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## **NATO Parliamentary Assembly**

### **SUB-COMMITTEE ON TRANSATLANTIC RELATIONS**

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## **THE EU SECURITY CONCEPT – IMPLICATIONS FOR NATO AND THE EU**

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**DRAFT REPORT**

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International Secretariat

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\* Until this document has been approved by the Political Committee, it represents only the views of the Rapporteur.



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## **I. INTRODUCTION**

1. 2003 was a very "interesting" year for the United Nations, the European Union and NATO. The lack of a shared threat perception among European member countries significantly contributed to the transatlantic rift over the war in Iraq last year. A number of American strategic analysts criticised America's European allies not only for their continuing unwillingness to invest in the necessary military capabilities but also for a lack of strategic thinking. The European Security Strategy (ESS) has thus been born out of the EU's disagreements over Iraq and is an attempt to ensure that Europe holds a common view of international security challenges. The adoption of the first ever ESS at the December 2003 Rome European Council represents a large step forward towards a better co-ordinated European Common Foreign and Security Policy (CFSP).

2. The ESS, titled "A Secure Europe in a Better World", is significant because it implies a paradigm change as the EU now considers itself a global actor which is prepared to play its part for global security. Moreover, the ESS represents a common European response to counter today's security risks. Before this, European security activities were "reactive, without a strategy" as a senior French Foreign Ministry official commented to the Sub-Committee last year.

3. While the ESS has been widely welcomed, it is important to look at its possible implications for the Alliance and particularly for what NATO allies consider the three most important security threats, i.e. those posed by the proliferation of weapons of mass destruction (WMD), by terrorists and those by failed states. In this context, this report will briefly relate the ESS to NATO's Strategic Concept and the US National Security Strategy (NSS), which has instigated considerable transatlantic discussions over "pre-emption" and "multi-lateralism".

## **II. SECURITY IN A CHANGING WORLD**

4. The ESS consists of three sections, the first of which presents a European analysis of the current security environment. The second part identifies three strategic objectives for the EU. Finally, the third section maps out the policy implications for the EU.

5. With regard to the current security environment, the ESS begins by listing the negative aspects of globalisation, arguing that poverty, disease, competition for scarce resources and global warming could have a negative impact on the security of EU member countries. Anticipating that "large scale aggression against any member state is now improbable" the ESS identifies five key threats that are interconnected, namely:

- terrorism, which has become global in its "scope and is linked to religious extremism"; Europe "is both a target and a base for such terrorism", the ESS notes;
- proliferation of WMD, "potentially the greatest threat to our security";
- regional conflicts, both worldwide and in the EU's neighbourhood, which has an impact on "European interests directly and indirectly" and which "can lead to extremism, terrorism and state failure";
- state failure, which "undermines global governance and adds to regional instability" and which "can be associated with obvious threats, such as organised crime or terrorism"; and
- organised crime, which can be linked to terrorism and is "often associated with weak or failing states"; organised crime has thus an "important external dimension" such as "cross-border trafficking of drugs, women, illegal immigrants and weapons".

6. In essence, the EU's analysis of security threats is largely similar to those identified by NATO's Strategic Concept and the US NSS. Nonetheless, the ESS's comprehensive approach towards security contrasts with the Strategic Concept, agreed upon at the 1999 Washington Summit, and, to a lesser degree, the NSS, adopted in September 2002. While NATO's approach to security was broadened after the end of the Cold War, the Strategic Concept is comparatively narrower in focus, reflecting its role as an alliance of collective defence. The 1999 Washington declaration identified the following as the Alliance's core functions: providing the basis for a stable Euro-Atlantic security environment; a forum for transatlantic consultation; deterrence and defence; and strengthening the security and stability of the Euro-Atlantic area through conflict prevention, partnership, co-operation and dialogue. At the 2002 Prague Summit, NATO recognised terrorism, WMD, and failed states as the defining security challenges of the 21<sup>st</sup> century. Heads of State and governments of NATO member countries adopted a package of measures designed to strengthen NATO's readiness and ability to take on the full spectrum of security challenges, including sending forces to wherever they are needed to meet these challenges.

7. Threats are dominant throughout the NSS, which considers all policy areas in the light of the fight against WMD proliferation, rogue states, and particularly the "war against terrorism"<sup>1</sup>. The EU talks about failed states, whereas the US language towards these regimes is much stronger and far more explicit. In contrast to the US, the EU does not seem to make such a strong connection between terrorism, WMD and so-called rogue states. However, the EU does recognise the frightening scenario of terrorists gaining access to WMD. The NSS, too, acknowledges the importance of environmental and health issues for security and advocates an active development strategy, which states that the US and other developed countries should "halve the size of the world's poorest economies within a decade". The NSS states that "sustained growth and poverty reduction is impossible without the right national policies". Similarly, the ESS says that "bad governance" is often at the heart of regional conflicts and poverty, and stresses that "security is a precondition for development". Both the NSS and the ESS refer to the underlying sources for terrorism. The NSS, for instance, states "that the US will support moderate and modern governing to ensure that conditions [...] that promote terrorism do not find fertile ground in any nation, and that it will try to diminish the underlying conditions that spawn terrorism".

8. It should be noted that the ESS's first draft had a much stronger emphasis on threats, especially on terrorism and WMD, and was thus closer to the NSS. In comparison to the June 2003 draft, the final and adopted version of the ESS has been broadened and toned down. It now pays more attention to the effects of globalisation, while state failure and organised crime have become separate entries in the list of key threats. The ESS also added regional conflicts as a key security threat. Moreover, while the Solana draft considered WMD proliferation "the single most important threat", the adopted ESS considers it as "potentially the greatest threat to our security".

### **III. TACKLING THE THREATS**

9. "To defend Europe's security and to promote its values" the ESS puts forward three strategic objectives. Accordingly, the EU must 1) "address the threats", 2) "build security in its neighbourhood", and 3) help establish "an international order based on effective multilateralism".

10. With regard to the first objective, the ESS lists the initiatives the EU has already taken, particularly

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<sup>1</sup> It should be noted that the term "war against terrorism", although widely used, is incorrect. Zbigniew Brzezinski rightly pointed out that terrorism is a technique for killing people and that waging a "war against terrorism" would be similar as if to say that World War II was not against the nazis but against *Blitzkrieg*.

- the European Arrest Warrant and measures addressing terrorist financing and an agreement on mutual legal assistance with the US;
- the EU's longstanding non-proliferation policies, highlighting its commitment to strong and verifiable multilateral treaty regimes;
- its interventions to help deal with regional conflicts, notably in the Balkans, Afghanistan, and the Democratic Republic of Congo.

11. The ESS identifies "building security in our neighbourhood" as a second strategic objective, which requires the promotion of a "ring of well-governed countries to the East and on the borders of the Mediterranean." In this context, it specifically refers to the "still fragile Western Balkans"<sup>2</sup> and stresses the need to extend benefits of economic and political co-operation to future neighbours such as Ukraine, Moldova, Belarus, and the countries in the Southern Caucasus. It also refers to the Mediterranean area and the Arab-Israeli conflict.

#### **IV. EFFECTIVE MULTILATERALISM AND INTERNATIONAL LAW**

12. The ESS declares the establishment of "an effective multilateral system", as well as "a stronger international society, well-functioning international institutions, and a rule-based international order" as a "strategic objective". In comparison with the NSS, the ESS explicitly refers to the UN Charter and puts a stronger emphasis on international law and international institutions. In contrast, by emphasising that "the US NSS will be based on a distinctly American internationalism" the NSS seems to reflect greater sense of uniqueness.

13. It is important to note that the US Security Strategy devotes considerable parts to international co-operation. It stresses that "in today's globalised world we need support from allies and friends" and "there is little of lasting consequence the United States can accomplish in the world without the sustained co-operation of allies and friends in Canada and Europe". The ESS highlights the importance of transatlantic ties and the need for the US and the EU to work as equal partners. It emphasises the EU's commitment to NATO and states that a "balanced" partnership between the EU and the United States should be incorporated into the future European Security and Defence Policy (ESDP).

14. Although the NSS also mentions diplomatic, economic and other tools to tackle security challenges, it puts a stronger emphasis on military power and identifies areas in which the establishment of an American defence needs to adapt to the new security environment. In comparison, the ESS recognises that the strategic environment has radically changed and that the traditional concept of self-defence is no longer valid. Hence, the first line of defence is now often abroad: "Conflict prevention and threat prevention cannot start too early. [...] None of the new threats is purely military; nor can be tackled by purely military means". The European strategy also recognises that the EU may have to use force to prevent the construction of WMD and indicates support for pre-emptive strikes. In doing so, the EU clarifies that it no longer merely considers itself as a civilian power, but that it acknowledges the need for using military muscle, if necessary. Although the EU has moved closer to the US administration's views on pre-emption, it retains a different view on pre-emptive action. More specifically, with regard to coercive military action as a means of last resort, the ESS requires a mandate from the UN Security Council before joint action can be undertaken. In addition, the final version of the EU Security Strategy puts a stronger emphasis on "confidence building and arms control regimes".

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<sup>2</sup> The report of the Sub-Committee on NATO Partnerships, presented by Mr Marco Minniti (Italy) analyses the EU and NATO's contributions to the security in this region.

15. In comparison, the US security paper anticipates that some of the US' enemies cannot be deterred: "Deterrence based only upon the threat of retaliation is likely to work against leaders of rogue states more willing to take risks. [...] Traditional concepts of deterrence will not work against a terrorist enemy". One of NSS's key sentences is that the US "will not hesitate to act alone, if necessary, to exercise our right of self-defence by acting pre-emptively". The language of the NSS implies a stronger emphasis on military aspects of pre-emptive action (as a means of last resort); the ESS highlights preventive engagement with a stronger emphasis on non-military tools, including a wide range of economic and diplomatic tools, as well as aid and trade.

## **V. NATO'S CONTRIBUTION TO THE "WAR AGAINST TERROR"**

16. What are the implications of the ESS for combating the proliferation of WMD and internationally active terrorist groups? Fighting terrorists effectively requires the fullest possible international co-operation, especially in sharing intelligence, law enforcement, border security and the tracking of terrorist finances. The vast majority of activities designed to defeat internationally active terrorist groups are diplomatic, economic and financial. But the military, too, has a role to play either because terrorist groups such as al-Qaeda operate at an ever-increasing level in the spectrum of violence, blurring the distinction between terrorism and warfare or because the difference between internal and external security is also fading, and the military may have to deal with challenges that police forces are simply unable to handle.

17. As an alliance originally set up for the collective defence of its member nations, NATO did not have a comprehensive strategy against terrorism. However, in the process of its ongoing post-Cold War transformation, and particularly after 9-11, the Alliance has made - and continues to make - substantial contributions to the fight against internationally active terrorist groups. A general compilation of NATO's efforts in the defence and military realms provides the following picture.

18. Shortly after 9-11, NATO assisted in the global fight against terrorism with a number of measures, including enhancing intelligence sharing, providing access to ports and airfields, granting blanket over-flight clearance, increasing security for US bases on allied territory, "backfilling" selected US and allied military assets withdrawn from NATO's area of responsibility, and providing assistance to allies and other states that were subject to increased threats due to their support of the war against terrorism. Operation Eagle Assist provided NATO Airborne Warning and Control Systems (AWACS) aircraft. The UK and France contributed support aircraft to the air campaign over Afghanistan, deployed ground troops inside the country before the Taliban regime was overthrown and dispatched naval forces to the Indian Ocean for maritime surveillance/interdiction operations. Other NATO nations also sent naval forces to the Indian Ocean and deployed special forces inside Afghanistan. NATO has also taken charge of the UN-mandated International Security Assistance Force (ISAF) in Afghanistan in August 2003, its first ever mission outside the NATO area.

19. As part of Operation Active Endeavour the Alliance has sent its Standing Naval Force Mediterranean to the eastern Mediterranean to demonstrate, resolve and establish a NATO presence in the region. This mission was extended in early March 2003, as NATO maritime forces began escorting designated merchant ships from NATO member countries through the Straits of Gibraltar. Active Endeavour was expanded in March 2004 to cover the entire Mediterranean Sea.

20. NATO has also agreed on a new military concept to fight terrorism in which the alliance does not exclude a pre-emptive use of military force. What is more, the Alliance has made the fight against terrorists a key issue in its partnerships including, among others the NATO-Russia Council (NRC), the Euro-Atlantic Partnership Council (EAPC), and its Mediterranean Dialogue. For example, the Allies have agreed on intelligence assessments of various aspects of the problem

and is examining closer co-operation in airspace management to prevent terrorist threats to civil aviation. In addition, the Partnership Action Plan on Terrorism provides a framework document for NATO-Partner co-operation on terrorism, defining partnership roles as well as instruments for fighting terrorism and managing its consequences. NATO's seven Mediterranean Dialogue partners participate in activities under the plan on a case-by-case basis.

21. The Alliance has approved a request from Greece to provide anti-terrorist protection during the Olympic Games and a similar appeal from Portugal for the European Football championship. Moreover, at their informal spring meeting in 2004, foreign affairs ministers agreed on a declaration on terrorism. At the Istanbul Summit this year, NATO decided to strengthen its contribution to the fight against terrorists. The enhanced package of measures on the fight against terrorism building on those agreed by the Alliance Heads of State and Government at Prague in November 2002 includes, among others:

- improved intelligence sharing between Allies, as well as intensified exchanges of information and intelligence with other international organisations and with the Partners;
- enhanced and more rapid response to national requests for NATO support (e.g. through the Euro-Atlantic Disaster Response Co-ordination Centre and use of NATO chemical, biological, radiological and nuclear defence assets) to help protect against and following a terrorist incident;
- further development of the contribution of Operation Active Endeavour to the fight against terrorism;
- strong support for the Proliferation Security Initiative (PSI);
- supporting the continued determination of Allies to address the threat posed by terrorist use of civil aircraft; and
- enhancing capabilities to defend against terrorist attacks;
- increased co-operation with NATO Partners, including through the implementation of the Civil Emergency Action Plan and the Partnership Action Plan on Terrorism and with other international and regional organisations, including the active pursuit of consultations and exchange of information with the EU.

## **VI. THE EUROPEAN UNION'S CONTRIBUTION TO THE FIGHT AGAINST TERRORISTS**

22. To combat the threat posed by terrorism, the EU has agreed on a set of broad political measures of co-operation that were introduced after 9-11. The EU's "Plan of Action to Combat Terrorism", put forward the responsibility of the member states and made the fight against all forms of terrorism a priority for the EU. The EU has incorporated the fight against terrorism into all aspects of its external policy. The Union has undertaken various initiatives with a view to gradually introducing an integrated and co-ordinated management of its external borders. Internally, the criminal law of the 25 EU member states has been aligned so that terrorism is prosecuted and punished in the same manner throughout the EU. The EU has also introduced a European-wide search and arrest warrant, new extradition procedures, agreement on data sharing, and more prominent roles for the European police office, Europol, whose anti-terrorist cell is already supposed to allow information to be exchanged, and Eurojust, the European unit, which is supposed to co-ordinate investigations and prosecutions between national prosecuting authorities. The EU has also assisted the US in the areas of police and judicial co-operation, in particular regarding regulation on extradition and police surveillance. At the EU-US Summit this June, both sides agreed to work together to deepen the international consensus and enhance international efforts to combat terrorism through the support of the United Nations. They also agreed to share data on lost and stolen passports, to have a regular dialogue on terrorist financing, to identify areas for closer co-operation in dealing with the consequences of terrorist attacks and to focus



assistance programmes on the enhancement of counterterrorist capacity and commitment in priority third countries.

23. While the EU makes a meaningful contribution to tackling terrorism, it identified a number of shortcomings at the March Council. For example, none of the instruments adopted after 9-11 have been implemented by all EU member states. For example, even though the ESS explicitly refers to it, five EU member countries have not yet implemented the European arrest warrant, which has replaced the previous, sometimes cumbersome extradition procedures. Moreover, as the Madrid bombings on 11 March 2004 demonstrated, co-operation among European agencies in the field of intelligence sharing and counter-terrorism is underdeveloped and the European Commission has criticised EU governments for not implementing agreements. In particular, the Commission bemoaned that only four member states have ratified the EU Convention on Mutual Assistance (2000) and the Additional Protocol (2001) and that three EU member countries still refuse to report on the implementation of the landmark framework decision of the fight against terrorism (which was adopted in the wake of 9-11 to ensure that the definition of terrorist crimes is similar across the European Union). The Commission has also complained about the lack of information it receives from EU members in connection with money laundering and criminal funding.

24. Moreover, the framework decision on joint investigation teams, designed to tackle cross-border criminal activities, has not yet been implemented. Similarly, the Commission encourages EU governments to give attention to the decision establishing Eurojust, the decision on the implementation of specific measures for police and judicial co-operation to combat terrorism, the framework decision on the execution in the EU of orders freezing property or evidence, and the existing legislation on maritime and aviation security.

25. In order to strengthen EU activities, the EU Council meeting in Brussels this March appointed an anti-terrorism co-ordinator to bring together all anti-terrorism policies and efforts within the EU. The EU Counter-terrorism Co-ordinator reports on official EU policy and progress in this field to the EU's High Representative Javier Solana and to the member states on a regular basis. However, a proposal to establish a European intelligence agency, something like a "European CIA", was not consensual. Despite intensified co-operation in the field of counter-terrorism, sharing sensitive information remains a cumbersome, and sometimes controversial issue between the different European governments and their security services. There is, for example, the fear that sharing information with 25 countries might jeopardise operations and special relations with non-EU partners, including the United States.

26. Likewise, in late March 2004, EU foreign ministers endorsed a draft declaration calling counter-terrorism "a key element of political dialogue" and saying it would be a factor in "all relevant external assistance programs". Hence, the EU can threaten to withdraw economic support for countries that fall short in the fight against terrorism. As the world's biggest trading block and supplier of development aid this adds a powerful instrument to the EU's developing toolbox for combating terrorism.

## **VII. WMD PROLIFERATION<sup>3</sup>**

27. In the area of proliferation, both NATO and the EU have gradually developed their roles to prevent the spread of WMD and their means of delivery. Recognising that WMD and their means of delivery can pose a direct military threat to NATO territory, populations and forces, NATO

<sup>3</sup> In the view of your Rapporteur it would be helpful to differentiate the threats posed by these weapons as the catastrophic effects of a nuclear and, to a lesser degree, biological attack is likely to have much more catastrophic consequences than a chemical one.

foreign ministers issued the "Alliance Policy Framework on Proliferation of Weapons of Mass Destruction" in 1994 which states that the principal goal of the Alliance and its member states is to prevent proliferation or reverse it by diplomatic means. Since then, the Alliance has increasingly focused on the range of defence capabilities needed to devalue WMD proliferation and use. NATO's WMD centre, created after the 1999 Washington Summit, is already helping to improve consultations on non-proliferation, arms control, and disarmament issues, and supports defence efforts to improve the readiness of the Alliance to respond to the risks of WMD and their means of delivery. Of course, intelligence sharing is a very sensitive and tricky issue: even on a national level, intelligence services may disagree on threats. Moreover, assessing and acting upon intelligence is subject to political interpretation. Also, intelligence services tend to be very reluctant to share estimates for several reasons. Intelligence exchange very much depends on trust and reciprocity and can only develop gradually over time.

28. At the Prague Summit, NATO adopted a number of initiatives, including the five nuclear, biological and chemical weapons (NBC) defence initiatives that derive from the WMD Initiative (WMDI) of the 1999 Washington Summit and that enhance NATO's capabilities against WMD attacks. These are a Disease Surveillance System, an NBC Event Response Team, a Deployable NBC Analytical Laboratory, a NATO Biological and Chemical Defence Stockpile and a continued training in NBC defence. In this field, NATO continues to complement its work with that of other international organisations such as the Organisation for the Prohibition of Chemical Weapons and the World Health Organisation.

29. While the EU has long provided financial and technical assistance to co-operative threat reduction (CTR) programmes in Russia, it was only in December 2003 that it agreed on a more comprehensive strategy against WMD proliferation<sup>4</sup>. Together with the ESS, the "EU Strategy against Proliferation of Weapons of Mass Destruction" forms the basis of Europe's response to the dangers of WMD proliferation. Thus, for the first time, the EU has moved beyond traditional European approaches to the problem of WMD proliferation by acknowledging that there may be occasions when it is necessary to resort to force. The EU's WMD proliferation strategy, also adopted by the European Council in December 2003, consists of two stages. The first includes strengthening the multilateral non-proliferation treaties and export control regimes, notably with regard to verification, and, in the longer perspective, dealing with the underlying causes of proliferation by pursuing political solutions to tensions and disputes and regional arrangements for arms control and disarmament. Only when these instruments have failed can "coercive measures under Chapter VII of the UN Charter and international law" be envisaged, as a last resort.

30. The EUs WMD strategy is based on the concepts of responsibility, prevention, and partnerships. For example, the strategy also includes strengthening monitoring agreements with traditional allies such as Japan. Japan and the EU have recently adopted a joint statement promoting, among other things, co-operation on disarmament and non-proliferation in Asia. The EU specifically recommends the strengthening of the Biological Weapons Convention (BWC) by working to ensure "concrete outcomes" from the work of the expert groups. This is in direct contrast to the Bush administration's stance on the treaty.

31. One of the most important advances is a commitment to developing common European threat assessments rather than national analyses. To that end, the EU established a Situation Centre that prepares and continuously updates threat assessments. It is also planned to have a Monitoring Centre on WMD Disarmament and Non-Proliferation to ensure that the Action Plan is implemented, to collate information and intelligence, to liaise with international bodies, and to propose measures to prevent and combat WMD proliferation.

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<sup>4</sup> Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction" and an "Action Plan for the implementation of the Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction" were already agreed upon in June 2003.

### **VIII. AVOIDING NATO-EU COMPETITION**

32. A significant section of the EU security document focuses on WMD proliferation and international terrorism. This in itself is important because Europeans have never before seriously discussed WMD proliferation amongst themselves at the EU level. While the ESS is rather similar in its assessment of security risks, this does not necessarily mean that Europeans will move closer to the Bush administration's thinking on these issues. Two fundamental differences between the US and its allies remain: firstly, the United States feels "at war" after 9-11, while most allies do not. The Madrid bombings have not significantly changed this. Secondly, in contrast to the United States, Europeans have not considered the war in Iraq as a part of combating terrorist groups. Therefore, it appears likely that the EU's policy mix will be different from Washington in the balance between strengthening international treaties, improving inspection and verification mechanisms, implementing sanctions, and using military force.

33. With regard to WMD proliferation, non-compliance with international agreements to counter the spread of dangerous weapons and their delivery means and illegal trade pose key problems, UN Secretary-General Kofi Annan and proliferation experts informed the Sub-Committee during its visit to the United States this spring. Denying access to highly enriched uranium, especially to terrorist groups, is absolutely vital, which could be achieved by placing enrichment and reprocessing of fissile material under international control. Unless and until they can produce their own nuclear materials, terrorists must look to steal (or buy stolen) weapons-grade uranium or plutonium that exists in national stockpiles. Experts at the Monterey Center for Non-Proliferation Studies informed the Sub-Committee that international efforts should focus much more on securing nuclear materials, especially in Russia, which possesses the largest and most vulnerable stocks of these materials.

34. While international programmes to help Russia keep its weapons and nuclear materials secure, especially the US-led CTR and the G-8 Global Partnership Initiative, have improved the situation, securing nuclear sites remains a challenge that must be addressed more effectively. Progress in tackling weak accountability, insufficient on-site security, and the disastrous state of physical protection of material has been very slow. Moreover, there is a pressing need to expand the efforts made in Russia to other countries of the CIS and beyond. However, the EU non-proliferation policy suffers from an imbalance between the means and efforts devoted to dealing with proliferation issues in the Russian Federation on the one hand and other states of concern, already identified as priorities by the member states of the EU, NATO and the G-8 on the other. Better co-ordination and more financial resources are needed to tackle the problems, also to globally convert research reactors away from highly enriched uranium.

35. Similar issues need to be solved in the realm of Biological Weapons (BW), where the problems are even worse, partly because of the lack of co-operation inside Russia. Moreover, as the Sub-Committee learned during its recent visit to the US, Europe was "absent" in the area of tackling BW. The ESS, and the two EU non-proliferation documents can provide an impetus for stronger EU-action in this area. However, the ESS, and the WMD Action Plan, also need to be improved, as they are weak on internal responses to proliferation (such as monitoring, border controls, responding to an attack).

36. The ESS strongly argues for strengthening international agreements in the realm of arms control and non-proliferation. Although recent developments have illustrated serious gaps in the Nuclear Non-Proliferation Treaty (NPT) regime, it has overall been remarkably successful. The

two main shortcomings of the NPT are that membership is not comprehensive (India, Pakistan and Israel are not part of the treaty) and it is impossible to detect the intentions of governments. President Bush's speech of February 11 was a positive step towards filling these gaps. The measures he announced would, overall, help forge a stronger, more effective and more international non-proliferation policy. However, non-proliferation policy should not be limited to rogue states and terrorists that seek nuclear, chemical, and biological weapons. The easiest route for proliferators to acquire nuclear weapons is to go to those states that already possess them. The US administration also introduced at the United Nations Security Council (UNSC) a draft resolution on Non-Proliferation. The resulting UNSC Resolution 1540, adopted on 28 April 2004, strengthens international anti-proliferation laws and co-operation as it holds sovereign states responsible for writing and implementing laws and for closing the loopholes exploited by black market WMD networks.

37. Last year's crisis over Iraq highlighted a key strategic dispute concerning the imminence of threats posed by WMD and the wider issue of the adequacy of arms control regimes and diplomacy to deal preventively with these threats. Some analysts have argued that crevices have opened up resulting from different attitudes toward the use of force and the ability of regimes to solve WMD problems. One of the key problems is the availability and the interpretation of risks. The fact that no WMD have been found yet in Iraq, has not only severely undermined the credibility of governments, which have argued that Saddam Hussein's regime posed an "immediate threat" but also that of intelligence as a whole. A common EU strategy that provides, over time, a common threat assessment can be crucial in re-establishing lost credibility.

38. With regard to terrorism, NATO assists in combating international terrorist groups, but does not play a leading role, because it is not primarily a military task. Although NATO has initiated numerous activities, it does not have a comprehensive concept. It would be important for member countries to define more clearly what exactly NATO's contribution to the fight against terrorism could be. NATO foreign ministers' agreement on a definition of terrorism is a first step in this direction. Moreover, because the Alliance remains the pivotal forum for transatlantic security dialogue, the North Atlantic Council (NAC) could be used more effectively to devise common approaches towards terrorism.

39. Full implementation of the UNSC resolutions on terrorism is an important issue, especially because not all UN member countries have complied with the obligations of the UN Counter-Terrorism Committee (CTC). Close diplomatic co-operation of NATO and EU member countries could be helpful to press reluctant countries to meet the requirements. Moreover, NATO and EU member countries could work together to tackle legal issues, for example how the international community could deal with non-state actors.

40. The ESS could help to establish and improve, respectively, a policy dialogue between NATO and EU on key issues related to WMD, especially in the areas of tackling rogue states and ways to strengthen non-proliferation agreements, as well as counter-proliferation tools such as the Proliferation Security Initiative (PSI). Likewise, the ESS could generate a better co-ordination of efforts among EU member countries in the realms of anti-terrorism and counter-proliferation approach efforts. The ESS could thus lead to a strengthening of the "European pillar" within NATO. It is important to add, however, that any co-ordinated European stance must not be detrimental to NATO decision-making procedures in the sense that a position taken by EU member countries would block NATO consensus. Regrettably, apart from informal staff-to-staff meetings, consultations and exchange of information between NATO and the EU are hampered because of the unresolved issue of Cyprus and the format of NATO-EU meetings. Your Rapporteur hopes that the EU will soon find a compromise, which allows improved co-operation and exchange of information.

## **IX. PRELIMINARY CONCLUSIONS**

41. The EU strategy "A Secure Europe in a Better World" offers a good basis to further develop Europe's CFSP and to reduce European policy and capability redundancies. However, as the EU no longer considers itself as a merely civilian power, the ESS must be further developed to answer the question under which conditions the EU would consider using military force to meet its political objectives and, particularly under which conditions it would be prepared to employ pre-emptive military action.

42. The ESS rightly stresses the need for Europe "to develop a strategic culture that fosters early, rapid and - when necessary - robust intervention". Of course, CFSP is and remains an intergovernmental process based on unanimity. Therefore, national governments and national parliaments continue to play an important role in formulating foreign and security policy. Until recently, strategic debates, to the extent they have been conducted in EU member countries, have been primarily national ones. Although the ESS argues for the development of an "EU strategic culture" it provides only little specification with regards to this issue, with the exception of four areas for initial action, identified by the December 2003 European Council meeting in Brussels:

- "effective multilateralism with the UN at its core" to which the EU-UN joint declaration of 24 September 2003 has given new impetus;
- "the fight against terrorism" which the EU sees primarily as a matter of law enforcement;
- "a strategy towards the region of the Middle East"
- "a comprehensive policy towards Bosnia and Herzegovina".

For many years, the members of the NATO Parliamentary Assembly have addressed these and other relevant issues of Euro-Atlantic security. Therefore, the Assembly can make a meaningful contribution to reinvigorate a strategic debate between Europe and the United States, and the EU and NATO in particular. In this context, your Rapporteur wants to suggest to further deepen the Assembly's interaction with European institutions, particularly the European Commission, the European Parliament and the Council.

43. In analysing the possible implications of the ESS for NATO and the EU, your Rapporteur has found it useful to relate to NATO's Strategic Concept and the NSS for "compatibility reasons". However, it is important to point out the differences between the three documents. The ESS attempts to set out how EU member countries, some of which are non-aligned, plan to advance their common security. The Strategic Concept is the basic document of common threats of an organisation whose core mission is the collective security of its member countries. The NSS is an outline of how a sovereign state views its own security. Neither the ESS nor the NSS or the Strategic Concept are immediately operational documents in the sense that they do not provide a detailed plan for action. Rather, they lay out the principal objectives and the main ways to achieve these. Thus, they constitute a set of policy choices. The dispute over Iraq among EU member countries was primarily about agreeing to military intervention. However, another underlying issue was that of the positioning of Europe towards the US. The fact that EU member countries were able to agree on a security consensus relatively shortly after their disagreements over Iraq is a positive development. But it must be ascertained that EU positions are not designed to create a "counterweight" to the United States, and that they are fully compatible to the consensus of NATO member countries. In this sense, it is necessary that the ESS is further developed to put forward a possible division of labour between the EU and NATO.

44. Adoption of the ESS provides an opportunity to establish a more comprehensive approach to security, both in a regional and topical sense. With regard to the former, it can help to improve transatlantic co-operation concerning the stabilisation of the Mediterranean and the so-called "Broader Middle East", especially in Afghanistan and Iraq. With regard to the latter, it could foster

better collaboration on how to handle rogue states; Iran is a case in point.

45. In the area of WMD proliferation, the current problems posed by Iran's nuclear enrichment programme is something like a litmus test for the ESS in action: The question is whether the EU and NATO Allies can agree on a realistic and sustainable common policy approach on this issue. In the view of your Rapporteur, the Allies need to devise a policy that supports Iran's political development but explicitly avoids the rhetoric of regime change, which only stirs up nationalist feelings in Iran. The immediate goal should be to move Iran to fulfil its promise made in the fall of 2003 to the EU-3, namely to verifiably terminate all work on enrichment and reprocessing. In the longer term, agreement must be reached on the permanent abandonment of uranium enrichment and other capacities of the nuclear fuel cycle, ratification of the IAEA Additional Protocol and the acceptance of further safeguards that make it possible to determine the civilian nature of the nuclear programme.

46. The issue has once again exposed the differences between the US and Europe, with the latter reluctant to take the matter to the Security Council and ultimately to impose sanctions. Iran has capitalised on the lack of consensus between the US and Europe to block verification attempts and play each side off against the other. It demanded extensive concessions from the Europeans in order to cease enrichment, which it claims is for civilian purposes only. Continuing US pressure and its presence in Afghanistan and Iraq may have forced Iran's hand. Repeated talk by hardliners of a possible pre-emptive military strike by the United States or Israel, which has recently bought 500 "bunker buster" bombs from the United States which could be used to penetrate underground Iranian facilities, appears to have added to Iranian leaders intransigence. Iran has thus far failed to fulfil its promises of the fall 2003 agreement with the EU and has hidden important aspects of its nuclear programme. Subsequently, the Europeans appear to be moving closer to the US position.

47. In addition to possible sanctions, the international community needs to offer incentives, especially the prospects of establishing economic relations. Opportunities for influencing Iran are particularly presented by the country's economic situation, especially as a huge number of jobs need to be created for the younger generation and this will require an increase in foreign private investment. Thus far, led by the EU-3, comprising the United Kingdom, France and Germany, the Europeans have successfully managed to speak with one voice in dealing with Iran, an important development. If the ESS's vision of effective multi-lateralism is to function successfully, EU and NATO Allies will have to agree on a strategy of escalation. Europe has relied on soft power to negotiate but, if Iran fails to commit to the suspension of all nuclear weapons-related activities by the meeting of the IAEA Board of Governors in late November, the three must decide whether to take a harder line. The main challenge is whether they are prepared to escalate pressure on Tehran in response to broken promises.

48. Concerning the fight against terrorist groups, closer co-operation within the EU, but also with partners such as the United States and Canada, and, of course, the UN will be essential. Implementation of the ESS also requires quicker implementation of EU agreements into national legislation as well as further improvements in the co-ordination of EU activities. For example, the EU member countries two most important working groups on terrorism, the Terrorism Working Group and the Working Party on Terrorism meet only once a year and work separately. What is more, they are not integrated in the Brussels decision-making process. Also, the EU still lacks a committee that deals with terrorist financing, and there is no body that co-ordinates the activities of different committees, many of which are involved only in aspects of terrorism. Your Rapporteur supports the proposal put forward by, among others, the EU's Anti-terrorism Co-ordinator Gijs de Vries to streamline existing committee structures and to authorise EU Member states Permanent Representatives (COREPER) to co-ordinate work more effectively.

49. The transatlantic partnership remains absolutely vital to Euro-Atlantic security. Its future will be defined not to a small degree by Europe's active contributions to our common security. In this context, the EU member countries must be clear about the role of NATO and the EU for European security. As both organisations continue to change, there is an increasing possibility of overlap in competences and tasks. Both organisations must be complementary, and it is important to make the best use of both organisations' inherent strengths. NATO has a comparative advantage in the field of security and defence, while the EU holds a comparative advantage in all issues related to the economic field, especially in trade and development assistance. The ESS acknowledges this, but further work remains necessary to fine tune the priorities as well as the instruments of EU member states in the area of security. However, whether the EU will be able to really become a global security provider, and develop a truly balanced partnership with NATO, will eventually depend on the political will - and resources provided - of its member states.

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