

**NATO ENLARGEMENTS:
TOWARDS A PAN-EUROPEAN
SECURITY SYSTEM?**

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Abstract

The terms of the European Security have changed: the end of bipolarism makes possible and even requires a continental vision of security. Security in Europe is indivisible: a solution has to be found to accommodate Eastern and Western European concerns in a pan-European system. On the other hand, as security is not exclusively a military challenge anymore, but an economic, political, social, environmental one as well, just one organisation cannot cope with the multifaceted challenges of the Post-Cold War world. Given the complexity of conflicts, the consequence is that conflict prevention, peacemaking, peacekeeping and peacebuilding can no longer be considered as independent activities. The role of each of these phases is interrelated and consequently co-ordination is required. The security organisations in Europe had to adapt to the new security conditions in order to meet the post-strategic conflict requirements. NATO carried on three simultaneous and complementary enlargements -new members, new missions, and power-projection extension, the EU and the OSCE adopted new instruments in order to be able to deal with the full range of actions needed to deter the multifaceted modern conflicts. These parameters defining the European Security at the turn of the century shape the framework of our research.

The main research question of the present paper is if and how NATO's triple enlargement contributes to the creation of a pan-European security order. As our second assumption was that one institution could not cope with the complexity of challenges of the modern security environment, a subsequent research question, dealt with in the second part, concerns the contribution of interlocking institutions to a continental security. The conclusion will attempt to set up the likely distribution of tasks among the interlocking institutions and make some educated guesses about the shape of the 21st century European security.

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Keywords

NATO Enlargement, Kosovo crisis, Partnership for Peace, Common European Policy on Security and Defence, OSCE, interlocking institutions

List of Abbreviations

CEECs	Central and Eastern European Countries
CEPSD	Common European Policy on Security and Defence
CFE	Conventional Forces in Europe (Treaty)
CFSP	Common Foreign and Security Policy
CIS	Commonwealth of Independent States
CJTF	Combined Joint Task Forces
EBRD	European Bank for Reconstruction and Development
ESDI	European Security and Defence Identity
ESDP	European Defence and Security Policy
IFOR	NATO Implementation Force
IFM	International Monetary Found
KFOR	Kosovo Implementation Force
NAC	North Atlantic Council
NACC	North Atlantic Co-operation Council
NATO	North Atlantic Treaty Organisation
OSCE	Organisation for Security and Co-operation in Europe
PfP	Partnership for Peace
SFOR	Stabilisation Force
UNFROPOR	United Nations Protection Force

UNMIK	United Nations Interim Administration in Kosovo
UNO	United Nations Organisation
WEU	Western European Union
WTO	Warsaw Treaty Organisation

Introduction

Visions of European security after the end of the Cold War

The end of the bipolar world requires new security concepts and arrangements: a new strategic philosophy has to provide instruments to explain and face the new challenges. The last ten years brought more changes in the European security landscape than the previous five decades of Cold War balance. NATO advanced well in the heart of Europe, the European Union gives up its Switzerland-like civilian power look, war exploded in Europe again, Russian soldiers work with NATO boys in Bosnia and in Kosovo. The concept of security changed its meaning. There are three main political and academic visions of European security after the end of the Cold War: the State-centric structure, the pan-European structure and the multiple institutions structure.¹ Our view is that, at the turn of the century, we can identify a mixture of the second and third vision: a pan-European model based on a multi-institutional structure.

Two basic assumptions, almost truisms, shape the basis of the security system, which is emerging in Europe. First of all, security is indivisible. The new security architecture must include all European states, if it is to ensure stability on a continent that was the scene for two devastating world wars: “*Western Europe can no longer consider itself as a self contained security zone ending at the Oder river.*”² The changing nature of international relations as a consequence of the globalisation process³ and the diffuse character of threats ask for a continental vision of security in Europe. No state can separate its security from that of its neighbours, nor can it deal, on its own, with across-border threats. On the other hand, security can not be achieved only by military means, as it has economic, political, social, environmental and human rights aspects. A logic consequence is that conflict prevention, peacemaking, peacekeeping and peace-building can no longer be considered as separate activities. The crisis-management phases are interrelated and consequently strong co-

¹ Trine Flockhart, Visions and Decisions: A New Security Order, in From Vision to Reality : Implementing Europe's New Security Order, Westview Press, 1998

² Edward Mortimer (1992), European Security after the Cold War, Adelphi Paper 271, Summer 1992, IISS, Brassey's, London

³ Francis Fukuyama calls it the “common marketisation of the international relations”, in The end of history (1989), New York

ordination is required. The diversity of threats, the complexity of solutions and the necessary co-ordination between peace-making-related actions imply that one organisation, or one state, cannot guarantee, alone, the pan-European security.

The 21st century European security will be based on a system of complementary, interlocking institutions ensuring a continental security network. It will be assessed, in this paper if NATO, which used to be the security organisation of the Cold War Era, is still the central pillar of the European security -considering its transformation and its performance in European crises. In order to evaluate the new NATO, the question of NATO enlargements' contribution to the creation of the all-European security system will be addressed. By NATO enlargements, it is not meant only successive acceptance of new members, although the enlargement of the Atlantic Alliance to new members is a central element of NATO's extension. We assume that the Atlantic Alliance carried on three types of enlargement in order to redefine its orientation, aim and *raison d'être* after the end of the Cold War. The most obvious form of enlargement is what is generally referred to as NATO enlargement: the acceptance of new members. This is what will be called geographical or territorial extension. The second form of enlargement refers to the new missions, codified in the Alliance's strategic concept:⁴ it will be called action-area enlargement. NATO is now to be found not only in the limits of its geographical territory, but anywhere interests of its members need to be defended. This is the reason why the out-of-area missions are to be considered as a form of extension. Thirdly, NATO's influence outside its territory, on non-members' ground, its power projection and presence on partners' territory is a form of extension. It will be considered, in this study, that the Partnership for Peace programme is a way to enlarge progressively, by bringing NATO beyond its area without extending the Article V commitments, hence without providing full (legal) membership.

The hypothesis of this study is that the new NATO is the most adequate answer to the complex security problems in Europe, but given the interdependence between conflict phases and the multidimensional aspect of security, its action needs to be complemented by interlocking organisations: the EU, the OSCE, and the Council of Europe. The research question is threefold. It will be assessed, first of all, if NATO enlargements are a qualitative step towards the pan-European security system or are just moving the exclusive secure zone a few hundred-kilometre eastwards. In other words, can they create an inclusive system or just prolong fragmentation? A second question would be if NATO enlargements were sufficient to shape a continental security order. The third question, relevant for the purpose of the present research, is what division of power among the interlocking institutions could better establish a pan-European security order? An overall implicit question will be if the new European security is better ensured by a military Alliance or by a civilian power.

The structure of the paper will logically follow from the sequence of research questions. The aim of the first part is to assess how the three NATO enlargements⁵ contribute to the creation of the all-European security system and what is the likely place of the enlarged NATO in the new security architecture. In order to evaluate this contribution, the triple enlargement consequences for the main security actors in Europe and for their interaction will be analysed. The second part will assess the functioning of the interlocking institutions and their contribution to the pan-European security network. The conclusion will address the question of distribution of tasks between security institutions in Europe.

Part one

⁴ NATO adopted the new missions concept at the Oslo 1992 Summit. The new Strategic Concept, issued at the Washington Summit, in April 1999, codified and clarified further the new missions concept

⁵ We analyse the three NATO enlargement as completed as they are in the year 2000

NATO enlargements and the pan-European security system

I.1. New members

The debate over NATO's enlargement to new members dominated the security arena for a decade after the fall of the Berlin Wall. The passion surrounding this subject can be explained by the important implications of the decision that breaks the symbolic borders of the Cold War Era. We will not go here into the details of the pro and cons debate, this is beyond the aim of the present research; since we study NATO enlargement in the light of its contribution to the creation of a pan-European security system, we will primarily look at implications and likely consequences of NATO enlargement on security actors in Europe and at the future of the process. In order to assess the consequences we will study the new, 19 members' NATO and its ability to carry on its task as leading security organisation, we will look at implications of enlargement for the relationship with Russia and at prospects for future enlargements.

1.1. Consequences on the Atlantic Alliance

One of the most dominant fears associated with enlargement of the Atlantic Alliance to new members was the dilution of NATO and its *de facto* transformation into a talk shop⁶. This view is based on the assumption that widening will be made at the expense of maintaining the depth achieved in 50 years of NATO existence. In order to assess how expansion affects NATO, we have to look first at the Atlantic Alliance's functions and see if and how are they likely to be altered. As a military alliance, NATO has the following purposes: managing military threats, maintaining defence capabilities to deter and defend against threats, organising multinational military operations, maintaining political cohesion among the Allies and maintaining the transatlantic partnership, by keeping America involved in Europe. We will split these functions in three groups: the internal political cohesion, the military action preparedness and effectiveness, and the transatlantic balance.

Internal political cohesion

The issue of internal political cohesion has, in our opinion, two dimensions: the emergence of divergent interests and, on the other hand, the increasing difficulty of reaching consensus within an Alliance with a growing number of members. The possibility of divergent interests is a legitimate concern. Within a sixteen members alliance, different interests generated already two identifiable cleavages. First, there is a constant divergence of interests between France and the United States, present within NATO ever since the creation of the Alliance, requiring long negotiations between the two before each important decision is taken, in order to accommodate their positions. There is a second cleavage that became clear after the end of the Cold War: as the sources of threat are diverse, in a multipolar world interest is geographically split. The Central European NATO members are concerned with their own region, Southern European NATO states are preoccupied with the southern area. The polemic around the inclusion of Slovenia and Romania in the first round of NATO enlargement was the result of these two competing visions, translating divergent interests: protecting and reinforcing the Southern Flank or consolidating the Central European line. For the moment NATO still concentrates on the central region, even though instability comes from South, because co-operation between the South countries⁷ and between NATO and the Southern countries was always problematic.

⁶ Charles A. Kupchan: Expand NATO and split Europe, New York Times, 27 November 1994

⁷ Co-operation between Turkey and Greece, for example, or both with the Balkan countries

Our opinion is that inclusion of the three new members is not going to affect these cleavages, and cannot change the balance of interest within the alliance. The Czech Republic, Hungary and Poland will not be able to change the focus of the alliance interest, as they will, most likely, align discretely on one side or the other. Poland and the Czech Republic remain predominantly interested in the Central European region, while Hungary is more concerned about instability in Balkans, due to geographical proximity and the presence of a significant Hungarian minority in the region. We believe, thus, that past cleavages will continue after the first wave of enlargement without being significantly altered by new members' presence or interest.

The issue of divergence of interests can refer to as fundamental things as the willingness of members to provide common defence: "*a refusal by any member to come to the help of another would cause irreparable damage to the alliance*"⁸. The Post Cold War environment showed that this scenario could be imagined when threat is multipolar. In an alliance with 16 members, the Gulf War provoked already a sharp debate within NATO about defending the Turkish air bases from which some operations against Iraq were launched. Some could suspect that the new members, limited by small defence budgets, would not be willing or at least not enthusiastic about the idea of fighting to defend Turkey's or Greece territory.⁹ We believe, on the contrary, that the new members have a strong interest in preserving the common and reciprocal defence principle. The reason why they were pushing for being integrated in NATO was to be covered by the article V commitment, which they did not enjoy as partners. The three new countries that joined NATO in April 1999 are likely to try to prevent a diluting of the sense of the Article V reciprocal defence commitment.

The second challenge of maintaining political cohesion refers to the practical difficulty of reaching consensus in an ever-growing alliance. The idea we will further analyse, expressed by the former Deputy Under-secretary of State Arnold L. Horelick, is that enlargement would make "*governance matters worse*"¹⁰. NATO enlargement is a challenge for the consensus rule and tradition inside the Atlantic alliance. There is little doubt that the new comers will try to be good members, probably better than some of the old rebellious ones, obeying the principles and the spirit of NATO functioning. But the mere fact that more members negotiate within the alliance would increase the likelihood of collision among members' interests. Tensions susceptible to occur inside the alliance in time of crisis may undermine the decision-making capability of NATO, its political credibility and consequently the effectiveness of its military action. A solution could be the introduction of majority voting, which means organising coalitions of willing on single issues. The problem is that coalitions of the willing members would undermine the credibility of NATO's unity and thus undermine the political credibility of the alliance. Nevertheless, some kind of flexibility and enhanced co-operation (like the European Union introduced with the Treaty of Amsterdam), under strict rules, can be imagined for preventing NATO decision-making blockage.

NATO's Military effectiveness after enlargement

The analysis of military effectiveness refers to two issues: first of all, to maintaining adequate Defence capabilities and secondly to the practical planning and conducting of military operations¹¹. After the adoption of the 1991 Strategic concept, NATO reduced by 35 % the overall size of its forces and reduced the readiness requirements of most of the alliance

⁸ Kori SCHAKE, Europe after NATO Expansion: the Unfinished Security Agenda, University of California Institute of Global Conflict and Co-operation, Policy Paper 38, p 7

⁹ Ibid.

¹⁰ Senate Foreign Relations Subcommittee on Europe, Testimony of Horelick, 25 April 1995 (in Sean KAY, op. cit.)

¹¹ Kori SCHAKE, op. cit.

forces.¹² This can be perceived as a self-alteration of NATO defence capabilities to deter and defend against threats. On the other hand, the types of capabilities NATO needs in the post Cold War period are different. NATO is not likely to be involved in Article V common defence situations anymore but in out-of-area crisis management actions, requiring a different and quite expensive military equipment -light, able to act much longer on difficult field situations- and highly mobile and a difficult - and expensive - training. Even though collective defence remains the central goal of the Alliance and out-of-area missions are just one type among others mentioned by the Strategic Concept, this is the war NATO is going to fight in the future, as an attack to NATO's territory is highly unlikely, and preparation for it is essential.

Maintaining defence capabilities at a high level poses problems, since after the end of the Cold War, and even before, the European allies were not willing to make the necessary investments to create the new power projection, corresponding to the 1991 Strategic Concept and now to the 1999 Strategic Concept.¹³ There is a technologic gap between the USA and the European members of NATO, visible especially during the Kosovo crisis: the American and European troops have different capabilities, different training levels. It is increasingly difficult to make them fight following a common strategy, as the above-mentioned discrepancies require the use of the common-lowest denominator. On the other hand, it is widely admitted that the three new member countries are not in the situation, for the moment, to be net contributors to NATO's security. Most of their infrastructure has to be done or redone, the training level and readiness of their combat forces are below NATO standards. In addition to that, the admission of Hungary will pose some additional defence capability problems, as the country is not geographically contiguous with other NATO countries.

In conclusion, it is true that the inclusion of the three new members is a challenge, because they have poor military capabilities, but NATO faces problems associated with maintaining adequate defence capabilities irrespective of the decision to enlarge. As stated before, cleavages between the USA and the European Allies emerged concerning their defence budgets and their use¹⁴. The extension of the Alliance territory with 15 % will affect only marginally its defence capabilities, especially that an aggression against one of the new members is unlikely. For the moment the three new members do not improve the defence capabilities of the alliance but do not affect them significantly negatively neither.

NATO is remarkably efficient at planning and conducting multinational military operations. The success of the multinational operations is based on the unity and central organising principle of military operations. It is relevant at this point to remind that long discussions about the creation of a European pillar inside NATO, about France's integration introduced the idea of changing the integrated military command structure. Many scholars¹⁵ believe that the alteration of the unique military command would destroy the effectiveness of the alliance, as the integrated command is what has always differentiated NATO from other organisations dealing with security in Europe (the United Nations, the OSCE, and the EU). Admission of new members is not likely to influence this debate and to produce an alteration of the integrated military command. Hungary, Poland and the Czech Republic firmly declared the intention to fully integrate their militaries forces into NATO structures; it is unlikely that the new members ask to be granted a number of important command positions in the integrated

¹² As an example, NATO's Cold War requirements of providing ten divisions in ten days have been relaxed to ten divisions in 48 weeks (Kori SCHAKE, op. cit.)

¹³ Michael O'HANLON, Transforming NATO: The Role of European Forces, Survival, Vol. 39, no. 3, Autumn 1997, p. 9 - 10

¹⁴ Retired French Colonel Jean Louis Dufour, quoted by Bernard Edinger, in Kosovo conflict underscores NATO technology gap, 1999 Reuters News Service, <http://www.nandotimes.com> April 9 1999

¹⁵ See Kori SCHAKE, op. cit.

command, as for several years they will rely on the old NATO members for defence.¹⁶ At the same time, the organisation and conduct of multinational military operations will not be, at long term, significantly changed by the inclusion of the Czech Republic, Hungary and Poland.

As for the question of military interoperability, there are already problems with the interoperability between old Alliance's members¹⁷. There will be definitely some problems among old and new members, concerning the military training, the military culture, the language barrier, the scarcity of resources allocated to defence by governments carrying on the economic transition. The new members' militaries were familiarised with NATO standards and operations before being formally part of it. They have worked with NATO since the Partnership for Peace programme started, in 1994: they had common exercises and carried on operations under NATO command in Bosnia. Indeed, the Kosovo crisis was a test for the functioning of the new NATO, in respect to both the decision-making and the military action on the field, just a few weeks after enlargement was completed. Kosovo was a relevant laboratory-like situation testing the political behaviour and the military interoperability with the new members. The scenario was perfect to check the solidity of the alliance: intervention in one of the new comer's neighbouring country, sensitive interest due to the presence of Hungarian minorities in Serbia, public opinion passionate implication in the new members, Russia's strong opposition. Nevertheless, the Czech Republic, Hungary and Poland did not threaten the political cohesion of the alliance, despite their sensitive position. On the contrary, some old members of the alliance tried to prevent NATO's action, fearing the spread of conflict or opposing an intervention without an external mandate, from the UN or OSCE¹⁸. The Kosovo crisis checked the unity of the allies because of the special character of the crisis, of the first ever NATO intervention in an independent country without a mandate from one of the mandating organisations and of different interests of alliance members in the region. In many North Atlantic Council meetings the consensus between the 19 was difficult to maintain but never because of one of the new comers, despite the fact that their position vis-à-vis Russia and the conflict countries was politically delicate. One of the new NATO countries, Hungary, came under heavy pressure from Russia, in mid-April 1999, in a row over aid. Hungary refused to let the Russian convoy enter, because the large quantity of diesel fuel could have been used by the Yugoslav military. Russia, which said the convoy was loaded with food and medicines, has warned Hungary that the action could damage relations between the two countries. Being part of NATO represented a secure enough guarantee for Hungary, to give it force to resist Russia's pressure, but the aid convoy episode was however a tough experience for the Hungarian government, four month after accession. At the same time, Hungary situation was delicate in respect to the sizeable Hungarians minority living in Voivodina, Serbia. It was difficult for the Hungarian government to calm down the passionate internal debate about intervention in Serbia, the public fear that support for NATO would provoke persecutions for the Hungarian minority and at the same time to discourage the nationalist claims of autonomy for the Voivodina Hungarian minority.

None of the concerns that bringing in new members will jeopardise the alliance's functioning proved to be true. The Czech Republic, Hungary and Poland governments behaved

¹⁶ Ibid.

¹⁷ During the Kosovo crisis, the Allies had difficulties in command and control, as the systems used by some (especially Europeans) Allies were less advanced than the American ones. NATO members were constrained to use the lowest common denominator during the Kosovo crisis in communication systems, for example, running the risk of their communications being intercepted by the Serbian Army. Remarks by Lord George Robertson, "Europe's new defence era", at the 5th Forum Europe Defence Industries Conference, <http://www.nato.int/docu/speech/2000/s000523a.html>

¹⁸ Italy and Greece's political leaders repeatedly voiced against NATO bombing Serbia, fearing the spread of the conflict. France was permanently sceptical, because of its traditional pro Serbian position and of the French tendency to limit to the minimum NATO's intervention.

wiser than some of NATO's funding members, despite the fact that this controversially action happened three month after their accession to NATO.

The transatlantic balance: keeping America involved in Europe

An important implication of enlargement on NATO refers to a possible change of the transatlantic balance. The transatlantic balance debate emerged after the end of the Cold war; it is visible not only in the burden sharing discussion, and in the enlargement costs debate, but mainly on the claim, by the European allies, to a more fear decision-making power inside the alliance and explicitly to more political control by the European allies. The Transatlantic balance discussion refers to "*an increasing frustration within Europe with what it perceived as efforts by the US to dominate NATO decision making and enhance America's position in the world.*"¹⁹

The often-quoted phrase of Javier Solana "*Not too much United States, but too little Europe*"²⁰ reflects the terms envisaged for a solution to the disproportionate American power in the Alliance. However "more Europe" is not likely to be realised simply after the inclusion of three new European members in the alliance. The increase in number of European members, by enlargement, does not mean, automatically, that qualitatively Europe's presence within NATO will be reinforced. This could happen only whether the US will reduce their participation or Europeans will increase their political and military contribution and sustain a unified position. But should a reduction of the American burden occur, it would be despite, and not because of the enlargement. On the other hand, we assist to the shaping of a stronger European pole in the Atlantic alliance.²¹ This is however not the result of enlargement, but rather of the Kosovo crisis and of the modest European performance during the political and military management of both the crisis and the Western intervention.

Some argue that America's enlargement initiative represents a decisive return to Europe: after a period of "doubt and questioning" the issue has been resolved: the United States decided to be a European power; "*we have realised that security in Europe does matter. It matters to us, and it is a priority that we will pursue regardless of what other distractions there may be elsewhere in the world.*"²² Indeed, America took several important steps towards Europe in the last years: it committed twice US troops for combats in Europe, for the first time since NATO was created, and extended America's presence eastwards, despite a significant opposition and debatable risks. The goals of this "return" can be, firstly, to preserve the transatlantic alliance and the American leadership within it and secondly, preserve the pre-eminent role of NATO in the European security policy.²³

The Eastern enlargement consolidated NATO's pre-eminence in security matters over OSCE and over a possible emergence of an independent European pillar.²⁴ NATO's primacy ensures US predominance in Europe. As most of the Central and Eastern European countries, new entrants and aspiring countries, are pro-American and they know that the US took the lead on enlargement in moments of European hesitation, their inclusion is likely to secure "*greater internal support for US views in key security issues.*"²⁵ Indeed, the United

¹⁹ Sean KEY, 1998, p. 115

²⁰ Javier Solana is quoted in the article East-West "partners" feel strain, in The Guardian, 10.02.1998

²¹ See Chapter 2.3., Developments towards a European Defence

²² The former US Ambassador to NATO, Robert Hunter, quoted by ADEVARUL, Bucharest, mai 1994

²³ Carl CONETTA (1997), America's New Deal With Europe: NATO Primacy and double Expansion, Project for Defence Alternatives, Radio Free Europe Analysis, December 1997

²⁴ US pushed these potential competitors into a shadow corner, by neglecting them or by promoting concurrent institutions: the NACC and the PFP.

²⁵ Ronald Asmus, Richard Kugler and Stephen Larrabee (1993), Building a new NATO, in Foreign Affairs, No. 4, 1993

States' policy of prioritising NATO enlargement over some European alternatives -WEU, OSCE- can be interpreted as an intention of sustaining US role in Europe. On the other side, it is clear that none of the "European alternatives" were viable at the moment of the first enlargement, as the European allies lack both the political will to take the drive towards an European security system and the will to pay more for it.

In our view, the inclusion of the Czech Republic, Hungary and Poland does not alter the transatlantic balance. Enlargement could be detrimental to the American involvement in Europe if the new members expect a too deep involvement of the USA for solving their own problems, which would risk to create tensions in the region. Especially if the new members from Central and Eastern Europe adopt a defying attitude towards Russia and try to bring NATO on an anti-Russian track, the USA might diminish their will to represent their interest in Europe through NATO. The United States might prefer a lesser engagement in NATO for a more stable relation with Russia. This is however not to expect in the near future: the *Realpolitik* necessities will make the Central and Eastern European countries realise that their destiny in Europe is inevitably linked, politically, to that of Russia and for their future a good and sincere relationship with Russia, political and economic, is vital.

One of the most important elements of the enlargement debate refers to the financial costs associated with accepting new members from Central and Eastern Europe. The burden-sharing idea created fears that bringing in new members would alienate the American and European partners over the considerable bill to be paid. And the unwillingness of both Europeans and Americans to pay for the new members will bring NATO in a political internal conflict situation and on the edge of the military dilution. US officials made it clear to the European partners and to the new members that they have to pay themselves the largest amount of the enlargement bill. US officials assumed the United States would pay about 7 to 10% of the final costs, the essential part of money should be at the charge of current European allies and of the new members. The cost debate became worrisome when the French President Jacques Chirac claimed that France was not going to spend any additional money on enlargement.²⁶ Other European allies, who never saw military expenditure as vital or even necessary²⁷ made it clear that they are not going to pay neither for enlargement nor for the modernisation of their own military capabilities in order to provide security for the new, not yet fully equipped, members. After the figures game²⁸, Europeans and Americans decided to concentrate on direct costs of enlargement -related to the integration of the new comers into common NATO programs such as air defence and headquarters facilities-. The cost discussion was indeed a serious element of the debate, but despite its potential to alienate the European and American position over enlargement the problem was solved with a typical Euro-Atlantic compromise: the went ahead with what they agreed -direct costs estimation- and left the controversial points for later.

A possible implication of enlarging to new members on NATO's internal functioning is the supposition that in order to *buy* Russia's tacit acceptance, the allies would seek some sort of accommodation with Russia, which may give Moscow an informal veto in NATO decision -making.²⁹ Via the special partnership created by the NATO - Russia Founding Act (signed in May 1997), Russia has been granted a voice, or a "*droit de regard*" in the allies' affairs. When Russian officials claimed that the signing of the agreement "*is not the end, but the beginning of its life: it begins the struggle over its interpretation*"³⁰, Western critics

²⁶ Jacques Chirac made this declaration at the Madrid summit, in July 1997.

²⁷ Especially South European countries (Spain and Portugal)

²⁸ The highest estimation was provided by the RAND Corporation, between 61 and 125 billion dollars and the lowest was presented by William Cohen, the US Secretary of Defence, 1,3 billion, as direct cost

²⁹ Sean KAY, op. cit., p. 114

³⁰ Serguei POLOTOVSKI, NATO and RUSSIA - a true partnership for peace, thesis presented for the Degree of Master on European Studies, College of Europe, 1998

started talking about the ‘*Trojan Horse*’³¹ introduced in NATO’s Headquarters. We are going to analyse the relevance of NATO - Russia arrangements in the next section.

I.1.2. Implications for Russia’s participation to the pan-European security system

In order to evaluate NATO enlargements’ contribution to the creation of the pan-European security system, we need to assess the consequences on NATO-Russia relations and on Russia’s willingness and possibilities to participate to the continental security system.

Many of the pro-con arguments related to enlargement concern Russia: NATO should enlarge to strengthen its position vis-à-vis Russia, NATO should not enlarge in order not to alienate Russia. As enlargement became inevitable, the important question for Western decision-makers and for scholars was how should NATO enlargement be done and what kind of accommodation with Russia should be found. After briefly outlining Russia’s expectations and reactions to the enlargement process, we will primarily assess the impact of NATO’s plans on Russia’s Western policy and on its ability to participate to the pan-European security system.

Russia inherited the expectation that Western leaders would respect its position on the main European security issues and would accept the CEECs and the CIS (Community of Independent States) as an inevitable Russian sphere of influence. This is the reason why, for Moscow, the key aims of NATO’ expansion, strengthening the Alliance and strengthening European Security, are mutually exclusive.³² Instead, Russia underlines the argument used by the Western realist theory supporters, emphasising that enlargement serves to fill the security vacuum in the CEECs, produced by Russia’s weakness. Despite the aggressive rhetoric of some Russian ultra-nationalist politicians, NATO enlargement is not associated, neither by elite nor by Russian citizens, with a possible invasion of Russia. It is not felt to be a threat to Russia’s security, but to Russia’ perception and projects concerning European Security and marks officially the loss of the great power status. The geopolitical consequences of enlargement, which brings NATO in the heart of Central Europe, increases Russia’s sensitivities about its national interests. The creation of both a bigger and closer European Union and NATO, neither of which are open to Russia, instability in Russia’s South and the risks of rivalry with Turkey in the Black Sea create a Russian insecurity complex and limit its options to participate to the European security system.³³

Western leaders fear that in reaction to NATO expansion Russia could stop the implementation of arms control or disarmament arrangements. But this is a very specific field where the interests of Russia and of NATO countries coincide, as maximum possible demilitarisation can only serve Russia with a decadent army and no money to maintain its nuclear arsenal. The need for greater transparency and for combating armament proliferation was recognised in the Founding Act. But talks on further reductions in nuclear arms, on revising the 1990 Conventional Forces in Europe Treaty or on the Anti-Ballistic Missiles Treaty were more difficult in periods of mistrust between Russia and the Alliance. Duma’s persistent failure to ratify the START 2 Agreement as an answer to the uncertainty caused by NATO enlargement was considered to be a first sign of retaliation by Moscow. Duma’s attitude is, in our view, a symbolic protest against enlargement, because the START 2 Treaty has the general support of politicians and defence leaders, with some eventual changes concerning the timetable, and was finally ratified in April 2000. Moscow needed this arrangement because without it the Russians will be forced to spend up to four billion dollars for maintaining or modernising nuclear armaments, which START 2 disposes of.

³¹ Mircea DINESCU (1998), *Despre Rusia* (About Russia), Adevarul, Bucuresti, 1 June 1998

³² Derek AVERRE, NATO expansion and Russian National Interests, in *European Security*, Vol. 7, No. 1 (Spring 1998), p. 14

³³ *Ibid.*

The second important scene for arms reductions was the negotiation for the adapted CFE Treaty. The Founding Act mentions that Russia and NATO countries will negotiate a CFE adapted to the new situation in Europe, commitment intended to work down some of the Russian fears of imbalances resulted from NATO enlargement. Neither enlargement nor the crisis provoked by NATO Kosovo intervention did affect the mutual interest in negotiating the Adapted Conventional Forces in Europe Treaty, signed at the Istanbul OSCE Summit, in November 1999. Both NATO and Russia want to use the CFE Treaty in order to better control and prevent developments in the European security area: by reducing mutually the military effective they will be better prepared to deal with possible crises and to control them. We assume that further discussion on arms reduction and control will not be jeopardised by enlargement. Considering its weak economic position and the present state of scientific research and defence budgets, Russia's interest is to push for further confidence and transparency building measures and further talks on arms reductions arrangements.

Two mechanisms embody the present state of the NATO Russia relations: the Partnership for Peace (1996) and the Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation (1997). Moscow sees both institutions as substitutes to what should have been a strategic partnership or a long-term trust-based relationship³⁴.

The Founding Act, signed a few weeks only before the first wave of enlargement was launched, codifies the principles of NATO-Russia relation and co-operation, clarifying obligations following enlargement. Moscow wanted to conclude some form of legally binding Treaty with provisions on non-deployment of foreign troops and nuclear weapons in the new member states and providing with a solution to the problem of flank restrictions for conventional forces³⁵ in order to reduce the damage produced by NATO expansion. The USA and NATO staff wanted a no more than a political agreement setting down the terms of co-operation with Russia. The text adopted in Paris is a compromise establishing principles and common interests guiding Russia and NATO members and their relationship, and sets up a permanent consultation mechanism. Even though there is a battle over its interpretation, with a Russian maximalist reading and a NATO minimalist understanding, the Act is, essentially, a charter setting down fundamental premises for their collaboration. The most important of all is the idea that none of the organisations has a veto on the others' action. *"Provisions of this Act do not provide NATO or Russia, in any way, with a right of veto over the actions of the other nor do they infringe upon or restrict the rights of NATO or Russia to independent decision-making and action. They cannot be used as a means to disadvantage the interests of other states."*³⁶ The veto over partners' affairs is ruled out in an explicit manner, but an implicit voice of Russia in NATO's decisions exists. As the political cost of disputes with Moscow is too high, many of the NATO countries would be likely to prevent action going against Moscow's will. This will not work for actions important for NATO' core missions or with significant stakes for the existence or credibility of the alliance (like the Kosovo crisis). But we had again the Kosovo check to see how, in a confrontation-type situation, the relation Russia-NATO functions. The Kosovo crisis found Russia and the 19 in different camps, from the beginning of the conflict. Before acting, the allies discussed for months the situation in Kosovo, condemning the violence perpetrated by Serb but Russia was steadily opposing intervention. The two positions were hence explicitly opposed. Kremlin

³⁴ Passionate internal debates and political disputes before ratification of both co-operation instruments showed, between 1994 and 1997 showed Russia's leaders attitude as regards the two instruments. Serguei POLOTOVSKI, op. cit.

³⁵ (Anatoli Chubaiis), Yel'tin' head of administration calls on NATO to sign Treaty with Russia, SWB, 5 February, 1997, p. 7

³⁶ Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation, Paris, 27 May 1997, p.4

leaders and the Russian NATO ambassador were threatening with a *retour* to the Cold War situation in Europe in case the allies intervene in internal problems of a sovereign state. Once the air strikes started, the Russian Federation called back its ambassador to NATO for an indefinite period. No formal co-operation took place during the air strikes, Russian leaders' declarations condemned totally the western position. Despite its strongly manifested opposition and Cold War-like threats, Russia could not influence NATO intervention in Kosovo, even though the action was capital for Russia's traditional interests and positions in Europe. The special partnership with NATO did not give Russia a right of influencing the alliance's actions and decisions, but only a right to express its views in front of the 19 decision-makers. Enlargement did not push though the allies to make concessions to Russia in order to buy its tacit accord and did not weaken the allies' position in relation to Moscow. Relations between Russia and the Atlantic alliance, frozen at the beginning of NATO air strikes in Serbia, seem to go on a normal track sixteen months later, after the visit to Moscow of the Secretary General of the alliance.³⁷

Disputes with Moscow being costly, we presume that NATO countries will carefully implement the Founding Act's principle of taking into consideration the Russian view. The Founding Act is important because of codifying this special and difficult relationship, but the value of the institutional relationship it creates depends on Russia's willingness to invest political energy in this partnership, considered by Moscow's leaders as being much under their initial expectations. It is to be seen if after failing to impose its favourite organisation, the OSCE to lead security settlements in Europe, after failing to prevent NATO expansion and the alliance' intervention in Kosovo Russia will decide to play the Asian card. For the time being, Russia decided to "clean" its South, concentrating on Chechnya where the second war tries to restore some self-confidence of the Russian army.

Concerning Russia's options outside Europe, the Commonwealth of Independent States is of vital interest for Russia as the last *cordonne sanitaire*, influence and protection zone, and the closest geographically. Even though, in principle, Moscow's influence is not challenged by any significant Western presence in the former soviet republics, Russia did not manage, during almost a decade, to establish any functioning co-operation mechanism to sustain its influence in the area. A key aim of Russia's foreign policy is to tighten security relations with the CIS countries and restrict outside influence on their territory. But a weak Moscow is faced with the prospect of limited alliances within a purely formal Commonwealth facing numerous local conflicts. The existing defence and security arrangements inside the CIS, established by the 1992 Tashkent Treaty on Collective Security, confirmed by the 1995 Concept of Collective security and reaffirmed by a protocol signed in 1997 are not based on efficient institutional mechanisms. The national interest of the CIS states still predominates, fuelled by mistrust in Russia. On the other hand, NATO did not facilitate Russia's search to unite the CIS countries around Moscow. Instead of treating collectively with the group of the CIS countries, NATO established Partnership for Peace agreements on bilateral basis with each country, dealing directly with them and showing those countries that there is always an alternative to Russia. The Western effort to promote pluralism in the former Soviet Space was again perceived by Moscow as a frustrating attempt to prevent re-emergence of a powerful geographical entity under Russian influence.³⁸ On the other hand, the CIS is a region fragmented by local disputes, the former soviet republics are mostly underdeveloped and do not represent an important part in world's affairs. Consequently, Moscow considers reintegration of those countries around Russia normal or necessary but not sufficient to assert its global goals; this is the reason for which Moscow leaders never invested many efforts in it.

³⁷ Joint Statement on the occasion of the visit of the secretary General of NATO, Lord Robertson, in Moscow on 16 February 2000

³⁸ Derek AVERRE, NATO expansion ond Russian Narional Interests, in European Security, Vol. 7, No. 1 (Spring 1998)

Concerning the Asian powers, Russian leaders repeatedly stressed during the enlargement debate the multipolar character of the new world in which China, Japan and the Asian Countries have an important place in addition to SUA, Russia, Europe, Latin America.³⁹ Russia's Asian policy was often considered to be an alternative strategy in case of failure of its Western policy's main objectives. The Asian countries are an important arm market for Moscow and there is room for solid economic cooperation between Russia and Asia in the future. However, it is not likely that any military alliance between Russia and the Asian powers (China, Japan, and India) can emerge in the future. A much-discussed strategic partnership with China does not have many chances to be realised.⁴⁰ The Russian political manoeuvres in this direction⁴¹ can be explained as being motivated by economic reasons and the will of eliminating a potential conflict with a strong nuclear power, humiliated the last century by unequal treaties with an expansionist tsarist Russia.

Consequently, the Western policy is the priority goal of Russian diplomacy, because it is the only sphere allowing Russia to insert itself as a player in global politics. Because of its perpetual aspiration to be considered as a European power and to influence Europe's politics, Russia sees as a vital foreign policy goal participation on an equal footing with the United States and the Western European powers to the security system in Europe. Eight years after the implosion of the Soviet Union, many scenarios concerning Russia's place in Europe are possible. Even though everything going from confrontation to Russia's integration in NATO and in EU is still conceivable, we will try to outline a few realist scenarios by means of some educated guesses.

Russia's best outcome, as concerns its position in the future European security architecture, would be to make the OSCE the leading Security organisation in Europe. Russia leaders pushed, from the beginning of the 90s, for an increasing role of the OSCE, in order to make it the mandating organisation, co-ordinating NATO, the WEU and other surviving security organisations. The reason behind is obvious: OSCE is an inclusive organisation with a large membership, in which Russia, the United States and the European countries are equal members. OSCE is the only organisation allowing Russia to exercise a negative power on Western actors: it would offer Russia a comfortable blocking mechanism, similar to the United Nations Security Council game. Russia's officials tried several times to impose the OSCE as *the* Organisation for security in Europe; in June 1994, Andrei Kozyrev, then minister of foreign affairs, exposed Russia's project of making the OSCE a sort of Transatlantic Security Council with its own governing body and co-ordinating the main Euro-Atlantic institutions (NATO, EU, the WEU, the CIS). This thesis of the *super OSCE* was steadily promoted by the Russian diplomats up to the OSCE Lisbon summit in 1996, despite strong opposition by all NATO members and notably the USA. Even after signing the Founding Act, which translated recognition of NATO's role and implicitly of enlargement, Russian diplomats still underlined that only a "*universal organisation involving all the countries of the OSCE can become the basis for a really reliable system of security in Europe.*"⁴²

As Russia's best outcome is not likely to be realised, we imagine three possible scenarios for Russia's place in the European security system: the status quo, an enhanced Partnership for Peace, with Russia having a special role, or NATO membership.

³⁹ Evgheni Primakov, a few days before signing the Founding act, quoted by the Romanian newspaper "Adevarul", the 3th of March 1997

⁴⁰ Jennifer ANDERSON (1997): The limits of Sino - Russian Strategic Partnership, ADELPHI PAPERS 315

⁴¹ In April 1996, at a summit meeting in Beijing, Boris Yeltsin and Jiang Zemin agreed not to join any alliance directed against each other. Moscow also brought in discussion high technology arms sales to China and contracts for and every projects

⁴² Foreign affairs minister Evgheni Primakov , SWB, 7 June 1997, p. B/14, quoted in Derek AVERRE, op. cit.;

The status quo scenario envisages the maintenance of the present co-operation mechanisms and of their intensity: Russia will be still part of the PfP and of the Permanent Joint Council but will always regard it as a surrogate for a true, equal footing partnership. At the same time, NATO expansion will go on in a prudent path with a very modest second wave, compensated by a quicker and more inclusive enlargement of the European Union.

The idea of a strong Partnership for Peace refers to the possibility of intensifying so much the activity under the PfP umbrella that NATO membership would be somehow less relevant: the collective activity of the partner countries will become more important than that of NATO members. In other words, the PfP will substitute, *de facto*, NATO, without extending the article V guarantees. The advantage of such an evolution would be that all tensions linked to NATO enlargement would disappear, as the concept of membership would not have the same impact and intensity anymore. This would mean basing the pan-European system on the Partnership for Peace, while NATO would remain a dormant organisation, activated only for Article V situations.

As for the last scenario, Russia's full integration in NATO, the Clinton administration surprised the European allies with the idea of Russia's NATO membership. The view that "*no emerging democracy should be excluded because of its size, geopolitical situation or historical experience*"⁴³ goes even for Russia.⁴⁴ If the day comes when this happens, "*it will be a very different Russia, a very different Europe and a very different NATO.*"⁴⁵ In fact, criteria for membership in security alliances have been looser than for economic organisations: Greece was a member during the colonels' regime, Portugal under the Salazar rule. Moreover, there are different degrees of integration in NATO: the German model (total integration of the armed forces and subordination to NATO), the French model (political co-operation and military independence), the common model (subordinating most of the national contingents to the unified NATO command in the event of a war while preserving the autonomy of military planning in times of peace). For the moment, it is hard for European politicians to imagine Russia in NATO. But in the perspective of democratic changes and sustainable development in Russia and of a challenge or even danger for NATO countries coming from the Muslim world or from China, it is not impossible for Russia to accede, perhaps on the lines of the French model. Even though the idea of Russia membership in NATO is not, for the moment, on the agenda of the alliance, the new pan-European Security structure has to be based on Russia, as one of the three pillars of the European Security, alongside with EU and US. For the time being, we believe that the first scenario is the most prudent and the most likely to happen: the status quo in NATO-Russia relations with a cautious enlargement of NATO, complemented by a stronger EU and NATO action towards the left out CEECs and towards Russia.

In order to contribute in an efficient way to the creation of a European security order, Russia needs to normalise its relations with the Central and Eastern European countries. After the dismantling of the Soviet integration structures (the COMECON and the Warsaw Pact) the relations between Russia and its former partners were reduced to almost nothing. Too preoccupied with their reforms and with their Western policy, the Central and Eastern European countries neglected Russia. In some cases, they tried to instrumentalise Russia's presence to help their Western goal: they demonised Russia's threatening neighbouring in order to convince the Western partners to accelerate their integration in the Euro-Atlantic structures. On the other side, Russia, still understanding Europe on the lines of a balance of power approach, used to deal with the US or with the big Western European powers, over the

⁴³ This statement, by Bill Clinton, is quoted by Jim HOAGLAND, in [NATO is in transition. So Why Not Talk about it?](#), in International Herald Tribune, 19.03.1998

⁴⁴ Strobe Talbot, the Deputy Secretary of States, emphasised that this is a message that Bill Clinton have given to Boris Yeltsin in their private meetings. (Jim Hoagland, *ibid.*)

⁴⁵ Jim Hoagland, *ibid.*

heads of the Eastern European leaders and did not develop a positive policy towards the CEECs. So far, Moscow did not create a policy to deal with the CEECs: it only manifested negative reactions, trying to prevent their integration in the western structures, where Russia has no place. In order to play a stable and sincere role in European Security, Russia needs to normalise its relations with those countries.

In conclusion, we believe that NATO enlargement does not alter Russia's possibility or willingness to participate to the pan-European security system; it only affects Russia's perceptions about security and its role in Europe. In our view, NATO enlargement to new members represents the end of the super power myth for Russia and gives a more realistic and sincere basis to the NATO-Russia relationship.

I.1.3. The next step

The Madrid declaration, baptising the first enlargement round, the Washington declaration, celebrating 50 years of NATO existence and many occasional declarations reiterated the open door policy, as an answer to the candidate countries' insistence of being considered for membership. But as we stated in the previous subchapter, consequences of enlargement on Russia and the Kosovo crisis implications do not recommend a second wave of enlargement for soon.

In order to make some educated guesses about the future of the enlargement process, we will use two models, representing two visions about the alliance's future. The first model is a "*co-operative game theory representation*"⁴⁶ the second one is based on political consideration, taking into account the alliance's interests and positions after Kosovo.

The co-operative game theory representation says that alliance formation and expansion consider transaction costs, natural defence, risk consideration and net gains after the costs are covered; applying his theory to the Atlantic alliance shows which candidate countries are likely to join NATO in the future. According to this mutual defence gains analysis, exterior front-line allies in NATO (e.g. Germany) are at a bargaining disadvantage compared with more "interior" European allies and they have greater responsibility and defence burden. Non contiguous NATO members are in a similar position, having to defend long borders with the outside world. Any new border that is not an interior border to the Alliance adds costs and risks, as it requires extra protection. The existence of natural protection frontiers (mountains, for example) alongside a border is considered to lessen the costs of defence. The likeliness of new countries being integrated in NATO depends, according to this theory, on the length of external frontiers they add to the Alliance and on the existence or not of natural protected borders. From this point of view, the inclusion of Eastern Germany in 1990 was clearly supported by a mutual defence rational, as the new entrant brought in the Alliance a much smaller external border than it saved by transforming former external frontiers in internal ones. Considering the present candidates to NATO membership, the mutual defence theory offers some interesting insights. If we take the Baltic States: inclusion of Lithuania, Latvia and Estonia would create minimum saves as they have only a small border line with a present NATO member, Poland, but would add new external frontiers to be defended, riskier and more sensitive as they are closer to Russia. Thus, it is unlikely that the Baltic States are to be included in NATO. On the contrary, Slovenia and Slovakia are more attractive candidates. Slovakia borders three NATO countries and one neutral EU country. Its inclusion in the Atlantic Alliance will bring advantages by adding considerable inner borders and just a spot of external border with Ukraine to need defence. Slovenia's inclusion would transform parts of Italy's Eastern borders and parts of Hungary' southeastern border in internal NATO border. It would make the geographical link between the two and

⁴⁶ Todd SANDLER, Alliance Formation, Alliance Expansion, and the Core, in Journal of Conflict Resolution, Vol. 43 No. 6, December 1999

add only a small frontier with Croatia needing defence. This is the reason why Slovakia and Slovenia have good chances, according to the mutual defence gains theory, to be offered NATO membership. Romania would be, from the same point of view, a less attractive candidate, because it will bring long borders needing defence (with Ukraine, Moldova, Bulgaria, Yugoslavia) and will only save costs by transforming its border with Hungary in internal border. Similarly, Bulgaria's inclusion would add exposed Northern and Eastern frontiers but would bring in inner borders with Turkey and Greece. Even though its borders are exposed a little less than Romania's, its inclusion in NATO would not make sense. Todd Sadler predicts that Slovakia, Slovenia and Austria would be the choice "*to fill in the missing pieces*" in order to maximise advantages of NATO expansion; other applicant countries do not offer advantages following the mutual defence gains theory, nor are attractive the other neutral countries, Sweden or Finland, because of the long exposed borders they would bring in.

The co-operative game theory offers an interesting angle for studying the rationale of expansion, but does not take into account the political considerations, which, alongside with the defence rationale, are relevant for NATO's functioning. An evaluation using political arguments can confirm or infirm these results.

As concerns the Baltic States, strong opposition of Russia, the existence of a massive Russian minority, especially in Estonia and Latvia, the *encerclement* of the Kaliningrad enclave are, in our opinion, strong reasons to believe that the Baltic States are not going to become full members of NATO, especially not of the present NATO. At the same time, the parallel extension of the European Union and the ongoing accession negotiations with the three Baltic States,⁴⁷ with the prospect of EU membership in a couple of years is meant to offer those three countries a secure and stable environment. Being part of the European Union should constitute a secure enough framework for the Baltic States. Even though using different analysis tools, Sadler's conclusion considering the Baltic States is confirmed.

Considering Slovakia and Slovenia, the relatively advanced economic situation, their *sandwich* position, (being situated between NATO countries) and the promise given to Slovenia at the NATO Madrid summit is recommending them for membership in the Atlantic alliance. Romania was given the same promise as Slovenia, in Madrid, being among the five candidates informally considered for membership invitations. It was certainly for political reasons, and due to some NATO members' support (especially France and Italy) but because of its economic situation, Romania did not meet the criteria. Romania's situation and its membership chances, during the 1997 Madrid negotiations, contradict Sadler's conclusion. According to Sadler's theory, Romania would, objectively, not be considered for membership, because of its geographical location and long exposed external borders. Political and geostrategical considerations could give Romania chances, in the hypothesis of a new enlargement wave.

One point that is to be taken into consideration, when assessing the future of enlargement, is the changing interest of present NATO members, due to their changing situation in the alliance. The driving forces of the first wave of NATO enlargement were the USA and Germany. Germany had a strong interest in adding new members situated at its Eastern border in order to create a security belt around its territory and to decrease costs and risks of its defence. Moreover, the historical links and responsibility determined Germany to push for integration in NATO of its eastern neighbours. Germany is thought to be less interested in pursuing the enlargement further East or South, as its geopolitical position in the alliance improved after adding three countries at its East. The United States are still the driving force of the enlargement process; we believe that France might have an important role in managing NATO further eventual enlargement. Already a big supporter of Romania and

⁴⁷ Estonia started accession negotiation with the EU in March 1998, in the first wave of negotiating countries, Lithuania and Latvia started negotiations in February 2000, after the Helsinki European Council decision to launch negotiations with the rest of the applicant countries.

Slovenia's memberships, France is likely to take a high profile in the enlargement debate, as a way of re-integrating NATO's high politics in its own terms. France could even make its entry into the allies integrated forces conditional on acceptance of its favourite candidates. In this case, Romania and Slovenia can be brought in, against any other defence rational arguments. But France might consider as well that playing the NATO card is not important anymore and take the lead in the European Defence project. In this case, the future enlargement scenarios are likely to have less European support.

As we argued so far, enlargement to new members has important strategic implications; but the subsequent enlargement decisions will probably not be so geostrategically benign as the first wave has been.⁴⁸ This is the reason why we expect a rather prudent second wave of enlargement in the future. Russia gave its tacit benediction to the integration of the first three Visegrad countries but its acceptance of new countries joining NATO is not to be taken for granted. An enlargement to the Baltic States or Ukraine would definitively alienate Russia and destroy the basis for an all-European security. A less ambitious enlargement to the countries nominated at Madrid and to Slovakia, which adopted a democratic orientation, could be a signal that NATO does respect Russian interests, which is a condition for its genuine participation to the European security system. Another external factor is related to the new NATO members and their performance: if they fail to meet NATO force goals and create the impression among the allies that enlargement brought in NATO security consumers and no security producers, the alliance member could be reluctant to further enlargement. We expect at any rate a prudent enlargement, which would bring more limited geostrategical gains than the first wave, but would be consistent to NATO open door policy and would keep Russia in a friendly mood. Moreover, politically the eastern enlargement of NATO is done. For the force of its symbol, the first wave of the enlargement is identified with enlargement. Other waves, if they arrive, will be only amendments of this process. Consequently, less public opinion interest and passion, less intellectual capital and political debates are likely to be invested in further waves of expansion.

Enlargement to new members will not have affect the Atlantic alliance in a major way, either positive or negative. The political step to enlarge to countries from the former communist block and the geostrategic implications of NATO's presence next to Ukraine and Russia are important. But the concrete implications of enlargement to the three new countries are not outstanding. Enlargement might dilute, at the beginning, NATO's ability to defend the new members' territory, due by the mere fact of adding 15% new territories and due to the modest defence capabilities of the new countries. But as a direct threat to NATO's territory is unlikely, the temporary and relative degradation of common defence should not be a matter of concern. On the contrary, as the new threats NATO has to be prepared for are external, intra-state war, likely to occur in the south-east of Europe, the new members can make a contribution to the Alliance military structures from the beginning, like it was the case in Kosovo. It is true that governance matters in an ever-growing organisation can be a challenge but the new and the old members are likely to have the same interests and positions in all important issues, which rules out the threat to NATO internal cohesion. We believe that in order to enhance the internal political cohesion, the allies should try to integrate France in NATO: the only source of internal dissension is still the French exception, even after enlargement.

Concerning influence on Russia's participation to the European security system, we demonstrated that enlargement to new members is not likely to change, in substance, Russia's ability and will to be a NATO partner. Russia has simply no other interesting and realist alternative to integrate in Europe and to overcome its perpetual crises. However, we consider that an incautious further expansion of NATO to countries once members of the Soviet Union

⁴⁸ David G. HAGLUND, NATO' expansion and European Security After the Washington Summit - What Next?, in *European Security*, Vol. 8, No. 1 (Spring 1999), pp. 1 - 15.

might cause Moscow's retaliation. We believe thus that NATO enlargement will follow a prudent path, with possible inclusion of some Central and Eastern European countries nominated at Madrid -Romania and Slovenia- and of Slovakia. Non inclusion of the other applicant countries will be compensated by quicker enlargement of the European Union.

I.2. Action-area extension: new missions

In the Post-Cold war era, there is a general acceptance of the right of international actors to intervene in internal affairs of sovereign states, if it is for humanitarian reasons.⁴⁹ When NATO emerged as the most effective alliance for collective defence, the step to widen the geographical scope of its action, outside its territory, was inevitable. The alliance has to safeguard and guarantee the security and territorial integrity of its member states, but it has to be able to deal with all security challenge that could affect the stability of its members, regardless of their geographical origin. The adoption of NATO's new missions has a triple sense: prevent instability for touching its own territory, a new *raison d'être* for the Alliance, and humanitarian reasons. As crises arise -after the Cold War- at the periphery of Europe, just beyond the area NATO has the responsibility to protect, out-of-area missions are preventive actions in the benefit of NATO's direct interests. By stabilising the conflict zone next to its territory, NATO keeps the conflict out of its own ground. NATO's key objective remains the mutual self-defence (Article 5, Washington Treaty). But the strategic concept, adopted at the Washington Summit presents a broad approach to security, admitting that "*an important aim of the Alliance and its forces is to keep risks at a distance by dealing with potential crises at an early stage. In the event of crises, which jeopardise Euro-Atlantic stability and could affect the security of Alliance members, the Alliance's military forces may be called upon to conduct crisis response operations. They may also be called upon to contribute to the preservation of international peace and security by conducting operations in support of other international organisations, complementing and reinforcing political actions within a broad approach to security.*"⁵⁰

I.2.1. Political and legal terms of out-of-area missions

The debate concerning NATO's evolution from an exclusively collective defence alliance to the collective security organisation, carrying on crisis management operations raises important legal questions. The central question concerns the legal basis for the use of force by NATO in an out-of-area operation, a non-Article 5 action. A subsequent question is under what circumstances and how should the alliance members decide on the use of force? And finally, where should the alliance intervene? We will further try to answer these questions.

NATO's involvement in crisis management and its evolution towards a collective security organisation raised existential questions about NATO's own purpose and its geographical reach. There was no consensus among the sixteen and there is still no consensus among the nineteen as to the answer to those questions, and the competing visions were reflected in debates leading to the adoption of the strategic concept, in April 1999, and in the Strategic concept's text itself. There are at least three visions as to the role and purpose of the alliance in the post-Cold War era. Some members consider that NATO is a collective defence

⁴⁹ In principle, an external factor must have the accord of the government of the nation state before a incursion into its geographical space takes place. Yet, article 2(7) does not preclude action authorised by the Security council without the consent of the target state, if there is a threat to the maintenance of international peace and security exists in the Context of Chapter V11 (Bourantonis D., Wiener J. (1995) The United Nations in the New World, MacMillan, London, 1995)

⁵⁰ NATO's Strategic Concept (1999), NATO Office of Information and Press, Brussels., <http://www.nato.int>

alliance whose purpose is to defend the member countries against a possible emerging threat on the continent: this is the French vision. Other countries consider that NATO is an institution for collective security aiming to spread democracy and western values on the European continent: the South members and the Benelux countries. The third vision is the one of a NATO as a global actor, an organisation that has to defend European and American interest no matter where they are: view sustained by the United States and the UK. These three visions of an Atlantic alliance are determining members' points of view as concerns its involvement in out-of-area missions. For the first group of countries, supporting a collective defence NATO, the alliance should keep its action inside its internal borders. For supporters of the second model, NATO should intervene on the territory of its member states and in the rest of Europe; according to the third vision, NATO can act all over the world, if its members consider they have interests at stake. The differences in member states' orientations were visible whenever NATO prepared to undertake an out-of-area mission; debates prior to Bosnia action and to the Kosovo campaign reflected these three visions of NATO.

A subsequent relevant question is when should NATO launch an out-of-area mission? The Strategic concept points out that NATO can carry on out-of-area missions to address a humanitarian emergency, counter proliferation, respond to terrorism, to avoid genocide or to defend aggression. As the alliance can but is not obliged to launch this kind of missions outside its territory, the question is when should it act? Considering the different visions about NATO's purpose, there are different answers to this question. First of all, for France and for the new members, as the core of the alliance has to remain collective defence, NATO should intervene outside its territory only to avoid the spill over of a crisis that would generate an Article 5 situation. Intervention of the alliance outside its borders should only aim at preventing and defending against a threat to the allies' territory. For the second vision adepts, NATO should be prepared for launching out-of-area missions whenever crises break-out on its periphery but it should seek to maintain its collective defence assets and preparedness unaltered. For the United States and the UK, the alliance must be prepared for the full range of missions, whenever they occur in the world. We believe that the future orientation of the alliance will go more on the direction of the second vision: NATO will keep its core collective defence task and will launch crisis management missions in the Euro-Atlantic area. Our evaluation is based on the argument that both extreme visions on NATO, the minimalist and the extensive interpretation of its role, are dangerous for the alliance' future. By concentrating only on collective defence, the alliance would isolate itself by being a dormant organisation watching for direct threats to its territory -quite unlikely- and not addressing the real challenges to the European Security. The ambition to intervene everywhere in the world would weaken NATO's ability to address coherently serious challenges and would risk fragmenting its action, as most probably the global action would be based on coalitions of willing.

The second important question is where should NATO intervene? The answer is again conditioned by the three orientations inside the alliance. For France, for example, the allies should stay "at home", for Canada and the south countries NATO should stay in Europe and for the United States it should go everywhere where they have an interest. The United States conceive NATO on their own terms of global player. They argue that in this era of globalisation, placing limits on NATO's action would prevent it from addressing properly its member's interest and would marginalise the alliance in the European security architecture.⁵¹ A consequent argument is that putting limits to NATO action would diminish its importance in the USA security policy, which would ultimately lead to American lack of interest in the alliance and ultimately disengagement. The Americans would invest less in NATO, incapable

⁵¹American Secretary of State, Madelin Albright, addressing the North Atlantic Council, in December 1997: "The US and Europe will certainly face challenges beyond Europe's shores. Our nations share global interests that require us to work together to the same degree of solidarity that we have long maintained on the continent", <http://www.nato.int/usa/state>

to support their global interests, and would develop a more unilateralist model of action, on their own. It seems to us that a compromise concerning NATO's role and out-of-area interventions is taking shape on the line of the NATO past Balkans interventions: the nineteen accepted the need to act in the Balkans and in other troubled European zones. We doubt, however, that the idea of intervening globally would ever reach an explicit consensus. Instead, we presume that coalitions of willing -mainly the United States and other interested countries- could undertake specific actions all over the world (like it was the case in Iraq). In this case, the rules to decide on an action would probably be changed by introducing the majoritarian decision. It is unlikely that the nineteen would ever agree to give the alliance global reach, considering that for most of the allies NATO is a regional organisation whose role is to defend and secure the Euro-Atlantic region.⁵² Consequently, the alliance will continue to act in the Euro-Atlantic area with an open possibility for coalitions of willing to act beyond Europe.

Even more controversially that the issue of NATO's out-of- areas' actions reach is the question of the legal basis of NATO's action outside its territory: the mandate. Who should give permission for NATO to carry on military action outside its territory, especially to intervene on the territory of a sovereign state, as it was the case in Kosovo? When the out-of-area missions were first integrated in NATO's tasks, the allies proposed their services under the permission of a mandating organisation: "*We reaffirm our offer to support, on a case by case basis in accordance with our own procedures, peacekeeping and other operations under the authority of the UN Council or the responsibility of the CSCE.*"⁵³ Since, given the evolving divergence of interests, it was not always possible to convince Russia or China to give NATO a mandate to act outside its area. China and Russia fear an internationalisation of NATO's action, which could lead to interference in their own affairs. Consequently, making NATO action dependent on the vote of the UN Security Council or of the OSCE would mean preventing it to act in most of cases. There was a growing division within the alliance concerning the role of the mandate given by the UN or OSCE. Should it be necessary to have a mandate and, by consequent, in the absence of a mandate any action forbidden? Should it be desirable, politically, to have a UN or OSCE mandate, but not compulsory? Should NATO ignore completely the idea of an outside mandate? Two competing perspectives appeared: on one side, the French government -and to a lesser extent Germany, always reluctant about the use of force outside its territory- insisted on the necessity of having an external mandate in order to use force outside NATO territory, for actions other than self-defence. On the other side, the USA and UK argue that NATO has the right to use force outside its territory anytime its members consider it is necessary, irrespective of the existence of a mandate. The French argument is based on the idea that the use of force in international relations is regulated by the United Nations Charter.⁵⁴ Therefore, force can be used if the UN Security Council declares the existence of a threat to peace (Article 39) or for self-defence (Article 51). As NATO is a regional security organisation, it can act in the region it is meant to defend or outside provided a non-member state asks for its assistance, which follows logically from the right to self-defence. Thus, NATO can not use force against an independent state without the respective state's government consent unless it is a self-defence action or it is authorised by the Security Council.

On the other hand, the United States have a different interpretation of international arrangements as to the use of force. The US argue that the decision to intervene in an out-of-

⁵² Ivo H. DAALDER: NATO, the UN and the use of Force, Brookings Insitution, March 1999, www.unausa.org/issues/sc/daalder.htm

⁵³ PRESS COMMUNIQUE M-1(94)3, 11 January 1994: DECLARATION OF THE HEADS OF STATE AND GOVERNMENT PARTICIPATING IN THE MEETING OF THE NORTH ATLANTIC COUNCIL HELD AT NATO HEADQUARTERS, BRUSSELS, ON 10-11 JANUARY 1994; <http://www.nato.int/docu/>

⁵⁴ Analysis of the French arguments in Ivo H. DAALDER, Brookings Insitution, March 1999: NATO, the UN and the use of Force, [http:// www.unausa.org/issues/sc/daalder.htm](http://www.unausa.org/issues/sc/daalder.htm)

area mission should be up to each organisation. NATO members should freely decide to fight outside their territory, without being constrained by any external demand or mandate. The argument used by the Clinton administration is that when nineteen democracies consider that it is necessary to use force in a certain situation, the respective mission is justified. The argument should go then for any other alliance of democratic states deciding by consensus. Some commentators consider this argument arrogant: *'the fact we consider we can act should be necessary'*,⁵⁵ and leaves room for very random interventions only when and where the respective organisation deems necessary. There would be, thus, a risk of discriminate intervention not following any political or legal criteria, just random interest.

The theoretical debate about finding juridical arguments was reflected in practice by the launching of the Kosovo campaign and by the elaboration of the alliance security concept, approved at the Washington summit, during the Kosovo crisis. During the negotiations for the new security concept, the French president Jacques Chirac insisted on the need for a Security Council mandate for every NATO military intervention, view shared by most of the European NATO governments. The United States, on the other side, considered that a UN mandate would be welcome but not necessary: *'The US view has always been that NATO has the right to act on its own - the right and the obligation to act on its own in matters of European security'*⁵⁶. The Kosovo case was actually even more confusing, as the Security Council did recognise that the Kosovo crisis poses *'a threat to international peace and security'*⁵⁷ and voted in September 1998 to demand a halt to the indiscriminate attacks against civilians in Kosovo (*'Gravely concerned at the recent intense fighting in Kosovo and in particular the excessive and indiscriminate use of force by Serbian security forces and the Yugoslav Army which have resulted in numerous civilian casualties and, according to the estimate of the secretary-general, the displacement of over 230,000 persons from their homes'*⁵⁸). Moreover, the Security Council Resolution recognised the humanitarian catastrophe on the field (*'concerned at the continuing grave humanitarian situation throughout Kosovo and the impending humanitarian catastrophe...'*).⁵⁹ The Security Council failed to vote a resolution allowing NATO's intervention in Kosovo, because of Russia's and China's opposition, despite serious diplomatic negotiations behind the curtains. Considering the political recognition by the Security Council of the threat to peace, the humanitarian catastrophe aggravating on the field and the likelihood of Russia and China vetoing any external action, the North Atlantic Council decided to activate NATO forces and authorise its supreme commander to start air strikes following a ninety-six hour delay (October 13 1998). The air strikes were launched much latter, because of the initial Serbian compliance with the Contact Group conditions, under the menace of air strikes. The allies motivated the decision to activate their forces for an eventual attack by the fact that the Security Council condemned in three resolutions the abuses in Kosovo -so there was a political mandate even though the Security Council failed to deliver a legal mandate allowing, explicitly, NATO action- and by the prospect of worsening of the humanitarian situation without prompt action. NATO's action was thus *'in the spirit of the UN Charter'*.⁶⁰ NATO's Secretary General Javier Solana argued that *"in some situations is necessary to act for humanitarian reasons and*

⁵⁵ Noam CHOMSKY, Kosovo Peace Accord, July 1999, <http://www.zmag.org/ZNETTOPnoanimation.html>

⁵⁶ A Pentagon Spokesman quoted by Ivo. H. DAADLER, op. cit.

⁵⁷ RESOLUTION 1160 (1998), Adopted by the Security Council at its 3868th meeting on 31 March 1998

⁵⁸ RESOLUTION 1199 (1998), Adopted by the Security Council at its 3930th meeting on 23 September 1998

⁵⁹ RESOLUTION 1203 (1998), Adopted by the Security Council at its 3937th meeting, on 24 October 1998

⁶⁰ NATO's General Secretary, Javier Solana, quoted by Adevarul, Bucharest, 2 April 1999

then a UN Security Council resolution is not necessary as the UN Charter does not contemplate humanitarian acts."⁶¹ By extending the argument, one could argue that NATO based its Kosovo action more on the Universal Human Rights Declaration, defending the right of individuals against the state, than on the UN Charter. This is, in our view, a more serious justification for the Kosovo action than the simple self-mandating argument expressed by the Clinton Administration. The idea of a self-mandating NATO whose actions' legitimacy is based on the fact that its members are respectable democracies is not sustainable at long term and could provoke more divisions within the alliance. In practice, however, limiting NATO's action to mandates from the UN Security Council and OSCE might condemn it to inaction, considering the divergent views on international relations and human rights of both Russia and China.

The Security concept elaborated during the Kosovo crisis translated the mandate debate and a compromise: NATO would seek a mandate but can act without it. Despite the French insistence to stress that the Security Council alone has the responsibility for maintaining peace and security, the wording of the Concept reflects the United States' vision: "*The United Nations Security Council has the primary responsibility for the maintenance of international peace and security and, as such, plays a crucial role in contributing to security and stability in the Euro-Atlantic area.*"⁶² This means that the Security Council does not have exclusively the responsibility for international peace and its mandate is hence desirable, but not compulsory.

The important question is does Kosovo intervention set a precedent for future self-mandating NATO missions? Here again the allies do not share the same view: "*the United States sustain that Kosovo demonstrated that NATO could act without a specific mandate from the UN. Other governments insist that this actions should not be seen as a right for NATO to arrogate a mandate*"⁶³. Shortly after the Kosovo crisis ended, the American Administration came with what some analysts call "*the Clinton doctrine*",⁶⁴ which states that the US would intervene to prevent human rights abuses when it can do so without suffering substantial casualties and not necessarily with a UN Security Council mandate. Indeed, the mandate from within could be a dangerous precedent in international affairs. After Kosovo, what arguments could NATO countries use to prevent a Russian operation in the former Russian influence sphere, or anywhere, on the name of protecting Russian minorities' rights? Can Western leaders declare that the Russian position is not acceptable, as it is a not respectable enough democracy? Who can prevent any other regional alliance from acting in a sovereign state, on the name of human rights or on humanitarian grounds? Jamie Shea, the alliance's spokesman, the face and voice of NATO during the Kosovo crisis, hopes Kosovo is not going to set a precedent for a new type of involvement in a sovereign state without a specific mandate, which would lead to changing the type or international relations in the 21st century.⁶⁵ In the Kosovo case, the "*constructive ambiguity*"⁶⁶ attitude of most of players provided a permissive field for launching the action. In the North Atlantic Council, the nineteen managed to keep a unite position and the Security Council legalised NATO's presence in Kosovo after the end of the air strikes by giving KFOR an official mandate. Confronted with the dilemma of blockage by the Russian or Chinese veto in either OSCE or UN, NATO could have based the decision to act on other texts, signed by all or at least a large part of the OSCE members. For example the Helsinki Final Act, adopted by all OSCE states, explicitly states

⁶¹ Ibid.

⁶² Ibid.

⁶³ Ivo H. DAALDER, op. cit.

⁶⁴ Geopolitics, Military Intervention, 20/06 2000, <http://www.globalissues.org/geopolitics/expansion.asp>

⁶⁵ The Kosovo crisis: War and Diplomacy under Public Scrutiny, by Jamie Shea, lecture at the College of Europe, Bruges, the 19th of January 2000

⁶⁶ Ivo H. DAALDER, op. cit.

that respect for human rights and fundamental freedoms is an essential factor for peace. Another document that might allow intervention in the absence of a mandate from the UN Security Council is the 1990 Charter for a new Europe, signed in Paris, also by all the OSCE states, which underlines observance of human rights. The charter could provide a mandate for NATO acting to prevent genocide or other serious violations of human rights. We believe that NATO can politically and legally use force in an out-of-area operation without a mandate from UN or OSCE provided it motivates it in the light of other fundamental texts signed by members of the quoted institutions.

Kosovo illustrated once more problems of the international legal system: NATO's action was the result of the dilemma of whether to break the existing international laws in order to enforce respect for human rights, or to allow a humanitarian catastrophe in the heart of Europe for the sake of reinforcing the formal security regime of the United Nations Charter. For political reasons - NATO credibility, risk of regional destabilisation, the roll of the mass media, internal political events in the USA and in the UK, NATO chose to intervene. However, the unilateral regional interventionism is not a practice that can be sustained at the global level. There is no easy solution to this problem that evolved from the tension between international law and justice. The United Nations Charter peace enforcement authorisation rules should be adapted to the new legal political environment in Europe, to give preference to the right of individuals and not to the right of states. Under certain conditions a regional organisation intervention to correct a humanitarian catastrophe should be allowed. In this case, the general attitudes concerning state sovereignty could slowly evolve.

Humanitarian intervention is a grey area of international law anyway, as the practice in this field varies in function of interest and positions of the external states and on the state on which territory the intervention should be organised. In the case of Kosovo, the situation was even less clear, as there were some sorts of external authorisation. As we stated before,⁶⁷ there was an *implicit* authorisation, as the Security Council admitted the threat to peace that the Kosovo crisis constitute and the humanitarian worsening situation⁶⁸ but not an *explicit* one allowing use of force in FRY. There was a *political* mandate, derived from the recognition that the normal conditions allowing a humanitarian intervention were met, but not a *legal* one, as China and Russia were against a resolution allowing NATO action. Thirdly, we can talk about a *a posteriori* authorisation: the UN Security Council "welcomes the acceptance by the Federal Republic of Yugoslavia of the principles and other required elements referred to in paragraph 1 above",⁶⁹ (acceptance possible only after NATO strikes) and "*authorises Member States and relevant international organisations to establish the international security presence in Kosovo as set out in point 4 of annex ...*"⁷⁰ The permissive attitude of all Security Council members, who voted in favour of this Resolution, shows that the NATO's action was authorised -better-said accepted- *a posteriori*. Moreover, in the official speeches, the Secretary General Javier Solana claimed legitimacy for the use of force ("*as the crisis constitutes a serious threat to peace and security in the region*" and *because of the danger of humanitarian disaster*")⁷¹ but never claimed lawfulness of the use of force. It

⁶⁷ Supra, subchapter 2.1.

⁶⁸ RESOLUTION 1160 (1998), Adopted by the Security council at its 3868th meeting on 31 March 1998, RESOLUTION 1199 (1998), Adopted by the Security Council at its 3930th meeting on 23 September 1998, RESOLUTION 1203 (1998), Adopted by the Security Council at its 3937th meeting, on 24 October 1998

⁶⁹ Resolution 1244 (1999), Adopted by the Security Council at its 4011th meeting, on 10 June 1999

⁷⁰ Ibid.

⁷¹ Letter from Secretary General Solana addressed to the permanent representatives to the NAC, 9 October 1998, quoted by Simma Bruno, NATO, the UN and the Use of Force: Legal Aspects, European Journal of International Law, Vol. 10 (1999), No.1

will be interesting to see how the Kosovo case will influence the evolution of the United Nations Chapter peace enforcement authorisation rules in the future.

I.2.2.Challenges of out-of-area interventions

Concerning how should NATO decide on an out-of-area intervention, we consider that if NATO is to launch a self-mandated action outside its territory, the decision should be based on an unanimous vote of the North Atlantic Council, meaning that abstention does not prevent the decision from being taken. In case NATO will move towards a majoritarian decision-making style to avoid blockage following enlargement, the decision to use force against the will of a sovereign state, in a non-Article 5 situation, without mandate or based on an implicit mandate from UN or OSCE should be taken by consensus. We believe this is necessary to give political legitimacy to the respective action, showing at least that it represents the political will of all NATO members, and would prevent disputes within NATO, among allies with different positions. The decision should be taken by unanimity but the intervention should be carried out by coalitions of willing. Thus, flexibility should be kept for the practical and operational side of the intervention but unanimity should be necessary for the political decision to launch it.

As for the political justification for the use of force against the will of a sovereign state, NATO used the moral imperative in the case of Kosovo: "*intervention in Kosovo was the only means to prevent more human suffering and more repression and violence against the civilian population of Kosovo*"⁷². NATO members steadily repeated that they have a moral duty and not a legal one to stop suffering, human right abuses and mass deportation in Kosovo.⁷³ Another element of the justification was preventing the spread of violence in the neighbouring regions, where similarly important ethnic problems represent a latent risk (Macedonia, Voivodina). The third element of the justification was to stop potential refugee flows from immigrating in the neighbouring Balkan states and in the EU and NATO states in the region. This argument was convincing for the national public opinion in NATO countries in order to accept intervention. An important argument was offered by mass media. After Western media revealed the suffering in the Balkans and the humanitarian tragedy, it would have been difficult for NATO not to intervene in Kosovo. With the development of modern media, especially the telecommunications, conflicts and human suffering are more tangible for western public opinion. Western democracy is constantly under the pressure of the public opinion to intervene to put an end to suffering situations: "*Human suffering on a large scale has become impossible to keep quiet.*"⁷⁴ NATO leaders had to be seen by their citizens as trying to do something about the catastrophic situations in the Balkans. Moreover, the credibility of NATO was at stake. After the failure of negotiations, the alliance could not back down, and tolerate the continuing of brutalities in Kosovo. NATO members had to demonstrate that principles matter and the alliance is united and efficient as a military actor.

NATO countries are open and transparent democracies in which the public opinion does influence decision-making, in a direct or indirect way. As we stated before, public opinion was favourable to some kind of action in Kosovo, to stop the suffering of people. But governments have to respect some conditions in order to keep support of public opinion: to guarantee that there will not be victims, especially no Western blood on the battlefield, to make a clean war, and transparency during the intervention.

These conditions, especially relevant during the Kosovo action, can hinder the success of the operation, as they contradict some basic strategic rules of war. The debate that preceded intervention was necessary but it broke one of the important rules: the surprise

⁷² Press statement, Javier Solana, Secretary General of NATO, 23 March 1999, NATO Press Release 040 1999, <http://www.nato.int/docu/pr/1999>

⁷³ Ibid.

⁷⁴ Kofi Annan, UN Secretary General, UN Press Release SG/SM/6613, 26 June 1999

element. Before the intervention was launched, Milosevici knew how, when and with which forces the alliance is going to intervene and that without complicated spying methods but by simply following CNN or the American and European press. Moreover, making a war without victims is a serious limitation. People in Western societies accept less and less the logic of war and consequence of war: they agree with a “clean” war, to put an end to suffering, but without making any further victims and especially no victims on their side. That has a tremendous influence on the type of military intervention NATO leaders were allowed to carry on and on the strategy: minimum risks on their side, minimum exposure to the enemy. During the three important interventions outside their territory after the end of the Cold War (Iraq, Bosnia and Kosovo) the allies had to choose the air strikes in order to avoid exposure of their soldiers to the enemy. Moreover, in Kosovo, the pilots of NATO aircraft did not fly below 15,000 feet because of risk of casualties even if that reduced the effectiveness and accuracy of air strikes and increased the civilian collateral casualties. The strategy of an air campaign was not necessarily the best one as it could not stop, in the first stage, the ethnic cleansing and could not avoid “collateral damages”⁷⁵ either. The use of air strikes instead of a ground intervention was long criticised as being a “half strategy”⁷⁶ but the allies could not accept the ground intervention. At the beginning, the choice was between air strikes and no intervention at all. But by the end of the Kosovo action, critics concerning the weak results of the air strikes, civilian casualties -on the ground- made NATO leaders to envisage seriously the ground troops option. Recognising the failure of the air campaign was unacceptable, especially for Bill Clinton and Tony Blair, who invested so much political capital in it.⁷⁷ The allies were to a few days from the ground intervention.⁷⁸ Everything was envisaged in order to win this war: after all, NATO credibility and its ability to carry on crisis management actions were at stake. Moreover a victory of Milosevici over NATO would have had serious political implications for the Balkans.

Another limitation in NATO strategy was the use of force. Military force cannot be used in variable quantities: it should be used either massively enough to deter the enemy or not used at all; no low profile is possible when carrying on an attack,⁷⁹ especially an expected attack. In the case of NATO Kosovo intervention, the allies had to start gradually, because the media would have criticised a disproportionate use of force and would have meant losing the public support for intervention.

The Kosovo crisis is a lesson for NATO as to the new technologic features that a modern war requires. The allies' armies are in the way of adapting to the collective security tasks. The modern war requires extra-precise intelligence logistics, light arms, high mobility, capacity for sustainable actions and to face guerrilla war. The air campaign in Kosovo brought together all the political and military lessons learned in the post Cold War operations, the military experiences in the Gulf, Rwanda, Bosnia, Somalia, Albania, East Timor. Accumulation of data from military operations has highlighted major shortcomings in the security capabilities available to the Alliance for new tasks.⁸⁰ The US are likely to explore increased precision systems -the use of laser designation remained a constraint if the target was obscured by the

⁷⁵ The expression collateral damages, used by NATO Spokesman Jamie Shea during the Kosovo Campaign, designates civilian casualties and material damages. The use of that expression was strongly criticised by the press

⁷⁶ The Kosovo crisis: War and Diplomacy under Public Scrutiny, by Jamie Shea, lecture at the College of Europe, Bruges, the 19th of January 2000

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ Tim GARDEN, European Defence After Kosovo, 14 April 2000, <http://www.tgarden.demon.co.uk/writings/articles/000414dem.html>

weather⁸¹ - as the new campaigns are planned on the requirement of no casualties to NATO forces and minimal collateral damage from attacks.

The Kosovo action highlighted once again the European impotence in defence: fourteen NATO members took part at the air strikes but the Americans provided 61% of the sorties. The US provided 70% of the total aircraft and 80% of the total weapons delivered.⁸² Europe was doing well in providing political support for the operation, but unable to contribute effectively to the military campaign. The Kosovo intervention showed that most European armies are still equipped for the Cold War, with large formations prepared for a Soviet like tank assault, rather than for the small scale conflicts Europe faces at present *“Europe is years behind (America) and the NATO deployment had demonstrated just how weak militarily the European Union is.”*⁸³ Retired colonel Jean-Louis Dufour said the gap was clear on the ground and on the sky: *“the Europeans are sorely lacking in the crucial field of space-based intelligence-gathering satellites. There can be no independent European defence without defence in the intelligence-gathering field”*.⁸⁴ The conflict revealed the need for the Europeans to spend more money and to spend it differently in defence matters: support less regular forces and create professional armies: *“if there was a ground offensive in Kosovo, there are only two European countries, France and Britain, which could each field 20 000 professionals.”*⁸⁵

Kosovo has illustrated how unbalanced the alliance has become. Technologically, the European contribution to the allied effort was deficient:⁸⁶ the European forces lacked night vision equipment, advanced communication resources, which forced the Allies to use the lower common denominator, at a less efficient level, and lacked computerised weapons. The Kosovo campaign illustrates that the military gap between Europe and the United States is widening. The US General John Sheehan, former Supreme Allied Commander of the Atlantic notes that *“soon the other members of the alliance will be more than constabulary forces, with the US possessing the only genuine modern army”*.⁸⁷ Consequently, the need for a more effective Europe in NATO was understood by the European leaders as a lesson of Kosovo, which triggered a chain of important events for the European security, that we are going to look at in Part II of our study.

1.2.3. Implications of NATO out-of-area missions for the relationship with Russia

We will analyse the implications of engagement in out-of-area missions in the light of the Kosovo intervention, which is the most controversial as concern consequences, legitimacy, political and military strategy. This intervention is a cornerstone in the development of the new alliance for many reasons. First of all, from the legal point of view as a self-mandating intervention.⁸⁸ Secondly, it represents an important evaluation of the modern war techniques and strategies and of NATO's ongoing adaptation. Thirdly, it represents a cornerstone in the relations between NATO and Russia: the end of the past myths. Finally, it represents a check and an enhancement of the Partnership for Peace's unity and relevance.

⁸¹ Ibid.

⁸² Figures taken from Tim GARDEN, *European Defence After Kosovo*, op. cit.

⁸³ Colonel Jean-Louis Dufour quoted by Bernard EDINGER, [Analysis: Kosovo conflict underscores NATO technology gap](http://www.nandotimes.com), Reuters News Service, April 9 1999, <http://www.nandotimes.com>

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ John C. HULSMAN, [A grand bargain with Europe: preserving NATO for the 21st century](http://www.heritage.org/library/library/background/bg1360.html), The Heritage Foundation, No. 1360, 17 April 2000, <http://www.heritage.org/library/library/background/bg1360.html>

⁸⁷ General John Sheehan, “NATO priorities after the Madrid Summit, Conference Organised by the Atlantic Council of the United States, July 23 1997, quoted by John C. HULSMAN, op. cit.

⁸⁸ As explained Supra 2.2.

The decision of the North Atlantic Council to launch the air strikes in the FRY represented the end of all the post cold war myths concerning NATO Russia relations. After the myth of integration, conceived in 1992 - 1993 (the Common European House utopia), the myth of partnership that emerged in 1995 - 1996 (the Partnership for Peace) and the myth of the institutionalisation (1996 - 1997, the Founding Act)⁸⁹ the reality showed in 1999 that Russia in not able to influence NATO's decisions, even in case of action in its periphery. The Russian reaction to NATO's Kosovo intervention was not provoked by the Serbian-Albanian conflict itself, but by Russia's lack of comfort about NATO's post Cold War transformation and role. The fact that a few months after the first wave of enlargement was completed NATO intervened in Kosovo without an explicit mandate from the UN answered a few questions about Russia's position in Europe. Firstly, concerning the status of the Founding Act and of the consultation mechanisms created by the Act: as a political mechanism, the consultation through the Russia NATO Joint Council collapsed as soon as the two parties did have opposed political interests and could not act as a crisis solving mechanism. Moreover, the Western interpretation of the Founding Act as being a political agreement and not a legally binding text proved to be realistic. Russia's actions and reactions during the Kosovo crisis and the likelihood of their repercussion on the future pan European security constitute the *a posteriori* challenge of Kosovo's intervention.

Russia felt two dangers associated with NATO's Kosovo intervention: increasing instability on its geographic periphery and the fear that Kosovo might set the precedent for a NATO intervention everywhere, even in the former soviet space. Russia's understanding of the Kosovo crisis was modelled by the Chechnya experience. For Russians, the situations in Kosovo and Chechnya are similar: two majoritarian Muslim groups against a Slavic minority, fighting by the means of terrorist attacks or guerrilla war. Because of these similarities, NATO's intervention in Kosovo provoked fears about the likely scenario of a future NATO intervention on the territory of the former Soviet Union, in Russia's periphery or inside the Russian Federation. These fears were accentuated by demands from Georgia and Azerbaijan for NATO to intervene in their internal conflicts.⁹⁰ Russia is very sensitive to NATO's presence within the CIS area. Moreover, the Kosovo crisis deepened again the orientation between Russia and some CIS free-riders, like Georgia, Uzbekistan, Azerbaijan: a declaration intending to condemn NATO's Kosovo action, prepared by Russia and Belarussia, was dropped as it failed to get support from the other CIS members.⁹¹ The Kosovo example gave independence incentives to some rebellious CIS states and put Russia in a weaker position inside the CIS.

The first thing the Russian leaders did after the beginning of air-strikes was to suspend their participation in the Partnership for Peace and in the Joint Council, close its military mission to NATO and ask the NATO information representative in Moscow to leave Russia, as "*NATO is an institution of war, murder and aggression*".⁹² After the complete freeze of institutional and formal relations, Moscow started revising its military doctrine, as a consequence of NATO's Kosovo intervention. The new security concept draft, presented on 9 October 1999, is meant to reflect the key lessons the Russian military establishment took from the Kosovo crisis. The most important change this new military doctrine brings about concerns the perception of threat: while the previous 1997 security concept underlined that the

⁸⁹ Oksana ANTONENKO, Russia, NATO and European Security after Kosovo, in *Survival* 41-4, Winter 1999 - 2000, pp. 124 - 144.

⁹⁰ The Georgian president, Edouard Shevardnadze declared that Kosovo is a good lesson for Settlement of the Abkhaz Conflict (quoted by BBC Summary of World Broadcasts, <http://www.bbc.uk>, 14 April 1999). In July 1999, Georgia sought recognition of ethnic cleansing in Abkhazia and sought Western intervention to protect the return of Georgian refugees.

⁹¹ The Russia - Bielorussia statement was prepared for the CIS Summit, the 6th of April 1999

⁹² BBC Words Summary quoted by Oksana ANTONENKO, op. cit.

main threats came from inside, due to the economic crisis and local conflicts along the Russian border, the new doctrine emphasises the threat of direct military aggression against Russia and its allies. In the draft doctrine there is no explicit reference to NATO but it is actually clear to what it refers: “*enlargement of military alliances at the expense of the security of Russia and its allies*”, “*conducting military campaigns without a UN mandate and in violation of international laws*”.⁹³ At the same time, the minister of Defence Sergeyev announced in April 1999 that the armed-forces reductions would stop⁹⁴ and the Russian army conducted the biggest military exercise after the cold war, West - 99, based on a Kosovo-like scenario.

Russia used all means to express opposition to NATO intervention but with the arrival of Vladimir Putin at the Head of the Government, a more pragmatic attitude dominated Russia’s position. Less than one year after the first NATO bombs exploded in Serbia, NATO-Russia Councils functions again, 3000 Russian soldiers work with NATO forces in Kosovo, under the KFOR mandate, NATO Secretary General visited Moscow, the UK prime minister Tony Blair, the US president Bill Clinton and the President of the European Commission, Romano Prodi were welcomed at Kremlin. The fact that Russia and NATO countries found themselves on different parts of a military conflict was definitely a factor limiting their disposition and possibilities to build an-all European security system. That showed, once again, that the visions they were sustaining were competing and the “cold peace” does not rule out major military confrontation. But they showed as well that Russia does not have any choice than to adopt a realistic policy: “*Russian should be and will be an integral part of the civilised world and in this context we will co-operate with NATO*”.⁹⁵ This is a pragmatic recognition of the fact that Russia cannot afford to reject NATO offers, even though it does not receive the place it expected in this collaboration.

The Kosovo crisis brought the second possibility, after the end of the cold war, of Russian and NATO militaries to work together on the field. KFOR is an even greater challenge than IFOR for parties involved in peacekeeping, given the less benign environment - hostility of Albanian population against Russians, hostility of Serbs against NATO soldiers- and Russian-NATO divergent interests in the region. Russia’s expensive 3000 soldiers participation in KFOR is justified by three reasons: reaffirm Russia’s own interests and presence in the region, prevent NATO from monopolising control by setting up an unilateral military presence and to protect the Serbian population. Although Russia’s involvement in KFOR was marked by tensions,⁹⁶ at the beginning, co-operation on the field normalised. In order to enhance trust and interoperability on the ground, joint patrols and mutual help and assistance could create a co-operation culture amongst militaries on the field.

The Kosovo crisis lessons were difficult to accept for Russia: Kosovo breaks the myth about Russia’s superpower status and the Kremlin leaders have a delicate role to play between maintaining ties with NATO despite humiliation and claiming a great power geopolitical interest. During the first address to the Duma, the then new Prime Minister Vladimir Putin said, in August 1999, that “*we will keep our relations with Yugoslavia and we will insist that NATO respects the position of our country. We have our Geopolitical interests and we will stand up for them*”⁹⁷ but at the same time it consolidated ties with NATO and even suggested a possible future NATO membership for Russia.

⁹³ The references to the new draft military doctrine are taken from the Military news Bulletin no. 5, May 1999

⁹⁴ In fact, the planned reduction of about 40 000 per year will inevitably continue because of officers decline to extend their contracts that will expire in 2000.

⁹⁵ Russian President Vladimir Putin quoted by Radio Free Europe, Newline, 16 August 1999

⁹⁶ The surprising march of 200 Russian SFOR soldiers who occupied the strategic location of the Pristina Airport, on 11 June, before the rules of participation were decided, Russia’s insistence to get a sector on its own in Kosovo, to mention just a few

⁹⁷ Adevarul, 16 August 1999

A return to a strong and sincere Russia-NATO relationship requires political realism in Russia, the absence of a new major crisis and temporary moderation from NATO side.⁹⁸ Anyway, it seems that the Kosovo crisis diminished NATO's enthusiasm for further enlargements. Instead, alternative ways of integrating the left out countries in the Euro-Atlantic structures were used in the immediate period after the Kosovo war. EU enlargement, which received a new boost at the Helsinki Summit, in December 1999, might prevail over NATO expansion and the new OSCE Security Charter.

Potentially, NATO became a European organisation, even global, with no geographical limits anymore, as it can intervene everywhere in the world, with or without a mandate from the UN or OSCE. The alliance covers, potentially, for crisis management operations, the whole Europe. This is definitely a step towards a pan-European security system. By acting out-of-area, and namely after the Bosnian and Kosovo interventions, the alliance became a European security organisation, in the wider sense, not only a western defence club. The negative effects on Russia's participation to the pan-European security system provoked by the Kosovo crisis are, in our opinion, temporary, as we expect a realist approach to Russia's interests of the new Kremlin leader. Despite the negative impact and the temporary freeze of relations between Russia and NATO, the Kosovo crisis and the subsequent NATO intervention has the important merit of having brought more sincerity in their relations. It put an end to the myth of vague Russia expectations, it evaluates the unity of the alliance members, it checks the efficiency of NATO's new war capabilities, interoperability with new members, it applies NATO's new strategic concept. For putting NATO - Russia relations on a more honest basis and making them to work together in KFOR, the Kosovo crisis marks an important step forward for changing the perceptions and shaping a pan-European security system.

The intervention in Kosovo showed the alliance's leaders that the transformation of NATO in a collective security organisation capable to carry out small-scale missions is not yet fully completed and revealed the technological and preparedness gap between the USA and the European allies. But most of the action required from Kosovo lessons is political rather than military. First of all, Kosovo experience is going to be a lesson for the European members of NATO, which are about to launch an autonomous military capability. We will try to answer the question how is this Eurodefence likely to influence the Atlantic alliance in the part II of the study.

I.3. Power projection extension

As explained in the introduction, we believe that NATO's presence and projection of power on non-member countries' territory is a form of enlargement too, as it allows the Atlantic Alliance to be present and extend its influence on third countries soil. The main forms of power projection extension are the Partnership for Peace program and the Middle East and Mediterranean dialogue. As the Middle East and Mediterranean dimensions of NATO's action are not yet ripe to be considered as an enlargement, we will concentrate our analysis on the Partnership for Peace.

I.3.1. The Partnership for Peace: membership without article V guarantees?

NATO's first solution to the security dilemma after the Cold War was the Partnership for Peace programme. It was a compromise solution, meant to satisfy all actors on the European scene: the Central and Eastern European candidate countries, as it was a way to institutionalise their relationship with NATO, seen as a step towards enlargement, and Russia,

⁹⁸ Oksana ANTONENKO, op. cit.

who saw it as a substitute to enlargement. Originally proposed at SHAPE Headquarters as a "Partnership for Peacekeeping" under the military to military contact portion of the NACC,⁹⁹ the PfP gradually emerged as a more complex programme, with a political component, trying to answer a wider range of questions. The PfP programme was an American initiative, negotiated by NATO defence ministers in October 1993 and inaugurated in January 1994.

Unlike the Euro Atlantic Partnership Council¹⁰⁰ (EAPC) which is the forum for broad consultations on political and security issues or co-operation on security-related economic questions, scientific or environmental matters, the Partnership for Peace covers practical defence-related and military co-operation activities. This implies actions as deep as restructuring the national forces of partner countries so that they can participate in NATO missions, contributing to crisis management in Europe.¹⁰¹

An important feature of the PfP programme is flexibility: it functions as a menu of potential co-operative activities from which partners can pick and choose according to their interests and financial capacities. This is possible as NATO develops Individual Partnership programs with the partner countries. The main objectives of the PfP programme are: 1. To facilitate Transparency in national defence planning and budgeting, 2. To help ensure Democratic control of armed forces, 3. To develop and maintain the Capability/readiness of partner countries to contribute to operations under the UN/OSCE mandate, 4. To develop co-operative military relations between the Partners and NATO countries for the purpose of joint planning, training and exercises in support of peacekeeping, search and rescue, humanitarian assistance and other operation, 5. To develop among partners forces that are better able to operate alongside those of NATO.¹⁰² Considering that these objectives are essential for the CEECs, Russia's and CIS's restructuring armies, we believe that the Partnership for Peace has an important contribution to insure a pan-European security order.

First of all, the PfP is an inclusive programme, with no major participation barriers: all Central and Eastern European Countries were invited to participate, so were the members of the CIS. Technically, all the OSCE members qualified for the PfP. The inclusive character of the programme is important, as it opens the way up for countries that will only be later or never part of NATO, nor of the European Union and which are not included in other hard or soft security organisations in Europe. Countries that would have never been involved in a discussion forum or in a practical on-the-field operation have the chance of having a bilateral dialogue with NATO and to discuss matters of concern to their security. Thus, partnership for peace program is the first step towards extending, progressively, NATO in Central and Eastern Europe and well beyond.

Secondly, transparency in national defence observed by the PfP programme benefits the tendency to create a pan-European security network by increasing trust and decreasing the risks of an arms race and internal or inter-state confrontation. Transparency in defence planning is one of the most critical steps in promoting stability through the Euro-Atlantic region. Within the Atlantic alliance, the common defence planning mechanisms have had a central role in avoiding the re-nationalisation of defence among NATO members, after World War II. It created the possibility of viewing security collectively and not competitively.¹⁰³ this benefit is being expanded eastwards through the PfP program. As not all participant countries are used or are comfortable with the idea of transparency of defence planning, the PfP program offers the possibility to observe it gradually. The partner countries can choose the rhythm of their

⁹⁹ S. Nelson DREW, NATO from Berlin to Bosnia (chapter Partnership for Peace), McNair Paper 35, Institute for National Strategic Studies, <http://www.ndu.edu.ndu/inss/macnair/m035ch10.html>

¹⁰⁰ At the time the similar forum was the NACC

¹⁰¹ Cf. Rob de WIJK (1997): NATO on the brink of the new millenium The battle for consensus, London 1997, p. 75

¹⁰² Partnership for Peace, Framework document, 10 of January 1994

¹⁰³ S. Nelson DREW, op. cit.

involvement, they can choose what they want from the PfP menu and when to implement it. The formal relationship is bilateral, every partner country basing its participation on an Individual Partnership Program with NATO, but the Work Program and the Presentation Document, exposing steps taken to enhance transparency, are made available to all partner states, once they are finalised. Creating a network of information, a common database with information about every single participant is in the interest of transparency in Europe and creates a multilateral trust environment, not only between NATO on one side and individual partners on the other side but among every participant to European security.

Thirdly, by observing the democratic control of armed forces the PfP contribute to the consolidation of democracy in Partner countries, which is an important prerequisite to peace in Europe. In some of the newly independent states, the democratic system is still fragile and external help, through regular consultations and dialogue plus the practical know-how transfer, is capital. NATO has established a Political-Military Steering Committee (PMSC) to make the linkage between civilian political control of PfP programs and the military implementation of those programs. The participant countries send the appropriate person, depending on the topic under discussion, to the PMSC, chaired by the Deputy secretary-general of NATO. Dialogue at the civilian/political level is an important element of democratisation of the partner countries and of peace building as well.

Fourth, by developing the capability/readiness to contribute to operations under the UN/OSCE mandate, the PfP program prepares the partner countries' armies for the modern type of war, insures interoperability on the field and makes them contribute to a secure environment. Moreover, military exercises carried on together by partner countries enhance trust and transparency between militaries, on the field, and makes co-operation more concrete, man-to-man-like and not only between political leaders. Carrying on together crisis management missions under the UN/OSCE mandate creates habits of co-operation, the culture and the feeling of sharing the same values, fighting for the same objectives. By developing habits of co-operation, the PfP improves the effective employment of multinational forces for collective responses to threats through Euro-Asia.

Fifth, Partnership for Peace creates a culture of collaboration, by institutionalising, for the first time, a relationship among the NATO nineteen and twenty-six partner countries and creating the feeling of belonging together. The Partnership for Peace program has, at the end, the merit of being *"the opportunity for Europe to begin to develop a common defence culture and habits of co-operation"*.¹⁰⁴

I.3.2. Future of the Partnership for Peace

The Partnership for Peace is a reaction to external and internal pressures on NATO members, and as any compromise, it did not satisfy everyone. The Central and Eastern European countries started to see the Partnership for Peace programme as a surrogate offered to them instead of membership ("Partnership for Postponement")¹⁰⁵ and hesitated to get involved in the program. The CEECs feared that a successful Partnership for Peace would please NATO's members and would make them think that enlargement itself is not necessary and too risky. The candidate countries started to work in the framework of the PfP program with the aim of preparing for full NATO membership: the Partnership for Peace was for them the waiting room for membership. Russia' dissatisfaction came from the fact that Russia itself was put on the same level with all other partner countries, while the Kremlin leaders expected a

¹⁰⁴ Manfred Worner, Partnership with NATO - The political dimension, in NATO's Sixteen Nations, Volume 39 Number 2, 1994, p.7

¹⁰⁵ Hall GARDNER, Dangerous crossroads. Europe, Russia and the Future of NATO, Praeger, Westport, Connecticut London, 1997, p 14

special role for what they constantly underlined as Russia's great power status.¹⁰⁶ Nevertheless, the initial reluctance of partners evolved, and so did the allies' vision of the program. The Washington Summit introduced programs to make PfP more operational and approved the new alliance Strategic Concept which gives an official role to the PfP, by mentioning it as one of the core NATO activities. The Washington Communiqué launched the Membership Action Plan (MAP) to foster closer relations among partners and the alliance for common operations. The MAP is meant to be the practical manifestation of the NATO open door policy,¹⁰⁷ by offering the partners which are candidates to NATO membership the possibility to work on the membership aim, to fulfil quantifiable targets in membership preparation and to have regular bilateral consultations with the allies.

Considering that twenty-seven countries joined the PfP and the numerous activities they carried on together on NATO or on partner's soil, we can say that the Partnership for Peace found its way in Europe, reconciling interests and ambitions of all sides. We believe that participant countries are going to keep their interest high in the Partnership for Peace program. But a lot depends on the dynamic of institutions supporting the program and on collateral developments of other security institutions in Europe.

The recognition by the Strategic Concept of the Partnership for Peace as being a fundamental task of NATO represents an important shift in the alliance's thinking on Partnership since its creation. NATO's involvement in Europe behind its borders is affirmed now as an element of the alliance's strategy, not only a contribution on the fringe of its crisis management activity. They are both being recognised as equally important tasks: "*This means that Partnership is no longer something that the Alliance does in its spare time. Partnership is not something that utilises spare capacity, where there is spare capacity to be had, but must go begging if there does not happen to be spare capacity at the time of demand*".¹⁰⁸ The official recognition of its importance gives Partnership for Peace more chances to success. There are, however, challenges for the future of the PfP. Its future development could be in danger if financial resources and Political Commitment are lacking.¹⁰⁹ According to J. P. Colston, the resources challenge is particularly relevant for the program, as concerns both sides. On the NATO side, because the Partnership for Peace is a new and ever expanding field, which implies battles for redistribution of the budget, like it happens in all bureaucracies. On the other side, a number of partners are poor or transition countries, for which the financial burden to participate in the Partnership for Peace activities is cumbersome. For the future, NATO should perhaps further study the possibility of co-financing in a more significant measure a minimum of fundamental activities to which all partners should participate (field operations, common training).

The second challenge to the development of the PfP in the future is political commitment. The partner countries and NATO members should maintain a high level political interest and involvement in the program and should prevent its transformation in a bureaucratic driven institution rather than a political one. In order to get more resources and more practical involvement from the partners, the PfP needs high level political commitment.

A third challenge to the future development of the PfP refers to the parallel

¹⁰⁶ "Russia is rightfully a great power by the virtue of its history, of its place in the world, and its material and spiritual potential", Boris Yeltsin Speech at the 6th Congress of People's Deputies, 7 April 1992, "Rossiiskaia Gazeta", 8 April 1992, quoted by Serguei Polotovski, op. cit.

¹⁰⁷ Jeffrey SIMON, Partnership for Peace (PfP): After the Washington Summit and Kosovo, National Defense University Strategic Forum Number 167, August 1999, <http://www.nyu.edu/globalbeat/nato/NDU0899.html>

¹⁰⁸ J.P.COLSTON, Defence Counsellor, UK Delegation to NATO, The Challenge of Translating the Vision into Practice, presented at the PfP Planning Symposium 2000, Partnership, al Alliance Fundamental Security Task, Germany, Oberammergau -20 - 21 January 2000

¹⁰⁹ Ibid.

developments of other security institutions in Europe. If NATO pumps new life in the enlargement program, announcing soon a second wave, the interest in the Partnership for Peace of some of its members -the Central and Eastern European candidates- is likely to decrease. They are only going to see the PfP as a preparatory stage for membership and will possibly develop a competitive attitude towards other participants, feeling they have to show they are better prepared and thus better candidates for membership, and not a co-operative one. Similarly, if the EU enlargement is going to proceed quickly and the European Union is going to develop a significant defence component, the present PfP members are likely to invest less money and political capital in the program. Accession to a European Union that develops an autonomous defence capacity may diminish their interest in PfP, which does not offer them the ultimate security guarantee, provided by Article V. We think the future of the PfP depends on the frequency of out-of-area other than war missions, as it is clear that crisis management is going to be the daily work for NATO in the future. It will be important, in all foreseeable situations, to keep a high level of collaboration and interoperability with the partner countries. We think that the frequency of crisis asking for NATO intervention will determine the rhythm and the depth of the PfP programme. Moreover, we believe that the future viability of the PfP programme depends on the interest that Russia will invest in it and on its role and place in the PfP programme. The Partnerships for Peace is not going to become a central piece of the security architecture in Europe if Russia does not participate actively in it, as no European security structure can be politically and militarily relevant when Russia does not contribute to it. On the other hand, there is a reverse danger: if the PfP becomes the vehicle for a Russian regional hegemony,¹¹⁰ the CIS partners are likely to lose trust in the Programme and to look for different organisations to protect their interests.¹¹¹ The future of the PfP depends thus on the role Russia will have within it. But a right place for Russia is difficult to find and depends on the formulation of a coherent and realistic foreign policy doctrine by the Russian leaders and their overall relationship with Western structures.

In some scholars' vision,¹¹² the strengthening of the PfP would be the most suitable basis for a militarily integrated system of collective security. Indeed, considering its large, inclusive membership and its potential contribution to the collective solving of crisis in Europe, the Partnership for Peace, in an enhanced variant, could be the basis for a pan-European security system. It would be politically viable, due to the large membership, and practically it could base its actions on NATO military assets. It could build on the experience of the Atlantic alliance as for the conducting of military operations and on the Bosnian and Kosovo experience as to how to organise and carry on multinational missions involving partners with different military cultures and different status in NATO. It would not give the ultimate common defence guarantee to all partners, but a soft security guarantee (similar to that of Article 4 of the Washington Treaty). As for the hard security guarantee, we can imagine a congregation of regional blocks installing amongst each other hard security guarantees. We believe that, for the future, regional security blocks based on an article V like common defence guarantee could be an effective way of contributing to a pan-European security system.

The Partnership for Peace had a difficult birth, a difficult evolution and a difficult to predict future as it needs to reconcile two different attitudes and expectations: those of the Central and Eastern European States and those of Russia. Essentially, the two parts want different things from NATO and thus from their participation in the Partnership for Peace. The Central and Eastern European countries want a strong NATO that they can join soon,

¹¹⁰ S. Nelson DREW, *op. cit.*, p 3

¹¹¹ Andrei Kozyrev, in Neoimperialism or Defence of Interests of the Democratic Community, in NATO's Sixteen Nations: Volume 39, Number 2, 1994, p. 49: Russia, acting alone or together with its CIS partners, would conduct a peacekeeping operation, the CSCE would send observers, while partners would provide logistical back-up or finance the training of Russian peacekeeping personnel"

¹¹² See *Supra* 1.2

Russia wants a weaker or at least equal NATO that Russia can dominate. As it had to give a common answer to these different expectations, the PfP programme was ambiguous at the beginning and did not please every participant. We can say that since its inception it managed to accommodate partners with antagonist interests by making them work together.

The Partnership for Peace is what we call the third enlargement -in chronological terms it was the first- because it allows NATO to be present and to act on non-members' territory, in a non-conflict situation. The PfP stops short of extending an Article V security guarantee to the Partner countries but it does extend the geographic area within which the legitimacy of NATO action is recognised. It does practically extend the Article IV-like commitments, giving partners the possibility to discuss in the 19 + 1 Council when they feel or have security threats. This expansion of the alliance to partner countries provides a possibility for NATO to apply and realise the promises of its strategic concept: promote peace and stability throughout the Euro-Atlantic region. An important consequence of the Partnership for Peace programme is that it made clear that "*NATO is not merely the Alliance of 19 members*".¹¹³ It is "*the core of a larger co-operative security network that links all of Europe's democracies in tackling the security problems of the entire continent*".¹¹⁴ It does serve, from this point of view, the creation of a pan-European security order, by maintaining an inclusive network of multifaceted co-operation in political, military, economic, social security-related issues. It does enhance transparency and trust between partners and, thus, extends the security community's Eastern and Southern borders significantly, much beyond NATO's geographical borders. Its contribution to peace and stability in Europe was acknowledged in the Stability Pact for Southeast Europe, adopted by the European and then the G8 leaders in June 1999: "*the increased use of Partnership for Peace programmes will serve the objectives of overall stability, co-operation and good-neighbourliness envisaged in the Pact*".¹¹⁵

Conclusion Part 1

Enlargements have given new life to the Atlantic alliance and coherence to its post Cold War era action. The three enlargements are allowing, preparing, reinforcing and completing each other: they are all facets of the same transformation, which is the incorporation by NATO of the co-operative security concept. The out-of-area missions could have been discharged without expansion and without co-operation extension, through the PfP.¹¹⁶ The new functions of the alliance were congruent with enlargement and PfP, because crises can be prevented, or brought to a lower level, by alliance's expansion or by its projection of stability.

As we tried to demonstrate in the first part, the three enlargements are part of NATO strategy to shape a pan-European security system. They complement and prepare each other; they are logically congruent as parts of the collective security concept. Preventing conflicts that would ask the Alliance's intervention implies to bring countries in, to invite them to join a secure club, either as members or as partners. The three enlargements are inter-linked. The ability of partner states to meet their obligations under the PfP programme -transparency in

¹¹³ Alexander Vershbow, US Ambassador to NATO, in a speech at the European Institute, 16 March, <http://www.nato.int/usa>

¹¹⁴ Alexander Vershbow, quoting the Secretary of State William Cohen, in a speech at the European Institute, March 16, <http://www.nato.int/usa>

¹¹⁵ Cologne, 10 June 1999, STABILITY PACT FOR SOUTH EASTERN EUROPE PARTICIPANTS, DESCRIPTION OF SITUATION, <http://irex.org/programs/conferences/kosovosymposium/stability-pact.htm>

¹¹⁶ David. A. HAGLUND, NATO's expansion and European Security After the Washington Summit - What Next?, in *European Security*, Vol. 8, No. 1, Spring 1999, Frank Cass, London

defence planning and budgeting, democratic control of the military, and field exercises- should provide a useful indicator of which states are capable to satisfy the requirements of NATO membership. There are, however, some unintended negative consequences on the way in which the membership issue was implicitly linked to the PfP.¹¹⁷ By making the link between membership and outstanding performance in the PfP, the allies may have encouraged competition rather than co-operation among partners. Such a misreading of the PfP sense would have the opposite effect, leading to fragmentation rather than co-operation. But we believe that the danger of competition can be linked to the first generation of political leaders in partner countries, who might have emphasised unrealistically the importance of NATO membership and their country's chances and considered then a personal failure non-invitation of their country and invitation of others. At the turn of the century we believe that a more realistic approach will emerge. We assume, thus, that benefits of practical co-operation, in planning or in the field activities overcome the risk of political competition inside the PfP. At the same time, there is an incremental link between new missions and Partnership for Peace. To a certain extent, the Partnership for peace was created to anticipate and to respond to the need of carrying on out-of-area operations: this is clearly stated in the aims of the PfP. Subsequently, the PfP has to insure a modicum of interoperability to meet the needs of multinational missions, putting together militaries or armies with different capacities, different training, different military culture. The real test of fire came after the Dayton Agreements; the subsequent IFOR and SFOR missions in Bosnia brought together more than twenty partners with NATO's members in what was the biggest multinational military operation since the end of the World War II. IFOR was very much prepared by anterior PfP exercises: as one USA Army IFOR officer commented,¹¹⁸ IFOR would not have been possible without the previous experiences of the Partnership for Peace program. Real common missions have better chances of success when prepared through exercises, simulations and common training within the PfP program.

We believe that the three types of enlargements separately and the effects they generate together prepare the ground for a pan-European Security system, with NATO at its centre. If this system will evolve on the basis of an enhanced PfP, on NATO itself, offering thus different degrees of membership, or on the basis of interlocking security institutions, sharing the tasks of maintaining a pan-continental security, is still to be seen. In the second part of the paper we will analyse the functioning of interlocking institutions and their likely distribution of roles on the European scene.

Part two

The interlocking institutions

*"The challenges we will face in this new Europe cannot be comprehensively addressed by one institution alone, but only in a framework of interlocking institutions...(in a) new European architecture in which NATO, the CSCE, the European Community, the WEU and the Council of Europe complement each other."*¹¹⁹

The assumption we formulated in the introduction was that given the multiple-faceted aspect of security challenges after the Cold War, one institutions -be it as complex and adaptable as NATO is- cannot insure a pan-European security. NATO proved to be successful while dealing with crisis, it does have the right military answer to conflicts but is not specialised and not efficient in preventing crisis or in reinforcing peace. The Alliance can maintain peace by military means, like it does in Bosnia or in Kosovo, but this is just a

¹¹⁷ S. Nelson DREW, op. cit.

¹¹⁸ Ibid.

¹¹⁹ (Rome Declaration on Peace and Co-operation, North Atlantic Council meeting, Rome 7/8 November 1991)

temporary peace, which has to be observed with guns. The EU, the OSCE and the Council of Europe can complement NATO's action by contributing to build a pacifying civil society after conflicts and by preventing re-emergence of crises. We are going to further analyse the European Union, with the WEU as its department of defence, and the OSCE's contribution to the creation of an all-European security order and their interaction with NATO.

These institutions represent three different concepts of Europe, which may be either complementary or rivals: NATO, the 'Atlanticist' European structure; the OSCE - the 'wider', all-European structure; the EU (with WEU as its defence ministry) - the embryonic 'Europeanist' Europe. Despite differences in membership, tasks, strategic or logistic capabilities, these institutions are shaping, in a specific way, with their own tools, the security system in Europe. The year 1999 was particularly relevant for those organisations: the NATO Washington Summit, celebrating its 50 years, EU-US summit, the OSCE Istanbul summit and the two EU Summits -Cologne and Helsinki- were important steps for the co-ordination and reshaping of their agendas and of their consultative arrangements. We are going to further analyse their implications for a move toward a coherent pan-European network.

II.1. The European Union: just a civilian power?

The contribution of the European Union to security in Europe and especially to the pan-European security system is complex, multifaceted and ever changing. EU's security role is evolving because, on one hand, the European Union advances Eastwards¹²⁰, and because the EU is deepening and includes new competencies, in the field of foreign affairs and in the military field. The EU is essentially a Civilian power offering soft security guarantees; the European Communities were created to foster peace through economic prosperity, and from this point of view they succeeded in being a "security community".¹²¹ War between EU member states is ruled out and so is, practically, the likelihood of an external aggression against one of its members. Given the degree of interdependence, attack on one member touches the interests of all other members and that would produce a reaction either from the EU or from NATO, which has a common defence mutual Treaty obligation with eleven of the EU members. The EU offers a *de facto* protection to its members, by its sheer existence and international weight. The EU provides, first of all, economic security and soft security guarantees through the Common Foreign and Security Policy actions. The general critic associated with the role of the EU in the world, or even in Europe, as the last Balkan wars have shown, is that the Union is a Economic giant and a Political dwarf. The economical force of the 15 is not associated with a political capacity of acting together in foreign affairs or in security matters. The usual expression is that the USA leads and the EU pays. The statement that the EU does not have a high international politic profile and does not carry out global action, like the US, is not correct, in our view. The EU is the biggest donor in the world. The financial aspect of its development or reconstruction aid is just the unseen part of the iceberg: EU's development aid is an effective conflict prevention action, but less visible and less known than the US military action. The EU's financial contribution to almost all regions in the world where aid is needed -emergency ad, financing of social or economic projects, education programs- is less visible as less advertised by media than NATO's military actions, inevitably more impressive and attractive than figures relating economic aid. But we believe that the role of the European Union is more than being a bank for poor or in conflict states. It is a stable soft security guarantees provider and moves steadily towards a more coherent political and security structure by refreshing its common external action and by new steps towards and

¹²⁰ The best prepared Eastern European candidates will probably accede by 2005, according to declarations of EU officials

¹²¹ According to Karl DEUTSCH's definition, provided in part 1, chapter 1.

autonomous military capability, through the new Common European Foreign and Defence Policy.

II.1.1. Economic security and soft security provider

Despite the still great importance of the military component of security in Europe, the economic, political and environmental dimensions became important elements of the strategic thinking. The end of the Cold War did not unified Europe: the ideological and military dividing lines disappeared, but economic ones continue to exist. The Post Cold War Europe “is divided by the differences in per capita GDP and the level of economic development”¹²², and not so significantly anymore by political cleavages. In the new strategic environment, the European security system has two main constitutive elements: politico-military and economic. The security architecture has, consequently, two pillars, NATO and the EU, with interconnected activities.

The role of the European Union is primarily considered to be insuring the economic security and consequently peace through prosperity, to be a security community. The question we will analyse in this chapter is how is the EU able to project outside its borders this pacifying role and consequently what is the role of the EU in building a new security architecture. At the European Communities summit in Strasbourg, in 1989, the European leaders declared that the Community was “*the cornerstone of a new European architecture*”¹²³. The Community became the Centre of attraction for the central and eastern European States, seeking an anchor for their new and fragile market economies and democratic systems.

As we stated before, the European Union’s contribution to security relates more to its economic prosperity as a source of stability than in its Common Foreign and Security Policy, or in its defence developments. Many of the security problems in the region are of economic, societal or environmental character, and are therefore not susceptible to classic military or diplomatic solutions. The full integration of the CEECs within the EU would stabilise them more than other co-operation arrangements. For this reason, the ongoing enlargement process and the Association with applicant countries are important elements of the UE strategy for stabilising Europe.

The EU responded mainly with economic measures to the needs of the CEE region. Despite the fact that the Treaty of Maastricht sets up the framework for a Common Foreign and Security Policy, and then the Amsterdam treaty rationalised CFSPs instruments, the European actions in foreign and security matters are quite limited, for reasons that go beyond the subject of this research. In fact, the EU did not develop a coherent foreign security, or an ad hoc strategy to deal with important events such as the Gulf War, the ethnic conflict in Bosnia, the Albanian or the Kosovo crisis. It was not able to project its pacifying power abroad¹²⁴, by coherent foreign policy and security mechanisms, mainly because of divergent interests and positions of member states.

The first event showing an EU strategy for securing the CEECs, considered as the founding act of the European *Ostpolitik*¹²⁵, is the European Stability Pact (1994). The Stability Pact marks an important move towards a wider European security co-operation. The proposal was based on the assumption that stability is an essential condition for economic and social progress in the eastern part of Europe. The content of the Stability Pact reflects the changing nature of the security in the Post Cold War era, emphasising the conditions which ensure the

¹²² James Sperling and Emil Kirchner (1997), Recasting the European Order. Security architectures and economic co-operation, Manchester University Press, Manchester, 1997, p. 2

¹²⁴ James Sperling and Emil Kirchner, op. cit., p. 51

¹²⁵ Ibid.

internal stability of a country: democratic institutions, economic development, human rights respect. Motivated by the idea to prevent the spread of the Yugoslav conflict, the Stability Pact was an effort to impose and to guarantee the right of minorities and the inviolability of frontiers in Europe. Beyond that, we can grasp the intention to prepare the ground for the eastern enlargement of the EU, as that the candidate countries manage to solve conflicts among them before joining the EU. The Stability Pact is an important exercise in preventive diplomacy. The OSCE guarantees the full implementation of the Pact, which was adopted as a Joint Action of the EU under the article J3 of the Maastricht Treaty. Despite the mistrust the French initiative provoked at the beginning, among the other EU states, the importance of the Stability Pact is not challenged anymore. Its significance lies, first of all, in defining security and conditions for stability in the new era and in the new Europe.

The challenge for EU is to provide security for CEEC and keep good relations with Russia. The partnership and co-operation agreements concluded with Russia and Ukraine are to provide a solid framework of co-operation for political dialogue and economic relations. They hold out the prospect of a free-trade area at the end of the century, and encourage foreign investment in these countries. Moreover, EU leaders created a common strategy with Russia -the first ever use of this instrument introduced by the Treaty of Amsterdam- and acknowledged the capital importance of Russia in Europe and in the European security. EU relationship with Russia is serene and was never poisoned by polemics or threats like it was the case with NATO, in the context of NATO enlargement. Russia never expressed its opposition or concern to the Eastern Enlargement of the EU, even though it is clear by now that the Baltic Countries, former Soviet Republics, will accede to the EU, some of them maybe even in the first wave¹²⁶. The explanation is that Russia always saw the EU as being a civilian power, as opposed to NATO, the Cold War military. As the European Union is moving slowly towards an independent military capacity and is giving up its Switzerland-like innocent civil aspect, the question is whether Russia is going to become more concerned about the EU enlargement and more suspicious in relation with a European Union having a military weight. The answer is difficult to predict, but we assume however that Russia will feel maybe less threatened by a purely European military force, as its eternal rival and enemy were the United States. Russia does have a defeat complex in relation to the US, but not in relation to the EU countries, which had never global military ambitious. Maybe a future EU with military component would be the best suited actor to deal with crises in Europe, as it is less likely to provoke Russia's isolation than an US driven NATO. Moreover, Russia cannot afford to reject all European offers: it rejects NATO and its triple expansion, as it alters Russian perception about security in and its role in Europe, it cannot afford to reject EU's co-operation offers and be isolated in Europe.

The EU should anyway think about a long-term relationship with Russia; for the moment, theoretically all visions concerning the future of this relationship are open, from the status quo and the Free Trade Area to membership. We believe however that a deepening of the present FTA ambitious is necessary in order to integrate and tie Russia in Europe and make it be a stable contributor to the pan-European security architecture. As for the moment the idea of Russia becoming ever a member of the EU is not realistic, we believe a more tightening economic integration, FTA and Customs Union) and regular political consultations could produce a better quality relationship.

Generally, EU's attitude is to rely on the economic and diplomatic aspects of external actions, reinforcing the idea that somehow defence and security matters are not really part of

¹²⁶ The candidate countries are now divided in the Luxembourg group (countries that were invited to start accession negotiations at the Luxembourg European summit, in December 1998: the Czech Republic, Estonia, Hungary, Poland, Slovenia and Cyprus) and the Helsinki group (countries invited to start negotiations at the Helsinki European Council, in December 1999: Bulgaria, Latvia, Lithuania, Malta, Romania and Slovakia).

the EU mission, but belong to NATO and to United States. The Amsterdam Treaty did not change very much at the legal or institutional level concerning the mechanisms for foreign policy action. Nonetheless, the EU will slowly - but inevitably - evolve towards a more concerted action in the international scene. As the EU countries, 11 of them for the moment, will use a single currency and will follow a single economic policy, they have to learn to speak with one voice; the level of integration and interdependence will allow less and less of free riding. A second reason why the EU will have to improve its performance in external relations is the lesson of the Balkan crises and EU's disappointing performance. There is a third reason for EU countries to have a common voice in external relations: the enlargement will transform the EU from a Western European organisation in a European organisation. The future status of the European Union as a future continental block can be fully exploited only if Europe has a unique voice on the international scene.

In the context of the last Balkan crisis, EU and its member states had an interesting role to play both in the formal process of the Rambouillet negotiations and in the informal diplomatic initiatives, which took place outside the scope of the Rambouillet process, such as the Contact Group. During NATO intervention, EU had more a behind-the-scenes involvement and relationship with NATO but did not act as a political entity. After the bombing stopped in Kosovo, EU leaders together with other world leaders launched, at the German initiative, what we can consider the first attempt towards a pan-European Foreign policy: the Stability Pact for South-eastern Europe, to rebuild the Balkans after the Kosovo conflict. The Pact, which is often compared to a Marshall Plan for the Balkans, seeks to find comprehensive solutions for instability in the Balkans, attempting to create a new regional order. It includes an open trading area, a Balkan economic regeneration plan and a new class of bilateral agreements with the EU. After the Cologne European Summit approved the Stability Pact, the foreign ministers of the G8 and several Southeast European countries agreed on this Marshall Plan for the Balkans on the 10th of June in Cologne. The Stability Pact brings massive amounts of money to the Balkan countries but it encompasses actually a more global approach to security and regional development. It created three working round tables on democracy and human rights, economic reconstruction, development, co-operation and security issues.

The Stability Pact, as proposed by the EU and approved by the G8, has a multi-dimensional comprehensive approach to the region and seeks to involve, in a coherent way, the EU, the OSCE, the Council of Europe, the UN, NATO, the OECD, the WEU, the International Financial Institutions and regional initiatives, for a better use of resources. The implementation of the Stability Pact will definitively increase EU's profile in South-eastern Europe and gives, for the first time, the image of a coherent pan-European approach by the European Union. "The launching of the Pact will give a firm European anchorage to the region. The ultimate success of the Pact will depend largely on the efforts of the States concerned to fulfil the objectives of the Pact and to develop regional co-operation through multilateral and bilateral agreements."¹²⁷ The preventive strategy at the base of the Stability Pact is quite a new element in EU's external action. Until the Kosovo crisis and during the Kosovo war as well, crisis management in the former Yugoslav space was reactive and constantly lagging behind the event. The EU had the role of fireman coming to assist the disaster. The Stability Pact is the first pro-active, future oriented and comprehensive multi-dimensional action of the European Union. It can be considered a preventive action. New is also the global approach to the region, as opposed to project-specific or to the local and even national level action. For the first time the European Union addresses the region as a political entity and seeks to bring common solutions. Although of a symbolic value, we consider it is

¹²⁷ Cologne, 10 June 1999, STABILITY PACT FOR SOUTH EASTERN EUROPE PARTICIPANTS, DESCRIPTION OF SITUATION, <http://irex.org/programs/conferences/kosovosymposium/stability-pact.htm>

important that the Stability Pact is addressed to a region called South-eastern Europe, instead of Balkans, which is, in our perception, an affirmation of the region's belonging to Europe. It is the first sign (although symbolic) of the region's came back in EU's plans.

EU is going to pay the biggest amount of money in this Marshall Plan for Balkans and will organise most of the democracy and human rights programs, will support the economic reconstruction, development and co-operation. Over the next few years, the Stability Pact for the western Balkans will be one of the budget priorities for the European Union. The European Commission is proposing a revision of the financial perspectives to secure the financing of this priority, without increasing overall EU budgetary requirements, so without creating tensions concerning redistribution inside the European Union. In total, a maximum of 5.5 billion Euro will go to the western Balkans for 2000-2006. The EU will be, no doubt, the most important player for the reconstruction and pacification of the Balkans region; but the ability of the European Union to exploit politically its economic strength via such regional co-operation is still to be proven and so is its contribution to the strengthening of democratic institutions in the region. The Stability Pact envisages the conclusion of Stability and Association agreements, leading eventually to EU membership for the Western Balkan countries. This is an implicit recognition of the EU stabilising role and its capability of enlarging the Security community it created during the last four decades by admission of new members. Moreover, this is, in our view, a sign of division of tasks between the security institutions in Europe. The division of roles proposed by the Stability Pact implies that the most appropriate way of stabilising the region is through anchorage with the European Union. NATO cannot solve the complex problems of the region with its still military approach to security; the OSCE, with its insufficient economic section, cannot lead a regional reconstruction. The Security Pact acknowledges, in our view, the implicit division of tasks between the security institutions in Europe and the *de facto* specialisation of NATO, the EU and OSCE.

We believe there is an informal division of tasks between NATO and the EU as concerns their enlargement. NATO took the initiative and enlarged first. As the number of countries NATO accepted is limited to three, the European Union inherited a complex security landscape in the Central and Eastern European. NATO and EU frequently refer to the two enlargements as "parallel processes", in order to dampen comments that one will affect the timing and the decisions of the other. Nevertheless, we believe that NATO Madrid decision concerning the first wave influenced EU's own choice as concerns its enlargement. We believe that besides having taken into account objective criteria concerning the preparation of candidate countries¹²⁸, managing the complex geopolitical landscape created by NATO enlargement influenced the EU's decision as to the composition of the first wave of enlargement. Including Estonia in the first wave was a political signal to the Baltic countries that they will be integrated, in a way or another, in the Euro-Atlantic structures, even though not in NATO, which would create serious tensions with Russia. In December 1999 the European Council, after the recommendation of the European Commission, invited the second wave countries -Bulgaria, Latvia, Lithuania, Malta, Romania, and Slovakia- to start accession negotiations. The enlargement process was driven in a technocratic manner. But the decision to transform the Eastern enlargement into an inclusive process was a political decision to reward those countries for their loyal pro-Western attitude during the Kosovo crisis. At the same, this is a means of gradually spreading security in Southeast Europe without enlarging NATO, whose advancement in Central and Eastern Europe will irritate even more Russia after the Kosovo intervention. A lower profile of NATO towards the Central and Eastern European candidates is to be expected, especially after the invitation, launched by the 15 at the Helsinki European summit, to start accession negotiations with the remaining candidates. This is an example of sharing tasks between the interlocking institutions, in order to create a

¹²⁸ The criteria for assessment of EU membership preparation are the so-called *the Copenhagen criteria*: political, economical and institutional preparation.

network providing security to all the European countries, through involvement in different institutions. Even though officially there is no co-ordination between the EU and NATO enlargements, because of the partly overlapping membership of the two organisations and the common interest in stabilising Europe by creating a continental network, there is an informal adaptation of one's policies to the other's actions. The issue is not “*just the potential duplication of EU activity with NATO or OSCE, but the need for a coherence between their policies.*”¹²⁹

II.1.2 The Common Foreign and Security Policy after the Treaty of Amsterdam

Europe is an economic power, but not a strategic one yet. Being a strategic power requires two key elements: a coherent foreign policy and the diplomatic and military means to implement that foreign policy.¹³⁰ The last months brought more changes in this direction than the previous 50 years, marked by reticence to move towards a European defence policy manifested by both Atlanticists (UK) and the partisans of national sovereignty (France, Denmark). Repeated initiatives aiming to create a European Defence Community or European Foreign policy mechanisms failed as external relations and security were considered taboo subjects, that Member States should keep away from Europeanization or were simply thought be NATO's business. Things changed inside the European Union, because of enlargement, which is likely to shape a European political identity¹³¹, because of the deepening in other areas and the spill-over effect, and due to a new generation of political leaders in the key European countries (especially in the United Kingdom). The appointment of the former British Defence Minister, George Robertson, one of the most committed Europeans ever in the British government, as Secretary General of NATO might have an incidence on the European security as well. We believe that the poor European performance during the two European wars, in Bosnia and in Kosovo, highlighted the trap: total dependence on the United States as concerns military action and at the same time political responsibilities and interest that go beyond the American interest or will of involvement.

The Treaty of Amsterdam¹³² tried to respond to the institutional deficiencies of the Second Pillar as established by the Treaty of Maastricht¹³³, and to the limits of the CFSP, as identified during the Bosnia conflict. The Amsterdam Treaty introduced a few innovations that still have to be tested in times of conflict, but are worth looking at nonetheless.

An assessment of the Amsterdam provisions depends on one's view: for federalists and those insisting that Europe should be able to play a role in keeping order in Europe, in its own house,¹³⁴ Amsterdam innovations are insufficient and the record of the institutional provisions is unsatisfactory. For the partisans of inter-governmental co-operation in foreign affairs, Amsterdam was a remarkable achievement. It is important to look at the provisions laid out by the Amsterdam Treaty in order to see the framework in which the CFSP is likely to evolve, if the political will is there to exploit the institutional potential. In our opinion, many directions of development are possible, as the provisions of the Amsterdam Treaty are first of all ambiguous. The text accommodates *both a foreign policy and the co-ordination of*

¹²⁹ Fergus Carr and Kostas Ifantis (1996), NATO in the New European Order, MacMillan Press, London, p. 151

¹³⁰ Sir Timothy Garden, Europe a Strategic Power? April 1999, <http://www.tgarden.demon.co.uk/writings/articles/europe.html>

¹³¹ See supra II.1.2

¹³² Signed by the European Leaders at the Amsterdam Summit, in July 1997 and entered into force in May 1999

¹³³ The Treaty of Maastricht was signed in 1991 and entered into force in 1993

¹³⁴ Hanspeter NEUHOLD, The Common Foreign and security policy of the European Union: A poor record and meagre prospects, in *European Union, CFSP Forum*, 3/97, Institut für Europäische Politik (IEP)

policies; both delegation of implementation and supervision; both majority voting and consensus, both openness and secrecy",¹³⁵ in other words, it tries to accommodate the intergovernmentalist and the integrationist approaches. The result is a hybrid foreign policy, which leaves much room of manoeuvre for the European leaders, provided they have the will to go ahead.

The Policy Planning and Warning Unit, planned to assess EU foreign policy and security interests and identify areas where the CFSP would focus in its future, would have the role of giving assessments and early warnings of events, which would finally lead to a proactive EU reaction and to prepared interventions, which would logically enhance the Union's conflict prevention abilities. A critical assessment reveals however that, even though the early warning task is absolutely necessary for a coherent external action, its future development "is doubtful, as it is unlikely that the new Unit will be provided with information from secret sources of the Member States."¹³⁶

A second important provision of the Amsterdam Treaty refers to the CFSP decision-making: the softening of the consensus principle, long seen as a source of blocking the EU external action. The decisions are still to be taken by unanimity, but abstention by a member state does not prevent adoption of the decision, if the respective Member State makes a formal statement to this effect. The Member State is not obliged to apply the decision, but should refrain from any action conflicting with the decision of its partners. The advantage of the constructive abstention is more action, the disadvantage is the breaking of the political unity that makes the force and gives weight to EU's external action. Some sceptical analysts call it "destructive abstention"¹³⁷, as it jeopardise the credibility of common positions or common actions, based on the fact of being supported by all Member States.

The third important innovation of the Amsterdam Treaty is the introduction of Mr. PESC role: a high representative that aims to provide consistency and coherence in the CFSP. The High Representative, which is at the same time Secretary General of the Council of the UE, will contribute, together with the president of the Council and the commissioner responsible for foreign affairs, to the formulation and implementation of policies and conduct the external political dialogue. The role, as defined in the Amsterdam Treaty, is quite limited and vague: the High Representative is inevitably an assistant to the President of the Council, he will have a semi-independent figure and will act in the limits of the mandate given to him. Moreover, if the fifteen are not able to harmonise their positions inside the Council, Mr. PESC will not have a common foreign policy to sell or to represent. Its influence and profile will depend on the substance of the CFSP he has to represent in the world.¹³⁸ But the personal union created by nominating the same person at the Head of the WEU and in the post of High Representative, which moreover happens to be the former secretary general of NATO, Mr. Javier Solana, may have a positive influence on the profile of the post. At least, this will ease the relationship between NATO and the EU, between EU and US in matters of defence, will give a high profile to the post and insure a smooth integration of the WEU in the EU, as the conclusions of the Helsinki European stipulate.

The Amsterdam provisions on CFSP could already be tested during the Kosovo crisis; and although the crisis exploded not long after the Amsterdam Treaty entered into force and the new instruments were not ripe yet, some conclusion concerning their potential can be drawn. During the Kosovo conflict, it became again obvious that EU's capacity for crisis management suffers from a strong deficiency: the military impotence. Besides economic

¹³⁵ Simon NUTTAL, *The CFSP Provisions of the Amsterdam Treaty: An exercise in Collusive Ambiguity*, in *European Union, CFSP Forum*, 3/97, Institut für Europäische Politik, (IEP) p. 1

¹³⁶ Simon NUTTAL, *op. cit.*, p. 2.

¹³⁷ *Ibid.*

¹³⁸ Uwe SCHMALZ, *The Kosovo Crisis: just another failure in CFSP crisis management?*, in *European Union, CFSP Forum*, 3/98, Institut für Europäische Politik (IEP), p. 1

sanctions, political pressure and foreign policy instruments, the EU lacks the real teeth of military power to back its action, especially when dealing with Belgrade the military threat is the important argument¹³⁹. Besides the lack of military teeth, even the existent instruments are not efficient when there is no consensus and common position among the Member States. The classical example is the decision to deny JAT, the Yugoslav Airlines Company, landing right in the EU countries. The decision was taken at the Cardiff Summit, in June 1998, but not implemented by UK and Greece, which claimed legal problems in applying it. The intra-EU dispute about the JAT flights ban undermined EU's credibility in the world and is an indication of what the constructive abstention is going to look like, in the future EU actions: it requires an important degree of solidarity amongst the Member States in order to maintain the credibility of a common action or position. Moreover, Milosevic's refusal to deal with the EU envoy Felipe Gonzales shows that even a prominent personality cannot enhance the profile of the job of representing the EU, when the EU does not have real military forces to threaten with. Again, the profile of the job depends on the substance of the common foreign and security policy it represents.

Concerning the military aspects, the modest participation by European forces to the air actions illustrated the serious limitations of the European force structures. The same can be said about the long delay in assembling the 50 000 troops required in Kosovo.¹⁴⁰ The Kosovo crisis was actually a very realistic test for the European security or defence policies. And the conclusion is that Amsterdam does not make automatically EU's CFSP better off, it only provides an institutional framework, quite vague in fact, a potential framework for a better management of crises. The extent to which this potential will be realised depends on the will and solidarity of the EU Member States. In our opinion, the lessons of Kosovo are an important reason for the recent emergence of the Common European Policy on Security and Defence.

II.1.3. Development of the Common European Policy on Security and Defence

The EU and the US have GDPs of almost the same size. Yet, EU countries spend only half as much on defence and share this money over twice as many troops. Each nation is expected to transform its forces into rapidly deployable smaller and flexible units able to carry on Petersberg tasks missions. Irrespective of the creation of a European Common Defence, European countries must reform their armies and the distribution of expenditure for their troops. The necessary reforms centred on each country modernising its army offers a good opportunity to launch European initiative.

In autumn 1998 British prime minister Tony Blair's initiative on European defence triggered a chain of developments that culminated in the December 1999 Helsinki EU summit declaration on strengthening the European security and Defence. The EU is about to integrate the WEU¹⁴¹ (the Cologne European Council decided to include those functions of the WEU which will be necessary for the EU to fulfil its new responsibilities in the area of the Petersberg Tasks)¹⁴² and to constitute by the end of 2003 a military force of 50 000 - 60 000 persons "*capable of the full range of the Petersberg tasks*".¹⁴³ Political and military bodies and an embryo of Military Staff were established within the Council of the European Union in

¹³⁹ Ibid..

¹⁴⁰ John ROPER, in Eurodefence 1999. The political realities of European Defence co-operation, not published yet

¹⁴¹ We took into considerations events up to June 2000

¹⁴² The Petersberg tasks, so named after the place where the WEU Ministerial Council that formulated them (held in June 1992) are humanitarian and rescue tasks, peacekeeping tasks and combat-force tasks in crisis management, including peacemaking.

¹⁴³ The Helsinki European Council, Presidency Conclusions, 11/12 1999, [Http://ue.eu.int/en/Info/eurocouncil/index.htm](http://ue.eu.int/en/Info/eurocouncil/index.htm)

order to co-ordinate and help implementing the new Common European Policy on Security and Defence. The evolution is spectacular, if we compare it with the previous four decades of hesitation.

We will analyse four events relevant so far for shaping the development of an Eurodefence. The Saint Malo Declaration of the French and British Governments (December 1998), the NATO Washington Summit (April 1999), The Cologne and the Helsinki European Summits (June and December 1999). The Saint Malo declaration made the important assertion that the EU "*must have the capacity for autonomous action*"¹⁴⁴ and recognises, at the same time, the centrality of NATO for collective defence: "*In strengthening the solidarity between the member states of the European Union, in order that Europe can make its voice heard in worlds affairs, while acting in conformity with our respective obligations in NATO, we are contributing to the vitality of a modernised Atlantic Alliance which is the foundation of the collective defence of its members.*"¹⁴⁵ The declaration goes further and points out the necessary steps in order to build this capacity: the Union would need to build military capabilities "pre-designated within NATO's European pillar or national or multinational European means outside the NATO framework",¹⁴⁶ strengthen armed forces to react rapidly to new risks, support a strong and competitive defence industry and technological base. The declaration points out the need for Europe to develop its own capabilities in the fields of intelligence, strategic transport, command and control and capacities for analysis of situations and relevant strategic planning. As for the question should the European Union be solely reliant on NATO for the military structures to be used in a non-NATO action, the declaration points out the two alternative approaches: a EU-led action could use either NATO assets, with the risk of a veto from the non-EU NATO members, or could use national or multinational European means outside the NATO framework.

A couple of month after the St. Malo meeting, the NATO Washington Communiqué (April 1999) admitted the European right to autonomy: "*We acknowledge the resolve of the European Union to have the capacity for autonomous action where the Alliance as a whole is not engaged*".¹⁴⁷ Concerning the modalities to put in practice this independence, the Washington Communiqué states that "*we stand ready to define and adopt the necessary arrangements for ready access by the European Union to the collective assets and capabilities of the Alliance, for operations in which the Alliance as a whole is not engaged military as an alliance. The council in permanent session will approve these arrangements, which will respect the requirements of NATO operations and the coherence of its command structure*".¹⁴⁸ This statement goes much further than the previous NATO statements on a possible European Defence Identity, insured by the WEU: the NATO Communiqué refers this time explicitly to EU-led operations, not WEU operations, as it was the case before. This is, in our opinion, an acknowledgement of the fact that the level to which the defence dimension is allocated is a higher and more trustful one than the WEU.

The Cologne and the Helsinki European Summits reiterated both the primacy of the Atlantic alliance before addressing the practical ways to achieve the European military autonomy: "*The Atlantic Alliance remains the foundation of the collective defence of its members. The commitments under Article V of the Washington Treaty and Article V of the Brussels Treaty will in any event be preserved for the Member States party to these*

¹⁴⁴ The Franco - British declaration on European defence, Saint-Malo, 4 December 1998, <http://www.senat.fr/rap/r98-167/r98-1679.html>

¹⁴⁵ Ibid.

¹⁴⁶ Ibid.

¹⁴⁷ The Washington Declaration, Signed and issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington D.C. on 23rd and 24th April 1999, <http://www.nato.int>

¹⁴⁸ Ibid.

*Treaties.*¹⁴⁹ In the Helsinki declaration, the European Council "*underlines its determination to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises. This process will avoid unnecessary duplication and does not imply the creation of a European army.*"¹⁵⁰ Both declarations tried to remove any suspicion that the EU autonomous military capability seeks to substitute NATO. Without recognising the primacy of NATO on collective defence, this initiative would have never had on board the Atlanticist states, like the UK or Netherlands.

The question concerning modalities of exercising the European military autonomy was addressed at the Cologne European Summit too. The final declaration mentions that "*(T)he European Union will have to determine, according to the requirements of the case, whether it will conduct: EU led operations using NATO assets and capabilities or EU led operations without recourse to NATO assets and capabilities.*"¹⁵¹ For EU operations without using NATO assets, the EU could use national or multinational means; further arrangements concerning the command structures with multinational representation and concerning headquarters are needed to enhance the capacity of European multinational, or even national, forces to respond effectively to crisis situations.

The Cologne meeting launched the institutionalisation of the defence policy of the European Union, by creating, for the first time in the history of the EU, bodies dealing with military questions. Thus, the General Affairs Council meetings will include, when appropriate, Defence Ministers. Three committees were created: a permanent body in Brussels, Political and Security Committee, consisting of representatives with political/military expertise, an EU Military Committee consisting of Military Representatives making recommendations to the Political and Security Committee, an EU Military Staff including a Situation Centre. Supporting resources and staff, such as a Satellite Centre and an Institute for Security Studies¹⁵² are to be created.

The Cologne Summit decided to include the WEU in the European Union: inclusion of "*those functions of the WEU which will be necessary for the EU to fulfil its new responsibilities in the area of the Petersberg tasks*",¹⁵³ by the end of the year 2000; "*in that event, the WEU as an organisation would have completed its purpose.*"¹⁵⁴ For the smooth integration of the WEU in the EU, the European leaders realised already a personal union between the Secretary General of the WEU and the High Representative for CFSP of the EU, Javier Solana. One year before the fusion, the two institutions function already with a common head, which is going to prepare the transfer of the relevant functions to the EU. At the Helsinki Summit, the European leaders went further and decided that the EU Member States must be able, by 2003, to deploy within 60 days and sustain for at least 1 year military forces of up to 50,000-60,000 persons capable of the full range of Petersberg tasks. Achieving the objective of deployable forces within 3 years is a challenge, as there would be some difficulties for providing the necessary air, sea, intelligence and command support for that capability¹⁵⁵. Concerning the co-ordination of EU military efforts, a non-military crisis

¹⁴⁹ Report from the German Presidency on strengthening of the common European policy on Security and defence submitted to the European Council, Cologne, June 1999, <http://ue.eu.int/en/Info/eurocouncil/index.htm>

¹⁵⁰ Helsinki European Council, Presidency Conclusions, 10 - 11 December, <http://ue.eu.int/en/Info/eurocouncil/index.htm>

¹⁵¹ Report from the German Presidency, op. cit.

¹⁵² Report from the German Presidency on strengthening of the common European policy on Security and defence submitted to the European Council, Cologne, June 1999, <http://ue.eu.int/en/Info/eurocouncil/index.htm>

¹⁵³ Ibid. Annex III

¹⁵⁴ Ibid.

¹⁵⁵ Sir Timothy GARDEN, More progress on European Defence, quoting the UK Defence Committee's

management mechanism will be established to co-ordinate and make more effective the various civilian means and resources, in parallel with the military ones, at the disposal of the Union and the Member States. Both summits establish a clear objective and a close timetable to realise what was not possible to achieve during the last 4 decades.

The position of the neutral states, which were so far a sizeable obstacle to the creation of a European Defence, is still a delicate point. Some of those states could slowly evolve towards giving up the neutrality as membership in the European Union breaks pure neutrality anyway; in some of the EU neutral countries (like Finland) there is already a debate about eventually joining NATO. Some others could feel comfortable enough with the existence of the constructive abstention, allowing them to stay aloof if a certain EU action would alter their neutral attitude. We do not believe that the presence of neutral states in the European Union will hamper the creation of an Eurodefence, once they agreed, at the Cologne and Helsinki summits to leave the way open for it.

An important issue tackled by all four declarations we studied in this chapter concerns the different membership structure of NATO and the European Union. The declarations stated clearly the need to involve in EU-led operations the 6 NATO members, which are not EU members (Associate Members), the 5 WEU observers and 8 Associate partners, in order not to discriminate countries which are not yet admitted in the EU club. Another potential obstacle to EU-led action was thus solved. For a long time, the European defence was not on EU agenda because of the national sovereignty taboo, of fears of competition with NATO and because of a reticent US attitude. An important and delicate point of both European summit declarations is the co-operation with NATO. After declaring NATO's primacy and promising to avoid carefully competition, understood in the world "duplication", the Helsinki document states that modalities for full consultation, co-operation and transparency between EU and NATO will be established. EU and NATO officials could launch discussions on key security issues in the summer 2000, as France has dropped its opposition to extending links with the Atlantic Alliance.¹⁵⁶ Initially, Paris wanted to limit the contacts between the two organisations to a weekly breakfast meeting between the EU's High Representative Javier Solana and NATO Secretary General Lord George Robertson. France accepted finally to create four *ad hoc* committees dealing with key aspects of the EU-NATO relationship: a joint security agreement, military capabilities, EU's access to NATO equipment and permanent arrangements between the two bodies.¹⁵⁷ These discussions -the first one is likely to be on protecting military secrets, in the summer 2000- are seen by the European part as a breakthrough in developing a European defence policy, as this defence policy can not be implemented without having NATO's agreement and without NATO support. At the Ministerial meeting of the North Atlantic Council, held in Florence on 24 May 2000, the nineteen Foreign Ministers declared they are ready to enter into discussions with the EU on a substantial area of issues: definition of modalities for effective consultation (to be built on existing mechanisms between NATO and the WEU), practical arrangements for assured EU access to NATO planning capabilities and collective assets on a case-by-case basis, arrangements for the exchange of information (which is the most pressing need for the European Union). For the nineteen, the priority is the conclusion of a Security agreement.¹⁵⁸ The US and the EU officials have different approaches as to the emergency if establishing this relationship. The US would like to set up immediately (even on a provisional basis) a NATO-

opinion on the Defence aspects of the Helsinki Summit, 29 May 2000, <http://www.tgarden.demon.co.uk/writings/articles/000529source.html>

¹⁵⁶ Early EU - NATO talks likely on protecting military secrets, by Simon Taylor, in *European Voice*, Volume 6 Number 20, 18 May 2000

¹⁵⁷ *Ibid.*

¹⁵⁸ Press Communiqué M - NAC 1(2000)52, Ministerial Meeting of the North Atlantic Council held in Florence on 24th of May 2000, <http://www.nato.int>

EU institutional relationship. The Europeans want to make first the decisions about the internal structures that will carry on the Common European Security and Defence Policy. *"We are still not convinced that there are reasons for the EU to postpone institutional co-operation with NATO until after the EU has put all the final touches on its own internal committees structures."*¹⁵⁹ The US Ambassador to NATO suspects there are fears on the part of some EU members that if a NATO -EU relationship is established (especially if it is established too soon, when the Eurodefence is not ripe yet) the US might influence EU's internal working.

The fifteen agreed on the creation of four *ad hoc* committees dealing with key aspects of the EU-NATO relationship: security issues, capabilities goals, modalities enabling EU access to NATO assets and capabilities and permanent arrangements for EU - NATO consultation.¹⁶⁰

We believe that the year 2000 is extremely important for the development of the Eurodefence: the 1999's European Cologne and Helsinki summits launched already the directions of the European Defence Policy and we presume that under the French Presidency, in the second part of 2000, new progresses are to be achieved. The French ambitious plans to achieve as much independence for Europe as possible, UK and Germany support, the inclusion of the WEU in the EU, the presence of Lord Robertson at NATO's head and the lessons from the Kosovo crisis are, in our opinion, indicating the chances to boost the European Defence project. But that will not necessarily resolve the more difficult question on the purpose and functions of European Defence.¹⁶¹ The EU will have the structures and will define the modalities of using NATO assets or European national forces, but would the European leaders be able to decide to intervene in a crisis situation? Is European Security and Defence Policy enforced by a European Security and Defence identity? What strategy will the European defence follow? The institutional problems, which are about to be settled, did hide, for many decades, the deeper question of the European defence identity and its strategy. *"Politics, like war, requires both strategy and tactics."*¹⁶² Now the institutional machinery is started and the Kosovo failure will help defining some initial targets for European capabilities and requirements. But the European defence identity is going to be even more difficult to define in a Europe of 20 or 27, which would include West European, Scandinavian, Central European, Balkan Countries and Turkey. It is to be seen if and how Europe can develop a defence identity.

Since the end of the Cold War, EU tried to develop an institutional set to operate a CFSP and, more recently, a defence policy. *'Discussions on institutions are of course important, but there is a risk that politicians and diplomats will sometimes concentrate almost exclusively on them rather than on the inevitably more difficult task of trying to define what should be the substance of the external policy'*¹⁶³ Even though the idea of a Civilian Power Europe is now rejected, there is still no vision on what kind of role EU should play in the world. Two ideas of Europe are still competing: Europe as a regional power, interested in protecting itself from the spill-over effects of conflicts in its periphery and Europe as a global player, developing an external role proportionate to its economic weight. This dilemma will be difficult to solve in the near future. A subsequent question is how far and how quick should the Europeans go towards their security independence. Some scholars believe that a *'phased policy of developing capabilities for force projection is probably the*

¹⁵⁹ Alexander VERSHBOW, op. cit., p. 5

¹⁶⁰ Feira European Council, Presidency Conclusions, 19 - 20 June 2000 SN200/00, <http://ue.eu.int/en/Info/eurocouncil/index.htm/>

¹⁶¹ John ROPER, op. cit. p. 9

¹⁶² Idem, p. 2

¹⁶³ John ROPER, op. cit. , p. 3

right one. Apart from the political problems of going too fast, we are likely to have limited financial resources."¹⁶⁴

The European Union broke the taboos of the past and decided to establish a European autonomous military capability. But would the European leaders have the political unity to decide effectively about the use of this autonomous capability? The institutional developments, both in CFSP and Common European Policy on Security and Defence are promising. But they just show the structures that the European Security and defence actions can potentially use. As the discussion about the role of the European Union in the world has no answer for the moment, we believe that for the near future the EU is not going to be able to use them effectively. At the end of the day, the Europeans had the WEU at their disposal for autonomous operations and were never able to develop a common European policy.

II.2. The OSCE

The Organisation for Security and Co-operation in Europe (OSCE) is the only forum which brings together all countries of Europe as well as the USA and Canada, which share part of responsibility for Europe's security. This wide membership¹⁶⁵ could place it at the centre of the security network in Europe, as the most legitimate forum, dealing democratically with security concerns of people from "Vancouver to Vladivostok".¹⁶⁶ This is not the case, however.

OSCE is a regional arrangement under Chapter VIII of the United Nations Charter. It embodies the multi-dimensional aspect of security, seeking to establish among its participant states a network of principles and commitments that acknowledges the relevance of each security dimension.¹⁶⁷ The internal organisation of the OSCE is a sample of the present multifaceted security: it has organs dealing with human rights dimensions, with inter-state confidence, transparency and co-operation in the political military dimension, the Economic Forum (meeting each year in Prague), equal rights, self-determination of people and since the Lisbon summit it has a co-ordinator on economic and environmental activities. The OSCE encompasses the whole range of above-mentioned activities but it is primarily a preventive diplomacy organisation: OSCE's main contribution to peace in Europe is to anticipate crisis and prevent conflicts.

During the Cold War, the Conference for Security and Co-operation in Europe, which became in 1994, at the Budapest summit Organisation for Security and Co-operation in Europe, was essentially the official channel of communication and the institution for confidence building measures between East and West. After 1989, the CSCE had to reposition itself in the new security and institutional landscape, as it entered the new era "*without concepts, instruments or structures to deal with the new conditions.*"¹⁶⁸ It embraced the preventive diplomacy, crisis management and conflict resolution tasks. It stopped being just a discussion club, and became a regional security organisation. The Charter of Paris for a new Europe¹⁶⁹ began the institutionalisation of CSCE, by founding five bodies, the Prague Council (1992) confirmed the use of consensus minus one rule for de-blocking the decision-taking process, and the Helsinki meeting (1992) deepened further the institutionalisation of the OSCE. The final innovation of the summit was the adoption of the

¹⁶⁴ Idem.

¹⁶⁵ 55 Members in 2000

¹⁶⁶ James Sperling and Emil Kirchner (1997), op. cit.

¹⁶⁷ Mark SIGLER (1999), OSCE and European Security,
<http://www.cidob.org/Ingles/Publicaciones/Afers/38-39sigler.html>

¹⁶⁸ Jean Klein (1998), op. cit

¹⁶⁹ Paris, November 1990

peacekeeping role. Thus, the Helsinki Summit transformed the CSCE from a forum for dialogue into an operational structure.

In a few years, OSCE achieved considerable experience in the field of conflict prevention, going everywhere, in Europe and Asia, where the situation risked to degenerate into conflict: it had preventive missions in Bosnia-Herzegovina, Chechnya, Croatia, Georgia, Tajikistan and Ukraine, to quote just a few. Some of these missions' mandates were quite general -gather information and report developments-, others rather specific: reports on human rights situation, discuss with parties in conflict. In the area of preventive work we can mention the activity of the High Commissioner on National Minorities, position established at the OSCE Helsinki summit in 1992: its role is to provide early warning on tensions involving national minorities, to identify potential problems and to resolve them or suggest their resolution before they degenerate into conflict. This is an early stage conflict prevention, applied already in the Balkans, the Baltic's, Central and Eastern Europe, Central Asia republics. Another office dealing with early stage prevention is the Office for Democratic Institutions and Human Rights: it helps to organise and monitor elections and monitors human rights' record in potentially conflict-generating areas. Moreover, OSCE developed a number of mechanisms for conflict prevention: the Vienna Document on Confidence and Security Building Measures, which includes a procedure for consultation and co-operation as regards unusual military activities; the mechanism created in June 1991 in Berlin facilitates consultations with regard to emergencies; the Valletta meeting in 1991 created a mechanism for peaceful settlement of disputes and direct conciliation and finally the consensus minus one principle agreed in 1992 allows for political measures to be taken against a state in which violations of human rights occur.¹⁷⁰

Beyond the role in conflict prevention and early warning, OSCE is involved in crisis management and conflict resolution. OSCE has been active in the former Soviet space after the break-up of the Soviet Union, as independence of some new states entailed armed conflict, like it has been the case or still is the case in Georgia, Moldova, Chechnya, Nagorno - Karabakh, Azerbaijan and Armenia. During the Yugoslav crisis the OSCE had only a residual role, being in the shadow of the UN, but experimented its new instruments for crisis management. In Bosnia, once the killings ended, with the Dayton Agreement, OSCE had a mandate for organising and supervising elections and, more generally, for "*regional stabilisation*".

In Kosovo, once the crisis was in the attention of the international society, OSCE was the first organisation to be sent on the field to monitor the situation. The second stage of involvement in Kosovo started for OSCE once the Serbs accepted the peace conditions set up by the International Community. The Stability Pact, which is at the same time a peacekeeping and a conflict prevention instrument, recognises the important role the OSCE has to play in reconstructing and pacifying the Balkans: "*We reaffirm that the OSCE has a key role to play in fostering all dimensions of security and stability. Accordingly, we request that the Stability Pact be placed under the auspices of the OSCE, and will rely fully on the OSCE to work for compliance with the provisions of the Stability Pact by the participating States, in accordance with its procedures and established principles. We will rely on the OSCE institutions and instruments and their expertise to contribute to the proceedings of the South Eastern Europe Regional Table and of the Working Tables, in particular the Working Table on Democratisation and Human Rights. Their unique competencies will be much needed in furthering the aims and objectives of the Stability Pact.*"¹⁷¹

OSCE is preparing registration for elections and free elections in Kosovo. We believe that, together with the European Union, OSCE is very well suited for a pacifying and

¹⁷⁰ Mark SIGLER, op. cit.

¹⁷¹ The Stability Pact for South-eastern Europe, op. cit.

reconstruction role in Kosovo.

As we stated before, the year 1999 was important not only for NATO and the European Union, but for the OSCE as well. At the Istanbul Summit, held in November 1999, two important documents were signed, intended to prepare the European security for the new millennium: the Charter on European security, which contains a Platform for Co-operative Security and the Adapted CFE Treaty. The Charter for European Security outlines the European Security challenges and architecture and affirms the place of the OSCE within this framework. The signing of the Charter was delayed with almost 24 hours, due to tensions over Russia's military intervention in Chechnya, several OSCE states refused to sign until Russia agreed with some form of OSCE missions in Chechnya. The Charter includes the platform for Co-operative Security, which aims to "*strengthen co-operation between the OSCE and other international organisations and institutions, thereby making better use of the resources of the international community*".¹⁷² The Platform could have helped to create a more accurate organisation and distribution of tasks amongst the interlocking institutions, but it offers, in fact, a quite vague picture about this future necessary collaboration: "*Recognising the key integration role that the OSCE can play, we offer the OSCE, when appropriate, as a flexible co-ordinating framework to foster co-operation, through which various organisations can reinforce each other drawing on their particular strengths. WE do not intend to create a hierarchy of organisations or a permanent division of labour among them*".¹⁷³ The charter announces the creation of a Rapid Expert Assistance and Co-operation Teams (REACT), which aims to enable the OSCE to respond quickly to demands and offer assistance for large civilian field operations. REACT was an American initiative and will provide the OSCE, in principle, with a capacity to deploy rapidly trained experts to address conflict prevention, crisis management, and post-conflict rehabilitation situations in OSCE members countries.

The CFE Agreement, which has been brought up-to-date for the Post Cold War environment, was signed by 30 member states. The original treaty, signed in 1990, establishes limits on arms for NATO and the former Warsaw Pact. The adapted Treaty places country-related equipment limits, opens membership to other OSCE members and improves the verification regime. The modification of the CFE Treaty was an important element of the NATO enlargement debate: Russia claimed a revision of it, as inclusion of new members would have placed the Alliance in the position of violating the Treaty. But the immediate problem, raised even during the Istanbul Summit, is that Russia is already violating the adapted Treaty, because of the intervention in Chechnya. This is one of the reasons why behind-the-scene negotiations and pressures on Russia to seek a political solution to the Chechen conflict were carried out during the summit.

The politicians did not take the opportunity, offered by the signing of the Platform for Co-operative Security, to clearly define the role of the OSCE and other European Security institutions in Europe. That would have been a political decision with delicate implications as it would have created a hierarchy and implicitly altered the role of the US or some other important actors. Politically it is a difficult step to take, but as an academic exercise it is interesting to see which is the *de facto* division of labour among security institutions in Europe. In order to define the place of the OSCE in the European security network we need to see where it fits, which are its relations with other Security organisations and what are its comparative advantages.

In theory, OSCE could be the first organisation to initiate crisis-management actions in the Euro-Atlantic zone, because of the political legitimacy given by its inclusive membership. Thus, it could mandate and supervise peacekeeping operations subcontracted to NATO and the WEU, which would be just instruments carrying specific tasks. This is Russia's favourite

¹⁷² Charter for European Security, Istanbul OSCE Summit November 1999, <http://www.osce.org/docs/>

¹⁷³ Ibid.

scenario. At the CSCE review conference, held in Budapest in 1994, many proposals to reinforce the role of the CSCE were discussed. The Budapest summit was expected to give shape to a European collective security structure. Instead, it revealed that even if the ideological cleavage of the Cold War disappeared, the clash over the vision of the new European Security architecture resists. At the Budapest meeting Moscow strongly stressed the “central role of the CSCE, which should authorise and co-ordinate the actions of all the other structures”¹⁷⁴. Russians wanted to make OSCE the key of the system: to subordinate NATO to OSCE. It was clear from the beginning that the US and its Western allies would never accept such an arrangement, as that would have meant subordinating NATO and the Western action to Russia’s veto. It would have created a United Nations Security Council-like situation. Finally, the Budapest summit revealed the political limitation of OSCE: its force, the large membership, is at the same time its weakness, condemning it to inaction.

If it is not to become the central piece for the new European security order, the OSCE has an important role to play in the field of preventive diplomacy and crisis management. NATO and the EU see this as the area in which the OSCE has the most obvious comparative advantages to offer. We believe that in an ideal division of tasks among the European security institutions, OSCE should concentrate on preventive measures in the early stages of a conflict. Chronologically, OSCE’s involvement in a crisis should occur after or at the same time as EU’s intervention: at the prevention level. With its economic aid, co-operation, education and social inclusion programs, the EU has the role of preventing embryonic or potential conflicts to happen. The EU stabilises and prevents conflicts by its multifaceted aid and co-operation programs. The OSCE intervenes once the conflict becomes visible and tries, with diplomatic and conflict prevention means, to prevent or stop the conflict to degenerate into a military crisis. In case of light military conflict, the UN can deploy blue helmets in order to pacify the crisis. In case of aggravation and real military needs, NATO -or maybe in the future the EU, with or without NATO assets- should intervene.

As for OSCE’s comparative advantages, we ought to mention, first of all, the most obvious one: the almost all-inclusive, pan-European character. Every single European or Central Asian state has a place and. Everyone has a voice, all voices are equal. The second advantage, which can be interpreted as a weakness as well, is that decisions are taken by consensus. This could prevent sometimes decisions to be taken, even though the consensus minus one rule, applicable under certain conditions, is a honourable and democratic way of escaping the veto of one member state, but at the same time once an action is agreed upon, it is sure it will be implemented. Another advantage is flexibility: OSCE does not have a heavy bureaucracy and a complicated decision-making mechanism and thus can react quickly and effectively to events, it can be adaptable and creative.¹⁷⁵ But the most obvious advantage, in our view, is the complex approach to security the OSCE developed and the diversity of tools it can use in order to cope with crisis or crisis-to-be, from a very early stage to the post crisis peace-keeping and contribute, through societal reconstruction, to regional stabilisation. However, little money is allocated for OSCE crisis management and conflict prevention. Its 2 million-dollar budget is far too small for conflict prevention activities. The creation of REACT will develop OSCE’s role in conflict prevention and management, but it requires increasing funding if its action is to be effective.

In conclusion, the place of the OSCE in the new European security order is far to be the central one, as its political legitimacy would recommend it, at a first glance. OSCE meetings made clear that the new era is not the end of the history: cleavages still exist, about how to organise the security structures in Europe. All actors want to secure the central role for organisation that suited them as it represents better their interest: United States for NATO,

¹⁷⁴ The Russian Program of Enhancing the Effectiveness of the CSCE, addressed to the CSCE summit, on 23 June 1994, quoted by Jean Klein, *op. cit.*, p. 269

¹⁷⁵ Mark SIGLER, *op. cit.*

Russia for the OSCE, as the only body where it has membership, Europe either for NATO, or for WEU, reflecting the Atlanticist or the Europe-centric tendencies. For the time being, it seems clear that the OSCE will play *a role* rather than *the role* in European security matters.

Conclusion part 2

1999 was an important year for the security institutions in Europe; partly because of the Kosovo crisis, which gave European leaders the possibility to reflect on the strategy and *raison d'être* of the regional security institutions and partly because, and this is the case for the EU, a new generation of leaders came to power. Our analysis showed that the EU and the OSCE are in the shadow of NATO as concerns their contribution to hard security but are important providers of soft security. Both institutions have special assets that NATO, as a collective defence institution, does not have. The EU is as important as NATO contributor to global peace by its development aid, sent to regions where money, education or social insertion programmes can prevent conflict. OSCE has comparative advantages in the area of preventive diplomacy and early stage conflict prevention.

Another regional security structure is the Council of Europe, an institution with interesting qualities, which recommend it as a basis for the wider-Europe project: it is the only body whose membership fits well the contours of the wider Europe and envisages membership for the former Yugoslav republics when their political situation changes. The problem is that its competencies and operational activity are limited and, with the singular exception of the European Court of Human Rights, weak in powers of enforcement. The Council of Europe contributes to the reinforcement of security -understood in a broad sense- by promoting and monitoring democracy and democratic values in the member countries. It has, therefore, a conflict prevention role. It is not considered as a substitute for the European Union and the North Atlantic Alliance by the Central and Eastern European countries, because it does not offer the economic advantages and the defence guarantees that the EU respectively NATO provide. The Council is seen essentially as a gateway for Europe: the institution which offers a certificate of democratic behaviour for the aspiring countries, necessary in order to apply for the Euro-Atlantic institutions. We did not consider necessary to study the Council of Europe separately as an actor for security in Europe, even though its role is undoubtedly important, because we see it as a juridical instrument and a political and a legal expertise body serving other security institutions' actions.

Conclusions

The fervent institutional developments of the last decade mark a congruent move in the direction of the pan-European security ideal. This progress towards a continental security network is the logic consequence of the blurring of borders between East and West, and less the result of strategic, pro-active intention of security institutions leaders.

The first part of the analysis brought us to the conclusion that the three NATO enlargements are the core of the move towards a continental vision and organisation of security in Europe. Enlargement to new members, to new missions and extension of co-operation with non-members move the security community of the Alliance eastwards. The triple enlargement extends the area where NATO's action, principles and legitimacy is recognised, allowing the Alliance to deal with the real security challenges, likely to occur on the periphery of its Member's territory. Politically, the Treaty of Washington is being applied - without the crucial article V- to the entire European continent. Partners benefit from Article 4-like guarantees, as they have the possibility to discuss with NATO members their security concerns, and the Allies can act anywhere in Europe, to protect or restore peace.

We argued in this paper that there is a before and after Kosovo in European and global politics. The Kosovo crisis and NATO's interventions clarified many questions about security in Europe after the Cold War. Kosovo was the first NATO intervention on the territory of a sovereign state and at the same time the first humanitarian war, protecting the individuals' rights against the rights of the state. It will be interesting to see how the Kosovo precedent will make evolve the international arrangements allowing the use of force for peace enforcement. The Kosovo intervention showed again the gap between international law and justice and highlighted that the grey area of humanitarian intervention could be subject to random actions. The operation Allied Force gave a new momentum to the Partnership for Peace, which proved to be essential in providing interoperability between the NATO members and partners' forces and checked the political and operational solidity of the newly enlarged NATO. Finally, we believe that the Allies' Kosovo intervention will put NATO enlargement to new members on a prudent path, and make Western leaders explore other channels of spreading security on the continent.

By reinforcing and complementing each other, the three enlargements and the effects they generate together, form the spine of the pan-European security architecture. Given the important strategic implications of bringing NATO in the heart of Central Europe, enlargements risk altering Russia's disposition and possibility to participate to the continental security system. We believe, however, that NATO enlargements have only short-term negative effects on the relationship with Russia. NATO enlargements are not a threat to Russia's security. They are only a threat to Russia's perception about security and its own place in Europe. NATO enlargements and the Allies' decision to enlarge despite Russia's opposition marked the end of the myth of Russia as super power. Thus, the three enlargements produced a more sincere basis for a NATO-Russia relationship, ending the ambiguous and emotional expectancies of Russians' elites concerning their country's influence in Europe. Russia is, together with the USA and the European Allies, one of the three pillars of Security in Europe. Russia's problem is that, eight years after the implosion of the Soviet Union, it did not manage to formulate a foreign policy doctrine, defining in positive terms its position in Europe. It only produced negative reactions, by rejecting NATO enlargement, opposing the Alliance's intervention outside its territory: rejection was its main foreign policy instrument. Russia's approach to the European Security, based on the balance of power, cannot serve its purposes anymore. Its participation to the new security system will have to be based on a multifaceted partnership with NATO and the EU. As Russia's membership is not, for the moment, on the EU and NATO agenda, despite some vague and polite mentions coming from American Officials, the objective must be to achieve an economic integration with the European Union, a Free Trade Area and Customs Union, followed by an eventual more political partnership. Economic ties will produce, by the spill over effect, multidimensional collaboration and common interests. After all, the European Union started as a Coal and Steel Community and was, for a long period of its existence, a Free trade area with a Customs Union. Co-operation with NATO and the EU in the fight against organised crime and other across-border security threats and a reinforced Partnership for Peace with NATO would be a solid basis for co-operation.

We argued in this paper that the post Cold-War conflicts go beyond military confrontation and require, thus, complex solutions. Moreover, as the crisis management phases are inter-linked and co-ordination of actions is necessary, none of the existing regional organisations has the ability to effectively handle complex crises. *“Mutually reinforcing organisations have become a central feature of the security environment.”*¹⁷⁶ Each must

¹⁷⁶ The Alliance's Strategic Concept, Approved by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington D. C. on 23rd and 24th April 1999, <http://www.nato.int>

rely on the others for resources, co-operation and co-ordination, as exemplified in Kosovo. NATO, the European Union, the OSCE and the Council of Europe each represent a specific concept of security and has developed specific instruments: NATO embodies the military instrument for collective defence, complemented in the Post-Cold War era by a collective security dimension. The EU is an effective economic and soft security provider, particularly effective as conflict prevention and a rebuilding actor through economic, social and education programmes, and develops an independent military capacity for external action, in the area of the Petersberg Tasks. The OSCE is a co-operative security organisation with expertise in early conflict prevention. The Council of Europe is a legal instrument serving a broad security concept, based on democracy and human rights observance.

Although a plethora of organisations are dealing with security in Europe, there is a gap that hinders their action: the gap between diplomacy and military performance. NATO, EU, OSCE and the Council of Europe need to develop war-prevention instruments, to identify better ways to address conflicts before military action is required. The Kosovo crisis was, again, an example: “There were a number of measures that could have been taken sooner and some that were never actually implemented that would have augmented, maybe even been more powerful than the military instrument, maybe have prevented the use of the military instrument.”¹⁷⁷ Both sides of the Atlantic still suffer from a too military approach to security because they lack preventive measures: bombing Kosovo was a reactive action, a consequence of not having had a prevention strategy addressing the global problems of the region. The aftermath of the Kosovo campaign shows the fact that soldiers lack the capacity for civilian policing and local administration. Such civil responsibilities lie with institutions like the EU, OSCE and the Council of Europe. NATO assumed its responsibilities and did its part of the Kosovo job. Although the Allies’ choice to intervene in Kosovo and their strategy during the Allied Force operation were criticised, NATO did reach the objective of stopping the ethnic cleansing. On the other hand, the institutions for early conflict prevention could have prevented NATO’s intervention. The gap between military and diplomacy performance hides, in fact, the more precise gap between NATO’s efficient transformation and the more hesitant progress of the EU and of the OSCE towards their post-Cold War posture.

The Kosovo crisis was a reality check for security organisations in Europe; the Stability Pact and the peacekeeping arrangements illustrate the *de facto* role each security organisation can play in Europe and the division of tasks among them. NATO can stop fighting and observe the cease-fire, OSCE contributes to the building of the civil society, through institution building, democracy and human rights actions, and the European Union is a stability anchor for the Balkans’ states. With the prospect of negotiating a new generation of agreements, the Stabilisation and Association agreements, the EU makes the first preventive step towards De-Balkanising the Balkans.

The search for a new security architecture in Europe showed that the concept of Europe is changing: Turkey is now being recognised as an official candidate to EU membership, Albania is discussing the possibilities to join the candidates queue, the Western Balkan countries are offered the perspective of membership. The concept of Europe itself enlarges and NATO’s triple enlargement had a significant role to play in spreading European values, in Europeanising the peripheral parts of the continent.

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