



**Assembly of Western European Union  
The interim European Security and Defence Assembly**

**DOCUMENT A/1733**

**18 June 2001**

**FORTY-SEVENTH SESSION**

---

The follow-up to the Nice decisions on the ESDP and the  
completion of the project for European defence

**REPORT**

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

ASSEMBLY OF WESTERN EUROPEAN UNION  
THE INTERIM EUROPEAN SECURITY AND DEFENCE ASSEMBLY  
43, avenue du Président-Wilson, 75775 Paris Cedex 16  
Tel. 01.53.67.22.00 – Fax: 01.53.67.22.01  
E-mail: [assembly@weu.int](mailto:assembly@weu.int)  
Internet: <http://www.weu.int/assembly>

*The follow-up to the Nice decisions on the ESDP and the completion of the project for European defence*

---

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

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

---

TABLE OF CONTENTS

RECOMMENDATION 684

on the follow-up to the Nice decisions on the ESDP and the completion of the project for European defence

EXPLANATORY MEMORANDUM

submitted by Mr Liapis, Rapporteur

- I. Introduction
- II. The institutional and operational arrangements for a European Security and Defence Policy
  1. The development of military capabilities and the strengthening of civil crisis-management capabilities
    - (a) Elaboration of the headline goal and of the military capability goals set in Helsinki
    - (b) Definition and implementation of EU capabilities in the civilian aspects of crisis management
  2. Establishment of permanent political and military structures
    - (a) Political and Security Committee (PSC)
    - (b) European Union Military Committee (EUMC)
    - (c) European Union Military Staff Organisation (EUMS)

---

<sup>1</sup> Adopted unanimously by the Committee on 15 May 2001.

<sup>2</sup> *Members of the Committee:* Mr Marshall (Chairman) (Alternate: *Lord Judd*); MM Behrendt, *Blaauw* (Vice-Chairmen); MM *Baumel*, Bianchi, Brancati, Sir Sydney Chapman, MM Clerfayt, Cusimano, Dias, Mrs Dumont, Mrs Durrieu, MM Ehrmann (Alternate: Mr *Dreyfus-Schmidt*), Evangelisti, Eyskens, Fayot, Floros, Guardans I Cambó, Haack, Hordies, *Hornhues*, *Lord Kirkhill*, MM *Kotsonis*, Lacão, Lemoine, *Liapis*, van der Linden, Martínez Casañ (Alternate: *Arnau Navarro*), Lord Ponsonby, MM *de Puig*, Puche Rodríguez (Alternate: *Yañez Barnuevo*), *Roseta*, Schmitz, Sterzing, Timmermans, Volcic (Alternate: Mrs *Squarcialupi*), Wray.

*Associate members:* MM *Adamczyk*, *Akçali*, Mrs Akgönenc, MM Bielecki, Eörsi, Mrs Fossli, Ms *Gülek*, MM *Gundersen*, Irtemcelik, Jaluvka, Kasal, Lobkowicz, Pálsson, Pastusiak (Alternate: *Czarnecki*), Pokol, Zielinski.

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

3. Arrangements for consultation and participation of non-EU European NATO members and other countries which are candidates for accession to the European Union
4. Consultation and cooperation between the EU and NATO
- III. Consequences of the Marseilles Declaration
  1. Remaining functions of WEU
  2. Relations between the Council and the Assembly
  3. A new role for a double-hatted Assembly?
- IV. The political will to develop autonomy
- V. A common strategy?
- VI. Attitudes of the United States Administration
- VII. A changing transatlantic community?
- VIII. The position of non-EU European NATO member states
- IX. Conclusions

**RECOMMENDATION 684<sup>1</sup>*****on the follow-up to the Nice decisions on the ESDP and the completion of the project for European defence***

The Assembly,

- (i) Recalling that the Council continues to have an obligation under Article IX of the modified Brussels Treaty to make an annual report to the WEU Assembly and reiterating that this report should cover all the relevant treaty areas and reach the Assembly early enough to be examined by its committees, thereby supporting the Assembly's function as a broad forum for discussion of security and defence matters, and therefore deeply regretting that the second part of the 46<sup>th</sup> annual report of the Council did not reach the Assembly on time;
- (ii) Welcoming the progress the European Union has made in order to become a credible, autonomous actor in crisis-management matters;
- (iii) Regretting, however, that the Treaty of Nice was unable to complete the project whose purpose is to provide the European Union with a fully-fledged defence dimension;
- (iv) Deploring that, as a consequence, responsibility for crisis management and collective defence now formally lies with different European organisations with different memberships and that different treaties form the basis for these tasks;
- (v) Noting that under the present wording of Article 17 of the Treaty on European Union concerning the Common Foreign and Security Policy, WEU is no longer an integral part of the development of the European Union;
- (vi) Deeply concerned about the consequences this will have for defining how WEU's remaining functions are to fit into the European framework in the future, these being:
- collective defence based on Article V of the modified Brussels Treaty;
  - armaments cooperation;
  - the parliamentary dimension of European defence;
  - WEU's role as an enlarged forum for general strategic reflection;
- (vii) Welcoming the EU's determination to be capable of carrying out the full range of Petersberg tasks;
- (viii) Aware, however, that it may well be a long time before member states make all the improvements as regards munitions, weapons, force protection, medical services, intelligence, command and control and air and sea lift that are necessary if they are to be able to act autonomously even in peacemaking operations;
- (ix) Recognising the complexity inherent in the EU's policy of moving towards the development of a common European defence, which is mentioned as a possible objective in the Treaty on European Union, while maintaining it as a fundamental commitment in the modified Brussels Treaty;
- (x) Considering that European armaments cooperation, which will continue to take place in WEAG – one of the residual functions of WEU – will be more important than ever now that the EU has decided to develop an autonomous European military capability because, if implemented properly, it will lead to the harmonisation of armaments and equipment and will make defence budgets, which are not likely to increase, more cost-effective;
- (xi) Repeating that it is of great importance to keep both WEU's associate members and partners closely involved in the EU's Common Foreign and Security Policy;

---

<sup>1</sup> Adopted without amendment by the Assembly on 18 June 2001 (second sitting).

(xii) Convinced that there is still a fundamental interest in increasing the number of signatories to the modified Brussels Treaty, including Article V thereof, even if the European Union continues to pursue the objective of achieving a common defence as enshrined in the Maastricht, Amsterdam and Nice Treaties,

RECOMMENDS THAT THE COUNCIL

1. Concentrate its efforts on armaments cooperation in WEAG and WEAO in order to help the member states find ways of offsetting the qualitative shortfalls and deficiencies, in terms of collective capabilities, that were recently identified in the Military Capabilities Commitment Declaration, taking into account the proposal to create a European Armaments Agency;
2. Place stronger emphasis in its deliberations on supporting the Assembly's function as a broad forum for discussion of security and defence matters by providing it in good time and as appropriate with all the information it needs to carry out this function;
3. Play an active role in the custodianship of Article V of the modified Brussels Treaty and endeavour to increase the number of signatories in order to ensure that common defence remains a central issue for conceptual thinking in a European framework, in total harmony with the responsibilities of the Atlantic Alliance;
4. Draw up for that purpose a number of options which could help to overcome the difficulties that persist as regards including a mutual assistance clause in the Treaty on European Union;
5. Ask the Council of the European Union to take the necessary steps to enable it to undertake peace-enforcement missions in the near future.

## EXPLANATORY MEMORANDUM

*submitted by Mr Liapis, Rapporteur*

### *I. Introduction*

1. The Saint Malo Declaration marked a turning point in the history of European defence and in the region of the world traditionally referred to as “the West”. The United Kingdom, which for decades was regarded as the epitome of Euroscepticism when it came to European defence, took a major step forward in Saint Malo by agreeing to and even advocating the idea of setting up a defence structure within the European Union even though, at least to begin with, this structure is to be confined to crisis management and more generally Petersberg missions, with responsibility for territorial defence being left to the Atlantic Alliance, bolstered by the commitment contained in the modified Brussels Treaty which remains in force. The Marseilles Declaration which was to give formal approval to the ESDP a little over a year later was no more than the logical follow-on from Saint Malo. Major politico-military institutional arrangements have since been made, with the result that by 2003 the idea of operations undertaken by Europeans determined to act autonomously and using their own resources will no longer belong to the realm of fantasy.

2. Nevertheless, and despite all the progress made, the situation is far from satisfactory in terms of the objectives and procedures which have been adopted. In the first place, it is extremely important to remember that the real objective of the ESDP can, in the medium term, only be common territorial defence, that is to say a guarantee similar to the one given by the founders of WEU 50 years ago. Secondly, Europe must achieve genuine autonomy vis-à-vis NATO as regards both assets and decision-making. Without such autonomy, and for all the efforts it is making, Europe will be no more than a minor offshoot of the Atlantic Alliance. Its newly created structures might work from time to time in the event of minor political problems but even then it would be using assets borrowed from its transatlantic allies. Thirdly, as far as planning any operations is concerned, peacemaking has to be a major consideration as it is an area which requires substantial resources and has more extensive political repercussions than other operations envisaged under the ESDP. Fourthly, the European Union’s relations with countries which are not EU members have to be based on respect for the principle of full responsibility of the EU member states and cooperation on the part of other countries in accordance with their status as candidates for EU accession or as NATO allies.

3. It should be added that until the ESDP has achieved its objective, i.e. for as long as there is no genuine common defence, armaments cooperation or a parliamentary dimension, it is clear that WEU will continue to be justified in continuing its work in the cause of a proper European defence system.

### *II. The institutional and operational arrangements for a European Security and Defence Policy*

4. The Nice European Council adopted a report by the French Presidency of the EU on the European Security and Defence Policy (ESDP) which provided a detailed account of the many activities which have been and are being undertaken to achieve a fully-fledged ESDP.

5. Since the WEU Council meeting in Marseilles and the EU Summit in Nice at the end of 2000, progress has been made to establish and consolidate both the institutional and the operational arrangements for a European Security and Defence Policy.

6. The objective of the activities under way is “to give the European Union the means of playing its role fully on the international stage and of assuming its responsibilities in the face of crises by adding to the range of instruments already at its disposal an autonomous capacity to take decisions and action in the security and defence field”<sup>2</sup>.

7. This autonomous capability should allow the European Union to take decisions and to launch and conduct EU-led military operations in response to international crises where NATO as a whole is not engaged. In this way, the EU will be able to carry out the full range of Petersberg tasks which have been defined in the Treaty on European Union: humanitarian and rescue tasks, peacekeeping tasks and

---

<sup>2</sup> Presidency report to the Nice European Council, 7-8 December 2000.

tasks of combat forces in crisis management, including peacemaking. The EU has emphasised that NATO remains the basis of the collective defence of its members and will continue to play an important role in crisis management. It also recognises the primary responsibility of the United Nations Security Council for maintaining peace and international security.

8. The activities the EU is undertaking to establish a European Security and Defence Policy are described below.

***1. The development of military capabilities and  
the strengthening of civil crisis-management capabilities***

*(a) Elaboration of the headline goal and of the military capability goals set in Helsinki*

9. On 20 November 2000, a Capabilities Commitment Conference was held in Brussels at which the EU defence ministers made national commitments to meet the requirements of the Rapid Reaction Force. On 21 November, the EU defence ministers met with the defence ministers of the six non-EU European NATO members, some of which made additional pledges of their own. This was followed by a meeting between the EU ministers with their counterparts from EU applicant countries that are not members of NATO, most of which made some rather vague pledges.

10. The member states pledged about 100 000 troops, 400 combat aircraft and 100 ships for an EU "force catalogue" which is considered to be a pool of assets which the EU can draw upon for future contingencies. This should enable the EU to meet its headline goal of a rapid reaction force of 60 000 troops in quantitative terms but it should be noted that if the EU wishes to sustain this force in the field for a year, it will ultimately need a pool of some 200 000 troops.

11. In a Military Capabilities Commitment Declaration specifying the main qualitative shortfalls, the member states declared that they would have to improve their performance in specific areas such as munitions, weapons, the protection of forces and medical services. It was agreed that they would have to redouble their efforts in pursuit of the Helsinki collective capability goals regarding intelligence, command and control, and air and sea lift.

*(b) Definition and implementation of EU capabilities in the civilian aspects of crisis management*

12. The EU is developing civilian capabilities in the four priority areas identified at the Feira Summit: police, strengthening of the rule of law, strengthening civilian administration and civil protection. Although progress is being made in these four areas, it should be noted that it may take some time to implement the goals which have been set.

13. As regards police capabilities, member states intend to be able to provide 5 000 police officers by 2003 for international missions, 1 000 of whom could be deployed within 30 days. For the purpose of strengthening the rule of law, the establishment of specific objectives is now being discussed. A database was set up within the General Secretariat of the EU Council to record member states' capabilities regarding the re-establishment of a judicial and penal system.

14. In terms of political and military structures, the Presidency Report mentions a number of structures that were operating prior to the Nice Summit on an interim basis and which are due to become fully operational during the Swedish Presidency of the EU in the first half of 2001.

***2. Establishment of permanent political and military structures***

*(a) Political and Security Committee (PSC)*

15. The PSC<sup>3</sup> has a central role in the definition of and follow-up to an EU response to a crisis. The Secretary-General/High Representative, who may chair the PSC (particularly in times of crisis), plays an important role in providing impetus.

---

<sup>3</sup> Also known as COPS from its French acronym.

16. The Political and Security Committee will have to:

- keep track of the international situation in the areas falling within the Common Foreign and Security Policy, help define policies by drawing up “opinions” for the Council, either at the request of the Council or on its own initiative, and monitor implementation of agreed policies, all of this without prejudice to Article 207 of the Treaty establishing the European Community and to the powers of the Presidency and of the Commission;
- examine the areas of GAC draft conclusions in which it is involved;
- provide guidelines for other Committees on matters falling within the CFSP;
- maintain a privileged link with the Secretary-General/High Representative (SG/HR) and the special representatives;
- send guidelines to the Military Committee; receive the opinions and recommendations of the Military Committee. The Chairman of the Military Committee (EUMC) who liaises with the European Union Military Staff (EUMS) takes part, where necessary, in PSC meetings;
- receive information, recommendations and opinions from the Committee for Civilian Aspects of Crisis Management and send it guidelines on matters falling within the CFSP;
- coordinate, supervise and monitor discussions on CFSP issues in various working parties, to which it may send guidelines and whose reports it must examine;
- lead the political dialogue in its own capacity and in the forms laid down in the Treaty;
- provide a privileged forum for dialogue on the ESDP with the Fifteen and the Six as well as with NATO in accordance with arrangements set out in the relevant documents;
- under the auspices of the Council, take the responsibility for the political direction of the development of military capabilities, taking into account the type of crisis to which the Union wishes to respond. As part of the development of military capabilities, the PSC will receive the opinion of the Military Committee assisted by the European Military Staff.

17. It should be noted, however, that the PSC is in a rather delicate situation given that it only examines and recommends the options that might be considered as the Union’s response to a crisis situation without prejudice to the decision-making and implementation procedures of each pillar. The PSC’s recommendations to the Council will always be reviewed by Coreper (Committee of Permanent Representatives) before going to the Council. The Council, whose preparatory work is carried out by Coreper, and the Commission alone have powers, each within their own areas of competence and in accordance with the procedures laid down by the Treaties, to take legally binding decisions.

18. The PSC exercises “political control and strategic direction” of the EU’s military response to a crisis. To that end, on the basis of the opinions and recommendations of the Military Committee, it evaluates in particular the essential elements (strategic military options including the chain of command, operation concept, operation plan) to be submitted to the Council.

*(b) European Union Military Committee (EUMC)*

19. The European Union Military Committee, established within the Council is composed of the Chiefs of Defence (CHODs) represented by their military representatives. It gives military advice and makes recommendations to the PSC and provides military direction to the European Union Military Staff (EUMS).

20. In particular, the EUMC’s advice and recommendations to the PSC regard:

- the development of the overall concept of crisis management in its military aspects;
- the military aspects relating to the political control and strategic direction of crisis-management operations and situations;
- the risk assessment of potential crises;

- the military dimension of a crisis situation and its implications, in particular during its subsequent management; for this purpose, it receives the output from the Situation Centre;
- the elaboration, the assessment and the review of capability objectives according to agreed procedures;
- the EU's military relationship with non-EU European NATO members, the other candidates for accession to the EU, other states and other organisations, including NATO;
- the financial estimation for operations and exercises.

21. The PSC takes this advice, integrates it with other material and channels it to ministers. Those EU countries that are also Alliance members will mostly send the same representatives to the EUMC and to the NATO Military Committee (France has opted for a separate representative) to help the EU and NATO cooperate closely. The Chairman of the EUMC will take part in the PSC; the other members of the Military Committee will be encouraged to do likewise. The Chairman of the EUMC will also be the channel for conveying politico-military guidelines to the Operation Commander. On military matters, the Secretary General/High Representative will receive advice from the Chairman of the EUMC and be assisted by the Director General of the EUMS.

*(c) European Union Military Staff Organisation (EUMS)*

22. The Military Staff is to perform early warning, situation assessment and strategic planning for Petersberg tasks including identification of European national and multinational forces and to implement policies and decisions as directed by the European Union Military Committee (EUMC).

23. The EU's Military Staff will neither exercise command responsibilities, nor conduct detailed operational planning. For those functions, the EU will have to rely either on NATO, or on national commands and headquarters.

24. The role and task of the EUMS have been defined as follows:

- it is the source of the EU's military expertise;
- it assures the link between the EUMC on the one hand and the military resources available to the EU on the other, and it provides military expertise to EU bodies as directed by the EUMC;
- it provides an early warning capability. It plans, assesses and makes recommendations regarding the concept of crisis management and the general military strategy and implements the decisions and guidance of the EUMC;
- it supports the EUMC regarding situation assessment and military aspects of strategic planning<sup>4</sup>, over the full range of Petersberg tasks, for all cases of EU-led operations, whether or not the EU draws on NATO assets and capabilities;
- it contributes to the process of elaboration, assessment and review of the capability goals taking into account the need, for those member states concerned, to ensure coherence with NATO's Defence Planning Process (DPP) and the Planning and Review Process (PARP) of the Partnership for Peace (PfP) in accordance with agreed procedures;
- it has the responsibility to monitor, assess and make recommendations regarding the forces and capabilities made available to the EU by the member states, on training, exercises and interoperability.

25. Together with the High Representative and the General Affairs Council, these structures allow the EU to draw upon a wide range of institutions to implement its defence and crisis-management policies. Additionally, an EU Situation Centre is linked to both the Military Staff and High

---

<sup>4</sup> Strategic planning: planning activities that start as soon as a crisis emerges and end when the EU political authorities approve a military strategic option or a set of military strategic options. The strategic process encompasses military situation assessment, definition of a POL/MIL framework and development of military strategic options.

Representative Solana's Policy Unit. Run jointly by civilian and military personnel, the Situation Centre's job is to coordinate and process information that is relevant to a crisis, and pass it on to the appropriate institutions. One of its tasks is to integrate and assess intelligence from the various member states and from NATO.

26. However, some questions related to decision-making structures were left untouched by the Nice European Council such as the creation of a Council of Defence Ministers. According to Christoph Bertram, Gilles Andreani and Charles Grant "the EU's defence ministers should meet on their own at least twice a year, as a Council of Defence Ministers. This would encourage a collective ethos and facilitate group pressure, so that the governments would be more likely to deliver on the military capabilities that they have promised for the headline goal"<sup>5</sup>. Furthermore, it could help to harmonise the headline goal with NATO's Defence Capabilities Initiative. Indeed, EU defence ministers had their own meeting during the Capabilities Commitment Conference in November 2000 and, although their decisions had to be formally adopted by a subsequent meeting of the General Affairs Council, the positive results are clear evidence of the usefulness of such a council.

### ***3. Arrangements for consultation and participation of non-EU European NATO members and other countries which are candidates for accession to the European Union***

27. The European Union has made it clear that for its crisis-management activities and operations, it is willing to receive contributions from the non-EU European NATO members and other countries that are candidates for accession to the EU. On the other hand, it wishes the principle of its decision-making autonomy to be respected.

28. This means that these countries will be consulted "on a regular basis when there is no crisis" and involved "to the greatest possible extent in EU-led military operations in times of crisis"<sup>6</sup>. In practical terms during a crisis all the non-EU countries participating in an EU-led operation will have the same rights and obligations as the EU participating member states in the day-to-day conduct of an operation, may appoint liaison officers to the Planning Staff and can attend the Committee of Contributors<sup>7</sup>.

29. The frequency of and procedures for consultation will depend on requirements and will be guided by considerations of pragmatism and efficiency, with a minimum of two meetings in EU+15 format being held during each Presidency on ESDP matters and their possible implications for the countries concerned. Within this context, a minimum of two meetings will be held during each Presidency with the six non-EU European NATO members (EU+6 format).

30. One ministerial meeting bringing together the fifteen and the six countries will be held during each presidency.

31. The PSC will play a leading role in the implementation of these arrangements, which will also include a minimum of two meetings at Military Committee representative level, as well as exchanges at military experts level (in particular those concerning the establishment of capability objectives) which will continue in order to enable the non-EU European NATO members and other candidate countries to contribute to the process of enhancing European military capabilities; meetings of experts may be called on matters other than capabilities such as, for example, in times of crisis for information on the strategic options envisaged. These meetings will supplement those held as part of the CFSP enhanced political dialogue.

32. Each third country may appoint a representative from its mission to the EU to follow the ESDP and act as an interlocutor with regard to the PSC. If such a country wishes to be involved in EU military activities, it may appoint an officer accredited to the EU Military Staff, serving as a contact.

33. In the event of a crisis, dialogue and consultation will be intensified at all levels. Once the Council has chosen the strategic military option(s), the operational planning work will be presented to

<sup>5</sup> Gilles Andreani, Christoph Bertram and Charles Grant, *Europe's Military Revolution*, February/March 2001, chapter 3 (page 40), [www.cer.org.uk/defence22/](http://www.cer.org.uk/defence22/)

<sup>6</sup> *Idem*, section III.

<sup>7</sup> *Idem*, Annex VI.

the non-EU European NATO members and the other candidate countries which have expressed their intention in principle of taking part in an operation, to enable them to determine the nature and volume of the contribution they could make to an EU-led operation. As soon as the Council has approved the operation concept, it will formally invite those countries having shown their interest to take part in an operation according to the arrangements agreed in Helsinki.

34. For operations requiring recourse to NATO assets and capabilities, operational planning will be carried out by the Alliance's planning bodies, and for an autonomous EU operation it will be carried out by a European Military Staff body at a strategic level. For operations requiring recourse to NATO assets, the non-EU European allies will be involved in planning according to the procedures laid down within NATO. For autonomous operations in which they are invited to take part, the candidate countries and non-EU European allies may send liaison officers to the European Military Staff bodies at strategic level for exchanges of information on operational planning and the contributions envisaged.

#### ***4. Consultation and cooperation between the EU and NATO***

35. As explained in the Assembly report submitted by Mr Marshall in December 2000 on behalf of the Political Committee<sup>8</sup>, at the EU summit meeting held in Feira in June 2000 the French Presidency was asked to carry on with the development of arrangements for consultation and cooperation with NATO over military crisis management. Four EU/NATO *ad hoc* working groups were established to assist the French Presidency and were given the following tasks:

- security issues (the preparation of an EU-NATO security agreement);
- capability goals issues (implementation of information exchanges and discussion with NATO on elaborating the capability goals, with DSACEUR participating as appropriate);
- issues related to EU access to NATO assets with particular reference to the participation of non-EU countries (following the Berlin and Washington Agreements this working group concentrates on the elaboration of an agreement on the modalities for EU access to NATO assets and capabilities. It is understood that DSACEUR should participate);
- issues related to the definition of permanent arrangements (defining the main parameters of an EU/NATO agreement which would formalise structures and procedures for consultation between the two organisations in times of crisis and non-crisis).

36. According to the report presented by the French Presidency at Nice the meetings of these *ad hoc* working groups, together with those held by the working party of experts on military capabilities (HTF Plus), have led to progress in transparency and cooperation between the two organisations. However, it only mentions one example: the Interim Security Agreement concluded by the two Secretaries-General that, according to the French Presidency, has encouraged the development of these relations by authorising initial exchanges of documents and has opened the way to a definitive arrangement between the EU and NATO<sup>9</sup>.

37. Apart from these *ad hoc* working groups, on 19 September 2000 and 9 November 2000 the iPSC (interim Political and Security Council) and the North Atlantic Council had their first meetings which the report by the French Presidency at the Nice European Council described as marking a decisive stage in the development of a trusting relationship between the EU and NATO. This contrasts with the opinions expressed by many critics who regard the meeting held on 19 September as a mere formality. In an answer to a question in the House of Commons, Mr Vaz – speaking behalf of the UK Secretary of State for Foreign and Commonwealth Affairs – explained that this meeting agreed on the importance of taking forward work in NATO and the EU to develop European defence. It reviewed the work already done in the EU/NATO *ad hoc* working groups and noted the input that NATO

---

<sup>8</sup> The Common European Security and Defence Policy and WEU's future role – reply to the annual report of the Council, Assembly Document A/1720, 6 December 2000, paragraphs 55-62.

<sup>9</sup> European Security and Defence Policy, Presidency Report to the Nice European Council, 7 and 8 December 2000, section IV.

experts were already making to EU nations' work on the development of the capabilities headline goal<sup>10</sup>.

38. The iPSC also held meetings on the inclusive structure for non-EU European NATO members on 27 July, 2 October and 17 November. These were supplemented by ministerial meetings on 21 November as a follow-up to the Capabilities Commitment Conference as well as by meetings comprising military experts to prepare non-member states' contributions to the capacity goals. These consultations supplemented the meetings held in connection with the Union's political dialogue with its partners<sup>11</sup>.

39. The results of all these meetings, *ad hoc* working groups, etc. were presented at the Nice European Council in the Presidency Report on the European Security and Defence Policy. This report tries to provide solutions for some of the most sensitive issues that arise in connection with the modalities for EU/NATO cooperation. Examples include the involvement of non-EU allied countries in the CESDP without the decision-making autonomy of the European Union being called into question; the relationship between non-allied EU countries and NATO which creates a number of security problems particularly in the area of military planning; and the issue of harmonising the headline goal with NATO's Defence Capabilities Initiative. Unfortunately, as will become obvious from what follows, neither the report nor the Nice Treaty itself does much to resolve what is essentially a partisan dispute. What is quite clear is that no one has yet agreed just how NATO and the EU will work together. The document was recently described in the following terms "littered with ifs and buts and apparent contradictions, the text does little to clarify the EU's new defence role"<sup>12</sup>.

40. The Presidency Report reiterates that NATO remains the basis of the collective defence of its members and will continue to play an important role in crisis management at the same time as reaffirming the principles laid down by the Feira European Council:

- "developments of consultation and cooperation between the EU and NATO must take place in full respect of the autonomy of EU decision-making;
- the EU and NATO have undertaken further to strengthen and develop their cooperation in military crisis-management on the basis of shared values, equality and in a spirit of partnership. The aim is to achieve full and effective consultation, cooperation and transparency in order to identify and take rapid decisions on the most appropriate military response to a crisis and to ensure efficient crisis management. In this context, EU objectives in the field of military capabilities and those arising, for those countries concerned, from NATO's Defence Capabilities Initiative, will be mutually reinforcing;
- while being mutually reinforcing in crisis management, the EU and NATO are organisations of a different nature. This will be taken into account in the arrangements concerning their relations and in the assessment to be made by the EU of existing procedures governing WEU-NATO relations with a view to their possible adaptation to an EU-NATO framework;
- arrangements and modalities for relations between EU and NATO will reflect the fact that each Organisation will be dealing with the other on an equal footing;
- in the relations between the EU and NATO as institutions, there will be no discrimination against any of the Member States.

41. In that spirit, and to place this consultation and cooperation within a true strategic partnership on crisis management, the autonomy of NATO and EU decision-making will be fully respected.

<sup>10</sup> Mr Vaz in response to a question from Mr Duncan Smith, UK House of Commons, *Hansard Written Answers*, 15 December 2000, pt. 7

<sup>11</sup> European Security and Defence Policy, Presidency Report to the Nice European Council, 7 and 8 December 2000, sections III and IV.

<sup>12</sup> "EU ministers sign treaty but defence plan rankles", *The Guardian*, 27 February 2001.

42. Consultations and cooperation will be developed between the two organisations on questions of common interest relating to security, defence and crisis management, so that crises can be met with the most appropriate military response and effective crisis management ensured”<sup>13</sup>.

43. In terms of these permanent arrangements for EU-NATO consultation and cooperation the creation of the EU decision-making structures mentioned earlier means that at Nice it was decided that “(...) the European Union will call on NATO for operational planning of any operation using NATO assets and capabilities. When the Union examines options with a view to an operation, the establishing of its strategic military options could involve a contribution from NATO’s planning capabilities”. Under these two possibilities, EU will have guaranteed access to NATO’s planning capabilities, except when NATO undertakes an Article V operation that requires those capabilities or when satisfying EU requirements and a NATO non-Article V operation at the same time becomes impossible for the Alliance<sup>14</sup>.

44. In the event of an operation conducted without NATO assets, or if NATO conducts a crisis-management operation, “each organisation will keep the other informed of the general progress of the operation”. Similar communication arrangements will be ensured outside times of crisis: “(...) regular dialogue will be established between the two organisations (...) by holding meetings between the PSC and the North Atlantic Council (NAC) and ministerial meetings, at least once during each Presidency; either organisation may request additional meetings, for which it will propose a draft agenda (...) meetings between the NATO and EU Military Committees will be held as required, at the request of each organisation, with at least one such meeting during each Presidency (...) there may also be meetings between subsidiary groups (such as the PCG<sup>15</sup> and the PMG<sup>16</sup>, or Military Committee working parties) (...) when necessary, and in particular when the capabilities and expertise of the Alliance are concerned, the dialogue will be supplemented by inviting NATO representatives to meetings, in accordance with the provisions of the TEU and on a basis of reciprocity (...) regular meetings between the Secretaries-General, Secretariats and Military Staffs of the EU and NATO will also be a useful contribution to transparency and exchanges of information and documents (...)”<sup>17</sup>.

45. The Nice conclusions have been submitted to the US and the EU hopes for a favourable reaction from NATO so that arrangements can be implemented on a mutually satisfactory basis. However, the Bush Administration is very wary of an independent European force that could erode US domination. This has led many commentators into concluding that the first half of 2001 will probably not see any real progress on the issue of the sensitive relation between NATO and the EU and hence, that despite the proposals put forward at Nice, EU/NATO negotiations on reciprocal cooperation will continue for a while<sup>18</sup>.

### *III. Consequences of the Marseilles Declaration*

46. In Marseilles, the WEU member states took a number of decisions which the Assembly will have to take into account when considering its future work.

---

<sup>13</sup> Standing Arrangements for Consultation and Cooperation between the EU and NATO (Annex VII, section I) – European Security and Defence Policy, Presidency Report to the Nice European Council, 7 and 8 December 2000.

<sup>14</sup> European Security and Defence Policy, Presidency Report to the Nice European Council, 7 and 8 December 2000, section IV and Annex VII.

<sup>15</sup> NATO Policy Coordination Group.

<sup>16</sup> Politico-Military Group.

<sup>17</sup> European Security and Defence Policy, Presidency Report to the Nice European Council, 7 and 8 December 2000, section IV and Annex VII.

<sup>18</sup> The Common European Security and Defence Policy and WEU’s future role – Reply to the annual report of the Council, Assembly document A/1720, Rapporteur: Mr Marshall, 6 December 2000, paragraph 115.2; Ivana Gogova, “Sweden Takes Over”, Central European Review, volume 3, no. 1, 8 January 2001, [www.ce-review.org](http://www.ce-review.org)

### *1. Remaining functions of WEU*

47. The Ministers reaffirmed their attachment to the commitments of the modified Brussels Treaty and “particularly those arising from Articles V and IX”<sup>19</sup>. At the same time, they took the following decisions:

- cessation of all WEU’s operational activities and in particular those of the WEU Military Staff;
- cessation of the dialogue and cooperation which WEU at 28 and 21 has developed with Russia, Ukraine, the southern Mediterranean countries and third countries over recent years.
- suspension of application of the routine consultation mechanisms between WEU and the EU and between WEU and NATO;
- termination of the Transatlantic Forum (whose functions are being taken on by the Institute for Security Studies);
- cessation of the activities of the Open Skies Working Group.

48. In contrast, the Ministers agreed in Marseilles that WEAG – “the European forum for armaments cooperation” according to the Marseilles Declaration<sup>20</sup> – will continue to carry out “its function of reflection and cooperation in the armaments field”. The Marseilles Declaration says nothing on the question of the Council’s future activities or how it is going to meet its obligations arising out of Article VIII of the modified Brussels Treaty. It is clear that the Council’s activities will be cut back radically owing to the fact that WEU will cease to carry out both its operational functions in the field of Petersberg missions and its political activities no later than 1 July 2001.

49. As regards the “residual” functions of WEU and its Council, it is not known whether the statement Alain Richard made following the Marseilles Ministerial Council to the effect that WEU will remain at the disposal of the governments as a forum for debate and reflection on security and defence policy was the subject of consensus in the Council. Other unknown factors are the extent to which the status of associate member, associate partner and observer will retain any practical meaning within the Council and its residual structures, and the configuration in which the Council will meet if convened.

50. In his address on 6 December last, the Dutch Minister for Foreign Affairs said the end of WEU’s operational role on 1 July 2001 would have consequences for the relationship between the Council and the Assembly and merely indicated that the residual role of WEU would be focused on Articles V and IX of the Treaty. The question that will therefore arise is what the content of the Council’s annual report to the Assembly will be after the transitional phase comes to an end.

51. A Council decision attached to an administrative memorandum to members of the Secretariat-General in Brussels dated 7 November 2000 confirms that the WEU Secretariat-General is to meet the following obligations flowing from the modified Brussels Treaty:

“(…)

- a capacity to support the Council as established by Article VIII in its remaining functions (notably as regards Article V, Article IX, budget and personnel);
- liaison with the Assembly; (…)

<sup>19</sup> Article V of the modified Brussels Treaty reads as follows: “If any of the High Contracting Parties should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked all the military and other aid and assistance in their power”. Article IX reads: “The Council of Western European Union shall make an annual report on its activities and in particular concerning the control of armaments to an Assembly composed of representatives of the Brussels Treaty Powers to the Consultative Assembly of the Council of Europe”.

<sup>20</sup> Why do Ministers believe that it is correct to include a title additional to the official title of a ministerial body but then criticise the Assembly for doing the same thing?!

## 2. Relations between the Council and the Assembly

52. Relations between the Council and the Assembly are based on the Council's treaty-based obligations towards the Assembly and constitute an institutionalised and official dialogue in the framework of the Treaty. As such they cannot be downgraded to mere "liaison". The dialogue between the Council and the Assembly will be profoundly affected by the abolition of ministerial meetings since the President of the Assembly, speaking on behalf of the 28 parliaments represented in the Assembly, will no longer have the possibility of addressing a gathering of ministers meeting at 28. Neither will there be any point in holding briefings between the Assembly's committees and the Chairmanship-in-Office prior to and following ministerial meetings. These are two very retrograde steps for the transparency which is so vital between governments and their parliamentarians, who in turn provide the essential link with the public – the electorate. Given the very fundamental problems concerning the development of real capabilities for a proper European Security and Defence Policy, this is a crucial consideration.

53. Relations between the Assembly and the Council will also be affected by the way in which the governments henceforth intend to meet their obligations arising from the modified Brussels Treaty. There is no doubt that it is only the impossibility of including a mutual assistance clause in the Treaty on European Union that has prevented the WEU member countries from denouncing the modified Brussels Treaty. It is also clear that most of the provisions of the Treaty will doubtless gradually be forgotten unless the Assembly succeeds in obtaining unequivocal assurances from the Council as to their full validity. When the Council decided, at an earlier stage in WEU's history, to cease its activities in the economic, social and cultural fields and let the Council of Europe or the European Community take over, it took care to confirm that this did not mean it was renouncing its rights but was merely transferring the *exercise* of its functions. Consequently, activities falling within the scope of Articles I, II and III of the modified Brussels Treaty had thereafter to be carried out in the aforementioned organisations and be subject to scrutiny by either the European Parliament or the Parliamentary Assembly of the Council of Europe.

54. The situation is different for the military matters referred to in Article IV, since WEU turns in their case to the appropriate NATO authorities. In this area the Council has always complied with the Assembly's requests for information about NATO activities concerning the implementation of European defence arrangements. No parliamentary institution other than the WEU Assembly has had specific and treaty-based competence to monitor government activities in this field.

55. The North Atlantic Council has decided to leave the door open where the Assembly is concerned. The WEU Permanent Council should give every support to the maintenance of this link, which gives continuing pragmatic substance to Article IV of the modified Brussels Treaty.

56. A more difficult question is that of the future application of Article VIII of the modified Brussels Treaty, which governs the Council's work. It stipulates that the Council is to be "so organised as to be able to exercise its functions continuously" (paragraph 2). Is the reduced support structure the Secretariat-General is setting up compatible with that obligation? One also needs to ask what significance Article VIII.3 will have in the future<sup>21</sup>. A threat to peace may correspond not only to the type of scenario provided for under Article V but also to a situation of the "Petersberg mission" type which, since 1992, has been at the core of the Council's activities.

57. The Assembly must obtain an answer from the Council to the following question:

In ceasing its operational activities in the field of crisis management (Petersberg missions) and transferring them to the European Union, has WEU transferred no more than the *exercise* of its functions or has it also released itself from its obligations and accordingly deprived itself of its corresponding rights under the modified Brussels Treaty?

---

<sup>21</sup> Article VIII.3 reads: "At the request of any of the High Contracting Parties the Council shall be immediately convened in order to permit them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability".

58. If the annual report were no longer to cover the activities the EU inherits from Western European Union, this would raise the question of direct links between the Assembly and European Union bodies. Until recently, Article 17 of the Treaty on European Union confirmed that WEU as a whole, thus including its Assembly, is an integral part of the development of the European Union. At the Nice Summit, Article 17 of the TEU was revised in such a way that this wording and all references to WEU were deleted with the exception of the reference in paragraph 4 of that Article<sup>22</sup>.

### *3. A new role for a double-hatted Assembly?*

59. The decisions taken in Marseilles and comments made by various foreign affairs and defence ministers raise a number of questions. In the first place, is there any agreement among the governments on the Assembly's role as a "forum for strategic reflection" at 28 as referred to by several delegations and as emphasised by the French Presidency? And if agreement on this point does exist, what is its content? Are the activities of this forum to be strictly limited to the 'residual' modified Brussels Treaty or can they, in a broader context, also encompass the task of monitoring the European Union's activities in the field of the ESDP?

60. The Assembly therefore has a multiple task:

- it must redefine its relations with the WEU Council in the light of the Marseilles decisions;
- it must concentrate part of its work on the only "operational" body left for the time being (apart from the Assembly) under WEU's auspices: WEAG/WEAO. The Assembly has a solid reputation in this area as a result of its reports on all aspects of armaments cooperation and procurement. Now, with 19 of the 28 member countries as full members of WEAG/WEAO, the Assembly must maintain and develop its position as an authority on such matters;
- it must assert itself as the most appropriate basis for a new interparliamentary body with responsibility for scrutiny of the European Security and Defence Policy as implemented by the European Union with the participation of non-EU allies and other countries that are candidates for EU accession, i.e. in a 15+15 and 15+6 format, at least until the question of the parliamentary dimension of the ESDP is settled at the intergovernmental conference in 2004;
- it must take initiatives together with the national parliaments with the aim of being involved in preparations for those aspects of the IGC concerned with the role of the national parliaments and drawing up appropriate proposals on this subject.

61. With a view to redefining the role of national parliaments in the European Union, a subject that is to be discussed at the next intergovernmental conference, it is crucially important for the Assembly to be included in the preparations and any consultation machinery set up to that end. For that purpose, the justification given by Mr van Aartsen when he stated that "taking into account the experience and expertise of the Assembly, its views will certainly be an important contribution to further discussions on this subject", should be given wide publicity.

62. It has to be borne in mind that the governments will first of all look at what sort of contribution is going to be discussed and formulated by parliamentary bodies. Given that many governments tend to pay attention only to those proposals submitted by national parliaments and/or the European Parliament, it is important to support anyone for whom logic dictates that the Assembly's experience should be used in the same way as WEU's experience has been put to use for the ESDP. The preparatory work could therefore be based on an approach which was described by the Dutch Foreign Minister in the following terms:

"We envisage a meeting of representatives of national parliaments and members of the European Parliament, who will submit joint proposals for the further elaboration of the

---

<sup>22</sup> Article 17.4 reads: "The provisions of this Article shall not prevent the development of closer cooperation between two or more Member States on a bilateral level, in the framework of the WEU and the Atlantic Alliance, provided such cooperation does not run counter to or impede that provided for in this Title".

parliamentary dimension of the ESDP. The involvement of members of the WEU Parliamentary Assembly in their capacity as national parliamentarians of EU member states seems perfectly logical to me, bearing in mind the Assembly's experience, interest and history."

63. In order to pursue this rationale, it is essential for the European Parliament to be convinced that it must cooperate with the Assembly and for national parliaments (and indeed governments) to consider the members of national delegations to the WEU Assembly as representatives with the qualifications to play an important role in making preparations for the parliamentary dimension of the next intergovernmental conference. These two criteria have not yet been met. For the purpose of persuading the European Parliament, the Assembly needs the support of every available advocate. Increased collective involvement on the part of national parliaments in the activities of the European Union is vital to enlist popular support for what are essentially intergovernmental initiatives. It is therefore necessary to give as much support as possible to the approach taken by the Dutch Foreign Minister.

#### *IV. The political will to develop autonomy*

64. It is very often said that the reason why WEU has been ineffective as an organisation was the lack of political will on the part of its member states to act. Bearing this in mind, the present half-hearted attitude of EU member states towards the final objective of the ESDP, the capabilities that are necessary and the extent of the duplication of capabilities which are already available in NATO do not augur well for the effectiveness of a future ESDP.

65. Your Rapporteur takes the view that an ESDP must be based on the principle that the EU can operate autonomously, not least in order "to learn to develop the mentality of the major power which it could become". Only a resolve on the part of the EU to act fully on its own can drive this initiative forward.

66. If the EU is serious about its ESDP project, it will definitely need autonomous intelligence and planning assets. During a transition period, Europe will need to have recourse to NATO assets and capabilities for its operations but, in the long run, it should make sure that it is able to act autonomously, at least for the full range of Petersberg missions.

67. In the meantime, the United States should endeavour to understand that Europe has changed fundamentally since 1949, when the Atlantic Alliance was created. The Alliance will have to be adapted in such a way as to be able in the future to accommodate a militarily autonomous EU as an equal partner.

68. Is the fact that European leaders are still reluctant to express their views on this subject in unambiguous terms further evidence of a lack of political will?

#### *V. A common strategy?*

69. How much progress has the much vaunted European common strategy on security and foreign policy matters really made? In January 2001, the EU High Representative, Javier Solana, presented an overwhelmingly negative report on this policy to the European General Affairs Council.

70. In his view it is defined too vaguely to be effective and it is barely more than an inventory of existing policies and activities. No priorities have been chosen among the many different issues that have been handled.

71. The Amsterdam Treaty instituted the concept of common strategies which were meant to reflect a global vision of the Union in the field of external relations. For the Common Foreign and Security Policy, the Treaty also envisaged a decision-making procedure by qualified majority voting, but this has never been put into practice because member states are reluctant to commit themselves to common strategies that cover such a wide area.

72. The combination of the very general nature of common strategies and the very detailed concerns of governments has, according to Mr Solana, led to a "Christmas tree" approach which is based on the lowest common denominator. The working programmes of each EU presidency to implement the objectives of common strategies have already become routine exercises to which get

very little attention is paid at the highest level. These programmes by no means meet the original requirement of a credible and coherent approach.

73. Mr Solana therefore favours a policy which would combine all the actions and resources of the EU and its member states in a specific field, giving urgent priority to some of them. In his opinion, common strategies should be internal guidance documents, goal-oriented and selective, and they should provide a clear added value. They should also help to harmonise the way in which EU member states apply foreign policy.

#### *VI. Attitudes of the United States Administration*

74. Within the Bush Administration, there are different approaches to security problems. It may be too early to draw conclusions because a new administration will always try to distinguish itself from its predecessor, especially where the latter was its political opponent. At present, however, there seem to be two distinct schools of thought. One consists of the neo-conservatives such as Vice-President Cheney, Defense Secretary Donald Rumsfeld and Deputy Defense Secretary Paul Wolfowitz who are clearly seeking to preserve and prolong American domination worldwide, if need be by using military power, even unilaterally. The other consists of traditional conservatives like Foreign Secretary Colin Powell and National Security Adviser Condoleezza Rice, who are more cautious about US military intervention overseas and lay more emphasis on the limits of US power abroad. Mr Powell has developed a doctrine which argues in favour of using US military power only when it is vital to the national interest and then only with overwhelming force. Mr Powell has shown more understanding for the EU's decision to establish a rapid reaction force.

75. Differences between the two groups came to light when the new administration was deciding on its policy towards Iraq. Everyone agreed on the prime objective of forcing President Saddam Hussein to comply with the obligations imposed by the ceasefire agreement after the 1991 Gulf war, in particular that of surrendering weapons of mass destruction and ceasing to threaten important parts of the population of Iraq and neighbouring states.

76. There were also differences regarding support for Iraqi opposition forces. The office of the Vice-President and the Pentagon were said to be in favour of an aggressive strategy to enable the Iraqi National Congress to launch military operations against President Saddam Hussein, while the State Department favoured a policy of streamlined sanctions against Iraq and more modest support for the opposition, limited largely to intelligence, propaganda and aid for displaced Iraqis.

77. President Bush's views on foreign policy have not yet been set out in any detail and one may have to wait some time before the administration's policy becomes clear.

78. As regards the ESDP, the basic approach of the US Administration will not change. The US is aware that relations between NATO and the EU will not be settled satisfactorily for some time. It takes the view that the development of an ESDP will strengthen NATO and also be advantageous to the United States "if it is done the right way". This means that:

- the ESDP should not call into question NATO's primacy for collective defence or its role as the "option of first resort" in managing future crises;
- the ESDP must be inclusive, ensuring that allies who are not EU members can participate fully in shaping decisions or operations where NATO as a whole is not engaged;
- the development of an ESDP should result in new and improved military capabilities.

79. In a recent paper on this subject, the US attitude was summarised as follows: the United States welcomes the potential of a stronger European pillar in the transatlantic alliance but it is wary of approaches that would divide the Alliance politically, take resources away from NATO military cooperation and not yield additional military capabilities to produce more equitable burden-sharing.

80. On the one hand, many defence and security experts in the US support the idea of an ESDP because they think it may relieve the US of security burdens. On the other hand, the same experts become worried as soon as EU member states say that the ESDP should enable them to be more "autonomous" a term they consider to be a challenge to US policy goals and leadership roles.

81. On the other hand, a certain attitude appears to have emerged in recent weeks given that President Bush has hardened his stand on North Korea, refused to support South Korea to reduce the tension in the peninsula, adopted a more aggressive attitude towards China, Cuba and even Russia and has distanced the US from the Israeli-Palestinian conflict.

### *VII. A changing transatlantic community?*

82. A growing number of issues are causing what could be described as a rift between the United States and its transatlantic allies to widen. Older bones of contention include the smouldering trade war in which the United States has recently imposed more than \$300 million worth of sanctions on European imports in disputes over trade in beef and bananas, while the EU has warned that it may seek up to \$4 billion of sanctions against the US unless it abolishes a tax exemption for American importers.

83. There are outstanding issues such as the US refusal to ratify the Comprehensive Nuclear Test Ban Treaty, sign the Anti-Personnel Mine Treaty or support an international criminal tribunal and only very recently the Bush Administration also refused to implement the 1997 Kyoto Protocol on the reduction of carbon dioxide emissions.

84. The United States' opinion on what policy should be adopted as regards North Korea, China, Cuba, Russia, Iraq and a number of other countries and possible crisis areas is diverging increasingly from the opinions prevalent on the European side of the Atlantic. In many instances the United States is creating the impression that, because it is the only remaining superpower, it can place itself above international law if it so wishes.

85. But the US government would not be acting wisely if it was too strong in its criticism of the EU's efforts to develop the ESDP. It cannot continue to emphasise the notion of shared values within the Atlantic Alliance when, apparently, the public on both sides of the Atlantic is tending to put a very different interpretation on a number of values and issues. Transatlantic links are useful and even vital for the continued security of both partners and they will remain so in the foreseeable future, but the US should take account of the fact that the process of European integration, soon to be symbolised by a single currency, has inevitably led to considerable economic success and renewed self-confidence which the European partners now wish to consolidate and reflect in their external relations.

86. Over the coming years, the EU will focus on enlarging, developing the ESDP and choosing between deeper integration or a more intergovernmental approach. The process of enlarging and developing, eventually leading to an EU with at least 30 member states and more than 500 million inhabitants, will most likely still take more than a decade. But at this stage the EU is already a global power with enough influence to be a major force in helping to solve a number of urgent problems that can only be addressed on a global scale, such as global warming. In this respect the European concept of solidarity can make an important contribution to the new approaches which are needed.

87. In Lisbon last year, European leaders decided to launch an ambitious project to turn Europe into the most competitive and dynamic knowledge-based economy by 2010. This year, Europe's economy looks set to outperform the US and Japan. Clearly, the EU is turning its attention away from the task of its own construction towards the task of taking on greater responsibilities as a global leader. Americans tend to forget that the second world war, in which they played a major role as the liberators of Europe, ended more than 55 years ago. At that time there was unadulterated admiration for the liberators and their land of limitless opportunity. Since then two new generations have grown up with no recollection of this. Younger generations tend to see the US as the country which favours the death penalty and is not interested in action to prevent further global warming. European governments nowadays are well aware that it will be increasingly difficult in a new international crisis to rally their citizens behind the United States.

88. Ten years after the end of the cold war, the need to maintain a united front against a potential aggressor no longer exists and public opinion has shifted its focus towards economic, ethical and social issues. The convictions the new US administration holds on such questions would not appear to be shared by the majority of the European public. With all these developments in mind, it is only logical that many Europeans now take the view that the United States has failed to recognise that

international relations within the Alliance have changed. The European desire to continue to have a close partnership with the Americans still remains, provided the United States respects Europe's interests and is prepared to define its own interests in terms that go beyond the narrow confines of domestic political disputes.

### **VIII. The position of non-EU European NATO member states**

89. A meeting of NATO's foreign ministers on 14 and 15 December last year to discuss cooperation arrangements between NATO and the EU did not produce an agreement on assured EU access to NATO's operational planning capabilities for large-scale crisis-management operations.

90. Progress was however made in identifying a range of European command options for EU-led operations, including further development of the role of Deputy SACEUR as a possible commander of such operations.

91. The reason why no agreement on assured access to NATO operational planning assets was reached was that Turkey considered that such access would not be consistent with the decisions taken by the 1999 NATO Summit in Washington. Turkey argued that access should only be granted on a "case-by-case" basis. It should be noted that a number of non-EU NATO member states are dissatisfied with the degree of participation they will have in the decision-making process for the use of NATO assets for European operations.

92. Turkey argues that the arrangements foreseen by the EU for the participation of non-EU European NATO members in its crisis-management process are not compatible with what was agreed at the 1999 Washington Summit of NATO.

93. It refers to paragraphs 9 and 10 of the Washington Summit communiqué, paragraph 9(d) of which reads:

"We attach the utmost importance to ensuring the fullest possible involvement of non-EU European allies in EU-led crisis response operations, building on existing consultation arrangements within the WEU."

94. Turkey points out that these paragraphs should be considered in connection with paragraphs 17 and 30 of the Alliance's Strategic Concept as approved at the Washington Summit (see Appendix). It says that the *acquis* gained in WEU provided Turkey with full participation rights including decision-making in WEU-led operations using NATO assets and capabilities and in autonomous WEU operations to which Turkey intended to contribute.

95. Under the decisions taken at Nice regarding non-EU European allies, there will be two consultation meetings per presidency in peacetime and participation for the countries concerned in EU-led operations in the framework of a "committee of contributors" which does not bear responsibility for the strategic control and political direction of the operation, while non-NATO EU member states will have full rights in the Political and Security Committee.

96. Turkey asks for the establishment of a 15 +6 arrangement which would give the non-EU NATO allies the right to participate in daily consultations without being able to block decisions taken by the 15 EU members, similar to the present practice in WEU.

97. In the case of a NATO-supported EU operation, Turkey wants to participate in the decision-making from the very beginning. In the case of an autonomous EU operation, it would like to take part in the decision-making after a declaration of its intention to contribute to the operation.

98. Since the NATO foreign ministers meeting in December 2000, no further progress has been made on this issue and the prospects for an early solution are not bright at present.

### **IX. Conclusions**

99. The cause of European defence was advanced by the historic decision to develop the ESDP within the European Union. The speed with which the ensuing institutional arrangements were made can be described as satisfactory. However, a considerable number of crucially important problems have still not been settled. On the basis of their political importance, they are as follows: first, the

question of the commitment to a genuine common defence – territorial defence – similar to that envisaged in Article V of the modified Brussels Treaty; secondly, it has to be stressed that the nature of relations with the Atlantic Alliance has still not been properly defined mainly because the Bush Administration has only recently taken over the reins of government, because there is continuing uncertainty surrounding the future role of non-EU European NATO member countries and, it has to be admitted, because there is inherent scepticism among some Americans about the idea of any European autonomy in the field of defence.

100. Finally, and above all, it has to be said that the shape of parliamentary scrutiny over the ESDP is far from having been decided, with some people preferring an extension of the powers of the European Parliament and others insisting that the ESDP should remain within the intergovernmental sphere of the European Union.

101. During this interim phase, which could continue well beyond the end of the next intergovernmental conference, your Rapporteur considers it important not to lose sight of the ideal: a genuine European defence with a democratic structure and scrutiny arrangements which is independent but at the same time open to cooperation with NATO allies and which also includes armaments cooperation among the member states.

102. As far as WEU parliamentarians are concerned, their concern is also that good use should be made of their Assembly as a major parliamentary forum in which they can support that ideal and help make it a reality.



