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**The parliamentary dimension of the ESDP –
proposals for Laeken**

REPORT

submitted on behalf of the Political Committee
by Mr Eyskens, Rapporteur

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The parliamentary dimension of the ESDP – proposals for Laeken

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*submitted on behalf of the Political Committee²
by Mr Eyskens, Rapporteur*

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¹ Adopted unanimously by the Committee on 26 November 2001.

² *Members of the Committee:* Mr Marshall (Chairman); MM Behrendt, *Blaauw* (Vice-Chairmen); Mr Baumel, Mrs Bolognesi (Alternate: *Manzella*), Sir Sydney Chapman (Alternate: *Hancock*), MM Clerfayt, Dias, Mrs Durrieu, MM Ehrmann, *Eyskens*, Fayot, Floros, Guardans I Cambó, Haack, Hordies, Hornhues, Lord Kirkhill (Alternate: *O'Hara*), MM Kotsonis, Lacão, *Lemoine*, Liapis, van der Linden, Martínez Casañ (Alternate: *Arnau Navarro*), Mrs Paoletti Tangheroni, Mr Piscitello, Lord Ponsonby, MM Provera, *de Puig*, *Puche Rodríguez*, *Roseta*, Schmitz, Sterzing, Timmermans (Alternate: *Valk*), Wray (Alternate: *Vis*), Zacchera, N ...

Associate members: MM Adamczyk, Akçali, Ms Akgönenç, MM Bielecki, Eörsi, Mrs Fosli, Ms *Gülek*, MM Gundersen, Irtemcelik, Jaluvka, Kasal, Lobkowitz, Pálsson, Pastusiak, Pokol, Zielinski, N ...

N.B. *The names of those taking part in the vote are printed in italics.*

RESOLUTION 107¹

on the parliamentary dimension of the ESDP – proposals for Laeken

The Assembly,

- (i) Welcoming the development of the European Security and Defence Policy (ESDP) and the creation of structures allowing the European Union to implement a policy of conflict prevention and civil and military crisis management, in particular by carrying out Petersberg-type missions;
- (ii) Considering nonetheless that at European level there is a democratic deficit within the ESDP which must be remedied by means of legal instruments to be negotiated and finalised at the next revision of the Treaty on European Union;
- (iii) Recalling the lessons learned from the seminar on the parliamentary dimension of the ESDP held on 14 May 2001 at the Dutch Parliament in The Hague and organised on the initiative of the Netherlands section of the European Movement, and welcoming the adoption by both Chambers of the Belgian Parliament on 28 June 2001 of a resolution on parliamentary scrutiny of the European Security and Defence Policy
- (iv) Thanking the Federal Parliament of Belgium for having convened a Conference on the European Security and Defence Policy and its related parliamentary scrutiny in Brussels on 2-3 July 2001, and a follow-up Conference, also in Brussels, on 6-7 November;
- (v) Aware that the ESDP, in particular the defence budgets and operational military decisions, will remain within the competence of the national governments and parliaments; aware also that the latter share this competence in the field of conflict prevention and civil aspects of crisis management with the European Commission and the European Parliament;
- (vi) Recalling that the constitutions of the Member States of the European Union confer upon their parliaments the task of exercising democratic scrutiny over their national security and defence policies, even where these are implemented within the framework of the ESDP;
- (vii) Aware that each national parliament has difficulty in obtaining a European overview of the EU's security and defence policy, while the ESDP must be discussed as a matter of priority at European level, given that the basic principles underlying the European Union's Common Foreign and Security Policy reduce the possibility of conducting in future purely national conflict-prevention and crisis-management policies on which agreement has not been reached in advance at European level;
- (viii) Aware of the competences of the European Parliament with regard to the CFSP, which are based on Article 21 of the Treaty on the European Union and on its budgetary co-decision powers based on the interinstitutional agreement on the financing of the CFSP, which was concluded following the Treaty of Amsterdam;
- (ix) Recalling nonetheless that the Council of the European Union is not under any contractual obligation to the European Parliament either as far as the ESDP is concerned or as regards replying to its recommendations or resolutions, and that the representatives of the national parliaments who have competence in this area do not have access to the information which the EU Presidency and the High Representative for the CFSP regularly provide to the European Parliament;
- (x) Stressing that a common European approach by the national parliaments is essential, providing them with the possibility of being consulted collectively on all aspects of the ESDP with a view to reflecting on such matters and comparing national defence budgets and requirements on a European scale;

¹ Adopted unanimously by the Assembly on 4 December 2001 (eighth sitting) on the basis of the amended draft resolution.

- (xi) Recalling that the modified Brussels Treaty continues to have full force and that it covers all the activities which are now being carried out in the European Union under the “European Security and Defence Policy”;
- (xii) Recalling on the one hand that questions concerning the ESDP cannot be separated from collective defence matters and on the other that the WEU Assembly will continue to monitor Article V (on collective defence) and armaments cooperation, which remain essential aspects of European security and defence, thus remaining a permanent and indispensable player in any discussion concerning the parliamentary dimension of the ESDP;
- (xiii) Insisting in consequence on the fact that it is absolutely essential that the WEU Assembly continue to receive the funding necessary to discharge its responsibilities under the modified Brussels Treaty;
- (xiv) Reminding the European Council that the WEU Assembly constitutes an essential partner for helping to ensure that the governments’ message on the ESDP reaches the electorates in all the countries concerned;
- (xv) Considering that it is essential to continue to associate the non-EU European NATO countries and the EU candidate countries with the European Security and Defence Policy, thus preserving one of WEU’s principal *acquis*, and to draw the consequences for the parliamentary dimension of the activities carried out in the cooperation and consultation structures created in the 15+6 and 15+15 formats;
- (xvi) Insisting once again that future parliamentary oversight of the ESDP must not fall below the standard attained in the WEU Assembly and that as a consequence COSAC-type arrangements or meetings confined to the chairmen of the foreign affairs and defence committees of the national parliaments would not constitute a proper parliamentary dimension of the ESDP;
- (xvii) Recalling that uncertainty surrounds the possible date of the entry into force of the Treaty of Nice and that questions related to the parliamentary dimension of the ESDP can be settled only in the framework of the Intergovernmental Conference scheduled for 2004;
- (xviii) Recalling also that at the Laeken Summit the European Council is to take a decision on establishing a Convention to prepare the next Intergovernmental Conference and that it will adopt a declaration setting out initiatives to redefine the role of national parliaments in the European architecture;
- (xix) Desiring, in order to ensure a parliamentary dimension and supervision of the ESDP throughout the transitional period which will last until the 2004 Intergovernmental Conference and possibly beyond then until the entry into force of a new treaty, that a pragmatic solution based on the treaties in force be found by establishing synergy between the WEU Assembly and the European Parliament;
- (xx) Recalling in this context Assembly Order 116 on the parliamentary dimension of the ESDP,

CALLS UPON THE EUROPEAN COUNCIL

1. To state, in its Laeken Declaration, its determination to take steps in the framework of the next Intergovernmental Conference to remedy the democratic deficit within the ESDP by drawing up arrangements enabling the national parliaments to participate collectively and together with the European Parliament in the dialogue with the European Union executive; such arrangements should draw on the experience and the *acquis* of the WEU Assembly and allow it to continue as a body for parliamentary and interparliamentary oversight and supervision in a form adapted to the new circumstances;
2. To agree on appropriate arrangements for the WEU Assembly to be regularly informed during the transitional period about the European Union’s activities under the ESDP;
3. To that end to urge the European Parliament to establish cooperation with the WEU Assembly during the transitional period on the basis of Assembly Order 116, in particular with a view to

organising joint meetings at which the relevant European Union authorities would regularly report on the ESDP, and which the chairmen of the foreign affairs and defence committees of the national parliaments could attend;

4. To decide that two observers from the WEU Assembly should be able to take part in the work of the Convention when it draws up proposals on the role of national parliaments in the European architecture and on the delimitation of competences between the European Union and the Member States.

RECOMMENDATION 696²

on the parliamentary dimension of the ESDP – proposals for Laeken

The Assembly,

- (i) Recalling Order 116 on the parliamentary dimension of the ESDP and the motion adopted at the follow-on Conference on the Parliamentary Dimension of the ESDP, held in Brussels on 6-7 November 2001;
- (ii) Considering the proposals it has made in Resolution 107 on this matter with a view to ensuring a parliamentary dimension and supervision of the ESDP during the transitional period between now and the 2004 Intergovernmental Conference,

RECOMMENDS THAT THE COUNCIL

Convey the Assembly's Resolution and accompanying report to the European Council and give them its support using all the means at its disposal.

² Adopted unanimously and without amendment by the Assembly on 4 December 2001 (eighth sitting).

EXPLANATORY MEMORANDUM

submitted by Mr Eyskens, Rapporteur

1. The follow-up Conference on the Parliamentary Dimension of the European Security and Defence Policy (ESDP), which was held at the Federal Parliament of Belgium, Brussels, on 6-7 November 2001, ended without it being possible to reach a consensus on the text of a declaration it was intended should be addressed to the heads of state and government who are to meet on 14-15 December for a European Council summit at the chateau of Laeken.
2. It was not possible to arrive at an agreement on the proposal to set up a European parliamentary conference for a transitional period pending the institutional reforms in the European Union which the 2004 Intergovernmental Conference is expected to make, owing to the differences of opinion that continue to exist over its objective and the role in it of the national parliaments, the European Parliament and the WEU Assembly, along with representatives of the EU candidate countries and non-EU European members of NATO. If the final version of the text drawn up by the Drafting Committee had been adopted, the WEU Assembly would have been excluded from the meetings it was proposed that this parliamentary conference should have with the EU Presidency and the High Representative for the CFSP.
3. However, the Conference adopted a motion tabled by the German Delegation in which the heads of state and government are called upon to extend the agenda of the forthcoming Intergovernmental Conference to include deepening integration in the area of foreign and security policy, and the national parliaments, the European Parliament and the WEU Assembly are called upon to submit proposals on parliamentary scrutiny of the ESDP to the Convention responsible for preparing EU reforms³.
4. Whereas drawing up the Assembly's proposals will be a specific task for the first half of 2002, what needs to be done in the immediate future is to find a provisional arrangement for the transitional period between now and the end of the Intergovernmental Conference, which should conclude with the signature of a new treaty that could provide a satisfactory solution to the problem of the parliamentary dimension of the ESDP.
5. The current state of affairs is that the Treaty of Nice, signed on 26 February 2001, cannot enter into force because the people of Ireland have rejected it. However, the European Council has stated that the objective for the European Union is that it should rapidly become operational in those areas which were hitherto the responsibility of WEU. The European Council therefore intends to take a decision to that end at its meeting in Laeken and considers that ratification of the Treaty of Nice does not constitute a prior condition.
6. Clearly, there is nothing to prevent the governments from taking the necessary action for the EU decision-making structures that have been created to become fully operational and for the process of developing military capabilities to be continued as a priority – and the European Union is to be commended on the progress it has achieved in this respect so far. Nevertheless, the EU can respond to any specific crisis that may arise only on the basis of the provisions of the present Treaty, i.e. the version that was signed in Amsterdam and entered into force during 2000.
7. The new institutions created for the purpose of implementing the ESDP, such as the Political and Security Committee (PSC), the Military Committee and the Military Staff, are now permanent bodies and are daily carrying out activities for which the exercise of responsibility was transferred from WEU to the EU without making provision for an appropriate parliamentary dimension in which representatives of the national parliaments would have the same information and consultation rights as they enjoy in WEU.

³ See Appendix.

8. In his report on the parliamentary dimension of the ESDP, adopted by the Assembly's Standing Committee on 18 October 2001⁴, your Rapporteur explained that it would be unrealistic to try to find a solution to this issue before the next Intergovernmental Conference and that in view of its complexity, which is linked among other things to problems concerning the future delimitation of competences between the European Union and its member states, it is not even certain that the IGC will be able to come up with a satisfactory solution.

9. According to Germany's reply to the ten fundamental questions the Bureau of the Assembly put to the WEU Permanent Council in February 2001, this matter will be the subject of many discussions over the period ahead. But what arrangements are there to be during the transitional period, which could last until 2004 and even beyond then?

10. Any security and defence action taken by European governments today is based on two separate treaties, one of which is the modified Brussels Treaty whose full validity was recently confirmed by the governments of the signatory states. The other is the version of the Treaty on European Union (TEU) signed at Amsterdam. If and when the Treaty of Nice ever enters into force is a question that remains open, first because the people of Ireland have rejected it and secondly, because some countries may prefer to wait until the 2004 Intergovernmental Conference before making the reforms that were not possible under the Treaty of Nice.

11. The argument some governments are now putting forward to the effect that the EU and WEU are entirely different organisations, with separate mandates and objectives, was certainly not a valid one at the time of the Maastricht Treaty which made WEU "an integral part of the development of the [European] Union". Even though this phrase was deleted in the Treaty of Nice (which is not in force), the two projects continue to be closely linked in political terms and have complementary functions.

12. Under the TEU the European Union still retains the option which might lead to a common defence "should the European Council so decide". At the present time this commitment is the preserve of the signatories to the modified Brussels Treaty and is under the supervision of WEU and its Assembly. Furthermore, that Treaty remains the basis for the exercise of Petersberg tasks, responsibility for which has been transferred to the EU. The ESDP within the European Union and collective defence within WEU overlap to such an extent that the governments requested Mr Javier Solana to carry out the duties of both Secretary-General of WEU and High Representative for the CFSP.

13. Many governments had no hesitation about their representatives in the PSC being at the same time their Permanent Representatives to WEU, thus being "double-hatted". In contrast, a parliamentary dimension has arisen under the ESDP because neither the WEU Assembly nor its functions have been transferred to the European Union and because the European Parliament has not been given any powers in this area.

14. As the Netherlands Government very rightly confirmed in its reply to the ten fundamental questions put by the Assembly, solutions to remedy the democratic deficit within the ESDP will have to be found inside the European Union "paying due attention to the experience gained inside the WEU Assembly". If this approach is to be taken when it comes to negotiating the parliamentary dimension of the ESDP at the next Intergovernmental Conference, there is all the more reason for it being valid in any interim arrangement.

15. However, at the end of the follow-up Conference on the Parliamentary Dimension of the ESDP (6-7 November 2001 in Brussels), there appeared to be a move towards a COSAC-type model in which only members of the European Parliament and chairmen of the foreign affairs and defence committees of the 15 national parliaments would have the possibility of engaging in dialogue with the EU Presidency, the High Representative for the CFSP and, where appropriate, the European Commissioner for External Relations.

⁴ See paragraph 20 below and Assembly Document [A/1752](#) of 18 October 2001 which can be found on the Assembly's website at <http://www.assemblee-ueo.org>.

16. There is nothing to justify a “defence COSAC” arrangement of this type which would have no basis in terms of a mandate or a treaty and no experience. Joint meetings of the foreign affairs and defence committees of the EU member parliaments with representatives of the European Parliament can always be convened to improve the exchange of information but cannot take the place of the structured interparliamentary dialogue with the executive for which the treaties in force make provision. At the July and November parliamentary conferences, many participants asked what grounds there were for creating new interim structures when the WEU Assembly already existed. In point of fact, it is this Assembly which represents the national parliaments at European level as far as security and defence are concerned.

17. This was why, in the report adopted on 18 October 2001, your Rapporteur proposed – and the Assembly agreed with him – establishing synergy between the WEU Assembly and the European Parliament over the transitional period and organising a system of joint supervision of all European security and defence activities by setting up cooperation arrangements from which both parliamentary bodies could benefit while respecting their respective competences under the treaties in force.

18. One may wonder why this pragmatic approach did not meet with a more favourable reception at the 6-7 November follow-on Conference, given that the Assembly’s representatives had clearly stated that the chairmen of the foreign affairs and defence committees of the national parliaments could be included in such a cooperation arrangement.

19. The idea of cooperation between the Assembly and the European Parliament over the transitional period has been advocated by many governments including that of Germany in its reply to the ten fundamental questions the Assembly put to the WEU Council on 26 February 2001.

20. The Assembly’s proposals were formally adopted by the Standing Committee in Order 116, which was conveyed to the Belgian Parliament. The main points it makes are as follows:

“1. The Assembly proposes that, over the interim period, parliamentary supervision of the ESDP should be organised on the basis of synergy between the parliamentary institutions that already exist, that is to say the WEU Assembly and the European Parliament.

2. This would require the WEU Assembly and the European Parliament to set up the machinery for cooperation, in particular by holding regular joint meetings at which the competent European Union authorities would report on the ESDP.

3. Acting in the framework of their respective competences, the two parliamentary bodies would base their work on such reports, without any amendment of the existing treaties.”

21. So far, the European Parliament has not taken any official position on the texts adopted by both Chambers of the Federal Parliament of Belgium in June 2001, the modified proposals submitted by the President of the Belgian Senate or the proposals adopted by the WEU Assembly.

22. At the Brussels Conference on 2-3 July this year, the President of the European Parliament said the EP had no intention of taking a position on the institutional options at this stage. It was the Chairman of the EP Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy who, in a personal capacity, submitted amendments and proposals at the follow-up Conference which would clearly have excluded the WEU Assembly from any arrangements for a parliamentary dimension to security and defence policy during the transitional period. No other member of the European Parliament took the floor at the Conference.

23. As for the representatives of the national parliaments who attended the follow-up Conference, many of them also had to speak from a personal point of view given that their parliaments had not yet been able to adopt a position. But it is important to note that many delegations – including those of the Austrian, Greek, Icelandic and Norwegian Parliaments – and above all the Belgian Parliament, by means of its Resolution of 28 June 2001, clearly came down in favour of preserving the WEU Assembly’s *acquis*.

24. The EU governments should realise that for long as the Treaty of Nice is not in force and the problem of the parliamentary dimension of the ESDP has not been solved, the WEU Assembly cannot be left out of the dialogue on matters relating to that policy. In this respect a number of governments

have suggested that the Assembly establish direct relations with the EU Council. Some who consider that the annual report the WEU Council is obliged to address to the Assembly can no longer include crisis-management activities since they are now the responsibility of the European Union, are overlooking the fact that those activities form part of the obligations of the signatory states to the modified Brussels Treaty.

25. Given the situation, a pragmatic solution that could be applied for the transitional period could be to ask the EU Presidency, the WEU Secretary-General and High Representative for the CFSP and, where appropriate, the European Commissioner for External Relations to report regularly to joint meetings of members of the WEU Assembly and the European Parliament, in which the chairmen of the foreign affairs and defence committees of the national parliaments could take part.

26. If European governments want to ensure that their policy is supported by public opinion and parliaments, they must also include national parliamentarians with security and defence expertise among those who receive information that is currently provided solely to the European Parliament, which has no mandate for the ESDP. However, it will be necessary for the European Parliament to develop the will to cooperate with the WEU Assembly if this pragmatic solution is to become a reality. Under such cooperation regular joint meetings of the relevant WEU Assembly and European Parliament committees could be held for the purpose of hearings of the European authorities responsible for the ESDP. But the impetus for developing such a will in the European Parliament depends on substantial support from the EU Presidency, all the governments and the High Representative for the CFSP, all of whom should request the European Parliament to cooperate with the Assembly just as, in the past, they have asked the Assembly to cooperate with the European Parliament. In this respect it should be borne in mind that it would suffice to reactivate initiatives the European Parliament, via its Foreign Affairs Committee, took to this end in 1998 but which never resulted in a formal proposal of the Parliament itself.

27. The Assembly remains ready, as its President confirmed to the President of the European Parliament in spring 2001, to organise meetings between the two Bureaux for the purpose of establishing cooperative arrangements until a definitive solution is found for the parliamentary dimension of the ESDP.

28. For the Laeken Summit, it is essential for the European Council to include the problem of the democratic deficit within the ESDP among the matters which are to be settled at the next Intergovernmental Conference and should therefore be put on the agenda. On this issue the Assembly will be submitting proposals which, in the first instance, will be brought to the attention of the Convention that is to draw up a position on the role of national parliaments in the European architecture. In view of the importance of this subject, the Assembly is urging the European Council to authorise two representatives of the WEU Assembly to participate in the Convention's deliberations as observers. This request is justified in so far as the Assembly is the only body that can claim to have been exercising parliamentary scrutiny of European defence policy for the last fifty years. In this context it is also appropriate to remember that because of the important role of the Council of Europe in the area of human rights, its representatives participated as observers in the Convention which drew up the European Charter of Fundamental Rights for the European Union.

APPENDIX

Motion tabled by the German Delegation at the follow-on Conference on the Parliamentary Dimension of the European Security and Defence Policy (ESDP) (Brussels, 7 November 2001)

For a decision

The Heads of State and Government are being called upon to extend the agenda of the forthcoming Intergovernmental Conference to include deepening integration in the area of foreign and security policy.

The terrorist attacks in the United States in September have clearly shown that Europe must face up to a new challenge.

The Common Foreign and Security Policy must nevertheless be subject to common parliamentary scrutiny involving both the national parliaments and the European Parliament.

The national parliaments, the European Parliament and the Assembly of Western European Union will submit proposals on parliamentary scrutiny of the ESDP to the Convention responsible for preparing EU reforms.

Adopted unanimously on 7 November 2001

DRAFT RESOLUTION***on the parliamentary dimension of the ESDP – proposals for Laeken***

The Assembly,

- (i) Welcoming the development of the European Security and Defence Policy (ESDP) and the creation of structures allowing the European Union to implement a policy of conflict prevention and civil and military crisis management, in particular by carrying out Petersberg-type missions;
- (ii) Considering nonetheless that at European level there is a democratic deficit within the ESDP which must be remedied by means of legal instruments to be negotiated and finalised at the next revision of the Treaty on European Union;
- (iii) Recalling the lessons learned from the seminar on the parliamentary dimension of the ESDP held on 14 May 2001 at the Dutch Parliament in The Hague and organised on the initiative of the Netherlands section of the European Movement, and welcoming the adoption by both Chambers of the Belgian Parliament on 28 June 2001 of a resolution on parliamentary scrutiny of the European Security and Defence Policy
- (iv) Thanking the Federal Parliament of Belgium for having convened a Conference on the European Security and Defence Policy and its related parliamentary scrutiny in Brussels on 2-3 July 2001, and a follow-up Conference, also in Brussels, on 6-7 November;
- (v) Aware that the ESDP, in particular the defence budgets and operational military decisions, will remain within the competence of the national governments and parliaments; aware also that the latter share this competence in the field of conflict prevention and civil aspects of crisis management with the European Commission and the European Parliament;
- (vi) Recalling that the constitutions of the Member States of the European Union confer upon their parliaments the task of exercising democratic scrutiny over their national security and defence policies, even where these are implemented within the framework of the ESDP;
- (vii) Aware that each national parliament has difficulty in obtaining a European overview of the EU's security and defence policy, while the ESDP must be discussed as a matter of priority at European level, given that the basic principles underlying the European Union's Common Foreign and Security Policy reduce the possibility of conducting in future purely national conflict-prevention and crisis-management policies on which agreement has not been reached in advance at European level;
- (viii) Aware of the competences of the European Parliament with regard to the CFSP, which are based on Article 21 of the Treaty on the European Union and on its budgetary co-decision powers based on the interinstitutional agreement on the financing of the CFSP, which was concluded following the Treaty of Amsterdam;
- (ix) Recalling nonetheless that the Council of the European Union is not under any contractual obligation to the European Parliament either as far as the ESDP is concerned or as regards replying to its recommendations or resolutions, and that the representatives of the national parliaments who have competence in this area do not have access to the information which the EU Presidency and the High Representative for the CFSP regularly provide to the European Parliament;
- (x) Stressing that a common European approach by the national parliaments is essential, providing them with the possibility of being consulted collectively on all aspects of the ESDP with a view to reflecting on such matters and comparing national defence budgets and requirements on a European scale;
- (xi) Recalling that the modified Brussels Treaty continues to have full force and that it covers all the activities which are now being carried out in the European Union under the "European Security and Defence Policy";
- (xii) Recalling on the one hand that questions concerning the ESDP cannot be separated from collective defence matters and on the other that the WEU Assembly will continue to monitor Article V

(on collective defence) and armaments cooperation, which remain essential aspects of European security and defence, thus remaining a permanent and indispensable player in any discussion concerning the parliamentary dimension of the ESDP;

(xiii) Reminding the European Council that the WEU Assembly constitutes an essential partner for helping to ensure that the governments' message on the ESDP reaches the electorates in all the countries concerned;

(xiv) Considering that it is essential to continue to associate the non-EU European NATO countries and the EU candidate countries with the European Security and Defence Policy, thus preserving one of WEU's principal *acquis*, and to draw the consequences for the parliamentary dimension of the activities carried out in the cooperation and consultation structures created in the 15+6 and 15+15 formats;

(xv) Insisting once again that future parliamentary oversight of the ESDP must not fall below the standard attained in the WEU Assembly and that as a consequence COSAC-type arrangements or meetings confined to the chairmen of the foreign affairs and defence committees of the national parliaments would not constitute a proper parliamentary dimension of the ESDP;

(xvi) Recalling that uncertainty surrounds the possible date of the entry into force of the Treaty of Nice and that questions related to the parliamentary dimension of the ESDP can be settled only in the framework of the Intergovernmental Conference scheduled for 2004;

(xvii) Recalling also that at the Laeken Summit the European Council is to take a decision on establishing a Convention to prepare the next Intergovernmental Conference and that it will adopt a declaration setting out initiatives to redefine the role of national parliaments in the European architecture;

(xviii) Desiring, in order to ensure a parliamentary dimension and supervision of the ESDP throughout the transitional period which will last until the 2004 Intergovernmental Conference and possibly beyond then until the entry into force of a new treaty, that a pragmatic solution based on the treaties in force be found by establishing synergy between the WEU Assembly and the European Parliament;

(xix) Recalling in this context Assembly Order 116 on the parliamentary dimension of the ESDP,

CALLS UPON THE EUROPEAN COUNCIL

1. To state, in its Laeken Declaration, its determination to take steps in the framework of the next Intergovernmental Conference to remedy the democratic deficit within the ESDP by drawing up arrangements enabling the national parliaments to participate collectively and together with the European Parliament in the dialogue with the European Union executive; such arrangements should draw on the experience and the *acquis* of the WEU Assembly and allow it to continue as a body for parliamentary oversight and supervision in a form adapted to the new circumstances;

2. To agree on appropriate arrangements for the WEU Assembly to be regularly informed during the transitional period about the European Union's activities under the ESDP;

3. To that end to urge the European Parliament to establish cooperation with the WEU Assembly during the transitional period on the basis of Assembly Order 116, in particular with a view to organising joint meetings at which the relevant European Union authorities would regularly report on the ESDP, and which the chairmen of the foreign affairs and defence committees of the national parliaments could attend;

4. To decide that two observers from the WEU Assembly should be able to take part in the work of the Convention when it draws up proposals on the role of national parliaments in the European architecture and on the delimitation of competences between the European Union and the Member States.

AMENDMENTS 1 AND 2⁵

tabled by Mr Eyskens

1. In paragraph 1 of the draft resolution proper, insert “and interparliamentary” after “parliamentary”.
2. After recital (*xii*) of the preamble to the draft resolution add a new recital as follows:
“Insisting in consequence on the fact that it is absolutely essential that the WEU Assembly continue to receive the funding necessary to discharge its responsibilities under the modified Brussels Treaty;”.

Signed: Eyskens

⁵ See 8th sitting, 4 December 2001 (amendments adopted).

