Caption: In a report submitted to the Assembly of Western European Union (WEU) on 29 April 1960, the General Affairs Committee analyses from different perspectives the important question of the reactivation of WEU. Several issues are addressed, in particular the enlargement of WEU, its structures and tasks and its place in Europe.


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Reactivation of WEU – its tasks, structure and place in Europe

REPORT

submitted on behalf of the General Affairs Committee
by Mr. Bianco, Rapporteur

TABLE OF CONTENTS

DRAFT RECOMMENDATION
on the reactivation of WEU – its tasks, structure and place in Europe

EXPLANATORY MEMORANDUM
submitted by Mr. Bianco, Rapporteur
I. Introduction
II. WEU in Europe
III. The political activities of the Council in 1985
IV. The Assembly’s prospects
V. Conclusions

1. Adopted unanimously by the committee.

2. Members of the committee: Mr. Michel (Alternate: De Bondt); MM. Hardy, van der Werff (Vice-Chairmen); Mr. Ahrens, Sir Frederic Bennett, MM. Berrier, Bianco, Bogaerts (Alternate: Pèriaux), Burger, Close, Sir Anthony Grant, Mr. Hill (Alternate: Murphy), Mrs. Kelly, MM. Koehl (Alternate: Dreyfus-Schmidt), Lagorce, Lord Mackie (Alternate: Dame Jill Knight), MM. Martino, Masciadri, Müller, Prouvost, Reddemann (Alternate: Mrs. Fischer), Ruet, Rumpf, van der Sanden, Spitella, Vecchietti, de Vries.

N.B. The names of those taking part in the vote are printed in italics.
Draft Recommendation
on the reactivation of WEU –
its tasks, structure and place in Europe

The Assembly,

(i) Noting the interest in the reactivation of WEU shown by several European member countries of the Atlantic Alliance;

(ii) Stressing that the interest in the activities of WEU shown by many European member countries of the Atlantic Alliance is closely linked with the effectiveness of the Council’s political activities;

(iii) Considering that abolition of the lists of armaments subject to control and the new direction given to WEU following the Rome declaration will allow consideration to be given to enlarging WEU once it has been given definite terms of reference;

(iv) Recalling Portugal’s application for membership of WEU and welcoming the results of the referendum held in Spain on 12th March 1986;

(v) Considering that the delay in transmitting the thirty-first annual report of the Council to the Assembly makes it impossible to adopt an answer to that report in time for the first part of the thirty-second session of the Assembly;

(vi) Welcoming the efforts made by the Chairman-in-Office of the Council and the Secretary-General to develop a dialogue with the Assembly;

(vii) Recalling that information which cannot be given officially to all members of the Assembly cannot be counted as part of this dialogue;

(viii) Noting that many texts which the Council promised the Assembly have not been sent and that the Assembly is therefore not kept properly informed of the activities of the Permanent Council, the working groups and the agencies;

(ix) Regretting that the permanent tasks assigned to the agencies are inadequate and vague;

(x) Considering that in these circumstances the Assembly’s tasks of supervision, criticism and censure of the Council remain fundamental, which means that the Assembly must remain completely independent of the Council,

RECOMMENDS THAT THE COUNCIL

1. Keep the European member countries of the Atlantic Alliance informed of and associated with its activities insofar as the modified Brussels Treaty allows this, particularly in regard to co-operation in armaments matters, in the hope that it will be possible to achieve greater rationalisation and overall harmonisation in this area;

2. Study the consequences of the possible accession of Spain and Portugal to WEU so as to take favourable action without delay on Portugal’s application and to propose that Spain accede to the modified Brussels Treaty;

3. Ensure that the Assembly is kept regularly informed of all the Council’s activities at a frequency and in time to allow a fruitful dialogue between the two organs of WEU;

4. Present the information which it itself, its Chairman-in-Office or the Secretary-General give the Assembly in such a way that it may be transmitted to all members of the Assembly;

5. Within reasonable time-limits, allow the Assembly to benefit from the studies conducted by the agencies and working groups after expurgating those parts which are classified secret;

6. Ensure that, in addition to the conjunctural studies requested by the Council, the agencies have permanent tasks with due independence of action for implementing them;

7. Inter alia, instruct Agency II to organise a European institute for advanced defence studies, whose tasks will have been defined by the Council, in accordance with paragraph 5(b) of Recommendation 429.
Explanatory Memorandum

(submitted by Mr. Bianco, Rapporteur)

I. Introduction

1. In November 1985, the General Affairs Committee decided to include in its programme of work a report on WEU's place in Europe. Its principal aim was to consider the prospects of a possible enlargement of WEU after its visit to Portugal in 1985 to study that country's application for membership. It agreed not to conduct a similar inquiry in Spain, then a candidate for membership of the EEC on the same basis as Portugal, as long as the question of Spain remaining in NATO had not been settled by the March 1986 referendum. But in November 1985 it gave consideration to following up talks held between Mr. Caro, President of the Assembly, and representatives of the Danish Government by visiting Copenhagen. It also decided to ask the Norwegian authorities to receive it. All the elements needed to study WEU's place in Europe would therefore have been available. Special circumstances linked with the Folketing's rejection of the agreement between the Twelve reached in Luxembourg on 3rd December 1985 made the Danish authorities ask the General Affairs Committee to postpone its visit until after the referendum on 27th February 1986.

2. So as not to overburden the agenda of the June 1986 session, it was logical for the committee to link this study with its statutory reply to the Council's report on its activities in 1985. In view of the importance of the measures taken in the context of the reactivation of WEU, it was difficult to foresee the content of a report which would quite obviously have to break with the routine presentation of the Council's annual reports since the start of WEU and also raise the question of WEU's place in Europe. However, the annual report had not reached the Office of the Clerk on 10th April, making it impossible for your Rapporteur to study it in time for the committee to be able to discuss the matter at its meeting on 29th April at which the present report is to be adopted.

3. Finally, at its meeting in Paris on 20th January 1986, the Presidential Committee of the Assembly decided to refer to the General Affairs Committee the question of action to be taken on a paragraph in the preamble to Recommendation 429 inserted by amendment in December 1985. This paragraph asked that the General Affairs Committee set out its conclusions in a separate report. Anxious to avoid including too many reports in the agenda for the June 1986 session, the Presidential Committee preferred to associate this more detailed study with the General Affairs Committee's report on WEU in reply to the annual report of the Council, it being understood that it was for the General Affairs Committee to handle relations between the Assembly and the Council in that report.

4. As a result of these various decisions, your Rapporteur was given terms of reference which ultimately covered related matters: the reactivation, enlargement and structure of WEU. In order to take account of the prerogatives of other committees, the wishes of those who tabled the amendment and the obligation to prepare a reply to the annual report of the Council for 1985, your Rapporteur has taken each of these three questions separately in three distinct chapters of the present report. Your Rapporteur is well aware that those who tabled the amendment to Recommendation 429 would have liked the questions they raised in 1984 to be the subject of an entirely separate report. He wished to point out that it was neither he nor the General Affairs Committee but the Presidential Committee that decided to join the three questions, albeit closely linked, in a single report. The General Affairs Committee could but take note of this decision.

5. In the end, this decision has led your Rapporteur to tackle the important matter of the reactivation of WEU from three different standpoints: the problems of enlargement, the Council's activities and the structure of WEU are at present the three aspects of this reactivation, so they cannot be dealt with as purely technical matters. The idea each of us has of the nature of the Western European countries' participation in the defence of Europe can alone guide us in this respect and we cannot overlook the questions which WEU will have to answer in future years.

6. The development of the strategic defence initiative launched by President Reagan, whatever the degree of participation of the European members of the Atlantic Alliance, plus the deployment of new conventional weapons and the continuing Soviet-American disarmament negotiations are likely to change Euro-American relations very considerably. There is admittedly nothing to indicate that NATO is being called in question. United States superiority in defence-related technology will probably mean more than ever that Europe's security will be based on the integration of American forces in the military system which ensures its defence.
7. Hence it is within an Atlantic system that Europe will have to define its own interests better than it has managed to do so far, and the purpose of the reactivation of WEU is not to set up a European deployment alongside NATO deployment but to allow Europe to express and give weight to its views on its security requirements. In other words, the reactivation of WEU is more political than military.

8. It remains to be seen which Europe is prepared to express its views on security matters: the European members of the Atlantic Alliance? The twelve members of the Community? The seven members of WEU? It still seems difficult to answer this question, even for those who consider that the future European union should group all the European members of the Atlantic Alliance within a community framework. Solutions have to be found for the next few years, rather than speculate on a more remote future.

9. Similarly, reconsideration of the structure of WEU should not anticipate the future but aim at setting up, at parliamentary level and at the level of the governmental organs, something acceptable to the seven governments and to applicants for possible membership of WEU. It is from this standpoint that your Rapporteur wishes to tackle all the problems which have now arisen.

II. WEU in Europe

10. It should be recalled that Western European Union came into being in 1954 following the adoption by the French National Assembly on 30th August 1954 of a prior question leaving out of its debates the treaty setting up a European Defence Community between the six countries which had just set up the European Coal and Steel Community. This vote meant that France was not prepared to discuss defence matters with its European partners on a community basis. The latter thought they could not or should not develop this community without France and without the United Kingdom, which had not signed the treaty setting up the EDC and, together with France, sought a framework for consultation on European defence on other bases.

11. For this purpose, the Seven modified the text of the Brussels Treaty which, since 1948, had associated the United Kingdom, France and the Benelux countries in a defensive alliance, to adapt it to the new circumstances in Europe. They extended the initial treaty to Germany and Italy, gave up the integrated European headquarters which had been set up in 1948 in favour of SHAPE, which had in fact already replaced the Western Union headquarters, worked out a system of declaration and control of armaments on the mainland of Europe, led the United Kingdom to undertake to maintain large numbers of land and air forces in the Federal Republic and set up a parliamentary assembly and a committee to promote the joint production of armaments.

12. Strangely, the modified Brussels Treaty, which refers in its preamble to a joint will to build Europe, corresponded to none of the geographical contours or ideological aims round which Europe was then in the process of taking shape.

13. While the EDC grouped the six member countries of the very recent ECSC, had community principles and aimed at establishing a supranational Europe, WEU had seven members and was an alliance of sovereign states. The only element of federal-type integration was the great novelty of including in a treaty of alliance the Council’s right to vote by majority in a number of well-defined cases.

14. The modified Brussels Treaty explicitly referred to the Europe of the Council of Europe in Article IX which set up our Assembly with the delegations of the member countries of the Consultative Assembly. But the explicit links it created with NATO practically excluded the accession of neutral countries or non-members of the Atlantic Alliance, not to speak of countries belonging to another alliance system, whereas the Council of Europe has always shown an interest in relations between the countries both west and east of our continent and includes a number of neutral and non-aligned countries, thus precluding any co-operation with NATO.

15. In any event, the presence of arms controls among WEU’s activities effectively prevented enlargement. The balance of advantages and commitments granted to or imposed upon the various parties by the modified Brussels Treaty or its complementary texts was subtle and fragile and hardly allowed other countries to intrude upon defence Europe. WEU was therefore not to be confused with the European member countries of the Atlantic Alliance.

16. These peculiarities of seven-power Europe have not always been sufficiently emphasised and it might have been thought that the accession of the United Kingdom to the European Communities would lead to WEU being integrated in the Community system. This has not been so because the accession of the United Kingdom was achieved at the same time as that of Denmark and Ireland, which did not intend to take part in WEU and, further, several members of WEU wished to avoid at all costs entrusting the command of their armed forces to a seven-, nine- or twelve-power Europe either because they did not want any integration beyond what they had accepted in NATO or, in the case of...
France, because it accepted no integration of its forces at all. There is nothing to show any great change in this situation. However, apart from arms controls, seven-power Europe has no very specific political programme and its members have relied on other wider organisations to exercise WEU’s responsibilities in defence matters (NATO), cultural and social affairs (Council of Europe), economic matters (EEC) and political consultation.

17. The agreement which the Twelve reached in Luxembourg on 3rd December 1985 includes a draft treaty on European co-operation in the sphere of foreign policy. Article 6 of this treaty specifies that the high contracting parties are “ready to co-ordinate their positions more closely on the political and economic aspects of security” and are also “determined to maintain the technological and industrial conditions necessary for their security”. But the same article specifies that: “Nothing in this treaty shall impede closer co-operation in the field of security between certain of the high contracting parties within the framework of the Western European Union or the Atlantic Alliance”. This wording, worked out after the ministerial meeting of the WEU Council in Rome, shows as clearly as possible the link between what the governments intend to do in the context of twelve-power consultations and what they wish to keep for WEU. It also shows that the governments are well aware of the limits to co-operation among the Twelve in defence matters and that WEU is to retain its rôle alongside twelve-power Europe.

18. Changes in WEU in 1984 and 1985 under the general heading of the reactivation of WEU nevertheless altered some of the facts of the problem. In fact, while the almost total disappearance of arms controls weakened WEU’s grip on its members, it no longer prevented enlargement. The question is how far and in what direction it can be enlarged.

19. The Council was keenly aware of this new situation since it envisaged possible enlargement in the Rome declaration of 27th October 1984. It took note of Portugal’s application for membership on the same day but has so far given no answer. It also asked the Assembly to increase its contacts with the parliaments of the European member countries of the Atlantic Alliance, which the Assembly has done. But the Assembly realised that such contacts could not continue indefinitely nor continue further until the governments had taken the basic decision about whether they were prepared to enlarge WEU and to which countries. So far, they have talked about the need to reorganise WEU itself before enlarging it, a purely dilatory approach, since there was nothing to prevent new members of WEU taking part in the study of the structural reforms needed for this reorganisation. If there is to be enlargement, further changes will indeed have to be made in WEU and it would have been possible to avoid a further period of adaptation by taking account at once of the possible accession of other countries. There indeed seems to be certain differences among the Seven about possible enlargement.

20. Thus, in June 1984 Mr. Cheysson, then French Minister for External Relations and Chairman-in-Office of the Council, expressed his firm hostility towards any enlargement of WEU. He considered the Seven to be a sort of hard core of defence Europe which could but be softened by a territorial extension of WEU. This argument would have been perfectly valid if WEU had had military commands and, a fortiori, armed forces of its own. But from the moment some European countries take part in the NATO integrated military system, which is not even the case for all the members of WEU, it is even harder to see why they should be kept out as four of them are now also members of the European Community and play a regular part in twelve-power European political co-operation.

21. While on the other hand the abolition of controls of conventional weapons facilitates application of Article XI of the treaty providing for a possible enlargement of WEU, the Rome declaration does not affect Protocol No. II providing for controls on the levels of forces of member countries. This protocol is obviously of great importance since conventional arms controls played an essential rôle in verifying the declarations and controls regarding forces. As we know, SACEUR is responsible for applying this protocol where the forces assigned to him are concerned, which means no non-member country of the Atlantic Alliance can join WEU since there can be no question of SACEUR reporting to countries which are not members of the alliance on the levels of troops assigned to him. Conversely, the accession of member countries of the alliance to Protocol No. II should not raise any fundamental difficulties.

22. In fact, there is only one valid reason for being opposed to countries which take part in the same military deployment as the Seven and in the same effort to co-ordinate foreign policies joining a European defence organisation involving no integration or obligation to conform to decisions which are binding only on those who have acceded to them, and that is the possible difficulty of applying Article V of the treaty to these countries. Your Rapporteur will discuss this problem in respect of Greece, Turkey and Norway.

23. There is no indication that the doctrine voiced by Mr. Cheysson in 1984 is or will remain that of the French Government, which would not be very well placed to be over-punctilious
about WEU countries belonging to NATO. However, recent reactions by certain European members of NATO to foreign and defence policy matters, particularly Greece and Denmark, indicate that some caution is still necessary in the event of enlargement if WEU is to remain free of the kind of blockage which the vote in the Danish Parliament in January 1986 might have imposed on the nevertheless most modest decisions contained in the Luxembourg agreement of 3rd December 1985 on European political co-operation. There is no indication moreover that these countries would effectively be prepared to join WEU, and the attitude adopted by the Danish Folketing towards the decisions taken in Luxembourg, although not confirmed by the referendum on 27th February 1986, makes it most improbable that it would seek to take concerted action in WEU which it found so difficult to accept among the Twelve.

24. When considering inviting observers to its sessions, the Assembly for its part hesitated for some time between two quite different concepts of the Europe it wished to help by its initiatives. Some wanted invitations to be sent mainly to member countries of the European Community, although they knew that at least one of them, Ireland, was not prepared to take part in a military alliance or even to tighten its links with WEU. They wished to confirm that the only future they saw for European union lay in the extension of the Rome Treaty to areas which it did not yet cover and in application of the Community system. Since then the apparent success of the Anglo-Irish agreement of 15th November 1985 offers hope that the obstacles which had hitherto stood in the way of Ireland co-operating with its European partners in security matters will be removed progressively.

25. Others, on the contrary, were prepared to invite parliamentarly observers from all European countries members of the Atlantic Alliance to emphasise that if WEU wished to assert itself as the European pillar of the alliance it would have to group the largest possible number of countries. In the end, this was the position adopted by the Presidential Committee on 20th January 1986 when it decided to issue a standing invitation to its sessions to two parliamentary observers from all European countries members of the Atlantic Alliance. Only Portugal, which has applied for membership of WEU, was invited to send a delegation corresponding to its Parliament. In the meantime, WEU can help to satisfy the Norwegian authorities, who say they welcome the regular participation of Norwegian parliamentary observers in Assembly sessions. Again, Norway seems to be considering examining its relations with WEU once the question of relations between Spain and WEU has been raised in spe-

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cific terms, particularly if the reactivation of the organisation is confirmed and it does not appear to be a divisive factor for the Atlantic Alliance. On all these points, the views of the Norwegian Government seem extremely close to those constantly expressed by the Assembly.

31. In any event there are obviously no reasons for leaving Greece, Turkey and Norway out of all WEU’s activities in which they are interested, particularly those which do not relate directly to defence but rather to armaments. In this connection, the regular presence of observers at Assembly sessions and visits by Assembly committees to the countries concerned should offer a better idea of each one’s special position and help to establish links between them and WEU which conform to what is possible and desirable.

32. The two countries whose relations with WEU are now a problem are Portugal and Spain. The first applied for membership in October 1984 and has not yet received an answer from the WEU Council. This is particularly unacceptable since there seem to be hardly any obstacles to its accession, but it is obviously humiliating for a country to have such a serious commitment to WEU ignored in this way.

33. The case of Spain is more delicate since the country has not applied for membership, but, on 21st January 1986, for instance, when its Prime Minister, Mr. Gonzalez, visited the Italian Prime Minister, Mr. Craxi, it showed its interest in WEU. However, the Spanish Government was determined not to tackle the possibility of applying for membership before the 12th March 1986 referendum on whether Spain should remain in the Atlantic Alliance.

34. Answering questions put by a journalist on the occasion of this meeting, the two ministers made the following remarks:

“Question: I should like to ask the two Presidents about WEU. To President Craxi I should like to ask about Italy’s support to Spain’s accession to WEU and to President Gonzalez if, in the course of the debate on foreign policy on 4th February, the WEU question will be raised, since it is on the agenda.

President Craxi: We believe it is an excellent thing for Spain to join WEU. As much as we deem it important that Spain continues to play her rôle in the Atlantic Alliance.

President Gonzalez: I believe that Spain, who has not yet officially presented her candidature to WEU, has not done so because, before taking such a decision, she waits for the debate among the member states of WEU to come to a head; therefore she will take part in this debate and naturally, during such a debate, will reiterate what we have already said to Italy and to the other members of WEU. We are establishing contacts and before the end of the month we shall meet the Secretary-General in order to clarify and define this issue, so as to be able to add it to the process of implementation of what is known as the decalogue of Spain’s policy for peace and security. As you know, it is a policy of harmonisation of ten points, in that one does not opt for one point to the detriment of another. They are coherent points related to one another. Spain must belong to WEU and such a process will certainly come to fruition in the next few months.”

35. The Spanish Council of Ministers considered the matter on 24th January and the government spokesman, Mr. Solana, said at the close of the meeting that the Spanish Government was preparing its integration in WEU, which was envisaged after the referendum on NATO. The Spanish Prime Minister, Mr. Gonzalez, was to hold talks with Mr. Alfred Cahen, Secretary-General of WEU, on 29th January, during the latter’s visit to Spain when they would discuss the present position of the organisation.

36. The Spanish Government spokesman recalled that the European countries were reactivating WEU and that the Spanish Government intended Spain to join in accordance with the intentions expressed by Mr. Gonzalez in his “defence decalogue” on 23rd October 1984. Item 6 of this peace and security programme put forward by the Spanish Prime Minister specifies that:

“Spain does not belong to the Western European Union for defence matters, although it is the only organisation with responsibility in this area. I consider Spain’s participation would be desirable, although I think that beforehand we must consider the results of the process of our integration into Europe.”

37. The spokesman recalled the words of the Prime Minister following the Italo-Spanish conference in Taormina on 21st January, when he said that:

“Spain has not yet applied formally for membership of WEU because it is waiting for the reactivation proposed by its member countries to reach maturity. We shall receive the Secretary-General of WEU in order to clarify obscure points in the context of the ‘defence decalogue’ whose main aspects are continued membership of NATO without military integration, a
reduction of the American military presence in Spain, non-nuclearisation of Spanish territory and integration in WEU."

He also said:

"We are not aiming to be a member of one (referring to WEU) while abandoning the other (referring to NATO)."

Furthermore, the WEU Secretary-General’s visit to Madrid on 28th and 29th January was the subject of a letter to the President of the Assembly which has been circulated to members of the Assembly with the authorisation of the Secretary-General.

38. Furthermore, it seems clear that the Spanish Government sees the prospect of joining WEU as being in line with joining the European Communities. Even if Spain has in mind procedure in conformity with Article XI of the modified Brussels Treaty for its accession to WEU, i.e. if it is waiting for a formal invitation from the Atlantic Alliance should allow contacts to be made very quickly. It would be very disturbing for the future of Europe if the Seven did not take early steps, in a case where this is possible, to make WEU’s frontiers coincide with those of Community Europe.

39. At its meeting in Venice on 29th and 30th April, the WEU Council must decide on the action to be taken on Portugal’s explicit and Spain’s implicit candidatures. It will probably be unable to issue immediately the invitation provided for in Article XI of the treaty but will rather decide to examine the practical consequences of the possible accession of these two countries for themselves, for WEU and its structures and for the application of the modified Brussels Treaty.

40. Your Rapporteur wishes to make the following remarks based on what he has noted above:

41. (i) Accession to WEU can concern only countries which want it and are prepared to take account of all the consequences of all the commitments imposed by the modified Brussels Treaty and to move towards the establishment of a European union including close co-operation in defence matters.

42. (ii) There can be no question of countries which are not members of the Atlantic Alliance being admitted to WEU and WEU cannot be considered as a substitute for NATO.

43. (iii) The enlargement of WEU must in no event lead to Article V of the treaty being extended to countries whose relations with their neighbours are liable to degenerate into armed conflict, without this jeopardising the security of Western Europe as a whole. This does not neces-

44. (iv) The decisions taken by the Assembly about inviting parliamentary observers to sessions do not mean that the Assembly has adopted a position in favour of the early accession to WEU of the countries concerned but are merely a demonstration of the Assembly’s concern that close contacts should be maintained with the European members of the alliance, which seems to correspond to the Council’s view on the subject. Moreover, the Assembly has declared its support for Portugal’s application for membership and the special treatment it has decided to grant to a delegation of Portuguese observers shows that this support is continuing and is unique.

III. The political activities of the Council in 1985

45. The thirty-first annual report of the Council had not yet reached the Office of the Clerk of the Assembly when this chapter was drafted. The delay makes it most unlikely that it will be possible to circulate the report to members of the Assembly in time for them to read it before the meeting on 29th April at which the General Affairs Committee is to adopt the present report so that it may be printed and circulated within the prescribed time-limits before the Assembly’s session. Your Rapporteur therefore proposes to examine the political activities of the Council on the basis of documents effectively received in time and suggests postponing until the December 1986 session the adoption of a reply to the annual report of the Council for 1985. He wishes to stress that this delay shows that the statutory exchanges between the Council and the Assembly have slowed down and this is wholly contrary to the wishes expressed by the Assembly in 1985 when it expressed its intention to activate its exchanges with the Council, proposing inter alia that the Council present half-yearly reports to the Assembly. This is most regrettable since 1985 will have been the decisive year for the reactivation of WEU during which most of the decisions affecting its future will have been taken.

46. Indeed, the principles set out in the Rome declaration had to be applied in regard to the Council and its secretariat and to the WEU technical bodies. The Assembly, on the other hand, had no need to take any major immediate decisions, but it had to try to follow closely what happened in the Council so as to adapt its agenda and overall work to what the modified Brussels Treaty had made it responsible for supervising, i.e. the activities of the Council.
47. Thus, more than ever in 1985 the Assembly should have been kept seriously and regularly informed of the state of the activities of the Council and its dependent bodies. Your Rapporteur ventures to underline that this has not been the case at all but that in spite of the delay in the adoption of the thirty-first annual report, the Assembly has received more substantial information from several sources in the first months of 1986, thanks mainly to fortunate initiatives taken by the Secretary-General.

48. Yet the Assembly had taken a number of steps to facilitate and improve its dialogue with the Council. For instance, in spring 1985, it set up a Committee for Relations with the Council with the main task of informing the Council, before it took any decisions concerning WEU, of the Assembly's point of view on matters on the agenda of its meetings. Furthermore, the Presidential Committee was able to meet the Council at the close of both its 1985 ministerial meetings to obtain all the information which the latter was prepared to give. It had also asked to meet the Permanent Council in London in June 1985, but this meeting had to be cancelled because the Council did not wish to guarantee that simultaneous interpretation would be made available for parliamentarians as required by the Rules of Procedure of the Assembly, the seriousness of its work and the full participation of all its members. Finally, the difference between the Permanent Council and the Assembly was solved during the Assembly's session in December 1985 when the Chairman-in-Office of the Council, Mr. Andreotti, Minister for Foreign Affairs of Italy, consented to convene a joint meeting between the Presidential Committee and the Permanent Council to arrange for the organisation of regular meetings between these two bodies. The first of these meetings was held in Paris on 21st January 1986.

49. This meeting allowed the Presidential Committee of the Assembly to put a number of questions to the Council, most of which were summed up in a letter from the President of the Assembly to the Chairman-in-Office of the Council, to whom he wrote inter alia:

"Apart from budgetary matters, which have been the subject of a separate communication to the Council, I consider that the principal points raised at the meeting were as follows:

1. Relations between the Council and the Assembly

The Assembly continues to be deprived of any serious information about the Council's activities, apart from ministerial meetings.

(a) In spite of the undertaking given by the Chairman-in-Office of the Council in December, the 1985 report of the working group on the SDI has not been communicated to the Assembly.

(b) The new agencies were set up on 1st January 1986, but the Assembly has not been informed of:

(i) their organogram and the staff available to them;
(ii) the tasks assigned to them and the time-limits set for accomplishing these tasks;
(iii) how the Ministers of Defence and their staff will take part in the work of the Council, the working groups and the agencies;
(iv) action taken on the proposal to set up a European defence institute;
(v) keeping the public informed of the Council's work;
(vi) the progress of seven-power consultations on disarmament;
(vii) the SAC's study on Japanese armaments and action to be taken on this study.

(c) For future meetings between the Council and the Assembly:

(i) Are the Council or its Chairman-in-Office prepared to hold a meeting with the Assembly committee responsible for relations with the Council before the ministerial meeting in Venice so that the Council may be informed of the Assembly's view in due time?
(ii) Is the Council prepared to receive, at the close of the ministerial meeting in Venice, the two committees (Committee on Defence...
Questions and Armaments and General Affairs Committee) which have requested a joint meeting on that occasion, as well as the Presidential Committee of the Assembly? If the Council considers it desirable, these meetings might be combined in a single meeting.

(iii) Is the Permanent Council prepared to organise twice-yearly meetings with the Presidential Committee of the Assembly in order to inform it of the state of matters dealt with in WEU?

(d) The Presidential Committee of the Assembly has not been very satisfied with the way ministers have taken part in Assembly sessions.

(i) It has expressed the wish that their interventions be grouped on the day set aside for consideration of the Council’s work. At the next session, this would be in the afternoon of Tuesday, 3rd June.

(ii) The Presidential Committee has also expressed the wish that the Council be informed of divergent answers given by certain member countries to the United States offers. How-

ever, it has not been informed of the text of the agreements concluded between certain member countries and the United States in this connection.

In view of the importance of the reports considered during the debate on the SDI, which was the central point of the Assembly’s last session, does the Council intend to take account of them in pursuing its work on the harmonisation of European answers to the SDI? Does it intend to pursue a dialogue with the Assembly on this matter?

(b) The development of Eureka requires that Europeans know what benefits they will derive from the SDI so as to direct their own programme and to foresee the budgetary commitments needed for Eureka.

Does the Council intend to tackle the question of the relationship between the SDI and Eureka and is it prepared to inform the Assembly about the development of Eureka since the programme was adopted in Hanover on 6th November 1985?

3. WEU agencies

Information received by the Assembly suggests that the new WEU agencies will have very small staffs which will not allow them to conduct research on their own. It will be possible to make them responsible only for work of synthesis whose value will depend on the sources of information available to them and the means they have of processing this information.

This implies agreement between WEU on the one hand and NATO, the IEPG and national administrations on the other for the provision of the necessary information. Secondly, it requires a computerised documentation centre being made available to the agencies. Can the Council specify what steps have been taken to provide the agencies with the information they need?

The question arises whether the Assembly will be able to have access to this information and to the agencies’ computer and in what conditions.

4. The Chairman-in-Office of the Council gave the President of the Assembly a favourable answer to this question on 8th February 1986. A meeting was held between the Chairman-in-Office of the Council, assisted by representatives of most member countries, and the Committee for Relations with the Council in Rome on 8th April.

5. An at least partial answer was given to this question on 8th February 1986.

6. The Council said the answer to this question will be given in the answer to Written Question 263, but this answer had not reached the Office of the Clerk of the Assembly on 10th April 1986.

7. The answer to Written Question 262, dated 20th March 1986, answers this question.
4. Problems outside the NATO area

The Assembly has heard nothing about how the Council has followed up the intentions expressed in the Rome declaration in this connection.

(a) Does the Council intend to examine the consequences for Europe of the emergence of new arms producing and exporting powers such as Japan and Brazil?

(b) Does the Council intend to tackle the question raised by certain countries' support for international terrorism and measures to be taken to prevent the growth of such terrorism?

(c) Does the Council intend to seek to harmonise member countries' policies so as to help to restore peace where it is the most seriously threatened, particularly in the Near and Middle East, Africa or possibly Latin America, as it is urged to do in the modified Brussels Treaty?

I am quite aware that this represents a very considerable number of questions and wishes and that the Council will probably not be able to answer them all immediately. It seems to me, nevertheless, that serious consideration of these proposals and the adoption of a positive attitude towards them by the Council would be a major step towards improving relations between the Council and the Assembly, which is our common aim.”

50. Probably the annual report will provide answers to some of the questions put by the President and the Assembly’s opinion on the report and the Council’s action in 1985 will depend on the value of these answers. It must be borne in mind, on the one hand, that no answers have yet been given to questions not marked with a footnote and, on the other hand, that many of the answers mentioned are incomplete, provisional or vague and the Assembly cannot therefore consider them satisfactory.

51. It is nevertheless possible to make a number of remarks here and now. First, the fact that the Council’s report is an annual one does not allow the Assembly to obtain a valid idea of the Council’s initiatives and in good time. It is essential that, by appropriate procedure, the Council should keep the Assembly informed more frequently about what it undertakes and what it achieves if it wishes to establish or maintain a true dialogue with the parliamentarians for, if there is a lapse of time of more than a few months between something happening and it being reported to the Assembly, any reactions which may be expressed are no longer of interest, nor can the Council adjust its approach to take account of the parliamentarians’ views. In the long run, it is of little importance whether the latter approve or disapprove of what the Council does; all that counts is that they should be able to exert an influence on it.

52. As shown by your Rapporteur’s footnotes to a number of the questions put by the President of the Assembly to the Chairman-in-Office of the Council, some answers, preliminary answers or incomplete answers have been given during the early months of 1986. It is gratifying that the Council, its Chairman-in-Office and the Secretary-General did not feel they had to wait for the publication of the annual report in order to give the Assembly this information and thus provide material for a dialogue between the two WEU bodies. It is for the Assembly to pursue these exchanges and your Rapporteur therefore proposes to examine the Council’s activities in 1985 without waiting for the Council to send the thirty-first annual report.

53. He nevertheless feels that the Council’s scattered communications to the Assembly make it difficult for parliamentarians, in view of their activities and the voluminous documentation they receive, to absorb this information correctly and in the long run it is detrimental to valid exchanges between the Council and the Assembly. The nature of some of the documents the Council has sent means that they cannot be circulated outside the Assembly. Your Rapporteur has tried to overcome this drawback by having an information document prepared for the General Affairs Committee containing the texts suitable for such a presentation, but others could not be included because of their personal nature. Your Rapporteur wishes to emphasise that the very principles of parliamentarism mean that a communication to a parliamentary assembly cannot be counted if it cannot be circulated to all the members of that assembly. A dialogue between the two sides of WEU cannot be conducted by means of private letters and informal meetings at which no minutes are taken. Such letters and meetings may be useful for establishing a dialogue but do not, in themselves, constitute a dialogue. Practically speaking, your Rapporteur suggests that the Council make a clear distinction between communications to the Assembly and their accompanying letters and give a reference number to the former so that they may be grouped for working purposes. Failing this, misunderstandings would probably soon arise over the nature of the Council’s communications about which the Council would be the first to protest.

54. Your Rapporteur also asks the Council to ensure that the declassification of documents produced by the agencies or working groups prior to their communication to the Assembly be effected as quickly as possible so that the Assem-
bly may receive information which is not out of date before it arrives. This was already the case for the text on the SDI and documents prepared by the international secretariat of the SAC on Japanese armaments industries, for instance. Henceforth it may also be true for texts produced by the three agencies.

55. Procedure for consultation has been introduced since the Council started to reactivate WEU and this has allowed the Assembly to be not altogether alien to the activities of the Council, particularly when it meets at ministerial level, but it is far from producing adequate results since all the decisions relating to WEU’s own activities are prepared at the level of the Permanent Council and its working groups and, inevitably, it tends to take the place of earlier procedure which is becoming obsolescent.

56. Thus, meetings between the Presidential Committee and the Council were held after each of the two ministerial meetings in 1985, but there was no joint meeting between the Council and Assembly committees in 1985. Similarly, the Chairman of the General Affairs Committee was not received by the Chairman-in-Office of the Council at the close of these ministerial meetings; it would have been pointless since the Chairman-in-Office gave the Presidential Committee as a whole the information which had hitherto been reserved for the Chairman of the General Affairs Committee.

57. Conversely, the rarity of joint meetings with committees reduced considerably the number of parliamentarians able to take part in the dialogue with the Council. Even when the chairmen of political groups are convened to its meetings, the Presidential Committee is not a political body with political weighting and it does not have to prepare the replies to the annual report of the Council whose adoption is one of the Assembly’s statutory duties. Having taken note of the fact that joint meetings with committees, from which the Council intentionally removed all that was compulsory for it when it gave up applying the official procedure which it had itself worked out, are to be held at the close of the ministerial meeting in Venice on 30th April, your Rapporteur wishes to emphasise that it is essential to hold such meetings if the dialogue with the Council is really to involve the Assembly.

58. The President of the Assembly met the two successive Chairman-in-Office of the Council several times in 1985. Your Rapporteur can but welcome such meetings, but he must stress that they are of interest only if the remarks of the Chairman-in-Office truly commit the Council. As no record is taken of such meetings, it is difficult to ensure that participants draw identical conclusions, and the differences between the Council and the Assembly which came to light during the December 1985 session indicate that these meetings did not produce all the results one was entitled to expect.

59. Moreover, the Assembly set up a Committee for Relations with the Council whose main duty is to inform the Council, before its decisions are taken, of the Assembly’s views. It could have played an important role at the time measures were taken to reactivate WEU. However, it was not possible to arrange a meeting with the Council prior to the ministerial meeting in Rome in November 1985 when a number of important decisions had to be taken in this sense. Your Rapporteur is gratified that it was possible to hold such a meeting in Rome on 8th April 1986.

60. Finally, at the meeting between the Presidential Committee and the Permanent Council on 21st January 1986, no answers were given to the many questions set out in the letter from the President of the Assembly. Clearly the members of the Permanent Council are not empowered to answer on behalf of their governments when questions relate to matters on which they have had no special instructions. It might have been hoped, however, that for matters relating directly to WEU, as for almost all the questions put, it would have been possible for them to give their views. This does not seem to have been the case.

61. At such meetings, we are therefore faced with the problem which has always paralysed relations between the Assembly and the Council and there is no reason for the Assembly to depart from the position it has always adopted, i.e. to insist either on formal meetings for which the parliamentarians’ questions are transmitted in advance and the Council’s answers, adopted in accordance with the rules governing the organisation, express the unanimous opinion of the seven governments, or on informal meetings allowing a real dialogue but implying that the government representatives speak freely. If the Permanent Council continues to insist on informal meetings without paying the price and allowing its members to speak freely, there is every reason to fear that these meetings have little future. This is so for instance when the Council acts as it did over the Assembly’s budget for 1986, i.e. holding its meeting with the parliamentarians only after it had previously adopted its positions unanimously. A dialogue between the Council and the Assembly is not and cannot be the mere presentation to the Assembly of decisions already taken.

62. All these remarks give your Rapporteur the impression that the problems raised are not just procedural but concern the way the Council believes its role should be played. There can be no improvement in relations between the two WEU bodies if the Council continues – as was
the case for understandable reasons before the reactivation of WEU abolished most armaments controls – to shelter behind procedure to conceal its refusal of all initiatives implied by Article VIII of the modified Brussels Treaty and the Rome declaration. No procedure will allow a true dialogue to be initiated between the Council and the Assembly, nor will the Council’s expressed desire to launch a policy of keeping the press informed have the slightest chance of success as long as the Council has no real existence.

63. Similarly, the Council cannot expect the Assembly to play effectively the rôle among public opinion assigned to it by the Rome declaration if it persists in using procedure which in fact deprives the Assembly of credibility. The Council’s persistent refusal to grant the Assembly the budget it needs to meet the growing requests for documentation, information, attendance at various colloquies, and relations with other parliamentary assemblies, which it has been receiving since the Council itself raised the idea of reactivating WEU, the total absence of independence in the management of the budget which it forces upon the Assembly, the shortage of information it provides and the meagreness of the dialogue it allows significantly limit the Assembly’s audience. It is not for your Rapporteur to tackle the budgetary aspects of the matter here, but he wishes to recall that they also have a political aspect which should not be neglected.

64. Until such time as the thirty-first annual report of the Council reaches the Assembly, it will be difficult to review the Council’s political activities in 1985. Possibly new practices, including the presence of senior ministry officials and experts at meetings of the Permanent Council, may have changed the standard of the Council’s work considerably, but the Assembly has nothing on which to form an opinion. Your Rapporteur wishes to underline that during a first reading of the working paper which he submitted to the General Affairs Committee on 17th March, many of his colleagues voiced grave doubts about the Council’s true intentions and its will to apply the Rome declaration effectively. The documents sent by the Council to the Assembly in the first months of 1986 are certainly not likely to make them change their minds, particularly where the activities of the new agencies are concerned.

65. Until 31st December 1985, the ACA and the international secretariat of the SAC had their own activities, defined on a permanent basis, and their dependence on the Council was limited. This is no longer the case, at least for most of the activities of the three new agencies. One may wonder, however, why an intergovernmental body needs agencies to provide it with information which, inevitably, will come mainly from the governments represented on the Council. As long as these agencies have no permanent, clearly-defined and compulsory tasks, and are responsible mainly for certain topical studies, the need for which is not always obvious and they are not given the means to do their job thoroughly, it may be wondered to what extent the governments really wish to reactivate WEU.

66. This is one of the reasons why the proposal made by Mr. Genscher, then Chairman-in-Office of the Council, in December 1984, taken up and developed by the successive rapporteurs of the General Affairs Committee, Mr. Masciadri (Document 990), Mr. van der Sanden (Document 1012) and Mr. Berrier (Document 1034), to set up an institute to study defence questions, apart from the interest of setting up such an institute, would, if the institute were set up in WEU, have the further advantage of providing a permanent programme of work and responsibilities, at least for the agency for the study of security and defence problems (Agency II). Your Rapporteur believes this matter is on the agenda of the meeting of the Council of Ministers in Venice and he hopes the governments will take a decision on it. He has noted with very special interest the specific proposals in the article by Mr. Pierre Schwed and General Henri Bagnouls “Ébauche d’un institut européen des hautes études de défense” published in the French magazine Défense nationale of March 1986, which he considers makes a particularly interesting proposal for incorporating such an institute in WEU. He regrets that so far the Council has given only evasive and laconic answers to the proposals made by the General Affairs Committee in this connection.

67. He also regrets that the Council has given no indication of what it expects of the work of Agency I on disarmament and the control of armaments, i.e. its own intentions in this respect. In May 1985, Mr. van der Sanden’s report said that there had been American opposition to the pursuit of the Council’s work on this matter and, while the Council has never given the Assembly any information about this, the General Affairs Committee received confirmation during its visit to the State Department in Washington in June 1985. This was perhaps not the most appropriate place for the Assembly to obtain important information about the Council’s activities.

68. Finally, the answer to Written Question 262 is far from providing the assurances that might have been expected after the Rome declaration about the permanent activities of Agency III and the areas of its responsibilities compared with those of the IEPG.

69. Your Rapporteur has to conclude this chapter by stressing that many details are still lacking about the activities of the Council and its
dependent organs both in the recent past and regarding the governments’ intentions for the future. He is very much afraid that these gaps in the information given to the Assembly and the delay in adopting the thirty-first annual report of the Council may conceal considerable hesitancy in the intentions of the Seven about effectively applying the decisions, the principle of which was agreed upon in Rome eighteen months ago.

IV. The Assembly’s prospects

70. A brief debate led to the adoption of the amendment to include a new paragraph in the preamble to the draft recommendation submitted by Mr. Berrier on behalf of the General Affairs Committee, as follows:

“Referring to the fact that the report on the possibilities, conditions and consequences of a closer institutional connection of the Assembly with other organs of WEU, which is asked for in Order 63, will be prepared separately.”

71. Although there was not time for speakers to express their views in full, this debate indicated that members of the Assembly have two apparently very different concepts if not about the nature and vocation of WEU, at least about what it is possible and desirable to do in the immediate future.

72. Mr. Berrier’s report included a chapter answering Order 63 which had been referred back to the General Affairs Committee for consideration. This chapter was based on a very sound analysis of the right established by the modified Brussels Treaty and noted that the Assembly’s main duty was to supervise the Council’s activities on the basis of the annual report which the latter has to submit to the Assembly. It concluded that the priority given to its supervisory activities meant that the Assembly had to be completely independent of the Council and hence the Office of the Clerk had to be independent vis-à-vis the Secretariat-General. This led the Rapporteur to reject most of the ideas which had visibly guided the authors of Order 63.

73. As opposed to this right, speeches by several of the signatories of the order during the debate on Mr. Berrier’s report referred to the changing position of WEU due to its reactivation. They considered that this situation called for greater unity between the Council and the Assembly so as to form a bloc in order to promote the European union they wanted, considering the priority hitherto given to the Assembly’s independence to be out of date. This at least is the way your Rapporteur interprets Mr. Spies von Bullesheim’s speech in favour of the amendment.

74. An attempt should therefore be made to get to the heart of the problem and to examine the elements of this order only in the light of more general views on the present and future of WEU.

75. In point of fact, this is not a new debate since it emerged at the very start of WEU and has constantly brought those who considered that the organisation was a balanced whole, acceptable in itself because it brought together the necessary conditions for the application of Article V of the treaty, into conflict with those who considered that the failure of the EDC had permanently compromised the future of a defence Europe. Of those who considered that the solution offered by the modified Brussels Treaty was the best one possible, particularly among the French and British, many were in favour of a confederal-type Europe, at least for defence matters which they considered should not escape state sovereignty.

76. Others, without stopping at a global view of the future of Europe, noted that the failure of the EDC had shown that Europe could go no further in this area in the near future. One needs only to recall the hesitation shown by several members in 1954 about allowing German military units to be formed, the aversion of the British to commit themselves for several decades to maintaining a large force on the mainland of Europe, the Federal Republic’s hesitation about mortgaging aspects of its economic, military and political future by renouncing the production of certain weapons and France’s refusal to take part in a European defence organisation in which the United Kingdom would not occupy a place to realise the delicate, subtle balance of commitments which the modified Brussels Treaty had to meet: it was probably the maximum that it was possible to achieve in 1954. But in their view this in no way precluded the subsequent development of WEU, giving it a place in a European union whose boundaries and above all political orientations were to be worked out without a prior condition being the solution of structural matters.

77. Finally, a few people considered that by setting up a seven-power confederal-type Europe the signatories of the Paris Agreements were delaying and making more difficult the progress of a community-type Europe which at the time could only have been a six-power Europe and hence they constantly endeavoured to promote, outside WEU, the extension of Community Europe to the field of defence. This tendency has often been evident in the European Parliament but has so far produced no results in the governments.

78. It is now clear that, however one looks at it, the choice made after the failure of the EDC was the only one possible. It did not hinder the
enlargement of Community Europe and if the latter has not advanced towards greater European unity it is certainly not due to the influence exerted by WEU. However this may be, the question raised indirectly by Order 63 is to what extent the situation in 1986 is sufficiently different from that of 1954 to allow the structure of WEU to evolve away from the treaty which set up the institution and made the Assembly a supervisory body implying that the Assembly should be completely independent of the Council, as recalled in Mr. Berrier’s report.

79. A first argument in favour of an evolution in the WEU structure stems from the abolition of most of the controls exercised by the Agency for the Control of Armaments. This has been done progressively following, on the one hand, reductions in the list of conventional weapons which the Federal Republic undertook not to manufacture and, on the other hand, the French decision not to submit its nuclear weapons to control. The decision taken by the Council in 1984 to delete the lists in Annex III to Protocol No. III and subsequently to abolish all controls of conventional weapons completed this evolution. The argument which was apparently at the back of the minds of the authors of Order 63 was that once these controls were abolished the Assembly’s principal task vis-à-vis the Council would no longer be significant.

80. However, this argument is based only on Council practice in the last ten years (i.e. since the United Kingdom joined the European Communities) and not on the intentions of the signatories of the treaty. The latter considered that Article V was the basis of WEU, not arms controls. All the rest became significant only in relation to the casus foederis, which meant that the Assembly’s role covered all the Council’s activities and application of the modified Brussels Treaty and not specifically arms controls. Once these have disappeared, or almost, the Assembly’s obligations remain the same: to supervise the application of the modified Brussels Treaty. The Council clearly recognised this when it acknowledged that it was answerable to the Assembly for all matters relating to the application of the modified Brussels Treaty, even if the seven-power consultations provided for in Article VIII were held in framework other than WEU. A reduction in arms controls therefore does not affect the application of Article IX of the treaty.

81. A second argument in favour of a change in institutional relations between the Council and the Assembly might be based on the fact that in practice the Assembly has played a rôle which has been far more important in terms of proposals than of control. In December 1984, Mr. Masciadri prepared a brief showing the Assembly’s important contribution to the reactivation of WEU which the Council recognised in the Rome declaration. It is evident that this rôle of making proposals and suggestions can often be developed more effectively in informal exchanges of views than through the transmission of official documents although, as shown by the brief published in 1984, it is mainly through texts adopted and transmitted to the Council that the Assembly has acted, while informal exchanges of views have often been very disappointing. But one may wonder whether they would have been less disappointing if there had been closer institutional links between the Council and the Assembly or whether, on the contrary, such links would not have led to the Assembly’s ability to make proposals and suggestions being restricted by allowing the governments to take steps to ensure that parliamentarians did not adopt any proposals which displeased them.

82. In this connection, the example of the Council of Europe provides ambiguous pointers, on the one hand because most of the matters handled in that forum relate to areas which governments find less sensitive than those covered by the modified Brussels Treaty and, on the other hand, because the more or less discreet nature of government statements prevents an analysis of their nature and effects and, finally, because the Parliamentary Assembly of the Council of Europe has no supervisory duties but has a consultative rôle which does not require the same strict separation of powers.

83. The idea that WEU should one day draw closer to the European Community and that it would therefore be in its interest to amend the statute of its Assembly more into line with that of the European Parliament is not likely to encourage a tightening of links between the Council and the Assembly since the European Parliament for its part is totally independent of both the Council and the Commission. On the other hand, all the attempts it has made so far to handle matters relating to Western European security have remained without response from the governments.

84. Finally, your Rapporteur wishes to recall that an assembly without legislative or budgetary powers can act only by arousing the interest of the press and public opinion and an essential condition for ensuring such interest is to be independent of the executive.

85. In these conditions, your Rapporteur feels that the reactivation of WEU as it is taking shape allows the Council and the Assembly to draw closer together in certain useful areas but it is not such as to call in question either the modified Brussels Treaty or the independence of the Assembly stemming from it.

86. (a) A useful step would obviously be to bring the Council and the Assembly geographi-
cally closer together as this would allow savings to be made in the budget and facilitate exchanges of information between the two WEU bodies. However, this should not be to the detriment of the Assembly which needs suitable premises in a city where the press, and particularly those interested in defence questions, is adequately represented, where it is easy to obtain information about matters it handles and where there is adequate hotel accommodation.

87. (b) The new direction to be taken by the three agencies set up on 1st January will lead them to combine and add considerably to their documentation on matters of direct interest to the Assembly. The latter should ensure that its members and secretariat are authorised to have access to this information insofar as its classification allows. The fact that the agencies’ documentation is to be combined in a common service should facilitate the establishment of an agreement between the Assembly and the Council allowing such access in accordance with the Rome declaration which provides for “the possibility that the Assembly might make use of contributions from the technical institutions of WEU”. The declaration even specifies that the work of the agencies on arms control, disarmament and security and defence problems could form a useful point of reference for the work of the Assembly.

88. A number of statements by the Secretary-General have explained the Council’s views about possible co-operation between the WEU technical organs and the Assembly in application of the general obligation laid down in the Rome declaration. Inter alia, he has stated that any request for the co-operation of an agency in preparing an Assembly report requires a specific decision by the Council and, furthermore, any expenditure incurred by the agencies on behalf of the Assembly must be met from the Assembly budget. While the Assembly is therefore allowed privileged use of the agencies, the Council has placed strict limits on this use and ensured that there will be no confusion of authority between it and the Assembly in regard to these bodies.

89. (c) While it is true that the change in the Secretary-General’s responsibilities towards the Assembly proposed in Order 63 must in no case call in question the Assembly’s independence of the executive, conversely the initiative taken by the Secretary-General, obviously with the authorisation of the Council, in addressing the Assembly at the December session on behalf of the Assembly must be met from the Assembly budget. While the Assembly is therefore allowed privileged use of the agencies, the Council has placed strict limits on this use and ensured that there will be no confusion of authority between it and the Assembly in regard to these bodies.

90. (d) Greater independence for the Assembly in the management of its operating budget within limits necessarily laid down in agreement with the Council would greatly facilitate relations between the Council and the Assembly by cutting out a number of minor details. In this connection, the idea of “one single budget” referred to in Order 63 is particularly unclear since the Assembly is at the same time requesting greater budgetary independence. The Council has to reply to Recommendation 429 before the next session. This recommendation set out the Assembly’s request for budgetary independence. The answer should throw light on the possibility of the Assembly negotiating new procedure with the Council for adopting Assembly budgets. Under present procedure, which gives the Assembly the right only to express an opinion on the budget of the ministerial organs, the only possibility of drawing up a single budget would be for the Assembly to relinquish its right to adopt its own budget after a last reading, which would run counter to the claim for greater budgetary independence which has always been the Assembly’s position.

91. Such are the possibilities which your Rapporteur considers desirable for tightening links between the Assembly and the other WEU organs within the context of the application of the modified Brussels Treaty and the reactivation of WEU. Any attempt to tighten them further would mean revising the treaty, which the governments wished to avoid when they adopted the Rome declaration (the procedure used to abolish arms controls is proof of this). A revision may be necessary when there is a possibility of merging WEU and Community institutions. This is not so at present. Conversely, it might still call in question most of what was gained in 1954, i.e. the basing of European defence on a defensive alliance with particularly binding provisions.

V. Conclusions

92. At its meeting on 17th March 1986, the General Affairs Committee was divided between those who considered that in the immediate future WEU should not be enlarged as this might lead to a weakening of the political will of the governments to follow up the Rome declaration and those who thought any European countries so wishing should be admitted if they were members of the European Community and the Atlantic Alliance, in certain cases, or of one of them, in others. There are indications that the seven governments are experiencing the same difficulties. Your Rapporteur is not at all convinced that this is a true alternative. While Portugal’s application for membership in 1984...
seems to have been almost unconditional, Spain has indicated that its interest in WEU is linked with the development of the organisation's activities and the members of the General Affairs Committee who visited Norway in February 1986 heard similar remarks, apart from the fact that the Norwegian Government, which might be interested in WEU later, is not considering joining in the near future.

93. Furthermore, nothing in the information the Assembly has received from the Council implies that the Seven have a political will which might be jeopardised by the accession of the countries which are now candidates. It is difficult to see how the presence of Spain or Portugal might weaken cohesion of which there is very little sign. Quite the contrary, it may be hoped that the arrival of new members would force the governments to be rather more specific than before about what they intend to do with WEU, and above all in WEU.

94 It is certain that since October 1984 successive Chairmen-in-Office and the Secretary-General have done what they could to meet the Assembly's wishes by increasing contacts and providing it with any information possible. They have certainly done much to give the Assembly confidence in their good intentions. Yet a start should at least be made on these intentions and this does not seem to be the case at all judging by the Council's communications to the Assembly. The Assembly merely wishes the Council to implement the Rome decisions. Eighteen months later, it cannot be claimed that any real start has been made and the improvement in relations between the Council and the Assembly is therefore little more than a matter of appearances and an exchange of courtesies. Members of the General Affairs Committee who attended the meeting with the Council in Bonn in April 1985 felt there was a complete absence of dialogue because the Council, having practically nothing to say about its activities, could not dialogue with the Assembly. The failure to adopt the thirty-first annual report of the Council within the normal time makes one wonder why it is so difficult for the seven governments to reach agreement on a text which, after all, has to reveal only the past activities of the WEU Council, unless it is because these activities are a long way from corresponding to the intentions agreed to unanimously in Rome.

95. Your Rapporteur therefore considers it highly risky to rely sufficiently on the Council's intentions to do nothing that might jeopardise the Assembly's independence. As long as the Council fails to show stronger political determination, the rôle of the Assembly will continue to be mainly one of criticism and censure, which means that the Assembly itself and all its attendant organs must steadfastly maintain their independence.