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SECURITY CO-OPERATION IN THE MEDITERRANEAN: THE INSTITUTIONAL DYNAMIC OF THE WESTERN EUROPEAN UNION

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The transformations entailed by the end of the East-West confrontation have created two different strategic theatres in Europe's southern approaches: on the one hand, the Middle East and North Africa; on the other hand, South-eastern Europe.
The former (on which this paper is focused) has been targeted by a multiplicity of Western and European initiatives aimed at achieving the means and common frameworks for security co-operation. It must be noted that these attempts at building security co-operation in the Middle East and North Africa do not amount to a co-ordinated Western-European initiative (as is the case in Central-eastern and to some extent even South-eastern Europe) but to a process which involves different actors, aims, instruments and notions.

The Western European Union [WEU] is one of the Western and European security institutions that has undertaken a "Mediterranean" initiative of security co-operation[1] (pursuant to the ministerial mandate provided by the 1992 Petersberg Declaration).

The aim of this paper is to illustrate the institutional factors affecting the WEU's mandate to play a role to promote security co-operation in the Mediterranean. This involves two dimensions: (a) the institutional development and capacities of the WEU proper, i.e., of the WEU as a distinctive institution with its specific goals and instruments; (b) the institutional development and potential of the WEU as a component of wider ongoing institutional processes, i.e. (i) the process of reform and adjustment of the Western and European security system itself, as well as (ii) the process of different Western and European initiatives (such as the WEU's Mediterranean Dialogue or the Euro-Mediterranean Partnership promoted by the European Union) geared to establishing security co-operation with non-EU parties.

From the point of view of the various Western institutions involved, the fragmented and blurred second dimension is no less important than the first. This is particularly true with respect to the Mediterranean, the Middle East and North Africa, where the unifying ideological and political factors currently underlying the construction of the security architecture in Europe are simply lacking. From the point of view of the WEU, in particular, the ongoing processes of institutional adjustment are of special relevance, given that the WEU happens to be an institution in transition. As is well known, the "Declaration of WEU on the role of WEU and its relations with the European Union and with the Atlantic Alliance" (approved by WEU Ministers on 22 July 1997 and adopted by the November 1997 Inter-Governmental Conference leading to the Treaty of Amsterdam) states that

WEU is an integral part of the development of the European Union providing the Union with access to an operational capability, notably in the context of the Petersberg tasks and is an essential element of the development of the ESDI [European Security and Defence Identity] within the Atlantic Alliance ...

As a consequence, there is no doubt that the WEU is destined to become part of the European Union [EU] and, according to the character of its role in the EU, have an impact on the relations between the EU and the North Atlantic Treaty Organisation

[NATO]. The discussion about the role of the WEU in the Mediterranean security institutional network - as well as its role in and of itself - is considerably complicated by this transition. It can hardly be neglected, though.

In order to elaborate on the WEU's institutional profile and perspectives with respect to Mediterranean security co-operation, this paper explores three points: (1) the institutional potential of the WEU as such with a view to security co-operation in the Mediterranean (that is: the instruments available to the WEU to achieve security co-operation in the areas concerned); (2) the decision-making perspective within the framework of the enhanced co-operation with the EU and NATO prescribed for the WEU by the Treaty of Amsterdam; (3) the decision-making perspective within the framework of possible co-operation between the WEU and the EMP in the Mediterranean area, as contemplated by the latter.

1. WEU's institutional role in a Mediterranean perspective

The Mediterranean perspective - in its Middle-East-extended notion - is not new to the WEU. In the second half of the eighties, a set of European missions to these areas co-ordinated by the WEU were part and parcel of the attempts at reviving the organisation. In the nineties, the Mediterranean Dialogue set out by the Ministers in 1992 constitutes an even more systemic and ambitious policy. The substantive institutional difference between the eighties and the nineties is given by the tasks listed by the Petersberg Declaration in addition to that of common defence established by the early Treaties. According to the Declaration: "military units of the WEU member States ... could be employed for:

- humanitarian and rescue tasks;
- peacekeeping tasks;
- tasks of combat forces in crisis management, including peacemaking."

To be sure, WEU interventions in the Gulf area during the eighties were also geared to the management of international crises. In a sense they anticipated the Petersberg Declaration. The latter however has the merit of construing WEU military tasks in a more explicit and convincing co-operative setting. The Petersberg Declaration means for the WEU what the Rome 1991 Strategic Concept has meant for NATO: a decisive institutional turning point adapting the early purposes of the organisation to post-Cold War international security requirements.

It is the Petersberg Declaration that makes it possible to look at WEU military capacities, facilities and potential from a co-operative point of view, that is as instruments geared to contributing to international collective or co-operative security and to making inter-state security co-operation possible. Indeed, military instruments are not *per se* co-operative or conducive to co-operation. What turns them into instruments of co-operation is the new "Petersberg" political framework of co-operation in which they can be employed.

In the light of the co-operative purposes impressed by the Petersberg Declaration on the WEU's tasks, besides the possible organisation of military units for preventing or managing conflicts or carrying out humanitarian and rescue tasks, even the institutional military tasks regularly accomplished by the WEU may acquire a confidence-building dimension. In other words, regular WEU tasks can be used to build-up or increase confidence, thus opening the way to structural measures of arms limitation or control.

In this sense, security co-operation is an institutional task of the WEU which can be pursued through a variety of confidence-building measures [CBMs] and confidence- and security-building measures [CSBMs] in the wake of the experience of the Conference on Security and Co-operation in Europe and the NATO-sponsored Partnership for Peace. The WEU is institutionally capable of negotiating and implementing such measures, be they aimed at (a) improving information and transparency; (b) making operational co-operation possible and improving inter-operability; or (c) preparing arms limitation or control, or making them feasible.

It must be stressed that the Planning Cell and the Satellite Centre give the WEU a considerable potential for introducing and implementing CBMs and CSBMs in the Mediterranean area. Recently, the WEU German Presidency implemented a CBM by organising a visit of the non-WEU Mediterranean countries participating in the Mediterranean Dialogue to the Torrejón Satellite Centre (December 1997). The visit of representatives of the same countries to the Planning Cell in Brussels (May 1998), organised under the Greek Presidency, achieved the same result. Needless to say, both the Planning Cell and the Satellite Centre amplify WEU's potential to implement CBMs and CSBMs of an operational and structural character as well, such as interventions during or after natural and man-made disasters and monitoring and verifications in relation to arms control and limitation.

Let's very briefly recall the most important classes of CBMs and CSBMs that may be employed in the WEU's ordinary capacities. The first category of CBMs (those improving information and transparency) may provide the WEU with a number of opportunities:

- meetings at the varying levels of Chiefs of staff and commissioned officers;
- information on respective military doctrines, operational methods and experiences, as well as strategic concepts (by means of joint seminars at various levels, including civil staff and experts);
- training at different levels and exchanges of personnel, in particular for operational purposes;
- information on exercises, participation of observers in exercises (as in the case of CRISEX '98 in November 1998) and open skies co-ordination.

In the second category of CBMs, the following measures can be taken into consideration:

- joint exercises;
- implementation of inter-operability (including C-3) and co-ordination of logistics;
- planning methodologies and joint analyses of risk and threat assessment; conflict prevention and early warning methods;
- the intervention of military units for humanitarian and rescue purposes fits well with this category; e.g., in the framework of the WEU Mediterranean Dialogue de-mining actions have been requested (by Egypt); also, WEU support should fit with the implementation of the CBMs approved within the EMP in relation to the use of military units during and after natural and man-made disasters;
- CBMs related to maritime activities, such as joint naval exercises; prevention of naval incidents; air-sea search and rescue operations, can also be included in the operational field.

Structural CBMs and CSBMs, including verification, could also be conducted or assisted by the WEU. While a list of general classes of CBMs or CSBMs of a structural character can hardly be formulated due to the specificity required by these measures, the

proliferation of weapons of mass destruction in both the narrower and the greater Mediterranean sphere is a major problem that the WEU can help solve.

It is worth recalling that the implementation of CBMs belonging to the first and second category have the collateral merit of preparing for the possibility of joint interventions - i.e. interventions by WEU and partner Mediterranean countries - in the Mediterranean as well as in other areas (sub-Saharan Africa, Indian Ocean, etc.).

In sum, thanks to the introduction of the Petersberg tasks and the recent improvements of its facilities and its operational capabilities, the WEU must be considered an institution with considerable potential for implementing security co-operation. In principle, this potential can be applied to any area. Due to weaknesses in European logistics, communications and transport facilities, the Mediterranean appears to be the most immediate area in which WEU's security co-operation capacities can be applied.

2. WEU in transition between EU and NATO

In order to become operational, however, WEU's basic institutional inclination to security co-operation must be predicated on a political mandate. In the current situation, there is no doubt that this mandate is as weak or as lacking as the political will to promote it. This emerged clearly during the crises in Rwanda and Albania, in which WEU intervention – both desirable and possible - failed to materialise. It is also evident in the standstill to which the Mediterranean Dialogue has been brought by the WEU members' failure to respond to the requests coming from southern Mediterranean countries for implementation of concrete CBMs. Can this reluctance be explained by the state of transition in which the WEU finds itself today as a consequence of the ESDI building process? Let's look briefly at WEU institutional transition and its tendencies.

As pointed out by the passage of the 22 July 1997 WEU's Ministers Declaration quoted above, two parallel processes of institutional interlocking are taking place: they are between the EU and the WEU, on one hand, and between NATO and the WEU, on the other.

The Treaty of Amsterdam - well noted by the WEU - says that the EU will "avail itself of the WEU to elaborate and implement decisions and actions of the Union which have defence implications" (Art. J7, 3) and, in particular, to accomplish the Petersberg tasks (Art. J7, 2). Within common strategies approved unanimously by the European Council (Art. J3), the EU Council of Ministers approves common actions as well as common positions aimed at implementing the strategies approved previously by the European Council. When these common actions and positions pertain to "decisions having military or defence implications" they also have to be approved unanimously (Art. J13, 2).

The Treaty has charged the EU and the WEU with working out a detailed procedure to establish sound operational links between the two organisations: in fact, to secure EU political control on the implementation of the tasks assigned. According to the Rhodes and Rome Ministerial Declarations, in the course of 1998 these links have been satisfactorily developed. They consist of a set of decision-making procedures, contemplated by a standardised flow-chart in which EU political control is secured by means of approximately 30-40 checks.

On the other hand, the Amsterdam Treaty has engaged the WEU to work out a parallel procedure with NATO, which has also been done in 1998. By mean of its flow-chart, NATO retains full, protracted and extensive military (and political) control in the process geared to assign resources to the WEU for accomplishing a Petersberg-like task to which NATO may decide to contribute (either upon WEU/EU or its own request).

In both cases, WEU is subjected to penetrating political control. However, it must be noted that there is a key difference between the two processes: while the intrusive control of the EU on WEU is explained by the political and institutional convergence towards the creation of the ESDI established by the Treaty of Amsterdam, to date the same cannot be said for NATO's intrusive control of the WEU. In order to make its operational capabilities available eventually to WEU, NATO expresses a political evaluation to which European institutions cannot contribute. In the event that a Petersberg task is requested by NATO to WEU, the EU is involved institutionally. In the event that such a task is assigned to WEU by the EU Council and NATO support is also required, the Atlantic Council and NATO Commands intrude *ex lege* into the European decision-making process.

All in all, the key question is whether and how ESDI will become a factor in the political decision-making of NATO. But it is not a question to be tackled in this paper. Yet, the institutional and political asymmetry in decision-making which exists today with respect to crises management with NATO, on the one hand, and with European institutions, on the other, has implications for WEU, and more generally speaking, for European policies towards the Mediterranean that are worth mentioning.

There is no doubt that such asymmetry tends to complicate the European task of establishing credible security co-operation with the southern Mediterranean countries. In the nineties, an important obstacle to European attempts at including a military dimension in their Mediterranean security co-operation has been a lack of credibility. This lack of credibility stems first of all from the weakness and fragmentation of the Common Foreign and Security Policy [CFSP], but it also stems from the suspicion that the European military and security institutions do not have a distinctive role with respect to NATO or do not have a convincing say within the Western security decision-making process.

This European military and security "invisibility" or "ambiguity" is detrimental to Europe's role in the Mediterranean and thus to EU/WEU attempts to start up forms of security co-operation in the area.

A solution to the ESDI dilemma will perhaps not be found tomorrow. The European institutions may still have to cohabit in the Mediterranean (and elsewhere) with an ambiguous military and security identity and with its implications for some time. Yet, this situation does not entirely justify the WEU members' reluctance to develop the WEU's potential for security co-operation stressed at the beginning of this section. The state of transition of the WEU in the framework of the European and Western security system may explain, to some extent, the reluctance of the WEU/EU members to mandate the organisation to intervene with military units to pursue so-called Petersberg tasks; it cannot explain the inhibition of the WEU's broader institutional capacities to implement CBMs and CSBMs.

3. WEU and the Euro-Mediterranean Partnership

In initiating the Euro-Mediterranean Partnership [EMP], the EU did not want to involve the WEU, probably out of a desire to stress the prevailingly non-military character of the factors that are supposed to shape security in Euro-Med relations.

After three years of existence, it seems clear that the eventual implementation of the "area of peace and stability" envisaged in the first chapter of the Barcelona Declaration is not expected to establish concretely measures of defence sufficiency, arms limitation or control or to pursue policies of crisis management. It is expected to act as a catalyst of such measures and policies (maybe, to be carried out by somebody else) by gradually establishing common attitudes to co-operative security and conflict prevention among its members. To that end, the central question of EMP development today is not the implementation of arms control and limitation or the establishment of structural CBMs/CSBMs, but consolidating a strong mechanism of political dialogue and establishing confidence by mean of partnership-building measures. Such measures, stressed by the *ad hoc* ministerial meeting of Palermo in June 1998, are expected to be less of a military than of a socio-economic and cultural character (though. some transparency or operational military-related CBMs are not to be excluded and, in fact, are being implemented).

This strong correction of the more ambitious course of action anticipated by many in the EU in Barcelona is due to the structural difficulty in applying a multilateral regime to a group that is characterised by deep asymmetries in security conditions and institutions. While in South-South relations security conditions are dominated by actual military threats, the same is not true in North-South relations. On the other hand, in the Euro-Med framework a security-destructured South faces a security-overstructured North. This situation makes it difficult to work out and implement common security policies, especially in the military and defence realm.

This can explain the fact that WEU's availability to "contribute its expertise to the Barcelona Process in response to requests from the European Union" (regularly appearing in the Ministerial Declarations since the November 1996 WEU Council of Ostend) has gone totally unheeded so far. But this inertia can also be explained by existing differences among the EU members with respect to the future direction of the European security architecture, as seen in the previous section. However, there are also institutional difficulties.

The Political and Security Partnership in the EMP is run by an inter-governmental Committee of Senior Officials. It is this Committee that must work out proposals and prepare the implementation of security measures like CBMs/CSBMs or actions to prevent conflicts or manage humanitarian or political crises. The Committee's proposals have to be approved by the Conference of Ministers. How would the WEU be involved in the case its contribution were required?

A request for a WEU contribution can in principle arise in two different ways: in one, a proposal is submitted to and approved by the Ministers (e.g., a procedure for humanitarian intervention); in the other, the Senior Officials proceed on the basis of guidelines or procedures already approved by the Ministers (e.g., a specific humanitarian intervention based on broad procedures previously approved). In both cases the follow-up is secured by the EU Council secretariat. The Council secretariat will ask the EU Council of Ministers to take a (unanimous) decision and, once taken, it will address the WEU and start the procedure mentioned in the previous section on the basis of the appropriate flow-chart: it is a cumbersome process. It must be added that, if the action in question were to require support from NATO, WEU would have to negotiate such support

with the transatlantic organisation, making the procedure even more cumbersome and increasing its political costs.

In sum, the current institutional setting is far from making an EMP request for support or expertise to the WEU impossible. It does, however, make it very cumbersome, time-consuming and therefore more easily exposed to incidents of various kinds. If what has been requested is timely intervention, this state of affairs would certainly not be very helpful.

One way to speed up the procedure might be to get a decision from the EU Council in the form of a "common action", noting that the EMP is broadly interested in collaboration with the WEU or listing specific cases in which such interest is anticipated (e.g.: the implementation and/or the consideration of military or military-related CBMs/CSBMs; or humanitarian and rescue interventions; etc.) and giving the secretariat a mandate to formalise and speed up the necessary procedures by keeping in touch with the WEU (in practice: an *ad hoc* flow-chart approved once and forever).

Such a common action would be related less to a specific action than to a frame for a certain kind of action. In this sense, it would be midway between the usually more detailed common actions assigned by the Treaty of Amsterdam to the EU Council of Ministers and the broader common strategies the same Treaty assigns to the European Council. In fact, either the European Council or the Council of Ministers might proceed to establish the policy in question on the basis of their institutional instruments. The problem, however, is that - as surprising as it may be - the EMP has never been approved as a strategy by the European Council, a fact which prevents it, for the moment, from approving the kind of sub-strategy suggested here. Furthermore, in the absence of a common strategy, the EU Council of Ministers could hardly approve the common action in question.

Given the intrusive role played by the EU in the EMP, the fact that the latter is not recognised as a common strategy and - consequently - as a common action raises serious problems in relation to WEU-EMP relations and to the Barcelona Process as a whole. The first step to be taken should be, therefore, to construe the EMP within the CFSP framework as a common strategy/action, thus speeding up the decision-making process in both the EU and the EMP.

Conclusions

Adding the Petersberg tasks to the early institutional tasks of the WEU has considerably broadened its institutional potential and capacities. More importantly, the Petersberg tasks have provided the WEU with a high co-operative profile and adapted it to the needs and objectives of current international security co-operation.

The WEU could be of use not only in cases of crisis management and humanitarian and rescue tasks; its "expertise" regards the preparation and implementation of any task of military or military-related security co-operation, especially with respect to CBMs and CSBMs.

The menu of capacities provided by the WEU, sketched out in the first section of this paper, largely matches the objectives of the security co-operation listed in the first chapter of the Barcelona Declaration or, more generally, the objectives the EU, its members and other Western security organisations may wish to attain in the Mediterranean area.

The concrete use of WEU potentialities and capacities in the Mediterranean (and elsewhere) are presently constrained, however, by the institutional transition this organisation is undergoing with respect to NATO and, above all, the European Union. At the same time, its potential is strongly constrained by the political uncertainties involved in the transition itself. The current under-utilisation of the WEU stems less from the hardships of its institutional transition than from lack of political will of and the political differences among its members.

With regard to the most important case of European security co-operation policy in the Mediterranean area, i.e. the EMP, the transition to ESDI and its uncertain prospects, especially in relation to NATO, detracts from EU/WEU credibility. Meanwhile, possible co-operation between the WEU and the EMP is hindered less by the cumbersome procedures required by the European institutional transition than by the EMP's undefined role within the CFSP as well as by the EU's intrusive institutional role in the EMP. A reconsideration of these two points may open the way to a more effective functioning of the EMP and a more fruitful relationship between the EMP and the WEU.

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[1] As just pointed out, Western Mediterranean initiatives are related to different areas and predicated on different strategic concepts. Broadly speaking, while Western institutions, especially NATO, are directed by the notion of the Middle East and North Africa (in its greater extension, i.e. including the Persian Gulf area), the European institution tends to stick to the notion of Mediterranean as it stems from the EU *acquis*, namely including North Africa and only the Near East. There is a "Mediterranean Group" in the WEU with a Mediterranean perspective closer to - though not necessarily coincidental with - that of the EU than that of NATO. This Group's mandate to develop a Mediterranean Dialogue, originally related to the Maghreb countries and Mauritania only, has gradually encompassed Egypt, Israel and Jordan, thus remaining within the range of the EU's Mediterranean notion.