

# CONNECTIONS

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## European Security and Defense: The Parliamentary Dimension

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The purpose of this paper is to explore the question whether the role and the activities of the NATO Parliamentary Assembly (NATO PA) have relevance for the discussion about a parliamentary dimension to the European Security and Defense Identity (ESDI) or the European Security and Defense Policy (ESDP). What does the NATO PA experience offer by way of guidance during the ratification phase of the Treaty of Nice?

### Origins and Purposes

The NATO PA, formerly the North Atlantic Assembly, has no formal link to or institutional status within NATO. The Washington Treaty makes no mention of a parliamentary assembly, and whether that is by accidental oversight or deliberate omission, one can only surmise. The Assembly began its life in 1955 as the “Conference of members of parliament from the NATO countries” initiated by parliamentarians themselves, who believed that the problems of the Cold War and the central transatlantic relationship should not be left to diplomats and soldiers but required a parliamentary dimension. Quite what that dimension should be was the subject of many ideas and proposals: some of these focused on the need to underline the democratic identity of the Alliance, some on the need to create a link between NATO and its citizens, and some on the need to ensure a parliamentary input into policy via an officially-recognized consultative assembly. However, it was very clear that while most Alliance governments welcomed the principle of parliamentary involvement, they all were reluctant to see a permanent body with powers of oversight.

The parliamentary dimension, therefore, took shape in the form of a five-day conference held at, and organized with, NATO. From these relatively humble beginnings, the Assembly has developed into an organization which, although still lacking formal status within NATO itself, is now widely accepted as an integral and indispensable part of the Alliance fabric. The yearly conferences—known as the “NATO Parliamentarians Conferences”—saw the development of a Committee structure and the creation of a small Secretariat—initially a part time Executive Secretary—which, in 1967, moved to Brussels. In the same year, the name was changed to the North Atlantic Assembly and from this period, the organization began to expand in terms of activities and personnel. In 1974 Belgium granted the organization official status.

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<sup>1</sup> The author is Secretary General, NATO Parliamentary Assembly. A version of his paper was originally presented to a seminar on the Parliamentary Dimension of The European Security and Defense Policy, The Hague, 14 May 2001. It represents only the views of the author. It does not necessarily represent the official view of the Assembly.

Today, the Assembly has two principal sessions a year, spring and autumn, held in member and, increasingly, associate member nations. These are supplemented by a multitude of additional meetings, visits, and activities. The Assembly comprises nineteen full members, seventeen associate members, a delegation from the European Parliament, and eight observer delegations. Countries are allocated seats according to population, and delegations normally represent the political composition of their respective parliaments. Assembly voting is by majority. The President, currently Rafael Estrella (Spain), serves for two years. The President represents the Assembly at official functions and conferences, makes official visits and, together with the Standing Committee, coordinates the policies and activities of the Assembly. The Secretariat is approximately 30 strong and based in Brussels. In addition, there is a long-standing program for post-graduates from member and partner countries. Each member country contributes to the Assembly's approximately U.S. \$3 million budget according to the key for the NATO civil budget contributions.

There is no need here to trace in any detail the development of the Assembly, except to look at two aspects which may have some relevance to the discussion on the creation of a parliamentary dimension to ESDP, notably the Assembly's principal functions and its relationship with NATO. These are best assessed in two distinct phases: pre- and post-1989.<sup>2</sup>

### **The Assembly's Role and Relations with NATO pre-1989**

During the Cold War, the main functions of the Assembly could be defined as follows: To foster dialogue among parliamentarians on major security issues;

- To facilitate parliamentary awareness and understanding of key security issues and Alliance policies;
- To provide NATO and its member governments with an indication of collective parliamentary opinion;
- To provide greater transparency of NATO policies, and thereby a degree of collective accountability; and
- To strengthen the transatlantic relationship.

The major focus of Assembly work in these years was on political-military affairs, particularly what is often termed "hard" security. Assembly activities were directed towards the preparation and debate of reports for the spring and autumn sessions from which resolutions were drawn and voted upon. The five Assembly Committees each created sub-committees that focused on specific areas and conducted visits to collect

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<sup>2</sup> The author's views on these aspects are his personal reflections based on his experience on "both sides of the fence" as Director of the Assembly's Political and Military Committees (1973-1979), then Deputy Secretary General and now Secretary General during the period 1989 to present; and his position on NATO's International Staff as Head of the Plans and Policy Section (DPP) 1983-1989.

appropriate information. It is worth noting that the Assembly's Economic and Science Committees frequently dealt with issues considered beyond the competence of NATO itself.

Relations with NATO during this period developed slowly and tentatively. Several efforts were made by the Assembly to create more formal recognition through institutional linkage and to establish an Assembly presence at NATO deliberations. These efforts were soundly rebuffed by NATO. Instead, a series of practical co-operative measures were put in place to improve relations between the two organizations. It was agreed that the Secretary General of NATO should make regular statements on the Alliance to the Assembly, that he would comment on behalf of the North Atlantic Council (NAC) on Assembly recommendations, and that working relations between the Assembly and NATO International Secretariat should be improved and channeled through NATO's Division of Political Affairs.

Despite these improvements, relations between the Assembly and NATO remained somewhat distant. Attitudes at NATO toward the parliamentary body varied from modest acknowledgement to indifference. It is important to distinguish between the NATO bureaucracy, which, as it was focused on the demands of the Cold War, normally had neither the time nor the inclination to pay much attention to the parliamentary world, and national delegations whose views of the Assembly were normally shaped by their national experience and the relationship between their own parliament and government. Delegations' views ranged from the U.S. who, not surprisingly, was consistently supportive of the Assembly's work, to others who scarcely recognized the Assembly's existence. In addition, the "confidentiality" factor imposed by the exigencies of the Cold War and the consequent classification of most Alliance activities and subject matter also represented a limiting factor on the development of co-operative relations.

NATO's attitude to the Assembly stemmed from two competing tendencies. On the one hand there was recognition of the need for public support and of the benefit, therefore, of parliamentary involvement. But at the same time there existed a determination not to allow that involvement to become too close nor to allow any suggestion that the relationship implied any formal obligation on the part of the Alliance. In other words, there could be no attempt to assert collective parliamentary oversight in the conventional understanding of the term. Hence the Assembly was seen as a useful asset in the constant struggle for public support for NATO policies and the resources to implement them; this was particularly true during critical phases such as the "double track" decision and other controversial issues concerning Alliance strategy. In these instances, strenuous efforts were made to ensure that the Assembly was "on side." This was not always easy, as, while the majority of Assembly members were supportive of Alliance policies, there was also no shortage of critics on specific issues.

Alliance Communiqués repeated endlessly the need for public and parliamentary support, yet this rarely translated into recognition or active encouragement of the Assembly's work. Mention of the Assembly in the same Communiqués was rare and, when it did appear, meagre to say the least (and the necessity of such a mention was

often disputed by some delegations). There was little acknowledgement that the Assembly's work or views had any impact on NATO policy. Assembly resolutions received scant attention, the replies being no more than a routine recitation of general principles. The quality of the Resolutions themselves sometimes left something to be desired, but the quality of the replies left Assembly members in no doubt that they were outside the policy "loop." For many, this dismissive approach was a constant source of frustration and irritation.

### **The Assembly's Role and Relations with NATO post-1989**

With the ending of the Cold War, the role of the Assembly changed substantially. The essential functions described earlier remained, but the Assembly has been given a wider mandate and new goals. The leadership of the Assembly was quick to see the utility of the Assembly as a framework to integrate the new democracies into the Atlantic community, to provide them with a sense of reassurance and a degree of practical assistance. Most of these countries immediately announced their intention to join NATO, which was clearly not a likely event in many of these states' immediate future. Involvement with the Assembly was for them an easy but significant first step towards membership in the Alliance. In 1990, the Assembly created the status of 'Associate Member,' which allows full participation in Assembly activities, albeit without the obligation to contribute to the Assembly's budget or the right to vote. In addition, with essential financial assistance from the United States, the Assembly established the Rose-Roth initiative, a program of seminars designed to increase dialogue and co-operation with partners, and a series of staff training programs (two or three a year) for those parliamentary staff from partner countries working in the field of international relations or defense and security. Parliamentary staffs from partner countries also spend extended periods at the Assembly's Secretariat.<sup>3</sup>

Partnership and co-operation have become predominant features of the Assembly's activities. Joint Monitoring Groups with the Russian and Ukrainian parliaments have been established to facilitate regular co-operative assessment by legislators of the implementation of the Founding Act and Charter, respectively. A Mediterranean Group has been created, which ensures coverage of security issues in the Mediterranean through an annual visit to the region and a seminar which assembles parliamentarians and representatives from the region, including Morocco, Egypt, Israel, Jordan, Tunisia, Malta, Cyprus and the PLO. Assembly members and staff also participate in relevant EAPC workshops and seminars.

As a result of these initiatives, the Assembly now fulfills the following additional functions:

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<sup>3</sup> Assembly documents and information, including summaries of the Rose-Roth Seminars, are available on its website: <http://www.natopa.int>.

- Assisting the development of parliamentary democracy throughout the Euro-Atlantic area by integrating parliamentarians from non-member nations into the Assembly's work;
- Directly assisting those parliaments actively seeking Alliance membership;
- Increasing co-operation with countries who seek co-operation rather than membership, including those of the Caucasus and the Mediterranean regions;
- Aiding the development of parliamentary mechanisms and practices essential for the effective democratic control of armed forces.

These functions have been superimposed on the traditional work of the Assembly's Committees and taken together represent a heavy schedule of activities.

One area of particular interest is the co-operation developed with the European Parliament (EP). The evolution of ESDI/ESDP has been a central issue of interest and concern to Alliance parliamentarians, particularly the Assembly's Congressional delegation and the six non-EU NATO members. The issue is kept constantly under review, and was the single focus of a report by Wim van Eekelen (Netherlands). It is also discussed in the General Reports of the Defense and Political Committees of the NATO PA. In order to create greater transparency and transatlantic understanding of the aims and status of the EU's defense initiative, the Assembly and the EP agreed to enhance relations between the two bodies. The EP now enjoys a special status with the Assembly that enables EP members to participate actively in Assembly activities; Assembly members are invited to participate in the quarterly hearings held by the Foreign Affairs Committees of the EP with High Representative Javier Solana and Commissioner Chris Patten.

Relations with NATO have also changed significantly for the better, and co-operation has greatly increased. This is largely due to the changed nature of the organization as the Alliance has opened up to partner nations. The issue of confidentiality and the ensuing restrictions, prevalent during the Cold War, now play a far less inhibiting role in impeding co-operation. However, the improvement is also due to the natural symmetry that now exists between many of the Assembly's activities and those of NATO. Much of what the Assembly is doing with partner parliaments has a direct relationship with NATO's own work. Very simply, in providing political and practical assistance to partners, particularly in the area of parliamentary oversight of defense, the Assembly is not just supporting NATO's own efforts, but is an integral part of Alliance outreach policy.

Moreover, in the current environment, the requirement for parliamentary and public support is as strong as ever; indeed one could argue that in today's conditions, the role of parliaments has achieved a new salience. Armed forces are increasingly deployed to far-off places on peace-support operations, deployments which an all-pervasive media ensure are kept in the public view. Parliamentarians are called on to provide the resources, frequently to authorize the deployments, and to explain to their constituents

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why such deployments are necessary and why sometimes they lead to loss of life. Defense reform, under way in many countries, also requires public support and resources. Given these conditions, there is every reason for the Alliance to support and encourage Assembly activities. To a considerable degree much of the improvement in relations is due to the personality of the current NATO Secretary General who, as a former member of parliament, has a strong sense of “parliamentarianism” and who invariably makes himself available and engages Assembly members in a manner that is greatly appreciated. Likewise, the current Assistant Secretary Generals (ASGs) also actively support and encourage the Assembly’s work; as a result, contacts and relations at the working level are very good. Assembly resolutions also receive a more detailed and thoughtful response than previously, a welcome development that has been remarked on by Assembly members. A further successful innovation are the February Joint Committee meetings in Brussels, during which Assembly members are briefed by senior Alliance officials on all aspects of policy, and also now by EU officials responsible for ESDP.

Formally, the relationship between NATO and the Assembly is now based on the following features:

- The traditional appearance of the NATO Secretary General at the autumn plenary, and occasionally at the spring meeting;
- The February Joint Committee meetings with NATO civil and military authorities; The February meeting of the Standing Committee with the North Atlantic Council in Permanent Session;
- The annual report by the President of the Assembly to the EAPC Ambassadors; The NATO Secretary General’s responses to Assembly resolutions;
- Ad hoc participation in key ministerial meetings, such as the Washington and Madrid Summits;
- The participation by Assembly members and Secretariat staff in relevant meetings organized by NATO in the framework of the EAPC.
- Participation by representatives of NATO’s International Staff in Rose-Roth seminars and other activities.

These elements represent a considerable improvement over previous arrangements, and reflect a greater willingness by NATO to recognize and support the work of the Assembly.

Yet there are clearly limits to the closeness of the relationship. The question of seeking more formal linkage was revived recently by some members but discarded, firstly, because it is unlikely to gain approval from some Alliance governments, and secondly, because many members feel that the flexibility the Assembly enjoys through its non-official status outweighs any benefits it would now gain. Many members doubt that its voice would carry more weight or influence if it had a more formal status. Furthermore, some members have resisted links with NATO that might be perceived as

placing the Assembly in a “subsidiary” position to NATO or eroding the two bodies’ political independence. Such members have argued that governmental and parliamentary bodies should be administratively independent, and should be seen to be so.

Greater recognition would, of course, be appreciated. One way to achieve this would be through an Assembly presence at certain Alliance meetings. However, for most governments this appears to be a step too far. After a substantial discussion by the NAC, the President of the Assembly was invited to attend the Madrid and Washington Summits and to speak at both, albeit in the non-restricted session. However, NATO officials emphasized that these appearances should not be taken as a precedent—they were most definitely not “a foot in the door.” Any suggestion to achieve a more regular presence at either Ministerial or Ambassadorial meetings is unlikely to meet with success. Perhaps the confidentiality of Alliance activities, even in this age of transparency, and the ethos of the organization represent an insurmountable barrier to closer involvement. Even the reference to the Assembly’s work in the Washington Summit document seemed to be something of an afterthought—the initial draft was considerably watered down through the opposition of some delegations— and certainly fell far short of the formal rhetoric.

Finally, there is the question of potential Assembly influence over NATO policy-making. The legacy of the Cold War and the organizational ethos of NATO clearly militate against closer involvement by the Assembly.

But there is also a further factor, inherent in the character and functioning of the two bodies, which inhibits closer involvement and more direct influence. As an intergovernmental body, NATO develops policy based on consensus. This means that policy is defined in national capitals and massaged through the NATO process into a collective agreement; reaching this consensus inevitably involves both compromise and concession. This is not a process that lends itself to direct influence from an external source, particularly when hard security is involved.

Nor does the functioning of the Assembly itself facilitate direct influence. Twice a year, the Assembly brings together over 200 parliamentarians representing 40 to 50 political parties from across the political spectrum. Collective Assembly views are expressed in the resolutions that emerge from Assembly reports, agreed on first in the respective Committees, and then agreed on and adopted by the Assembly as a whole in plenary at the annual session. These resolutions inevitably suffer the limitations of being debated and adopted in a relatively limited space of time—and from the give and take necessary to reach agreement and reconcile different views. It is often said that the debate and discussion that surrounds the adoption of a resolution are more important than the final product itself.

Notwithstanding these limitations, Assembly resolutions provide a periodic reality check as to collective Assembly thinking on the key issues of the day. They, and the Assembly’s debates in general, provide NATO and its governments with an insight into parliamentary and public thinking. They provide an important backdrop against which Alliance decisions develop, and which NATO and its governments would be ill- advised

to ignore. There are times when Assembly debates have a particular salience for the Alliance; Kosovo and NATO enlargement were two issues where the work of the Assembly had a particular significance, and will again in the latter case.

In summary, then, the Assembly's role vis-à-vis NATO lies outside the realm of direct influence. Certainly it is to be hoped that Assembly deliberations feed back into the policy-making process by one route or another, and certainly through national parliaments where direct influence is, in most cases, exercised. But the Assembly's essential role is: to facilitate parliamentary awareness and understanding of key security issues, including the perspectives of other members; to ensure the maximum transparency of Alliance policies and activities and thereby a sense of collective accountability; and to provide NATO with an indication of parliamentary views and attitudes.

### **Parliamentary Lessons for ESDP?**

What points, if any, can be drawn from the experience of the NATO PA in terms of whether or not a parliamentary dimension should be developed for the ESDP? Some ideas, and some grounds for optimism, can be found in the NATO PA's history. As with NATO, ESDP and its related institutional structures were conceived seemingly without any thought of providing a parliamentary dimension. As with the NATO PA, it seems that the initiative for making good ESDP's apparent democratic deficit will have to come from parliamentarians themselves.

In looking at what a parliamentary dimension could achieve, several factors should be borne in mind:

- Defense and security remains a field that nations guard jealously. Decisions on defense budgets, armed forces, and deployments will be made by national governments and parliaments.
- Because of its very nature, defense and security in itself is a difficult field in which to achieve effective parliamentary oversight. Confidentiality frequently restricts the flow of information, and military professionals are often resistant to the intrusion of outsiders. There is almost always a degree of tension between the executive and legislative branches as to what degree of oversight is appropriate. This is even more true at the inter-governmental, inter-parliamentary level.
- Parliamentary involvement in defense varies widely from country to country. The roles normally associated with parliaments—accountability, oversight and scrutiny, influence, and transparency—are all implemented in different ways and to different degrees. This means there are different expectations as to what can and should be achieved.
- The relationship of inter-governmental organizations with their inter-parliamentary counterparts depends on institutional and legal arrangements, the substance dealt with, and organizational ethos of all

concerned. The NATO PA experience has been that cooperation is far more difficult when “hard” security is involved.

The existing interparliamentary organizations each have their own *raison d'être* that defines their role and relationship with their inter-governmental counterparts. However, in terms of overall effectiveness they all have the same problems of large numbers, a wide range of national and political views, periodic meetings, and insufficient time.

So what should be done concerning ESDP? In dealing with the perceived democratic deficit, ambitions should be modest because, as mentioned earlier, there are constraints on parliamentary dealings in security issues, and the key provisions for parliamentary oversight are in fact already in place. No matter what the arrangements of ESDP and any future force deployments are, the national parliaments of the European Union nations are unlikely to cede any of their prerogatives in the field of defense. Nor should they, since forces are maintained and deployed by nations first, and only second placed under the authority of the United Nations, the OSCE, the European Union, or NATO.

However, ESDP is spawning new bodies, committees, and consultation mechanisms. These should be the “targets” for ESDP’s parliamentary dimension, because these are not transparent to national parliamentarians, and certainly not to the publics they represent. If the emphasis is on transparency, then it is worth noting that several bodies already currently contribute to this goal. As already noted, the NATO PA anticipated the NATO-EU relationship by enhancing its relationship with the EP and by organizing periodic meetings with ESDP officials. The WEU Assembly—or Interim European Security and Defense Assembly—has suggested itself as the candidate for bringing together national parliamentarians. In doing so it brings considerable experience in dealing with the field of European defense and security and an all-inclusive approach that grants equal status to all EU aspirants. The EP in its hearings and other activities also contributes to greater openness and understanding of the workings of ESDP. These activities and the co-operation between these various bodies means that there is no shortage of parliamentary meetings on European defense nor of appearances by ESDP officials before a wide variety of parliamentary audiences.

If a parliamentary dimension specific to the fifteen full members of the EU is deemed necessary, then the role of such a body would appear to lie in improving awareness and understanding among parliamentarians from ESDP countries, creating transparency of ESDP structures and policies, and imparting a significant measure of democratic legitimacy to the ESDP. Alongside this would sit the EP, with direct oversight of those areas of crisis management where it has competence and, of course, an active interest in all areas of ESDP.

In what forum would this take place? There is no need in this paper to venture into the contentious and complex territory of forum or structure. There are a variety of other options, but each has to be judged not only according to the requirements of ESDP, but also against ongoing discussions concerning the future arrangements for the EU as a

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whole. Whatever formula emerges, the NATO PA will continue to have its own specific mandate, as will others, although there would probably be a degree of overlap with any new entity. However, leaving politics aside, there is a practical aspect that should be borne in mind: a new entity would have practical and financial consequences. The existing interparliamentary assemblies have their own mandates, and have evolved an approximate division of labor between themselves. However, they all draw from the same pool of members and the same national budgets. An additional entity would mean more meetings, more demands on members' time, and possibly the need for new structures and resources. The word "overstretched" comes to mind. If, as appears likely, the development of a parliamentary dimension focusing on, and specific to, ESDP is seen as necessary, then it would be helpful if the maximum use could be made of existing resources and structures.