

POLITICAL

062 PCNP 05 E
Original: English



NATO Parliamentary Assembly

SUB-COMMITTEE ON NATO PARTNERSHIPS

NATO-EU SECURITY COOPERATION

DRAFT REPORT

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12 April 2005

* 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. Over the past few years, this Sub-Committee has closely monitored the development of NATO's strategic partnership with the European Union. Since its start in 1991, when the Maastricht Treaty introduced the concept of a common foreign and security policy (CFSP) for the new European Union, the EU has gradually taken on a more prominent role in European security matters.
2. The Alliance, too, underwent profound adjustments in the same period, thereby greatly expanding its contribution to Euro-Atlantic security. As NATO's transformation process continues, it puts an even greater emphasis on its partnerships. While the development of its partnership with the EU has not been without complications, the closer co-operation with the EU has allowed NATO to shift its attention beyond its traditional area.
3. However, despite the present climate of improvement and strengthening of transatlantic relations stressed by the recent visit of President Bush to Europe, the NATO-EU dialogue has reached an impasse. This is primarily due to the fact that neither Cyprus nor Malta, which joined the EU in May 2004, have a security relationship with the Alliance, and that there is no unanimity within NATO to have meetings with the EU at 25 and to develop in this format a dialogue without discrimination on issues for which there are no classified documents to be exchanged. The agenda of joint NATO-EU meetings is currently limited to the implementation of the Berlin Plus arrangements, i.e. the EU-led operation Althea in Bosnia and Herzegovina (BIH), and capabilities in the NATO-EU Capability Group. There is no further development in other crucial security areas, for example on terrorism and the proliferation of weapons of mass destruction (WMD). At the NATO Istanbul Summit, NATO leaders announced they would work together to further develop and deepen their co-operation, but due to the participation issue, nothing has happened yet.
4. This report briefly reviews the NATO-EU partnership and will make some general observations on its current state. As such it will look at some key areas of co-operation. In the autumn report, your Rapporteur will put forward specific proposals to reinvigorate the NATO-EU security partnership.

II. THE DEVELOPMENT OF NATO-EU RELATIONS

5. When the European Security and Defence Policy (ESDP) saw the light of the day in the mid-1990s it was agreed that Europeans should be able to act without US involvement in a future Balkans-style scenario, in a manner that was 'separable but not separate' to NATO. However, resolving the dilemma of institutional overlap has become the predominant issue of EU-NATO relations. Madeline Albright expressed early concern in identifying the '3 Ds' where ESDP and NATO threatened to overlap. Decoupling (of NATO and EU actions), duplication (of capabilities) and discrimination (of non-EU NATO members), had to be avoided, she said in a column in the Financial Times.
6. The right of first refusal remains a controversial issue. A number of member states see NATO as the platform through which any potential operation should be discussed first. From there, it could be delegated to the EU if NATO did not wish to be engaged. The EU, on the other hand, has not recognised that right for NATO. Today there are three agreed means by which Europeans may undertake military action: within NATO; through Berlin-plus; or an autonomous operation (with a lead nation or European headquarters).
7. Despite the potential divisions, NATO and EU threat assessments remain similar. Both the European Security Strategy (ESS), and NATO's Strategic Concept, substituted by the 2002 Prague Summit, recognised terrorism, the proliferation of WMD, and failed states as principle

security challenges. Additionally, both explained the need for non-military policy dimensions in relieving insecurity, though, inevitably for a collective security organisation, NATO remains more focused on military means.

8. Agreeing a comprehensive complementarity between the EU and NATO will be important in maintaining cooperation. As the ESDP develops further, that need is more pressing. EU operations in the former Yugoslav Republic of Macedonia¹, the Congo and most recently in Bosnia, where EU replaced NATO troops, demonstrate an emerging role for the EU. Upon ratification by all EU member states, the EU Constitution could mark yet another significant step for CFSP. The creation of an EU foreign minister could provide a more centralised decision-making process, although the national veto would still remain. Security integration could be further advanced among those EU member states that want to using the concept of 'permanent structured co-operation'. Still, many countries consider NATO the more credible military actor. On the other hand, in the membership prospect the EU has a powerful incentive to offer the countries of the Balkans.

III. NATO-EU CO-OPERATION

9. The "Berlin Plus" arrangements, in operation since March 2003, form the basis for practical work in crisis management between the two organisations. "Berlin Plus" allows the EU assured access to NATO operational planning, presumption of availability to the EU of NATO capabilities and common assets, NATO European command options for EU-led operations (including the European role of Deputy SACEUR), and adaptation of the NATO defence planning system to incorporate the availability of forces for EU operations.

10. Furthermore, NATO and the EU have established regular exchanges at different levels. NATO and EU foreign ministers gather twice a year, while NATO and EU Ambassadors (the North Atlantic Council [NAC] and the EU's Political and Security Committee - PSC) meet a minimum of three times per semester. In addition, the NATO and EU Military Committees meet twice every semester, while regular information exchanges have also been agreed at a committee level as well as at a staff level. Unfortunately, this pattern is now undermined by the issue of the participation of the EU at 25.

11. The "Framework for an enhanced NATO-EU dialogue and a concerted approach on security and stability in the Western Balkans", agreed in July 2003, is the only formal agreement between the two organisations. NATO and the EU agreed to exchange relevant information and keep each other regularly informed at all levels, including possible military options. In addition to co-operation in the area of conflict prevention and crisis management, the Framework document lists the following areas where the two organisations plan to co-ordinate their assistance to the countries of the region: defence and security sector reform, strengthening the rule of law, combating terrorism, border security and management, and arms control and removal of small arms. The Framework also provides for consultation mechanisms between the two institutions, for example between the NAC and the PSC, between the Military Committee and the EU Military Council and between the Policy Co-ordination Group and the Politico-Military Working Group.

12. However, there is still no institutional co-operation between the Alliance and the EU in the Caucasus region. Apart from Partnership for Peace (PfP), both organisations have only lately begun to increase their activities in this region. Your Rapporteur proposes that NATO and the EU should reach an agreement on a concerted approach for the Southern Caucasus.

¹ Turkey recognises the Republic of Macedonia with its constitutional name

IV. SOUTH-EASTERN EUROPE

13. The EU's first operation according to "Berlin Plus" was the takeover of the small NATO mission in FYR of Macedonia in April 2003. The smooth transition from NATO's Operation *Allied Harmony* in FYR of Macedonia to Operation *Concordia*, which has recourse to NATO assets and capabilities, has demonstrated the effectiveness of the Berlin Plus arrangements for the collaboration of the two organisations. *Concordia* was not an EU-only mission; it also included 14 non-EU states.

14. In some ways, FYR of Macedonia served as a test case for BiH and possibly for the future transformation of the peacekeeping mission in Kosovo. As the security continued to improve, the EU operation, "Proxima", initially composed of 200 police officers, was reduced to 140 in December 2004. As a result of the increasingly stable security situation in Bosnia and Herzegovina, NATO concluded the SFOR mission and handed the mission over to the EU (EUFOR mission "Operation Althea") in December 2004. With 7,000 troops, "Althea" constitutes the largest EU military mission to date. A revision of the operation is due for early summer this year and it is likely that "Althea", which is described as a 'great success', will be scaled down to perhaps 5,000 troops. NATO retains a small presence in the country, namely a 150-strong headquarters in Sarajevo, to assist with defence reforms, counter-terrorism efforts, and the apprehension of wanted war crime suspects.

15. Approximately 80 per cent of the EU force has derived from SFOR, and EU commanders aim to provide the same level of security in the country as SFOR. The main difference is in the chain of command of the new peacekeeping mission and, perhaps, in the duality of the EUFOR and NATO missions which share some operational tasks, but where EUFOR has the primary stabilisation role. A continued NATO and US presence was considered crucial by Bosnian officials, as ESDP had a relatively untested record and because of Europe's failure to handle the 1990s Balkan crises on its own. The first four months of activities of EUFOR have proved the effectiveness and credibility of the mission.

16. The EU already had experience in fielding police training and advisory missions in Bosnia and Herzegovina and in FYR of Macedonia, both undertaken in the ESDP framework. In Bosnia, approximately 850 international police personnel have served in the EU Police Mission (EUPM) since 1 January 2003.

17. Success in handing over the stabilisation mission in BiH from NATO to the EU is important not just for the country's future, but also for the precedent it may set for future potential handovers from NATO to the EU, for example in Kosovo and perhaps in Afghanistan. Moreover, "Althea" is an important test for the EU's ability to integrate its military, political and economic instruments. As such, it may shape the future development of ESDP.

18. In Kosovo however, the situation is much more complicated. The future status of the remains a pivotal and contested issue. The Albanian majority largely favours full independence, while the Serb minority in the province and the Serbian government in Belgrade oppose this. NATO and the EU continue to endorse the 'standards before status principle', i.e. that the province must first acquire internal stability and respect the criteria set out by UNSCR 1244 before its final status is decided. The Standards Review policy of 2003 remains the international community's agreed policy approach, despite the setback of the March 2004 violence in which 19 Serbs were killed and more than 900 people injured. To quell the violence, NATO had to deploy 3,000 additional peacekeepers to back up KFOR (Kosovo Force).

19. Following the Alliance's 78-day air campaign, the NATO-led KFOR was deployed in June 1999 to monitor, verify and where necessary, enforce compliance with the agreements that ended the conflict. Moreover, KFOR's task is to provide for a secure environment and to assist the UN

Mission in Kosovo (UNMIK). As security gradually improved, KFOR was able to be reduced from originally 46,000 troops to currently 17,000.

20. The UN-administered province is currently experiencing a time of political tension. Following the resignation last week of Prime Minister Ramush Haradinaj, who has been indicted for alleged atrocities committed during the 1998-1999 war, President Ibrahim Rugova escaped unhurt from an assassination attempt in mid-March. Within Albanian Kosovar public opinion there is increasing opposition towards international presence in the province.

21. There are talks of the change of the form of international presence administering the Serbian province (where the EU would possibly take the lead). The greatest obstacle for the further stage of the development of NATO's role in the region will, however, depend on the ability of the peacekeeping mission to secure a sustainable living environment for the non-Albanian minorities (i.e. the Serbs) which is, again, to an extent, related to the unresolved territorial status of the province as well as standards and institutional mechanisms for the protection of non-Albanian minorities.

22. The handover of operations in the Balkans is generally viewed as successful, although the transition from NATO to the EU was not completely without problems. The handing over of operations in FYR of Macedonia was at first hampered by the sharing of information and in the co-ordination phase. In BiH, the practical implementation of the handover has been more cumbersome than anticipated because a clear delineation of NATO and EU responsibilities took more time to achieve. A possible explanation for this is perhaps that the handover of operations in the Balkans is based on "Berlin Plus". However, "Berlin Plus" has never been intended for the EU to take on an existing NATO operation, but to start a new operation on its own with recourse to NATO assets. Much more serious problems arose due to so-called 'national caveats', or restrictions, which have severely hampered NATO's military ability in a number of operations. For example, only a third of KFOR troops were eligible to use force against rioting crowds during the March 2004 crisis in Kosovo.

23. Naturally, NATO's reduced presence coincides with the changing security situation but also because NATO and NATO member countries' troops are stretched to the limit in other areas of operation like Afghanistan, Iraq and elsewhere. The EU's higher visibility of the security of the Balkans also reflects an eagerness of the EU Security and Defence Policy to assert its role.

V. OUT OF AREA

24. Geographically, both NATO and the EU have become increasingly active outside Europe. Since the end of the Cold War, but particularly after 9-11, NATO has projected security beyond its traditional area of responsibility. Some of the Alliance's most important missions are in Afghanistan and in Iraq.

25. In Afghanistan, NATO is running the International Security Assistance Force (ISAF) mission, which is tasked to assist the Afghan government in maintaining security. Initially restricted to providing security in and around Kabul, the Alliance is now in the process of expanding the mission to cover other parts of the country. In Iraq, NATO provides intelligence, logistics expertise, movement co-ordination, force generation and secure communications support to Poland, which commands the Multinational Division (MND) Central South as part of the international stabilisation force. Moreover, NATO has set up a Training Mission in Iraq and will establish a training centre for senior security and defence officials. At the February 2005 Summit, all 26 NATO member countries agreed to contribute to NATO's assistance to Iraq.

26. Earlier, at the 2004 Istanbul Summit, NATO decided to increase its presence in Central Asia and the South Caucasus. Azerbaijan, Armenia and Georgia are PfP and PARP member countries.

27. Building closer ties between NATO and the Middle East has become a “strategic imperative”. NATO has elevated the Mediterranean Dialogue into a genuine partnership involving the seven Mediterranean participating countries: Algeria, Egypt, Israel, Jordan, Mauritania, Morocco and Tunisia. The overall aim is to contribute towards regional security and stability. This aim will be met by enhancing the Dialogue’s existing political dimension, achieving interoperability, assisting in defence reform, and contributing to the fight against terrorism.

28. The EU, too, has sought to play a security role beyond the Balkans. Between June and September 2003, responding to a request by the United Nations, the EU led an international 1,400-strong peacekeeping force in the Democratic Republic of Congo to protect aid workers and stop rebel fighting and atrocities. In December 2004, the EU announced it would deploy a small police mission to Congo in January 2005 to assist in setting up a Congolese police unit. In July of last year, the EU launched a small civilian rule of law mission in Georgia to assist the country’s judicial reform process. It is currently assisting an African Union (AU) peace operation in Darfur and could assist an AU operation in Somalia.

29. Moreover, the EU EUJUST LEX mission is to launch an integrated rule-of-law mission for Iraq. The mission falls under the scope of the ESDP and will consist of integrated training in the fields of management and criminal investigation for senior officials and executive staff from the judiciary, the police and the prison services.

30. The ESS recognises the borders of the Mediterranean, the Middle East and the Southern Caucasus as key regions for European security. Accordingly, the EU has a strong interest in the stability and development of the Southern Caucasus, which it clearly identifies as one of the regions in which the EU should take a “stronger and more active interest”.

31. The resolution of the Arab/Israeli conflict is a strategic priority for Europe, in order to deal with other problems in the Middle East. The Mediterranean area continues to undergo serious problems of economic stagnation, social unrest and unresolved conflicts. The EU’s interests require a continued engagement with Mediterranean partners in the framework of the Barcelona Process.

32. The EU’s European Neighbourhood Policy (ENP) will address the strategic objective of the EU set in the ESS of “building security in our neighbourhood” after the 2004 enlargement. The ENP is designed to prevent the emergence of new dividing lines between the enlarged EU and its neighbours. The ENP is a complement to the Barcelona Process/Euro-Mediterranean Partnership (EMP), whose objective is to strengthen political, security, economic and socio-cultural partnerships between EU and the 12 individual Mediterranean countries. It aims at offering them the chance to participate in various EU activities, through greater co-operation on political, security and economic issues as well as in cultural and education. Action Plans were drafted in 2004 in order to strengthen “the stability, security and well-being for all concerned”. It lists crucial instruments in the process of bringing each neighbour closer to the Union. The purpose of the Action Plans, based on individual country reports, will be to define a joint agenda for relations with the EU for the following three to five years, with the objective of deepening political co-operation and economic integration. Action Plans have already been negotiated with Israel, Jordan, Moldova, Morocco, the Palestinian Authority, Tunisia and Ukraine. The Commission has adopted country reports on and follows closely the developments in Egypt, Lebanon, Syria and the countries of South Caucasus.

VI. WMD PROLIFERATION AND TACKLING INTERNATIONAL TERRORIST GROUPS

33. Both NATO and the EU have identified the proliferation of WMD and terrorist groups as today's key security threats. Both institutions have decided to co-operate to combat internationally active terrorist groups and the proliferation of WMD. They pledged to work toward concerted planning of capabilities development. In this context, they have exchanged information on the protection of civilian populations against chemical, biological, radiological and nuclear attacks.

34. Further co-operation between the EU and NATO in the area of WMD proliferation could be in the areas of intelligence sharing, consequence management, NBC defence capabilities as well as non-proliferation policies.

35. A multinational co-operation that brings together France, Spain, Italy, Portugal, Malta, Algeria, Morocco, Tunisia, Libya and Mauritania has signed a declaration of interest and adopted an Action Plan for 2005 on maritime surveillance, civil protection and air safety to enhance security and fight terrorism in the Mediterranean. This initiative aims at complementing existing multilateral dialogue between these Maghreb countries, the EU in the context of the Barcelona process and NATO's Mediterranean Dialogue.

36. With regard to combating terrorist groups, military means can only be complementary, hence NATO as well as ESDP play more of a back-up role than that of a crucial part. However, the EU has a number of instruments outside ESDP that are important in this area, such as the European arrest warrant, agreement on data sharing via Europol's anti-terrorist cell, and Eurojust, designed to co-ordinate investigations and prosecutions between national prosecuting authorities. At the March 2005 Madrid anti-terrorism conference, EU President José Manuel Barroso said that the EU Commission is preparing additional terrorism initiatives, such as a centralised alert network, an alert network for the forces of order, a proposal for the information exchange between the forces of order and a network for the surveillance of critical infrastructure.

VII. CAPABILITIES

37. The question of capabilities has been central to the NATO-EU relationship. At the Prague Summit of November 2002, NATO approved the Prague Capabilities Commitment (PCC), a more focused document than the 1999 Defence Capabilities Initiative (DCI). PCC focuses on eight capability goals, targeting the Allies' principal deficiencies, particularly in the areas of strategic air and sealift, air refuelling, precision-guided munitions, secure communications ground surveillance systems and special forces. The Prague Summit also agreed on the establishment of a NATO Response Force (NRF) consisting of primarily European high-readiness troops. The NRF reached initial operational capability in October last year and is now ready to take on the full range of missions where and when the Alliance decides to use it. The NATO force, expected to reach its full operational capability of approximately 21,000 troops by 2006, combines elite land, air and sea units into a single force that can be deployed anywhere in the world in five days and sustain itself for up to a month on a wide range of missions.

38. The EU's Helsinki summit of December 1999 established the 'Helsinki Headline Goal', which envisaged the establishment of a force of 60,000 troops by 2003, deployable within 60 days and sustainable for up to 12 months. This European Rapid Reaction Force (ERRF) was to be capable of fulfilling the full spectrum of Petersburg tasks (humanitarian and peacekeeping operations). Although the force has been declared operational at Laeken in late December 2001, it remains clear that it is not yet fully deployable. Considering the evolution of the strategic context and the adoption of the ESS, a new "Headline Goal 2010" was established in May 2004.

39. The EU has announced the creation of a new concept in February 2004, which would lead to the launch of rapid reaction units, composed of joint 'battle groups'. In November 2004, the EU decided to set up 13 battle groups of 1,500 troops by 2007, capable of dealing with two separate crises a year and deployable within 15 days. A EU Defence Agency (EDA) that would focus on the development of defence capabilities, research, acquisition and armaments has been established. In effect, the 'Headline Goal 2010' aims to translate the ESS into concrete military objectives in order to fulfil the EU's capability development in the long term.

40. With very similar dimensions to the ERRF and drawn from the same, primarily European troop pool, clearly the troops would be 'double-hatted', usable for NATO or EU missions. Some pundits have therefore expressed concern that NATO and the EU might 'compete' for the use of these forces if there were simultaneous crises. In fact, the issue which organisation should have the right of first choice has not been addressed. Moreover, as SACEUR General Jones told members during the NATO PA's 2004 Venice Plenary NATO and the EU train their forces to different standards, with the EU placing more restrictions on the use of its forces than NATO.

41. In the context of ESDP, the EU also has decided to create civilian capabilities for crisis management. These include the creation of a 5,000-strong civilian police force (of which 1,000 can be deployed within 30 days), 200 rule of law experts, including international prosecutors, lawyers and judges (including a rapid response group capable of deployment within a month), civilian administrators, and civil protection consisting of 2 - 3 rapidly deployable assessment teams in case of natural and man-made disasters with a further 2,000 strong civilian protection intervention contingent.

42. To overcome existing capability gaps, the European Capability Action Plan (ECAP) has been initiated to devise strategies for remedying capability shortfalls. NATO experts provided military and technical advice starting from the preparations to the implementation of the ECAP. As both NATO and the EU strive to improve their capabilities, it is important that efforts made by both organisations are neither duplicative nor incompatible. NATO and EU capabilities planning and mutual reinforcement between the PCC and the ECAP are being addressed in the NATO-EU Capability Group, established in May 2003.

43. The creation of the European Gendarmerie Force (EGF) as agreed by France, Italy, Portugal, Spain, and The Netherlands late September 2004 is a case in point. The EGF, initially 900 police officers strong and designed to be ready for deployment on 30 days notice, can significantly improve the EU's peacekeeping capabilities. The EGF, which has its headquarters in Italy, could be used as a follow-up force to the battle groups and the ERRF, thereby making an important contribution to managing post-conflict situations. The five contribution member states have already announced that the EGF could be available to other international organisations, including NATO.

45. The April 2003 summit between Belgium, France, Germany and Luxembourg broached the idea of establishing a distinct European headquarters. At the height of transatlantic tensions over Iraq, it was seen as a statement of intent to establish greater EU autonomy. A compromise solution in November 2003 at the Naples summit established a small European planning cell in SHAPE and a small planning unit for the EU Military Staff. The planning cell for EU civil and military operations will become operational in June 2005. The cell is designed to allow EU stand-alone operations and will have a staff of 40.

46. As both NATO and the EU are hampered by capability shortfalls in a several key areas, your Rapporteur encourages member nations to increase defence spending to meet the PCC and the ECAP's identified goals. However, as a significant increase in defence investments appears unlikely in the short run, Europeans should "spend smarter" and try to cut duplication wherever possible. The European Defence Agency (EDA) can make an important contribution to that end.

47. It is designed to enhance European armaments co-operation by, among other things, harmonising military requirements, co-ordinating defence research and development and encouraging the convergence of national procurement procedures. However, because of established national structures and processes, as well as due to vested interests that will have to be overcome, progress is likely to be only gradual. The EDA will be successful if governments and parliaments muster the political will to build more efficient and effective forces. While the NATO-EU Capabilities Group has been successful in information sharing, a formal harmonisation of NATO's Prague Capabilities' Commitment and the ECAP could advance co-operation further.

48. Despite their institutional and other differences, NATO and the EU share very similar, if not identical, goals. Both are working together to prevent and resolve crises and armed conflicts in Europe and beyond. Both share common strategic interests and co-operate in a spirit of complementarity and partnership.

VIII. CONCLUSIONS

49. Except for the generally smooth running operations in BiH, the NATO-EU security partnership is currently experiencing serious difficulties. To overcome the current impasse, Cyprus and Malta should engage in a security relationship with NATO and apply for PfP as quickly as possible. Both countries are already members of the EU and your Rapporteur hopes that all NATO member countries would endorse their PfP membership without delay. In the meantime, NATO should not be hampered to meet, at all levels, with the EU in its full membership.

50. Re-establishing the NATO-EU dialogue to its full potential, particularly on the PSC-NAC level, will provide an opportunity to build on past agreements and deepen the existing partnership. As NATO is increasingly engaged in areas outside Europe, the EU could take on more responsibilities from NATO. Some pundits have already suggested "europeanising" BiH, perhaps also Kosovo. Improved co-operation between NATO and the EU is feasible in the defence against WMD attacks. NATO could include the EU in the information exchange on WMD proliferation as organised by its WMD Centre.

51. However, both organisations need to develop co-operation further. For example, both should work together to secure and stabilise the regions in Europe's neighbourhood. Therefore, NATO and the EU could agree on framework agreements on, for example, the Southern Caucasus, the Mediterranean, Afghanistan and, perhaps, Iraq. Framework agreements could avoid unnecessary duplication and promote complementarity between NATO and the EU.

52. The Alliance remains the platform for collective defence as well as for projecting credible military power in Europe and beyond. At the same time, the EU makes an increasingly important contribution to our common security. In addition, the EU could focus on homeland defence as well as on post-conflict stabilisation and reconstruction. NATO should engage the EU in co-ordinating assistance more effectively in the areas of defence reform, rule of law and other capabilities that will enhance security and stability in the areas bordering Europe. While NATO projects security and stability at its borders, the EU is also transforming societies in its neighbourhood. The prospect of EU membership is a powerful incentive for accepting EU norms.

53. The nature and complexity of today's security challenges call for a deeper co-operation between NATO and the EU. What the respective missions of both organisations will be in the future and which of the two will take the lead in which operations will very much depend on the instruments required to deal with upcoming crises.

54. The NATO-EU 'strategic dialogue' on crisis management as envisaged by "Berlin Plus" is currently on hold. In the current complex security environment, where demand for security outstrips available resources, it would be counterproductive if NATO and the EU were not able to improve their co-operation and reduce duplication and waste.
