


# The development of Western European Union

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## The development of Western European Union

As soon as the modified Brussels Treaty entered into force, Western European Union (WEU) was to find itself involved in a number of major dossiers. The first of these was the finding of a settlement to the problem of the Saar. The ill-feeling created by the special status of the territory, which was ceded to France as part of the war reparations in 1919, restored to Germany in 1935 and then included in the French occupation zone after the Second World War, was to lead, under the Paris Agreements of 1954, to the granting of European status to the Saar under WEU authority. On 23 October 1955, a referendum was held by WEU to decide the final fate of the territory, but the outcome was a refusal by the majority of the Saar population to retain that status. After elections under WEU auspices, the Saar became part of the Federal Republic of Germany (FRG). WEU made an important contribution to bringing about Franco-German rapprochement. It was also a driving force in bringing the United Kingdom and the mainland WEU Member States into line as regards retaining the British forces on the Rhine (BAOR <sup>(1)</sup>) and as an intermediary in negotiations between London and the European Communities until the United Kingdom acceded to them on 1 January 1973.

This impression that WEU played a prominent role between 1954 and 1973 has to be seen in context, however. As regards the Saar question, it was merely an official receiver. Furthermore, it was stripped of its responsibility for social and cultural questions as from 1960, when they were transferred to the Council of Europe. The same happened with its powers in the military sphere, when NATO took over the leading role in that area, and in the economic field, with the Community plan for the common market. The discussion on nuclear matters in Europe, arising out of calculated initiatives from within the Assembly of WEU (via parliamentary debates and reports), was quickly scotched by the European capitals, which took divergent views on the matter. The graduated response strategy <sup>(2)</sup> and the plan for a multilateral nuclear force (MLF <sup>(3)</sup>) became subjects which involved the national capitals and NATO, not WEU.

After lying dormant for several years, particularly after the United Kingdom joined the Common Market in 1973, WEU returned to centre stage. There were several reasons for this new stance. After the failure of the Genscher-Colombo plan, in November 1981, to extend the fields covered by European Political Cooperation (EPC) to security questions, and in view of international events surrounding the Euromissile crisis, several national capitals envisaged setting up a European framework for the discussion of these questions elsewhere than in the European Communities.

On an initiative from Belgium <sup>(4)</sup> and France <sup>(5)</sup>, WEU was chosen as the setting for the discussions. The Rome Declaration of 26 and 27 October 1984 was in a sense the official relaunch of WEU and, at the same time, pushed to the forefront the idea of a European Security and Defence Identity (ESDI), while also stressing the need for countries to cooperate more effectively and make greater use of the modified Brussels Treaty Organisation. One practical outcome of this new prominence was the establishment of twice-yearly meetings of the Council of WEU (which at last brought foreign ministers and defence ministers together).

A factor which made WEU more visible was the perception in Europe that the intermediate nuclear forces negotiations (INF <sup>(6)</sup>) were taking place in a 'closed' Russian-American duopoly in which Europe was not represented. This state of affairs also helped to bring about the adoption by WEU, in The Hague, of a 'platform on European security interests' (27 October 1987). This important document emphasised the indivisible character of security in the Alliance (through a strengthening of its European pillar) but also, and in particular, it laid stress on the idea that 'the construction of an integrated Europe will remain incomplete as long as it does not include security and defence'.

This was the time when WEU, which had initially had seven members <sup>(7)</sup>, expanded to take in Spain and Portugal (which became members on 27 March 1990) and then received applications from Turkey and Greece. It was also at this time that WEU committed itself to a number of joint operations in the Gulf, on the Danube, in Mostar (Bosnia and Herzegovina) and in Albania. The reborn WEU was also able to give thought to stepping up the European contribution to solidarity within the Atlantic Alliance, while formulating a common European defence policy as an objective to be achieved.

Several instruments were set up, such as the Forces Answerable to WEU (FAWEU), the operational structures

(the Planning Cell, the Situation Centre, the Military Committee, the Torrejón Satellite Centre, the Institute for Security Studies and others), the definition of the Petersberg tasks and several concept-oriented papers such as the WEU Declarations adopted in Kirchberg (May 1994), Noordwijk (November 1994) and Madrid (November 1995), which in a way foreshadowed Europe's future security strategy within the European Union (EU) framework (2003).

In parallel, there were heated discussions in WEU, the EU and the North Atlantic Treaty Organisation (NATO) about the ESDI and the degree of autonomy European organisations should enjoy vis-a-vis the Atlantic Alliance. The Maastricht Treaty, signed on 7 February 1992, had said that WEU would be an integral part of the development of the EU and would strengthen its contribution to solidarity within the Atlantic Alliance. Since it had to remain compatible with NATO, WEU would therefore be developed by stages as the defence component of the EU ('the defence arm of the Union') and as a means of strengthening NATO's European pillar.

The WEU was, firstly, supposed to draft and implement the EU decisions and actions with implications in the field of defence. It also had to act in accordance with the positions adopted in the Atlantic Alliance. The strangeness of this situation, with a WEU in search of an identity, was to lead to many doctrinal and political ambiguities as to the concept of ESDI and the political control of the Combined Joint Task Forces (CJTF <sup>(8)</sup>) which NATO could release to WEU. There was also rivalry over involvement in crisis-management missions outside the territory of the Member States of both organisations.

Despite the overhaul of the NATO structure, which was supposed to give more substance to the ESDI without leading to a duplication of resources which would benefit WEU, the dispute between France and the United States over the southern command <sup>(9)</sup> in 1996 and uncertainties relating to 'separable but not separate forces' <sup>(10)</sup> confirmed the limits of European autonomy and the European nations' dependence on American strategic resources and NATO's integrated instruments.

A continuing feature of relations between NATO and WEU was the dominance of the former over the latter; WEU could only take on tasks which were subordinate to NATO and missions likely to arise out of an enhanced common foreign and security policy (CFSP). The political link between the EU and WEU was a privileged relationship, whereas ties with NATO were, clearly, purely functional and military. However, a more robust European identity in respect of security and defence within the EU itself was, at the time, doomed to failure given the EU's inability to take effective action on identity-based tensions in the Balkans.

In the 1990s, then, there were two processes running in parallel: WEU was being 'NATO-ised' in terms of norms and military culture, and had to rely on the goodwill of the EU, which was gradually appropriating the security and defence dimension for itself. WEU was becoming a transmitting channel and its FAWEU forces were turning into 'double-hatting' instruments. There was interdependence but it was asymmetrical and worked primarily to NATO's advantage. This explained the lack of WEU operational visibility in crisis management, against a background of disagreements between European countries.

Thus, for historical, political and operational reasons, the process of strengthening the links between NATO and WEU had progressed further than relations between WEU and the EU. At the same time, France and the United Kingdom disagreed as to the future of security in Europe. The UK's motivation was to support the development of WEU for a long time in order to put the brakes on any attempts to incorporate defence policy into the EU. France's motivation was, then, to reduce American influence while seeking to erect a European security pillar which would be largely independent of the Atlantic Alliance.

With diplomatic tension over the Balkan wars mounting and faced with the need to revise the Maastricht Treaty, new decisions to promote EU visibility in relation to security and defence were taken in Amsterdam in 1997, to the 'detriment' of WEU. A Policy Planning and Early Warning Unit (PPEWU) was set up, the post of High Representative for the CFSP was created and the Petersberg tasks were incorporated into the EU Treaty. The EU could now 'use' WEU, instead of the words 'call on' which appear in the Maastricht Treaty. The incorporation of the Petersberg tasks into the EU Treaty in a framework that was still intergovernmental was to weaken WEU. London, now very much in the minority, finally agreed to the transfer of WEU's political and

military functions to the EU, apart from those arising from the commitment to provide mutual assistance as part of collective defence.

The United Kingdom had actually proposed transferring WEU's military resources to NATO and setting up a fourth pillar within the EU, whereas France and Germany wanted to speed up the incorporation of all WEU's political and military instruments into the EU. The French Government's intention was, in particular, to ensure that this incorporation should be finalised prior to any 'dismantling' of WEU. The object was to prevent WEU's associate partner and observer countries short-circuiting any resolve to take action and any maturing of the EU in that particular sphere.

Three Councils of WEU in succession then defined the practicalities of including those WEU functions the EU would need in order to assume its new responsibilities in relation to the Petersberg tasks and laid down measures for the cessation of WEU activities and missions. These were Luxembourg on 23 November 1999, Porto on 15 and 16 May 2000 and Marseille on 13 November 2000.

From that point on, all that was left to WEU was its parliamentary body (the Assembly) and its legal basis (the Treaty); the Council no longer met, its Secretary-General Javier Solana had decided to devote very little time to it and the WEAG <sup>(1)</sup> and WEO <sup>(2)</sup> had already disappeared with the rise in power of the new European Defence Agency.

WEU could be seen as a form of 'enhanced cooperation' between ten Member States of the EU (the full members of WEU) and a fail-safe mechanism in the shape of Article V of its Treaty, on collective defence, so long as the EU had not adopted and ratified the Lisbon Treaty, which included the collective defence clause, albeit in diluted form. A principle of solidarity on these lines is, in fact, inherent in any process of economic, political and judicial integration. The legal obligation to provide collective defence still lay with NATO in the event of a major threat to the European countries belonging to both organisations. In other words, if the WEU Ten (who were also NATO and EU members) had invoked Article V, the modified Brussels Treaty implied that any military response was put into effect in the form of cooperation with NATO resources, instruments, know-how and procedures. Article IV of the modified Brussels Treaty <sup>(3)</sup> expressed this subordinate relationship, which was not linked to the severity of the threat or the aggression concerned.

Relations between WEU and the EU were pared down to a minimum. Protocol (No 11) on Article 42 of the Treaty of Lisbon simply states that 'the European Union shall draw up, together with the Western European Union, arrangements for enhanced cooperation between them'.

Following the ratification of the Treaty of Lisbon and the desire to reduce the costs of an organisation deemed to be 'superfluous' alongside both the European Union in general and the common security and defence policy (CSDP) in particular, some political authorities close to the governments had already mooted the forthcoming closure of WEU. The United Kingdom was the first to officially state that it wished to terminate the organisation. On 31 March 2010, the ten full Member States of WEU announced that the organisation would be closed by the end of June 2011. The mutual assistance clause in the Treaty of Lisbon incorporates the spirit of Article V of the modified Brussels Treaty. The Treaty of Lisbon also provides for the establishment of ad hoc interparliamentary groups that could play the same role as WEU but with 28 Member States. But in practice, political scrutiny of the CSDP will continue to depend on the resources, room for manoeuvre and influence granted to an interparliamentary European organisation for security and defence composed of national and European Members of Parliament, which has proved difficult to set up <sup>(4)</sup> in view of the rivalries in terms of size and influence between the various Member States.

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(1) British Army of the Rhine

(2) The United States nuclear doctrine whereby any riposte must be in proportion to the attack.

(3) Multilateral Force

(4) Cf. Leo Tindemans, 'Débloquer la coopération européenne' from *Le Monde*, 23 December 1983.

(5) Memorandum submitted in February 1984, supported and supplemented by Belgium and the FRG.

- (6) Intermediate Nuclear Forces
- (7) Belgium, France, the United Kingdom, Italy, Luxembourg, the Netherlands and the FRG.
- (8) In French GFIM, *groupes de forces interarmées multinationales*
- (9) In 1995, France, under Jacques Chirac, opened negotiations on full French participation in the integrated NATO command to balance out the European pillar in the Alliance while, at the same time, seeking to obtain a major command. The talks came to nothing as the United States refused to relinquish to France the southern command of the Alliance, which is based in Naples and monitors the Mediterranean.
- (10) The concept of 'separable but not separate forces' concerns the Combined Joint Task Forces (or CJTF), which are forces or capabilities associated with NATO but available to the EU according to certain rules, but without duplicating resources provided solely for EU purposes.
- (11) Western European Armaments Group
- (12) Western European Armaments Organisation
- (13) 'In the execution of the Treaty, the High Contracting Parties and any Organs established by Them under the Treaty shall work in close co-operation with the North Atlantic Treaty Organisation. Recognising the undesirability of duplicating the military staffs of NATO, the Council and its Agency will rely on the appropriate military authorities of NATO for information and advice on military matters.'
- (14) See the Conferences of the Speakers of the Parliaments of the European Union (Brussels, 4–5 April 2011; Warsaw, 20–21 April 2012) which established the Inter-Parliamentary Conference for the CFSP and the CSDP. The first Inter-Parliamentary Conference was held in Brussels in April 2011. The following meetings took place in Cyprus in September 2012 and in Dublin in March 2013.