



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

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7 December 2005

FIFTY-FIRST SESSION

Parliaments and the Althea mission

REPORT

submitted on behalf of the Committee for Parliamentary and Public Relations
by Giovanni Crema, Rapporteur (Italy, Socialist Group)
and Ali Riza Gülçicek, co-Rapporteur (Turkey, Socialist Group)

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TABLE OF CONTENTS

RESOLUTION 128

on parliaments and the Althea mission

ORDER 121

on parliaments and the Althea mission

EXPLANATORY MEMORANDUM

submitted by Giovanni Crema, Rapporteur (Italy, Socialist Group) and Ali Rıza Gülçicek, co-Rapporteur (Turkey, Socialist Group)

- I. Introduction
- II. Political aspects of the Althea mission and the role of national parliaments
- III. National parliamentary debates and decisions
- IV. The role of the European Parliament

APPENDIX I

European Parliament resolution on the European Union military operation 'Althea' in Bosnia and Herzegovina

APPENDIX II

EUFOR troop strength and chain of command

¹ Adopted unanimously by the Committee on 8 November 2005.

RESOLUTION 128¹
on parliaments and the Althea mission

The Assembly,

- (i) Welcoming the way the European Union's Althea mission is being conducted in Bosnia and Herzegovina, thus making it possible to pursue the stabilisation process with a view to rebuilding democratic institutions in that country;
- (ii) Considering, however, that not enough was done to secure the support of European public opinion when the operation was launched and that the results obtained so far have not been given the well deserved publicity that would allow European citizens to assess the progress European defence has made;
- (iii) Noting that oversight of the Althea mission in the national parliaments has often been weak and of a formal nature and that parliamentary debates have tended instead to concentrate on other international military missions which are more problematic and attract more attention in the media;
- (iv) Taking the view that the announced extension of the mission in Bosnia and Herzegovina calls for a review of its mandate in the light of the results achieved in the first year, and that national parliaments should be informed of these forthwith,

INVITES THE NATIONAL PARLIAMENTS TO:

1. Stress, both in parliamentary debates and in their relations with the electorate, the progress the European Security and Defence Policy has made, in order to project a positive picture of EU-led military operations in the Balkans and elsewhere in the world;
2. Request their respective governments to inform them regularly about progress in implementing the EU mission in Bosnia and Herzegovina so that they are in possession of all the facts before adopting decisions concerning the extension of the Althea mission;
3. Request that they be kept abreast of the civil-military aspects of the operation and of its management by the EU's Special Representative in Bosnia and Herzegovina, the results of his mandate, relations with representatives of civil society and relations of mutual trust established with the local population;
4. Ensure that the Althea mission complies with the legal framework and democratic principles of the European institutions so that from the outset the reconstruction process constitutes a first step towards the country's future integration in the European Union;
5. Urge their respective defence ministers to conduct a more effective national communications policy in parallel with the policy that should be implemented by the European institutions responsible for the CFSP and ESDP, in order to make public opinion aware to the advantages of joint actions and the positive results they can produce.

¹ Adopted by the Assembly on 7 December 2005 at the 9th sitting.

ORDER 121²

on parliaments and the Althea mission

The Assembly,

Stressing the importance of better cooperation among the national parliaments in scrutinising and monitoring troop deployments decided by the governments for the purpose of managing crises and other European activities carried out under the ESDP,

INVITES THE ENLARGED PRESIDENTIAL COMMITTEE TO:

Study the possibilities and procedures which the Assembly could propose to the national parliaments in order to:

1. Improve the reciprocal process whereby they and their relevant national committees consult each other and keep each other informed, with a view to defining what the best method is;
2. Give them greater involvement in the Assembly's regular consultations with the competent European bodies responsible for the ESDP.

² Adopted by the Assembly on 7 December 2005 at the 9th sitting.

EXPLANATORY MEMORANDUM

*submitted by Giovanni Crema, Rapporteur (Italy, Socialist Group)
and Ali Rıza Gülçicek, co-Rapporteur (Turkey, Socialist Group)*

I. Introduction

1. Operation Althea in Bosnia and Herzegovina falls into the category of peace-enforcement missions. Its technical and military aspects are the subject of a report entitled “The European Union in the Balkans: Althea and other operations” which is being submitted to the Assembly on behalf of the Defence Committee by João Mota Amaral. In the present report your Rapporteurs confine themselves to summing up the main points to as provide an easily understandable overview of this subject which they intend to examine in terms of parliamentary scrutiny.

2. Operation Althea began on 2 December 2004 in the wake of action taken by the NATO force SFOR. Its purpose, which goes further than the objectives set for the previous mission, is to strengthen the European Union’s overall approach to Bosnia and Herzegovina and to support and consolidate the country’s progress on the path to European integration. In June 2004, at its Istanbul Summit, NATO noted that the EU was ready to undertake a military mission in Bosnia on the basis of the Berlin plus agreements and consequently decided to terminate the SFOR mission by the end of 2004. The UN Security Council gave its approval in Resolution 1551 of 9 July 2004. Later on that year, in Resolution 1575 of 22 November, the mission was authorised for a period of 12 months. At the start of the operation the EUROFOR military component remained unchanged as compared with SFOR both as regards its structure and the participation of the various countries. The operation headquarters were located in Camp Butmir, Sarajevo, the former HQ of the SFOR command.

3. On 12 July 2004, the EU’s General Affairs and External Relations Council had adopted Joint Action 2004/570/CFSP in which the specifications of the Althea mission, which was defined as a “overall ESDP mission” were described in the following terms:

- the operation was to be carried out with recourse to NATO common assets and capabilities;
- the mission task was to provide continued compliance with the responsibility to fulfil the role specified in the Dayton General Framework Agreement for Peace (GFAP) in Bosnia and Herzegovina and to contribute to a safe and secure environment in the country so as to enable the Office of the High Representative to carry out core tasks in its mission implementation plan and the Stabilisation and Association Process (SAP);
- the EU Operation Headquarters was to be located at SHAPE in Belgium and would be under the responsibility of the Deputy Supreme Allied Commander Europe (D-SACEUR) for as long as the EU Force Commander was a British officer;
- the political control and strategic direction of the operation was to be exercised by the EU’s Political and Security Committee (PSC) under the Council’s responsibility; the powers of decision with regard to the objectives and termination of the military operation were assigned to the Council, assisted by the Secretary-General/High Representative for the CFSP;
- the cost of expenditure on the EU’s military operation (initially estimated at 71.7 million euros) was to be charged to the member states in accordance with the principles laid down in the Athena funding mechanism (with contributions based on GDP);
- the Force Commander was to take account of any request from the EU’s Special Representative in Bosnia (EUSR) and take the appropriate follow-up action;
- in addition to EU member states, participation in the operation was to be open to non-EU members of NATO, countries that were candidates for accession to the EU and partners from other continents; on 29 September 2004, the PSC set up a Committee of Contributors and laid down its rules of procedure: its members are EU countries (excluding Cyprus, Denmark

and Malta), plus Albania, Argentina, Bulgaria, Canada, Chile, Morocco, New Zealand, Norway, Romania, Switzerland and Turkey;

- on 11 October 2004, the General Affairs Council approved the operational plan for Althea; on 2 December, NATO handed over responsibility for the military operation in Bosnia and Herzegovina to the EU.
- the operation was planned to last 12 months.

II. Political aspects of the Althea mission and the role of national parliaments

4. The Committee for Parliamentary and Public Relations has already examined the issue of parliamentary scrutiny and oversight of international military missions in Document 1762, which was submitted to the Assembly in December 2001. More recently, we have studied the case of missions carried out over the last few years by the European Union, in particular Operations Concordia and Artemis. The situation concerning oversight and information about the missions carried out to date varies between one national parliament and another. As far as Concordia and Artemis are concerned, in many cases the role of the national parliaments was nonexistent, either because of inadequate procedures, even taking account of the different constitutional systems, but also because of a certain degree of indifference and a tacit acceptance of the delegation of power concerning these EU initiatives which have no direct bearing on the daily lives of our constituents.

5. The EU's first joint military operations have generated little interest compared with international military missions, which attract the attention of the media. Nevertheless, with Althea, the EU is beginning to show the practical application of its common security policy, whose development has been supported by national parliamentarians both within the European institutions and above all in the WEU Assembly. We have a responsibility to draw the attention of our fellow parliamentarians to the need to subject Althea to close scrutiny and to inform the public about it. In so doing we must highlight the importance of this important breakthrough on the part of the EU, which is now demonstrating its ability to implement a security policy on the international stage.

6. We have already seen that what European citizens fear above all else is a deterioration of their living standards and the current stage of development. It is true that little is said about the progress that has already been made thanks to EU social policy in a number of areas. As far as common security plans are concerned, all the opinion polls to which the Committee refers in earlier reports (especially Documents 1781 (2002), 1876 (2004) and 1893 (2005)) are unanimous: European citizens claim to be in favour of initiatives designed to guarantee their security, support the establishment of a European defence system and have more confidence in joint actions than in fragmented national initiatives. They are also prepared to fund European programmes because they realise that pooling resources and capabilities will result in more effectiveness at less cost and that there will be less dependence on internal pressure groups.

7. In the light of this consensus it is somewhat paradoxical that the positive results of implementing a policy are ignored. Things are done on the quiet. Operation Althea has not hit the headlines and is not even on the agenda of parliamentary business.

8. However, the competence for scrutinising this type of operation lies with the national parliaments. Since the European Commission and the European Parliament have not been given other powers in this area, it is the governments and parliaments of the member states which are responsible for the ESDP. Moreover, the funding for Operation Althea was approved by the national parliaments which, even though they did not give the matter sufficient attention, approved the budgets for the deployment of troops. Parliamentarians have rarely been informed about how the mission is unfolding. There is now talk of extending Althea for another year and we shall soon be called upon to vote in favour of additional funding. But where is the information on which we can base our decision? How can members of parliament be convinced that they are taking the right decision if there has been no scrutiny beforehand?

9. We shall see that the little information national parliaments have received varies from one country to another. An attempt could be made to examine what influence the parliaments have

exercised over government decisions but such an approach would be somewhat academic. Your Rapporteurs therefore propose to provide the Committee with an overview of the parliamentary debates and decisions which have taken place. They are well aware that the information they have received is far from complete and that it can be supplemented by further inputs from members. Given that it is very likely that Operation Althea will be extended, further developments could also be discussed in a follow-up report.

III. National parliamentary debates and decisions

Germany

10. On 17 November 2004, the German Government announced that there was to be a vote in parliament on the EU's Althea mission and Germany's participation in the operation. On 22 November, the government's proposals were tabled in the Bundestag. It laid particular emphasis on the political significance of the mission, its basis and its mandate.

11. On 23 and 24 November, six Bundestag committees – for foreign affairs, legal affairs, human rights and humanitarian aid, budgetary matters, economic cooperation and development and defence discussed the government's proposal for Operation Althea together with Germany's financial and military contribution. All the committees approved the text, which was subsequently adopted unanimously by the Bundestag. The only committee with reservations was the committee for economic cooperation and development but a majority in favour was nonetheless secured as CDU/CSU and FDP members voted with SPD members. The budget committee, which had to take a separate decision, also approved the government's proposal unanimously.

12. As regards the content of the government's proposal, Germany's military contribution was to be the deployment of 1100 troops with a ceiling of 3000 if the need arose. It would be contributing a total of 94.5 million euros to the cost of the operation³.

13. In accordance with national legal requirements, Germany's military participation in Operation Althea was tabled on the agenda of a Bundestag session on 26 November 2004. Peter Struck, the Defence Minister, addressed the members prior to the debate and the ensuing vote. In his speech he stressed the importance of the mission for the EU's security and defence policy. He also pointed out that the EU's credibility for managing crises in Europe and the wider world was at stake.

14. Following the Minister's address, the parliamentarians voted by a very large majority in favour of the proposal (by 583 votes to 7). A press release issued after the vote set out the implications of Germany's participation in the Althea mission.

Austria⁴

15. On 17 November 2004, the Austrian Parliament voted on a request from Ursula Plassnik, the Minister for Foreign Affairs, whereby Austria would be able to deploy up to 300 troops for Operation Althea in the Bosnia and Herzegovina. The Minister's request was approved by a majority as a result of votes cast by the liberal parties. However, the opposition parliamentarians declared their support for the basis of the EU's mission.

16. During the debate the two opposition parties (the Socialists and the Greens) said they were opposed to an exchange of Austrian troops between KFOR and Operation Althea. The Minister's report stated that 100 volunteer soldiers should stand ready so as to be able to back up the Austrian contingent for Althea for a duration of three months. The Minister maintained that this was necessary to guarantee the security of the Austrian troops engaged in Operation Althea.

17. In the end 150 additional troops supplemented the 150 who had served in SFOR and were already in the Bosnia and Herzegovina, bringing the total number of Austrian troops deployed for Operation Althea to 300.

³ The number of German troops currently deployed for Operation Althea is 1180.

⁴ The number of Austrian troops currently deployed for Operation Althea is 202.

18. The reason why Austria, a small, neutral country, should have decided to deploy forces to this crisis region can be explained by fact that it is geographically and historically close to Bosnia and Herzegovina and has traditionally provided support to the region.

Belgium⁵

19. At a meeting of the Council of Ministers on 23 December 2004, Belgium decided to participate in Operation Althea. The country was to deploy 54 military personnel for a period of one year, starting in January 2005. The cost of Belgium's participation comes to 3.1 million euros.

20. Belgian parliamentarians were kept informed, at least in part, of the country's involvement in the mission. During question time on 22 May 2005, members put questions about the suspension and withdrawal of a Belgian medical and surgical mission which was to have been operating throughout 2005 to provide a German military hospital with assistance. A question was put by Mr Sevenhans to the Defence Minister, Mr Flahaut, about the financial loss or gain that resulted from an early withdrawal of the medical team.

21. On 27 May, following a meeting of the Council of Ministers, Belgium proposed increasing its contribution to Operation Althea by providing six planes, but no pilots, and 52 officers in order to compensate for the lack of reconnaissance capabilities in the region of Tuzla.

Denmark

22. Your Rapporteurs wish to remind the Committee that because of Denmark's opt-out clause concerning European defence, it cannot take part in Operation Althea at all. Furthermore, Denmark would appear to have no interest whatsoever in this EU mission for it is virtually impossible to find any press article on it and hardly any political figure has spoken about it.

Finland⁶

23. In accordance with the law, on 20 August 2004, the President of the Republic of Finland, consulted the Parliament's State Council for foreign affairs and security policy about Operation Althea. This was done extremely quickly as it came scarcely a month after the official EU decision to take over the NATO mission.

24. As its contribution to Operation Althea Finland decided to deploy a maximum of 200 troops and 30 additional staff who will work on the renovation of the military base.

25. On 6 September 2004, the government presented Parliament with a report on Finland's participation in the Althea mission. It described the operation's structures, mandate and rules for the use of force and provided details about the human, material and financial aspects of Finland's contribution. In addition to the contingent announced, Finland planned to supply communication systems, army officers, staff specialising in communications and surveillance, a medical team and an engineering component.

26. As the framework nation for Operation Althea until summer 2005, Finland also commands the Task Force North. General Juha Kilpiä has been nominated as the officer in command of 1200 troops from 10 nations.

27. The cost of the operation has been estimated at 11 million euros for 2004 and 25 million for 2005. Finland is also contributing 1.52% of the total cost of the EU's participation. Indirect costs to be borne by Finland have been estimated at 17.5 million euros.

28. On 22 September 2004, the Finnish Parliament took a formal vote in favour of the country taking part in Operation Althea.

29. On 3 November 2004, the Finnish Government announced through the press that Finnish forces serving in KFOR in Kosovo might be used as a reserve force for the Finnish troops deployed for Operation Althea if that proved necessary and within the limits of the obligations assigned to their

⁵ The Belgian contingent in Operation Althea currently stands at 58.

⁶ The number of Finnish troops currently deployed for Operation Althea is 183.

respective tasks. Conversely, if there was a need, the Finnish forces soon to be deployed for Althea could serve as a reserve force for KFOR.

France

30. On 3 June 2005, a report was submitted to the French Senate by Senators Hubert Haenel and Didier Boulaud on behalf of the Delegation for the European Union. Entitled “Bosnia and Herzegovina: ten years after Dayton – a new challenge for the European Union”, it gives a very full account of the situation in the country concentrating on the domestic situation and the role of the international community. Particular attention is paid to the EU’s policies including its military intervention in the form of Operation Althea, which is studied in terms of its political aspects and the EU’s presence in the region. The objective of the report is to examine how best to explain to European citizens the issues involved in the EU’s stabilisation and association programme for countries wishing to join the EU. The text had first been studied by the European Affairs Delegation whose Rapporteur, Senator Haenel, regretted that the mission in Bosnia showed that European defence was still not operational and continued to depend on recourse to NATO assets. He said the Bosnians could only look to NATO to ensure their safety and for them the EU was no more than an area for economic development. It was necessary to change that view. He also pressed the case for a review of the High Representative’s mandate because as things stood the incumbent could push through wide-ranging legislation without it being subject to any real democratic scrutiny. Michel Barnier, the Foreign Minister at the time, spoke in similar vein in a debate on 4 May 2005. Referring to the fact that the EU was deploying a substantial presence in Bosnia and Herzegovina, with France playing its full part – sometimes at high cost since 84 French soldiers had been killed in the region – he informed members that some 10 000 French troops had been deployed during the conflict. Following the Dayton Peace Agreement their number had been reduced to 7 500. He took the view that the EU should shoulder all its responsibilities by gradually taking charge of the civil, police and military affairs. The mandate of the EU Special Representative in Bosnia and Herzegovina was due to end in 2005 and consultations were under way regarding its renewal. France had requested two changes: a reduction in the High Representative’s exceptional powers, particularly regarding sanctions, and a more European dimension to his remit by separating the functions of the UN High Representative from that of the EU’s Special Representative.

31. On the more technical aspect of France’s engagement, Michèle Alliot-Marie, the Defence Minister, addressed the National Assembly’s Defence Committee on 3 May 2005 to report on all the operations under way, including the Althea mission. However, she did not provide any details other than to refer to the number of French troops deployed.⁷

32. Over and above these political declarations the national parliaments have a possibility to avail themselves of a specific instrument in the framework of their legislative powers since they are in the process of ratifying an agreement between the EU member states on the status of military and civil personnel seconded to the EU Military Staff or to headquarters and forces made available to the Union (SOFA: Status Of Forces Agreement). This agreement confers legal status on personnel involved in work under the ESDP, its purpose being to make good the shortfalls and clear up the uncertainty that arose in connection with the preparation and implementation of Petersberg missions. On 23 November 2004, the National Assembly undertook an examination of a bill (1781) concerning the setting up of capabilities for operations abroad and there was a broad discussion of the missions concerned including Althea, which has become a European model for crisis management. The SOFA is a first important step towards harmonising the various national situations even though its scope is limited to the territory of the EU. For this reason provision is made in the preamble for the establishment of specific agreements with third countries in the event of exercises or operations that take place outside the territory of the member states.

⁷ The number of French troops currently deployed for Operation Althea is 402.

*Ireland*⁸

33. Operation Althea has been a regular subject of discussion in the Irish Parliament. On 12 October 2004, for example, in connection with a series of questions about external operations, Deputy Bernard J. Durkan put a question to Defence Minister Willie O'Dea about ongoing or envisaged overseas peacekeeping and peace enforcement missions involving Irish military personnel.

34. The Minister recalled in his reply that the EU was to take over from the NATO SFOR mission in Bosnia. He explained that Ireland had already deployed an advance force of twelve people and planned to provide some fifty in all for Operation Althea.

35. On 17 November 2004 the Minister replied in writing to a series of questions from Deputies Paul Connaughton and Seymour Crawford about overseas missions in 2004/2005 and the number of forces allocated to UN missions. He explained with regard to Operation Althea that the government had decided on 9 November to deploy 42 additional personnel as part of a Finnish-led multinational task force, bringing Ireland's total deployment in EUFOR to 54.

36. On 25 November 2004 the Minister of State at the Department of Defence, Tom Kitt, referred in a statement on the Irish defence forces to their involvement in Operation Althea. He recalled Ireland's strong support for international crisis management in the ESDP framework. He explained that Ireland's participation in Althea was perfectly in keeping with its commitment to the UN and its policy of military neutrality and gave the total number of Irish forces deployed in the EU operation in Bosnia and Herzegovina. Finally, on the issue of funding, he specified that the additional costs of the operation for Ireland were estimated at 3 458 456 euros. Following his address there were further comments on Operation Althea from Deputies Simon Coveney, Jack Wall and Aengus Ó Snodaigh highlighting the importance of this handover from NATO to EUFOR.

37. Operation Althea was also the subject of remarks made by Defence Minister O'Dea and Foreign Affairs Minister Ahern in reply to a number of questions put on 26 January, 2 February, 21 April and 28 April about the budget for Irish participation in overseas missions and the situation in Bosnia and Herzegovina. Moreover on 26 January Mr O'Dea explained in answer to a parliamentary question that the Irish contribution to the common costs for Operation Althea amounted to 805 000 euros in 2005.

38. Hence it would seem not only that the Irish parliament has been kept regularly informed of developments in connection with Operation Althea and its forces deployed there, but also that there is a genuine effort on the part of the people's representatives to monitor this mission.

Italy

39. On 12 October 2004 the Foreign Affairs Committee of the Chamber of Deputies was informed in a written report from its Chairman, Gustavo Selva, a member of our Assembly, about the CFSP and ESDP programmes which had been discussed at the Conference of Chairmen of the Foreign Affairs Committees of the EU Parliaments on 30 September 2004 in The Hague. On the issue of EU military operations, Mr Selva referred to statements by Bernard Bot, the Dutch Minister for Foreign Affairs and the then Chairman-in-Office of the EU Council, who had stressed the EU's commitment to Operation Althea and the fact that its objective was to stabilise the Balkans region at the EU's borders. The report was incorporated in the minutes of the following meeting, with no debate. The same procedure was followed for a note issued by Mr Selva on 16 December 2004, on his return from a visit to Bosnia and Herzegovina, in which he deplored the fact that although Operation Althea had attracted considerable attention within the region, it had been almost totally ignored by the European press and public opinion.

40. A discussion of the budgetary aspects of this mission had already taken place on 20 July 2004 in connection with the debate on general legislation authorising an extension of Italy's participation in international military operations. Apart from the mission in Iraq, which had monopolised the attention of the political class, the debate focused on the need to clarify the financial implications of the transformation of the SFOR operation. The issue was raised again during the debate on the state

⁸ Ireland is currently deploying 52 personnel for Operation Althea.

budget and resolved with the adoption of law 39 of 21 March 2005 on the funding of Italy's participation in international missions.

41. On 20 January 2005, in the framework of the customary annual presentation of the government's general policy, Defence Minister Martino briefed the defence committees of the Senate and Chamber of Deputies on the status of Italy's participation in international missions. Operation Althea was briefly mentioned when attention was drawn to the importance of this first mission in cooperation with NATO and to the progress it represented towards the concept of a common European defence⁹.

Luxembourg

42. Pursuant to the law of 27 July 1992 on participation in peacekeeping missions, Luxembourg was obliged to adopt specific legislation authorising its forces to participate in Operation Althea. On 14 October 2004 the Chamber of Deputies, following a procedure that was exemplary for its speed and precision, examined and approved a Grand Ducal regulation on participation in Operation Althea. The Foreign Affairs and Defence Committee gave their approval following a debate on the terms and objectives of the mission, which provided the opportunity for the parliamentarians to be informed and express their views. The legislation covers all legal and economic aspects of the mission and authorises participation for a two-year period. The Prime Minister, Jean-Claude Juncker, also made reference to the conduct of the operation in a number of statements delivered during Luxembourg's EU Presidency in the first half of 2005¹⁰.

*Norway*¹¹

43. Following the decision by the EU Political and Security Committee (PSC) on 21 September 2004 to accept contributions from third parties to Operation Althea, the Norwegian Government officially announced Norway's intention to participate in the mission on 6 October 2004.

44. Since Norway is not a member of the EU, the former Norwegian Defence Minister Kristin Krohn Devold signed a framework agreement on security with the EU on 22 November 2004. The agreement, which was signed at the European Council of Defence Ministers in Brussels, also provides the legal basis for all subsequent Norwegian contributions to EU-led crisis-management missions and hence for swifter and more effective cooperation in the future.

45. In an address on 30 November 2004 to the *Storting* (Norwegian Parliament) on the EU battlegroups, Mrs Krohn Devold explained the implications of the framework agreement between the EU and Norway. She announced that the first implementation of the agreement would be for Operation Althea, in which Norway had been authorised to participate.

46. Operation Althea began on 2 December 2004. On the same day Norway announced a 13-strong contribution consisting of staff officers and a mobile liaison and observation unit.

47. On 3 December 2004, at a meeting of the State Council, the Norwegian Government adopted the framework agreement between Norway and the EU. The agreement was implemented for the first time on 15 December, marking the beginning of Norway's physical involvement in Operation Althea.

48. Norway's participation in Althea and the relevant debates in Norway took place in a somewhat difficult climate for the Norwegian Defence Minister. Indeed, during the same period Norway also announced its intention to participate in the creation of the new EU battlegroups, and to form a battlegroup jointly with Sweden and Finland. The government was able to win the support of a majority of members of the *Storting*, which approved the principle of Norway's participation in the battlegroup process on 3 December 2004. Finally, on 23 May 2005, an agreement on Norway's participation in an EU battlegroup was signed in Brussels in the presence of the Defence Ministers of Norway, Sweden, Finland and Estonia.

⁹ The Italian contingent in Operation Althea is currently 1004 strong.

¹⁰ One Luxembourg officer is involved in Operation Althea.

¹¹ The Norwegian contingent in Operation Althea currently numbers 17.

49. Notwithstanding that achievement the debate on these issues was stormy, in particular due to Norway's non-membership of the EU. According to an opinion poll conducted on 3 December 2004, 56% of the population was opposed to Norwegian participation in the battlegroups, and the Norwegian Defence Minister also came under attack at political level.

*Netherlands*¹²

50. Pursuant to Article 100 of the Dutch Constitution, Parliament's consent is required for troops to take part in international missions. On 1 October 2004, the Government therefore informed the *Tweede Kamer* that as of 2 December the country would be contributing forces to Operation Althea. A debate and vote followed the communication from Foreign Affairs Minister Bot, Defence Minister Kamp and Minister for Cooperation and Development van Ardenne which stated that 430 Dutch soldiers would be made available for a period of six months to the European forces being deployed for Operation Althea.

51. On 13 May 2005, the same ministers submitted another document to Parliament informing it that the Dutch participation in Operation Althea would be extended for 12 months, with a maximum contingent of 450 troops as of 2 June 2005. Indeed, the Netherlands had decided to gradually reduce its forces for this mission on the grounds that it did not serve any useful purpose to send too many troops. The text indicated that this trend would continue and that between 1 January and 1 May 2006 the number of Dutch troops could gradually be reduced to 150.

52. On 12 October 2005, prior to the meeting of Defence Ministers, the Defence Committee of the Dutch Parliament was informed about the current situation by the Defence and Foreign Affairs Ministers. Following the November review, the Defence Minister will brief Parliament again, probably that same month. At the beginning of 2006, there will be a debate with Defence Committee members about the presence of Dutch troops in Bosnia, perhaps in combination with a police force, so that the political parties can express their views and state whether they approve of the Government's policy.

Romania

53. Following the entry into force of a new law in 2004, the consent of Parliament is no longer necessary for the deployment of troops in international missions as it is accepted that international treaties to which Romania is a party and which make provision for troop deployments are directly applicable.

*United Kingdom*¹³

54. In accordance with the decision taken by the European Council in June 2004, the United Kingdom was involved in Operation Althea from the outset.

55. Under British legislation the government is not obliged to consult parliament before taking the decision to deploy troops in a theatre of operations abroad. However, the House of Commons is regularly informed about UK participation in Operation Althea in accordance with the wish expressed by many MPs to be kept regularly updated on this British engagement.

56. Hence there have been regular references to Operation Althea in the House of Commons, either in written questions or during question and answer sessions. On 4 and 25 October 2004, for example, during questions to the Secretary of State for Foreign and Commonwealth Affairs about the meetings of the General Affairs and External Relations Council (GAERC) on 13 September and 11 October 2004, the then Minister for Europe, Denis MacShane MP, referred to decisions concerning the planning of Operation Althea.

57. On 19 October 2004, as part of a series of written questions addressed to the Secretary of State for Defence, Ann Winterton MP, asked for more information about the participation of British soldiers following the transfer of authority from the NATO mission SFOR to the EU Force's Operation Althea.

¹² The Dutch contingent in Operation Althea is currently 430 strong.

¹³ The UK is currently deploying 727 personnel for Operation Althea.

The Minister of State for the Armed Forces, Adam Ingram MP, replied that the British contribution would be some 1 000 strong and that the UK was also providing the EU Force Commander in the person of Major General David Leakey. Moreover the UK was planning to send six personnel to the NATO headquarters in Sarajevo. Ann Winterton submitted a follow-up written question on 27 October 2004 asking how many of the 1 000 UK personnel involved in Operation Althea would be infantry. The Minister replied in writing that the British contribution to Althea would include an infantry deployment of the 1st Battalion Grenadier Guards comprising up to 500 personnel.

58. On 28 October 2004, during a speech entitled “Progress and Possibilities”, Baroness Symons referred to Operation Althea, still in the preparatory stages at that time, as “a vital contribution to securing long-term peace” in the Balkans. A couple of weeks later, on 16 November, during a House of Commons debate on infantry soldiers in the British army, Ann Winterton again made a reference to the deployment of the Grenadier Guards for Operation Althea.

59. In the debate of 24 November 2004 Conservative MP Nicolas Soames made a more heated reference to the operation, which he accused of being no more than “a political gesture” with “potentially dangerous complications” for NATO. He also questioned the motives of the EU, which he said had to do with its “eagerness to bolster its credibility as a military player”.

60. On 13 December 2004 the House of Commons published the Minister’s reply to a question submitted by David Drew MP about the NATO authorities’ plans for arresting people accused of genocide in the former Yugoslavia and Bosnia. The Minister explained that following the transfer of authority from the NATO SFOR mission to EUFOR’s Operation Althea in Bosnia, EUFOR, together with NATO HQ, would coordinate with the local authorities to locate and detain fugitive indictees. Hence the EU would become a player in this area.

61. On 20 December 2004 the British Parliament officially received the Dutch Presidency report on the ESDP which included a status report on Operation Althea, in progress since 2 December. The report stated that “because of its size and complexity, Operation Althea is by far the most important military ESDP mission yet”. It underlined the importance of the United Kingdom’s role as lead nation in Task Force North West and in particular as the provider of the EU Force Commander, Major General Leakey.

62. Furthermore, on 12 January 2005 Chris Grayling MP enquired about the precise relationship between the new European peacekeeping force in Bosnia and the European Union. The then Secretary of State for Defence, Geof Hoon, gave a detailed reply explaining the organisational structure and institutional arrangements for the operation.

63. On 20 January 2005, in response to another series of questions, the Minister for Europe, Denis MacShane, once again referred to the particular attention that was being devoted to the running of Operation Althea.

64. On 18 July 2005 a question was raised by Mark Prisk MP about the military assets being deployed for the EUFOR operation in Bosnia and the command and control arrangements for their management. Mr Ingram replied that the United Kingdom had around 872 troops deployed in Operation Althea, including the Force Commander, Major General Leakey and a number of British officers serving in the force headquarters. He recalled that the United Kingdom was the lead nation for Task Force North West and that the bulk of its contingent was centred on the 1st Battalion, the Argyle and Sutherland Highlanders.

65. In conclusion, it can be seen that the British parliament has been kept regularly informed of developments in connection with Operation Althea and the British contingent within the mission, in spite of the fact that there is no obligation on the part of the government to report back to parliament in this area. We must also stress the determination of a number of parliamentarians to keep abreast of their country’s military engagements.

*Sweden*¹⁴

66. As of 30 September the *Riksdag* was consulted by the Swedish Government, in the person of Prime Minister Göran Persson, about the participation of Swedish troops in Operation Althea. The Government sought parliament's approval for the creation of a force of up to 200 men, to be deployed for 24 months in Bosnia and Herzegovina.

67. On 13 October Defence Minister Leni Björklund gave a detailed presentation to parliament of the conditions for Sweden's participation. She highlighted a number of key points, such as the importance Sweden attached to civil and military peacekeeping efforts, the flexibility of the operation and the crucial role of the UN mandate for Operation Althea. She also dealt with funding issues, detailing the costs for Sweden of participation in the mission.

68. On 21 October 2004 all the political parties in the foreign affairs and defence committees of the *Riksdag* approved the Government's proposal and agreed to the deployment of a Swedish contingent for Operation Althea.

69. On 27 October, in compliance with Swedish legislation and the country's democratic tradition, a parliamentary debate took place on Sweden's participation in the operation. An overwhelming majority voted in favour. The bulk of the Swedish force was to consist of a logistics unit, an observation unit and staff officers. In addition, reinforcements of 130 men would be held in readiness for deployment in case of a security problem.

70. On 28 October 2004 the results of the parliamentary debate were announced through press releases giving the details of Sweden's participation. Since then the Defence and Foreign Affairs Ministries, as well as the Government, have issued regular communiqués concerning the staffing and financial aspects of Sweden's contribution to the operation.

71. From 4 to 6 April 2005 Defence Minister Leni Björklund visited the EU forces engaged in Operation Althea on the spot.

Turkey

72. Turkey has contributed to the international community's efforts to establish peace, security and stability in Bosnia and Herzegovina since 1992 when the Turkish Grand National Assembly approved the participation of Turkish troops in the UNPROFOR mission. As a NATO Ally, Turkey continued to provide contributions after the Alliance took over command of the theatre, first through IFOR, then via SFOR.

73. Following the decision taken by NATO at its Istanbul Summit on 28-29 June 2004 to terminate the SFOR mission, thus enabling the EU to launch Operation EUFOR-ALTHEA, with recourse to NATO assets and capabilities, Turkey decided to maintain its contribution to Althea at the same level as in SFOR.

74. Indeed, immediately after the EU adopted its Joint Action Plan on Operation Althea on 12 July 2004, Turkey officially informed the EU of its willingness to participate in the mission. First at the informal force generation conference held on 22 July 2004 and then at the official force generation conference held on 7 September 2004, Turkey announced its decision to contribute to both the military and the civilian aspects of the Althea mission.

75. As the Turkish Grand National Assembly had already authorised the deployment of Turkish troops in Bosnia and Herzegovina on the basis of resolutions of the UN Security Council, and since Operation Althea had been launched on the basis of UN Security Council Resolution 1575 dated 22 November 2004, no further parliamentary action was required. Parliament and its relevant committees were, however, kept informed throughout the process.

76. Turkey is currently the leading non-EU contributor to Operation Althea with 345 troops deployed, including 23 gendarmerie officers in the framework of the Integrated Police Unit.

¹⁴ The Swedish contingent in Operation Althea currently consists of 80 personnel.

IV. The role of the European Parliament

77. When the launch of the Althea mission was announced, the European Parliament took the initiative of submitting a resolution in order to make a political contribution to the operation. Indeed, although the decisions on the operation's implementation and management are taken at intergovernmental level, the European Parliament considered that it had to have some political input into what were the first military activities under the ESDP.

78. The "Motion for a resolution on the European Union military operation Althea in Bosnia and Herzegovina" was tabled by MEP Jan Marinus Wiersma and debated on 16 November 2004. The MEPs received briefings on the general organisation of the mission from the representative of the Chairmanship-in-Office of the Council, Mr Nicolai, and the outgoing External Relations Commissioner Chris Patten. While the parliamentarians welcomed the way the operation was being carried out, they expressed dissatisfaction with the parliamentary deficit in this area of EU policy. Speaking on behalf of the EPP Group, Mr von Wogau remarked that while the EP was supposed to exercise parliamentary scrutiny, what it really provided at this stage was more in the nature of parliamentary advice, a real admission of the EP's political impotence with regard to the lack of proper scrutiny and sanctions in this area of Union policy-making.

79. In the case of Operation Althea no parliamentary body either at national or European level was able to bring any real influence to bear on the political choices, for the governments only announced their decisions after they had been taken. The funding of the operation, which was submersed in the national defence budgets, was another subject of concern. Mr von Wogau described it as an eminently important issue and expressed concern at the emergence of unofficial budgets beyond the scrutiny of both the national parliaments and the European Parliament. It was for that reason that the EP resolution called for the costs of the operation to be borne by the EU budget.

80. The text adopted on 17 November 2004 makes interesting reading, for it clearly summarises the EP's political concerns with regard to the operation. One year on, it is unfortunate to note that the proposals adopted by the EP have still not been transposed into the realities on the ground. Clearly the democratic deficit remains.

APPENDIX I

*European Parliament resolution
on the European Union military operation 'Althea' in Bosnia and Herzegovina*

The European Parliament,

- having regard to Council Joint Action 2004/570/CFSP of 12 July 2004 on the European Union military operation in Bosnia and Herzegovina ("BiH"),
- having regard to Article 21 of the Treaty on European Union,
- having regard to its resolution of 10 April 2002 on the European Security and Defence Policy (ESDP) and EU-NATO relations,
- having regard to its resolutions on the Common Foreign and Security Policy (main aspects and basic choices), in particular those of 26 September 2002 and 23 October 2003,
- having regard to its resolution of 13 March 2003 on the ESDP operation in the Former Yugoslav Republic of Macedonia,
- having regard to its resolution of 10 April 2003 on the new European security and defence architecture - priorities and deficiencies,
- having regard to Rule 103(2) of its Rules of Procedure,
- A. noting the Council Joint Action of 12 July 2004 and the announcement by the European Council of an ESDP mission, code-named 'Althea', to BiH, which will be the first European Union military mission on a relatively large scale with approximately 7000 military personnel in comparison to the smaller earlier missions 'Concordia' (approx. 350 military personnel) in the Former Yugoslav Republic of Macedonia and 'Artemis' (approx. 1400 military personnel) in the Democratic Republic of Congo,
- B. believing that any EU operation that can resort to the use of force beyond the functions of the existing EU Police Mission to BiH should strive to achieve broad public support and meet the highest standards of democratic legitimacy,
- C. recalling United Nations Security Council Resolution 1551 (adopted on 9 July 2004), which reminds the parties that they have committed themselves to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia in order to surrender for trial all persons indicted by the Tribunal,
- D. noting the support of the United Nations Security Council for this mission, which will take over by the end of 2004 the majority of tasks hitherto carried out by the Stabilisation Force (SFOR) operation of the North Atlantic Treaty Organisation (NATO),
- E. noting that the common costs of the operation are estimated to be EUR 71,7 million and that these are to be charged to Member States directly in accordance with Article 28(3) of the Treaty on European Union and administered by 'ATHENA', the mechanism established by Council Decision 2004/197/CFSP of 23 February 2004,
- F. noting that the security situation in BiH has improved significantly since the end of the war in 1995, but that there are still a number of threats to security in the country which require attention, in particular those emanating from organised crime and corruption, international terrorism, civil unrest and ethnic tension,
- G. whereas the present fragile institutional framework, which emerged from the Dayton Accords of 1995, does not enable the state of BiH to cope effectively and successfully with the above-mentioned threats,
- H. whereas furthermore hundreds of thousands of refugees have not yet been able to return and whereas one of the reasons is that large parts of the territory are contaminated with landmines,

both anti-personnel and anti-vehicle, and are therefore extremely unsafe; whereas mine-clearing is a critical precondition for economic development and stability, especially with regard to tourism and agriculture,

- I. strongly recommending the adoption of a peace agreement between BiH and its neighbouring countries which revises the Dayton Accords and creates mutual trust, alongside formal bilateral cooperation treaties, before starting negotiations on EU membership; noting that peace agreements can be prepared by an international conference that brings together all the countries in the region, EU Member States, the UN and the United States,
- J. acknowledging that the NATO-led Stabilisation Force (SFOR) played a vital role in maintaining peace and security in BiH, helping to ensure continuing stability and deterring a renewed outbreak of violence,
- K. noting that NATO will maintain a headquarters in Sarajevo with some 250 military and civilian staff whose primary role will be to continue NATO's dialogue with BiH on defence reform, sharing responsibilities with the EU for counter-terrorism activities and all matters regarding the search for indicted war criminals; underlining that the capture and bringing to justice of indicted war criminals is a test of the credibility of the international community, of NATO, and ultimately, of the European Union, and a prerequisite for further reconciliation,
- L. stressing that the stabilisation of BiH is of enormous importance for the stability of the whole region and that the strengthening of its institutions could contribute decisively to the resolution of the pending institutional and statehood issues in the bordering countries,
 1. Welcomes the new coordinated and coherent approach of the EU to Bosnia and Herzegovina which includes a comprehensive Strategy for BiH, a new mandate for the EU Special Representative, the civilian aspects such as the Stabilisation and Association Process (SAP) and Community Assistance for Reconstruction, Development and Stabilisation (CARDS) programmes, the European Union Police Mission and the future military stabilisation force 'Althea';
 2. Calls on the Government of BiH to invite the EU mission Althea to highlight the current progress made by the BiH authorities;
 3. Deplores once again the non-involvement of the European Parliament, the Treaty limits on the right of Parliament to be consulted and the limited provision of information; deplores also the decision to finance this mission by contributions outside the normal budget of the European Union;
 4. Proposes that the European Union contribute to the operational cost of Althea in the form of flat monthly reimbursements along the lines adopted by the UN and the OSCE with a view in particular to covering part of the per diems of personnel from the budget of the European Union;
 5. Believes that the 'Althea' operation should reinforce the EU's comprehensive approach towards BiH and should support that country's progress towards eventual EU membership; welcomes also the statements to the effect that this action is intended to strengthen local policing capacity and the fight against organised crime, with a gradual handing over of responsibility for security to the local authorities;
 6. Supports the 'Stabilisation and Association Process' in BiH, which constitutes an essential framework for that country's journey towards EU membership; welcomes the new mandate of the EU Special Representative, Lord Ashdown, to implement the comprehensive support package for Bosnia and Herzegovina, but recalls once again that BiH must rely principally on its own efforts in relation to European integration;
 7. Welcomes the decision of the EU to have recourse to NATO assets and capabilities for the 'Althea' mission, thereby confirming the collaboration between the two organizations and implementing the agreement of December 2002 on EU access to NATO planning and command facilities ('Berlin Plus');

8. Advocates the closest cooperation between the EU Stabilisation Force in BiH and the residual NATO presence in that country to ensure a clear delineation of roles and responsibilities between the two organisations;
9. Welcomes the maintenance of a NATO presence in BiH and of a separate NATO HQ in Sarajevo in the context of NATO's Partnership for Peace Programme but insists that, in addition to the handover of the peacekeeping mission, responsibility for counterterrorism operations and the apprehension of war criminals should also be handed over to the European Union;
10. Recommends that the EU Special Representative (EUSR) not only closely coordinate with the EU Force Commander but also invite NATO representation on the EUSR coordination group in order to ensure coordination and coherence across the range of EU activities in BiH;
11. Welcomes the intention of third states to participate in the EU military operation;
12. Considers that this operation should establish further the collective capacity for planning and management of European military operations at EU level with a view to developing the EU Civil-Military Planning Cell; welcomes the intention to link military action with other aspects of the EU's role in BiH, including policing, development and training;
13. Calls for the Althea mission to undertake to abide by Community and international human rights legislation;
14. Considers it important for the EU force to include a robust 'gendarmerie-type' element (the Integrated Police Unit) in order to perform those tasks for which the military have not generally been trained and which normal police forces cannot perform, especially since the EU Police Mission has a non-executive mandate under which it can only give advice and monitor developments; underlines in this context the importance of the stepping-up of efforts to create a local, multi-ethnic police force that enjoys the confidence of all communities in the country;
15. Urges the EU's military and police forces as well as the civilian authorities in BiH to collaborate closely in searching energetically for war criminals and in fighting against any kind of terrorism;
16. Recommends that the EU force should continue SFOR's recent practice of deploying a network of small military teams to live among the population in 'host houses' in order to maintain its situation awareness and its deterrent presence despite a reduction in troop levels, from 12 000 to 7 000 in June 2004;
17. Expects that, if urgent military action becomes necessary, lessons will have been learned from the mistakes made during previous action in the Balkans, particularly in Kosovo in March 2004, and that there will be clear organisation and coordination planning for such action;
18. Underlines the importance of clear responsibilities over the command chain between the EU force commander in Bosnia and Herzegovina and the EU operational commander, who is Deputy Supreme Allied Commander Europe at SHAPE; welcomes the fact that an EU Command Element will be established at NATO's regional headquarters in Naples, Italy;
19. Demands in view of the more integrated and coordinated civil-military aspects of operation 'Althea' to be kept up to date by the EUSR and to be informed at regular intervals by the chairman of the Political and Security Committee (PSC) which exercises the political and strategic direction of the EU military operation;
20. In order to prevent situations such as those that arose in Kosovo in March 2004, calls for its Committee on Foreign Affairs to receive information about the plans for the way in which decision-making will operate between the different EU organs in the event of spontaneous outbreaks of violence; calls on the Council to provide specific information on the 'operational capacity' and the 'rules of engagement' for the Althea mission;
21. Hopes that the establishment of an EU Civil-Military Planning Cell will be an important step forward in providing analysis and lessons learned from operation 'Althea' with the objective of making the EU a more efficient civil-military crisis manager;

22. Calls for coordination in the field of intelligence, and recommends that a specific mechanism should be implemented for coordinating information flows between the EU, NATO, the United States and other actors engaged in the region on the probability of ethnic tensions;
23. Calls on the Council to define and upgrade the role of the EU Monitoring Mission in BiH, in order to make it suitable;
24. Welcomes the fact that a review of the operation is to be conducted after six months and calls on the EUSR and the chairman of the PSC to provide a statement on that review to Parliament; underlines the need for the European Parliament to receive regular progress reports on the operation;
25. Calls on its Conference of Presidents to authorise the competent committee to send a fact-finding delegation to BiH in order to evaluate progress;
26. Instructs its President to forward this resolution to the Council, the Commission and the Parliaments of the Member States and third countries, as well as to the parliaments and governments of Bosnia and Herzegovina.

APPENDIX II

EUFOR troop strength and chain of command¹⁵

1. Operation ALTHEA is supported by approximately 7 000 troops. To date, 33 member nations are contributing troops of which 22 are EU member states and 11 are non-EU Troop Contributing Nations.
2. BiH is currently divided into three military areas each with a Multinational Task Force:
 - Multinational Task Force North (MNTF-N): approximately 1 800 personnel with the HQ located in Eagle Base, Tuzla. There are 12 contributing EU and other countries which have deployed troops experienced in peace-support operations;
 - Multinational Task Force Southeast “Salamander” (MNTF-SE): approximately 1 800 personnel with the HQ located in Mostar-Ortiješ. 6 EU and other countries have sent troops to MNTF-SE; it is important to note that one of MNTF-SE’s primary tasks is to monitor Persons Indicted For War Crimes (PIFWCs);
 - Multinational Task Force Northwest (MNTF-NW): approximately 1 600 personnel with the HQ located in the Banja Luka Metal Factory; a second base consisting mainly of Dutch Infantry is stationed at the Dutch Base in Bugojno. A total of 10 EU and other countries are contributing troops to MNTF-NW.
3. In addition, an Integrated Police Unit (IPU) is based in Sarajevo with about 500 personnel and its operations cover the entire country. A remaining 1 000 theatre troops are based in a number of locations in BiH and provide services to all the abovementioned units.

In theatre troops of EU nations

AUSTRIA	202
BELGIUM	58
CZECH REPUBLIC	89
ESTONIA	2
FINLAND	183
FRANCE	402
GERMANY	1180
GREECE	181
HUNGARY	122
IRELAND	52
ITALY	1004
LATVIA	3
LITHUANIA	1
LUXEMBURG	1
THE NETHERLANDS	430
POLAND	226
PORTUGAL	231
SLOVAKIA	4
SLOVENIA	153
SPAIN	467
SWEDEN	80
UNITED KINGDOM	727

In theatre troops of non-EU nations

ALBANIA	71
ARGENTINA	2
BULGARIA	36
CANADA	85
CHILE	20
MOROCCO	133
NORWAY	17
NEW ZEALAND	14
ROMANIA	110
SWITZERLAND	25
TURKEY	345

EU troops sub-total

5798

Non-EU troops sub-total

858

Total number of troops serving in EUFOR: 6 656 (August 2005)

¹⁵ EUFOR / Althea website. <http://www.euforbih.org>

