

RECOMMENDATION 759

on the implementation of the European Security Strategy – reply to the annual report of the Council

The Assembly,

- (i) Confirming its support for the main objectives set out in the European Security Strategy adopted by the European Council on 12 December 2003;
- (ii) Recalling in that connection its Recommendations 733, 736, 748, 749 and 757;
- (iii) Emphasising that bringing about the international order founded on the effective multilateralism advocated in the European Security Strategy, respect for international law and an acceptance of the primacy of the United Nations Charter and the UN Security Council depends on there being agreement in principle about those objectives with other national and multinational players on the international stage, in particular the United States;
- (iv) Noting with satisfaction that there is wide convergence between the ideas set out in the report “In larger freedom: towards development, security and human rights for all” submitted by the UN Secretary-General to the UN General Assembly on 21 March 2005, and the objectives of the European Security Strategy;
- (v) Noting, conversely, persistent major differences between the European and United States approaches to the establishment of an international order of peace, freedom and justice, the role of the United Nations, the means of combating the proliferation of weapons of mass destruction (WMD) and their means of delivery and the fight against international terrorism;
- (vi) Convinced of the need regularly to update the evaluation of the threats and pay more attention to the growing risk of renewed outbreaks of militant nationalism in certain countries in the world;
- (vii) Noting the rapid emergence of new world powers, such as China, with ideas on democracy, individual and collective freedoms and human rights that are still out of alignment with the norms the western world supports;
- (viii) Considering the uncertainties created by the very different and often contradictory tendencies observed in the countries of the Commonwealth of Independent States (CIS) and their repercussions for the policy of Russia, with which the European Union intends to establish a strategic partnership;
- (ix) Recalling the importance of implementing the European Union’s strategy against proliferation of weapons of mass destruction, and perplexed to note the inability of the plenary session of the Missile Technology Control Regime (MTCR), held in Seoul, in October 2004, to reach agreement regarding the integration of seven new European Union member states into the regime;
- (x) Noting the current uncertainty over the outcome of the negotiations under way between France, Germany and the United Kingdom, on behalf of the European Union, and Iran, on the latter country’s nuclear programme and the questions this raises about the consequences of the possible failure of such negotiations;
- (xi) Recalling continuing major divergences between the European and United States approach as to the maintenance of international peace and global security;
- (xii) Noting with interest, in that connection, the UN Secretary-General’s proposal that the UN Security Council adopt a resolution setting out the principles governing the use of force and stating the intention to abide by those principles in deciding whether or not to authorise or proscribe such use of force and that, broadly speaking, that resolution would reaffirm the provisions of the Charter concerning the use of force and specifically Article 51 of the same;
- (xiii) Recalling that the European Security Strategy fails to spell out exactly what it means by “preventive engagement” and is silent about the means of self-defence in the event of diplomacy, non-proliferation and conflict prevention coming to naught;

(xiv) Convinced that the UN Secretary-General's proposal to reach agreement on a generally recognised definition of terrorism is a good basis for beginning an international dialogue on the matter which it would be appropriate to widen to take in the need to narrow the gap between Europeans and Americans in regard to ways of fighting terrorism;

(xv) Stressing the importance it attaches to strengthening practical cooperation between the European Union and the United Nations and its sub-regional organisations over crisis management, particularly in sub-Saharan Africa;

(xvi) Emphasising the utmost importance of removing all the obstacles that currently stand in the way of a substantial dialogue between the European Union and NATO, which does not exclude any member state or any subject of reciprocal interest, in order to lay the foundation for productive cooperation between the two organisations;

(xvii) Supporting all efforts to restore pride of place to NATO as the forum for discussion between the Atlantic and European allies of major transatlantic security issues;

(xviii) Recalling that European Union commitment to crisis management, particularly in regional conflict, in accordance with the broad outlines of the European Security Strategy requires faster progress in implementing the 2010 Headline Goal and the 2008 civilian Headline Goal;

(xix) Convinced that ratification of the provisions of the Treaty establishing a Constitution for Europe on strengthening ESDP decision-making and operational instruments should significantly facilitate the European Union's ability to implement future actions whereby it can more readily take on its share of the responsibility for international security;

(xx) Considering that the more member states' troops are involved in multinational units in the context of the battlegroups or multinational HQs the more the different national laws governing their rights and obligations raise problems, possibly leading to conflicts of laws and tensions within the units in question;

(xxi) Noting that the European Security Strategy is not supported by a European collective defence commitment on the part of all the European Union member states and stressing in consequence the importance of the mutual assistance obligation subscribed to by the signatory powers of the modified Brussels Treaty, inasmuch as those obligations have not been taken up by the European Union;

(xxii) Noting with concern that since the transfer of the exercise of WEU's crisis-management functions to the European Union, it has become increasingly difficult for the national parliaments to be informed collectively about the activities the Union has inherited from WEU and in particular about those carried out in implementation of the European Security Strategy, which nevertheless require parliamentary and electoral support in the member states;

(xxiii) Deploring all the more that the Council did not transmit the second part of its fiftieth annual report to the Assembly on time;

(xxiv) Thanking the current Luxembourg EU Presidency, however, for having readily provided the Assembly's Committees with comprehensive information in regard to ESDP development, at their joint meetings with the EU Political and Security Committee in Brussels on 9 March 2005;

(xxv) Considering the reply of the Council to Recommendation 749,

I. RECOMMENDS THAT THE COUNCIL INVITE THE WEU NATIONS AS MEMBERS OF THE EUROPEAN UNION AND NATO TO:

1. Intensify their efforts to secure the diplomatic means and operational military capabilities on the basis of the 2010 Headline Goal and the 2008 civilian Headline Goal that are required to make the European Union a credible force for global security and peace, and adequately resource those capabilities;

2. Bring the work of activating the Civil-Military Planning Cell, the Situation Centre and the European Defence Agency to rapid completion;

3. Pursue the political endeavour of achieving universal compliance with the treaties, agreements and arrangements for verification of non-proliferation of weapons of mass destruction and their means of

delivery and ensure that all the new European Union member states are in a position to accede to the Missile Technology Control Regime at the latter's next plenary Assembly session, scheduled to take place in Spain in autumn 2005;

4. Draw up a road map so as to persuade other major world powers to support the main ideas and objectives set out in the European Security Strategy;

5. Take the initiative in drawing up a concept for coercive measures, including military measures, to be taken in combating proliferation when political means have failed, and for a defence against WMD and their means of delivery;

6. Play an active part in drawing up European Union priorities with a view to the 60th UN General Assembly session in September 2005 and reaching agreement on common positions with regard to the UN Secretary-General's proposals for:

(a) the adoption by the Security Council of a resolution setting out the principles governing the use of force in the event of threats endangering peace;

(b) the development of a generally recognised definition of terrorism and the conclusion of a global convention on terrorism;

(c) the establishment of an intergovernmental Peacebuilding Commission within the United Nations;

7. Strengthen practical civil and military cooperation between the European Union and the United Nations by applying the principles set out in the European Security Strategy;

8. Take steps towards opening a Euro-American dialogue to achieve a closer convergence of views, particularly in regard to the establishment of an international order based on effective multilateralism, the rule of law and the role of the United Nations and the Security Council and the conditions under which recourse may be had to force;

9. Support the efforts of the NATO Secretary-General to create the conditions for a constructive political dialogue between the European Union and NATO at foreign minister level, to include all the member states of both organisations and dealing with all topics of mutual interest;

10. Insist that the European Union define clearly the purpose and content of the strategic partnerships envisaged with a number of international powers, between which dissension and conflicts of interest exist, to ensure that each such partnership is consistent with the values and objectives promoted in the European Security Strategy and represents no danger to the cohesion of the Atlantic Alliance;

11. Point out within the European Union the importance of Article V of the modified Brussels Treaty, of which ten EU member states are signatories and which is currently the only European defence commitment and, by the same token, the sole European guarantee underpinning the European Security Strategy;

12. Take steps to improve national parliaments' collective information and input into the European Union decision-making process in regard to ESDP matters, and to widen the public understanding and support necessary for the objectives set out in the European Security Strategy;

13. Promote the development of a European legal status for troops engaged in European multinational units and/or multinational HQs;

II. RECOMMENDS THAT THE COUNCIL

14. Transmit its annual report to the Assembly sufficiently early to allow its Committees to examine and formulate their replies, and continue to include in it all information concerning the activities of member states under the ESDP and in NATO in areas covered by the modified Brussels Treaty;

15. Maintain the modified Brussels Treaty and Article V of the same for as long as the European Union has no equivalent provisions to draw on that could replace the Treaty, and invite all EU and NATO member states to accede to it under terms to be agreed with them pursuant to Article XI of the Treaty;
16. Inform the Assembly of any steps taken to consider the future of the modified Brussels Treaty, without waiting until it has drawn its own conclusions from such consideration.