Chapter Four

BEYOND BERLIN: DEVIL IN THE DETAILS (I)

The agreement reached at NATO’s Berlin and Brussels ministerial meetings in June 1996 could have been the end of the basic debate within the alliance about the development of the European defense pillar—an elegant arrangement between two institutions, respecting the interests and ambitions of each. But this was not to be, in part because of the need to work out the practical details of the relationship between NATO and the WEU.

Furthermore, from the U.S. point of view (acting informally as lead custodian of the NATO position), some points of the grand bargain did raise questions. For example, the Brussels and Washington Treaties both contain commitments for allies to come to one another’s aid in the event of external aggression, according to particular definitions; indeed, the Brussels Treaty does more to commit its member states to take military action than does the Washington Treaty—at least in theory, although not in practice, since the WEU does not have either a serious military structure or the political and strategic engagement of the United States.¹ The United States was concerned, however, that a European country that was not a member of NATO might join the WEU, because of either its membership in the European Union or the invitation extended to other states by

¹See the Modified Brussels Treaty, October 23, 1994: Each high contracting party will “afford the Party so attacked all the military and other aid and assistance in [its] power” (Article V). Compare this with the North Atlantic Treaty: Each ally will join in taking “such action as it deems necessary, including the use of armed force” (Article 5).
the Maastricht EU summit of December 1991.² If such a country were subjected to external aggression, the other WEU states would have to come to its aid with “all the military and other aid and assistance in their power;” and, in practice, that would mean exposing NATO to risks, as well. For Washington, this raised the possibility that it could, in practice, become committed to taking military action without having had a say in how a crisis got to that point: Countries could, in effect, enter NATO through the “back door.” Thus the United States adopted a formal position that any WEU member would also have to be a NATO member—a position that could have real substance, given that the European Union, like NATO, was embarking on a process of enlarging to include countries in Central Europe. However, although the United States did come to support an “open door” for membership in the alliance, it was quick to point out that it was not implying that it would support NATO membership for any country that happened to find its way into the EU and thus chose to join the WEU; rather, Washington was, in effect, asking for a veto on any country that takes this path, unless, by its own volition, NATO also grants admittance.³

In theory, this was a serious issue for the United States and hence for the alliance. In practice, however, it has had far less strength, since there has not appeared to be much risk that any WEU member would be the victim of external aggression. Furthermore, if that were to

²See Maastricht Declarations, December 10, 1991, II. Declaration:
States which are members of the European Union are invited to accede to WEU on conditions to be agreed in accordance with Article XI of the modified Brussels Treaty, or to become observers if they so wish.

[T]here are U.S. concerns well known, that members of WEU should also be members of NATO... And for the United States, there is the desire not to see backdoor membership to NATO, but rather members through the front door. This implies a continued American willingness to support the open door to NATO membership so that there can be a correspondence of countries that eventually join WEU and the Atlantic Alliance itself.

Also see Wim van Eeckelen, General Rapporteur, EU, WEU, and NATO: Towards a European Security and Defence Identity, NATO Parliamentary Assembly, Sub-committee on Defence and Security Co-operation between Europe and North America, October 6, 1999, paragraph 23 (www.bits.de/CESD-PA/Parrep-van-Eeckelen-April-99-Draft-as110dscdc-e.html).
happen, it would probably be under circumstances where NATO (including the United States) would be prepared to defend the nation so attacked, whether or not there were formal treaty commitments. Additionally, none of the four former “neutral and non-aligned” countries that now belong to the EU but not to NATO chose to avail itself of the right to join the WEU as full members, but rather (at Rome in December 1992) became “observers”—in some cases at least in part to avoid challenging the declared U.S. position. Thus Washington chose not to press the point; but for the future, there remains an issue whether new members of the EU and hence participants in ESDP will be accorded the protections of Article V of the Brussels Treaty.

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4The “Final Act” of the Maastricht Treaty (Treaty on European Union, February 7, 1992, op. cit.) provided that

members of the European Union are invited to accede to WEU on conditions to be agreed in accordance with Article XI of the modified Brussels Treaty, or to become observers if they so wish. Simultaneously, other European Member States of NATO are invited to become associate members of WEU in a way which will give them the possibility of participating fully in the activities of WEU. The Member States of WEU assume that treaties and agreements corresponding with above proposals will be concluded before 31 December 1992.

Thus the four former “neutral and non-aligned” countries presumably lost their right to affect WEU policy in the style of full members. However, see footnote 6, below.

5See, for instance, Van Eeekelen, October 6, 1999, op. cit.,

Dropping Article V [of the Brussels Treaty for new WEU/ESDP members] would be a step back in terms of solidarity. Maintaining it should not be difficult, as nobody foresees this cause being implemented outside the collective defence provided by NATO. This point also gives the answer to US concerns about “back-door” guarantees if the EU and WEU admit new members who do not wish—or are unable—to join NATO as well. Today the question does not seem urgent, but could become topical when EU enlargement gathers momentum. It would be difficult to exclude new members of the European security framework simply because NATO is not ready to take them in.


The commitments under Article 5 of the Washington Treaty and Article V of the Brussels Treaty will in any event be preserved for the Member States party to these Treaties. The policy of the Union shall not prejudice the specific character of the security and defence policy of certain Member States.
The U.S. government was also concerned about one particular aspect of the EU’s development of its Common Foreign and Security Policy, which entailed the capacity for the EU to direct the WEU’s actions. The Amsterdam Treaty provided that all EU members would be able to act on an “equal footing,” which included making decisions about what the WEU should do to undertake any of the Petersberg Tasks. That provision clearly indicated that the EU’s process of “taking” decisions about the WEU would include states that were not also members of NATO (at the time Finland, Sweden, Austria, and Ireland) with the last not then even a member of NATO’s Partnership for Peace (PFP). Thus, such countries would be in a position potentially of shaping NATO policy—and certainly of gaining access to NATO proprietary information—without also sharing in the responsibilities and practices, explicit and implicit, of NATO membership. In time, the WEU might also include, as full members, Central European

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Also see “German Proposal on ESDI Unveiled,” NATO News and Analysis, March 16, 1999:

The commitments under Article 5 of the Washington Treaty and Article V of the Brussels Treaty will be preserved although there will be a need to review the institutional basis for the latter, in the understanding that whatever happens to the modified Brussels Treaty Article V, the collective security guarantee will continue to apply only to those who are NATO allies [emphasis added].

In addition, see House of Commons Defence Committee, Written Evidence, Memorandum by Richard G. Whitman, University of Westminster, and Karen E Smith, London School of Economics, July 26, 2000 (www.parliament.the-stationery-office.co.uk/pa/cm199900/cmselect/cmdfence/295/295we01.htm):

| Importing Article V into the EU Treaty will be extremely difficult, given the implications this poses for the neutral states in particular, as well as for the future development of the EU.


When the Union avails itself of the WEU to elaborate and implement decisions of the Union on the [Petersberg] tasks . . . all Member States of the Union shall be entitled to participate fully in the tasks in question. [This would include participating] fully and on an equal footing in decision-taking in the WEU.

7Ireland did join PFP on November 1, 1999, thus agreeing to take part in a formal relationship with a military alliance for the first time in its history as an independent state.
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states that joined the European Union but not also NATO—an issue that has not arisen so far but that could do so in the future. However, while potentially serious, this problem had no practical solution without provoking a clash between NATO and the European Union, at a time when the issue remained moot: So long as the WEU was quiescent, there was no need to push this matter to the level of major debate and disagreement.

Concerns about the grand bargain also appeared on the European side, and in particular in France. It remained unconvinced that the agreed arrangements, along with the broader framework of understandings about its overall relationship to NATO, would meet its national requirements. Most visibly, within a few months after the Berlin-Brussels decisions, France and the United States entered into a major dispute over command arrangements within NATO, a dispute central to the question whether France would rejoin the NATO integrated military command structure or would stop at the halfway house of rejoining NATO’s Military Committee, which it did in December 1995. The proximate cause of the dispute was the disposition of one of Allied Command Europe’s two major subordinate military commands—Allied Forces Southern Europe (AFSOUTH), headquartered in Naples. Noting that the United States provided commanding officers for NATO’s two principal commands, Allied Command Europe (Casteau/Mons) and Allied Command Atlantic (Norfolk), France insisted that subordinate commands in Europe be headed by Europeans; indeed, this had long since been the case for Allied Forces Central Europe (Brunssum, Netherlands); and, France argued, this arrangement should logically and politically also apply to AFSOUTH.

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8See, for instance, Voice of America, December 5, 1995, www.hri.org/news/agencies/voa/95-12-05_1.voa.html; and Ministerial Meeting of the North Atlantic Council held at NATO Headquarters, Final Communiqué, Brussels, December 5, 1995, Press Communiqué M-NAC-2(95)118, paragraph 2. This was part of Chirac’s decision to move in the direction of full membership of the integrated command structure. Henceforth, as well, France again took part in meetings of NATO defense ministers. For this purpose, supplementing the Defense Planning Committee (DPC), which had been the “NATO Ministers minus France” forum since the mid-1960s, the allies created a parallel forum, named according to the author’s suggestion, “the North Atlantic Council in Defense Ministers Session.”

9This French request came only after a more grandiose proposal had been rejected by the United States as unworkable and politically unsustainable, for both the United
By contrast, the United States insisted that it retain control of this command, because of the major role its forces play in the Mediterranean and the difficulty of explaining to the U.S. Congress that American forces serving in the Former Yugoslavia (a theater commanded by AFSOUTH) were not under U.S. command; but Washington did say that, at such time (if ever) that the Europeans showed that they were pulling greater strategic weight than the United States in terms of naval combat power in the Mediterranean region, the command arrangements could be reviewed and, by implication, changed.

In part because of this impasse, Paris concluded that the alliance had not been sufficiently reformed, as requested by President Chirac in

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President Chirac recommended that NATO’s top command be organized around a U.S.-designated super-SACEUR at the head of a single strategic command, with two sub-strategic commands correlating to the current MNCs except that the MNC command position in Europe would be filled by a European.

Note: The proposal made by the French government to the American government was for both Major NATO Commands (MNCs) to be headed by Europeans.

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Thank you for your question. I am here to help you. Please let me know if you have any other questions.
December 1995, to justify its full return to NATO’s integrated military command structure. This dispute, largely opaque to any outside observer who lacked a thorough knowledge of NATO lore and detailed command structures, helped to spur disagreements that still continue regarding the future of the European Security and Defense Policy and its relationship to NATO. Just as the political possibilities for the Berlin-Brussels grand bargain were tied up with France’s overall relationship to NATO, so the future of NATO–EU/ESDP relations cannot be disentangled from this broader question of alliance reform, with all of its political implications.

At the same time, France (with some often-quiet support from other European allies) had doubts about particular aspects of the 1996 grand bargain. For example, the North Atlantic Council would retain authority over the release of NATO assets for WEU use—thus preserving veto power for the United States (with its preeminence in ownership of national military assets that the WEU was likely to want to use); and Washington was clearly loath to approve any language that would imply that this release would be “automatic.” The obvious question was thus posed: Would the United States be willing, when actually challenged, to take the final step—to implement its pledge, even to put some of its own military personnel under WEU command, outside of the NATO command structure—or would it balk at the last moment?12 Obviously, there is no way to test this proposition in advance, and in recent years the United States has shown considerable reluctance to put its forces in harm’s way without a conflict’s having a direct connection to U.S. interests and values. Furthermore, despite the 1996 Berlin and Brussels agreements, France was not reconciled to the view that NATO needed to remain preeminent as a European security organization for military operations that did not fall under the Washington Treaty’s Article 5 (response to external attack) as well as for those that did; and, according to the Berlin-Brussels arrangements, NATO would have this

12For some observers, this has remained an unreal debate, since, at least for the next several years, it does not appear likely that there would be any call for the WEU (EU)—through ESDP—to act militarily at any significant level of activity without the United States’ willingness to take part—at least in Europe or directly affecting its own security—in which case the operation would fall under NATO. The 1999 conflict over Kosovo seemed to validate this point. Of course, as argued elsewhere, an operation in Africa could be a different story.
preeminence even though, for non-Article 5 military operations—that is, the operations most likely to be conducted in post–cold war Europe—it was likely that European forces would undertake the bulk of the fighting, at least in a ground campaign.\textsuperscript{13}

Thus the issue of the WEU’s relationship to NATO, at the heart of the development of ESDI, continued to engage an underlying political competition between France and (primarily) the United States. This was doubly true because of what was widely believed to be a basic French motive for championing ESDI: It represented a realm of activity (military) in which France could exercise a major leadership role within Europe, including vis-à-vis Germany—a country virtually guaranteed, in major part because of German Unification, to have decisive economic, and hence overall political, preeminence within the European Union; but Germany was also a country that was still limited, politically, in its ability to employ military power, as witnessed in its tentative approach to engagement in the Bosnia conflict.\textsuperscript{14}

\textsuperscript{13}In fact, during the Kosovo War of 1999, the United States undertook the vast bulk of military operations in this “non-Article 5” conflict. Of course, in part that was because the alliance elected to rely almost exclusively on air power, thus avoiding ground operations—with far higher risks of allied casualties—in which European allies would have had a much more prominent role.

\textsuperscript{14}Of course, this is very likely to be a wasting asset for France, as Germany gains more confidence and experience in deploying combat forces, within the context either of NATO or of the EU/ESDP. But it should still be several years before France loses its political advantages in this sphere.