



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

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17 June 2005

FIFTY-FIRST SESSION

Written Questions 387-392 and replies of the Council

ASSEMBLY OF WESTERN EUROPEAN UNION
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QUESTION 387

*put to the Council by Christine Lucyga (Germany, Socialist Group)
(Chairman of the Committee on Budgetary Affairs and Administration)
on 11 May 2005*

Following the decision to close down WEAG's functional operations and to transfer them to the European Defence Agency, concern has been expressed about the fate of WEAG's staff. What arrangements have been made in this respect and what are the reasons for not applying to the WEAG staff the social plan drawn up for the staff members of the WEU Secretariat-General in 2001?

REPLY OF THE COUNCIL

communicated to the Assembly on 17 June 2005

The Council thanks the Honourable Parliamentarian for his question and wishes to draw his attention and that of the Assembly to the following:

At their meeting on 2 March 2005, the WEAG National Armaments Directors (NADs) approved the measures outlined in the WEAG Staff Group Report with regard to application of the WEU Staff Rules to the four staff members of the WEAG Armaments Secretariat at the end of their respective contracts in the context of the closure of WEAG. The Staff Group reached consensus on the implementation of Annex VI of the WEU Staff Rules (loss-of-job indemnity) with the additional measure of financial support for professional training and/or counselling on job seeking.

QUESTION 388

*put to the Council by Lluís Maria de Puig (Spain, Socialist Group)
(Former President of the Assembly) and
Bart van Winsen (Netherlands, Federated Group) (Vice-President of the Assembly)
on 12 May 2005*

Protocol 24 is appended to the Treaty establishing a Constitution for Europe. It consists of a sole article:

“The Union shall draw up, together with the Western European Union, arrangements for enhanced cooperation between them”.

What areas of cooperation are covered by this provision and what practical measures are envisaged by the Council to implement them?

REPLY OF THE COUNCIL

communicated to the Assembly on 17 June 2005

The Council thanks the Honourable Parliamentarians for their question on the meaning and scope of Protocol 24 appended to the Treaty establishing a Constitution for Europe.

This protocol recognises both the existence of WEU so long as the modified Brussels Treaty remains in force and the continuing link between the obligations arising from that Treaty and those of the North Atlantic Treaty. Some provisions of the mBT could inspire a definition of a common Union defence policy aimed at achieving a common defence based on unanimous decisions by the European Council.

The Council does not envisage placing the modalities of cooperation between the European Union and WEU onto its agenda so long as the process of ratifying the Treaty establishing a Constitution for Europe has not been completed.

QUESTION 389

*put to the Council by Lluís Maria de Puig (Spain, Socialist Group)
(Former President of the Assembly) and
Bart van Winsen (Netherlands, Federated Group) (Vice-President of the Assembly)
on 12 May 2005*

Article V of the modified Brussels Treaty contains a clause concerning mutual assistance among the signatory states in the case of an armed attack “in Europe”; what geographic area is referred to in this article?

REPLY OF THE COUNCIL

communicated to the Assembly on 17 June 2005

The Council thanks the Honourable Parliamentarians for their question.

The commitment to mutual assistance enshrined in Article V of the modified Brussels Treaty manifests the determination of the WEU Member States to defend each Member's territorial integrity, at its borders and on the European mainland.

On the enlargement of WEU, Spain and Portugal had Article V recognised as applying to the mainland and to the islands.

QUESTION 390

*put to the Council by Edward O'Hara (United Kingdom, Socialist Group)
(Chairman of the Technological and Aerospace Committee)
on 12 May 2005*

What precise arrangements have been concluded between WEAG and the European Defence Agency with a view to the transfer of the functions and acquis of WEAG Panels I, II and III to the Agency?

REPLY OF THE COUNCIL

communicated to the Assembly on 17 June 2005.

The Council thanks the Honourable Parliamentarian for his question and wishes to bring to

his attention the following elements:

At their October 2004 meeting, the Western European Armaments Group National Armaments Directors (WEAG NADs) tasked the Staff Group “to provide a detailed plan to support the NADs’ task to execute the decision to close WEAG in conjunction with the European Defence Agency (EDA), taking into account any political, administrative, procedural and legal aspects”. A report was noted by the WEAG NADs at their meeting in March 2005, providing the requested plan on the closure of WEAG and containing, where appropriate and available, the position as obtained from the EDA.

Historically, WEAG activities have been pursued in the Panels and their subordinate structures and in the Staff Group, after which NADs and/or Ministers of Defence took decisions.

Concerning **Panel I** activities, they can be summarised as follows: “to establish the basis for viable cooperative armaments programmes” and in that framework:

- develop processes which will help identify new potential programmes
- foster the harmonization of military requirements
- provide a consultancy for nations seeking collaborative partners.

This has resulted mainly in:

- the setting up of the Equipment Replacement Schedule (ERS), supported by a database and including a capability taxonomy which is kept common with the Letter of Intent (LoI) initiative, and a database on ongoing programmes;
- the setting up and subsequent monitoring of several Sub-Groups (SGs) which could lead to the creation of Project Groups;
- the establishment of a set of valuable documents, the most important being “Principles, Procedures and Methods for the Harmonisation of Military Requirements and the Facilitation of Armaments Cooperation in Europe”. This set of documents contains useful information that could be used by the EDA.

On 27 January 2005, a meeting took place between EDA and WEAG/Panel I experts. This meeting allowed WEAG to explain the Panel I assets, and to draw attention to the lessons learned. EDA experts attended the Panel I meeting on 10 and 11 February 2005.

The WEAG NADs decided in March 2005 to close Panel I. The Armaments Secretariat (ArmSec) has forwarded the Panel I assets database with all the relevant documents to the EDA as well as the ERS database software tool. Furthermore, the ArmSec forwarded the authorised national inputs in the ERS database to the EDA. Finally, the ArmSec sent to the EDA all information concerning the six extant Sub-Groups, including Points of Contact.

With regard to **Panel II activities**, it is worthwhile mentioning that almost all research and technology activities carried out within WEAG have a “hybrid” form requiring input from both WEAG bodies and the WEAO. The relevant WEAG bodies supplying this input are Panel II, its immediate Sub-Groups (on research technology management (RTMC); on Memorandum of Understanding (SG MOU) and on defence test and evaluation facilities (SGTF)) and the 12 active Common European Priority Areas (CEPAs). Individual R&T projects exist within the general WEAG framework, but in all important aspects are “owned” by the nations taking part and supported by the WEAO. In the

majority of cases, projects rely on a WEAO contract. Projects are set up under WEAG MOUs. Of these, three are now suspended, and two (EUROPA & the TFMOU) are active.

It is expected that the EDA, in its work to enhance the effectiveness of European Defence R&T, will, as soon as is possible, become the principal policy-making body for European defence R&T. To assist the EDA in its decision-making process, expert-to-expert meetings are regularly taking place between the EDA and WEAG/WEAO.

At their meeting on 23 May 2005, NADs agreed to close Panel II activities. They noted that the CEPAs have been identified by the EDA for review before the end of the year 2005 to assess their utility within the EDA, given that, from then on, so far as is desirable, R&T will be done under the auspices of the EDA's CapTechs (Capabilities Technologies). Furthermore, NADs endorsed the establishment of an *ad-hoc* group of experts from within the signatory nations of the EUROPA MOU to provide advice on legal issues. Finally, NADs noted that, as a result of discussions with the EDA, nations will be invited to nominate Test & Evaluation Points of Contact to provide an interface with the EDA Armaments Directorate;

Panel III activities were discontinued by the NADs in October 2003. At that time, it had established a set of valuable non-binding documents, some of which were approved by NADs and even by Ministers. The voluntary application of these decisions by the Nations (e.g. WEAG bulletins, establishment of focal points, advice provided in the Coherent Policy Document) has led to a limited but effective opening up of the European Defence Equipment Market (EDEM). Nations apply these rules on a voluntary basis, and can continue to do so after WEAG's closure. The set of Panel III documents contains useful information that could be used by the EDA. All the relevant information was handed over to the EDA.

QUESTION 391

*put to the Council by Edward O'Hara (United Kingdom, Socialist Group)
(Chairman of the Technological and Aerospace Committee)
on 12 May 2005*

What decisions have been taken with regard to the future activities of WEAO following the dissolution of WEAG?

REPLY OF THE COUNCIL

communicated to the Assembly on 17 June 2005.

The Council thanks the Honourable Parliamentarian for his question and offers the following information:

The Board of Directors (BoD) of the Western European Armaments Organisation (WEAO) held its 16th meeting in Brussels (Belgium) on 23 May 2005. The BoD noted that discussions with the European Defence Agency (EDA)'s legal advisers on the transfer of contracts and legal instruments had not yet taken place. It was anticipated that such discussions would take place soon after the EDA had presented its General Conditions. Informal discussions had however taken place on the Test Facilities Memorandum of Understanding. The BoD endorsed that the WEAO Research Cell (WRC) should continue to support and facilitate the activities of Common European Priority Areas (CEPAs) (after 23 May 2005 in the formation of national experts and CEPA Industrial Groups (CIGs)) and Management Groups (MGs) during the transition period. In line with the EDA Steering Board Decision of 22 April 2005 there would be no initiation of new business after 1 September 2005 provided satisfactory arrangements were concluded between Norway, Turkey and the EDA for those contracts to which Norway and/or Turkey were party.

It was also acknowledged that the workload to transfer running contracts (or contracts under negotiation) to the EDA would be substantial, and therefore the BoD endorsed, inter alia, the extension of the deadline for closing the WEAO to 31 March 2006. The General Manager of the WRC would report on the progress of the taking over by the EDA of CEPA activities and assets, after due analysis. At the next meeting a precise list of contracts and a transfer plan, synchronised with decisions taken by the EDA Steering Board, would be presented to the BoD.

In view of the critical timeline, National Armaments Directors encouraged informal discussions between nations, the BoD/WRC and the EDA, with the aim of transferring activities as efficiently as possible.

It was noted that the EUROFINDER conference had been organised for the last time in 2004.

QUESTION 392

*put to the Council Edward O'Hara (United Kingdom, Socialist Group)
(Chairman of the Technological and Aerospace Committee)
on 12 May 2005*

What measures have been taken by the Council to ensure that the non-EU members of WEAG will not suffer unacceptable prejudice due to the fact that they will not be automatically involved in the activities of the European Defence Agency, but only in certain specific projects on a case-by-case basis?

REPLY OF THE COUNCIL*communicated to the Assembly on 17 June 2005*

The Council thanks the Honourable Parliamentarian for his question and wishes to draw his attention to the following points:

Since Norway and Turkey are members of WEAG but not members of the EU, the European Defence Agency (EDA) is in the process of establishing a working relationship with those two countries. At their meeting in November 2004, WEAG Ministers of Defence were kindly invited to support the interests of the two countries in the framework of the EDA through Administrative Arrangements. On 23 May 2005, National Armaments Directors stressed the importance of urgent agreements between the EDA and Norway and Turkey, in order to facilitate the transfer of projects and of intellectual property rights relating to projects contracted by the WEAO Research Cell.

