June.

9. Decisions by the western powers on the specific handling of the Berlin crisis appear at

that time to have been handled in trilateral consultations between France, the United Kingdom and the United States as the powers responsible for the western sectors of Berlin. Although the Brussels Treaty had been signed by the original five countries on 17th March 1948, and the military structure known later as the Western Union Defence Organisation was being established during the rest of 1948, communiqués of the Consultative Council and Defence Ministers meeting under the Brussels Treaty do not appear to have made specific reference to Berlin.

10. The blockade of Berlin was terminated by the Soviet Union on 12th May 1949, a month after the signature of the North Atlantic Treaty on 4th April.

11. In retrospect it may be asked whether the air lift was an appropriate response to the blockade of Berlin. On the one hand by avoiding entirely any confrontation on the blockaded routes, it placed the onus on the Soviet Union of escalating the conflict if it had sought to interfere with the free use of the air corridors. On the other hand it can be argued that a bad precedent was set in accepting the denial of land access, especially at a time when the United States had a monopoly of nuclear weapons. The despatch of an armed military convoy to take supplies to West Berlin could still have placed the onus of using force to resist it on the Soviet Union.

(ii) East Berlin uprising, 17th June 1953

12. The serious workers' uprising in East Berlin in 1953 was quelled by the use of force and led to a declaration of a state of emergency throughout East Germany. The integrity of West Berlin was not immediately threatened, but the incident is chronicled because of the danger of conflict that could have arisen through the influx of large numbers of refugees to the western zone.

13. Security in West Berlin was and is the responsibility of the three western powers, France, the United Kingdom and the United States; the Federal Republic at that time was not a member of NATO. Very delicate situations could arise in the future in the event of serious civilian disturbances in Eastern Germany, particularly if they resulted in the flight of refugees to the Federal Republic.

(iii) Hungary and Suez, 1956

14. A civil insurrection in Hungary on 22nd and 23rd October 1956 resulted in Mr. Nagy coming to power as Prime Minister. On 25th October Mr. Nagy announced in a broadcast that the government would open negotiations with the Soviet Union to secure the withdrawal

of Soviet forces from the country. A Soviet Government statement issued on 30th October stated in part "bearing in mind that the further stationing of Soviet military units in Hungary may provide a pretext for making the situation more tense, the Soviet Government has instructed its military command to withdraw Soviet military units from Budapest as soon as the Hungarian Government finds it necessary. At the same time the Soviet Government is ready to enter into talks with the Hungarian People's Republic and the other parties to the Warsaw Treaty on the question of the stationing of Soviet forces in Hungary". On 31st October Mr. Nagy protested to the Soviet Government at the continuing reinforcement of Soviet troops within Hungary, and announced that Hungary would withdraw from the Warsaw Pact. In a message to the United Nations Secretary-General, the Hungarian Government appealed to the United Nations and the great powers to guarantee Hungary's permanent neutrality.

15. On 4th November Mr. Nagy in a broadcast at 6 a.m. announced that Soviet troops had launched an attack upon Budapest; the radio called on the United Nations to come to Hungary's assistance. Fighting between the Soviet and Hungarian armed forces, the latter supported by the civilian population, lasted until 10th November when resistance was finally crushed and the Government of Mr. Kadar was imposed by the Soviet Union. The Soviet attack was said to have occupied 10,000 troops with 1,000 tanks; contemporary Hungarian estimates of casualties were 25,000 Hungarians killed in Budapest itself.

16. Any possible consultation within the NATO framework at the time of this crisis must have been rendered impossible by internal dissension following the Anglo-French invasion of Egypt. Following an Israeli attack into the Sinai desert, in collusion with Britain and France as has subsequently been revealed, Egypt rejected an Anglo-French ultimatum calling for the withdrawal of Egyptian and Israeli forces from the Suez Canal zone. Britain and France bombed military targets in the area from 31st October to 4th November and landed troops in Egypt on 5th and 6th November. Whereas a resolution sponsored by the western powers in the United Nations Security Council calling for the withdrawal of Soviet forces from Hungary had been vetoed by the Soviet Union, now Britain and France were vetoing a resolution sponsored by the United States and another by the Soviet Union.

17. The communiqué issued after the ministerial meeting of the North Atlantic Council from 11th to 14th December 1956 stated that the Council had adopted recommendations on closer co-operation including advance consultation on policies or major pronouncements

significantly affecting the Alliance or any of its members, and the adoption of a procedure for the internal settlement of disputes and differences between member countries within NATO. The communiqué specifically stated that "the Council discussed the threat which Soviet penetration in the Middle East would present for NATO. In view of the fact that the security, stability and well-being of the area are essential to world peace the Council agreed to keep developments in this area under close and continuing observation... the Council have followed the course of events in Hungary with shock and revulsion... the Council reaffirmed the conviction of its member governments that the United Nations should continue its efforts through the pressure of world opinion to induce the Soviets to withdraw their forces from Hungary and to right the wrongs done to the Hungarian people. The peoples of Eastern Europe should have the right to choose their own governments freely, unaffected by external pressure and the use or threat of force, and to decide for themselves the political and social order they prefer. The Ministers examined the implications for NATO of Soviet policy and actions in Europe and elsewhere. In the light of their assessment of Soviet policy they were in full agreement on the need to face up to any threat which would endanger the security and freedom of the Atlantic community".

18. The North Atlantic Council had shown itself ready to consult on matters affecting peace when they arose outside the NATO area. Hungary is a country with no common frontier with any NATO country, but the appeals of the Nagy government to the United Nations and to the great powers for support during the Soviet invasion of Hungary would obviously have placed NATO in a great dilemma had not consultation at the time become virtually impossible because of internal disagreement over Anglo-French involvement in Egypt.

(iv) The Berlin crises, 1958, 1961 and 1963

19. In a speech on 10th November 1958 Mr. Khrushchev said in part "the time has evidently come for the powers which signed the Potsdam Agreement to abandon the remnants of the occupation régime in Berlin... the Soviet Union for its part, will hand over to the sovereign German Democratic Republic those functions in Berlin which are still wielded by Soviet organs. Let the United States, France and Britain form their own relations with the German Democratic Republic and come to an agreement with it if they are interested in certain questions relating to Berlin. As for the Soviet Union we shall observe as sacred our obligations which stemmed from the Warsaw Treaty... should any aggressive forces attack the German Democratic Republic... we will consider it as an attack on

the Soviet Union and on all the parties to the Warsaw Treaty. We shall rise to the defence of the German Democratic Republic...".

20. Soviet notes were communicated to France, the United Kingdom and the United States and the Federal Republic of Germany on 27th November 1958 saying in part "the Soviet Government can no longer consider itself bound by that part of the allied agreements on Germany which has assumed an unequal character and is being used for the maintenance of the occupation régime in West Berlin and for interference in the internal affairs of the German Democratic Republic. In view of this the Government of the USSR notifies the Government of that the Soviet Union regards as null and void [the agreements on Berlin]".

21. The Soviet proposal was for West Berlin to become a demilitarised free city, arrangements for access to be negotiated with the East German régime. The note concluded that if by the end of six months no agreement had been reached the Soviet Union would implement its own plans in agreement with Eastern Germany. The note concluded "any violation of the frontiers of the German Democratic Republic, Poland or Czechoslovakia or any aggressive action against any member State of the Warsaw Pact Treaty will be regarded by all its participants as an act of aggression against them all and will immediately cause appropriate retaliation...".

22. The Soviet notes were interpreted in the West as an ultimatum and led immediately to close consultation between France, Germany, the United Kingdom and the United States, as well as consultation in the North Atlantic Council. The Soviet proposals were firmly rejected in identical notes from the three occupying powers in Berlin which said in part "...the government will not and does not in any way accept a unilateral denunciation of the agreements... nor is it prepared to relieve the Soviet Union of the obligation which it assumed... the government will accordingly continue to hold the Soviet Government directly responsible under existing agreements for the discharge of its obligations with respect to Berlin. The continued protection of the freedom of more than two million people of West Berlin is a right and responsibility solemnly accepted by the three western powers...unhindered communications by land and air between that city and the Federal Republic of Germany are... essential to the discharge of that right and responsibility...".

23. The three western notes were strongly supported in a statement on Berlin issued after the ministerial meeting of the North Atlantic Council on 16th December 1958 which said in part "The Council fully associates itself with the

views expressed [on Berlin by the four governments] the demands expressed by the Soviet Government have created a serious situation which must be faced with determination... the member States of NATO could not approve a solution of the Berlin question which jeopardised the right of the three western powers to remain in Berlin as long as their responsibilities require it and did not assure freedom of communication between that city and the free world. The Soviet Union would be responsible for any action which had the effect of hampering this free communication or endangering this freedom...".

24. The situation remained tense into 1959, Mr. Khrushchev in a speech on 17th February saying typically "efforts are being made to intimidate us by saying that they will start shooting if we stand in their way. It is clear however that if anyone did start shooting that would mean war...". President Eisenhower the following day at a press conference pointed out that the western powers had never said that they were going to "shoot their way into Berlin" but that they would carry out their responsibilities to the people of West Berlin. If an attempt was made to stop them "it will be somebody else using force".

25. While the exchange of notes and proposals on Berlin continued fruitlessly through 1959, nothing more was heard of the Soviet proposal to hand over its Berlin responsibilities to the German Democratic Republic. This crisis had been handled by a clear statement by the whole Atlantic Alliance of its resolve to stand by the western powers' responsibilities in Berlin, while avoiding the use of threatening language. The onus of using force would have been placed on the Soviet Union if an attempt had been made to interfere with free access to Berlin while NATO clearly demonstrated that it had the resources to counter such use of force if necessary.

26. The 1958 Berlin crisis was probably the last in which the United States defence posture placed primary emphasis on nuclear retaliation. Mr. Khrushchev revived the crisis in his speech of 15th June 1961 in which he said "the conclusion of the peace treaty with Germany cannot be postponed any longer. A peaceful settlement in Europe must be attained this year". The East German authorities announced that after 1st August all air traffic to and from Berlin would have to be registered with them. On 13th August the Berlin wall was built, while Soviet and United States tanks were in confrontation on the demarcation line, but no shots were fired.

27. The western response on this occasion was equally firm, but the military options available to President Kennedy and his Defence Secretary, Mr. McNamara, were wider: 40,000 American

troops were moved to Europe and replaced in the United States by 46,000 reservists called to the colours. In November a United States armoured cavalry regiment was also moved to support the 7th Army in Europe. While the British, French and United States garrisons in Berlin are not considered part of the forces assigned to NATO, complete co-ordination of military planning was assured through the establishment of a tripartite contingency planning staff co-located with the NATO military headquarters concerned — SHAPE — then located at Rocquencourt outside Paris, now moved with SHAPE to Casteau in Belgium.

28. The western reaction was backed at all times by offers to continue negotiations with the Soviet Union, and while the availability of force was made evident, no threat to use force was openly made by the western powers.

29. Typically by October Mr. Khrushchev had altered tack: "If the western powers show readiness to settle the German problem, the question of a deadline for signing a German peace treaty will not be of such importance. We shall not insist on the signing of the peace treaty before 31st December 1961."

30. The Foreign Ministers of France, Germany, the United Kingdom and the United States met in Paris prior to the ministerial meeting of the North Atlantic Council held from 13th to 15th December, which made the following strong reference to Berlin:

"The Ministers... reaffirmed their determination to protect and defend the liberties of West Berlin... the three western powers who bear special responsibilities for Berlin stand by their clear obligation to protect those who have put their trust in them. Acting in close consultation with their NATO allies, they have taken the necessary measures to maintain their rights and fulfil their obligations. Confirming their agreement on this policy, the members of the Alliance reaffirmed the responsibilities which each member State has assumed in regard to the security and welfare of Berlin and the maintenance of the position of the three powers in that city... The Council agreed that the Alliance must continue on its resolute course combining strength and firmness of purpose with a readiness to seek solutions by peaceful means."

31. Berlin continued to be a source of tension however — in October-November 1963 British and United States military convoys to Berlin were temporarily blocked by Soviet forces — until the signing of the quadripartite (France, Soviet Union, United Kingdom, United States) agreement on Berlin on 3rd September 1971, completed by inter-German agreements and a

final quadripartite protocol on 3rd June 1972, whereby the Soviet Union itself formally recognised the existing rights of the three western powers in West Berlin, the right of free access between West Berlin and the territory of the Federal Republic, and certain rights of the Federal Republic to represent the interests of West Berlin abroad. At the same time the German Democratic Republic secured recognition and details of arrangements were concluded between that government, the Federal Republic and the Berlin Senate.

32. Thus after more than twenty years unrelenting western firmness and the manifest readiness of NATO collectively to defend the western position, coupled with a readiness to negotiate at all times, finally secured from the Soviet Union a more permanent formal agreement providing for a more stable and peaceful situation in Berlin.

(v) The Cuban missile crisis, October 1962

33. Technically Cuba lies outside the NATO geographical area, being some ten nautical miles south of its southern border — the Tropic of Cancer. But as the possibility of a naval blockade was involved it could very well have led to incidents involving United States vessels in areas north of the Tropic of Cancer, and such incidents would clearly have come within the terms of the North Atlantic Treaty.

34. Refugees from Cuba had been reporting various forms of Soviet military assistance for the communist Castro régime in Cuba but it was not until the United States high-level reconnaissance flight of 14th October 1961 that evidence was discovered of nuclear missile installations that could threaten the United States. Eventually a total of 24 MRBM launchers and fixed facilities for 16 IRBMs were observed. In addition some 42 Ilyushin-28 bombers with a combat radius of about 700 nautical miles were shipped to Cuba. For Mr. McNamara this action was directly linked to Soviet designs on Berlin :

“Their stationing of nuclear and armed ballistic missiles in Cuba was directly related to [the Berlin] agenda. The psychological if not the military threat that these missiles would have posed to our own homeland was apparently the trump card which Mr. Khrushchev intended to play in the next round of negotiations on the status of Berlin.”¹

35. President Kennedy in a broadcast on 22nd October 1962 made the issue a direct confrontation with the Soviet Union, saying in part “it shall be the policy of this nation to regard any

nuclear missile launched from Cuba against any nation in the western hemisphere as an attack by the Soviet Union on the United States requiring a full retaliatory response upon the Soviet Union”. This is probably the most explicit threat to use nuclear weapons that has ever been made by a NATO country.

36. In his broadcast President Kennedy announced the following measures :

“A strict quarantine on all offensive military equipment under shipment to Cuba is being initiated. All ships of any kind bound for Cuba from whatever nation or port will if found to contain cargoes of offensive weapons be turned back. This quarantine will be extended if needed to other types of cargo and carriers. We are not at this time however denying the necessities of life as the Soviets attempted to do in their Berlin blockade of 1948.

Second, I have directed the continued and increased close surveillance of Cuba and its military build-up... should these offensive military preparations continue... further action will be justified. I have directed the armed forces to prepare for any eventualities...

Seventh and finally, I call upon Chairman Khrushchev to halt and eliminate this clandestine, reckless and provocative threat to world peace and to stable relations between our two nations. I call upon him further to abandon this course of world domination and to join in an historic effort to end the perilous arms race and transform the history of man.”

37. While President Kennedy called immediate consultations within the Organisation of American States and in the United Nations Security Council the crisis does not appear from the public record to have been formally referred to the North Atlantic Council at that time. There were statements of support for the United States position from the allied governments, but apparently no crisis meeting within the framework of NATO. The communiqué following the routine ministerial meeting on 13th to 15th December 1962 took note of the situation :

“The recent attempt by the Soviet Union to tilt the balance of force against the West by secretly stationing nuclear missiles in Cuba brought the world to the verge of war. The peril was averted by the firmness and restraint of the United States, supported by the Alliance and other free nations.”

Mr. Khrushchev had of course already backed down ; his letter of 28th October to President Kennedy communicated to the press said :

1. Testimony to Congress, 30th June 1963.

"I regard with great understanding your concern and the concern of the peoples of the United States of America in connection with the fact that the weapons you describe as offensive are formidable weapons indeed. Both you and we understand what kind of weapons these are. In order to eliminate as rapidly as possible the conflict which endangers the cause of peace... the Soviet Government, in addition to earlier instructions on the discontinuation of further work on weapons construction sites, has given a new order to dismantle the weapons, which you describe as offensive, and to return them to the Soviet Union."

38. The handling of the Cuban missile crisis was a triumph for United States leadership: the crisis was managed and averted by skilful use of the overt threat of force; the United States was careful to give the Soviet Union time and opportunity to withdraw. The methods used in the Cuban crisis could be regarded as a paradigm of crisis management.

(vi) The Middle East war, 1967

39. In the latter half of 1966 and in early 1967 tension between Israel and its Arab neighbours had steadily increased, initially because of the Syrian-supported Arab terrorist campaign and Israeli reprisal raids. On 16th and 17th May 1967 the armed forces of Egypt (then known as the UAR), Syria and Jordan were mobilised and on 18th May the United Nations Secretary-General, U Thant, acceded to an Egyptian request that he order the withdrawal of the United Nations emergency force in Sinai and the Ghaza Strip on the grounds that it was present only by Egyptian invitation in the first place, and was based solely on Egyptian territories.

40. On 23rd May Egypt announced the closure of the Tiran Straits thus denying passage through the Gulf of Aqaba to the Israeli port of Eilat. Egyptian troops occupied positions controlling the Straits of Sharm el Sheikh from which the United Nations emergency force had withdrawn. In a speech that day President Nasser claimed that Israel was supported and supplied by the United States, although not by the United Kingdom and France as in 1956, and that Egypt was faced with a western alliance led chiefly by the United States, the United Kingdom and Canada which wished to use the United Nations force for imperialist purposes. Egyptian forces, he said, would have disarmed the force had it not been withdrawn.

41. The United States and the United Kingdom both recognised the Gulf of Aqaba as international waters which would remain open; the United States termed the blockade illegal

and potentially dangerous to peace while the United Kingdom said it would support international action through the United Nations to secure free passage. The Soviet Union blamed Israel for a dangerous worsening of tension. There were bilateral consultations between ministers of the United States, the Soviet Union, the United Kingdom, Israel and United Nations officials.

42. On the early morning of 5th June Israeli forces attacked Egyptian, Jordanian and Syrian forces and within three days had seized the whole Sinai Peninsula and all Jordanian territory west of the river. By 10th June the Golan Heights in Syria had been seized and by 11th June Israeli shipping was again passing through the Straits of Tiran. It was later disclosed that the "hot line" had been used on that day for personal discussion between President Johnson and Mr. Kosygin and it was also announced that the NATO Permanent Council had held an extraordinary meeting to discuss the situation.

43. On 6th June Cairo radio claimed that British and American carrier-based aircraft were aiding the Israeli forces. The claims were repeated by Egyptian and Syrian sources and totally denied by the United Kingdom and the United States whose aircraft carriers were not in range of the scene. On 8th June Israel released a recording of an intercepted radio conversation between President Nasser and King Hussein in which President Nasser had arranged joint announcements to the effect that American and British carrier-borne aircraft were attacking their forces. On the same day the United States communications ship "Liberty" was sunk by Israeli aircraft and torpedo boats fifteen miles north of the Sinai coast. Israel admitted responsibility, apologised and offered compensation.

44. The routine ministerial meeting of the North Atlantic Council on 14th June made only passing reference to the Middle East in its communiqué:

"In accordance with their practice of consulting together, ministers held an exchange of views on the Middle East situation following the hostilities...they noted with satisfaction that a cease-fire has now taken place... member governments expressed their determination to support all efforts to establish a lasting peace in this area... in accordance with the legitimate interest of all concerned."

45. While the risk of direct confrontation between NATO countries and the Soviet Union may have been less in 1967 than in either of the other two Middle East conflicts in 1956 and 1973, there were nevertheless considerable dangers. The Soviet Union did not support the western view that the Gulf of Aqaba was an

international waterway; the United Kingdom and the United States asserted the right of their own vessels to free passage. The Soviet Union was a primary supplier of armaments to the Arab countries engaged in the hostilities, whereas the United States and to a lesser extent France and the United Kingdom were suppliers of Israel. The picture was however more complicated in that Jordan had also received armaments from NATO countries. Technically the Israeli attack on the USS "Liberty" was grounds for the United States to invoke Article 5 of the North Atlantic Treaty; had a similar mistaken attack been made by Egyptian forces, the situation could have been more serious. The emergency meeting of the NATO Permanent Council on 5th June is perhaps the first time that such a meeting has been held to consider a conflict in the Middle East.

**(vii) Warsaw Pact invasion of Czechoslovakia,
August 1968**

46. The invasion of Czechoslovakia by the Soviet Union and four of its Warsaw Pact allies late on 20th August 1968 was undoubtedly the most serious crisis to confront NATO. The large concentration of Warsaw Pact forces along the northern frontiers of Czechoslovakia would have posed a direct threat to NATO had they been directed westwards. There was however no shortage of political and military warning of developments as a brief chronology will recall.

47. Following the liberalisation measures of the Dubcek government early in 1968, concern in the Soviet Union and the Warsaw Pact countries other than Romania soon became apparent. On 8th May political leaders of Bulgaria, East Germany, Hungary and Poland met the Soviet leaders in Moscow — a meeting reported only in a very short Tass communiqué. From 10th to 11th May the western press reported Soviet troop movements in southern Poland, the Czechoslovak press agency stated that Czechoslovakia had been informed in advance of Warsaw Pact country manoeuvres in southern Poland, adding that reports that they were directed against Czechoslovakia were considered to be political provocation. From 17th to 22nd May the Soviet Defence Minister Marshal Grechko accompanied by General Yepishev visited Prague, a communiqué stating that "concrete steps have been outlined for the further development of the friendship between the Soviet army and the Czechoslovak People's Army and the strengthening of their co-operation within the framework of the Warsaw Treaty".

48. At that time the deployment of Soviet army divisions in the Warsaw Pact countries was as follows:

East Germany 20 (including 10 tank divisions);

Poland 2 (including 1 tank division);

Hungary 4 (including 2 tank divisions);

None in Czechoslovakia or Romania.

On 24th May the Czechoslovak press agency announced that Warsaw Pact manoeuvres would be held in Czechoslovakia and Poland in June under the command of the Soviet General Yakubovsky. These manoeuvres were held from 20th June onwards, their end being announced in a statement from Moscow on 12th July. Soviet units remained in Czechoslovakia however for reasons attributed to "abnormal traffic conditions" — their slow withdrawal was given full coverage in the Czechoslovak media.

49. From 14th to 15th July another limited meeting of Warsaw Pact leaders was held in Warsaw — a meeting again not attended by representatives from Czechoslovakia or Romania. A joint letter from the meeting to the Czechoslovak Central Committee stated in part that: "The frontiers of the socialist world, since World War II, have been pushed to the centre of Europe, the Elbe and the Forest of Bohemia..." the signatories would "never agree to these historic gains being placed in jeopardy".

50. On 19th July a NATO spokesman denied Soviet allegations that NATO had been involved in any way in political developments in Czechoslovakia, as alleged by the Soviet Union. From 29th July to 1st August an extraordinary meeting was held at Cierna in Czechoslovakia, close to the Soviet frontier, of the entire Soviet Politburo and the entire Praesidium of the Czechoslovak Communist Party. This was followed by a meeting in Bratislava on 3rd August of Communist Party leaders from Czechoslovakia, the Soviet Union, Poland, Hungary, Bulgaria and Eastern Germany — a meeting from which Romania was again absent.

51. On 3rd August the Czechoslovak Ministry of Defence announced the departure from Czechoslovak territory of the last Soviet army unit from the June manoeuvres. On 4th August the Soviet General Shtemenko was appointed Chief of Staff of the Warsaw Pact forces.

52. Finally on 19th and 20th August an extraordinary meeting of the Central Committee of the Soviet Communist Party was held in Moscow — a meeting reported only by the western media — and at 23.00 hrs. on 20th August Warsaw Pact forces finally invaded and occupied Czechoslovakia. Again Romania took no part in the invasion and was reported to have denied passage across its territory to the token Bulgarian battalion that participated.

53. At 01.00 hrs. on 21st August Prague Radio broadcast a statement by the Praesidium of the Czechoslovak Communist Party to the effect that forces of the foregoing countries had crossed

into Czechoslovak territory without the knowledge of the government, and that the Czechoslovak army had not received the command to defend its territory.

54. On 23rd August a NATO spokesman said that the North Atlantic Council had met in permanent session to discuss the situation concerning early warning and that it would be necessary to halt the withdrawal of United States troops from Europe. On 4th September the NATO Defence Planning Committee met in permanent session and issued a communiqué:

"The Defence Planning Committee of NATO, recognising that developments in Czechoslovakia cannot fail to be of grave concern, has initiated a thorough assessment of their implications for allied defence policy, particularly for force postures... [They] have accordingly affirmed the necessity of maintaining NATO's military capability and of taking into account the implications of recent developments in Eastern Europe in the planning of their national forces."

Western reports said that the initial invasion forces totalled some 250,000 to 300,000, and that by the end of August there were over 600,000 foreign troops — chiefly Soviet forces — in Czechoslovakia. On 16th October a Soviet-Czechoslovak treaty on the stationing of troops in Czechoslovakia was duly signed.

55. The regular ministerial meeting of the North Atlantic Council on 15th to 16th November referred to the situation in Czechoslovakia in the strongest terms, saying in part:

"The contention of the Soviet leadership that there exists a right of intervention in the affairs of other States deemed to be within a so-called socialist commonwealth runs counter to the basic principles of the UN Charter, is dangerous to European security, and has inevitably aroused grave anxieties. It gives rise to fears of a further use of force in other cases. The use of force and the stationing in Czechoslovakia of Soviet forces not hitherto deployed there have aroused grave uncertainty about the situation and about the calculations and intentions of the USSR. This uncertainty demands great vigilance on the part of the allies."

56. It was the invasion of Czechoslovakia that led directly to the establishment of a proper crisis management procedure and machinery within NATO, as described below. The Committee understands that the NATO military assessment of developments was accurate and rapid. The concentration of forces was known to be along the northern frontiers of Czechoslovakia; the movement of troops had in fact left

gaps in the Warsaw Pact forces deployed along other parts of NATO's eastern boundary. The assessment concluded that the Warsaw Pact was militarily prepared for the immediate occupation of Czechoslovakia, but the political assessment in NATO at the same time was that the Soviet Union would not risk the deterioration in East-West relations that would inevitably ensue if its overt threats to the integrity of Czechoslovakia were carried out. It has to be remembered that in May 1968 the Reykjavik meeting of the North Atlantic Council had made its "signal" to the Warsaw Pact countries and proposed talks on mutual and balanced force reductions; the Soviet Union was anxious to secure a conference on security and co-operation in Europe; the non-proliferation treaty was open for signature; and SALT was in prospect.

57. In the event the military assessment of capabilities was entirely correct; the political assessment was wrong. Finally late on 20th August the movement of Soviet transport aircraft towards Prague airport was observed on NATO radars.

(viii) Middle East conflict, October 1973

58. Following President Sadat's secret visit to Saudi Arabia, Syria and Qatar on 26th August 1973 (which was only announced after the event) the summit meeting of three Arab leaders — President Assad of Syria, King Hussein of Jordan and President Sadat — was held in Cairo from 10th to 11th September, being described in the Egyptian press as having been to arrange the co-ordination of front-line Arab States in direct confrontation with Israel and the creation of a common Arab plan of action on the Middle East to ensure the realisation of Arab aims.

59. Fighting broke out on 6th October with an Egyptian attack across the Suez Canal and a Syrian attack on the Golan Heights. While there were no hostilities on the Jordanian frontier, forces from Jordan, Iraq, Morocco and Saudi Arabia had been sent to Syria and participated in the fighting. Libyan aircraft were also reported to have operated from Egypt. These hostilities resulted in far larger losses of tanks and aircraft than any previous Middle East conflict and demonstrated the effectiveness of the Soviet surface-to-air missiles in Egyptian hands and of the anti-tank guided missiles, chiefly those in Israeli hands. A cease-fire was finally obtained only on 24th October after Israeli forces in a counter-attack across the Canal had encircled Port Said and the Egyptian Third Army.

60. The conflict led to a remarkable mixture of co-operation and confrontation between the United States and the Soviet Union, and public disagreement among the NATO countries. On

10th October the United States claimed that the Soviet Union had started a large air lift of military equipment to Syria and Egypt which was deemed "substantial" by 12th October. By 13th October the United States had started its own "appreciable" air lift because the Soviet air lift was deemed "massive". By 15th October the United States claimed that the Soviet Union had delivered 4,000 tons of supplies in 280 flights to Syria and Egypt, which used a route overflying Hungary, Yugoslavia, the Adriatic and the Eastern Mediterranean. Belgrade confirmed publicly on 18th October that it had authorised such overflights.

61. The United States air lift ran into considerable difficulties from its allies, only Portugal allowing the Azores airfield to be used for the purpose. There were objections from Spain when it was reported that United States tanker aircraft based in Spain had been used for in-flight refuelling. On 16th October the United Kingdom Foreign Minister Sir Alec Douglas-Home stated that the United Kingdom had imposed an embargo on arms supplies to both sides in the Middle East conflict, claiming that unlike the situation in 1967 it was an even-handed embargo because both sides possessed British equipment. He added that "British military facilities overseas have not been and are not being used for the transit of military supplies to the battlefield". On 24th October two Israeli ships were reported loading arms supplies in Bremerhaven, and on 25th a German spokesman said that the United States had been asked to halt all arms shipments to Israel from Germany, and that weapons deliveries via German territory or from United States depots in Germany could not be permitted. A United States spokesman on 26th October criticised United States allies for dissociating themselves from the United States in what was an effort in the common interest.

62. Consultation between the United States and the Soviet Union apparently began with Dr. Kissinger's talks with Mr. Dobrynin, the Soviet Ambassador in Washington, from 16th October. Mr. Kosygin visited Cairo from 16th to 19th October and was said to have conveyed some of Dr. Kissinger's proposals to President Sadat. On 20th October, at Mr. Brezhnev's invitation, Dr. Kissinger arrived in Moscow accompanied by Mr. Dobrynin. The United Nations Security Council was then able to agree on cease-fire resolutions on 22nd October and again on 24th October, only the latter being successful in halting the fighting.

63. Confrontation was reflected in the increase in the Soviet Eastern Mediterranean fleet from its normal level of forty vessels to more than eighty — the highest ever — and the reinforcement of the United States Sixth Fleet to a total of three aircraft carrier groups. After President

Sadat had called for the despatch of Soviet and United States forces to the Middle East to ensure observance of the cease-fire, the United States at 03.00 hrs. on 25th October ordered its forces world-wide to "Defence Condition 3" — an early stage of alert. Explaining the move later on 25th October Dr. Kissinger said that the United States rejected proposals for a joint United States-Soviet force in the Middle East and was "even more opposed to the unilateral introduction by any great power, especially a nuclear power, of military forces into the Middle East in whatsoever guise these forces should be introduced"; ambiguity in some actions and communications and some readiness measures had led to the calling of the alert. The ambiguities were later listed as the alerting of 50,000 Soviet paratroops in Eastern Europe; the reinforcement of the Soviet Mediterranean fleet; and the movement of Soviet transport aircraft to the Crimea. The United States alert was cancelled on 31st October when the Soviet paratroops were also reported to have been stood down.

64. Although public statements do not appear to have been made the press reported criticism by other NATO governments of the United States actions, and consultations with the Soviet Union, which had been made without prior consultation of other NATO countries. There appears to have been closer consultation among the nine countries of the European Community, which issued a first statement on 13th October calling for a cease-fire in line with the resolutions of the United Nations Security Council, and a second statement on 6th November calling for a return of forces to the lines occupied on 22nd October — the date of the first Security Council resolution, prior to the completion of the Israelis' encircling of Port Said. The first statement from NATO appears to have been in the communiqué after the routine meeting of the Nuclear Planning Group on 7th November reporting "a constructive discussion of some of the implications for the Alliance of the recent crisis...". The communiqué issued after the ministerial meeting of the NATO Defence Planning Committee (i.e. excluding France) on 7th December said in part: "Ministers discussed recent events in the Middle East and their implications for the security of the Alliance. Ministers took note of preliminary assessments of the lessons which NATO might learn from the conduct and outcome of this conflict... they noted with approval the steps which are being taken to ensure the sufficiency of military oil stocks essential for the defence of the Alliance". The communiqué issued after the ministerial meeting of the full North Atlantic Council on 11th December merely noted the Ministers' support for "relevant resolutions" of the United Nations Security Council.

65. While a study of this conflict shows the failure of NATO to consult or produce an agreed

plan of action, in part because European members were faced with an oil embargo, it also holds lessons concerning the ignoring of warning by the Israeli leaders who did not order mobilisation during the Yom Kippur holiday. Egyptian military preparations were evident, but they had been seen before just as President Sadat's warlike declarations had been heard. The concertation of so many Arab countries was perhaps a new event. Most significant perhaps was the departure of the Soviet navy from Egyptian ports and the departure of Russian families from Egypt some three days before the attack. But Israel had ordered mobilisation, at considerable economic cost, on some three occasions since the previous hostilities, and the Cabinet, preoccupied with the kidnapping of a party of Jews in Austria, did not order mobilisation until early on 6th October when 100,000 soldiers were mobilised following Israeli intelligence reports that an attack had been decided on for sunset that day.

(ix) The Cyprus crisis, 15th July 1974

66. In an earlier report¹ the Committee had chronicled the evolution of the 1974 Cyprus crisis, triggered by the coup d'état in Cyprus on 15th July engineered by the Colonels' régime in Athens, which overthrew President Makarios and led to landings by the Turkish armed forces on 20th July. This crisis did not hold a direct threat of Soviet military intervention. Soviet comment was moderate in tone initially; it sought to discredit the Greek leadership and NATO which it held jointly responsible for the plot, and adopted an understanding attitude to Turkish intervention; after the fall of the Colonels' régime, however, the Soviet Union sought a rapprochement with the new Greek Government. The main thrust of Soviet actions was to seek to remove a political settlement from the framework of the three-power Geneva talks to the United Nations Security Council where the Soviet Union would itself be directly involved. Following the visit by the Soviet Deputy Foreign Minister Mr. Ilyichev to Ankara, Athens and Nicosia from 11th to 18th September, the Soviet proposal was supported by the Greek Foreign Minister and by Mr. Clerides for the Greek Cypriot community — but was rejected by Turkey.

67. The Cyprus crisis is referred to here because of the considerable strains it placed on NATO — the North Atlantic Council at permanent level held twenty-five meetings during the crisis, five of them in six days at its height. The Secretary-General of NATO deserves credit for his personal interventions which contributed

to preventing an outbreak of war between Greece and Turkey in Thrace, where both countries had moved units of their armed forces. But NATO consultations did not prevent the Turkish landings of 20th July, nor the subsequent withdrawal of Turkey from the Geneva talks and its further military exploitation of the position of its forces in Cyprus on 14th August, despite the fall of the Colonels' régime in Greece. Later that day Mr. Karamanlis issued the following statement: "After the Atlantic Alliance demonstrated its inability to prevent Turkey from creating a state of conflict between two allies, the Prime Minister ordered that the Greek armed forces should be withdrawn from NATO." Greece has not in fact withdrawn from the military structure of NATO — Greek officers for example remain at their posts in the integrated NATO headquarters except that in Izmir in Turkey — and negotiations between NATO and Greece on the detailed implementation of the decision of 14th August 1974 are still in progress as the Committee has elsewhere reported from time to time.

68. On 29th July during the three-power talks in Geneva between Britain, Greece and Turkey, Mr. Mavros, the Greek Foreign Minister, called for an immediate meeting of the North Atlantic Council at ministerial level. His failure to secure such a meeting contributed considerably to Greek bitterness at what was seen as the impotence of NATO. Various reasons have been given in NATO circles for such a ministerial meeting not having been convened: there is said to be no difference in the powers of the Council whether it meets at the level of permanent representatives or ministers, and that no government in any case can dictate at what level (minister or ambassador) other countries should be represented at any meeting; in any case it would have been virtually impossible to expect fifteen foreign ministers to meet at twenty-four hours' notice. It has to be recognised however that there is in practice a considerable political difference between a Council meeting at ministerial and one at ambassadorial level; no doubt many countries doubted very much whether in practice a ministerial meeting could have been any more helpful in producing a solution to the dispute involving two communities in Cyprus and two members of the Alliance — a dispute which is as far from settlement today.

(x) Angola, 1975-76

69. The Committee reports elsewhere¹ the chronology of Soviet (and Cuban) intervention in Angola. The crisis is recorded here as an

1. Document 651, 14th November 1974.

1. Strategic mobility, Rapporteur Mr. Tanghe, Document 758, paragraphs 61 *et seq.*

example of the especial difficulty of reaching a common assessment in NATO concerning events outside the NATO area. It subsequently emerged that the United States had been giving limited clandestine support to the opponents of Mr. Agostinho Neto's MPLA since 1975, but the United States Administration was unable to persuade Congress to authorise material support, and not all NATO countries were agreed that the interests of the Alliance required the MPLA to be opposed merely because the Soviet Union was supporting it — the Portuguese air base in the Azores remained available to the Cuban air lift until 19th January 1976.

70. With open hostilities in the Horn of Africa and the Soviet Union changing alliances in the area, there is an urgent need for a commonly agreed assessment of the situation and the interests of the Alliance in the whole African continent, where crises may well arise in the future, even as the Middle East moves very slowly to a settlement.

III. Lessons of crises past

71. The following observations can be made about crises past :

- (i) the perception of a crisis is subjective; the interpretation of events, which may well be ambiguous, is crucial;
- (ii) the political assessment of intentions may well be wrong; it was in the case of the Soviet invasion of Czechoslovakia in 1968;
- (iii) too frequently the political leadership fails to convert warning time into *preparation time* — military readiness measures are not ordered. Again in the case of Czechoslovakia in 1968, when some 300,000 Warsaw Pact troops were at instant readiness to move, no military readiness measures were ordered in NATO, although the lowest — "military vigilance" — can be ordered by major NATO commanders on their own authority. It amounts to manning headquarters twenty-four hours a day and recalling staff from leave; it could not have been held to be provocative. It must be remembered that at higher levels of readiness reinforcements have to be moved to Germany — 30,000 from the United Kingdom, more from the United States — and these moves take time. Warning time must not be wasted;
- (iv) internal political conflicts within the Alliance can endanger the determina-

tion of NATO to respond and act decisively. The coincidence of the Suez and Hungary crises in 1956 is one case. Cyprus in 1973 was a dangerous internal crisis. The NATO crisis management machinery itself is not relevant to such internal crises, but political and diplomatic means within the Alliance are vital for their solution;

- (v) crises outside the NATO area can spill over and affect NATO itself — cf. the Middle East crises;
- (vi) the solidarity of the Alliance, swiftly demonstrated, is vital and can be very effective — cf. the Berlin crises; crises;
- (vii) disturbances in the Warsaw Pact countries can spill over into the NATO area through the arrival of refugees; or conceivably of retreating forces engaged in combat — the danger is acute where a common frontier with a NATO country exists: East Germany; Czechoslovakia;
- (viii) the monolithic and closed nature of the Warsaw Pact tends to make its actions unpredictable for the open democratic societies of NATO. Conversely and paradoxically Warsaw Pact analysts may find the public expression of divergent views in NATO countries confusing to their regimented minds, and fail to perceive that NATO can reach consensus and take firm action when a crisis occurs;
- (ix) the response to a crisis should be firm and a commitment should be stated clearly — but room should be left for an adversary to withdraw wherever possible — cf. Cuba;
- (x) the study of past crises can provide valuable particular lessons for NATO. This is true of the Middle East wars of 1967 (need for aircraft shelters) and 1973 (need for larger stocks of anti-tank and anti-aircraft missiles; need for new tactics in the case of these missiles).

IV. Destabilising factors that could provoke a crisis

72. It is impossible to compile an exhaustive list of circumstances that could provoke a crisis; history has an annoying habit of not repeating itself, and no one can adequately prepare against

an irrational decision. Nevertheless your Rapporteur does think it important to draw attention to certain possible destabilising factors: of these he considers that in the context of this report the most important is warning time and the changing military balance.

(a) Warning time and the changing military balance

73. Various reports have drawn attention to the increase in numbers and capabilities of Warsaw Pact forces on the central front over the last eight to ten years. Compared with the situation before the invasion of Czechoslovakia, the Soviet armed forces in Eastern Europe have increased from 400,000 to 500,000 men, the number of divisions increasing from 26 to 31 — chiefly because of the reintroduction of Soviet forces into Czechoslovakia, in positions very much closer to NATO's eastern border than hitherto. Over approximately the same time the number of Warsaw Pact main battle tanks in Northern and Central Europe is reported to have increased from 11,500 (including 6,000 with Soviet divisions) to 19,000 (including 11,000 with Soviet divisions). The numbers of tanks in each Soviet motorised rifle division has been increased by about sixty to eighty tanks.

74. More significant perhaps than the increase in numbers in the ground forces has been the improvement in the quality of Soviet equipment with the introduction of the T-72 and T-62 main battle tanks, and the transformation of the tactical air forces from relatively short-range interceptor and ground support aircraft to the new MiG-21 J, K and L, the MiG-23 and the SU-17 and 19. Some of these aircraft have ranges more comparable to NATO strike aircraft such as the F-104, and this factor coupled with the loss to NATO since 1967 of its airfields in France means that all remaining NATO tactical airfields in Germany and the Benelux countries must be considered within range of a first strike by Warsaw Pact tactical air forces. The devastating effect of such a surprise attack was demonstrated by the Israeli forces in the 1967 six-day war in the Middle East.

75. Since the Cuban missile crisis the Soviet navy has been enlarged and transformed from a coastal force to an ocean-going fleet with a world-wide capability. There could be war at sea with relatively little warning time.

76. The possible consequences of the new Warsaw Pact capabilities in Central Europe have been reported in particular by Senators Nunn and Bartlett in their report "NATO and the new Soviet threat" to the Senate Armed Services Committee in January 1977 — a report based largely on a study by Lt.-General James Hollingsworth, a former United States army commander. That report states *inter alia*:

"Soviet forces deployed in Eastern Europe now possess the ability to launch a poten-

tially devastating conventional attack in Central Europe with little warning."

Major-General Close, a Belgian divisional commander, has attracted much attention with a recent study in which he claimed that Warsaw Pact forces could reach the Rhine in forty-eight hours. Such alarmist conclusions have however been refuted by more reliable authorities including the previous Chairman of the Military Committee, Admiral Sir Peter Hill-Norton, and, most recently, the Supreme Allied Commander, General Haig. An objective article by Mr. Les Aspin, a member of the United States House Armed Services Committee and a former systems analyst with the Pentagon¹, does not support them. The Institute for Strategic Studies' "Military Balance" shows a reduction in the number of Warsaw Pact tactical aircraft on the central front from some 5,400 to about 4,100 over the last nine years, a decrease which has coincided with the introduction of the more modern aircraft. NATO still retains superiority in the capability of its tactical aircraft and, it is widely believed, in the training of its crews and probably in the quality of its anti-tank weapons.

77. Moreover the behaviour of the Warsaw Pact high command in the past when organising operations such as the invasion of Czechoslovakia has displayed slow deliberation rather than lightning improvisation; that particular operation was after all preceded by exercises which amounted to a dress rehearsal.

78. The conclusion nevertheless remains that although a no-warning massive attack by Warsaw Pact forces across the central front to the Rhine or beyond remains a very unlikely if not impossible contingency, Warsaw Pact forces do now possess the capability of taking more limited military action by way of air strikes at NATO airfields or armoured incursions into the North German plain with no warning at all.

(b) Emergence of new nuclear powers

79. There is little risk that within the two alliances there would be a proliferation of States obtaining nuclear weapons. However there are well-known risks of proliferation of nuclear weapons in other nations outside the Alliance. As has been pointed out previously, world politics are so interlocked that major shifts in power in other parts of the world can have a spill-over effect into NATO.

(c) Technical progress to a successful nuclear first-strike capability

80. No such advantage presently exists. Even if such a capability emerged it would not pre-

1. NATO Review No. 4, August 1977, "A surprise attack on NATO — Refocusing the debate".

dicating aggressions, but it would mean that one side would have the power to "lean" on the other and influence its policies. This process known as "Finlandisation" could produce results more successful than outright war.

(d) Disagreements within the Alliance

81. The nature of the alliance of fifteen sovereign States voluntarily acting together always has within itself the seeds of disagreement and breakdown. The Soviet Union has shown its ruthless determination to stamp out all opposition within the eastern bloc in its actions against Hungary and Czechoslovakia. The West cannot and would not respond in this way. Indeed the West handled the most serious disturbance within the Alliance — the withdrawal of France — with considerable determination. But serious breakdowns in the Alliance could produce doubts as to the capacity to respond in the face of pressure.

(e) Failure to respond in the early stage of a crisis

82. NATO has never been seriously tested, but it is clear that failure to meet a provocative act decisively in the earliest stages would produce a serious crisis. This means that politicians must be clear about decisions to mobilise and deploy troops if circumstances dictate such action. If a serious crisis were to develop it could involve major troop movements and the calling up of reservists. The Alliance must be ready to meet this eventuality.

(f) Development of civil emergency plans

83. The balance of terror rests on the horrendous assumption that the end result of war is the destruction of whole cities and millions of persons. The development of civil emergency plans that would enable a State to evacuate cities or protect their population could have serious destabilising consequences. Paradoxically the exposure of populations serves to prevent the contemplation of nuclear attack. The Soviet Union has resumed civil emergency preparations.

(g) Failure in international negotiations

84. The success of SALT II is vital. At the present time the negotiations are in a delicate stage. Indications point to success. It is clearly in the interest of world peace that such negotiations should succeed.

(h) Power struggle outside the NATO area

85. It is no longer possible for NATO to isolate itself from the rest of the world. In particular the Middle East has been and is a dangerous flash-point which could drag in the superpowers. Angola too had wider significance than its African location. In no way would one wish to

encourage the involvement of NATO powers, but world developments can no longer be ignored.

(i) Military mistakes

86. Action by either side produced by mistaken judgments could clearly be interpreted as provocative acts, particularly if military forces are involved.

V. Crisis prevention

87. The Committee has reported elsewhere¹ in some detail on the confidence-building measures included in the CSCE final act. By increasing warning time available in the event of any military moves by an adversary, such measures can reduce the risk of mistaken interpretation of non-hostile activities by Warsaw Pact countries. The Belgrade conference should be used by the western countries to secure an improvement in the confidence-building measures already agreed at Helsinki. Thus the threshold for the mandatory prior notification of major military manoeuvres should be lowered from 25,000 to say 10,000, and other measures now optional or voluntary should be made mandatory — the prior notification of other manoeuvres; the invitation of observers to manoeuvres, under conditions which should be defined to ensure the measure is effective; the prior notification of major military movements. The record of implementation in respect of the existing agreements is not good, as the Committee has reported¹.

88. Your Rapporteur draws attention in this context to a recent report of the United Kingdom House of Commons Expenditure Committee² which recommends that consideration be given, for the purposes of the final act, to defining and establishing an order of priority for the notification of manoeuvres, movements, and mobilisation exercises, because of the impact these different military activities have on warning time. That report also recommends that the obligation of notification be extended to naval and air exercises.

89. In the framework of the MBFR negotiations the participating NATO countries have proposed certain "associated measures" which would need to be linked to any agreement on the reduction of forces — "verification measures" to permit the monitoring both of force withdrawals and of residual forces; "non-circum-

1. European security and East-West relations, Document 744, 1st June 1977, paragraph 11; Document 726, 29th November 1976, paragraphs 45-53.

2. Fifth report from the Expenditure Committee, Session 1976-77, Progress in implementing the final act of the CSCE, 19th May 1977.

vention" measures to specify e.g. the destination of forces withdrawn from the guidelines area ; and "stabilising measures" similar in general to confidence-building measures of the CSCE, but applicable especially to the conditions of the guidelines area, and including e.g. limitations on the size of troop movements and limitations on the size of manoeuvres. No response at all has been forthcoming from the Warsaw Pact negotiators to the "associated measures" proposals, and the Committee hopes that the proposals will continue to be pressed by the NATO countries concerned.

90. The Committee draws attention at the same time to proposals made by Mr. Aspin in his article quoted in paragraph 76 above that in view of the failure to progress on force reductions in the MBFR talks, they should be used to negotiate instead on measures like the foregoing, designed to add warning time and preclude the possibility of surprise attack : e.g. to require the presence of international observers at Warsaw Pact and NATO installations in Central Europe ; to restrict the number of people that can be involved in manoeuvres and to limit their frequency ; lastly to limit the number of troops that can be rotated into Europe at any given time and to require prior announcement of such movements.

91. The Committee recognises that any agreement reached on MBFRs will in itself increase stability if appropriate "associated measures" are included. Certain of the latter measures on their own might also serve to improve warning time. The former Chairman of the Committee, Mr. Julian Critchley, in his article on "Warnings and response"¹ concludes that "if we cannot rely upon a warning then our defences must be adequate without it. If we accept the fact that warning is bound to be ambiguous then we must be capable of reacting repeatedly to false alarms without commitment to war".

VI. Crisis management

(a) The structure of NATO

92. Before discussing the specific NATO machinery for crisis management, your Rapporteur wishes to recall first the political and military structure of NATO. *The North Atlantic Council*, established under Article 9 of the North Atlantic Treaty, is the highest decision-making body in NATO, composed of representatives of the fifteen member countries. It meets under the chairmanship of the Secretary-General, and countries may be represented at ministerial level by foreign ministers or also by defence ministers ; it occasionally meets at the level of heads of

State or of government. It is organised to meet permanently in Brussels at the level of ambassadors — permanent representatives of the member States who head the national delegations at the NATO headquarters in Brussels.

93. Since France withdrew from the integrated military structure of NATO, the French Representative has withdrawn from the Council when matters affecting the defence structure are discussed, on which occasion the Council is referred to as the *Defence Planning Committee (DPC)*, but apart from the absence of the French Representative this Committee is the same body as the North Atlantic Council.

94. Under the Council are a number of committees and working groups on which all member governments are represented through members of their delegations in the NATO headquarters ; these committees deal with specific subjects such as political affairs, defence review, etc. Specifically there is a committee on Council operations and exercises which is directly concerned with the organisation of crisis management procedures.

95. On the military side, immediately under the Council, comes the Military Committee which is the link between the Council and the three major NATO commanders. It is composed of the chiefs of staff of all member countries except Iceland (which has no military forces). Like the Council, it is organised to meet in permanent session in the NATO headquarters, at which level member countries are represented by a permanent military representative who is a senior officer representing his chief of staff. France has not been represented at meetings of the Military Committee since it withdrew from the integrated military structure, but France is still represented at NATO headquarters at military level by the chief of the French military mission to the Military Committee.

96. The Chairman of the Military Committee is a senior officer elected for a two- or three-year period by the committee, and he heads an international military staff composed of service officers seconded from their national countries. The Chairman of the Military Committee represents it on the North Atlantic Council.

97. The North Atlantic Council and its committees are served by a civilian international staff under the authority of the Secretary-General who is simultaneously Chairman of the North Atlantic Council. National delegations to the Council and its committees, national military delegations to the Military Committee, the civilian international staff and the international military staff are all housed in the same NATO headquarters building at Evèze in which all meetings of the Council and Military Committee and their subordinate bodies are held. Admiral Sir Peter Hill-Norton has summarised the scope of the North Atlantic Council as follows :

1. NATO Review No. 4, August 1977.

"The North Atlantic Council (or, for defence matters, the Defence Planning Committee) is the highest authority of the Alliance.

...all decisions taken in the Council or Defence Planning Committee (DPC) are expressions of the collective will of member governments. It is in the Council, or the DPC, that the views of governments are exchanged and, one would hope, harmonised on all major issues. Consultation covers political, military, economic and a wide range of other subjects. It is interesting to note that to produce these same results through normal diplomatic channels, with each country independently consulting the other fourteen, would require no less than 105 bilateral exchanges on every separate issue or development.

...under the Lisbon Agreement of 1952, member countries have delegated to their permanent representatives on the Council the responsibility of representing all elements of their governments."

98. *The NATO commands* — Three major NATO commanders come directly under the Military Committee and exercise command over the Atlantic Ocean, the European mainland including the Mediterranean and the Channel respectively. These are the Supreme Allied Commander, Europe (SACEUR) with his headquarters at Casteau, Belgium; the Supreme Allied Commander Atlantic (SACLANT) with his headquarters at Norfolk, Virginia; and Commander-in-Chief Channel with headquarters at Northwood, United Kingdom.

99. These headquarters and those of a number of subordinate commands established under them are staffed by officers seconded from the national armed forces of the various countries assigning or earmarking forces for the commands concerned.

100. Apart from air defence forces, NATO commanders do not exercise command over forces in peacetime. They are responsible for preparing defence plans, determining force requirements, determining in consultation with the countries concerned the peacetime deployment of national forces assigned to the command, and conducting exercises of the assigned forces. Other forces "earmarked" for NATO command are those which will be made available to the command at a later stage of alert than the assigned forces; the deployment of earmarked forces in peacetime is not determined by the NATO commands but they must be able to reach their assigned positions within a specified time of M-day.

(b) Crisis management

101. Since the move of NATO headquarters to Brussels, and in particular since the invasion of

Czechoslovakia, NATO has acquired much of the material installations needed for crisis management by the Alliance as a whole, and is progressively acquiring the experience and expertise needed for continuous on-going decision-making among fifteen countries. There is now a set of agreed procedures for crisis management. The NATO headquarters in Brussels has a situation centre permanently manned by international military and civilian staff where the fifteen permanent representatives and their staff can be continuously informed of developments anywhere in the world and themselves provide information from their own capitals. The centre is backed up with improving communications¹ by satellite and other means with the national capitals as well as with the NATO commands. Expertise is being acquired through the medium of the Hilex and Wintex exercises held in alternate years. The high-level exercise (Hilex) is essentially a free-play exercise at the lower end of the crisis spectrum — possible moves by potential adversaries are studied and appropriate responses improvised among the fifteen participants. The winter exercise (Wintex) series are designed primarily to test all NATO procedures through a pre-planned scenario.

102. Crisis management can be considered to have three phases, which will be considered in turn: (i) crisis information; (ii) crisis consultation; (iii) crisis management proper.

(i) Crisis information

103. Under the terms of Article 6 of the North Atlantic Treaty, the geographical area to which the mutual defence obligation extends is:

- the territory of any of the parties in Europe or North America, the territory of Turkey, or the islands under the jurisdiction of any of the parties in the North Atlantic area north of the Tropic of Cancer;
- the forces, vessels or aircraft of any of the parties when in or over these territories or any area in Europe in which occupation forces of any of the parties were stationed on the date when the treaty entered into force, or the Mediterranean Sea or the North Atlantic area north of the Tropic of Cancer.

104. While the mutual defence obligation of parties under the treaty is limited to the foregoing area, it is clear from the analysis of past crises that information available collectively to the Alliance must cover a much larger area. NATO itself possesses no sort of intelligence-gathering machine apart from the type of

¹ 1. The communications involved are described in Section VII below.

electronic information obtained from surveillance radar. National governments are the sole sources of information. It is essential therefore for all countries through their permanent delegations and military representatives to keep NATO headquarters fully informed at all times of developments anywhere in the world which could conceivably lead to a threat to allied interests. While the provision of information to NATO is said to be better than in the past there is still need for improvement, particularly the continued provision of information by all countries throughout the developing phases of a crisis, even when their own interests may at times be felt to be diverging from those of the Alliance. It is understood that there has been a tendency for information sources to "dry up" at certain crucial times.

105. The provision of information to NATO must be a continuous daily process in normal times as well as in times of tension. NATO is now well organised to provide *analysis* by the major NATO commanders of intelligence received from national sources, and to disseminate intelligence and its analysis throughout the NATO commands and national capitals.

(ii) *Crisis consultation*

106. When the daily flow of information points to any possible threat to allied interest, there must be an immediate, continuous and world-wide joint assessment of incoming information, even before the need to consider possible courses of action arises. This is the problem of "crisis recognition" which is always easier in retrospect than prospect.

107. A recent constructive development in NATO was the establishment of the "crisis assessment group" drawn from senior members of the international civilian and military staffs of delegations; the Committee recommends that it be made permanent, to be activated during exercises and any period of tension. A common assessment of a situation based on a common analysis of intelligence available to all governments and NATO staffs and commanders is the precondition for consultation and decision-making in crisis management. Consultation between member countries is necessary not only in respect of possible collective action to be taken by NATO countries or by NATO-assigned forces but also in respect of actions to be taken individually by NATO countries when these are bound to have a direct bearing on the interests of the Alliance as a whole or any of its other members. Only in this way is it possible to maintain the solidarity of the Alliance, and for that solidarity to be clearly manifest. The analysis of historical crises reveals only too many examples where this consultation has been lacking.

(iii) *Crisis management proper*

108. When an impending crisis has been identified through the crisis assessment procedure more intense consultation becomes necessary on the range of possible courses of action to be considered. The aim of crisis management is to prevent escalation to hostilities without sacrificing the interests of the Alliance. Measures have to be designed to signal clearly to an adversary the resolve of the Alliance to protect its interests, without the measures themselves leading irreversibly or uncontrollably to hostilities. The range of options available to NATO and individually to its member countries during a developing crisis include political measures which can be world-wide and effectively co-ordinated such as the recall of ambassadors; concerted *démarches* by several or all NATO countries; the activities of NATO countries' military attachés; they include economic measures such as possible trade sanctions; they include a range of military measures short of actual preparation for hostilities such as the holding of military exercises; or the deployment of the NATO immediate reaction forces (ACE Mobile Force, or the Standing Naval Forces Atlantic or Channel) or the activation of the On-Call Naval Force in the Mediterranean. The Committee recommends that the NATO immediate reaction forces be augmented, particularly through the duplication of ACE Mobile Force to permit the simultaneous deployment of a force to the northern and southern flanks.

109. The three NATO countries possessing nuclear forces — France, the United Kingdom and the United States — all now have "hot lines" to the Kremlin. The use of these facilities has been reported on certain occasions. If the solidarity of the Alliance is to be maintained it is important for all member countries to be kept informed of any bilateral exchanges of any member country with the Soviet Union or other parties involved in crisis situations, whether through diplomatic channels or more directly. While the concept of a "hot line" between NATO headquarters and the Kremlin may not be thought desirable by the nuclear powers, other NATO countries may feel that such a development could contribute to allied solidarity provided that an authorised spokesman for NATO be designated; he could only be the Secretary-General. The Committee recommends that the possibility be studied.

110. If military measures become necessary because crisis prevention has failed, NATO has a system of alerts to ensure that assigned and earmarked forces are ready for any eventuality. The lowest level — military vigilance — can be ordered by any of the three major NATO commanders on their own initiative; this ensures that NATO headquarters are manned twenty-four hours a day and that the staff is at full

strength. Political authority from the Defence Planning Committee transmitted through the Military Committee is required for any of the three degrees of formal alert up to general alert which would involve large-scale movement of assigned and reserve forces to their wartime positions and the call-up of reserves. Deployment of immediate reaction forces is mentioned in paragraph 108 above.

111. In peacetime NATO commanders exercise control of their air defence forces and have the authority to order interception by fighter aircraft of any unidentified aircraft for purposes of identification only. If an intruder opens fire, fire may be returned by the interceptor. The Committee understands that the powers of NATO commanders, especially of maritime and air forces, is currently in the process of being clarified through negotiations in NATO. The present situation is not entirely clear and varies in different areas of NATO and in different countries.

112. Land force commanders automatically have authority to protect forces under their command. Hostilities would be deemed to have broken out if forces of an adversary crossed a frontier, and national commanders would have the automatic right to take defensive protective action. But apart from the air forces, a political decision must intervene before other forces are placed under the authority of NATO commanders. Certainly political decisions will have to be taken before defensive strikes could be conducted beyond the territory of NATO countries. Apart from the release of nuclear weapons, which it is envisaged would be under close political control at all times, the authority of NATO commanders to conduct military operations would be an automatic function of the forces progressively placed under their command at the various stages of alert as ordered through the NATO political and military channels.

113. Guidelines for the possible initial use of tactical nuclear weapons were originally discussed at the Athens ministerial meeting in 1962, and have been updated since then. The Committee understands that if time and circumstances permit it there would be full consultation in the North Atlantic Council (or DPC) prior to any initial use. In the absence of unanimity in the Council/DPC concerning any request from a major NATO commander or national authority for the use of nuclear weapons, the consensus view, with a note of dissentients, would be presented to the nuclear power owner of the warheads concerned. In any circumstances there would be an obligation on the nuclear power owner of the warhead to consult at least the country owning the delivery system and any NATO country on which the weapon is based or would fall.

(c) Hostilities

114. As has been said the object of crisis management is to prevent hostilities from breaking out. But if that objective fails, either because of a military intervention by an adversary, or because NATO forces are compelled to use force to protect themselves or allied interests, it will be important for the management concept to continue after hostilities have started in order that appropriate political guidance and strategic direction can be provided to the major NATO commanders and to ensure that defence arrangements themselves are designed at first to compel an aggressor to break off an attack, and to reduce the risk of hostilities spreading to all-out conflict. If control is to be conserved, measures both before and after the outbreak of hostilities must remain reversible.

(d) Participation

115. The Committee stresses the importance of adequate participation by member countries in crisis management procedures whether in the annual exercises or in crisis situations proper. It is not only the manning of the NATO situation centre or the participation of national delegations that exercises the machine, it is the full participation of the machinery of government in the national capitals that ensures realism in exercises or effectiveness in real crises. It is understood that not all countries possess adequate communication and liaison between the various government departments concerned in the national capitals. It is a platitude to say that war is too important to be left to the military authorities; it is a fact that the closest liaison between civilian and military staffs in a large range of ministries is essential to crisis management. These would include obviously the Ministries of Defence and Foreign Affairs, but also the Ministry of the Interior, Ministries controlling air, sea and land transport and the Ministry of Health where hospital accommodation has to be considered.

116. The level of political participation in an exercise is also important, and the practice of member countries is understood to vary widely. Some participate in exercises at the level of senior officials only. Others are said to involve senior ministers including at times the Prime Minister, in a national war headquarters. The Committee stresses that crisis management planning cannot be realistic unless there is proper political participation at certain times. Only with that participation can officials and the military authorities learn the type of options which political ministers may be prepared to approve, and only in this way can ministers themselves be made familiar with the type of decision they may be called upon to take in a real crisis.

117. The Committee understands that the special position of France is that it remains a member of the Alliance, bound by the North Atlantic Treaty, but that its military forces are not "integrated" into the NATO military structure in peacetime, and would not participate in any agreed NATO measures except on the sovereign decision of the French Government to be taken in the light of prevailing circumstances. In this latter respect the position of France hardly differs from that of the other NATO countries. It appears to the Committee that it will not be possible for France to take any timely military decisions to co-operate effectively with the Alliance in an emergency, unless it is in immediate and continuous possession of the information and agreed assessments available to the rest of the Alliance and on which NATO crisis management and defence decisions will be based. The Committee therefore urges the full participation of France in crisis management arrangements, without thereby implying any integration of French forces in peacetime, on the advisability of which the Committee would not be unanimous.

VII. The infrastructure of crisis management

(a) NATO communications

118. NATO has developed its communications system progressively since the first military command headquarters were established in the 1950s. Starting with leased civilian telephone and telegraph links, commonly funded infrastructure programmes were used to improve these links in the later 1950s, and in the 1960s for the first time a commonly funded and owned radio system linking NATO subordinate commands was introduced in Europe — ACE High — a microwave tropospheric scatter system.

119. At the same time the early radar systems were brought into the NATO air defence ground environment (NADGE) providing air defence control and early warning through a chain of seven major radar stations linked to the air defence command posts and major headquarters. The radar chain itself intermeshes with the Canadian-United States distant early warning, (Dewline), so that together the two systems provide an unbroken radar screen from North Cape in Norway to Eastern Turkey and across the northern land mass of the North American continent as far as the Pacific Ocean.

120. All these communications and early warning projects were "hierarchical" military systems linking the NATO military headquarters downwards to their subordinate commands; they were designed for the command and control of forces assigned to NATO commands. When a crisis management system was first discussed in NATO following the move to Brussels in 1967, a first

politically oriented communications system was established known as the NATO-wide communications system (NWCS) using various existing and planned communications links to provide a teletype network linking the NATO headquarters in Evère, Brussels, to the national governments of the Alliance (excluding France) as well as providing links to major NATO commanders and a parallel system to national ministries of defence. The decision to establish the system was taken at a special meeting of defence ministers in December 1967.

121. At the same time a decision was taken to supplement the existing physical communications links provided by ACE High and leased land lines with a modern satellite communications system which now has twelve ground stations located in or near the capitals of all NATO countries (except France, Iceland and Luxembourg) using the Satcom series of geostationary satellites. This system again is jointly funded and owned by the NATO countries.

122. In 1970 at a meeting of the NATO defence ministers it was decided to integrate all NATO communications systems into a single new system to be known as the NATO Integrated Communications System (NICS) to be jointly funded and owned by the NATO countries. New equipment required for the system would be "production shared" — manufacturers of communications equipment in all participating countries would receive production orders representing within narrow limits the countries' contribution to the NICS budget.

123. The new system would provide an integrated grid network of communications serving all users — military headquarters, NATO headquarters, national governments, and national ministries of defence — throughout the NATO area. All existing transmission systems will be incorporated into NICS whether land lines, submarine cables, tropospheric scatter or satellite. But at the terminal points on the grid there will be automated switches for telephone traffic and automatic routing for telegraphic traffic. By substituting a grid system of communications for the traditional hierarchical system where circuits radiate downwards from headquarters to subordinate headquarters, redundant routes will be provided ensuring that communications can be maintained even when certain links are out of action.

124. In particular the satellite communications system will be relied on to provide long-distance links; access for isolated users such as naval force commanders; broadcast nets for high-level NATO commanders.

125. Because of the high cost the implementation of the NICS project has been divided into two stages, stage one to be completed by 1981. This stage will provide improvements to the

satellite communications links ; telegraph automatic relay equipment, which will become operational from 1978 to 1981 ; a pilot secure voice project — to permit the use of voice communication without risk of interception ; an initial voice switched network will become operational by the summer of 1978 to completion in September 1980. Sixteen modern telephone exchanges in this system will provide secure voice communication for users.

126. The satellite communications system will be improved with further ground terminals and increase in capacity. Phase three NATO satellites were launched in April 1976 and January 1977, and new ground terminals in addition to the existing twelve will be delivered from the end of 1979 onwards.

127. Figures published by NATO up to 1976 show the following total expenditures on communications and early warning systems :

| Item | Amount in millions of international accounting units (IAU) |
|--|--|
| 1. Land lines, submarine cables, radio links and NICS projects | 326 |
| 2. Radar warning installations | 67 |
| 3. Air defence ground environment | 115 |

128. Phase two of the NICS will be implemented from 1981 onwards, and decisions are now urgent on detailed plans for that phase. The Committee understands that improved quality and capability will require a change from two-wire to four-wire circuits throughout NICS. In view of the introduction of digital rather than existing analogue systems in many national strategic and tactical communications systems it will be essential for NICS to adopt the same digital technology in Phase two. The Committee has been informed that digital techniques provide greater capacity on existing circuits, greater security of communication through automatic encryption of all transmissions, greater capability for computer data transmission, and the maintenance of voice quality and indeed the quality of all transmission independently of the number of terminals through which a message may be transmitted and relayed. The difficulty will be deciding on standardised digital systems compatible with various pre-existing national systems both military and civil which are not now always standardised even within individual countries of the Alliance.

129. For the reasons stated in paragraph 117 the Committee stresses the desirability of full French participation in NICS. The installation of a major NICS terminal in the Paris area, to include a satellite ground station, would doubtless improve the security of the whole system through the increase in redundancy ; more important, it would prevent the isolation of the French Government from emergency consultations between its allies. It would have the added advantage of offering the possibility of leased circuits in the NATO satellite system for French national communications. The United Kingdom already uses certain NATO circuits for purely national purposes on a repayment basis.

(b) National systems

France

130. France has a number of separate strategic communication systems for the three services. The army relies on the *Réseau inter-armées de transmissions* (RITTER) which, like all modern communications systems, is based on a main network comprising a quadrilateral with corners at Paris, Tours, Dijon and La Courtine. These four points are linked by 1 kW tropospheric scatter transmitters which have a range which covers the sides of the quadrilateral of about 500 to 600 kilometres. Links from the main stations to user subscribers are by line of sight microwave covering distances of 40 to 60 kilometres with lower power transmitters. With computer-controlled automatic switching telegraphic traffic can be handled with a maximum capacity of 40,000 baud, equivalent to some five messages per second. This capacity is understood to be the same order as that of the NATO Integrated Communications System, in which France is not participating. RITTER is linked at the periphery of the system by line of sight microwave relay with French forces in Germany at Baden-Baden and Trèves.

131. The French air force uses a separate grid network communications system known as the *Réseau hertzien air 70* (RA-70). This communications network provides links with the new NATO air headquarters on the central front, AAFCE (Allied Air Forces Central Europe), to be located at Boerfink in its war headquarters co-located with headquarters AFCENT. The air force system transmits radar control and warning information — France remains integrated in the NATO air defence ground environment system for control and reporting only — and links up with additional radar coverage in South-East France, oriented towards the Mediterranean, which is outside the NATO system proper. The air force system includes communication with the strategic nuclear forces Mirage IV and the strategic missiles of the Plateau d'Albion.

132. The French navy has a number of communications systems. In France there is the *Réseau télégraphe marine* for telegraphic traffic using civilian post office cables between the main centres. The navy also has a data transmission network (*Réseau transmissions données marine* — RTDN) concerned with store-keeping data in naval depots. The world-wide *Organisation maritime de transmissions* (OMAR) provides links with the French navy at sea and has stations at Fort de France, Paris, Papeete, Nouméa, Réunion Island, Dakar and Djibouti. The *Organisation mondiale inter-armée de transmissions* (OMIT) is still a radio-based communications system which relies on some channels through the civilian satellite communications system Intelsat as a supplement to the national channels. It has stations at Nouméa, Papeete, Pointe-à-Pitre, Paris, Djibouti and Dakar and when necessary in the Kerguelen Islands. It was pointed out to the Committee that other countries such as the United States and the United Kingdom are already using military satellite systems for world-wide military communications.

133. From 1971 to 1976 studies were carried out to see whether it was possible to integrate the systems of the three services, but integration has been abandoned because the requirements of the services and the locations of their main user headquarters are too different. In view of the amount of traffic handled on the military systems they are considered cost effective — the air force system RA-70 is said to have cost F 600 million, and to be no more expensive than using civilian post office circuits.

134. In the future interoperability between existing systems will have to be sought. It was noted that the navy data transmission system used for stock-keeping is not compatible with the French civilian post office data transmission system. The French air force is to introduce a data transmission system for stock-keeping and will have to choose between the two existing systems.

135. There appears to be an overall problem of widely-differing communications standards both between the civilian and military systems and between military systems within the Alliance. It was pointed out to the Committee that FINABEL, EUROCOM, NATO and the United States armed forces had all adopted different standards covering characteristics of communications systems.

136. France will aim at a communications system interoperable with the NATO Integrated Communications System and expects to modernise existing circuits and to introduce digitalisation for all circuits — speech, telegraph, data transmission and facsimile — which will make for easier handling of all types of traffic and easier encyphering.

Other countries

137. The Committee has not had the opportunity of studying other national communications systems in so much detail. It understands that the United Kingdom has a policy of using leased civilian post office circuits for military purposes within the United Kingdom, believing that this arrangement offers greater military security, because of greater redundancy in the civilian communications network, at lower cost than a military system. Special military communications have been provided to the strategic submarine fleet, and there is one tropospheric scatter link to British forces in Germany.

138. United Kingdom experience with its geostationary satellite communications system Sky-net has not been satisfactory, and the requirement for it has now fallen with the concentration of forces and defence commitments in the NATO area. The policy now is to rely increasingly for purely national military purposes on leased circuits in NATO, United States and civilian (Intelsat) satellite systems which have proved more reliable and offer greater security through redundancy at much lower cost.

VIII. Conclusions

139. The Committee's principal conclusions are set forth in the draft recommendation.

Preamble, last paragraph

140. The need for political courage in converting warning time into preparation time is stressed in paragraphs 71(iii) and 82 of this explanatory memorandum.

Operative text, paragraphs 1(a) and (b)

141. The improvements in confidence-building measures and in associated measures here envisaged are described in paragraphs 87 to 91.

Paragraph 2(a)

142. The need for French participation in crisis management arrangements is stressed in paragraph 117.

Paragraph 2(a) (i)

143. The NICS is described in Section VII, paragraphs 118 to 129.

Paragraph 2(a) (ii)

144. The need for full participation in crisis management exercises is stressed in paragraphs 115 and 116.

Paragraph 2(a) (iii)

145. The need for the provision and evaluation of information and for joint assessment is dealt with in paragraphs 106 and 107.

Paragraph 2(a) (iv)

146. Possible crisis management decisions and options designed to avoid hostilities are described in paragraphs 108 and 109.

Paragraph 2(a) (v)

147. The NATO immediate reaction forces are mentioned in paragraph 108.

Paragraph 2(a) (vi)

148. Military alert measures are described in paragraphs 110 to 113.

Paragraph 2(b)

149. In recommending that the North Atlantic Council establish an ad hoc group the Committee has in mind a mixed team of not more than six persons, civilian and military, of the level of counsellor or colonel, drawn from the international staffs and certain delegations, who

would be instructed to review, and make recommendations for the improvement of, all existing machinery and procedures for crisis management in the light of experience both from Wintex and Hilex exercises and from actual crises of the recent past, whether or not the NATO machinery was activated for their management.

Paragraph 2(c)

150. The proposal for a NATO "hot line" to the Kremlin is contained in paragraph 109.

IX. Opinion of the minority

151. In the draft recommendation one member of the Committee would have deleted all reference to NATO. In paragraph 1 (b) a minority of the Committee would have deleted the word "NATO" on the grounds that some proposals of the Warsaw Pact countries should be taken into account; two members suggested that the Council of WEU should formulate proposals for MBFRs. In paragraph 2 (c) a minority would have substituted the words "the headquarters of the Warsaw Pact" for the words "the Government of the Soviet Union"; one member would have deleted the sub-paragraph.

Communications and crisis management in the Alliance

AMENDMENT No. 1¹
tabled by Mr. Pawelczyk

At the end of paragraph 1 of the draft recommendation proper, insert the following new sub-paragraph :

“(c) by ensuring that the arms control negotiations in which members of WEU are participating cover all categories of weapons (including the so-called grey-area weapons) which have an immediate impact on European security ;”.

Signed : Pawelczyk

1. See 10th Sitting, 29th November 1977 (Amendment amended and agreed to).

Communications and crisis management in the Alliance

AMENDMENT No. 2¹
tabled by Mr. Stoffelen

In sub-paragraph 2(a) (v) of the draft recommendation proper, leave out "in the augmentation of" and insert "in assigning more elements of existing national forces to".

Signed: Stoffelen

1. See 10th Sitting, 29th November 1977 (Amendment agreed to).

Communications and crisis management in the Alliance

AMENDMENT No. 3¹

tabled by Mr. Banks

In sub-paragraph 2(a) (iii) of the draft recommendation proper, leave out "the provision and evaluation of information, and in consultation, on a world-wide immediate and continuous basis, covering any events that may involve allied interests with a view to".

Signed: Banks

1. See 10th Sitting, 29th November 1977 (Amendment withdrawn).

Communications and crisis management in the Alliance

AMENDMENT No. 4¹

tabled by MM. Radius and Rivière

1. Leave out paragraph 3 of the preamble to the draft recommendation and insert :
“Noting the existence of procedures for exchanges of information and consultation between the member States of the Atlantic Alliance in the event of international crises but regretting the absence of comparable procedures in the European framework and deploring the fact that the governments of the WEU member countries do not make use of the possibilities offered in this respect by the Brussels Treaty ;”.
2. At the beginning of the draft recommendation proper, leave out “That it urge member governments”.
3. Leave out paragraph 1(b) of the draft recommendation proper and insert :
“(b) by taking steps towards general, complete and controlled disarmament in the framework of all negotiations which respect the real equality of participating States ;”.
4. In paragraph 2 of the draft recommendation proper, leave out sub-paragraph (a) and insert :
“(a) by calling on all member countries to participate fully in the most appropriate European framework (WEU or the European Community) :
 - (i) at an appropriate high official and, from time to time, at political level, with all relevant government departments, in crisis management exercises based on likely and realistic scenarios ;
 - (ii) in the provision and evaluation of information and in consultation covering any events that may involve European interests with a view to developing a collectively-agreed assessment of a crisis situation ;
 - (iii) in subsequent crisis management decisions as often as may be necessary, including the implementation of diplomatic and economic measures ;”.

Signed : Radius, Rivière

1. See 10th Sitting, 29th November 1977 (Amendment negatived).

Strategic mobility

REPORT¹

**submitted on behalf of the
Committee on Defence Questions and Armaments²
by Mr. Tanghe, Rapporteur**

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on strategic mobility

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submitted by Mr. Tanghe, Rapporteur

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APPENDICES

- I. Questionnaire on procedures and facilities affecting the international movement of warships and military aircraft
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1. Adopted in Committee by 12 votes to 0 with 2 abstentions.

2. *Members of the Committee* : Mr. Eoper (Chairman) ; MM. de Koster, Pawelczyk (Vice-Chairmen) ; MM. Ahrens, Beauguitte, ter Beek, Boldrini, Bonnel, Boucheny, Critchley (Alternate : Banks), Dejarđin, Fosson, Grant, Hand-

los, Hardy, Konen (Alternate : Spautz), Lemmrich, Maggioni, Ménard, Nessler, Pecchioli, Rivière, Roberti, Schmidt Hermann, Scholten (Alternate : van Hulst), Tanghe, Whitehead (Alternate : Watkinson).

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

Draft Recommendation
on strategic mobility

The Assembly,

Noting the great increase in the strategic mobility of the armed forces of the Soviet Union in the last decade ;

Stressing the need for the armed forces of the Atlantic Alliance on routine NATO missions to be able to move freely throughout the area of the Alliance, but noting that as yet not all members offer sufficiently convenient arrangements ;

Welcoming President Carter's initiative in calling for the demilitarisation of the Indian Ocean, but stressing further the need for the armed forces of certain allied countries to have ready access to areas of the world where those countries exercise responsibilities ;

Noting the significance for strategic mobility of decisions to be taken at the Conference on the Law of the Sea,

RECOMMENDS TO THE COUNCIL

That it urge member governments :

1. Through their representatives on the North Atlantic Council to call on all countries of the Atlantic Alliance :
 - (a) to offer mutual overflight and staging rights for military transport and combat aircraft on routine NATO missions or agreed exercises, subject only to normal notice through air traffic control or military channels ;
 - (b) to permit routine port visits by warships of countries of the Alliance on normal NATO tasks at not more than two weeks' notice through military channels, and to waive charges on an agreed uniform basis, or consider multilateral funding ;
2. Through their representatives at the Conference on the Law of the Sea to call for :
 - (a) the high seas status, or a status no more restrictive for the operation of warships and military aircraft, of all waters beyond the territorial sea of a maximum breadth of twelve miles to be maintained ;
 - (b) the right of transit passage, as now defined in the informal composite negotiating text, through all straits linking two parts of the high seas as defined in paragraph 2 (a) above, to permit the overflight of aircraft and passage of warships, including the submerged passage of submarines, in normal operational mode.

Explanatory Memorandum

(submitted by Mr. Tanghe, Rapporteur)

I. Introduction

1. On 26th May 1976 the Committee appointed Mr. Etienne Duvieusart to be Rapporteur on the present subject, instructing him to report on the material and political difficulties of securing strategic mobility, including refuelling facilities and overflying rights for air forces and bunkering facilities and rights of passage for warships, both within the NATO area and world-wide. Mr. Duvieusart's preliminary examination of the subject revealed no collected body of information on which the report could have been drawn. Accordingly, as the Committee stated in its preliminary report adopted on 19th May 1976 (Document 709), the Rapporteur prepared a questionnaire for circulation to Ministries of Defence of the countries of NATO and of the European Community.
 2. On the Committee's preliminary report, the Assembly adopted Order 46 on 16th June 1976 requesting the Committee "to continue its study of the problems of strategic mobility and report at an early date".
 3. A first draft of the present report was prepared by Mr. Duvieusart and discussed by the Committee at its meetings in Rome on 10th May and in London on 1st June 1977. The first draft report was then referred back to the Rapporteur for revision, chiefly because certain countries had not replied to the questionnaire, and the Committee felt that information on which the report was based was incomplete. The item was accordingly removed from the agenda of the first part of the twenty-third session of the Assembly by the Presidential Committee, but has been placed on the agenda of the second part.
 4. Following changes in the Belgian Delegation Mr. Duvieusart ceased to be a member of the Assembly. The Committee accordingly appointed your present Rapporteur to succeed him on 20th September 1977. The present revised draft report remains very much the first draft of Mr. Duvieusart, but has been thoroughly revised by your Rapporteur to take account of views expressed during earlier discussion in the Committee, and also of the replies and comments since received from governments.
- ### **II. The questionnaire on strategic mobility**
5. The text of the questionnaire is reproduced at Appendix I. Under covering letter from the Clerk, this questionnaire was sent in October 1976 to the countries of NATO and of the European Community. Copies were completed and returned by Belgium, Denmark, Luxembourg, the Netherlands, Norway, Portugal, Turkey and the United Kingdom before the first draft of this report was prepared. Ireland and the United States sent letters in reply containing more general information relevant to the subject. A copy of the questionnaire was communicated for information to the authorities of Iran, prior to a visit by Mr. Duvieusart. Other information relevant both to the NATO area and to the rest of the world was secured at interviews.
 6. On the Rapporteur's instructions, following the first discussion in Committee, the Clerk sent further letters to the Ministries of Defence of countries not having replied to the questionnaire, and also communicated copies of the first draft report for comment to all Ministries of Defence to whom the questionnaire had been addressed. Replies to the questionnaire have now been received from France, Germany and Italy, and comments on the first draft report have been received from Belgium, Canada, Denmark, France, Norway, the United Kingdom and the United States.
 7. Replies to the questionnaire vary in the amount of detail they contain, but together provide a considerable amount of information through cross reference, because the questionnaire asks each country *both* about the facilities it extends to military aircraft and ships of other countries, *and* about the facilities which that country's aircraft and ships receive from other countries. Cross-checking in this way has provided considerable information about the situation within the NATO area, with which this report is primarily concerned, yet at the same time, probably due to differences of interpretation by officials in different countries, has also yielded some contradictory information.
 8. Beyond the NATO area less precise information has been obtained from the questionnaire, chiefly because fewer countries are concerned with military movements there. Two countries felt unable to disclose specific bilateral procedures affecting other countries; one provided a general statement of policy.
 9. Because of the more forthcoming attitude of some countries and the cautious reticence of others, your Rapporteur has concluded that it would be invidious to publish the texts of country replies. They are on file in the Office of the Clerk and may be inspected by members of the Committee. Your Rapporteur is grateful to all the officials of the many countries who were at pains to supply the information on which this report draws.
 10. It will be convenient to deal with air and naval movements in the NATO area first as,

unsurprisingly, replies reveal a very different pattern of arrangements for military movements outside that area, although in the case of naval movements, the differences are less marked than for the movements of aircraft.

III. The NATO area

(a) Air movements

11. Movements of military aircraft of NATO countries, whether combat or transport aircraft, whether for overflights or staging, when within the areas of major subordinate commands on routine NATO missions (support missions, liaison and postal flights, training missions are cited) have reasonable facilities in the Central and Northern European areas, aircraft being required simply to file a flight plan with air traffic control, advance notice varying from half an hour to one hour through established telecommunications, but these facilities may be granted subject to ICAO regulations being observed. Diplomatic or other official written application is not involved. However, the precise situation varies somewhat being generally governed by bilateral arrangements between individual NATO countries.

12. It emerges from some of the more detailed replies that a fairly liberal core of countries in this area requiring ATC notice only comprises Belgium-Luxembourg, Denmark, Germany and the Netherlands. Germany states that reciprocity is a condition of granting such facilities to NATO countries in general, air forces stationed in Germany have additional rights under the NATO status of forces agreement and supplements. Flight plans or ATC notification are not required of aircraft operating within the NATO air defence system. France offers special "occasional" authorisation for overflights to NATO countries requiring only three days' notice through military channels; it is understood that such requests can be granted on an annual quota basis; only ATC notice need then be given when a flight is made. France authorises low-level flight training over its territory for aircraft of Belgium, Canada, Germany and the United Kingdom and enjoys the same privileges for its own aircraft in Germany, Italy and the United Kingdom. Individual countries may enjoy similar facilities (air traffic control notice only) in a wider range of countries including Canada, Iceland, Norway, United Kingdom and the United States, to which again Italy should be added for overflight (not staging, which requires at least forty-eight hours' notice), if annual quota arrangements are taken into account, although one country has more permanent arrangements for overflight. Italy reports that it requires ten days' diplomatic clearance for flights requiring reservation of a

large amount of airspace involving the issue of a notice to airmen (NOTAM); it requires twenty-four to forty-eight hours' notice through military channels for low- and very-low-level flights. Other Southern European NATO countries generally appear to require diplomatic clearance, involving written application, with notice ranging from three to seven days, but here also a small number of NATO countries have bilateral agreements allowing air movements to be arranged after ATC notice only. Canada requires diplomatic clearance, with fourteen days' notice, except for countries with which it has specific bilateral arrangements.

13. More formal arrangements may, however, be required for certain categories of flight. Belgium, for example, states that it requires forty-eight hours' notice through military channels where special supplies may be required on landing, or where staging facilities for VIPs, flights by formation of more than nine aircraft, photographic missions other than those included in NATO exercises are involved. Full diplomatic clearance of from three to fourteen days may be required for aircraft carrying nuclear weapons or bulk ammunition, employing special photographic equipment or electronic counter-measures (ECM), or, naturally, where important passengers are expecting special arrangements to receive them.

14. Minor departures from general rules may still be encountered; one country apparently requires forty-eight hours' warning for use of its naval airfields, but only the routine one-hour warning where other military airfields are involved.

15. Aircraft from non-NATO countries, when overflying or staging in NATO countries, are uniformly required to seek diplomatic clearance, the notice required varying, according to countries' replies, from two working days to one month or more. But most NATO countries require the same of other NATO countries where bilateral agreements do not exist. Italy permits military aircraft from non-NATO countries to land only at those military airfields that are open to civil traffic, never at NATO airfields; services are available only from civil commercial companies.

16. Information required by countries permitting overflight or staging appears to vary, normally aircraft type, purpose of flights, airport of origin and immediate destination are required. Details of aircraft load and airport of final destination are stated to be required by some countries, but not all.

17. The most important single factor affecting overflight or staging facilities is, of course, the purpose of a flight. The facilities described above are usually available to aircraft on routine NATO missions including agreed NATO exer-

cises, and it is with these purposes that this section of the report is concerned. Italy normally treats military aircraft from NATO countries engaged on non-NATO missions in the same way as aircraft from non-NATO countries (paragraph 15 *in fine*). It will be recalled, for example, that the United States, which has generally satisfactory arrangements for aircraft movements for NATO purposes in most NATO countries, was able to rely only on the Azores for staging military resupply flights to Israel during the 1973 hostilities.

18. An attempt has been made to reach agreement, so far without success, on a NATO STANAG to cover overflight and staging for tactical movements in the NATO area. Belgium unilaterally offers on and over its territory the facilities proposed in the draft of this STANAG, which correspond with those described in paragraphs 12 and 14 above.

(b) Movements of warships — the territorial sea

19. It is widely expected that if and when general agreement is reached in the third United Nations Conference on the Law of the Sea¹, the maximum permitted territorial sea will be twelve nautical miles. At the time replies to the questionnaire were prepared six NATO countries² and Ireland claimed a territorial sea of three nautical miles only. The other eight claims were Canada (12 n.m.), France (12 n.m.), Greece (6 n.m.), Iceland (4 n.m.), Italy (12 n.m.), Norway (4 n.m.), Portugal (6 n.m.), Turkey (6 n.m.). Denmark and the United Kingdom state that they have no plans to claim twelve nautical miles at the present time.

20. Replies to the questionnaire are incomplete as far as the extent of territorial sea of other countries recognised by the various NATO countries is concerned. Germany and the United Kingdom never recognise more than three nautical miles; but Germany is reviewing the question. Belgium recognises three nautical miles except in the case of Norway for which it recognises four nautical miles, but advises ships' captains never deliberately to ignore larger claims. Canada, Denmark, France, Italy and the Netherlands recognise claims up to twelve nautical miles only. Portugal states that it has no rules on this question.

21. All countries replying recognise the right of innocent passage for warships through their territorial waters, in accordance with Article 14 of the 1958 Geneva Convention which requires sub-

marines navigating in the territorial waters of another State to do so on the surface and to show their flag. Countries claim the same right for their own warships in the territorial waters of other States, but Italy reports that in practice it exercises this right only occasionally and never in the Albanian territorial sea — Albania claims twelve nautical miles (but see paragraph 28).

22. Article 17 of the Geneva Convention permits States to enact regulations governing navigation in their territorial waters, and requires foreign ships exercising the right of innocent passage to comply with them. Among the countries replying, Belgium states that it has no regulations but draws attention to ministerial orders of 1923 and 1936¹. Denmark has issued a special "Ordinance governing the admission of foreign warships and military aircraft to Danish territory in time of peace"¹, dated 27th February 1976, to which attention is drawn by other countries as well as Denmark. Italy has special regulations in the Maddalena archipelago (North-East Sardinia) (RD of 24th February 1938); and in the territorial waters of the Islands of Augusta (East Sicily) and Pantellaria (Sicilian channel) (RD of 16th September 1939). The Netherlands reports a royal decree. Norway requires that "generally not more than three warships, as a maximum, belonging to the same foreign State ought to be given permission to stay simultaneously within each of the following two sections of the coast... [which are the sections north and south respectively of latitude N 65°10'] Foreign warships having left a Norwegian port or anchorage ought, generally, not to be allowed to re-enter Norwegian interior waters within a shorter period than thirty days. This also applies to warships which are used for fishery inspection duties". The United Kingdom has traffic separation regulations in certain waters. No country reports its warships having been required to leave foreign territorial waters for failing to comply with regulations, and no country reports having required a foreign warship to leave its own territorial waters for such failure, except Norway which reports "only when disobeying the rules" [quoted above].

23. As far as prior authorisation or notification for warships to navigate in the territorial waters of another State is concerned, there is some conflict between the replies of the NATO countries received. Germany, Italy, the Netherlands, Norway, Portugal and the United Kingdom have no requirement for prior notification by foreign warships navigating in their territorial waters, and the United Kingdom states that there is no such requirement in international law. Belgium requires foreign warships navigating in the Escaut to obtain prior authorisation;

1. The next session is scheduled to open in Geneva on 28th March 1978 and to continue to about mid-May.

2. Belgium, Denmark, Germany, Netherlands, United Kingdom, United States.

1. The Belgian and Danish texts cited are reproduced at Appendix II.

elsewhere in its territorial waters Belgium requires, if possible, seven days' advance notification for the navigation of foreign warships. Denmark, under the terms of the ordinance cited in paragraph 22, requires three days' advance notice of the passage of a foreign warship through its territorial waters other than the Straits (see paragraph 28 below) and requires its permission to be obtained with eight days' notice when more than three warships of the same nationality are involved.

24. Most countries replying say that they seek authorisation or give notice before their warships navigate in the territorial waters of other countries, where this authorisation or notification is required. Belgium so notifies NATO countries but seeks authorisation of others. French warships avoid entering territorial waters of States demanding prior authorisation, otherwise France gives prior courtesy notification whether required or not. Italy says that notification or request for permission is not necessary; Portugal says it does not give notification; and the United Kingdom repeats that there is no requirement to do so in international law. No country reports suspending the rights of foreign warships to navigate in its territorial waters "in recent memory"¹, and no country reports that its warships have had that right suspended by other countries.

25. As noted above, Article 14 of the 1958 Geneva Convention requires submarines to navigate on the surface when in the territorial waters of other States. Norway alone specifies that submarines of foreign States shall navigate on the surface "so that the whole conning tower and the deck with ordinary freeboard is above the surface", and that foreign submarines navigating submerged may be forced to the surface. All countries replying say that they respect the requirement to navigate on the surface except when specific permission to do otherwise has been given.

(c) *International straits*

26. While under the 1958 Geneva Convention on the Territorial Sea States may suspend temporarily the right of innocent passage in parts of their territorial sea, if essential to the protection of their security, there is no right to suspend navigation through straits which are used for international navigation between one part of the high seas and another. Within the NATO area there are several such international straits, lying wholly within the territorial sea claimed by the riparian States, that are of

1. Italy reports temporary suspension of navigation rights, published in notices to mariners, for naval firing practice or exercises, etc.

importance to the movements of warships of NATO countries.

27. The Danish territorial sea and internal waters embrace the three entrances to the Baltic — the Sound, the Great Belt and the Little Belt. The French and Italian territorial seas enclose the straits between Corsica and Sardinia. Italian territorial sea encloses the Messina Straits between Sicily and the mainland. Turkish territorial sea encloses the entrance to the Black Sea. Most of the straits round the coast of Britain are wide enough for there to be a high sea passage through the middle (the United Kingdom claims only three nautical miles territorial sea). The Straits of Gibraltar lie wholly within the territorial seas claimed by Spain (6 n.m.) and Morocco (12 n.m.).

28. None of the riparian States replying claim any right to limit innocent passage through such international straits within their territorial sea, although Denmark requires three days' prior notification for passage of warships through the Little Belt, and that part of the sound within its internal waters (Drogden and Hollaenderdybet); and for the simultaneous passage of more than three warships of the same nationality through the Great Belt, Samsøe Belt or Sound. All countries replying exercise their rights of passage through such international straits. Germany does so through the Great Belt, Samsøe Belt and Sound. The Netherlands and Norway do so chiefly through the Sound, Portugal chiefly through the Straits of Gibraltar, France and the United Kingdom through many such straits, the former giving by courtesy advance notice in some cases (e.g. Indonesian Straits); Italy mentions Gibraltar and Corfu.

29. No State reports having its right of passage limited, although attention is drawn by two countries to the Danish requirement for authorisation and notification under its ordinance of 1976 referred to in paragraph 22 above. Denmark claims the historical right to regulate passage through the "old" Danish straits; the Copenhagen Treaty of 14th March 1857 between Denmark on the one hand and Belgium, France, the United Kingdom and the Baltic riparian powers on the other, provides for the redemption by these other parties of the dues previously levied by Denmark on specified merchandise passing through the straits; the treaty is cited by Danish authorities as evidence of historical Danish rights in the straits, which were not modified by the 1958 Geneva Convention on the Territorial Sea. Passage through the Turkish Straits is governed by the International Montreux Convention of 1936 to which France, Italy¹, Turkey and the United Kingdom among the

1. Italy acceded on 2nd May 1938.

NATO countries are parties, as are the riparian Black Sea powers. The convention limits the passage of warships through these straits and prohibits the passage of submarines (except for purposes of repair) and of aircraft carriers; the Committee has previously reported on the Montreux Convention, and taken exception to the illegal passage of the Soviet aircraft carrier Kiev¹. An Anglo-French convention of 1904, recognised by Spain, provides for the non-fortification of the Straits of Gibraltar.

(d) Port visits

30. Three categories of visit by warships are generally recognised — formal visits involving special honours and ceremonies; informal visits involving local ceremonies and customary salutes only; and *routine* visits carried out solely for logistic exercise or operational purposes. As far as the visits by NATO warships to the ports of NATO countries are concerned, this report is concerned solely with routine visits and the following remarks refer to these, unless other types are specifically mentioned. Countries in their replies draw attention to the NATO Standardisation Agreement (STANAG) 1100, but procedures and periods of notice required for arranging port visits among NATO countries are clearly much more cumbersome and lengthy than those for staging or overflight for aircraft which have been analysed above.

(e) Clearance and notification for port visits by NATO warships

31. Country replies show considerable discrepancies between length of notice a country requires for a visit by a warship of another NATO country, and the period of notice which other countries claim they give on visiting that country. At one extreme Norway reports that it requires seven days' notice, although preferring more, through diplomatic channels for visits to its ports and itself normally gives a minimum of one month's (never less than one week's) notice through diplomatic and military channels to NATO and other countries that its warships wish to visit. Italy applies STANAG 1100. At the other extreme, the Netherlands requires and gives six weeks' notice through diplomatic channels for routine NATO visits, except for visits to Belgium and the United Kingdom which can be cleared with between two and six weeks' notice through military channels, the United Kingdom noting that such visits can at times be arranged at forty-eight hours' notice, but that more than two weeks' notice is usually necessary for practical reasons such as finding berths. The average

1. See Document 651 (paragraph 36), 14th November 1974; Assembly Recommendation 256, 4th November 1974 and Document 673 (paragraph 22), 29th April 1975.

period of notice reported by Belgium, Canada and the United Kingdom appears to be four weeks, through military channels. Denmark reports giving and requiring thirty days' notice, through diplomatic channels, except in the case of Germany and Norway to which it gives two weeks' notice of a visit and of the United Kingdom to which it gives four weeks' notice. Portugal reports special arrangements for visits by French ships under the bilateral treaty of 1974. France requires a month's notice through naval attaché channels (or direct through naval command channels in the case of British ships visiting Atlantic and Channel ports) for visits by NATO ships, and reports that some other countries require longer notice (six weeks to two months). Germany requires only fourteen days' notice of a visit (five months for nuclear-powered vessels) and requires military channel notification only for visits by the NATO standing naval forces. Germany itself gives a minimum of three weeks' notice.

(f) Non-NATO visits to NATO ports — clearance and notification

32. On the whole the periods of notice required by NATO countries for visits by warships from non-NATO countries are the same as those required for visits by NATO vessels, and range from one to four weeks for routine visits. Some countries require longer notice for "informal" visits (Belgium eight weeks instead of four for a routine visit, Portugal four instead of two, United Kingdom six to eight instead of four). The Netherlands and the United Kingdom specifically require longer notice from Warsaw Pact countries (Netherlands twelve weeks' notice instead of six; United Kingdom three months or more instead of six to eight weeks for informal visits which are usually involved in this case). France extends the same treatment to Spanish ships as to NATO ships.

33. It is concluded that the extent to which inter-NATO ship visits receive favourable treatment depends on the type of visit-routine — which is less likely to be involved in the case of visits by ships of non-NATO countries.

(g) Port visits — by NATO ships to NATO countries — facilities provided

34. The United Kingdom points out that the range of facilities provided free or on repayment varies with the type of visit (routine or informal) and the port visited (naval or non-naval). The following remarks refer to visits to *naval* ports. Attention is also drawn by countries replying to the existence of the NATO STANAG 1062. Germany also mentions ALP-1 (B) (Navy) "Handbook on supply arrangements in NATO navies" and other classified texts. Unsurprisingly, facilities which countries replying report offering to visiting warships of other NATO

countries are similar to those they report receiving when their own warships visit NATO countries.

35. Special arrangements are in force for vessels of the various permanent naval forces when visiting ports of participating countries. These forces are Standing Naval Force Atlantic (STANAVFORLANT) in which participate Canada, Denmark, Germany, the Netherlands, Norway, Portugal, United Kingdom, United States ; Standing Naval Force Channel (STANAVFORCHAN) in which participate Belgium, Denmark, Germany, Netherlands, United Kingdom ; and the Naval On-Call Force Mediterranean (NAVOCFORMED) in which participate Italy, Turkey, United Kingdom, United States. When visiting United Kingdom naval ports vessels of these permanent forces are not charged for navigational aids, pilotage, tugs, mooring and making fast, use of piers, etc., cranes, refuse disposal, local supplies of water, steam, electricity, telephone and certain other services, including operational training such as surface and air target towing, etc. It is not clear from replies whether charges are similarly waived in ports of other participating countries.

36. Belgium, Canada (in the absence of other bilateral agreements), Germany and Norway quote STANAG 1062 ; Canada and Portugal STANAG 1100, as the basis for facilities provided and charges made or waived in connection with visits by NATO vessels or visits to NATO ports. Denmark waives charges only in respect of moorings and berths for NATO vessels. Italy has a bilateral agreement with Germany for the reciprocal waiver in military ports of charges for tugs, berths, food, fresh water and fuel. The Netherlands has bilateral agreements with France, Germany and the United Kingdom under which charges are waived in respect of tugs, pilotage, berths and moorings and the supply of services such as fresh water, steam, electricity, telephone and refuse disposal. The United Kingdom reports that in the case of "informal" visits by warships of any nation to naval ports, charges for port dues, pilotage, moorings, berths, water, refuse disposal, water transport and recreational motor transport, are waived, but in the case of "routine" visits only are port dues, water transport and duty motor transport, waived. The United Kingdom has bilateral agreements with France, the Netherlands, and the United States to waive charges in the case of routine visits as if they were informal visits. France however offers the same facilities under the same conditions for all foreign warships, irrespective of nationality : tugs (free in naval ports) ; berths and moorings (free) ; food, fresh water, fuel, repairs (at current charges).

37. Shore leave for crews is universally offered and received.

(h) Visits to ports of NATO countries by vessels of non-NATO countries — facilities provided

38. Denmark, Italy¹ and Norway report no difference between facilities provided and charges waived for visits by vessels of NATO countries and by those of non-NATO countries. Belgium reports that it waives charges for moorings and fresh water ; Denmark that it waives charges for berths and moorings ; Netherlands reports no waiver of charges even to NATO countries, except to France, Germany and the United Kingdom covered by the bilateral agreement mentioned above. Norway reports no waiver of charges for any country ; Portugal waives charges for berths only for official visits by vessels of allied countries ; the United Kingdom, in the case of informal visits, waives charges for services as reported above.

(i) Fleet auxiliary vessels

39. Germany and the United Kingdom do not consider fleet auxiliary vessels (e.g. fleet oilers, supply and repair vessels) to be "warships" under the terms of the 1958 Geneva Convention on the High Seas, but consider them to be "government ships operated for non-commercial purposes" and thus entitled, in general, to facilities which are available to merchant ships. The questionnaire accordingly examines the attitude of countries to this issue.

40. Belgium, Denmark, France, Italy, the Netherlands and Portugal designate their fleet auxiliaries as warships, they are generally armed² or the right to arm them is reserved. Canada (normally) Belgium, Germany and France consider fleet auxiliaries of other countries to have the designation given to them by their flag country ; the last three say they do not consider that designation to be changed if the auxiliary is armed ; they treat fleet auxiliaries in accordance with their designation. Denmark and Italy deem all fleet auxiliaries of other countries to be warships and treat them as such. The Netherlands reports that it applies the rules of the Geneva Convention whether or not a fleet auxiliary is armed. Portugal reports that the designation "depends upon the circumstances", it extends the treatment appropriate to the designation.

41. Canada expects its fleet auxiliaries will be accorded the same status as other Canadian government vessels. While German fleet auxiliaries are not classed as warships, they are not armed, and would be classed as warships if they were. The United Kingdom states that its fleet auxiliaries are not warships under the terms of the

1. Except for German warships (see paragraph 36).

2. e.g. Hydrographic vessels may be an exception.

definition of warships in the 1958 Geneva Convention on the High Seas ; it reserves the right to arm its fleet auxiliaries without prejudice to their status, and "in general terms" finds that its fleet auxiliaries receive treatment from other countries in accordance with the status claimed for them. In respect of the fleet auxiliaries of other countries, the United Kingdom states that it applies the designation and the rules of international law and affords them appropriate treatment.

IV. Outside the NATO area

42. Strategic mobility outside the NATO area can be provided first and foremost by routes over the high seas — being all sea and ocean beyond the limit of the territorial sea. Most countries, as has been seen above, still recognise only the historical limit of the territorial sea — three nautical miles — which leaves a high-sea passage through any strait exceeding six nautical miles in width — such straits include Dover and Gibraltar in the NATO area.

43. On the high seas there is unrestricted passage for warships and overflying rights for aircraft without reference to any country, so that the limit on mobility over the high sea is the refuelling range of a ship or aircraft. Ships can, of course, be refuelled at sea by fleet oilers, although in-flight refuelling for aircraft is an economic proposition only if a base for the tanker is reasonably near the refuelling point.

44. Warships, as has been stated above, further enjoy the right of "innocent passage" through international straits — i.e. straits which link one part of the high sea to another, or to the territorial sea of another State, and which, at some point, are entirely closed by the territorial waters of the riparian States. "Innocent passage" permits warships to transit only, they may not engage in exercise or operational activity such as aiming armaments, laying sonar buoys, etc. There is no right of overflight of international straits six miles or less wide without permission of a riparian power.

45. For aircraft with their relatively short refuelling range, staging facilities are obviously important for long-range deployment, and overflying rights are necessary in practice if a sufficiently short route is to be found to areas such as the Indian Ocean.

46. Although of the NATO countries it appears that France, the United Kingdom and the United States are chiefly concerned in longer-range deployment to areas such as the Indian Ocean, other countries still retain overseas commitments (Netherlands), or sovereignty over distant lands (Denmark), and Belgium, within recent memory, has briefly deployed military forces in Africa.

47. Your Rapporteur has not sought to assemble detailed information concerning overflying and staging routes available to member countries — most would be reticent about disclosing bilateral arrangements which may not have been published elsewhere. Information concerning one member country shows, however, the existence of facilities for overflight or staging in thirty-two countries, situated in most continents, but including only nine of the fourteen NATO countries ; whereas normal diplomatic clearance would usually require advance notice of some three weeks, the arrangements in force permit overflight, and usually staging as well, at relatively short notice ranging from three days' diplomatic notice, often through military attaché channels, to a simple one-hour air traffic control (ATC) notification. Another country reports rights of free overflight of certain African countries, others offer permanent authorisation.

(a) Persian Gulf — overflight

48. The area of the Persian Gulf, not least because of its petroleum resources, is of great strategic importance to the countries of Europe, and merits particular attention in a report on strategic mobility. The previous Rapporteur was authorised to visit Iran which, with a common frontier with Turkey, can provide the most convenient air route to the area ; the Iranian authorities kindly supplied him with information in response to the aviation part of the questionnaire (although that questionnaire was communicated only for information purposes) from which it emerges that overflight or staging by foreign military aircraft require diplomatic clearance with at least five days' notice. Overflight or staging by combat aircraft is permitted in the case of allied countries only, in the framework of a CENTO agreement ; overflight and staging of foreign military transport aircraft is examined on a case-by-case basis. From other sources, however, it appears that Iran has more flexible agreements than the foregoing with the United Kingdom and the United States concerning overflight and staging rights. From the questionnaire it is seen that Iranian military aircraft, combat or transport, can overfly or stage in allied countries following diplomatic clearance with seven days' notice (ten days in other foreign countries, transport aircraft only).

(b) Other facilities for external powers in the Persian Gulf

49. As far as presence in the Persian Gulf is concerned, the United States navy has enjoyed the use of certain shore facilities in Bahrein since the 1940s for a flagship and two destroyers. In 1977 these arrangements were modified to provide extensive visiting rights, rather than permanent deployment, for the flagship in

Bahrein, but a United States navy presence will continue to be maintained in the Gulf.

50. Following the British decision to withdraw from the Gulf in 1971, only two RAF staging posts were retained in Oman until March 1977 when RAF personnel were withdrawn. Britain (and Iran) provided direct and indirect assistance to Oman during the Dhofar war; in February 1977 however the withdrawal of 3,000 Iranian troops was announced and there are now about 250 British servicemen on loan to Oman, together with other former British officers serving in Oman under contract.

V. Conference on the Law of the Sea

(a) *Transit passage, etc. ; status of exclusive economic zone*

51. While the territorial sea was universally recognised to extend only to the historical three nautical miles from the shore, not many straits of strategic interest to the NATO countries (or to the Soviet Union) were spanned by the territorial waters of riparian powers. While the three passages from the Baltic to the North Sea are an exception, they pass through the territorial waters of a NATO country — Denmark (or Danish and Swedish waters in the case of the Sound). Under generally recognised international law, in particular the 1958 Geneva Convention on the territorial sea and contiguous zone, warships have the right of “innocent passage” through the territorial sea, although the riparian State can suspend such passage in particular sectors if its national security is affected. In the case of international straits however — straits which are used for international navigation between one part of the high seas and another part of the high seas or the territorial sea of a foreign State — there is no right to suspend innocent passage.

52. The 1958 Geneva Convention on the territorial sea defines innocent passage only briefly (Article 14) :

“4. Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State.
.....

6. Submarines are required to navigate on the surface and to show their flag.

Aircraft do not have the right of overflight of international straits where they are closed by three-mile territorial sea, without permission of the riparian powers. Under the Informal Composite Negotiating Text (ICNT) which will now form the basis of negotiations when the Conference on the Law of the Sea resumes on 28th March 1978, “innocent passage” is more carefully defined. The definition quoted above

is supplemented by a list of various military activities which are excluded (Article 19) :

“2.

- (a) any threat or use of force against... the coastal State... ;
- (b) any exercise or practice with weapons... ;
- (c) any act aimed at collecting information to the prejudice of the defence or security of the coastal State ;
- (d) any act of propaganda aimed at affecting the defence or security of the coastal State ;
- (e) the launching, landing or taking on board of any aircraft ;
- (f) the launching, landing or taking on board of any military device ;
.....
- (j) the carrying out of research or survey activities ;
- (k) any act aimed at interfering with any systems of communication or any other facilities or installations of the coastal State ;
- (l) any other activity not having a direct bearing on passage.”

53. The same text proposes that the maximum permissible breadth of the territorial sea to be claimed by any State shall be twelve nautical miles. This will have the effect of placing many important straits at present having high seas passage through the middle within the category of international straits spanned at some point by the territorial waters of the riparian powers. Clearly the normal operational activities of military aircraft and warships — including the right of submarines, especially nuclear-propelled strategic missile submarines, to remain submerged — cannot be reconciled with the terms of innocent passage and a twelve-mile territorial sea. For that reason the new concepts of *transit passage and archipelagic sea lanes passage* have been introduced into the negotiating text.

54. The right of *transit passage* will apply over the whole width of the territorial sea through all straits less than twenty-four nautical miles wide linking one part of the high seas or exclusive economic zone (EEZ, see paragraph 58) to another with two categories of exception :

- straits between an off-shore island and the mainland of the same State where an equally convenient route through the high seas or EEZ exists seaward of the island ;

— straits through the waters of archipelagic States (where archipelagic sea lanes passage will apply).

But the right of transit passage cannot affect the legal régime of straits in which passage is regulated by long-standing existing specific international conventions¹. In similar straits over twenty-four nautical miles wide where the high seas route is navigable only innocent passage will apply in the territorial sea, unfettered passage exists through only the high seas width of the strait.

55. Article 38 of the ICNT defines transit passage as "the exercise in accordance with this part of the freedom of navigation and overflight solely for the purpose of continuous and expeditious transit of the strait...". Article 39 defines the duties of ships and aircraft during transit passage. It requires them to:

1. (a) Proceed without delay through or over the strait ;
- (b) refrain from any threat or use of force against... States bordering straits... ;
- (c) refrain from any activities other than those incident to their normal modes of continuous and expeditious transit unless rendered necessary by *force majeure* or by distress."

The restrictive limitations applied to the right of innocent passage do not appear, in particular the right of overflight for military aircraft is preserved as over the high seas, and submarines may pass submerged. The right of transit passage may not be suspended.

56. Article 53 of the ICNT permits archipelagic States to designate sea lanes and air routes through their waters, and defines the right of *archipelagic sea lanes passage* in broadly similar terms to that of transit passage defined in Article 38, and applies the duties of Article 39 thereto. Archipelagic sea lanes are designated by axis lines, ships and aircraft exercising their transit rights over a width twenty-five nautical miles either side, or to within 10 % of the distance from the axis line to the coast. If the State does not designate archipelagic sea lanes, the right of archipelagic sea lanes passage can be exercised "through the routes normally used for international navigation". The right may not be suspended.

1. Such conventions are the Montreux Convention of 1936 on the Dardanelles and the 1857 Copenhagen Treaty on the Danish Straits (see paragraph 29). Passage through these straits is more restrictive than transit passage. The Chile-Argentina Convention of 1881 on the Magellan Straits and the Anglo-French Convention of 1904 on the Gibraltar Straits concern the non-fortification of the strait and the Moroccan coast respectively ; they should not affect transit passage.

57. The following straits, under twenty-four nautical miles wide, are among the strategically important straits which at present have a high seas passage through them¹, but which will fall within the territorial waters of the riparian powers if a twelve nautical mile territorial sea is accepted. Transit passage, or where so noted archipelagic sea lanes passage, will apply. The United Kingdom reports that more than 100 straits at present having a high seas passage through them would become enclosed within a twelve nautical miles territorial sea.

58. A subsidiary issue which has been much discussed at the Conference on the Law of the Sea is the status of a State's *exclusive economic zone* (EEZ) which it is proposed should extend two hundred miles from its coast. Certain countries speaking at the conference have suggested that in addition to the economic rights which a State would enjoy within its EEZ, the zone should be regarded as having a status *sui generis*, not assimilated to that of the high seas. This position is not acceptable either to the allied countries or, indeed, to the Soviet Union², all of whom have insisted on the high seas status of the EEZ permitting the free passage of warships and aircraft. Now however Article 55 of the ICNT provides that the EEZ is "subject to the specific legal régime established in this part" [V of the Convention]. However Article 58, in the same Part V, provides that, in the EEZ, States "enjoy ... the freedoms referred to in Article 87 of navigation and overflight and of the laying of submarine cables and pipelines and other internationally lawful uses of the sea related to these freedoms such as those associated with the operation of ships, aircraft, submarine cables and pipelines ; and compatible with the other provisions of this convention...". It is Article 87 that defines freedom of the high seas ; the remaining Articles 88 to 115 of the high seas section are incorporated by reference in Article 58 "...insofar as they are not incompatible with this part" [Part V]. These provisions together go some way to establishing within the EEZ the rights of the high seas as far as strategic mobility is concerned.

(b) Country attitudes

59. In conclusion, the questionnaire asked countries their attitude to the new proposals for the breadth of the territorial sea and for a new right of "transit passage" through international

1. Except Pentland Firth and Singapore which are less than 6 n.m. wide.

2. See, for example, "The Law of the World Ocean" by V. Yaroslavtsev in the Soviet publication "International Affairs", January 1976 : "...it follows that the economic zone, provided the sovereign rights of a coastal State to the resources of the zone are preserved, remains a part of the high seas, where all States enjoy freedom of navigation and other activity not connected with the zone's resources" (page 67).

*International straits through which "transit passage" will presumably apply
(under 24 n.m. wide)*

| Sea areas linked | Name of strait | Coastal State(s) | Location | Minimum width n.m. | Determining depth metres | Note |
|----------------------------------|----------------|-------------------------------------|---------------------------|--------------------|--------------------------|------|
| Atlantic-Irish Sea | North Channel | United Kingdom | Scotland-Northern Ireland | 11 | 50-180 | |
| Atlantic-North Sea | Pentland Firth | United Kingdom | Orkney Scotland | 4 | | |
| Central-Western Baltic | Bornholmsgat | Denmark Sweden | Hammeren-Sandhammeren | 19 | 10-46 | 1 |
| Western Baltic-Mecklenburger Bay | Kadetrende | Denmark German Democratic Republic | Gedser-Darss | 19 | 7-22 | 1 |
| Mecklenburger Bay-Kiel Bay | Fehmern Belt | Denmark Federal Republic of Germany | Lolland-Fehmern | 10 | 10-29 | 1 |
| English Channel-North Sea | Dover | United Kingdom France | Dover-Calais | 17 | 20-37 | 1 |
| Atlantic-Mediterranean | Gibraltar | Spain Morocco | entrance to Mediterranean | 8 | 21-550 | |
| Indian Ocean-Red Sea | Bab-el-Mandeb | Yemen PDR Yemen Ethiopia Djibouti | entrance to Red Sea | 9 | 12-180 | 1 |
| Indian Ocean-Persian Gulf | Hormuz | Iran Oman | entrance to Persian Gulf | 21 | 55-90 | |
| Indian Ocean-Pacific | Malacca | Indonesia Malaysia | Sumatra-Malaysia | 8 | 20-100 | 1 |
| | Singapore | Singapore Indonesia | Singapore Rian Isles | 6 | | 1 |
| | Sundra | Indonesia | Java Sumatra | 12 | 27-180 | 1,2 |
| | Lombok | Indonesia | Bali Lombok | 11 | 190-1300 | 2 |
| | Ombai-Wetar | Indonesia Timor | Wetar Timor | 12 | over 180 | |
| | Torres | Australia Papua | Australia Papua | 10 | 12 | 1 |

Notes: 1. Presumably not suitable for the submerged passage of strategic missile submarine (SSBN).

2. Archipelagic sea lanes passage will apply.

Sources: "Strategic Attributes of International Straits", Robert W. Smith, Maritime Studies and Management, Vol. 2, No. 2, October 1974. "The Geopolitical Importance of Strategic Waterways in the Asian-Pacific Region", Michael McCaig, Orbis, Volume XIX, No. 3, Fall 1975; Comments by Ministries of Defence.

straits which, hitherto having high sea throughout their length, would become enclosed within the territorial sea of riparian States if that were extended to twelve miles. All countries replying are prepared to support a maximum of twelve miles for the territorial sea in a generally acceptable convention. Not many of the countries who now claim less than twelve nautical miles (see paragraph 19) have yet decided what breadth of territorial sea to claim for themselves, if twelve miles is adopted as the maximum, but Belgium intends to claim twelve miles. All countries replying support the provisions for transit passage and Denmark¹ and the United Kingdom will apply those provisions to new international straits created within their own territorial waters if enlarged. France has already legislated (Law of 24th December 1971) to provide for transit passage where applicable in its own territorial sea. Italy states that although the Messina Straits are at present straits used for international navigation in which the right of innocent passage applies without other restrictions, under the terms of Article 38 of the ICNT they will become straits subject to national jurisdiction, with the right of innocent passage, but not of transit passage. The questionnaire does not examine attitudes to the special status proposed for the EEZ, as described in the last paragraph, because it was prepared before the present provisions of the ICNT were drafted; however your Rapporteur understands that no status other than full high seas status has yet been accepted by the allied countries, although one country in its comments on the first report implies that the new text may be accepted at the conference.

60. The Committee stresses the importance, for strategic mobility of allied forces, of upholding the right of transit passage, or where applicable of archipelagic sea lanes passage, if the territorial sea is to be extended to twelve nautical miles; it stresses the importance of preserving the high seas status or a status no more restrictive as far as the operational movements and activities of warships and military aircraft are concerned, of all waters beyond the territorial sea.

VI. Soviet strategic mobility — Angola, a case study

61. The strategic movement of Cuban forces to Angola in 1975 and 1976 was supported by the Soviet Union which also supplied all military equipment involved. A succinct description of the size of the operation, and the various routes employed is relevant to a report which stresses the need for the strategic mobility of the forces of the Atlantic Alliance.

1. See paragraphs 54 and 29.

62. The Soviet Union had begun to supply Mr. Agostinho Neto's MPLA forces with military equipment, and training by Soviet military advisers, while they were still in exile based on Brazzaville. Once Portugal had withdrawn from Angola, Soviet military supplies were quickly routed directly to Luanda once it was in the hands of the MPLA. Cuban forces were later arrivals on the scene towards the end of 1975. Cuba now has a long tradition of military assistance in Africa and the Middle East, albeit hitherto on a smaller scale than in Angola. Press reports have referred to the presence of Cuban forces at various times in Zanzibar, Equatorial Guinea, Somalia, the Congo (Brazzaville), Sierra Leone, the Cape Verde Islands, the Yemen and Oman.

63. By December 1975 and early January 1976 Cuban forces were arriving in large numbers in Luanda, partly by Cuban civil air transport staging at Santa Maria airfield in the Azores, then in Guinea Bissau before proceeding to Angola. On 19th January 1976 Portugal banned the use of Santa Maria airfield for the Cuban airlift, which was thereafter replaced by Soviet Ilyushin-62 transports with a longer range flying directly from Cuba, staging in Conakry (Guinea) or the Cape Verde Islands en route to Luanda. There are press reports also of staging in Barbados and Guyana.

64. Cuban forces also arrived directly by sea and by the end of January or February 1976 it is reported that there were 15,000 or 17,000 Cuban forces in Angola which together with civilian technical advisers may have made a total in excess of 20,000 men. This is Cuba's largest military intervention abroad to date, representing at least one-tenth of its total armed forces (175,000). Cuban casualties, killed and wounded, are reported to have been between 500 and 1,000.

65. Soviet equipment supplied for the use of the Cuban forces and the MPLA is said to have totalled 200 tanks of various types, some Soviet MiG-15 and 17 aircraft and twelve MiG-21. Several thousand guns, mortars and rocket launchers were supplied which more than any other single item provided superiority for the Soviet protégés. Much Soviet equipment arrived by sea, and there are reports of some trans-shipments having taken place in sheltered anchorages in the Western Mediterranean. The Soviet airlift of military equipment and military advisers originated from Odessa on the Black Sea coast, the customary base for Soviet strategic transport to Africa, used Colomb-Béchar in Algeria as a first staging post and subsequently either Conakry (Guinea) or Brazzaville en route to Luanda. Apart therefore from Algeria, Guinea and Congo (Brazzaville) these routes must have involved overflying at least one, or probably several, other African countries.

66. The total value of the Soviet-Cuban military effort in Angola has been reported as about \$300 million, while in an interview in "News and World Report" in March 1976, Mr. Rumsfeld, then United States Secretary of Defence, claimed that Cuba and the Soviet Union had spent \$3 billion over the previous four years in military and economic assistance to African countries, thereby considerably increasing the number of airfields and port facilities available to them in that continent.

VII. Conclusion

67. The Committee's principal conclusions are set forth in the draft recommendation.

Preamble

68. As far as the first paragraph of the preamble is concerned, Chapter VI of this explanatory memorandum contains a case study of a recent demonstration of strategic mobility by the Soviet Union in Angola. As far as the penultimate paragraph is concerned, the Committee notes with satisfaction President Carter's proposal to stabilise the presence of military forces in the Indian Ocean and to avoid an arms race. The United States State Department spokesman on 3rd October commenting on the second round of bilateral talks with the Soviet Union on the subject, held from 26th to 30th September, said that once the first objectives had been achieved, discussions could be held on a mutual reduction of United States and Soviet forces in the ocean; other signatories would also be expected to any agreement. The Committee stresses however the need for the armed forces of the allied countries concerned to have ready access to parts of the world where they exercise responsibilities, and has examined access to the Persian Gulf (which gives access to the Indian Ocean) in paragraphs 48 to 50.

Paragraph 1 (a) of the draft recommendation

69. The patchwork of different arrangements for overflight and staging by aircraft of NATO countries in other NATO countries, all relying on bilateral agreements, is described in paragraphs 11 to 18 above. The Committee recommends that the more flexible arrangements generally available to countries concerned in the central area, in respect of routine NATO missions and NATO-agreed exercises, should be extended for the same purposes by all NATO countries to the military aircraft of all other NATO countries through a general NATO-wide agreement to which NATO countries could accede progressively. Certain Ministries of Defence have informed the Rapporteur that they support this proposal — the existence of a draft STANAG is mentioned in paragraph 18 above — one Ministry has reservations.

70. It is stressed that the recommendation is not revolutionary, it relates solely to *routine* NATO missions and agreed NATO exercises. The Committee recognises that in the case of certain NATO missions (the carriage of nuclear weapons by air appears to be a particularly sensitive issue) countries will wish to retain closer control of the movements of other allied aircraft. Movements in support of missions not related to the agreed objectives of NATO would continue to be subject to diplomatic clearance or whatever arrangements are at present prescribed by the countries concerned. See paragraph 17 above.

Paragraph 1 (b) of the draft recommendation

71. Arrangements for the movement of warships of NATO countries in the territorial sea of other NATO countries is described in paragraphs 19 to 29 above; arrangements for port visits in paragraphs 30 to 37. The Committee notes that movements in territorial waters are not normally restricted, and that indeed there is little right in international law for imposing restrictions. As far as port visits are concerned the Committee notes the considerable disparity of treatment which at present exists for visits by warships of one NATO country to another; it recommends that visits by warships of one NATO country to another for normal NATO purposes should require not more than two weeks' notice through military channels and should be automatically authorised as routine visits, provided only that the necessary space and facilities are available in the port concerned. One Ministry of Defence in its comments on the first draft particularly welcomes the proposed maximum notice of two weeks considering the 28-40 days of NATO STANAG 1100 to be too long, another says two weeks would be too short. To facilitate visits and NATO exercises and movements in general it further recommends that an agreed uniform basis should be found for all NATO countries to waive charges for port dues and certain services, as would be done for example in the case of "informal" visits to certain NATO countries (paragraph 36 above). The Committee particularly commends the waiver of charges that applies to visits by the various permanent NATO naval forces described in paragraph 35 above. Alternatively, if a uniform waiver of charges were to penalise certain countries with most frequently visited ports, the Committee recommends that a system of joint funding on an agreed cost-sharing basis, possibly through the NATO military budget, should be studied.

Paragraph 2 of the draft recommendation

72. The impact on strategic mobility of decisions to be taken at the Conference on the Law of the Sea is described in paragraphs 51 to 60 above. The new right of transit passage, or in some

cases of archipelagic sea lanes passage, will be vitally important if a territorial sea of twelve miles is to be universally recognised. The high seas status, or a no less convenient status for the exclusive economic zone must be maintained. The attitude of member countries is summarised in paragraph 59 ; the position of the Committee in paragraph 60.

VIII. Opinion of the minority

73. In paragraph 1 of the operative text of the draft recommendation, second line, after the

words "... of the Atlantic Alliance" one member would have added the words :

"taking due account of the special situation created by the decision taken on 21st February 1966 by the President of the French Republic concerning the modification of the relations between France and the integrated military organisation of the North Atlantic Treaty : "

In sub-paragraph 1 (a), second line, after the words "... combat aircraft", a minority of the Committee would have added the words "engaged exclusively".

APPENDIX I

Paris, 15th September 1976

**Questionnaire on procedures and facilities affecting
the international movement of warships and
military aircraft**

prepared by Mr. Davieusart, Rapporteur

The Rapporteur has been asked to report on the material and political difficulties of securing strategic mobility, including refuelling facilities and overflying rights for air forces, and bunkering facilities and rights of passage for warships, both within the NATO area and world-wide.

With a view to securing basic information for the preparation of his report, the Rapporteur is addressing this questionnaire to the Ministries of Defence of allied countries. Their co-operation in completing it would be much appreciated.

Notes on completion of the questionnaire

(i) It is assumed that most of the information requested in this questionnaire will be "unclassified"; the Rapporteur will feel free to use in a published report all information not specifically classified.

(ii) It is appreciated that many of the specific questions and sub-questions may not be applicable to certain countries. Please insert "n.a." in places concerned. It is also appreciated that some specific questions may require a detailed reply; please attach separate sheets for detailed replies as necessary with the number of the question concerned, all of which are unambiguously numbered (e.g. II.A.1.(f) (i) refers to "are foreign submarines required to navigate on the surface and to show their flag in the territorial sea?").

(iii) Please note special cases where facilities or rights are relevant to, or could be relevant to, NATO commitments, e.g. movements of ACE mobile force, land or air component: STANAVFORLANT, STANAVFORCHAN, naval on-call force Mediterranean, movements of reinforcements to training areas, etc.

NAME OF COUNTRY REPLYING TO QUESTIONNAIRE

I. Military aircraft

**I.A. Procedures and facilities applying to overflight of the country replying by
foreign military aircraft**

I.A.1. Clearance for overflights

| What clearance is required? | In respect of aircraft of | (i) | (ii) | (iii) | (iv) |
|---|---------------------------|---|---|--|--|
| | | NATO countries (specify if different arrangements apply to different countries) | Other allied countries (specify) e.g.: CENTO, bilateral | Warsaw Pact countries (specify as necessary) | Other countries (specify as necessary) |
| (a) Diplomatic clearance; state number of days' notice required | | | | | |
| (b) Air traffic control notification only; state length of notice required | | | | | |
| (c) Other clearance, annual quota agreements, etc. (specify); state length of notice required | | | | | |

I.A.2. *Categories of overflight by foreign military aircraft permitted by country replying*

(State whether category is generally permitted, generally forbidden or considered on a case-by-case basis)

| Category | In respect of aircraft of | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|------------------------|---------------------------|---|--|--|---|
| (a) Combat aircraft | | | | | |
| (b) Transport aircraft | | | | | |

I.A.3. *Information concerning overflights required by country replying*

| Information | In respect of aircraft of | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|----------------------------------|---------------------------|---|--|--|---|
| (a) Aircraft type | | | | | |
| (b) Aircraft load | | | | | |
| (c) Purpose of flight | | | | | |
| (d) Airport of origin | | | | | |
| (e) Airport of next destination | | | | | |
| (f) Airport of final destination | | | | | |

I.B. *Procedures and facilities applying to staging by foreign military aircraft in the country replying*I.B.1. *Clearance for staging*

| What clearance is required ? | In respect of aircraft of | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|--|---------------------------|---|--|--|---|
| (a) Diplomatic clearance ; state number of days' notice required | | | | | |
| (b) Air traffic control notification only ; state length of notice required | | | | | |
| (c) Other clearance, annual quota agreements, etc. (specify) ; state length of notice required | | | | | |

I.B.2. Categories of staging by foreign military aircraft permitted by country replying

(State whether category is generally permitted; generally forbidden or considered on a case-by-case basis)

| Category | In respect of aircraft of | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|------------------------|---------------------------|---|--|--|---|
| (a) Combat aircraft | | | | | |
| (b) Transport aircraft | | | | | |

I.B.3. Information concerning staging required by country replying

| Information | In respect of aircraft of | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|----------------------------------|---------------------------|---|--|--|---|
| (a) Aircraft type | | | | | |
| (b) Aircraft load | | | | | |
| (c) Purpose of flight | | | | | |
| (d) Airport of origin | | | | | |
| (e) Airport of next destination | | | | | |
| (f) Airport of final destination | | | | | |

I.C. Procedures and facilities applying to overflight of foreign countries by military aircraft of country replying

I.C.1. Clearance for overflights

| What clearance is required? | Required by : | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|---|---------------|---|--|--|---|
| (a) Diplomatic clearance; state number of days' notice required | | | | | |
| (b) Air traffic control notification only; state length of notice required | | | | | |
| (c) Other clearance, annual quota agreements, etc. (specify); state length of notice required | | | | | |

I.C.2. *Categories of overflight by military aircraft of country replying that are permitted by foreign countries*

| Category \ Permitted by : | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|---------------------------|---|--|--|--|
| (a) Combat aircraft | | | | |
| (b) Transport aircraft | | | | |

I.C.3. *Information concerning overflights required by foreign countries*

| Information \ Required by : | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|----------------------------------|---|--|--|--|
| (a) Aircraft type | | | | |
| (b) Aircraft load | | | | |
| (c) Purpose of flight | | | | |
| (d) Airport of origin | | | | |
| (e) Airport of next destination | | | | |
| (f) Airport of final destination | | | | |

I.D. *Procedures and facilities applying to staging in foreign countries by military aircraft of country replying*I.D.1. *Clearance for staging*

| What clearance is required ? \ Required by : | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|--|---|--|--|--|
| (a) Diplomatic clearance ; state number of days' notice required | | | | |
| (b) Air traffic control notification only ; state length of notice required | | | | |
| (c) Other clearance, annual quota agreements, etc. (specify) ; state length of notice required | | | | |

I.D.2. *Categories of staging by military aircraft of country replying which are permitted by foreign countries*
(State whether category is generally permitted, generally forbidden or considered on a case-by-case basis)

| Category | Permitted by : | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|------------------------|----------------|---|--|--|--|
| (a) Combat aircraft | | | | | |
| (b) Transport aircraft | | | | | |

I.D.3. *Information concerning staging required by foreign countries*

| Information | Required by : | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|----------------------------------|---------------|---|--|--|--|
| (a) Aircraft type | | | | | |
| (b) Aircraft load | | | | | |
| (c) Purpose of flight | | | | | |
| (d) Airport of origin | | | | | |
| (e) Airport of next destination | | | | | |
| (f) Airport of final destination | | | | | |

II. Warships

II.A. Procedures and facilities applying to the passage and navigation of foreign warships in the territorial sea and straits of country replying

II.A.1. Territorial sea

II.A.1.(a) What is the limit of the territorial sea claimed by the country replying ?

II.A.1.(b) (i) Is the right of innocent passage of foreign warships recognised through the territorial sea ? What definition of innocent passage is applied (ii) to surface ships ; (iii) to submarines ?

II.A.1.(c) (i) Have regulations been made concerning passage through the territorial sea which would apply to innocent passage by foreign warships ? (specify) [Article 17 of the Geneva Convention on the territorial sea (1958)].

II.A.1.(c) (ii) Have foreign warships been required to leave the territorial sea for disregarding coastal State regulations ? (specify) [Article 23 of Geneva Convention].

- II.A.1.(d) Before the right of innocent passage through the territorial sea by a foreign warship is exercised does the country replying require : (i) its prior authorisation to be obtained ? (ii) advance notice to be given ? (specify number of days).
- II.A.1.(e) Has the right of "innocent passage" through the territorial sea been temporarily suspended for the protection of the security of the country replying ? [Article 16 (3) of the Geneva Convention].
- II.A.1.(f) (i) Are foreign submarines required to navigate on the surface and to show their flag in the territorial sea ? (specify exemptions if any) ; (ii) is the rule enforced effectively ? [Article 14 (6) of the Geneva Convention].
- II.A.2. *Straits*
- II.A.2.(a) Do any straits used for international navigation between one part of the high seas and another pass through the territorial sea of the country replying ?
- II.A.2.(b) Does the country replying claim the right to limit in any way the right of innocent passage of foreign warships through such straits ?
- II.A.2.(c) Are any such straits covered by a special régime arising from a specific international convention ? (specify, with title, date and list of parties thereto).

**II.B. Procedures and facilities applying to port calls
by foreign warships in the country replying**

II.B.1. *Authorisation and notification required by country replying*

| In respect of warships of | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|---|---|--|--|--|
| What authorisation or notification is required by country replying ? | | | | |
| (a) Prior authorisation through diplomatic channels ; (specify usual time required for authorisation) | | | | |
| (b) Notification through military channels ; (specify notice required) | | | | |
| (c) Other procedure under special agreements, etc. (specify) | | | | |

II.B.2. *Port facilities provided by country replying*

| What facilities are normally provided by the country replying ? (specify if standard charges are made or waived in each case) | For warships of | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|---|-----------------|---|--|--|---|
| (a) Tugs | | | | | |
| (b) Berths, moorings | | | | | |
| (c) Food, fresh water | | | | | |
| (d) Fuel | | | | | |
| (e) Emergency repairs | | | | | |
| (f) Other repairs | | | | | |
| (g) Shore leave for crews | | | | | |

II.C. *Passage of warships of country replying in territorial sea of foreign countries*II.C.1. *Territorial sea*

- II.C.1.(a) What is the limit of the territorial sea of foreign countries that is recognised by the country replying : (i) are all claims of foreign countries recognised ? (ii) are such claims recognised up to a limit ? (specify).
- II.C.1.(b) (i) Does the country replying claim the right of innocent passage for its warships through the territorial sea of foreign countries ? What definition of innocent passage does it accept for (ii) its surface ships ; (iii) its submarines ? (iv) Does the country exercise its right of innocent passage or has it been unable to do so ? (specify countries, occasions).
- II.C.1.(c) (i) Do warships of the country replying recognise and comply with coastal State regulations governing passage through the territorial sea ? (specify as necessary) ; (ii) Have warships of the country replying been required to leave territorial waters of foreign States for disregarding coastal State regulations ? (specify). [Articles 17 and 23 of the Geneva Convention].
- II.C.1.(d) Before exercising the right of innocent passage for its warships through the territorial sea of foreign countries, does the country replying (i) obtain the prior authorisation of the coastal State where required to do so ? (specify) ; (ii) provide advance notification where required ? (specify countries so requiring and number of days' notice).
- II.C.1.(e) Have warships of the country replying had their right of innocent passage through the territorial sea temporarily suspended by foreign coastal States ? (specify) [Article 16 (3) of the Geneva Convention on the Territorial Sea (1958)].
- II.C.1.(f) Do submarines of the country replying navigate on the surface and show their flag when exercising the right of innocent passage through the territorial sea of foreign countries ? (specify exceptions) [Article 14 (6) of the Geneva Convention].

II.C.2. *Straits*

- II.C.2.(a) Do the warships of the country replying exercise the right of innocent passage through straits, in the territorial sea of foreign countries, used for international navigation between one part of the high seas and another ? (specify straits chiefly involved).

II.C.2.(b) Have the warships of the country replying had their right of innocent passage through such straits limited in any way ?

II.C.2.(c) Is the country replying a party to any international agreements providing a special régime for passage through international straits of which its own territorial sea is not a part ? (specify, with tables, dates and list of parties thereto).

II.D. Procedures and facilities applying to port calls by warships of country replying in foreign countries

II.D.1. Authorisation and notification required by foreign countries

| What authorisation or notification ? | Is required by: | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|--|-----------------|---|--|--|---|
| (a) Prior authorisation through diplomatic channels; (specify usual time required for authorisation) | | | | | |
| (b) Notification through military channels; (specify notice required) | | | | | |
| (c) Other procedure under special agreements, etc. (specify) | | | | | |

II.D.2. Port facilities provided by foreign countries

| Facilities provided for warships of country replying ? (specify if standard charges are made or waived in each case) | Provided by | (i) NATO countries (specify if different arrangements apply to different countries) | (ii) Other allied countries (specify) e.g. : CENTO, bilateral | (iii) Warsaw Pact countries (specify as necessary) | (iv) Other countries (specify as necessary) |
|---|-------------|---|--|--|---|
| (a) Tugs | | | | | |
| (b) Berths, moorings | | | | | |
| (c) Food, fresh water | | | | | |
| (d) Fuel | | | | | |
| (e) Emergency repairs | | | | | |
| (f) Other repairs | | | | | |
| (g) Shore leave for crews | | | | | |

II.E. Fleet auxiliary vessels (e.g. fleet oilers, supply and repair vessels)

- II.E.1.(a) Does the country replying consider its own fleet auxiliary vessels to be "government ships other than warships", "government ships operated for non-commercial purposes" to which Article 22 of the Convention on the territorial sea and the contiguous zone of 29th April 1958¹ applies, or are they deemed to be "warships" ?
- II.E.1.(b) Are the fleet auxiliary vessels of the country replying armed, or does the country reserve the right to arm them without affecting their designation under II.E.1.(a) ?
- II.E.1.(c) Do the fleet auxiliary vessels of the country replying in fact receive from other countries the treatment appropriate to their designation under E.1.(a) ? (Describe discrepancies under the same heads and sub-heads as for questions II.D.1. and II.D.2. above.)
- II.E.2.(a) What designation does the country replying apply to fleet auxiliary vessels of other countries :
(i) the same as it applies to its own (II.E.1.(a)) ; or
(ii) the designation applied by the flag country ; or
(iii) other designation (e.g. "warships") irrespective of other consideration ?
- II.E.2.(b) If fleet auxiliary vessels of other countries are armed, does that fact modify the designation under II.E.2.(a) and, if so, in what way ?
- II.E.2.(c) Does the country replying extend to fleet auxiliary vessels of other countries the treatment appropriate to their designation under E.2.(a) ? (Describe discrepancies under the same heads and sub-heads as for questions II.B.1. and 2. above.)

III. Conference on the Law of the Sea**III.A. Territorial sea**

- III.A.1. What breadth of territorial sea would the country replying wish to see adopted as the maximum permissible ? (cf. Article 2 of Part II of the revised single negotiating text (6th May 1976) of UNCLOS III).
- III.A.2. What breadth of territorial sea will the country replying claim if the maximum of twelve nautical miles specified in Article 2 cited above is adopted in a final convention ?

III.B. Transit passage

- III.B.1. Does the country replying support the provisions for transit passage for all ships and aircraft embodied in the UNCLOS III revised single negotiating text, Part II, Chapter 2, Section 2t
(a) in respect of its own territorial sea in any straits used for international navigation ;
(b) in respect of other straits used for international navigation ?

1. Or the corresponding articles of the revised single negotiating text (6th May 1976) of UNCLOS III.

APPENDIX II

*Texts promulgated by Belgium and Denmark*¹**(a) Belgian royal decree of 30th December 1923 on the admission of foreign warships to Belgian waters and ports**

WE, ALBERT, King of the Belgians, to all present and to come, greetings :

Considering that the provisions of the royal decree of 18th February 1901 on the admission of foreign warships to Belgian waters and ports no longer corresponds to present circumstances ;

On the proposal of our Ministers for Foreign Affairs, Railways, the Navy, Posts and Telegraphs and Defence,

HAVE DECREED AND DECREE :

General provisions relating to peacetime

Article 1. The word "warship" shall be considered as applying not only to all warships so named in the normal meaning of the word but also to auxiliary vessels of all kinds.

Article 2. In peacetime, warships belonging to foreign powers recognised by Belgium shall be free to enter Belgian North Sea ports and anchor in that part of the territorial waters situated less than three nautical miles from the coast provided there are no more than three such warships flying the same flag, including those already in the area or in a port.

Except in the cases provided for in Article 5, visits shall always be subject to advance notification. Such notification shall be made through normal diplomatic channels so as to be received, circumstances permitting, at least seven days before the date of the planned visit.

Article 3. Foreign warships shall not enter Belgian waters in the Scheldt, anchor off Antwerp or penetrate Belgian inland waterways without the authorisation of the Minister for Foreign Affairs.

If such authorisation has not been obtained in advance through diplomatic channels, it shall be requested through the Belgian pilots' department for the Scheldt estuary which shall transmit the decision to the captain of the warship.

Article 4. Unless they have special authorisation from the government, foreign warships may not stay more than fifteen days in Belgian territorial waters and ports.

They shall sail within six hours if so requested by the naval authorities on instructions from the territorial military authorities, even if the length fixed for the stay has not yet expired.

(The third paragraph of this decree was rescinded by a royal decree of 28th October 1936.)

Article 5. The ban on allowing more than three warships flying the same flag to enter or anchor freely in the area laid down in Article 2 and the provisions of Article 3 and the first paragraph of Article 4 shall not apply to:

1. warships whose entry has been authorised through diplomatic channels;
2. ships carrying a head of State, a prince of a reigning dynasty or a diplomatic official accredited to the King or the government;
3. warships forced to put into port because of damage, heavy weather or other reasons of force majeure;
4. ships responsible for supervising the North Sea fisheries in accordance with the North Sea fisheries convention. These fishery protection vessels shall, when approaching territorial waters, display the distinctive signal assigned to them by the international convention.

Article 6. Foreign warships shall not be subject to the obligation to take a pilot to navigate in Belgian waters but must conform to all other regulations on anchoring and navigating in Belgian waters.

It shall be forbidden for foreign warships in Belgian waters to conduct surveys of terrain, soundings, landing or firing exercises, nor, without authorisation, any underwater work with or without a diver. In no case shall foreign submarines submerge in territorial waters or enter such waters submerged. Members of the crew shall be unarmed when they disembark. Officers and petty officers may carry knives which form part of their uniforms. Small vessels circulating in ports and territorial waters shall not be armed. If funeral ceremonies have to be held on land, an exception to paragraph 4 of this article may be authorised by the Ministry of Defence at the request of the territorial military authorities.

No foreign warship may execute a death sentence in territorial waters.

Article 7. Captains of foreign warships shall observe the laws and regulations concerning police, health and taxation unless exceptions are

1. See paragraph 22 of the explanatory memorandum.

established by specific conventions or by international practice.

Article 8. (Rescinded by a royal decree of 28th October 1936.)

Article 9. Should a foreign warship not conform to the rules set out in the present decree, the naval authorities or the local military authorities shall first draw the attention of the commanding officer to the infringement committed and invite him formally to respect the regulations.

If this approach fails the territorial military authorities may ask the foreign warship to leave the port or territorial waters immediately.

Miscellaneous provisions

Article 10. Provisions contrary to the present decree are repealed.

Article 11. The above provisions shall not apply in time of war or mobilisation or when a threat of war, respect for neutrality or any other consideration of which the Belgian Government shall be the sole judge compels it to suspend their application.

Article 12. Our Ministers for Foreign Affairs, Railways, the Navy, Posts and Telegraphs and Defence are each responsible for implementing that part of the present decree which concerns him.

Done in Brussels on 30th December 1923.

ALBERT

Interpretative provisions

1. *Concerning Article 2*

Although warships belonging to foreign powers recognised by Belgium are free to enter the Belgian North Sea ports and anchor in territorial waters (less than three nautical miles from the coast) provided there are not more than three of them at a time, such visits must nevertheless be preceded (seven days beforehand if possible) by notification through normal diplomatic channels.

2. *Concerning Article 3*

It is for the Minister for Foreign Affairs to grant authorisation. Foreign diplomatic missions do not therefore have to contact the Minister of Defence.

However, for practical reasons, the Minister for Foreign Affairs shall not grant such authorisation without previously submitting each case to the defence authorities (naval headquarters) for an opinion.

Before granting such authorisation, it is in fact wise to ascertain the material possibilities of tying up (space at the quay, draught, etc.), such verifications being the responsibility of the navy.

In the event of an official visit, the Ministry for Foreign Affairs shall be responsible for informing the Belgian authorities concerned (territorial military authorities, provincial and communal authorities).

In the event of an unofficial or operational visit, the naval headquarters shall be responsible for informing the local authorities concerned.

For such communications emergency procedure shall be adopted involving the use of the telephone followed by confirmation in writing if necessary.

(b) Ordinance governing the admission of foreign warships and military aircraft to Danish territory in time of peace

WE, MARGRETHE THE SECOND, by the Grace of God Queen of Denmark, Hereby make known :

Part 1 — General Provisions

1. (1) This Ordinance shall apply to the admission of foreign warships and military aircraft to Danish territory when Denmark as well as the State by which the vessel or aircraft is owned are in a state of peace.

(2) Other vessels and aircraft which are owned or used by a foreign State and which are not employed exclusively for commercial purposes shall be equated with foreign warships and military aircraft in the application of the provisions of this Ordinance.

(3) For the purposes of this Ordinance the term "passage" means innocent passage within the meaning of international law.

(4) Where advance permission is required pursuant to this Ordinance, the application for such permission shall be submitted not less than eight days in advance. Where advance notification of passage is required, such notification shall be given not less than three days in advance of the proposed passage.

(5) The Minister of Defence may make exceptions to the provisions of this Ordinance.

2. (1) For the purpose of this Ordinance the term "Danish territory" means Danish land territory and Danish territorial waters and the air space over these territories.

(2) Danish territorial waters embrace the territorial sea and internal waters as defined in the relevant provisions in force at any given time.

Part 2 — Warships

3. (1) Foreign warships shall enjoy the right of passage through the territorial sea subject to advance notification being given through diplo-

matic channels, cf., however, sub-section (4) below. For the vessels referred to in section 1, sub-section (2), notification of passage shall not, however, be required.

(2) Where navigation within the territorial sea takes place in connection with passage of the Great Belt, Samsøe Belt or the Sound, notification shall not be required, cf., however, sub-section (4) below.

(3) Foreign warships shall not be allowed during passage to stop or anchor in the territorial sea except where advance permission to do so has been obtained through diplomatic channels or where stopping or anchoring are incidental to ordinary navigation or are rendered necessary by force majeure or by distress.

(4) For simultaneous passage of the territorial sea of more than three warships of the same nationality advance permission, obtained through diplomatic channels, is required. Passage of the Great Belt, Samsøe Belt or the Sound shall be allowed, however, subject to advance notification through diplomatic channels. Permission or notification, as the case may be, shall not be required for the vessels referred to in section 1, sub-section (2).

4. (1) Warships may pass through or stay in internal waters where advance permission for such passage or stay has been obtained through diplomatic channels.

(2) Passage of Hollaenderdybet/Drogden and passage of the Little Belt and, in connection therewith, the necessary navigation by the shortest route through internal waters between Funen, Endelave and Samsøe shall be allowed, however, subject to advance notification through diplomatic channels.

5. The permissions and notifications referred to in sections 3 and 4 shall not be required for vessels in distress. In the event of distress the vessel shall give international distress signal and notify Danish naval authority — possibly through a Danish coastal radio station.

6. (1) Warships may not without special permission conduct scientific or military activity within Danish territorial waters.

(2) Submarines are required to navigate on the surface while within Danish territorial waters.

(3) Warships shall show their naval or national flag while within Danish territorial waters. In port flags may, however, be used under traditional regulations governing the display of flags.

Part 3 — Military aircraft

7. (1) For flights over or landing in Danish territory of military aircraft advance permission, obtained through diplomatic channels, is required. This provision shall not apply to aircraft which, with the approval of Danish authorities, are conducting flights for humanitarian purposes.

(2) Permission to overfly or land in Danish territory will be granted only if an ordinary ICAO (International Civil Aviation Organisation) flight schedule is submitted prior to the flight to the competent Danish air traffic service organ and if the flight is otherwise carried out in accordance with the guidelines set out by ICAO and the provisions relative to these guidelines laid down by Danish aeronautical authorities.

8. (1) Military aircraft may not without special permission conduct scientific or military activity within Danish territory.

(2) Military aircraft may carry permanent installation of weapons without ammunition and cameras without films or plates. Electronic equipment other than such as is required for navigation of the aircraft may not be used by military aircraft over Danish territory.

Part 4 — Repeal

9. Royal Ordinance No. 356 of 25th July 1951 governing the admittance of foreign men-of-war and service aircraft to Danish territory in time of peace is hereby repealed.

Done at Amalienborg Palace on 27th February 1976

Under Our Royal Hand and Seal

MARGRETHE R.

Strategic mobility

AMENDMENT No. 1¹
tabled by Mr. Dejardin

1. Leave out the third paragraph of the preamble to the draft recommendation.
2. In paragraph 1(a) of the draft recommendation proper, after "combat aircraft on" insert "exclusively".

Signed : Dejardin

1. See 12th Sitting, 30th November 1977 (Amendment agreed to).

Strategic mobility

AMENDMENT No. 2¹
tabled by Mr. Valleix

In paragraph 1 of the draft recommendation proper, after "Atlantic Alliance" insert ", with due respect for the different positions of the member States towards the integrated military organisation".

Signed: Valleix

1. See 12th Sitting, 30th November 1977 (Amendment negatived).

Replies of the Council to Recommendations 297 to 306

RECOMMENDATION 297¹
on a European armaments policy²

The Assembly,

- (i) While wishing for a mutual and balanced reduction of armaments in Europe, believing that the increasing cost of future generations of weapons systems makes it urgent and imperative for the European countries of the Alliance to secure the economic and military advantages of standardisation through joint production ;
- (ii) Noting :
 - (a) that the proliferation of equipment types reduces the operational capacity and the cost effectiveness of the defence of Western Europe ;
 - (b) that the growing complexity of modern weapons systems causes a large increase in equipment costs ;
- (iii) Considering the inherent political dangers of any armaments industry which relies on exports to third world countries or areas of conflict ;
- (iv) Welcoming recent indications that the United States will increasingly seek standardisation of equipment in the Alliance ;
- (v) Stressing the need for satisfactory parliamentary control both at European as well as at a national level of the defence procurement process, and resolving itself to play a rôle until the European Parliament is invested by statute with defence functions,

RECOMMENDS THAT THE COUNCIL

Urge member governments, severally and jointly in all appropriate bodies, to pursue the following objectives :

1. Ensure the maintenance of a viable defence production industry in Europe taking account of the needs of national defence plans and of the Alliance :
 - (a) by giving first priority to the joint production of standardised equipment in Europe while ensuring the interoperability of existing equipment throughout the Alliance ;
 - (b) by pursuing secondly further standardisation in the Alliance as a whole ;
2. Streamline the institutional basis of joint production :
 - (a) by concentrating on the independent European programme group ;
 - (b) by ensuring that military characteristics of equipment are determined within NATO ;
3. Inform the Assembly accurately and fully of the nature and extent of the terms of reference given to the Standing Armaments Committee on 26th April 1977.

1. Adopted by the Assembly on 21st June 1977 during the First Part of the Twenty-Third Ordinary Session (2nd Sitting).

2. Explanatory Memorandum : see the Report tabled by Mr. Dankert on behalf of the Committee on Defence Questions and Armaments (Document 738).

REPLY OF THE COUNCIL ¹**to Recommendation 297**

1. The Council take full account of the economic and military reasons for greater co-operation in the production and procurement of armaments, as argued in the preamble to the Assembly's recommendation. They appreciate the need to offset the consequences of the rising cost of the advanced defence systems now being developed, and of the proliferation of equipment types. They have missed no opportunity of urging the governments of member States to pursue, in all appropriate bodies, the objective of maintaining a viable European armaments industry. This objective should be achieved by ensuring the interoperability of existing equipment between all the member States of WEU and by standardisation between them as far as possible. The Council also recognise that the process of procuring and manufacturing defence equipment should, *inter alia*, ensure the maintenance of a viable European armaments industry, possessing a research and development capacity in the most advanced sectors.

The maintenance of such an industry is essential for the common defence of the countries of Western Europe and plays a vital part in their economy by providing many jobs.

The way to safeguard this industrial and technological potential lies through the organisation of co-operation between the countries of Europe.

In this connection, it should be borne in mind that the western armaments industries in fact differ widely in level and cannot engage in open competition, which might be damaging to them.

This is why the European members of the Atlantic Alliance have started to co-operate on the implementation of specific projects within the independent European programme group.

2. In the Council's view, recent major developments, which have strengthened the links between the WEU countries in this respect, should be seen in this light.

The Council refer to the mandate given to the Standing Armaments Committee to produce a descriptive analysis of the situation of the European industry in the armaments sector.

The Council also welcome the formation of the independent European programme group (IEPG) whose first resolution listed the following essential aims as a means of increasing the cohesion of the Atlantic Alliance in the armaments sector :

- (a) the more effective use of funds for research and development ;
- (b) increased efforts to promote interoperability and standardisation by the most appropriate means
- (c) maintenance of a valid industrial and technological basis for the European defence industry ;
- (d) strengthening the European factor in relation to the United States and Canada.

The Council fully acknowledge the importance of the independent European programme group no least as a forum for defining national requirements with a view to joint production of armaments, and recognise the advantage of using the results of the group's studies. To this end, they agreed at their meeting in Strasbourg on 26th April 1977, that, while preparing its descriptive analysis, the Standing Armaments Committee should receive and use certain data which the IEPG had already produced and was willing to supply. In the Council's view, this arrangement also meets the point several times raised by the Assembly concerning the risk of duplicated studies of the same subjects by the IEPG and the SAC.

3. The Council have at all times given their support to decisions taken by the North Atlantic Council and its dependent bodies concerning co-operation between the member countries of the Alliance on armaments and standardisation and interoperability of equipment. In this connection, they refer to their reply to Recommendation 281.

4. The Council note with satisfaction the Assembly's interest in the descriptive analysis of the armaments industry in member countries now being carried out by the Standing Armaments Committee.

The Council can give an assurance that the Assembly will be given full information on this analysis immediately the work of the Standing Armaments Committee has made sufficient progress.

1. Communicated to the Assembly on 23rd November 1977.

RECOMMENDATION 298¹***on the political activities of the Council — reply to the twenty-second annual report of the Council²***

The Assembly,

Welcoming the positive statements on the present and future prospects of WEU made by several ministers at the Assembly's twenty-second session ;

Thanking Mr. von Plehwe for so ably leading the WEU secretariat during a particularly difficult period ;

Noting that the Council has appointed a titular Secretary-General in the person of Mr. Longerstaeck ;

Regretting that the Council is allowing certain procedure essential to its relations with the Assembly to lapse ;

Recalling that the Council has frequently undertaken to report to the Assembly on the application of the Brussels Treaty, even if it is exercised by bodies other than WEU,

RECOMMENDS THAT THE COUNCIL

1. Ensure that a joint meeting is held with the General Affairs Committee in the near future allowing a true dialogue to be held on essential matters concerning the future of WEU and the development of international relations, particularly between Eastern and Western Europe ;
2. Ensure that, in accordance with customary procedure in national parliaments, governments provide substantial information on the aspects of their foreign policy raised in recommendations of the Assembly ;
3. Continue to include in the annual report a detailed account of its work as was its practice until the twenty-second annual report ;
4. Report more fully to the Assembly on the application of the modified Brussels Treaty in other bodies ;
5. Maintain its activities in accordance with the assurances given to the Assembly.

1. Adopted by the Assembly on 21st June 1977 during the First Part of the Twenty-Third Ordinary Session (2nd Sitting).

2. Explanatory Memorandum : see the Report tabled by Mr. Treu on behalf of the General Affairs Committee (Document 733).

REPLY OF THE COUNCIL ¹

to Recommendation 298

1. The Council wish to reaffirm the great importance they continue to attach to the development of close and constructive relations with the members of the Assembly of Western European Union; they have therefore invited the General Affairs Committee to meet them on 3rd November.

The Council have taken note of the Assembly's concern regarding joint meetings, expressed in particular in the Assembly's reply to the twenty-second annual report of the Council. In this reply, the General Affairs Committee states that, in the past, it has always made clear its desire to have a true dialogue with the Council without giving more weight to one procedure than another. The Council, for their part, share this desire and will do their utmost to respond as satisfactorily as possible to the wish for information expressed by members of the Committee.

2. It is always open to members of the WEU Assembly either to ask questions or to intervene in debates within their respective parliaments on matters of foreign policy dealt with in Assembly recommendations. As in the past and in accordance with customary procedure, the governments of WEU member countries will continue to provide substantial information to their parliaments on the international problems being examined by the Council or the Assembly.

However, it can happen that parliamentarians ask questions in their national parliaments which are identical or very similar to those put to the Council by the WEU Assembly. Members of the Assembly will appreciate that the governments of the member countries must retain the option of either keeping to the reply prepared unanimously by the Council or postponing their reply in order to avoid prejudging that of the Council, if it is still being prepared.

3. In their annual reports, the Council provide the Assembly with the appropriate information on their work, together with any information which can be included on matters relating to the application of the modified Brussels Treaty by its signatories in bodies other than WEU.

1. Communicated to the Assembly on 21st October 1977.

RECOMMENDATION 299¹***on the application of the Brussels Treaty — reply to the twenty-second annual report of the Council²***

The Assembly,

Congratulating the Council on the content of its replies to Assembly recommendations when these emanate from the Council itself or from delegations ;

Thanking the Council for the welcome it gave the Committee on Defence Questions and Armaments at the conversations on 31st May 1976 ;

Noting certain shortcomings in the application of the provisions of the Brussels Treaty concerning the control of armaments ;

Gratified that the Council has given the Standing Armaments Committee a mandate whose scope extends well beyond the field of activities hitherto conferred on that body,

RECOMMENDS THAT THE COUNCIL

1. Ensure that replies to Assembly recommendations furnished by other international organisations are no less precise than those prepared by the Council ;
2. Continue to indicate in future annual reports the total number of British land forces stationed on the mainland of Europe and consider whether in the light of the security requirement of the governments concerned it can indicate the number of such forces assigned to SACEUR in accordance with the commitment contained in Article VI of Protocol No. II to the modified Brussels Treaty ;
3. Ensure a fuller application of the provisions of the treaty concerning the control of armaments, with particular regard to biological and chemical weapons ;
4. (a) Ensure a continuing exchange of information between the independent European programme group and the Standing Armaments Committee ;
 (b) Ensure that the number, status, qualifications and level of the representatives of the member countries on the Standing Armaments Committee are high enough to guarantee the effectiveness of the work undertaken ;
 (c) Encourage national authorities to provide the Standing Armaments Committee with all the information it requires ;
 (d) Ensure that the study undertaken by the Standing Armaments Committee is extended to the field of research in order to ensure European co-operation in this sector ;
 (e) Keep the Assembly regularly informed about the tasks entrusted to the Standing Armaments Committee, the time-table and successive stages and the results obtained.

1. Adopted by the Assembly on 21st June 1977 during the First Part of the Twenty-Third Ordinary Session (2nd Sitting).

2. Explanatory Memorandum : see the Report tabled by Mr. Delorme on behalf of the Committee on Defence Questions and Armaments (Document 745).

REPLY OF THE COUNCIL ¹

to Recommendation 299

1. In reply to Assembly recommendations the Council will continue to take account of the work in hand in other international organisations to which the member States of WEU belong, endeavouring to ensure that whatever information is provided to the Assembly is as precise as possible.

2. The Council will also continue to indicate in future annual reports the total number of United Kingdom forces stationed on the mainland of Europe. With regard to the provisions of Article VI of Protocol No. II to the modified Brussels Treaty, the Council will continue to receive from the British Government additional information from which it will satisfy itself that the approved number of British forces assigned to SACEUR on the mainland of Europe is maintained. In view of the security requirements of the governments concerned, however, the Council consider that such additional information would not be suitable for inclusion in future annual reports to the Assembly.

3. The Council have at all times been attentive in ensuring that the mission of the Armaments Control Agency is duly carried out, in the circumstances which are well-known to the Assembly and have regularly been described in annual reports and in replies to Assembly recommendations on this subject.

In the case of biological weapons, the Assembly is invited to refer to the Council's reply to Written Question 157.

4. The Council observe that the governments represented on the Standing Armaments Committee all participate in the IEPG and are therefore particularly well-placed to further a continuing exchange of information between the two bodies. The Council consider that the number and qualifications of the national representatives who compose the SAC are satisfactory. They also recognise that each member government must have sole responsibility for determining the type, extent and classification of the information it wishes to supply to the SAC but it is clear that the Committee will only be able to carry out its task if member governments co-operate satisfactorily with the Committee. Having regard to the wide scope of the study undertaken, the Council believe that it would be premature to extend it to cover the field of research.

5. The Council are aware of the interest taken by the Assembly in the work of the SAC and will continue to provide the Assembly with all the information needed for its work in this field. In this regard, the Council have informed the Assembly of the terms of the mandate given to the SAC on 31st May 1976 and have also undertaken, in replying to Recommendation 293, duly to inform the Assembly of the results of the SAC's study. The Council trust that their decision to permit a meeting of the Liaison Sub-Committee on joint production of armaments will also help to keep the Assembly informed of the SAC's latest terms of reference.

1. Communicated to the Assembly on 23rd November 1977.

RECOMMENDATION 300¹***on scientific and technological co-operation in Europe — reply to the twenty-second annual report of the Council²***

The Assembly,

Gratified to note that the Council agrees on the need to seek an overall policy in the field of advanced technology designed to guarantee Western Europe's place in the world and to foster fruitful co-operation with the United States on an equal footing and that the Council favours the harmonisation of national aeronautical policies ;

Considering that in the military field the Council recognises the need for a joint approach by member countries in studying and determining their aircraft requirements ;

Regretting the Council's decision not to draw up guidelines for a long-term European policy in sectors of advanced technology,

RECOMMENDS THAT THE COUNCIL

Invite member governments :

1. Further to their consideration of the construction of civil aircraft, to consider making a combined study of their civil and military requirements and programmes with particular regard to the possibility of developing a transport aircraft, different versions of which could be used for civil or military purposes ;
2. To continue to give a high priority to the operational utilisation and commercialisation of application satellites developed in Western Europe ;
3. In the field of a common European energy policy, which remains of the highest priority, to seek the closest possible co-operation in the peaceful use of nuclear energy ;
4. To advance the interests of fusion research in Europe by taking an early decision on the siting of the Joint European Torus.

1. Adopted by the Assembly on 21st June 1977 during the First Part of the Twenty-Third Ordinary Session (2nd Sitting).
2. Explanatory Memorandum : see the Report tabled by Mr. Lenzer on behalf of the Committee on Scientific, Technological and Aerospace Questions (Document 736).

REPLY OF THE COUNCIL ¹
to Recommendation 300

The Council share the Assembly's view that Europe needs to develop and apply overall aeronautical, space and energy policies.

Believing that the countries of Western Europe, acting both through bilateral agreements and within the Community, should concert their efforts and co-operate to maintain the European industry's capacity and technical level, the Council note with satisfaction the progress achieved by the European partners in working out a concerted approach.

For example, in the case of both civil and military aircraft, a substantial degree of co-operation has been established between European manufacturers. Moreover repeated appeals have been made for closer co-operation with regard to the construction of a civil transport aircraft. The Council share the Assembly's wish for the development of a European civilian and military aeronautical industry capable of co-operating, on an equal footing, with the United States.

The Council propose to deal at greater length with space questions in their reply to Written Question 178 which is now being studied.

The Council also share the Assembly's views regarding the urgent need for a common energy policy. Various international expertises as well as the estimates of the EEC Commission have shown the serious risk that as early as in the 1980s, world-wide demand for oil will no longer be met by sufficient supplies. The Council of the European Community, therefore, agree on the need to co-ordinate national policies and develop common instruments as regards energy conservation, better use of more plentiful and, in particular, indigenous fuels and development of new technologies and sources of energy. As regards the peaceful uses of nuclear energy, the Assembly will certainly be aware of the co-operative action envisaged by Euratom and of the projects jointly developed by a number of Community countries in the field of European fast-breeder reactors (in particular, the Superphénix fast breeder jointly developed by France, Italy and the Federal Republic of Germany), and in the field of uranium enrichment (Eurodif or Urenco).

Furthermore, the Council of the Communities have recently authorised the Commission to float a number of Euratom loans. European standards have been laid down, particularly on protection against radioactivity. Nevertheless, the Council consider that much still remains to be done both in defining a common European supplies policy and in developing a nuclear industry with mastery of the fusion cycle. Finally, in the longer term, Europe's nuclear fusion potential must be developed, so that a prototype controlled fusion plant will be available by the end of the twentieth century. The Joint European Torus is directed to this end, as are a number of national projects. The Council therefore welcome the decision taken on 25th October, agreeing a site for the JET and consider that European nuclear fusion research must be pursued so that Europe can achieve a technological level comparable with that of the United States and the Soviet Union.

1. Communicated to the Assembly on 25th November 1977.

RECOMMENDATION 301¹
on European security and East-West relations²

The Assembly,

- (i) Aware that the military capability of the Soviet Union is continually increasing, as defence expenditure in real terms steadily rises, as considerable improvements in Soviet technology enhance the effectiveness of its unquestioned numerical superiority in manpower and equipment, and as new strategic nuclear missiles are prepared which could threaten Western Europe ;
- (ii) Believing that a policy of détente can be actively and safely pursued only on the basis of close consultation and cohesion in the Atlantic Alliance, backed by public support for a fully adequate defence effort ; and welcoming therefore the new resolve of all the Atlantic allies "to strengthen their mutual support efforts and co-operation" ;
- (iii) Welcoming the intention of the new United States Administration to secure significant reductions in the numbers of Soviet and American strategic nuclear weapons, provided always that the essential basis of mutual deterrence and the security of the Alliance is not jeopardised ;
- (iv) Considering that there are both positive and negative features in the application by the Warsaw Pact countries of existing East-West agreements affecting détente, and in the progress of other ongoing negotiations ;
- (v) Calling for all such agreements to be continuously and closely monitored in the Alliance, as well as in WEU, with a view to ensuring their strict observance by both sides, and to assessing the spirit in which the voluntary provisions of the final act of the conference on security and co-operation in Europe are being interpreted by the Warsaw Pact countries ;
- (vi) Believing however that, properly conducted, the process of détente can bring advantages to both East and West in increasing stability and security at lower economic cost to both sides,

RECOMMENDS TO THE COUNCIL

That it urge member governments :

1. To seek to ensure that the North Atlantic Council continues its careful preparation for the meeting of representatives of Ministers to be held in Belgrade in 1977 in pursuance of the CSCE final act :
 - (a) by continuing to compile, on the basis of reports from member States, the record of the implementation by the Warsaw Pact countries of the CSCE final act, with particular attention to all items in the documents on "confidence-building measures and certain aspects of security and disarmament", on "co-operation in humanitarian and other fields" as well as to co-operation in other fields ;
 - (b) by agreeing that the policy of all members of the Alliance with respect to the Belgrade meeting shall be :
 - (i) to ensure at the preparatory meeting now being held that the meeting at the level of representatives appointed by the Ministers for Foreign Affairs is not delayed ;
 - (ii) to exclude from the agenda any proposed new items which seek to undermine Alliance policy ;
 - (iii) to present the full record of the implementation of the final act so far ;
 - (iv) to seek to strengthen and extend the voluntary provisions for confidence-building measures, and to report on the progress or lack of progress of the negotiations on mutual and balanced force reductions ;
2. To ensure that the MBFR negotiations are pursued with determination on the present lines until the gap is bridged between Warsaw Pact and NATO positions ;
3. To seek to secure a moratorium on the further development by all countries of cruise missiles and strategic bombers, pending the outcome of the bilateral SALT negotiations ;
4. To propose that Soviet nuclear missiles based outside the MBFR guidelines area, but targeted on Western Europe, and other comparable forward-based nuclear weapons, be discussed in an appropriate East-West arms control forum.

1. Adopted by the Assembly on 21st June 1977 during the First Part of the Twenty-Third Ordinary Session (3rd Sitting).

2. Explanatory Memorandum : see the Report tabled by Mr. de Koster on behalf of the Committee on Defence Questions and Armaments (Document 744).

REPLY OF THE COUNCIL ¹
to Recommendation 301

1. (a) The North Atlantic Council have carefully prepared the meeting of representatives of Ministers which is being held in Belgrade. The Nine have likewise closely co-ordinated their position to that end.

An extensive record of implementation has been compiled concerning all the elements of the final act, especially "co-operation in humanitarian and other fields" and "confidence-building measures and certain aspects of security and disarmament".

(b) With respect to the preparatory meeting of the Belgrade meeting, which was concluded on 5th August, there is reason for general satisfaction as far as the results of this meeting are concerned :

- (i) the meeting on the level of representatives appointed by the Ministers for Foreign Affairs has meanwhile started on 4th October ;
- (ii) the western allies have been on their guard against any attempts to introduce into the debate proposals which might weaken the position of the Alliance. As a result no new proposal of this kind has been put on the agenda ;
- (iii) a satisfactory result has been gained in particular as regards item 4 of the agenda of the Belgrade meeting. Under this item an exchange of views has begun on the implementation both of the provisions of the final act and of the tasks defined by the conference, as well as in the context of the questions dealt with by the latter, on the deepening of mutual relations, the improvement of security and the development of co-operation in Europe, and the developments of the process of détente in the future ;
- (iv) some member countries of the Atlantic Alliance have tabled a new proposal at the Belgrade meeting to strengthen and extend the provisions for confidence-building measures.

2. There is a firm determination on the part of the western powers involved to pursue the MBFR negotiations along the present lines.

3. Cruise missiles and intercontinental bombers are included in the bilateral strategic negotiations between the United States and the USSR which could soon lead to a SALT II agreement.

4. In the present set-up of arms control negotiations like MBFR and SALT neither the United States non-central weapon systems nor the Soviet medium-range nuclear missiles, targeted on Western Europe are the subject of discussion.

1. Communicated to the Assembly on 23rd November 1977.

RECOMMENDATION 302¹
on the status of WEU staff²

The Assembly,

Welcoming the decision by the councils of the co-ordinated organisations to introduce a pension scheme ;

Deploring nevertheless that the governments did not take an immediate decision to set up a joint body to manage the pension scheme for all the co-ordinated organisations ;

Regretting that the pension scheme regulations do not provide for a reversionary pension to be granted to the widowers of female staff in the same conditions as for the widows of male staff ;

Noting the slowness in reforming the procedure for co-ordination and the unacceptable delay in applying the adjustments proposed by the Co-ordinating Committee in May 1977,

RECOMMENDS THAT THE COUNCIL

- I. Promote in the framework of the co-ordinated organisations :
 1. The early establishment of a joint body to manage the pension scheme ;
 2. The granting of a reversionary pension to widowers of female staff in the same conditions as for widows of male staff ;
 3. The creation of a voluntary savings system for granting loans for the purchase of accommodation ;
 4. The establishment as soon as possible of a committee of senior experts to plan and promote a personnel policy ;
- II. Avoid excessive delays in adjusting salaries in accordance with increases in the cost of living which lead to a progressive decline in the purchasing power of staff ;
- III. Invite the Public Administration Committee to transmit to the Assembly its study on conditions for seconding national officials.

1. Adopted by the Assembly on 22nd June 1977 during the First Part of the Twenty-Third Ordinary Session (4th Sitting).

2. Explanatory Memorandum : see the Report tabled by Lord Selsdon on behalf of the Committee on Budgetary Affairs and Administration (Document 742).

REPLY OF THE COUNCIL ¹
to Recommendation 302

I. 1. The Council consider that the pension scheme of the five co-ordinated organisations could with advantage be managed by a joint unit. The Co-ordinating Committee of Government Budget Experts has instituted a working party to study this question. On this subject, the Secretaries-General have called on the assistance of an internationally reputed expert to advise on the practical problems associated with the creation of such a unit. The expert recommends the setting-up of the administrative unit to operate as from January 1978.

The Council however have not yet taken a position on this question.

2. As requested by one of the councils of the co-ordinated organisations in June 1977, the Co-ordinating Committee is now studying the question of reversionary pensions. Consideration has been given to the possibility of allowing female staff who have opted to stay in the provident fund to reopen this option in the event of the pension scheme rules being amended to include unconditional reversion on a widower of a survivor's pension upon the death of his spouse.

3. Staff members who opt for the provident fund will continue to have the possibility of obtaining loans as in the past. For those staff members who opt for the pension scheme, the Council note that the Secretary-General of WEU is already studying various suggestions.

4. The functioning of the machinery for co-ordination is currently under review by various authorities.

II. In December 1976 and January 1977, the councils of the five co-ordinated organisations approved the 133rd Report of the Co-ordinating Committee which amended the procedure for adjusting the remuneration of staff of those organisations.

This more elaborate procedure, applied this year for the first time, for the annual salary adjustments due on 1st July, allowing for changes in cost-of-living and in standard-of-living, has caused delays in preparing intermediate but related advances limited to cost-of-living increases. Advances based on these increases for the first half of 1976 were granted in December 1976 and for the second half of 1976 in June 1977.

The Council are following closely the development of this problem.

III. As recommended by the Assembly, the Secretariat-General has transmitted to the Clerk of the Assembly the information collected by the Public Administration Committee during its enquiry into conditions for the secondment of national officials to international organisations.

It is recalled that this study, carried out at the request of the Council, was concerned with the implementation in member countries of the principles recommended by the Council in this matter. These principles, which were transmitted to the Assembly with the Council's twentieth annual report, were the outcome of the studies of the special working group set up in October 1971 following Recommendation 200.

1. Communicated to the Assembly on 23rd November 1977.

RECOMMENDATION 303¹
***on anti-submarine warfare*²**

The Assembly,

Aware that the large numbers of modern attack submarines in service with the Soviet navy pose a serious threat to allied communications, both across the Atlantic and between the different parts of Western Europe ;

Aware that a significant part of the Soviet nuclear threat arises from the Soviet strategic submarines ;

Believing that the European NATO countries must be able to provide an effective ASW capability from their limited resources,

RECOMMENDS THAT THE COUNCIL

Urge member governments :

1. To ensure that their anti-submarine warfare forces are fully interoperable, with particular reference to communications, and in appropriate cases to increase the standardisation of these forces ;
2. To call on the independent European programme group or on Eurogroup to undertake an evaluation of European ASW requirements and capabilities with particular reference to shallow waters and the use of maritime patrol aircraft ;
3. To increase their support for the SACLANT anti-submarine warfare research centre at La Spezia through closer liaison with national centres and improved facilities for national research staff to spend time in the international allied environment of the SACLANT centre.

1. Adopted by the Assembly on 22nd June 1977 during the First Part of the Twenty-Third Ordinary Session (5th Sitting).

2. Explanatory Memorandum : see the supplementary Report tabled by Mr. Roper on behalf of the Committee on Defence Questions and Armaments (Document 743).

REPLY OF THE COUNCIL ¹
to Recommendation 303

1. The Council have considered carefully the points raised in Recommendation 303 on anti-submarine warfare, which they have noted with interest.

2. The Council are agreed that the interoperability of ASW forces is a worthy aim.

For over twenty years, the navies of the member States of the integrated military organisation of the Atlantic Alliance have shared common tactical doctrines and procedures ; proposals for co-operative research and development of future ASW sensors and associated equipment is now under consideration and encouragement is being given to joint consideration of the wider aspects of acoustic warfare. In the ASW weapon field, the longer-term aim of member countries of the integrated military organisation of the Atlantic Alliance is to achieve at least interchangeability (as opposed to simple compatibility) to ensure economical and flexible logistic support. However, these States also recognise that the effective control and co-ordination of total ASW resources is dependent upon interoperability in communications between shore Commanders, ships, submarines and aircraft.

3. The Council are aware that the independent European programme group is already examining the harmonisation of plans for the replacement of equipment and this could certainly cover ASW requirements in coastal waters and the use of maritime patrol aircraft if the independent European programme group so decided. Since the independent European programme group is now recognised as the main forum for European collaboration in the defence equipment field, Eurogroup would not be appropriate for such an evaluation.

4. The member countries of the Council belonging to the integrated military organisation of the Atlantic Alliance fully endorse the call for increased support of the ASW Research Centre at La Spezia. Closer liaison between the research programmes of the SACLANT Centre and related national research programmes is being encouraged and should lead to greater participation by national research staffs in the Centre's international allied environment.

1. Communicated to the Assembly on 21st November 1977.

RECOMMENDATION 304¹***on Western Europe's policy towards Mediterranean problems — the Western Mediterranean²***

The Assembly,

Having surveyed the present political situation in Spain ;

Gratified that the elections on 15th June 1977 testified to the Spanish people's free choice in favour of a democratic parliamentary régime ;

Recognising the important constitutional and political changes which have occurred in Spain during the last sixteen months ;

Welcoming the moves towards a more liberal system of government which have taken place since 1975, in particular the legalisation of political parties and of free and independent trade unions ;

Recognising the important advances made in the new preliminary constitution of Spain, and expressing the hope that Spain will proceed on its way towards a full system of parliamentary democracy ;

Expressing the wish that Spain will soon be able to take its place in the process of building Europe ;

Noting that Spain is in fact already associated with western defence policy in Europe,

RECOMMENDS THAT THE COUNCIL

1. Examine closely the evolution of the Spanish political régime, the application of universal suffrage and guarantees of public freedom ;
2. Insofar as there are valid guarantees regarding the establishment of democracy, promote the early participation of Spain in Western Europe's economic and political activities ;
3. Study the possibility of close co-operation between Spain and the WEU member countries.

1. Adopted by the Assembly on 22nd June 1977 during the First Part of the Twenty-Third Ordinary Session (5th Sitting).

2. Explanatory Memorandum : see the supplementary Report tabled by Mr. Urwin on behalf of the General Affairs Committee (Document 746).

REPLY OF THE COUNCIL ¹
to Recommendation 304

The Council share the Assembly's satisfaction at the rapid advance towards a liberal régime in Spain and, in particular, welcome the massive endorsement by the Spanish people, on 15th June 1977, of the moves towards democracy in their country.

The Council are following closely the further progress of the reforms introduced in Spain and are gratified that universal suffrage has been applied and public freedom guaranteed.

They note further that, having returned to the concert of democratic European nations, Spain can now play her full part on the international scene and can move closer to her European partners, in accordance with both her traditions and her interests.

In line with the wish expressed by the Assembly, the Council view with favour the development of close co-operation between Spain and the member countries of Western European Union. They will give every consideration to ways and means of bringing this about.

1. Communicated to the Assembly on 21st October 1977.

RECOMMENDATION 305¹

*on safeguarding Europe's energy supplies — new maritime sources of energy*²

The Assembly,

Concerned that, although Western Europe's energy supplies are far from being adequately guaranteed, only 12% of the European Communities' energy research budget is allocated to new sources of energy and only very small percentages of the member countries' research and development budgets are earmarked for this purpose ;

Deploing the continued absence of consensus on a common energy policy and, therefore, the fact that no concrete measures can be agreed upon in the Community and OECD frameworks ;

Convinced that a common Western European policy should advocate long-term measures to reduce dependence on imported energy and therefore promote research and development on maritime sources of energy, inexhaustible supplies of which are available to the Western European countries ;

Aware of the United Kingdom's research and development in the field of wave power, and of France's tidal power plant and its further research and development on tidal energy,

RECOMMENDS THAT THE COUNCIL

1. Request member governments to seek political agreement on a European energy policy in the Community framework and on the assignment of a higher percentage of its research and development budget to new sources of energy, in particular to maritime sources of energy ;
2. Promote a joint working group on tidal and wave-power energy of French and British scientists and engineers, together with experts from other interested countries, to study — in the light of experience already acquired in setting up oil rigs in the North Sea and elsewhere — the future possibilities of this kind of energy and problems of corrosion and ocean behaviour ;
3. Foster the harmonisation of policies to achieve practical results through joint action in developing maritime sources of energy in view of their future importance ;
4. Review the possibilities of exploiting the resources of the ocean for energy supplies.

¹ Adopted by the Assembly on 23rd June 1977 during the First Part of the Twenty-Third Ordinary Session (7th Sitting).

² Explanatory Memorandum : see the Report tabled by Mr. Jessel on behalf of the Committee on Scientific, Technological and Aerospace Questions (Document 737).

REPLY OF THE COUNCIL ¹
to Recommendation 305

Desiring to keep Western Europe's dependence on imported energy, especially petroleum, to the minimum, the European Community and its member States attach great importance to research and development on alternative sources of energy. Within the framework of the European Community preference is given to such projects as are of relevance to the largest possible number of member States.

The use of tidal power necessitates special geophysical conditions. In Europe it is only some coastal regions in France and the United Kingdom which meet minimum requirements for the construction of tidal power stations. The technology required to operate a tidal power station is known and has been applied. It therefore needs no subsidised further development. The type of work involved in the construction of a tidal power station is largely determined by local circumstances such as the nature and configuration of the terrain and the tide rise, and is therefore of no general significance. The contribution which tidal power stations can make to energy supplies is small, and their economic efficiency is questionable.

It is much the same with wave power. The United Kingdom, with its island position, has a national programme for the utilisation of wave energy, but in other countries wave power cannot be expected to contribute substantially to energy supplies.

A working group of the International Energy Agency, chaired by Great Britain, is currently discussing research and development on wave-power energy.

1. Communicated to the Assembly on 21st October 1977.

RECOMMENDATION 306¹

*on a review of advanced technology in Israel*²

The Assembly,

Considering Israel's wish to establish closer links with Western European countries in the research and development of advanced technology ;

Aware that in various fields such as the desalination of water, Israeli research and development might be of great benefit to several Western European countries ;

Convinced that collaboration between Israel and Western European countries would be mutually advantageous, especially in :

- (a) new sources of energy such as solar energy ;
- (b) oceanography, desalination engineering and pisciculture ;
- (c) aircraft construction and space programmes ;

Considering that Israel, although not geographically part of Europe, is already co-operating with such European organisations as CERN and Euratom ;

Conscious of the need for Europe to play a more important geo-political rôle and to act as a balancing factor for the world superpowers ;

Aware of the necessity to have good relations with all Middle Eastern countries,

RECOMMENDS THAT THE COUNCIL

Invite member countries :

1. To intensify co-operation between Western European and Israeli scientific and technological communities ;
2. To promote greater co-operation with Israel in aircraft construction, oceanography and the development of new sources of energy ;
3. To instruct the European Space Agency to seek co-operation with Israel in its work on scientific and application satellites ;
4. To promote a permanent discussion with all Middle Eastern countries in the field of science and technology.

1. Adopted by the Assembly on 23rd June 1977 during the First Part of the Twenty-Third Ordinary Session (7th Sitting).

2. Explanatory Memorandum: see the Report tabled by Mr. van Ooijen on behalf of the Committee on Scientific, Technological and Aerospace Questions (Document 735).

REPLY OF THE COUNCIL ¹

to Recommendation 306

The Council consider it desirable that the member countries of WEU should co-operate with all Middle Eastern countries in the field of scientific research and technological development for peaceful purposes and welcome the recommendation of the WEU Assembly that member countries intensify their co-operation with Israel in this sector.

Thanks to its high level of scientific and technical development, member countries have long been co-operating fruitfully with Israel in this field.

Article 18 of the EEC agreement with Israel and the exchange of letters thereto reaffirm the intention to promote scientific and technological collaboration. The competent EEC bodies are at present examining suitable projects and ways and means for Israel to participate in European co-operation on scientific and technical research in widely varied fields of activity.

1. Communicated to the Assembly on 23rd November 1977.

The spread of nuclear energy and defence problems

REPORT¹

*submitted on behalf of the
Committee on Scientific, Technological and Aerospace Questions²
by Mr. Jessel, Rapporteur*

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on the spread of nuclear energy and defence problems

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submitted by Mr. Jessel, Rapporteur

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1. Adopted in Committee by 12 votes to 0 with 1 abstention.

2. Members of the Committee: Mr. Warren (Chairman); MM. Valleix, Lenzer (Vice-Chairmen); MM. *Adriaensens*, Bernini, Boulloche, *Cavaliere*, Cornelissen (Alternate: *Portheine*), *Hawkins*, *Konings*, Lewis (Alter-

nate: *Bagier*), Mart, *Müller*, Péronnet, Dr. *Phipps*, MM. Pinto, Schmitt, *Schwencke*, Treu (Alternate: *Fosson*), Ueberhorst (Alternate: *Scheffler*), Van Waterschoot (Alternate: *Verleysen*).

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

Draft Recommendation
on the spread of nuclear energy and defence problems

The Assembly,

Considering that nuclear energy is a fact of international life which will provide a high percentage of the world's electricity by the end of the century, that several other energy options might eventually be available and that decisions regarding nuclear energy should take account of the major concern to avoid further proliferation of nuclear weapons ;

Aware that at present the International Atomic Energy Agency in Vienna exercises safeguard and control measures only with regard to specific export equipment and material and not all the nuclear activities of a recipient nation ;

Welcoming the agreement reached by the fifteen nuclear exporting countries in London in September 1977 to prevent further sales of advanced nuclear technology without adequate safeguards and controls ;

Stressing the need to avoid any form of safeguard and control measures which would undermine the existing non-proliferation treaty, which guarantees countries non-discriminatory access to nuclear technology for peaceful purposes,

RECOMMENDS THAT THE COUNCIL

Urge member governments :

1. To promote world-wide co-operation in monitoring all the various activities in the field of nuclear energy ;
2. To make full use of diplomatic channels in order to strengthen world-wide international safeguards and controls, increase the responsibilities of the IAEA and establish multinational regional nuclear fuel centres ;
3. To give impetus to the development and international application of procedures and stringent measures to protect nuclear facilities and nuclear materials, in storage or in transit, from terrorist seizure or diversion.

Explanatory Memorandum

(submitted by Mr. Jessel, Rapporteur)

Introduction

1. This report should be considered as a follow-up to the reports submitted by Mr. Osborn, Mr. Small, Mr. Lenzer, Mr. Cornelissen and, at the last session, by your Rapporteur¹. The Committee's and the Assembly's preoccupation with energy problems is fully justified since energy may be considered as the nerve system which controls the economy of the Western European countries. At the same time, a European Community approach to this problem cannot be achieved since national governments wish to retain their authority in this essential matter.

2. The first draft report on this subject was submitted by the former Rapporteur, Mr. van Kleef, who left the Netherlands Delegation before the Committee met in Bonn on 3rd November 1977. Although the Rapporteur was therefore unable to introduce and defend his text, on the proposal of the Chairman the Committee discussed the draft report and its preliminary draft recommendation. The political and industrial consequences of some of the recommendations submitted by Mr. van Kleef were considered inappropriate in view of Europe's present energy situation. The Committee did not agree to the postponement of decisions on (i) a European or national programme for setting up fast-breeder production lines, (ii) the export or sales of fast-breeder reactor demonstration plants, and (iii) the establishment of enrichment or reprocessing facilities; neither did it agree to the indefinite deferment of decisions on commercial reprocessing and recycling of uranium or plutonium.

3. Your present Rapporteur was then appointed and agreed to try to produce a report in line with the general views expressed by the Committee.

4. He is convinced that since 1945 the NATO nuclear umbrella has been beneficial and has helped to maintain peace both in Europe and throughout the world. He is strongly in favour of the application of all measures necessary to arrest the proliferation of nuclear facilities or weapons as promoted by the non-proliferation treaty.

5. Although the governments of member countries, in the framework of the EEC, OECD and its International Energy Agency, and NATO, have been trying to find solutions to the problems of energy supplies, little progress has been made since the summit conference in

Copenhagen in December 1973 when the heads of State and government agreed to develop a common policy towards existing energy resources, research into new energy sources, and the diversification of sources of supply. Current projects in each country were to be developed in harmony with other member countries. Since then, however, the Council of the Communities in Brussels has produced a paper on energy targets to be reached by 1985 and, on 29th March 1977, it drew up rules for crisis management in the event of an oil shortage. The lack of progress is mainly due to the larger countries of the Communities being extremely reluctant to commit themselves.

6. A second matter of concern is that no plan for sharing scarce energy supplies between the EEC countries has been found acceptable by any of the governments, although they acknowledge that in the long term supplies cannot be guaranteed. The absence of guarantees might have direct repercussions on the security of the Western European countries. In Europe, only the Soviet Union has adequate supplies¹ and the political implications of turning to that country for energy supplies would be most serious.

7. Third, there is no obvious solution for meeting the needs of developing countries which are poor in primary sources.

8. As often in the past, Europe is obliged to find answers to these questions because the United States, having taken the lead, forces them to take decisions in its wake.

9. On 24th June 1977, President Carter declared in New York :

"We are trying to stop nuclear proliferation around the world. I think eight months ago there was a general feeling among the leaders of nations on this earth that it was too late, that the genie that could kill all mankind had escaped, that there was no way to put it back in the bottle.

But we have worked very closely with our friends and allies in Canada, Australia, Britain, and other countries to make sure the peaceful use of atomic power can continue to generate electricity and give us power, but that the waste products that can be changed into explosives would be carefully controlled.

And I believe we now have a good prospect for success."

1. Documents 640, 655, 686, 721 and 737 respectively.

1. See Appendix I.

10. Considering this statement your Rapporteur realises that President Carter is not against nuclear energy and the United States programme of light-water reactors will continue; sixty new reactors are to be built, making a total of 140 nuclear power plants in the United States by 1985.

11. Major third world countries such as Brazil, Pakistan, Iran and many others, are firmly convinced that they need nuclear energy to continue their development. This means that they want national authority over the whole cycle of nuclear energy. The United States is very reluctant to allow these countries to have the dangerous elements of the nuclear fuel cycle, i.e. uranium enrichment and plutonium reprocessing, under national control.

12. The problem of nuclear proliferation came to the fore with the recent decisions by West Germany and France to sell nuclear fuel facilities to Brazil and Pakistan respectively. However, countries such as Iran which, unlike Brazil and Pakistan, have signed the treaty on the non-proliferation of nuclear weapons, will concur in not building or importing enrichment or reprocessing plants only if they are assured of a continuous supply of enriched uranium. In order to avert the need for individual reprocessing facilities, a multinational facility for servicing spent fuel should be established under the authority of the International Atomic Energy Agency in Vienna. Several European countries such as Belgium, France and Germany, and outside Europe, Japan, are not inclined to accept the American policy unconditionally. The Netherlands Government backs the American policy and the United Kingdom has an intermediate point of view. Your Rapporteur wishes to underline the fact that even without reprocessing plants it is possible to develop nuclear weaponry.

I. International agreements

13. Since 1960 nuclear co-operation and nuclear power facilities have grown enormously. The non-proliferation treaty¹ was negotiated in the 1960s with provisions for voluntary renunciation of nuclear weapons and IAEA verification on the one hand and for peaceful nuclear trade, co-operation, and assistance on the other. There are now some one hundred United Nations member nations non-nuclear parties to the treaty, plus an additional nine signatories (awaiting ratification). The review conference in 1975 reinforced the international non-proliferation sentiment. Of crucial importance of course are

countries which are not parties to the treaty such as India, Pakistan, Brazil, Argentina, Chile, Israel, South Africa and Spain, plus two nuclear powers, China and France. Egypt, Indonesia and Turkey have not ratified the treaty.

14. The treaty may be considered as an agreement between non-nuclear weapon States to forego nuclear weapons and accept the safeguards, but in turn they are promised full co-operation and assistance with nuclear power facilities. If the nuclear powers place too many restraints on nuclear trade or even introduce a general embargo on sensitive fuel cycle technology, they might imperil the treaty itself. Nevertheless, restraint in nuclear exports is being considered.

15. In January 1976, seven countries—Canada, the United States, France, West Germany, the United Kingdom, Japan and the USSR—signed an agreement to restrict the future sale of nuclear reactors and other nuclear installations to prevent the purchasers using them for making atomic weapons. They were later joined by Belgium, Italy, the Netherlands, Sweden, Poland, Czechoslovakia, Switzerland and East Germany. Representatives of these fifteen countries met in London on 20th and 21st September 1977. At an earlier meeting there in April 1977 they agreed to ensure that nuclear exports would not contribute to the proliferation of nuclear weapons or explosives.

16. The United States, the United Kingdom, France, Germany, Italy, Canada and Japan participated in the economic summit meeting in London on 9th May 1977 and agreed to prepare a report evaluating the impact of trade in nuclear power plants and fuel cycle facilities on the proliferation of nuclear explosives. The evaluation report dealt with the whole cycle from uranium reserves, the reprocessing of radioactive wastes, etc., up to the possible production of plutonium. All aspects of the fuel cycle were therefore scrutinised. This report was submitted to all fifteen participants at the conference held in London on 20th and 21st September.

17. The London agreement seeks to prevent future sales of advanced nuclear technology without adequate safeguards and controls. Future contracts for selling sensitive nuclear technology will be subject to controls accepted by the fifteen participating countries, all of which are able to export this technology. Loopholes by which an exporter might skimp on safeguards to gain a competitive edge are to be closed. The West German-Brazilian and Franco-Pakistani contracts are not concerned since the London agreement is not retroactive.

18. Although the fifteen countries at the conference aim to harmonise their nuclear export

1. See Documents 454 and 672 and Appendix II.

policies this does not constitute a cartel, nor do they wish to deny developing countries the benefits of peaceful nuclear technology. Many developing countries are somewhat suspicious of the group of fifteen as they consider steps are being taken to prevent them developing their own nuclear energy sources. This is not the intention of the fifteen — rather they wish to forestall the provision of dangerous material as an incentive to buy benign material. The fifteen envisage a further meeting in the course of 1978.

19. The documents on which the fifteen governments have each decided to base their national nuclear export policies will be sent to the Director-General of the International Atomic Energy Agency.

20. Addressing the United Nations General Assembly in New York on 4th October, President Carter referred to the London conference and its aims. He said :

“It is a truism that nuclear weapons are a powerful deterrent. They are a deterrent because they threaten. They could be used for terrorism or blackmail as well as war. But they threaten not just the intended enemy, they threaten every nation — combatant and non-combatant alike. This is why all of us must be concerned.

Let me be frank. The existence of nuclear weapons in the United States and the USSR, and in Great Britain, France and China, is something we cannot undo except by the painstaking process of negotiation. But the existence of these weapons does not mean that other nations need to develop their own weapons, any more than it provides a reason for those of us who have them to share them with others.

Rather it imposes two solemn obligations on the nations which have the capacity to export nuclear fuels and technologies — the obligations to meet legitimate energy needs and, in doing so, to ensure that nothing we export contributes — directly or indirectly — to the production of nuclear explosives. That is why the supplier nations are seeking a common policy, and that is why the United States and the Soviet Union, even as we struggle to find common ground in the SALT talks, have already moved closer toward agreement and co-operation in our efforts to limit nuclear proliferation.”

II. Energy development and nuclear weapons

21. Since France and China achieved nuclear status in the early 1960s, all five permanent members of the Security Council have been nuclear powers. The United States, the Soviet Union and the United Kingdom promoted and

signed the 1970 non-proliferation treaty but France and China refused to sign it. This situation remained unchanged until 1974 when India carried out a “peaceful” nuclear test.

22. The fact that the situation remained stable may have induced certain countries, and especially the United States, to engage in nuclear trade with nations that had refused to sign the treaty on the non-proliferation of nuclear weapons. Of the twenty-nine United States agreements for nuclear co-operation with other countries, no less than thirteen are with nations which refused to adhere to the treaty. Admittedly safeguard agreements have been concluded for application through the International Atomic Energy Agency (IAEA) in Vienna — established by the United Nations — but they refer only to specific exported equipment and material and not all the nuclear activities of a recipient nation. A case in point is South Africa where, as a result of information from reconnaissance satellites, the USSR and the United States thought a nuclear explosion was being prepared. The United States is heavily involved in the South African nuclear programme, having exported even the computers for its enrichment plants and having committed itself to provide enrichment services for the South African power reactors. Germany and France are competing strongly for reactor sales there.

23. In August 1977 the French Foreign Minister warned the South Africans not to develop nuclear explosive devices as this would seriously strain their relations. The German Government has requested the South African Government to sign the non-proliferation treaty and the United States Government also has brought strong pressure to bear on the South African Government in this respect. Thus, nations which otherwise compete in nuclear matters have been able to align their approach and act forcefully. This situation also shows that national nuclear activities such as building a uranium enrichment plant do not come under the control of the IAEA in Vienna ; a country like South Africa with large supplies of uranium could easily acquire nuclear independence and, in time, develop the necessary technology to do as it pleased. At present, it still depends on countries such as the United States and France for its supplies of enriched uranium and this provides them with a means of exerting pressure on South Africa.

24. South Africa could, however, proceed in the same manner as France and conduct plutonium tests until it has sufficient enriched uranium from its own enrichment facilities. The Vienna agency is unable to apply safeguards capable of detecting a diversion of weapons-grade material in time to prevent fabrication of nuclear weapons if reprocessing and enrichment plants proliferate on a national basis.

25. The matter requiring the most urgent attention in respect of non-proliferation is the question of plutonium reprocessing. This problem is complicated by the fact that no steps have been taken to implement the article authorising the agency to regulate reprocessing and to require deposit with the agency of any plutonium in excess of that needed for recycling as reactor fuel. The agency is not prepared to implement this regulation without the firm backing of the major supplier agents.

26. Proposals have been made for setting up multinational reprocessing plants and for the disposal of highly radioactive waste by-products. The United Kingdom, Germany and France have already concluded such a multinational arrangement and the resulting joint company, United Reprocessors, will be used for allocating reprocessing contracts on a rotating basis among the three plants in those countries :

“The fuel cycle — the supply of fuel for nuclear power reactors — which includes mining, refining, fabrication of fuel elements and their use in a nuclear reactor, also includes chemical processing to recover remaining fissionable material, re-enrichment of the fuel and refabrication into new fuel elements. In these fields a very promising industrial development is the British-French-German joint company, United Reprocessors, which is an effective European marketing organisation. In the United Kingdom reprocessing takes place at the Windscale plant, and in France at La Hague. If a new facility has to be built this will be done in Germany. Such a plant might be commissioned in the second half of the 1970s. Because of the difficulty in obtaining authorisations, due to the risk of radioactivity being released, enthusiasm for building such a plant is not very great.

The transportation of irradiated fuel is also done in a joint enterprise, Nuclear Transport Limited, which has its headquarters at Risley. This company is bringing together the wide experience of the three national companies and pooling their material and equipment in order to operate more economically.”¹

27. The principal obstacle to the establishment of a common multinational arrangement is competition between the main western powers to sell reactors. France and Germany need export markets to keep their nuclear industries in business even more than the United States does. The only nuclear power plants now being sold on the export market are light-water reactors of some 1,000 MWe. The United Kingdom,

having chosen a different type of reactor for its home market, is not a competitor in the nuclear power plant market, but is still well advanced in reprocessing and enrichment technology which give it a share of the nuclear export market.

28. However, British policy might change as the board of the National Nuclear Corporation has advised the government to reverse its decision to develop a British-designed steam-generating heavy-water reactor for the next atomic power station programme. The board recommended the adoption of the American-type light-water reactor.

29. A second report, from the Nuclear Installations Inspectorate, stated that light-water reactors were suitable for commercial use in the United Kingdom.

30. Both reports have been submitted to the Minister of Energy for action.

31. The rapid spread of nuclear reactors, uranium enrichment facilities and reprocessing plants outside the nuclear powers, i.e. the five permanent members of the Security Council, has led to concern about proliferation problems. Some have suggested banning the export of conventional reactor technology, advanced reactor technology such as that of the fast-breeder reactor, and fuel cycle technology until more acceptable safeguard institutions have been created. However, such a ban could wreck the non-proliferation treaty which guarantees countries non-discriminatory access to nuclear technology for peaceful purposes.

32. At the end of August 1977, the South African Prime Minister denied that his government was preparing to carry out nuclear tests. He even said that South Africa was willing to adhere to the non-proliferation treaty, but pointed out that of the thirty-four member countries of the directorate of the IAEA in Vienna, thirteen had not signed the non-proliferation treaty and that one of the thirteen countries was France, which had given such a strong warning to South Africa on nuclear tests. Whatever should be done to reinforce international agreements on safeguards, it would certainly not be wise policy to undermine the existing non-proliferation treaty.

33. When a country considers whether or not to invest in nuclear power plants for generating electricity it must consider all the economics of a nuclear energy system of which the nuclear reactor itself is only a part. Since the vast majority of countries have opted for light-water reactors, they are fully aware that the generating facility itself is useless without a supply of uranium and uranium enrichment services which transform the natural uranium into usable light-water reactor fuel. A country must be sure that it can either buy enriched uranium fuel

1. See Document 640, paragraphs 104 and 105.

directly or contract separately for natural uranium, uranium conversion services, uranium enrichment services and fuel fabrication services. The availability of enrichment services is the major concern since it involves advanced technology, which only a few countries possess at present, and because the present cost of enrichment facilities is very high.

34. In this connection your Rapporteur wishes to point out that on 25th August 1977 the Australian Government approved the mining and export of its uranium. For four years, consecutive Australian Governments banned uranium mining but this ban has now been lifted. Immediate development of the Ranger deposit in Australia's Northern Territory can now start; the uranium reserves there are estimated at some 100,000 metric tons. Three more deposits in the same area are to be developed, together estimated at some 300,000 metric tons, which means that in this area one-third of the world's proven reserves of uranium are to be found. The estimated cost is some \$25 billion. The Australian Prime Minister told the Federal Parliament that uranium exports would be subject to safeguards and would decrease the risks of further proliferation of nuclear weapons¹. The controls are to include a combination of international supervision and bilateral agreements. Potential customers are expected to include Japan, Western Europe and the United States. It is quite clear that the Australian attitude will influence other uranium-producing countries, which will certainly try to export not only the mineral ore but also the finished fuel, usable in nuclear reactors.

35. Therefore, if a country decides to use nuclear power plants for producing electricity it should also consider the fuel supply system, its cost and the availability of fabrication services. As has happened in Germany, France and the United Kingdom, serious thought should be given to the consequences of the possible introduction of breeder reactors in which plutonium produced by conventional methods can be effectively used if the cost of reprocessing and the construction of breeder reactors are economically attractive. Your Rapporteur is not convinced that this course would be advisable.

36. Any country making a major commitment to nuclear energy via a strategy of purchasing nuclear generating facilities or technology but not fuel cycle facilities would be dependent on the internal political situation of the country from which it contracts to purchase fuel cycle services. For that reason it would be desirable for such a country either to contract for fuel cycle services with an international organisation in which domestic political factors affecting

export agreements are of secondary importance, or to build the facilities itself both to serve its own reactors or to export such services to countries wishing to diversify their sources of supply.

III. *The nuclear industry in the western world*

37. In June 1955 the Foreign Ministers of the six members of the European Coal and Steel Community decided that commercial nuclear power could help in establishing an integrated European nuclear industry. This industry was then still in its infancy and vested interests were only few. Moreover, they wished to provide for a new source of energy, anxious to ensure the economic growth in what was to be the Common Market, which eventually came into being at the same time as Euratom on 25th March 1957. The Rome Treaty provided for joint enterprises to carry out projects of outstanding importance to the development of the nuclear industry in the Community. However, Euratom had no success as the national nuclear industries did not wish Euratom to work on technology that was ripe for commercial application. This attitude proved very advantageous to the United States nuclear industry which, in the 1970s, firmly established itself in Europe; it even became the sole supplier of reactors, enrichment services and reprocessing.

38. The conventional light-water reactor became the predominant reactor sold by American companies such as Westinghouse and General Electric during the 1960s and 1970s:

"Because enriched uranium has been available in the United States from the three plants that were built to make materials for weapons and for naval propulsion, and because of the advantages of enriched uranium as fuel, it was only normal for American nuclear industry to apply its military experience with enriched uranium to commercial nuclear power plants. In building these plants Westinghouse has a head start as it built the light-water reactors now being used in some fifty American submarines. The American submarine programme was a very important stepping-stone and gave the American firms the chance to iron out many technical and management problems.

The principal path of evolution for United States nuclear power technology has thus been to pursue the use of slightly-enriched fuels. From the early 1970s onwards this technology became dominant for a large proportion of commercial nuclear power not only in the United States but also in the Soviet bloc nations and Europe."¹

1. See article in *The Times*, 27th August 1977.

1. See Document 640, paragraphs 93 and 94.

These companies sold reactor systems both directly and in co-operation with firms within particular countries. They concluded licensing and technical agreements with companies in Belgium, France, Germany, Italy, the Netherlands, Spain, Sweden, Switzerland, and also Japan.

39. Light-water reactors were generally adopted on the world market because the European industries, operating individually, had not been able to produce reactors which were as economic as those developed in America. In the main European countries the idea was to use American manufacturers as primary suppliers for initial reactors but, over the long term, to acquire the technology needed to produce the same type of reactor themselves. Each industrialised country felt that it was in its national interest to have its own independent industry for manufacturing the major components of the system and making the system operational.

40. In Germany, Kraftwerk Union (KWU) began by building light-water reactors under licence from Westinghouse but it renounced this licence in 1969 and is now completely independent from Westinghouse. In France there was a similar situation with Framatome. This is a fully-integrated company which can produce all major light-water reactor components. It used to be partly owned by Westinghouse, but the French Government recently bought up most of the Westinghouse share in the company. The French and German companies are very active in the export market and therefore in strong competition with Westinghouse and General Electric. Together they could export four or five reactors per year, a capacity which could easily be expanded if warranted by demand. Both companies can also provide a variety of fuel fabrication services, once having obtained enriched uranium.

41. Several other companies such as the Swedish company ASEA-Atom produce light-water reactors of their own design. The Swedish firm has sold two reactors to Finland. Brown Boveri and Company, a Swiss-German firm, is collaborating with the United States company General Atomic and is specialising in high-temperature reactors.

42. Three major Japanese companies might enter the reactor market since they have the necessary experience and production capacities.

43. Finally, the Canadians are selling their CANDU reactor which uses natural uranium as a fuel. This reactor is particularly advantageous for countries which possess their own supplies of natural uranium and do not wish to be dependent on foreign enrichment technology. The disadvantage of this type of reactor is that it requires

expensive heavy water as a coolant and moderator¹.

44. The present international nuclear energy industry is in no way comparable to that which existed five or six years ago. In terms of operating reactors and enrichment facilities the United States has a commanding lead, but any country now wishing to purchase nuclear reactors can turn to France, Germany or Sweden and obtain nuclear power plants and systems identical to those which could formerly be obtained only in the United States. Enrichment technology or services are also available in France, Germany, the United Kingdom or even Japan. The domestic markets of those countries are not large enough to allow the reactor manufacturers to achieve economic production; therefore an export market is needed to allow the manufacturers to operate their plants efficiently and to help spread some of the research and development costs. France's decision to abandon its own gas graphite technology in favour of United States light-water reactors was partly due to export market considerations.

45. For political reasons many countries have slowed down their construction of nuclear power plants and thus there is substantial excess capacity in the world for producing conventional reactor systems. Competition in reactor sales is growing and many firms are competing for orders in Belgium, Brazil, Egypt, Iran, Spain, South Africa and South Korea.

IV. *The uranium enrichment industry*

46. When the European countries decided to use light-water reactors they at the same time opted for enrichment facilities². At the beginning of the 1970s the Commission of the European Communities argued that the setting up of a European uranium enrichment capacity had to form part of the overall scheme grouping Community and European efforts towards industry-oriented scientific and technological development. Community experts believed it was impossible to obtain a firm long-term undertaking from the United States to supply the necessary materials and therefore they urged the Community to build its own enrichment plants. However, as no truly European nuclear

1. See Document 649: Advanced technology in Canada — the consequences for Europe, report by Mr. van Ooijen.

2. Uranium enrichment: The development, design, construction and operation of systems, processes and components to permit isotopic separation and enrichment of the isotope U-235 in uranium for use as nuclear fuel. The technology includes such processes as gaseous diffusion, centrifugation, and advanced systems involving lasers and aeronozzles.

energy industry had been shaped the experts' proposals were not taken up and two groups were formed independently of the Community to establish the enrichment plants.

47. At Tricastin in Southern France, Eurodif, an international consortium composed of France (52%), Belgium, Spain, Italy and Iran, is building a large gaseous diffusion plant using French technology which will eventually have a capacity of 10.7 million separative work units per year¹. It will become operational in 1978 and reach full capacity in 1982. The same consortium is considering building another enrichment plant.

48. France's acceptance of Iran as a participant in Eurodif and the agreements concluded with Iran for the sharing of nuclear research and development, illustrate France's intention to promote its nuclear industry's products in this export market.

49. A second international consortium, Urenco, composed of Germany, the Netherlands and the United Kingdom, is building enrichment facilities based on gas centrifuge technology. Pilot plants are currently operating at Capenhurst in England and Almelo in the Netherlands; the Committee visited the latter on 27th October 1975.

50. The French system has a great advantage in that it is already operational and using proven technology whereas the centrifuge system is new although far more economical. The gaseous diffusion system requires more than 2,000 kW per separative work unit as compared to 250 kW for the centrifuge system.

51. South Africa has built a pilot enrichment plant using the jet nozzle process which requires 3,000 kW per separative work unit.

52. The plant which Germany is to deliver to Brazil will use the centrifuge system if Germany's Urenco partners — the Netherlands and the United Kingdom — agree to the transfer of this know-how.

53. Japan too is considering building an enrichment plant.

54. Today the United States is still by far the most important producer of enriched uranium. It has three gaseous diffusion plants, owned by the United States Energy Research and Development Administration (ERDA) and operated by private American corporations. Its capacity to serve both domestic and foreign needs is a little over 17 million separative work units per year; this will be increased to 27.7 million separative

work units by 1985. Seventeen million separative work units are sufficient for about 170 nuclear power plants of 1,000 MWe each.

55. The Soviet Union has also become a supplier of enriched uranium in the world market; the French, followed by the Germans, Belgians, Italians and Swedes, have bought enrichment services from the Soviet Union. Soviet deliveries are expected to amount to 3 million separative work units per year by 1985.

56. Thus, in the next decade, countries operating light-water reactors will be able to choose from a wide range of suppliers when contracting for enrichment services.

V. Reprocessing

57. The technology for reprocessing spent uranium fuel, the part of the fuel cycle that has caused the most concern because it involves the separation of fissionable plutonium from spent uranium fuel, is one of the most expensive elements in the fuel cycle.

58. Fuel elements discharged from light-water reactors contain about half the fissile material present in new fuel elements. From economic and conservation points of view, recovery and re-use of the materials appear desirable. The first United States commercial plant experienced some operational and maintenance difficulties and was shut down for modification and expansion. A second plant has not reached — and may never reach — the operational stage. A third commercial reprocessing plant was expected to commence operation in 1976, but will be delayed pending construction of facilities to satisfy new criteria for waste treatment and plutonium shipment¹.

59. From a resource standpoint the development of a commercial reprocessing and recycling capacity is highly desirable for the continued growth of nuclear power. The continued absence of a reprocessing and recycling capability will materially increase the demands for uranium, increase enrichment capacity requirements, and necessitate interim storage of large volumes of spent fuel elements.

60. The world's largest commercial plants for reprocessing uranium fuel are at La Hague and Marcoule in France and Windscale in the United Kingdom. A consortium of German companies is participating in the construction of uranium oxide reprocessing plants at La Hague

1. Separative work units are a measure of the work required to separate uranium isotopes and thus enrich the uranium fed to the enrichment plant.

1. See ERDA publication: A national plan for energy research, development and demonstration: creating energy choices for the future, 1976, Volume 1: The plan.

and Windscale through the multinational reprocessing company, United Reprocessors¹, which was formed in 1971. In addition, an experimental reprocessing plant is operating in Karlsruhe, Germany, and a much larger reprocessing plant is to be established by a German public utility group in co-operation with United Reprocessors for the early 1980s.

61. Several small reprocessing plants are operating in Japan, Belgium and Italy.

62. Although the world's operating commercial reprocessing capacity is well below current requirements, the technological capability to reprocess spent uranium fuel is known, or being developed, in at least ten countries and in the 1980s they will be in a position either to build plants or to transfer technological capabilities to other countries.

63. France recently sold a reprocessing plant to Pakistan with safeguards approval from the IAEA. A similar sale was also concluded with South Korea but the South Koreans later cancelled it under pressure from the United States.

64. In his address to the United Nations General Assembly on 22nd September 1975, Dr. Henry Kissinger, then United States Secretary of State, outlined the need to collaborate in nuclear energy matters and in reprocessing in particular. He stated :

“The greatest single danger of unrestrained nuclear proliferation resides in the spread under national control of reprocessing facilities for the atomic materials in nuclear power plants. The United States therefore proposes — as a major step to reinforce all other measures — the establishment of multinational regional nuclear fuel cycle centres. These centres would serve energy needs on a commercially sound basis and encourage regional energy co-operation. Their existence would reduce the incentive for small and inefficient reprocessing facilities, limit the possibility of diverting peaceful nuclear materials to national military use, and create a better framework for applying effective international safeguards.”

65. In his report on second-generation nuclear reactors², Mr. Lenzer made several recommendations, one of which was directly related to the abovementioned address :

“1. To formulate a long-term common nuclear energy policy, act immediately on decisions already taken in the Community

1. See paragraph 26.

2. Document 686.

and the OECD, and define the extent of co-operation with the United States ;

2. To promote the further development of the European nuclear power industry to meet the increased requirements for nuclear power plants on the world market ;

3. To make known in national parliaments and European assemblies their opinions on the United States proposal for multinational regional nuclear fuel centres.”

The Assembly adopted these recommendations and, on 17th May 1976, the Council replied as follows :

“1. As regards the use of nuclear energy for peaceful purposes, the member countries of the European Community are pursuing a common policy based on the treaty establishing the European Atomic Energy Community. Decisions taken by the OECD Council or the Steering Committee of the Nuclear Energy Agency of the OECD are carried out by member countries with due regard to their obligations under the Euratom treaty. Co-operation between the member countries and the United States of America and between the Community and the United States has been resting for years now on the basis of co-operation treaties. Under the present circumstances and in the light of experience, the member governments deem the extent of that co-operation to be adequately defined.

2. The member governments have for many years been promoting the further development of the nuclear power industry so as to meet the growing requirements of the rest of the world as well. Firms in the individual countries are perfectly capable of meeting the requirements for nuclear power plants on the world market.

3. The United States proposal to operate fuel centres under multinational direction and at regional level must be welcomed as a possible further step towards diminishing the dangers of nuclear proliferation. But it also raises a number of political, ecological, legal and management problems which need to be closely examined. The IAEA has begun a study on the question of fuel centres. As soon as its findings are available, and as soon as the debate that has arisen in the United States on this set of problems has produced some clarification, the member governments will be able to express well-grounded views on the United States proposal both to the national parliaments and the Assembly.”

66. Following the address by Dr. Kissinger, in October 1976 President Ford announced his

government's new policy concerning plutonium : until the world-wide problem of nuclear proliferation had been adequately dealt with it would be United States policy to regard the reprocessing of nuclear fuel to produce plutonium as "not a necessary and inevitable step in the nuclear fuel cycle". This raised the possibility of a complete ban on the reprocessing of spent fuel in the future.

67. On 7th April 1977, President Carter declared :

"...The benefits of nuclear power are thus very real and practical. But a serious risk accompanies world-wide use of nuclear power — the risk that components of the nuclear power process will be turned to providing atomic weapons.

...We believe that these risks would be vastly increased by the further spread of sensitive technologies which entail direct access to plutonium, highly-enriched uranium or other weapons-usable material...

We are now completing an extremely thorough review of all the issues that bear on the use of nuclear power. We have concluded that the serious consequences of proliferation and direct implications for peace and security — as well as strong scientific and economic evidence — require:

- a major change in United States domestic nuclear energy policies and programmes ; and
- a concerted effort among all nations to find better answers to the problems and risks accompanying the increased use of nuclear power.

.....

First, we will defer indefinitely the commercial reprocessing and recycling of the plutonium produced in the United States nuclear power programmes. From our own experience we have concluded that a viable and economic nuclear power programme can be sustained without such reprocessing and recycling. The plant at Barnwell, South Carolina, will receive neither federal encouragement nor funding for its completion as a reprocessing facility.

Second, we will restructure the United States breeder reactor programme to give greater priority to alternative designs of the breeder, and to defer the date when breeder reactors would be put into commercial use."

VI. *Fast-breeder reactors*

68. Referring to fast-breeder reactors in his report¹, Mr. Lenzer wrote :

"The fast-breeder reactor is fuelled with a mixture of plutonium and uranium oxides, clad in stainless steel and made up into very compact fuel element assemblies. It relies on the nuclear fission of plutonium and uranium 238 atoms in an intense flux of high-energy — or fast — neutrons produced in a highly-compact core without any moderator.

All countries actively engaged in the development of nuclear power programmes consider that the fast-breeder reactor offers the best prospects for electricity generation in the 1990s. It has the great advantage of producing more plutonium than it consumes — this process being known as breeding. Prototype plants at an advanced stage of construction are being built in France and England, i.e. the Phoenix and Dounreay reactors.

The French project is somewhat more advanced than the British project and has experienced less difficulties, but both promise a far more economic type of reactor. The type of fast-breeder reactor at the most advanced stage of development is the liquid metal cooled fast-breeder reactor. The liquid metal used to provide very efficient heat transfer from a compact high-power reactor core is sodium."

69. In September 1976 a United Kingdom Royal Commission published a 200-page report setting out reasons for delaying the decision to move on to the industrial stage of the Dounreay prototype fast breeder. The question was whether a breeder with a 1,300 MWe capacity should be built. The United Kingdom Atomic Energy Authority stated the Royal Commission's report greatly exaggerated the dangers involved.

70. In 1976, the French Government decided to continue with its fast-breeder reactor and produce the Super-Phoenix. The building of the 1,300 MWe Super-Phoenix fast-breeder is a joint venture between French, German and Italian utilities. The French even have a 450 MWe export version of the Phoenix which they have offered for sale.

71. Germany and Japan are each building 300 MWe prototype plants which are scheduled to be in operation by 1980. In Germany this is the Kalkar plant (SNR-300).

1. Document 686, paragraphs 32-34.

72. A 350 MWe fast-breeder reactor has been operating in the Soviet Union since 1972.

73. If the decision taken by President Carter not to continue work at the Clinch River (Tennessee) fast-breeder plant is upheld, the United States will be the only major industrial country with no operational fast-breeder reactor in the near future.

74. On 7th November 1977 President Carter vetoed a law authorising expenditure of some \$80 million to continue construction of the Clinch River demonstration plant. In explaining his veto — the first since taking office — the President expressed fear lest the plutonium in such a plant fell into the hands of terrorist groups or irresponsible nations sustaining dangerous ambitions.

VII. High-temperature gas-cooled reactors

75. A considerable development effort has been made on this type of reactor in Europe and the United States. However, its commercial future in the United States has been seriously handicapped since late 1975 when Gulf-General Atomic cancelled all orders and suspended sales of this type of reactor. Prior to this the French Atomic Energy Commissariat had drawn up contracts with Gulf-General Atomic to be the French licensee for this type of reactor.

76. In Germany the German affiliate of Brown Boveri and Company and General Atomic were joint owners of the Hochtemperatur-Reaktorbau (HRB). This type of reactor is still being developed in the framework of a German Government research and development programme.

77. Together with the fast breeder, it was allocated the largest sum of money in the Federal Government's budget for reactor development. The government hopes that such a reactor will help to achieve gasification of coal at acceptable prices. The relatively high steam temperature of the power systems of the reactor allows efficient conversion of the nuclear fission heat into the energy needed for gasification.

VIII. Conclusions

78. The energy crisis arising from the oil embargo in 1973 and the subsequent increase in oil prices applied by the OPEC countries introduced a new and confusing element into the ongoing nuclear energy debate. To put nuclear power into some perspective it must be recognised that the world is not running out of

energy. Although the relative contribution that oil and gas make to the world's energy supplies will diminish before the end of the century, substantial amounts of those fossil fuels remain. Coal resources are vast and uranium resources are probably much larger than currently estimated. Looking further ahead, solar, tidal and wave, geothermal and, probably, fusion energy can provide enormous power resources. If these options are successfully pursued the world will have plenty of energy in the future, although probably at costs significantly higher than those of today.

79. Thirty countries, in addition to the five nuclear weapon States, have nuclear power plants in operation, under construction or on order. Nuclear energy has therefore become a fact of international life. There is now a highly competitive international commerce in reactors, uranium and supporting equipment. The principal motive for this interest is the desire for a cheap source of energy. Although the original promise of abundant nuclear electric power at a fraction of the cost of other resources has faded, the opinion persists that economic benefits will accrue over the lifetime of current plants. In Western Europe and Japan there is moreover a preference for nuclear power in order to develop a diversified energy base to increase the security of supply. Much of the present world economy relies on oil and gas but nuclear power cannot be a substitute for oil in such areas as transportation and petrochemicals.

80. The growth and diffusion of nuclear power inevitably enhances the potential for the proliferation of nuclear weapons. Widespread proliferation would constitute an extremely serious danger to European security and to world peace and stability in general. The perils of proliferation are recognised by many countries, for example West Germany, Japan and Sweden, which have the ability to produce nuclear weapons but have renounced their production. There are, however, other countries which do not support the treaty on the non-proliferation of nuclear weapons and the whole system might quickly fall apart if plutonium and highly-enriched uranium materials suitable for nuclear weapons, and the facilities to produce them, became increasingly widespread¹.

81. A particularly disturbing aspect of nuclear proliferation is that nuclear means might come within the reach of national or international terrorist groups. A highly-organised terrorist group might have the ability to fabricate a nuclear weapon from stolen plutonium or highly-enriched uranium. This threat will emerge if plutonium is reprocessed and recycled or if

1. See Appendix III.

reactors requiring highly-enriched uranium are introduced.

82. The link between nuclear power and weapon capability has been recognised since the end of World War II, as have the potential for nuclear proliferation and its attendant political and security risks. If uranium is available, trained personnel are the key requirement for weapon manufacture and detonation. Most of the technology for a weapons programme is readily available to scientists and engineers. Military or civilian defence personnel have been trained in nuclear science and engineering for a long time now and reactor and chemical separation technology has been widely diffused since 1954.

83. The past few years have seen a rise in the size, sophistication and capabilities of terrorist groups around the world. Their activities are strongly motivated and modern communications allow terrorists to obtain a wide audience for their messages. For some years now there has been a possibility that terrorists might attempt to steal nuclear weapons. The proliferation of civilian nuclear power and its sensitive technology provide additional opportunities for terrorists to employ nuclear energy as a weapon. Through this spread new problems have come to the fore, qualitatively and quantitatively. Technologies which introduce weapons-grade materials into civilian activities are, of course, undesirable from a security point of view. If there were no reprocessing or recycling of plutonium or production of high-grade uranium in the high-temperature gas-cooled reactors the possibility of nuclear terrorism would be very slight since there would be fewer opportunities for theft.

84. The likelihood of nuclear terrorism is impossible to assess but the possibility must be taken seriously. Security measures must be improved in both national and international frameworks where key nuclear facilities and transportation are concerned with a view to forestalling terrorist activities. It is for that reason that your Rapporteur has recommended effective international standards and measures in nuclear security policies.

85. To strengthen the controls and safeguards of the International Atomic Energy Agency all exporting countries should in future seek agreements to have all nuclear facilities placed under the agency's safeguards when exporting to countries which have not signed the non-proliferation treaty. An effort should be made to renegotiate existing agreements to include this provision and to persuade other suppliers to adopt a similar policy.

86. Finally, your Rapporteur is of the opinion that serious consideration should be given to the establishment of multinational regional nuclear fuel centres. From the European point of view this is a political necessity if the European countries do not wish to find themselves in a situation where the United States polices the western world and the Soviet Union the eastern world. Your Rapporteur has the impression that although the major industrialised nations in Western Europe have shown a real desire to develop a concerted strategy to prevent proliferation, in the long term they do not believe in their own efforts. For that reason they are afraid to leave their national decision-making power in the hands of an international European authority.

APPENDIX I

*The Warsaw Pact*¹

Warsaw Pact countries depend on the USSR to meet their energy needs, which vary in accordance with each country's resources. The USSR's oil reserves were estimated to be 83.4 billion barrels as of 1st January 1975, although many specialists doubt this high figure. It became the world's largest producer of oil in 1974 with over 9 million barrels a day, surpassing the United States and Saudi Arabia. In 1973 the Soviet Union was exporting 1.3 million barrels a day to communist countries, including those of East Europe, Cuba, Mongolia, North Korea and North Vietnam, and 1 million barrels daily to West Europe and other areas of the world.

Soviet exports of oil to East European and other communist countries are politically as well as economically motivated. Although the USSR advised these governments as early as 1969 to find additional sources of oil, such as the Mideast, it would still like to maintain its rôle as their main supplier. The Soviet Union sells oil and gas to its COMECON partners under special trading arrangements in which it takes soft currencies and manufactured products. Although it did not increase the price of its oil to its East European allies in 1973 and 1974, the Soviet Union doubled the price in January 1975, going from about \$3.20 a barrel to about \$7.50 a barrel, an amount which still remains substantially lower than the price charged West European buyers.

The USSR has recently been emphasising long-term economic co-operation in COMECON, especially in energy matters; because the other COMECON countries are dependent on the USSR for their oil and gas needs, they are obliged to co-operate. This co-operation includes joint planning in geological prospecting and developing enterprises for coal, oil, and gas extraction and processing. As production in extractive industries is highly capital-intensive, the East European countries are expected to share the costs by granting extensive credits to the USSR. From 1976 through 1980, the duration of their next national year-plans, all East European countries are expected to co-operate in energy programmes and preferential development of oil and other fuel resources, as well as in the construction of installations and pipelines.

The USSR exports oil and gas to West Europe as a principal means of obtaining large-

diameter pipe and the hard currencies which are important to the USSR in the purchase of western technology. In 1973 the price of Soviet oil to West Europe was increased between 3.5 to 4 times the old rate, to nearly \$11 per barrel. Soviet oil earnings increased by around 50 %, to about \$3 billion, up from about \$1.2 billion in 1972. Total Soviet exports increased in value from almost \$5 billion in 1973 to an estimated \$7.5 billion in 1974.

Although the USSR wants convertible currencies and claims to have vast oil and gas reserves, it has not been able to keep up either with its own target figures set for production or with its domestic consumption and export commitments. For example, it promised to supply West Germany with 68,000 barrels per day of oil in 1973, but actually delivered only 57,200 barrels. There also have been shortages in the deliveries of its crude oil, high-octane gasoline, and light and heavy industrial fuels to France. It seems clear that the availability of the USSR's oil for export to the West will be declining because of Soviet and East European needs. What the USSR obviously wants is to increase its capacity over a long term through United States or Japanese investment in Siberian development projects. It also hopes gradually to insert itself through special arrangements with Mideast States into a future trade pattern which lets the USSR import oil and gas from Iran, Iraq, and other nearby producers and pass along to West European countries some of the surplus thus acquired.

Consumption of energy, especially of oil, is one of the key yardsticks of economic development. The USSR's current per capita consumption of oil is less than that of the United Kingdom and the Democratic Republic of Germany and only about 40 % of that in the United States, but Soviet domestic consumption is increasing rapidly and the Soviet Union is developing a vast petrochemical industry. Since the more accessible sources of oil in the western part of the USSR are being depleted, more remote sources must be tapped to meet needs even though they involve high development and transportation costs and require advanced technology for exploitation. This is the main reason that, since 1965, the USSR has increasingly turned to the United States and Japan in attempts to get technical help and investment capital.

To make up the difference between lagging production, increasing domestic consumption, and commitments to its allies and other associ-

1. See "World power assessment" by Ray S. Cline, Georgetown University Centre for Strategic and International Studies, Washington, D. C., 1975.

ates, the USSR will have to increase its imports of oil from the Mideast. In 1973 the USSR imported 294,000 barrels of oil a day from the Mideast, and 402 billion cubic feet of gas from Iran and Afghanistan. These imports allowed the USSR to sell 240 billion cubic feet of gas to West Europe. The USSR has been buying Mideast oil and gas in return for military hardware, industrial products, and technical assistance.

Soviet imports of oil have been steadily increasing and are projected to be much larger in the next decade. The USSR did not suffer directly from either oil cutbacks or the 1973 oil embargo, which Soviet broadcasts encouraged. Currently the oil it buys from Libya and Iraq comes from nationalised fields. Because Soviet policy has been consistently pro-Arab, the USSR and East Europe stand to gain, not lose, from any future oil embargo.

APPENDIX II

Treaty on the non-proliferation of nuclear weapons 1968

*List of signatures, ratifications and accessions
as at 31st July 1977*

| | | |
|------------------------|-------------------|-----------------------|
| ** Afghanistan | — Guinea | — Oman |
| — Albania | — Guyana | — Pakistan |
| — Algeria | ** Haiti | ** Panama |
| — Argentine | ** Holy See | ** Paraguay |
| ** Australia | ** Honduras | ** Peru |
| ** Austria | ** Hungary | ** Philippines |
| ** Bahamas | ** Iceland | ** Poland |
| — Bahrain | — India | — Portugal |
| — Bangladesh | * Indonesia | — Qatar |
| * Barbados | ** Iran | ** Romania |
| ** Belgium | ** Iraq | — Rwanda |
| — Bhutan | ** Ireland | — Salvador |
| ** Bolivia | — Israel | ** San Marino |
| ** Botswana | ** Italy | — Saudi Arabia |
| — Brazil | ** Ivory Coast | ** Senegal |
| ** Bulgaria | ** Jamaica | ** Sierra Leone |
| — Burma | ** Japan | ** Singapore |
| ** Burundi | ** Jordan | ** Somali, D.R. of |
| ** Cameroon | ** Kenya | — South Africa |
| ** Canada | ** Khmer Republic | — Spain |
| ** Cent. Afr. Rep. | ** Korea (South) | * Sri Lanka |
| ** Chad | — Korea (North) | ** Sudan |
| — Chile | * Kuwait | ** Swaziland |
| — China | ** Laos | ** Sweden |
| * Colombia | ** Lebanon | ** Switzerland |
| — Congo, P.R. of | ** Lesotho | ** Syria |
| ** Costa Rica | ** Liberia | ** Taiwan |
| — Cuba | ** Libya | — Tanzania |
| ** Cyprus | — Liechtenstein | ** Thailand |
| ** Czechoslovakia | ** Luxembourg | ** Togo |
| ** Dahomey | ** Madagascar | ** Tonga |
| ** Denmark | — Malawi | * Trinidad and Tobago |
| ** Dom. Republic | ** Malaysia | ** Tunisia |
| ** Ecuador | ** Maldives | * Turkey |
| * Egypt, A.R. of | ** Mali | — Uganda |
| ** El Salvador | ** Malta | — UAE |
| — Equatorial Guinea | — Mauritania | ** Upper Volta |
| ** Ethiopia | ** Mauritius | ** Uruguay |
| ** Fiji | ** Mexico | ** Venezuela |
| ** Finland | — Monaco | — Vietnam |
| — France | ** Mongolia | ** Western Samoa |
| ** Gabon | ** Morocco | * Yemen Arab Republic |
| ** The Gambia | ** Nepal | * Yemen (PDRY) |
| ** Germany (Fed. Rep.) | ** Netherlands | ** Yugoslavia |
| ** Germany (Dem. Rep.) | ** New Zealand | ** Zaire |
| ** Ghana | ** Nicaragua | — Zambia |
| ** Greece | — Niger | ** UK |
| ** Grenada | ** Nigeria | ** USA |
| ** Guatemala | ** Norway | ** USSR |

At 31st July 1977 : Parties 99 (including Taiwan) ; Signatories 10 ; Non-parties 38.

N. B. : ** States that have signed and ratified or acceded ;

* States that have signed but not ratified ;

— States non-parties.

APPENDIX III

(a) Nuclear power and nuclear proliferation capabilities

| (1) Country | (2) (3) (4) Nuclear power reactors (MWe) | | | (5) Forecast capacity mid-1980s | (6) Annual bomb equivalent |
|---|---|-------------|--------------------------------|---------------------------------------|----------------------------------|
| | NPT status | Operational | Under construction or on order | | |
| <i>Nuclear weapon States</i> | | | | | |
| United States | Party | 37,600 | 170,800 | 208,400 | 4,168 |
| USSR | Party | 4,600 | 9,800 | 14,400 | 288 |
| United Kingdom | Party | 5,300 | 6,500 | 11,800 | 236 |
| China | Non-party | ? | ? | ? | ? |
| France | Non-party | 2,800 | 18,500 | 21,300 | 426 |
| <i>Insecure States</i> | | | | | |
| Israel | Non-party | 0 | (a) | ? | ? |
| South Africa | Non-party | 0 | (a) | ? | ? |
| South Korea | Party | 0 | 1,800 | 1,800 | 36 |
| Taiwan | Party | 0 | 4,900 | 4,900 | 98 |
| Yugoslavia | Party | 0 | 600 | 600 | 12 |
| <i>Status-seeking States</i> | | | | | |
| Brazil | Non-party | 0 | 3,200 | 3,200 | 64 |
| India | Non-party | 600 | 1,100 | 1,700 | 34 |
| Iran | Party | 0 | 4,200 | 4,200 | 84 |
| Spain | Non-party | 1,100 | 7,200 | 8,300 | 166 |
| <i>Rivals to States in preceding categories</i> | | | | | |
| Argentina | Non-party | 300 | 600 | 900 | 18 |
| Egypt | Signatory | 0 | (a) | ? | ? |
| North Korea | Non-party | 0 | ? | ? | ? |
| Pakistan | Non-party | 100 | ? | 100 | 2 |
| <i>Politically-constrained major States</i> | | | | | |
| Czechoslovakia | Party | 100 | 1,800 | 1,900 | 38 |
| East Germany | Party | 900 | 1,800 | 2,700 | 54 |
| Italy | Party | 500 | 4,700 | 5,200 | 104 |
| Japan | Party | 5,100 | 10,400 | 15,500 | 310 |
| Poland | Party | 0 | 400 | 400 | 8 |
| West Germany | Party | 3,300 | 20,000 | 23,300 | 466 |
| <i>Other developed countries</i> | | | | | |
| Australia | Party | 0 | ? | ? | ? |
| Austria | Party | 0 | 700 | 700 | 14 |
| Belgium | Party | 1,600 | 3,800 | 5,400 | 108 |
| Bulgaria | Party | 900 | 900 | 1,800 | 36 |
| Canada | Party | 2,500 | 9,300 | 11,800 | 236 |
| Finland | Party | 0 | 2,200 | 2,200 | 44 |
| Hungary | Party | 0 | 1,800 | 1,800 | 36 |
| Luxembourg | Party | 0 | 1,300 | 1,300 | 26 |
| Netherlands | Party | 500 | 0 | 500 | 10 |
| Romania | Party | 0 | 400 | 400 | 8 |
| Sweden | Party | 3,200 | 5,200 | 8,400 | 168 |
| Switzerland | Party | 1,000 | 4,800 | 5,800 | 116 |

| (1) Country | (2) (3) (4) Nuclear power reactors (MWe) | | | (5) Forecast capacity mid-1980s | (6) Annual bomb equivalent |
|-----------------------------------|---|-------------|-----------------------------------|---------------------------------------|----------------------------------|
| | NPT status | Operational | Under construction or on order | | |
| <i>Other developing countries</i> | | | | | |
| Chile | Non-party | 0 | 0 | 0 | 0 |
| Greece | Party | 0 | 0 | 0 | 0 |
| Indonesia | Signatory | 0 | 0 | 0 | 0 |
| Mexico | Party | 0 | 1,300 | 1,300 | 26 |
| Philippines | Party | 0 | 1,400 | 1,400 | 28 |
| Thailand | Party | 0 | ? | ? | ? |
| Turkey | Signatory | 0 | 0 | 0 | 0 |

Notes: Columns (3), (4), (5) derived from "World list of nuclear power plants, 31st December 1975", Nuclear News, February 1976. Many countries' programmes have undergone change in the past year, but the overall picture is reflected here.

Column (6), "Annual bomb equivalent", is a rough approximation which assumes each 1,000 MWe in Column (5) is operated in such a way as to produce 200 kg/plutonium annually as a by-product, and 10 kg/plutonium are required for one bomb.

(a) indicates that a country has formally announced that it has one or more nuclear plants on order or under construction since the data for this table were compiled.

Source: Nuclear Power Issues and Choices, page 284, Ballinger Publishing Company (Cambridge, Massachusetts).

(b) Research reactors in non-nuclear countries

| Country | Name | Foreign patron | Rating (thermal MW) | Uranium enrichment | In operation | Possible bombs per year |
|--------------|----------|----------------|---------------------|--------------------|--------------|-------------------------|
| Australia | HIFAR | UK | 10 | 80 % | 1958 | ** |
| Austria | ASTRA | US | 12 | 90 % | 1960 | ** |
| Belgium | BR-2 | none | 50 | 90 % | 1960 | ** |
| | BR-3 | US | 40 | 4.4 % | 1962 | ** |
| Brazil | IEAR-1 | US | 5 | 20 % | 1957 | ** |
| Canada | NRX | none | 40 | natural | 1947 | 2 |
| | NRU | none | 200 | natural | 1957 | 10 |
| | NPD | none | 80 | natural | 1962 | 4 |
| Denmark | DR-2 | UK | 5 | 90 % | 1958 | ** |
| India | CIR | Canada | 40 | natural | 1960 | 2 |
| Israel | Dimona | France | 24 | natural | 1964 | 1 |
| Italy | PRO | none | 30 | 90 % | 1964 | ** |
| | ESSOR | France | 38 | natural | 1967 | 2 |
| Japan | JRR-2 | US | 10 | 90 % | 1960 | ** |
| | JRR-3 | none | 10 | natural | 1962 | $\frac{1}{2}$ |
| | JPDR | US | 45 | 2.6 % | 1963 | 2 |
| Norway | HBWR * | none | 20 | natural | 1959 | 1 |
| Pakistan | PARR | US | 5 | 90 % | 1965 | ** |
| South Africa | Safari-1 | US | 20 | 93 % | 1965 | ** |
| Sweden | R-2 | US | 30 | 90 % | 1960 | ** |
| | R-3/Adam | none | 65 (later 130) | natural | 1963 | 3 (6) |
| Switzerland | Diorit | none | 20 | natural | 1960 | 1 |
| | Lucens | none | 30 | 0.95 % | 1965 | 2 |
| West Germany | FRG | US | 5 | 90 % | 1958 | ** |
| | VAK | US | 60 | 2.6 % | 1961 | 3 |
| | FR-2 | none | 12 | natural | 1961 | $\frac{1}{2}$ |
| | FRJ-1 | UK | 5 | 80 % | 1962 | ** |
| | FRJ-2 | UK | 10 | 80 % | 1962 | ** |
| | AVR | none | 49 | 20 % | 1965 | ** |
| | MZFR | none | 200 | natural | 1965 | 10 |
| Yugoslavia | R-A | USSR | 10 | 2 % | 1959 | $\frac{1}{4}$ |

* This is a joint undertaking of the European Nuclear Energy Agency and as such is subject to safeguards to see that it "shall not further any military purpose".

** Plutonium from these reactors would be negligible.

Source: "Must the bomb spread" by Leonard Beaton, Penguin Books.

The spread of nuclear energy and defence problems

AMENDMENT No. 1¹

*tabled by Mr. Roper
on behalf of the Committee on Defence Questions and Armaments*

1. In the second paragraph of the preamble to the draft recommendation, leave out all the words after "with regard to" and insert "certain specific nuclear equipment and material imported under bilateral agreements, and nuclear material in or under the control of non-nuclear weapon parties to the non-proliferation treaty".
2. After paragraph 2 of the draft recommendation proper, insert the following new paragraph :
"To concert their policies with other supplying countries to make the supply of civil nuclear assistance of any sort to third countries dependent on the latter's acceptance of full IAEA safeguards on all nuclear installations and materials on their territory or under their control ;".

Signed : Roper

1. See 11th Sitting, 30th November 1977 (Amendment agreed to).

The spread of nuclear energy and defence problems

OPINION¹

***on the report of the Committee on Scientific,
Technological and Aerospace Questions
submitted on behalf of the
Committee on Defence Questions and Armaments²
by Mr. Roper, Chairman***

The Committee on Defence Questions and Armaments,

Having considered the report on the spread of nuclear energy and defence problems submitted by the Committee on Scientific, Technological and Aerospace Questions (Document 760) ;

Recalling its own report on the proliferation of nuclear weapons (Document 672) and Recommendation 264 of the Assembly,

1. **COMMENDS** to the Assembly the report of the Committee on Scientific, Technological and Aerospace Questions (Document 760), to the extent that it would strengthen existing provisions for the non-proliferation of nuclear weapons ;

2. **PROPOSES** the following amendments to the draft recommendation therein :

(a) in the second paragraph of the preamble, *delete* all after "with regard to" and *insert* in its place :

"certain specific nuclear equipment and material imported under bilateral agreements, and nuclear material in or under the control of non-nuclear weapon parties to the non-proliferation treaty" ;

(b) insert a new operative paragraph after operative paragraph 2 :

"To concert their policies with other supplying countries to make the supply of civil nuclear assistance of any sort to third countries dependent on the latter's acceptance of full IAEA safeguards on all nuclear installations and materials on their territory or under their control".

1. Adopted unanimously in Committee.

2. *Members of the Committee* : Mr. Roper (Chairman) ; MM. de Koster, Pawelczyk (Vice-Chairmen) ; MM. Ahrens, Beauguitte, ter Beek, Boldrini, Bonnel, Boucheny, Critchley (Alternate : Lord Duncan-Sandys), Dejardin, Fosson, Grant, Handlos, Hardy (Alternate : Watkinson),

Konen (Alternate : Spautz), Lemmrich, Maggioni, Ménard, Nessler, Pecchioli, Rivière, Roberti, Schmidt, Scholten, Tanghe, Whitehead (Alternate : Banks).

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

Explanatory Memorandum
(submitted by Mr. Roper, Chairman)

Introduction

1. At its meeting on 4th October the Presidential Committee decided to refer to the Committee on Defence Questions and Armaments for an opinion, the report on the spread of nuclear energy and defence problems to be prepared by the Committee on Scientific, Technological and Aerospace Questions¹.

Previous position of the Committee on Defence Questions and Armaments

2. The most recent report by the Defence Committee on the specific problem of the proliferation of nuclear weapons and its relationship to civilian nuclear technology was that on the proliferation of nuclear weapons². On the basis of this report the Assembly adopted Recommendation 264 on 27th May 1975, the text of which is at Appendix. Paragraphs 6 to 8 of the operative text of that recommendation were added by amendment in the Assembly, and were not to be found in the draft recommendation contained in the Committee's report.

3. The attitude of the Committee expressed in that report can be summarised under four heads :

- (i) to urge all member countries to accede to the treaty on the non-proliferation of nuclear weapons, and in their foreign relations to encourage other countries to accede to it ;
- (ii) otherwise to be prepared to supply civilian nuclear technology to third countries under conditions compatible with the non-proliferation treaty — i.e. there should be no possibility of materials or technology being devoted to the production of nuclear explosive devices, because such devices could always be used as nuclear weapons whatever their avowed purpose ;
- (iii) countries supplying civilian nuclear technology or materials should insist on the safeguard controls of the International Atomic Energy Agency being extended to all nuclear installations and materials in the receiving country, not merely to the materials or installations being supplied ;

(iv) under operative paragraph 8 (b) added to the recommendation by amendment in the Assembly, IAEA safeguards were to be extended to the physical protection of nuclear material throughout the whole nuclear fuel cycle.

4. The Committee recalls the present status of the treaty on the non-proliferation of nuclear weapons to which 100 countries have adhered, and which has been signed by a further nine countries who have not yet ratified the treaty. All members of WEU except France are parties to the treaty, as are all other members of NATO except Portugal and Turkey¹. Other significant countries which are not parties to the treaty are, in Europe, Spain ; elsewhere : Argentina, Brazil, Chile, China, Egypt¹, India, Indonesia¹, Israel, Pakistan, Saudi Arabia, South Africa, Sri Lanka¹.

Present proposals of the Committee on Scientific, Technological and Aerospace Questions

5. In paragraph 3 of the draft recommendation attached to its present report, the Science Committee proposes a vaguer stance on non-proliferation and safeguards than the Defence Committee and, on its recommendation, the Assembly have done hitherto.

6. The nature of IAEA safeguards is not perhaps clearly brought out in the Science Committee's report, and the wording of the second paragraph of the preamble to the draft recommendation does not appear to be entirely accurate. Unlike Euratom safeguards, which are applied automatically to all nuclear material on the territory of the member States², IAEA safeguards are applied only where a State concludes a specific agreement to accept them. Usually such agreements cover only specified installations or material on the territory of the State, but under the non-proliferation treaty non-nuclear weapon States are required to conclude agreements for the application of IAEA safeguards to all source or fissionable material in all peaceful nuclear activities in the State or under its control. Thus, although the non-parties to the non-proliferation treaty cited in paragraph 4 above are

1. Reference Document 760.

2. Document 672, Rapporteur Mr. Delorme, adopted in Committee by 15 votes to 0 with 1 abstention on 29th April 1975.

1. Country having signed the treaty but not yet ratified it.

2. Except for any material which a member State declares to be prepared for military purposes.

all members of the IAEA, nuclear installations and materials on their territory are not under IAEA safeguards except where specifically covered in individual agreements.

Conclusions — Opinion of the Committee on Defence Questions and Armaments

7. The Committee agrees with, and commends to the Assembly, the Science Committee's proposals to the extent that they strengthen existing provisions for the non-proliferation of nuclear weapons, provided that in keeping with earlier reports of the Committee¹ the right is maintained for an existing nuclear weapon power (defined in the non-proliferation treaty as a country having exploded a nuclear weapon or explosive device prior to 1st January 1967) to assist another existing nuclear weapon power in the production of nuclear weapons, including the exchange of military grade nuclear materials and design information. Under present arrangements there is an exchange of military grade fissile material and design information between the United States and the United Kingdom. This right is tacitly recognised in the treaty on the non-proliferation of nuclear weapons.

8. The Committee *recommends* that the draft recommendation of the Science Committee be

reworded in the second paragraph of the preamble, and that it be further strengthened by embodying the principle previously adopted by the Assembly in paragraph 3 of Recommendation 264 whereby the supply of civil nuclear assistance to third countries should be made dependent on those countries accepting full IAEA controls on all nuclear installations and material on their territory or under their control.

9. Moreover, in view of the progressive erosion of the principle of non-proliferation in the last ten years, leading to the nuclear explosion conducted by India in 1974 and the reported preparation for such an explosion by South Africa in 1977, the Committee would have *preferred* that a further measure be incorporated in the draft recommendation to ban the supply to individual non-nuclear weapon countries of particularly sensitive plant or materials. These can now be considered to be fast-breeder reactors and fuel for them; reprocessing plants and enrichment plants. Fuel for breeder reactors may be readily adaptable for use in nuclear weapons; reprocessing and enrichment plants can be operated to provide fissile material for nuclear weapons. Encouragement should instead be given to the establishment of regional nuclear centres to be owned and operated by and under the full control of the IAEA or Euratom. Sensitive plant and materials for non-nuclear weapons countries should then be supplied only to such regional centres.

1. Document 454, 19th September 1968; Document 499, 4th December 1969.

APPENDIX

RECOMMENDATION 264¹
on the proliferation of nuclear weapons²

The Assembly,

Regretting that despite a certain progress in arms control negotiations, and the acceptance of "essential equivalence" in strategic armaments by the superpowers, the numbers of nuclear weapons have continued to grow ;

Considering that the nuclear explosion conducted by India threatens the stability of relations in the area, undermines the basis on which nuclear technology can be made available by one country to another, while doubtless adding nothing to the security or economic resources of India ;

Aware of the vital importance, in view of the energy crisis, of nuclear power being available to all countries for civil applications ;

Believing that the treaty on the non-proliferation of nuclear weapons still offers the best basis on which the peaceful applications of nuclear energy can be made available in full to all countries, while avoiding total nuclear anarchy ;

Noting with keen satisfaction that, after the United Kingdom, five other member States of WEU have adhered to the treaty and deposited on the same day their instruments of ratification ;

Aware that the adoption of parallel if not identical attitudes on the part of the member States of WEU would be fruitful for Western Europe,

RECOMMENDS TO THE COUNCIL

That it urge member countries :

1. To adhere to the treaty on the non-proliferation of nuclear weapons and, where possible, to deposit their instruments of ratification before the end of the review conference ;
2. In all their foreign relations to encourage universal accession to that treaty ;
3. To accept the full application of controls provided for under that treaty, and to concert their policies with other supplying powers to make the supply of civil nuclear assistance of any sort to third countries dependent on their acceptance of full IAEA controls on all nuclear installations and material on their territory or under their control ;
4. Subject to the foregoing overriding consideration, to provide the maximum possible assistance to third countries in all civil applications of nuclear energy ;
5. To consult with their allies in the North Atlantic Council with a view to achieving, through the various arms control negotiations, a genuine reduction in the numbers of nuclear weapons without diminishing the essential basis of their security ;
6. To speak with one voice now in the Geneva conference responsible for considering the application of the treaty and subsequently adopt joint attitudes towards the depository countries of the treaty and of the IAEA ;

1. Adopted by the Assembly on 27th May 1975 during the First Part of the Twenty-First Ordinary Session (4th Sitting).

2. Explanatory Memorandum : see the Report tabled by Mr. Delorme on behalf of the Committee on Defence Questions and Armaments (Document 672).

7. With this in view, to convey strongly to the USSR and the United States the urgency of meaningful progress towards vertical non-proliferation in accordance with the commitments entered into lest the treaty lose its credibility and become merely an instrument of discrimination ;
8. To increase IAEA guarantees and safeguards and in particular :
 - (a) invite the nuclear States to follow the example of the United Kingdom and of the United States by making their civil installations subject to IAEA safeguards ;
 - (b) extend IAEA safeguards to the physical protection of nuclear material throughout the whole nuclear fuel cycle.

REPLY OF THE COUNCIL ¹
to Recommendation 264

1. All member countries of WEU, whether or not parties to the treaty on the non-proliferation of nuclear weapons, hold equally firmly to the principle of non-proliferation, which in their view should lead to an improvement in international relations.
2. They are also fully aware of the importance of peaceful uses of nuclear energy for the economic development of many countries, and continue to encourage exchanges of equipment, materials and scientific and technical information in this field, while taking appropriate steps to ensure that exports of such nuclear equipment and material are not diverted from their peaceful purposes.
3. Arms control and disarmament are matters of concern to the member countries of WEU and to the Atlantic Alliance ; all member countries will therefore give particular attention to any measures designed to discourage proliferation. The balance of forces is, moreover, a vital factor in maintaining peace and all action of the kind mentioned above must take account of the need to safeguard member countries' security and stability.
4. The Council are also convinced of the need to harmonise member countries' positions in the appropriate international fora.
5. The Council stress that the problem of physical protection of nuclear material, particularly against loss, theft and sabotage, has until now been essentially the concern of the military nuclear States, but that it is in fact also the concern of other States, whether or not they have acceded to the treaty, particularly as such protection involves heavy expenditure which affects the economic balance and the conditions of production and trade of nuclear material.

A fuller examination of this problem has been undertaken by the EEC and by a group of experts meeting under the auspices of the IAEA, which has submitted its conclusions to the countries concerned.

1. Communicated to the Assembly on 27th November 1975.

International terrorism

MOTION FOR A RECOMMENDATION

*tabled by Mr. Müller and others
with a request for urgent procedure*

The Assembly,

Considering that terrorism allows minorities to threaten the operation of democracy ;

Recalling that terrorist action is a threat to Europe's security because of the material and moral disturbances it can cause, particularly in time of crisis ;

Noting that only firm and concerted action by governments can deter terrorism ;

Welcoming the results achieved by such action in recent months ;

Welcoming also the progress made towards peace in the Middle East thanks to Egyptian and Israeli initiatives ;

Considering that a return to peace in that area can but weaken terrorist undertakings ;

Regretting the delay by the Western European countries in expressing what is only in part a joint opinion on these events,

RECOMMENDS THAT THE COUNCIL

1. Ensure that member countries pursue and strengthen their consultations for effective joint action both to fight international terrorism and to help establish a fair and lasting peace in the Middle East ;
2. Examine, in the light of Article VIII of the modified Brussels Treaty, the implications of the present situation for the application of Article V of Protocol No. II on internal defence and police forces, particularly in view of the need to protect mobilisation centres and military or civil nuclear installations.

Signed : Müller, Rodgers, Mende, Channon, Grieve, Bennett, Beaumont, Abens, Margue, Radius

International terrorism

DRAFT RECOMMENDATION ¹

*submitted on behalf of the General Affairs Committee ²
by Mr. Müller, Rapporteur*

The Assembly,

Considering that terrorism allows minorities to threaten the operation of democracy ;

Recalling that terrorist action is a threat to Europe's security because of the material and moral disturbances it can cause ;

Noting that only firm and concerted action by governments can deter terrorism ;

Welcoming the results achieved by such action in recent months,

RECOMMENDS THAT THE COUNCIL

Ensure that member countries pursue and strengthen their consultations for effective joint action to fight international terrorism, particularly in view of the need to protect mobilisation centres and military or civil nuclear installations.

1. Adopted in Committee by 12 votes to 4 with 0 abstentions.

2. Members of the Committee : Mrs. von Bothmer (Chairman) ; Sir John Rodgers, Mr. Sarti (Vice-Chairmen) ; MM. Abens, Ariosto, Beith, Sir Frederic Bennett, MM. Bizet, Brugnon (Alternate : Forni), Cermolaoce, Faulds, Gessner, Gonella, Grangier, Hanin (Alternate : Van Aal),

Mrs. van den Heuvel-de Blank, MM. Mangelschots (Alternate : Van Waterschoot), Mende, Minnocci (Alternate : Calamandrei), Müller, Peijnenburg, Péridier, Perin, Portheine, Reddemann, Segre (Alternate : Treu), Urwin.

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

International terrorism

AMENDMENT No. 1¹
tabled by Mr. Dejardin

1. Insert the following new paragraph at the end of the preamble to the draft recommendation :
"Disturbed at the spiral of violence that can be caused by acts of terrorism in a society marked by individualism, the lure of gain and the disintegration of social conditions favouring human relations,".
2. At the end of the draft recommendation proper, insert :
", whilst guaranteeing respect for private life and the free exercise of the political, economic and social rights of citizens which is characteristic of any democratic system."

Signed : Dejardin

1. See 12th Sitting, 30th November 1977 (Amendment referred back to Committee).

