

The EU 'Neutrals', the CFSP and Defence Policy

by

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Introduction¹

The European Union (EU) is trying to develop a Common Foreign and Security Policy (CFSP). According to the Treaty on European Union (TEU), or Maastricht Treaty, the CFSP "shall include all questions related to the security of the Union, including the eventual framing of a common defence policy, which might in time lead to a common defence" (art. J. 4).

The defence dimension was controversial when the Maastricht Treaty was negotiated in 1991 and it remains a controversial issue in the current Intergovernmental Conference (IGC) which is reviewing the Treaty.

The purpose of this paper is to study this defence dimension of the EU, in particular the attitudes of the EU's 'neutral' member states. When the TEU was negotiated there was one 'neutral' member state, viz. Ireland. But the latest enlargement added three 'neutral' member states, viz. Austria, Finland and Sweden. These 'neutral' countries are neither members of NATO nor the Western European Union (WEU). Further, at least two other member states which are members of NATO, the UK and Denmark, have been sceptical about developing the EU's defence dimension. While the UK is a member of the WEU Denmark is not. Both have been 'minimalists' in respect to the EU's defence dimension, emphasising the primacy of NATO.

Given the hesitancy of the 'neutrals' and the 'minimalists' what are the chances of developing the EU's defence dimension? Can we detect or expect some convergence of interests? Can these states block the development of the defence dimension? Or, will the remaining EU members move ahead leaving the 'laggards' on the sideline? Would a new 'flexibility' clause in the Treaty make the development of such a 'hard core' in European defence policy more legitimate. The latter questions concerning 'flexibility', however, will not be dealt with in this paper (see e.g. Laursen, 1994b, 1997).

The Maastricht Compromise

The current stipulations concerning EU defence policy can be found in art. J.4 in the Maastricht Treaty, i.e. within the second pillar of the EU on CFSP (Title V). These stipulations include the possibility of eventually framing a defence policy "which might in time lead to a common defence." The article assigns a special role to the WEU:

The Union requests the Western European Union (WEU), which is an integral part of the development of the Union, to elaborate and implement decisions and actions of the Union which have defence implications (art. J.4.2).

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Further, the Maastricht Treaty accepted the special status of Ireland and required compatibility with NATO policies:

The policy of the Union in accordance with this Article shall not prejudice the specific character of the security and defence policy of certain Member States and shall respect the obligations of certain Member States under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework (art. J.4.4)

The Maastricht Treaty was a compromise between divergent views. It was negotiated soon after the end of the Cold War.

When Chancellor Kohl and President Mitterrand had suggested the convening of an Intergovernmental Conference on Political Union in April 1990 they said that one of the objectives should be to “define and implement a common foreign policy” (Text in Laursen and Vanhoonacker, 1992: 276).

An Italian proposal of 18 September 1990 proposed “to transfer to the Union the competences presently being exercised by the WEU.” This would imply the following commitments:

- approve the principle of a security guarantee among Member States;
- extend our consultation and our coordination to defence and security matters and examine all practical measures to this end;
- involve the Defence Ministers and their representatives in the deliberations of the Union on matters related to security and defence;
- concert our policies on crisis outside Europe insofar as they may affect our security interests, including the possibility of joint initiatives aimed at ensuring the respect of relevant decisions of the UN Security Council;
- consult and coordinate our policies in the field of disarmament and arms control, with a particular reference to negotiations in the framework of the CSCE process;
- develop industrial and technological cooperation in the military field;
- consult on arms sales to third countries (Text in Laursen and Vanhoonacker, 1992: 292).

A Franco-German proposal that CFSP should extend to all areas of external relations implied “the aim of setting up a common European defence system in due course without which the construction of European Union would remain incomplete.” More concretely:

The possibilities given by the Western European Union should be put to use. WEU would become the cooperation channel between Political Union and NATO with a view to ensuring mutual reinforcement of European or trans-Atlantic security structures (Text in Laursen and Vanhoonacker, 1992: 333)

So the French and Germans did not go as far as the Italians. Instead of merging the WEU with the EU they wanted to use it and make it more operational.

Early in the negotiations, in February 1991, Italy again proposed that the WEU should be merged with the EU. In order to develop a common defence policy gradually there should be

... close and harmonious co-ordination with the activities of the WEU, with a view to enlarging and reinforcing the WEU and gradually integrating it into the Community/Union, and merging the WEU with the Community/Union, possibly in 1998. To this end, the WEU [should] be placed under the authority and the aegis of the European Council (Text in Laursen and Vanhoonacker, 1992, pp. 322-324).

But merging the WEU with the EU turned out to be a too radical proposal in 1991. The Italians eventually realised that. In October 1991 they sponsored a Declaration on European Security and Defence together with the UK:

Political union implies the gradual elaboration and implementation of a common foreign and security policy and a stronger European defence identity with the longer term perspective of a common defence policy compatible with the common defence policy we already have with all our allies in NATO (Text in Laursen and Vanhoonacker, 1992, pp. 313-14).

It referred to the "special relationship" between Europe and the United States as "a key element of the European identity." The transatlantic relationship was seen as "an integral part of the broader idea of Europe which is reflected in the CSCE process." The WEU should become the defence component of the Union as well as the European pillar of the Alliance. The Anglo-Italian declaration also suggested that the members of the WEU should develop a European reaction force "capable of responding flexibly in a range of possible circumstances outside the NATO area." Such a reaction force would be "autonomous, separate from the NATO structure." It would have its own planning cell and political control would be exercised by WEU Ministers.

The Anglo-Italian declaration was followed within a few days by a Franco-German initiative, which said that the CFSP "in the long term, would include a common defence", and which further said that the WEU should be seen as "an integral part of the process of European Union" (Text in Laursen and Vanhoonacker, 1992, pp. 417-18).

In the end the Maastricht compromise borrowed from these different proposals. The position of WEU in the Maastricht Treaty is equidistant between NATO and the EU, as the European pillar of the former and the defence component of the latter.

The Maastricht Treaty foresaw a review conference in 1996. This IGC currently under way should *inter alia* "examine whether any ... amendments need to be made to provisions relating to the common foreign and security police" (art. J.10). More specifically the defence dimension should be reviewed:

With a view to furthering the objective of this Treaty, and having in view the date of 1998 in the context of Article XII of the Brussels Treaty, the provisions of this Article may be revised as provided for in Article N(2) on the basis of a report to be presented in 1996 by the Council to the

European Council, which shall include an evaluation of the progress made and the experience gained until then (art. J.4.6).

The New Security Environment and Institutional Adaptations

The end of the Cold War altered the European security environment. After the fall of the Berlin Wall in 1989 the Warsaw Pact was dissolved and eventually the Soviet Union collapsed at about the same time as the Maastricht deal was struck in December 1991. The Soviet threat that had dominated the Cold War era was gone, but new conflicts, including ethnic and national conflicts in Eastern Europe emerged. Yugoslavia started breaking apart during the Maastricht negotiations. How should Europe's security institutions adapt to the new situation?

NATO started adapting at the Summit in London in July 1990. The adaptation first included a reduced forward presence and reduced reliance on nuclear weapons. Diplomatic contacts with Central and Eastern European Countries (CEECs) were established. The following year at the Summit in Rome in November 1991 the Heads of State and Government adopted a document entitled "The Alliance's Strategic Concept" (NATO, 1995: 235-248). According to this document there were still risks in the new Europe, including "instabilities that may arise from the serious economic, social and political difficulties, including ethnic rivalries and territorial disputes" in Eastern Europe. NATO would maintain a collective defence capability, but the political side of the Alliance's activities was becoming more important.

At the Council meeting of NATO in Brussels on 17 December 1992 the Alliance defined two new principal functions:

- (1) projection of stability in Central and Eastern Europe and in Central Asia through the North Atlantic Cooperation Council (NACC) which had been set up in December 1991,
- (2) Crisis management and peace-keeping on a case-by-case basis and under the aegis of the UN (Dumoulin, 1994c).

Adaptation of the WEU also started to prepare it for the role assigned to it in the Maastricht Treaty. At the time of the Maastricht summit the member states of the WEU also adopted a "Declaration on the role of the WEU and its relations with the European Union and with the Atlantic Alliance." The WEU would develop as the defence component of the EU and as the European pillar of NATO. In particular, the WEU would (1) formulate a European defence policy and carry forward its concrete implementation through the further development of its own operational role; (2) promote the introduction of joint positions of its members into the Alliance's consultation mechanisms (WEU, 1995: 13). The WEU also decided to transfer the seat of its Council and its secretariat from London to Brussels, which happened in January 1993.

The WEU Ministers of Foreign Affairs and Defence then met at Petersberg outside Bonn in June 1992. In order to strengthen the operational role of the WEU they decided to establish a planning cell and make military units available for the WEU. The missions of the WEU, apart from common defence in accordance with article V of the modified Brussels Treaty, would now also include humanitarian actions, peace-keeping

activities and crisis management missions, including operations to re-establish peace (Dumoulin, 1993). The latter have now become known as the Petersberg tasks.

In the new Europe 'soft security' type missions like the Petersberg tasks were becoming more important. The traditional 'collective defence' and strategic deterrence functions were becoming less important.

In connection with this paper this raises the question: If the 'neutrals' keep having problems with joining a collective defence organization like NATO, could they take part in a European organization for humanitarian action, peace-keeping, and crisis management? If the Petersberg tasks were to become the most important functions in a new WEU, why shouldn't the 'neutrals' be able to join?

At the moment the WEU still has 'only' 10 members. Neutral EU members and Denmark have become observers. NATO members that are not members of the EU, Norway, Iceland and Turkey, have become associate members. The 10 CEECs that are candidates for EU membership have become associate partners.

The Preparation of the IGC '96

In preparation of the IGC '96 all EU institutions prepared reports and a so-called Reflection Group of representatives from the member governments, the Commission and the European Parliament was set up to prepare a report for the conference.

The Commission Report was critical of the operations of the second pillar in general. Concerning the connection between the EU and the WEU the Commission said that it had not operated satisfactorily. "The connection has been used rarely and with limited success."

In practical terms, the use made of Western European Union so far in joint actions under the common foreign and security policy has been limited to the provision of a policing contingent for the administration of Mostar (European Commission, 1995: 69).

The WEU was supposed to complement the CFSP. But the security and defence dimension had "yet to take effective shape" (ibid., p. 70).

The Reflection Group acknowledged the shortcomings of CFSP but could not agree on the causes of these shortcomings. A majority saw structural problems. Others found the problems in lack of political will.

Concerning security and defence the Reflection Group noted the new security environment:

The end of the cold war has meant changes in the issues facing defence. Nowadays, together with the conventional aspect of defence as a safeguard for **territorial integrity**, increasing significance attaches to a **new aspect** centering around internal civil strife, protection of minorities, human rights violations, ecological disaster risks, irresponsible use of new technology, etc. (Reflection Group, 1995: 30)

The report referred to the next enlargement which would bring "a quantitative and qualitative change in the Union's security and defence."

The basics of the Maastricht compromise seemed to remain valid:

As regards **territorial defence**, the Group is agreed on the vital importance of **NATO's** role. The message must be pressed home to our allies that the Atlantic Alliance is and will remain as essential component of collective security in Europe. It is for the **WEU** to develop a **European security and defence identity** progressively as the European pillar of NATO. That European defence identity also needs to be able to respond to the new aspect of defence through the tasks defined in the Petersberg Declaration (ibid.)

Consensus should remain the rule in defence matters, the Reflection Group agreed. However, to avoid paralysis the Group suggested the application of some flexibility, namely "the rule that no-one can be obliged to take part in military action by the Union, nor can anyone prevent such action by a majority group of Member States." The laggards should accept what has been called a coalition of the willing. Further, "States not participating should show solidarity with the action taken, both financially and politically" (Ibid., p. 31).

Concerning EU-WEU relations there were divergent views: "A minority school of thought in the Group holds continued autonomy for the WEU to be the only option possible for the foreseeable future since it allows defence matters to be kept clearly within the intergovernmental sphere, etc." We may presume that this group included the UK. More specifically,

A number of members, chiefly representing countries which are not members of the WEU, do not think a merger feasible, at any rate not in the foreseeable future. The reason for this is that their countries' special position does not allow them to take on all of the obligations under the Brussels Treaty, in particular the automatic territorial guarantee in Article V. On the other hand, they do seem prepared to give favourable consideration to participation in the Petersberg tasks (Ibid., p. 31).

However, despite the 'minimalism' of the UK, Denmark and the 'neutrals' there was a majority in favour of gradually integrating the WEU in the EU:

... a majority of members see the way to the establishment of a genuine European security and defence identity as lying in the progressive integration of the WEU into the EU with its two potential aspects: territorial defence under the Article V guarantee and the new aspects of defence (Petersberg tasks). Such a merger follows logically from the Treaty and is the only means of achieving consistency between political union, foreign policy and defence (Ibid.).

A merger of the EU and WEU would reflect "all-round solidarity".

Some members suggested to establish a timetable, others thought it sufficient to set a date for discussing a final merger in the future. Some members suggested intermediate arrangements between autonomy and integration, making the WEU subordinate to the EU. It was also suggested that the Petersberg tasks could be included in

the Treaty. Certain states could be given a temporary derogation in respect to territorial defence. This could be done through a protocol to the Treaty.

The Attitudes of the 'Neutrals'

What then has happened to the positions of the 'neutrals' after the IGC got under way in the spring of 1996?

Ireland

Ireland was the first 'neutral' country to join the European Communities in 1973. Membership was accepted by a referendum on 10 May 1972, where 83% of the Irish voted in favour of membership. The then existing European Political Cooperation (EPC) was outside the Community framework and did not deal with defence issues. This was emphasised by the Irish government at the time. So Irish neutrality, which was a way to express the country's sovereignty and independence from the UK, was not affected (Van Wijnbergen, 1992: 128).

Irish politicians were critical of the Genscher-Colombo proposal in 1981 which included the idea of developing a European security policy. During the Falklands crisis the *Fianna Fáil* Government would not support economic sanctions against Argentina because such sanctions were considered to conflict with neutrality (Ibid.: 129).

Within EPC the London Report in 1981 added "political aspects of security" to what could be discussed. The Solemn Declaration of Stuttgart of June 1983 - the meagre outcome of the Genscher-Colombo proposal - made this "political and economic aspects of security." In the Dooge Report prepared in 1985 Senator Dooge of Ireland included a footnote saying that Ireland did not agree to the inclusion of security and defence.

EPC was given a treaty basis in the Single European Act (SEA) in 1986. The SEA confirmed that EPC included discussions of "economic and political aspects of security" but not defence as such. The Irish Supreme Court ruled that the provisions concerning EPC in the SEA could not be ratified without a constitutional change by referendum. The SEA was accepted by a referendum in Ireland in 1987, where military aspects were decoupled from the political and economic aspects of security through declarations. 69.6% voted in favour (Ibid.: 130).

The Maastricht Treaty which turned EPC into CFSP added defence policy. It too was accepted in Ireland by a referendum. There was a Yes-vote of 69% on 18 June 1992. The most controversial issue in the debate was actually not defence policy, but abortion. The phrase that the Union's defence policy "shall not prejudice the specific character of the security and defence policy of certain Member States" and the fact that actions with defence implications are referred to the WEU contributed to making it possible for the government to secure the Yes-vote (Van Wijnbergen, 1994: 181).

During the preparation of the IGC '96 the Irish Minister for Foreign Affairs Dick Spring addressed the Paasikivi Society in Helsinki on 3 October 1995. Among the challenges he mentioned the EU's contribution to the preservation of international peace and stability. The establishment of CFSP had been "an important step in equipping the Union with the capacity to pursue these aims more effectively" (Spring, 1995: 5). The development of CFSP was one of the key issues at the IGC. Coming to the questions of

security and defence he said that Ireland and Finland had much in common. Both countries have

- always contributed to efforts to enhance collective and cooperative security through the UN and the OSCE;
- have contributed to international peacekeeping efforts above and beyond what might be expected of countries of our size;
- share a strong commitment to the rule of law, human rights, disarmament and development issues; and
- have remained outside military alliances (Ibid.: 11).

He referred to the end of the Cold War, which had reduced the risk of nuclear confrontation, but Europe's security remained uncertain. He believed that Europe now had "a unique opportunity to develop a security architecture that avoids the dangerous divisions of the past." Referring to the Maastricht Treaty he said that a key question was the consideration of the "eventual framing of a common defence policy, which might in time lead to a common defence." Ireland's approach to these questions at the IGC would be based on a number of principles, *inter alia* the following:

- The primary objective of the common security and defence policy must be the preservation of peace in accordance with UN and OSCE principles
- EU security and defence arrangements must form part of a comprehensive cooperative security framework in Europe, and must not lead to new divisions in Europe
- European security and defence policy must be compatible with Ireland's objectives in the areas of disarmament and arms control
- The outcome of any negotiation that would involve Ireland's participation in a common defence policy will be put to the people in a referendum. This will ensure that Ireland's policy of military neutrality remains unchanged, unless the people themselves decide otherwise (Ibid.: 13).

The latter point of course opens the possibility of a change in Irish policy, should the negotiation dynamics of the IGC make it necessary.

In 1996 the Irish Department of Foreign Affairs published a White Paper on Foreign Policy. In the section on international security it said that "the majority of the Irish people have always cherished Ireland's military neutrality." That policy had served Ireland well. The Government, therefore "will not be proposing that Ireland should seek membership of NATO or the Western European Union, or the assumption of their mutual defence guarantees" (Ireland, 1996: 118-119). Ireland's observer status in the WEU was mentioned and in a reference to the Petersberg tasks it was stated: "It is desirable and right that Ireland should be prepared to make a contribution to such requests in areas where it has a proven capacity and experience" (ibid.: 139). However,

Participation in humanitarian and peacekeeping operations through the WEU would not involve Ireland in defence commitments of any kind under the WEU treaty and would not therefore have implications for our policy of military neutrality (ibid.: 140).

So remaining militarily neutral was still the Irish policy.

Austria

Austria had its neutrality accepted by all big powers in 1955. Neutrality allowed Austria to remain outside the East-West conflict in Europe.

In June 1992 when Austria was seeking membership in the EU the Austrian government declared its preparedness “to participate in the CFSP and its dynamic development actively and in a spirit of solidarity.” Referring to the role assigned to the WEU in the Maastricht Treaty the Austrian government added: “On the occasion of its accession to the EU Austria will draw the appropriate conclusions from this fact” (quoted from Kaiser, 1995: 421). After the 1994 election the government announced that it would become a WEU observer from 1995.

Austria joined the EU on 1 January 1995 together with Finland and Sweden, accepting thus Title V of the Maastricht Treaty.

According to one student of Austrian defence policy, “Austria tends to give up its neutrality more and more to be part of a new European security system” (Gärtner, 1995: 130).

In the Austrian position paper to the IGC four priority tasks are mentioned in respect to CFSP:

- strengthening the coherence between the various aspects of external relations
- developing joint planning and analysis capacities
- improving the efficiency of decision-making and the ways in which CFSP decisions are implemented
- progress in the development of a common security and defence policy, especially by enhancing the capacity for action in the areas of conflict prevention, crisis management, peacekeeping measures, disaster relief and humanitarian action (Austria, 1996: 3)

On the latter point Austria will “work towards its full participation in effective European security structures.” By joining the EU Austria has also committed itself to a common defence policy:

Under this policy and in the interests of further convergence between the EU and the WEU Austria at the Intergovernmental Conference will inter alia advocate that the WEU can be subordinated to explicit guidelines or instructions of the Union for the purpose of what is known as the “Petersberg tasks” (Austria, 1996: 13).

All this suggests a rather flexible Austrian position.

Finland

Finland is the one country among the 'neutrals' that joined in 1995 that had the clearest security reasons for seeking membership of the EU after the end of the Cold War had made this step possible. Finland has a 1200 km border with Russia.

"The development of the Union's Common Foreign and Security Policy is still a sensitive issue for a formerly neutral country such as Finland" wrote a researcher at the EU Secretariat of the Ministry for Foreign Affairs in Helsinki (Stubb, 1996: 13). We notice the words 'formerly neutral'.

In September 1995 the Finnish Ministry for Foreign Affairs published a memorandum concerning Finnish points of view with regard to the 1996 IGC. In a brief section on the defence issue it was stated:

All the EU Member States consider that inter-governmentalism and unanimous decision-making be the main principles guiding the handling of defence issues. At this point, it is not thought necessary to extend military cooperation beyond the Petersberg tasks. The question of setting up a common defence (Article J.4) is therefore unlikely to be dealt with at the IGC (Finland, 1995).

This was of course an early prediction from the Finnish side. Should it turn out to be correct it might be convenient for the 'formerly neutral' country.

A report to the Parliament by the Council of State in February 1996 was a little more specific:

It is beneficial from Finland's perspective that military crisis management is part of the Common Foreign and Security Policy, in which all of the Member States participate on an equal footing in the making of decisions. All EU Member States should have an equal opportunity to participate also in the implementation of decisions relating to crisis-management operations conducted within the CFSP. Nevertheless, a Member State's right to decide independently in questions relating to its security must be respected. The objective must be effectiveness of collective action by the Union. At the same time, the right of each Member State to decide independently whether to participate in an operation must be ensured. The capability of the Union will become more effective as the coverage of the Common Foreign and Security Policy increases. This will strengthen the security of the Union and its Member States.

In the definition of relations between the EU and the WEU it is important from Finland's perspective that the political leadership role of the Union is guaranteed. The WEU should be an instrument of the Union's Common Foreign and Security Policy, an instrument with the aid of which decisions relating to military crisis management are implemented. In Finland's view, implementing this objective is one of the central tasks of the IGC in the CFSP area (Finland, 1996: 41).

Many words, yet leaving some doubts about the actual Finnish positions. Finland is positive towards CFSP and in some respect also towards the WEU. Finland wants the EU to play an active and efficient role in crisis management in Europe. But Finland seems to hesitate when it comes to the means. Could Finland join the WEU? Could the WEU be merged with the EU? These questions remained rather unanswered in the Report to the Parliament.

Then in April 1996 Finland and Sweden put forward a joint memorandum on the development of the security and defence dimension of the EU. In this memorandum the two states indicated the willingness to reinforce the links between the EU and the WEU in respect to the Petersberg tasks.

The proposed new step was that the EU should “assume the necessary role in military aspects of conflict management”. The EU therefore should have “an appropriate competence for taking relevant decisions.”:

The arrangement will have to provide for participation by the EU member-states in joint peacekeeping and crisis management operations, which will be conducted by the WEU, on the basis of equal opportunity for all and full contribution by the willing (Finland and Sweden, 1996).

The proposal was to add humanitarian and rescue operations, peacekeeping and crisis management, i.e. the Petersberg tasks, to the scope of CFSP in article J.4(1) and then reinforce the institutional link between the EU and the WEU in article J.4(2). Decisions would be taken by unanimity within the EU. Implementation would take place by the WEU. “No capability will be created within the EU for planning, organizing or using military resources”. Decision on committing and contributing forces would be voluntary.

In an article by Ministers for Foreign Affairs Lena Hjelm-Wallen and Tarja Halonen in *Helsingin Sanomat* and *Dagens Nyheter* the EU was seen as a model for democracy and integration. Yugoslavia had given significant lessons. New threats stemming from domestic conditions had emerged in Europe. In this new situation the EU had to “be in a position to apply the whole gamut of instruments, from conflict prevention measures of various kinds to armed peacekeeping actions.”:

For the EU to be able to engage in military crisis management there must be a closer linkage with the peace-promoting activities of the Western European Union (WEU). We propose a solution allowing all EU Member States to take an equal part in decision-making and execution of the operations that the WEU carries out on behalf of the EU. A merger of the EU with the WEU is on the other hand not on the agenda, nor would it be consistent with Finland’s and Sweden’s policy of non-participation in military alliances (Hjelm-Wallen and Halonen, 1996).

The two countries made a clear distinction between art. V type collective defence, on the one hand, and crisis management (the Petersberg tasks), on the other. The EU should be able to make decisions on the latter, but still delegate implementation to an autonomous WEU. The EU itself should not develop a military capacity.

Sweden

As the joint memorandum from Finland and Sweden suggests, Sweden follows a line similar to Finland on the security and defence dimension.

When the IGC was under preparation the Swedish government produced a report which was transmitted to the Parliament on 30 November 1995. The report mentioned the need to work against instability in Europe. Peacekeeping, emergency aid and crisis management in a broad sense should be given high priority by the EU states. It was this kind of activities which should be in the foreground in the discussion about defence policy at the IGC. References were made to the Maastricht Treaty and the WEU's Petersberg Declaration of 1992. But the report clearly said that Sweden did not intend to become a member of the WEU because of the WEU Treaty's collective defence guarantees. During Swedish membership negotiations Sweden had emphasised that a common defence policy was a long-term goal. Sweden had said that it was not its aim to hinder a development in that direction. At the same time Sweden had maintained that it was not ready to accept military security guarantees. So Swedish participation in a common defence was out of question. In these questions Sweden had a right of veto concerning her own participation. Sweden's military non-alliance remains valid. The aim is for the country to stay neutral in case of war in the vicinity of Sweden. Sweden has joined the WEU as an observer. And Sweden is ready to take part in certain WEU peace-keeping activities requested by the EU. Such participation will in each case be based on a national decision (Sweden, 1995: 33-35).

The report also argued that it was now a question of strengthening the capacity to act together in respect to peace-keeping activities. The EU capacity for analysis and early detection of conflicts could be improved. Even the WEU operative capacity could in some respects be improved. All EU member states should have the right but not the obligation to take part in peace-promoting operations. According to Swedish law such activities should be based on a mandate from the UN Security Council or the OSCE. Peace-enforcing activities should only take part on the basis of a mandate from the Security Council.

One of the results of the IGC should be a closer cooperation and a stronger coordination between the EU and WEU in respect to peace-keeping and humanitarian tasks. But a distinction should be made between defence guarantees and peace-promoting activities. As a militarily non-aligned country Sweden could only take part in the latter.

In a report from a parliamentary committee published in February 1996 the view was taken that Sweden as a militarily non-aligned country cannot take part in common defence, but Sweden should not hinder other countries from going forward towards such a goal. Also, Sweden ought to be able to take part in peace-keeping operations within the frame of the so-called Petersberg tasks (Sweden, 1996: 50).

It was in April 1996 then that Sweden and Finland put forward a joint proposal on the EU-WEU relations and the Petersberg tasks as referred to above under Finland.

In a speech on 31 October 1996 to the Federación Internacional de Casas de Europa in Madrid the Swedish IGC negotiator Gunnar Lund referred to the scepticism of public opinion about the EU in Sweden. Sweden therefore wants to "re-orient the European Union and its work so as to make it more relevant to the everyday needs and concerns of its citizens" (Lund, 1996: 6). In its efforts to make the EU more legitimate Sweden has concentrated its efforts on "the issue of jobs and unemployment, on pursuing a policy of

making the workings of the Union and its institutions more open, simple and transparent and on clarifying the possibilities of giving priority to environmental requirements.” Further, Sweden has “given priority to developing a capacity for the Union and its Member States to tackle new challenges to Security in Europe more effectively.” In the latter respect reference was made to the Swedish-Finnish initiative of including the Petersberg tasks in the Treaty:

Sweden and Finland sees a need to forge closer links between the EU and the WEU in order to enhance the Union’s capacity in this field. Our proposal will give all contributing states insight and influence, not just those states that are members of alliances (Lund, 1996: 8)

The Irish and Dutch Presidency and 6-Country Proposals

On 5 December 1996 the Irish Presidency put forward a general frame for a new draft treaty. Chapter 12 dealt with security and defence. In an introductory background it was stated that the proposal took the existing institutional situation in Europe in the security field, which is gradually developing, into account. The Presidency said that consensus was emerging that the Union ought to have an improved capacity to pursue EU goals that can lead to the use of military means on the basis that the implementation of such objectives will be up to the WEU within the framework of a development of already existing treaty relations between the EU and the WEU. There seemed to be a clear political will to make progress in this area, especially by including the Petersberg tasks in the Treaty (CONF/2500/96: p. 80). The text therefore included proposals for closer institutional relations between the EU and the WEU, incorporation of the Petersberg tasks in the Treaty and a confirmation that decisions in this area would be based on unanimity.

In a paper from the European Commission’s IGC Task Force dated 5 March 1997 the following was said about the IGC discussions of the defence issue:

Discussions are more clearly focused than expected. The Petersberg missions will be incorporated into the Treaty, though the final wording has not yet been settled. This would enable the military non-aligned countries to take part in these missions, alongside the WEU countries, and bring closer the situation in which political decisions are taken by the Union and implemented by the WEU. There are plans for stronger links between the EU and the WEU, though the idea of gradually integrating the WEU into the EU is on hold for the moment (European Commission, 1997)

In a note from the Danish Foreign Ministry to the Europe Committee of the Danish Parliament dated 10 March the negotiation situation in respect to security and defence was outlined this way: The Dutch Presidency wants to write the Petersberg tasks into the Treaty and establish closer institutional links with the WEU. The Presidency’s position was seen as being close to the position of the four neutral members. France, Germany, Italy, the Benelux countries, Spain and Greece wanted to go further, while Portugal expressed itself in careful terms and the UK argued against changes in the relations between the EU and WEU. The Foreign Ministry concluded: It therefore seems

that the outcome of the continued discussions especially will be decided by the firmness of the British attitude, since, in this area, contrary to certain other areas, it does not seem possible to establish “flexible” solutions without the UK (Denmark, 1997).

A note of 19 March 1997 from the Dutch presidency included a new article J.6 (former J.4). A common defence policy, in the perspective of a common defence, “shall include humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking” (CONF/3848/97: p. 37). The text further said that the WEU “is an integral part of the development of the Union with the objective of gradual integration of the WEU into the Union. The Union shall accordingly foster closer institutional relations with it.” And “the Union will avail itself of the WEU to elaborate and implement decisions and actions of the Union which have defence implications.” It was further specified that “all Member States of the Union shall be entitled to participate fully in the tasks in question.” But the provisions “shall not prevent the development of closer cooperation between two or more Member states on a bilateral level, in the framework of the WEU and the Atlantic Alliance.”

Compared with the Maastricht Treaty the main changes were to write the Petersberg tasks into the treaty and establish closer links between the EU and WEU, without specifying exactly how. The verb was changed from “requests” to “will avail itself of” the WEU. And non-WEU members would have certain rights.

At the same time the Presidency stated that several Member States had announced that they would table joint proposals on the relationship between the EU and the WEU, which might lead to further elaboration by the Presidency of its proposal.

A 6-nation proposal followed soon afterwards from Germany, France, Italy, Spain, Belgium and Luxembourg (CONF/3855/97). It was presented in Rome on March 25, 1997, when the EU celebrated the 40th anniversary of the Treaty of Rome. The 6-country proposal went further than the Presidency text:

The common defence policy shall include the framing of principles, aims and means in the defence field.

The Petersberg tasks (humanitarian tasks, rescue tasks, peacekeeping tasks, tasks of combat forces in crisis management, including peacekeeping) shall be the first expression of a common security and defence policy. Armaments policy shall be an integral part of the common defence policy.

First of all the 6-country proposal suggested a gradual integration of the WEU into the EU. This would happen in three phases, the length of which were not specified.

Phase 1 would start upon the entry into force of the new Treaty. In this phase the European Council would develop guidelines for the common defence policy. To deal with crisis situations closer consultation and decision-making links between the WEU and EU would be established.

During the second phase, “the WEU shall remain responsible for the implementation of military actions of the Union in the field of crisis management, whereas the Union shall assume the decision-making power, binding also the WEU, to initiate the action.”

Finally in phase three the WEU would be incorporated into the EU. This would include a transfer of the modified Brussels Treaty’s art. V, the mutual defence

guarantee. Also, at this stage relations between the EU and NATO would be intensified to make sure that existing cooperation between the WEU and NATO is developed further.

It has been suggested that the motors behind the 6-country proposal were France and Italy and that the crisis in Albania was the immediate background. It was also reported that the six could count on Dutch support even if the Netherlands, having the EU Presidency, could not take part in the initiative (Seidelin, 1997a).

Reaction of the Neutrals and Minimalists to the 6-Country Proposal

The day before the 6-country proposal on the integration of the WEU in the EU was presented in Rome British foreign secretary Malcolm Rifkin said that the UK would block the initiative. He said that any proposal to give the CFSP real teeth would be “totally unacceptable” if it involved merging the EU and WEU. According to a press report stages one and two of the plan would each take three years. Apart from the UK the proposal was also resisted by Denmark and the EU’s four neutral countries: Austria, Finland, Ireland and Sweden. The British said that it was impossible to draw a line between peacekeeping and peace enforcement and other forms of military action. Giving the neutrals a say in WEU decision-making would effectively make the organisation impotent (AFP, 1997).

“For Finland and Sweden the [6-country] proposal is hard to accept, as it would mean becoming members of a defence alliance through the back door,” said an article from *Hufvudstadsbladet* carried in the same issue of the *Daily News* from Finland’s Ministry for Foreign Affairs on the internet. Sweden’s Minister for Foreign Affairs Lena Hjelm-Wallen spoke critically of the proposal when it was put forward in Rome and said that she thought that it came unsuitably and would hamper expansion (*Hufvudstadsbladet*, 1997).

The Irish Foreign Minister also said “no thanks” to the proposal. Even the WEU Secretary General Jose Cutileiro was reported to have doubts about the idea (Seidelin, 1997b).

According to an article in *The Financial Times* Sweden was seen as the country among the “neutral” states which would have the greatest difficulties with the 6-country proposal: “Sweden in particular faces a domestic backlash if it agrees to proposals threatening its neutrality” (Southey and Barber, 1997).

Given the UK and other opposition to the 6-country proposal an editorial in *The Financial Times* on March 25 said that the most France and Germany can hope is a slight strengthening of the Maastricht language, as in the existing Dutch draft.

Probably Austria is by now the most flexible among the EU neutrals. In connection with a WEU meeting in Paris the Austrian Defence Minister Werner Fasslabend stated on May 13, 1997, that he believed that Austria would become a member of both NATO and the WEU:

It is my belief that it is only a matter of time until we come to full membership, otherwise Austria loses all possibility of influencing major decisions (Reuters, 1997).

He thought that his country would review the question after the expected invitation from NATO in July 1997 to some Central and Eastern European Countries to join. “An effective security policy without full participation in the WEU and NATO is not possible,”

the Austrian Defence Minister added. Further, he added that he believed that other “neutrals” such as Sweden and Finland would also soon change their position and apply to join the defence organisations.

The European Policy Centre in Brussels has followed the positions of the actors in respect to a number of issues on the IGC agenda. They asked two questions concerning the main issues dealt with in this paper: Whether to include defence in the Treaty, and whether to merge the WEU into the EU. The latest positions published are given in table 1.

Table 1: Actor Positions on Defence and the WEU

		Merge WEU into EU	
		YES	NO
Include Defence	YES	Belgium France Germany Greece Italy Netherlands Spain (Commission European Parliament)	Austria Luxembourg * Portugal
	NO		Denmark Finland Ireland Sweden UK

Source: Adapted from European Policy Centre, *Challenge Europe*, Issue 12 (January/February 1997).

* Luxembourg sponsored the 6-nation proposal on gradually integrating the WEU into the EU put forward on March 1997 so it should now be in the north-west cell.

It is not clear exactly how “include defence” has to be understood. Presumably it means including a mutual defence obligation like the one existing in the NATO and WEU treaties (article 5 in both cases). This explains that the south-west cell is empty: You cannot merge the WEU into the EU without including art. V, but you could include an article V-type obligation in the Treaty without merging the WEU into the EU. The table suggest Austria’s special position in relation to the “neutral” countries and Portugal’s special position in relation to the continental European integrationists.

The Arrival of the Labour Government in the UK

The Labour Party which won the elections in the UK on 1 May 1997 had stated in its Manifesto that the Party would give Britain a leadership role in Europe. The agenda for reform included rapid completion of the single market, high priority for enlargement, urgent reform of the Common Agricultural Policy, greater openness and democracy in EU institutions, Britain’s signature of the Social Chapter, but also:

Retention of the national veto over key matters of national interest, such as taxation, defence and security, immigration, decisions over the budget and treaty changes, while considering the extension of Qualified Majority Voting in limited areas where that is in Britain’s interest (UK, Labour, 1997)

The new Minister for Europe, Doug Henderson, took part in a meeting in the IGC Working Group of Personal Representatives in Brussels on 5 May 1997. In his opening statement he said:

We are committed to making the Common Foreign Policy more effective. We would like to see improved coordination and presentation (sic), and an enhanced planning capacity in the Secretariat.... We are prepared to see the Petersberg tasks included among the issues covered by the CFSP, with the WEU implementing decisions with defence implications. We favour improved practical arrangements so that the WEU and EU can work effectively alongside each other, as separate institutions. We regard NATO as the primary framework for common defence for all members of the Alliance ((Henderson, 1997).

So even after the arrival of Tony Blair the UK was expected to maintain its opposition to the integration of the WEU in the EU. Referring also to “neutral” opposition Lionel Barber wrote on May 6: “For this reason, say insiders, the Paris-Bonn plan is dead” (Barber, 1997).

A meeting of the WEU in Paris 12-13 May gave a chance for the members of this organization to discuss European defence policy.

Reuters reporting prior to the meeting suggested that there had been a change in French policy:

France, pushed by its experiences in the Gulf war and Bosnia and the spiralling cost of defence equipment, has dropped ideas of trying to create a separate European defence role around the WEU (Edinger, 1997).

Reference was made to the concept of Combined Joint Task Forces (CJTF) adopted by NATO in January 1994 and according to which NATO agreed to make its forces and infrastructure available for WEU activities.

A deal was suggested:

In return for Washington's backing for the creation of a real European security identity within the U.S.-dominated Atlantic Alliance, France has said it will return to the military wing of the alliance it quit in 1966 (ibid.).

The following day another Reuters correspondent reported:

France, pushed by its experiences in the Gulf War and Bosnia, has offered to reintegrate into the military wing of NATO it left in 1966 if the WEU is granted a real degree of independence (Clayton, 1997a).

Probably this latter statement was closer to the truth, but the French position is currently uncertain.²

The Paris meeting of the WEU was also an occasion for the new British government to comment on the issue of European defence. The new Foreign Minister Robin Cook and Defence Minister George Robertson took part in the meeting. At a press conference afterwards Robin Cook said:

We want to develop a European security and defence identity. We see that primarily being done within NATO.... But that can include a development of the Western European Union. We are willing to work to build up the Western European Union's role in the Petersberg tasks in the Treaty of European Union.

But we do not see the European Union becoming a defence organisation. Such a development would undermine the North Atlantic Alliance and would also create great complications for the different memberships of NATO and the European Union. We therefore will be working for a better cooperation between the European Union and the Western European Union, but not for a merger between them.

We also believe that cooperation on defence matters must be cooperation on an intergovernmental basis decided by consensus (Cook and Robertson, 1997).

Even if the Labour government was not willing to accept a merger of the EU and WEU its willingness to include the Petersberg tasks did constitute "a slight advance on the position

² A recent telephone request to the Permanent Representation of France to get a French copy of the 6-country proposal was turned down with the words that things have changed since the proposal was put forward, but no elaboration was offered.

of the preceding Tory government which was hostile to any hint of a military-related role for the EU” (Buchan, 1997). So the chances of a compromise along the lines of the Presidency texts have improved.

Towards Amsterdam

To prepare the Amsterdam summit scheduled for June 16-17, the Dutch Presidency decided to call a special summit on 23 May. It was preceded by a meeting of foreign ministers in the Hague on 20 May. Speaking after his first meeting of EU foreign ministers the British Foreign Secretary Robin Cook said that he had “grave doubts” about Franco-German led plans to give the EU a new defence identity by incorporating the Western European Union into the EU. Defence of Europe was a matter for NATO, he said (Helm, 1997).

At the meeting the Dutch Presidency tabled new detailed proposals for giving the EU an operational defence role with “the progressive framing of a common defence” which “shall be supported as appropriate by co-operation between member states in the field of armaments.” This would be achieved by the “gradual integration of the WEU into the European Union” (quoted from Helm, 1997).

Britain was reported to find support for resisting Franco-German moves to give the EU a new defence identity from the EU neutrals: “But as the negotiating trade-offs take place and the small countries come under pressure to give ground it may be hard to avoid some reference in the treaty to a clearer defence role” (Ibid.).

[more on the new Dutch draft and the Noordwijk special summit meeting, May 23, to be added when documentation becomes available]

Tentative Conclusions

On April 2, 1997, Ian Davidson wrote in the *Financial Times*:

...I doubt whether Amsterdam will see any rapid progress towards common foreign or defence policies. A common foreign policy cannot be imposed through majority voting. And any commitment to a merger of the WEU with the EU will no doubt be blocked by the four neutral member states ..., never mind the British.

Similarly, on May 17 *The Economist* wrote in an editorial:

Attempts to strengthen common foreign and security policy, the EU’s “second pillar”, by importing majority voting or incorporating the

Western European Union, Europe's defence club, look like failing. Most members are simply not ready to surrender sovereignty on foreign policy.

Most likely these predictions will turn out to be correct. Incorporation of the Petersberg tasks, yes. Improved links between the EU and the WEU, yes. But a detailed plan for the gradual merger of the WEU with the EU, no. Had the Labour government changed the British position on this last point, the "neutrals" would have come under real pressure. This does not seem to happen. Another country happy about this is Denmark, with its Edinburgh exception not to join the WEU (Laursen, 1994a).

A recent inquiry from the author to the Permanent Representation of Finland to the EU on this 6-country proposal on article J.4 led to the following response:

We do have our doubts about the 6-country-proposal and these doubts have been voiced in the negotiations. That said we do keep in mind that when we joined the EU in 1995, we did accept the *acquis*, which includes "an eventual framing of a common defence policy, which might in time lead to a common defence". The scope of a possible CDP [Common Defence Policy] is however for the future to determine and only when the time is ripe (Backström, 1997).

Reference was made to the Swedish-Finnish proposal from 1996 "to have the so-called Petersberg tasks included in the new treaty." The view was expressed that "under present circumstances the treaty negotiations on J.4 are ... hardly likely to deliver much more radical solutions than that" (Ibid.).

Whether the final bargain at Amsterdam can link issues in such a way that the British and "neutral" members may be forced to move somewhat on defence remains to be seen. But it does not appear very likely at the moment.

We have wanted to include a brief coverage of the British position in this paper. In line with liberal intergovernmentalist theory (Moravcsik, 1993), we believe that the bigger powers have decisive influence on the outcomes of intergovernmental conferences within the EU. So far the smaller "neutral" countries and Denmark have been sheltered by the British attitude. As long as there is no greater convergence of national positions among the bigger member states they can continue to do so.

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