

Appendix 3A. Documents on European security

NICE EUROPEAN COUNCIL MEETING PRESIDENCY CONCLUSIONS

Nice, 8 December 2000

Excerpts

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Annex III Political and Security Committee (PSC)

The approach adopted at Helsinki makes the PSC the linchpin of the European security and defence policy (ESDP) and of the common foreign and security policy (CFSP): 'The PSC will deal with all aspects of the CFSP, including the CESDP ...'. Without prejudice to Article 207 of the Treaty establishing the European Community, the PSC has a central role to play in the definition of and follow-up to the EU's response to a crisis.

The PSC will deal with all the tasks defined in Article 25 of the TEU. It may convene in Political Director formation.

After consulting the Presidency and without prejudice to Article 18 of the TEU, the Secretary-General/High Representative for the CFSP may chair the PSC, especially in the event of a crisis.

1. In particular the PSC will:

- keep track of the international situation in the areas falling within the common foreign and security policy, help define policies by drawing up 'opinions' for the Council, either at the request of the Council or on its own initiative, and monitor implementation of agreed policies, all of this without prejudice to Article 207 of the Treaty establishing the European Community and to the powers of the Presidency and of the Commission;
- examine the areas of GAC draft conclusions in which it is involved;
- provide guidelines for other Committees on matters falling within the CFSP;
- maintain a privileged link with the Secretary-General/High Representative (SG/HR) and the special representatives;
- send guidelines to the Military Commit-

tee; receive the opinions and recommendations of the Military Committee. The Chairman of the Military Committee (EUMC), who liaises with the European Union Military Staff (EUMS), takes part, where necessary, in PSC meetings;

- receive information, recommendations and opinions from the Committee for Civilian Aspects of Crisis Management and send it guidelines on matters falling within the CFSP;
- coordinate, supervise and monitor discussions on CFSP issues in various Working Parties, to which it may send guidelines and whose reports it must examine;
- lead the political dialogue in its own capacity and in the forms laid down in the Treaty;

– provide a privileged forum for dialogue on the ESDP with the fifteen and the six as well as with NATO in accordance with arrangements set out in the relevant documents;

– under the auspices of the Council, take responsibility for the political direction of the development of military capabilities, taking into account the type of crisis to which the Union wishes to respond. As part of the development of military capabilities, the PSC will receive the opinion of the Military Committee assisted by the European Military Staff.

2. Furthermore, in the event of a crisis the PSC is the Council body which deals with crisis situations and examines all the options that might be considered as the Union's response within the single institutional framework and without prejudice to the decision-making and implementation procedures of each pillar. Thus the Council, whose preparatory work is carried out by Coreper, and the Commission alone have powers, each within their own areas of competence and in accordance with procedures laid down by the Treaties, to take legally-binding decisions. The Commission exercises its responsibility, including its power of initiative under the Treaties. Coreper exercises the role conferred on it by Article 207 of the Treaty establishing the European Community and by Article 19

of the Council's Rules of Procedure. To that end, it will be informed in good time by the PSC.

In a crisis situation, close coordination between these bodies is especially necessary and will be ensured in particular by:

- the participation, where necessary, of the Chairman of the PSC in Coreper meetings;
- the role of the Foreign Relations Counsellors whose task it is to maintain effective permanent coordination between CFSP discussions and those conducted in other pillars (Annex to the Council conclusions of 11 May 1992).

To prepare the EU's response to a crisis, it is for the PSC to propose to the Council the political objectives to be pursued by the Union and to recommend a cohesive set of options aimed at contributing to the settlement of the crisis. In particular it may draw up an opinion recommending to the Council that it adopt a joint action. Without prejudice to the role of the Commission, it supervises the implementation of the measures adopted and assesses their effects. The Commission informs the PSC of the measures it has adopted or is envisaging. The Member States inform the PSC of the measures they have adopted or are envisaging at the national level.

The PSC exercises 'political control and strategic direction' of the EU's military response to the crisis. To that end, on the basis of the opinions and recommendations of the Military Committee, it evaluates in particular the essential elements (strategic military options including the chain of command, operation concept, operation plan) to be submitted to the Council.

The PSC plays a major role in enhancing consultations, in particular with NATO and the third States involved.

On the basis of the proceedings of the PSC, the Secretary-General/High Representative directs the activities of the Situation Centre. The latter supports the PSC and provides it with intelligence in conditions appropriate to crisis management.

The following arrangements will be put in place to enable the PSC to ensure full 'political control and strategic direction' of a military crisis-management operation:

- With a view to launching an operation the PSC sends the Council a recommendation based on the opinions of the Military Committee in accordance with the usual Council preparation procedures. On that basis the

Council decides to launch the operation within the framework of a joint action.

– In accordance with Articles 18 and 26 of the TEU, the joint action will determine, in particular, the role of the Secretary-General/High Representative in the implementation of the measures falling within the 'political control and strategic direction' exercised by the PSC. For such measures the Secretary-General/High Representative acts with the PSC's assent. Should a new Council decision be deemed appropriate, the simplified written procedure could be used (Article 12(4) of the Council's Rules of Procedure).

– During the operation, the Council will be kept informed through PSC reports presented by the Secretary-General/High Representative in his capacity as Chairman of the PSC.

Annex IV European Union Military Committee (EUMC)

1. Introduction

At Helsinki, the European Council decided to establish within the Council, new permanent political and military bodies enabling the EU to assume its responsibilities for the full range of conflict prevention and crisis management tasks defined in the EU Treaty, the Petersberg tasks.

As provided in the Helsinki report, the European Union Military Committee (EUMC), established within the Council, is composed of the Chiefs of Defence (CHODs) represented by their military representatives (MILREPs). The EUMC meets at the level of CHODs as and when necessary. This Committee gives military advice and makes recommendations to the Political and Security Committee (PSC), as well as provides military direction to the European Union Military Staff (EUMS). The Chairman of the EUMC (CEUMC) attends meetings of the Council when decisions with defence implications are to be taken.

The EUMC is the highest military body established within the Council.

For this purpose, the Terms of Reference of the EUMC are outlined as follows:

2. Mission

The EUMC is responsible for providing the PSC with military advice and recommendations on all military matters within the EU. It exercises military direction of all military activities within the EU framework.

3. Functions

It is the source of military advice based on consensus.

It is the forum for military consultation and co-operation between the EU Member States in the field of conflict prevention and crisis management.

It provides military advice and makes recommendations to the PSC, at the latter's request or on its own initiative, acting within guidelines forwarded by the PSC, particularly with regard to:

- the development of the overall concept of crisis management in its military aspects;
- the military aspects relating to the political control and strategic direction of crisis management operations and situations;
- the risk assessment of potential crises;
- the military dimension of a crisis situation and its implications, in particular during its subsequent management; for this purpose, it receives the output from the Situation Centre;
- the elaboration, the assessment and the review of capability objectives according to agreed procedures;
- the EU's military relationship with non-EU European NATO Members, the other candidates for accession to the EU, other states and other organisations, including NATO;
- the financial estimation for operations and exercises.

(a) In crisis management situations

Upon the PSC's request, it issues an Initiating Directive to the Director General of the EUMS (DGEUMS) to draw up and present strategic military options.

It evaluates the strategic military options developed by the EUMS and forwards them to the PSC together with its evaluation and military advice. On the basis of the military option selected by the Council, it authorises an Initial Planning Directive for the Operation Commander. Based upon the EUMS evaluation, it provides advice and recommendation to the PSC:

- on the Concept of Operations (CONOPS) developed by the Operation Commander
- on the draft Operation Plan (OPLAN) drawn up by the Operation Commander. It gives advice to the PSC on the termination option for an operation.

(b) During an operation

The EUMC monitors the proper execution of military operations conducted under the responsibility of the Operation Commander.

The EUMC members sit or are represented in the Committee of Contributors.

4. Chairman of the EUMC (CEUMC)

The EUMC has a permanent Chairman whose responsibilities are described hereafter.

– The CEUMC is a 4-star flag officer on appointment, preferably a former Chief of Defence of an EU Member State.

– He is selected by the CHODs of the Member States according to approved procedures and is appointed by the Council on the recommendation of the EUMC meeting at CHODs level.

His term of office is in principle three years, except in exceptional circumstances.

– His authority is derived from the EUMC to which he is responsible. Acting in an international capacity, the CEUMC represents the EUMC at the PSC and the Council, as appropriate.

As the Chairman of the EUMC, he:

- chairs the EUMC meetings at MILREPs and CHODs levels,
- is the spokesman of the EUMC and, as such:
 - participates as appropriate in the PSC with the right to contribute to discussions and attends the Council meetings when decisions with defence implications are to be taken and
 - performs the function of military adviser to the SG/HR on all military matters, in particular, to ensure consistency within the EU Crisis Management Structure;
 - conducts the works of the EUMC impartially and in order to reflect consensus;
 - acts on behalf of the EUMC in issuing directives and guidance to the DGEUMS;
 - acts as the primary Point of Contact (POC) with the Operation Commander during the EU's military operations;
 - liaises with the Presidency in the development and implementation of its work programme.

The CEUMC is supported by his personal staff and assisted by the EUMS, especially regarding the administrative support within the General Secretariat of the Council.

When absent the CEUMC is replaced by one of the following:

- the permanent DCEUMC, if it is so decided to create and fill the post,
- the Presidency representative or
- the Dean.

5. Miscellaneous

The relations to be established between the EUMC and NATO military authorities are defined in the document on the EU/NATO permanent arrangements. The relations between the EUMC and the non-EU European NATO members and other countries, which are candidates for accession to the EU are defined in the document on the relations of the EU with third countries.

The EUMC is supported by a military working group (EUMCWG), by the EUMS and by other departments and services, as appropriate.

Annex V

European Union Military Staff Organisation (EUMS)

1. Introduction

At Helsinki, the EU Member States decided to establish within the Council, new permanent political and military bodies enabling the EU to assume its responsibilities for the full range of conflict prevention and crisis management tasks defined in the EU Treaty, the Petersberg tasks. As provided in the Helsinki report, the EUMS, 'within the Council structures provides military expertise and support to the CESDP, including the conduct of EU-led military crisis management operations'.

For this purpose, the Terms of Reference of the European Union Military Staff (EUMS) are defined as follows:

2. Mission

The Military Staff is to perform 'early warning, situation assessment and strategic planning for Petersberg tasks including identification of European national and multinational forces' and to implement policies and decisions as directed by the European Union Military Committee (EUMC).

3. Role and Tasks

– It is the source of the EU's military expertise;

– It assures the link between the EUMC on the one hand and the military resources available to the EU on the other, and it provides military expertise to EU bodies as directed by the EUMC;

– It provides an early warning capability. It plans, assesses and makes recommendations regarding the concept of crisis management and the general military strategy and implements the decisions and guidance of the EUMC;

– It supports the EUMC regarding situation assessment and military aspects of strategic planning¹, over the full range of Petersberg tasks, for all cases of EU-led operations, whether or not the EU draws on NATO assets and capabilities;

– It contributes to the process of elaboration, assessment and review of the capability goals taking into account the need, for those Member States concerned, to ensure coherence with NATO's Defence Planning Process (DPP) and the Planning and Review Process (PARP) of the Partnership for Peace (PfP) in accordance with agreed procedures;

– It has the responsibility to monitor, assess and make recommendations regarding the forces and capabilities made available to the EU by the Member States, on training, exercises and interoperability;

4. Functions

– It performs three main operational functions: early warning, situation assessment and strategic planning;

– Under the direction of the EUMC it provides military expertise to EU bodies and, in particular, to the Secretary-General/High Representative;

– It monitors potential crises by relying on appropriate national and multinational intelligence capabilities;

¹ Preliminary definitions:

Strategic planning: planning activities that start as soon as a crisis emerges and end when the EU political authorities approve a military strategic option or a set of military strategic options. The strategic process encompasses military situation assessment, definition of a POL/MIL framework and development of military strategic options.

Military strategic option: a possible military action designed to achieve the POL/MIL objectives outlined in the POL/MIL framework. A military strategic option will describe the outline military solution, the required resource and constraints and recommendations on the choice of the operations commander and OHQ.

- It supplies the Situation Centre² with military information and receives its output;

- It carries out the military aspects of strategic advance planning for Petersberg missions;

- It identifies and lists European national and multinational forces for EU-led operations co-ordinating with NATO;

- It contributes to the development and preparation (including training and exercises) of national and multinational forces made available by the Member States to the EU. The modalities of the relation with NATO are defined in the relevant documents;

- It organises and co-ordinates the procedures with national and multinational HQs including those NATO HQs available to the EU, ensuring, as far as possible, compatibility with NATO procedures;

- It programmes, plans, conducts and evaluates the military aspect of the EU's crisis management procedures, including the exercising of EU/NATO procedures;

- It participates in the financial estimation of operations and exercises;

- It liaises with the national HQs and the multinational HQs of the multinational forces;

- It establishes permanent relations with NATO according to 'EU/NATO Permanent arrangements' and appropriate relations with identified correspondents within the UN and OSCE, subject to an agreement from these organisations.

a. Additional functions in crisis management situations

- It requests and processes specific information from the intelligence organisations and other relevant information from all available sources;

- It supports the EUMC in its contributions to Initial Planning Guidance and Planning Directives of the Political and Security Committee (PSC);

- It develops and prioritises military strategic options as the basis for the military advice of the EUMC to the PSC by:

- defining initial broad options;
- drawing as appropriate on planning support from external sources which will analyse and further develop these options in more detail;

- evaluating the results of this more detailed work and commissioning any further work that might be necessary;

- presenting an overall assessment, with an indication of priorities and recommendations as appropriate, to the EUMC;

- It can also contribute to the non-military aspects of the military options;

- It identifies in co-ordination with national planning staffs and, as appropriate, NATO, the forces that might participate in possible EU-led operations;

- It assists the operation commander in technical exchanges with third countries offering military contributions to an EU-led operation, and in the preparation of the force generation conference;

- It continues to monitor crisis situations.

b. Additional functions during operations

- The EUMS, acting under the direction of the EUMC, continuously monitors all the military aspects of operations. It conducts strategic analysis in liaison with the designated operation commander to support the EUMC in its advisory role to the PSC in charge of the strategic direction;

- In the light of political and operational developments, it provides new options to the EUMC as a basis for EUMC's military advice to the PSC.

5. Organisation

- It works under the military direction of the EUMC to which it reports;

- The EUMS is a Council Secretariat department directly attached to the SG/HR; it is composed of personnel seconded from the Member States acting in an international capacity under the statute to be established by the Council;

- EUMS is headed by the DGEUMS, a 3-star flag officer, and works under the direction of the EUMC;

- In order to cope with the full spectrum of Petersberg tasks, whether or not the EU has recourse to NATO resources, the EUMS is organised as in Annex A [not reproduced here];

- In crisis management situations or exercises, the EUMS could set up Crisis Action Teams (CAT), drawing upon its own expertise, manpower and infrastructure. In addition, it could, if necessary, draw upon outside manpower for temporary augmentation to be requested from the EU Member States by the EUMC.

² Exact definition to be determined in relevant documents.

6. Relations with third countries

The relations between the EMS and the non-EU European NATO members and other countries, which are candidates for accession to the EU will be defined in the document on the relations of the EU with third countries.

Source: Nice European Council meeting: presidency conclusions, 8 Dec. 2000, Annex VI, Presidency Report on the European Security and Defence Policy, Annex IV, European Union Military Committee (EUMC), available at URL <<http://ue.eu.int/Newsroom/LoadDoc.cfm?MAX=1&DOC=!!!&BID=76&DID=64245&GRP=3018&LANG=1>>.

NATO REPORT ON OPTIONS FOR CONFIDENCE AND SECURITY BUILDING MEASURES (CSBMS), VERIFICATION, NON-PROLIFERATION, ARMS CONTROL AND DISARMAMENT

14 December 2000

Excerpts

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5. NATO's role in the future: options for CSBMs, verification, non-proliferation, arms control and disarmament

85. In light of overall strategic developments and the reduced salience of nuclear weapons, the Alliance has considered options for confidence and security building measures, verification, non-proliferation, and arms control and disarmament. The work that has been carried out within the Alliance has been brought together in a comprehensive and integrated approach. The result is focused on specific policy options for the future, which are summarized hereafter.

5.1. Nuclear policy issues

5.1.1. Role of nuclear forces in NATO's strategy

86. Notwithstanding positive developments in the strategic environment, the security of the Alliance remains subject to a wide variety of risks, both military and non-military, which are multidirectional and often difficult to predict. As stated in the Strategic Concept of 1999, the existence of powerful nuclear forces outside the Alliance constitutes a significant factor, which the Alliance has to take into account if stability and

security in the Euro-Atlantic area are to be maintained. NATO has radically reduced its reliance on nuclear forces, and undertook a dramatic reduction in its sub-strategic forces, a significant relaxation in the readiness criteria for nuclear-armed forces, and the termination of standing peacetime nuclear contingency plans.

87. The conclusions and recommendations relating to nuclear policy issues are based on the work carried out by the Allies concerned in the following main fields:

- Proposed CSBMs with Russia
- Transparency measures
- Nuclear proliferation

Background on the concept of CSBMs

88. Confidence and security building measures are those intended to reduce the danger of armed conflict, to avoid misunderstanding and miscalculation of military activities, and thus to contribute to stability. CSBMs, particularly those dealing with conventional forces, have been implemented in Europe primarily in the context of the Conference on Security and Co-operation in Europe (CSCE) and the Organization for Security and Co-operation in Europe (OSCE) and have been primarily of a multilateral nature. Nuclear CSBMs, on the other hand, typically have been associated with arms control agreements and have been of a bilateral nature. Some nuclear CSBMs have also been unilateral in nature, such as the Bush–Gorbachev/Yeltsin Presidential Nuclear Initiatives (PNIs) of 1991/1992. While unilateral in nature, the PNIs were clearly intended also to elicit a reciprocal response. The negative security assurances issued by the nuclear-weapons States are also a valuable form of CSBMs and are an important component of the non-proliferation regime.

Background on negative security assurances

89. Negative Security Assurances (NSAs) are statements that each of NATO's three nuclear-weapon States and Russia have issued, and reaffirmed, that they will not use nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the non-proliferation of Nuclear Weapons except in the case of an invasion or any other attack on themselves, their territories, their armed forces or other troops, their allies, or on a state towards which they have a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State. NSAs

are a national responsibility of the nuclear-weapon States.

5.1.1.1. Confidence and security building measures with Russia

90. Given the extensive Russian nuclear arsenal, the NATO–Russia relationship constitutes an important focus for the consideration of options for nuclear confidence and security building measures (CSBMs). The NATO–Russia Founding Act established a mechanism, the NATO–Russia Permanent Joint Council (PJC), for consultation on a wide range of issues in order to develop, on the basis of reciprocity and transparency, a strong, stable and enduring partnership. Two of the issues listed in the Founding Act as areas for consultation and co-operation include conducting reciprocal exchanges on nuclear weapons issues, including doctrine and strategy, and consulting on nuclear safety issues across their full spectrum. NATO has agreed that consultations with Russia on future nuclear CSBMs are desirable, should build upon the provisions of the Founding Act, and should take place in the PJC. This is in keeping with the PJC Ministerial conclusion of 24 May 2000 that the Founding Act remains the basis for all NATO–Russia < co-operation.

91. NATO intends to pursue with Russia four specific CSBM proposals to enhance mutual trust and to promote greater openness and transparency on nuclear weapons and safety issues:

A. Enhance and deepen dialogue on matters related to nuclear forces,

B. Exchange information regarding the readiness status of nuclear forces,

C. Exchange information on safety provisions and safety features of nuclear weapons,

D. Exchange data on US and Russian sub-strategic nuclear forces.

A. Enhance and deepen dialogue on matters related to nuclear forces

92. It will be important to establish a more frequent in-depth exchange of views, assessments, and information on nuclear forces—thereby enabling a better understanding of intentions and activities in the nuclear sphere than has been the experience to date. With respect to the objective of promoting an enhanced and deepened dialogue, NATO will propose, through seminars, workshops and other expert-level meetings, a more frequent in-depth exchange of views, assessments and information on nuclear forces with Russia.

B. Exchange information regarding the readiness status of nuclear forces

93. Exchanging information on the readiness status of nuclear forces will demonstrate to Russia the unilateral measures taken by the Alliance to reduce the alert status and readiness of its forces, while increasing the Alliance's understanding of the readiness status of Russia[n] forces. This proposal would consist of two elements:

– A discussion of the unilateral measures already taken by NATO countries and Russia to reduce the alert status and readiness of their nuclear forces, such as those taken by the US as part of the PNIs (removed all tactical/non-strategic nuclear weapons from ships in peacetime, removed strategic bombers from alert, earlier removal from alert of 450 Minuteman II missiles scheduled for elimination under START I), those taken by the UK as a result of its Strategic Defence Review (including significant reductions of warhead numbers and maintenance of only a single Trident submarine on deterrent patrol at reduced readiness), and earlier steps taken by NATO to de-alert dual-capable aircraft. Russia would be expected to present its measures taken as part of the PNIs.

– A generic description of the present state of alert for nuclear weapons of NATO countries and Russia.

C. Exchange information on safety provisions and safety features of nuclear weapons

94. This proposal involves exchanging on a reciprocal basis information on safety provisions for nuclear weapons storage and transport, as well as safety features and procedures to prevent theft and unauthorized use or to minimize the risk of accidents. The proposal could comprise any of the following elements:

Safety and security features of nuclear weapons

– Hold meetings to discuss on a reciprocal basis lessons learned by the nuclear weapons states on issues related to safety and security practices.

Share personnel reliability programme oversight practices

– Exchange information on a reciprocal basis on personnel reliability programmes, two-person concept, or other methods for ensuring against unauthorized access to nuclear weapons.

Mutual observation of exercises

– Invite Russia on a reciprocal basis to observe a ‘nuclear accident response’ exercise. The purpose would be to foster a better understanding of the procedures to be followed in responding to an accident, co-ordination required among civil and military organizations, etc.

Joint NATO–Russia accident exercise

– Invite Russia to participate in a ‘joint’ nuclear accident response exercise. The purpose would be to enhance mutual co-operation and to improve accident response capability.

The following CSBM could also be pursued in the context of readiness measures:

‘Shadow’ exchange officer programme

– Establish an exchange officer programme between SHAPE and an equivalent Russian Federation Military Organization, similar to the exchange which exists between the Russian Military and the US Strategic Command (STRATCOM). The exchange could start at flag officer level and could eventually be extended down to the unit level.

D. Exchange data on US and Russian sub-strategic nuclear forces

95. This proposal would involve conducting a reciprocal data exchange with Russia within the PJC context. The objective would be to enhance transparency and knowledge of the size of the US and Russian stockpiles.

5.1.1.2. Transparency

96. NATO is committed to meaningful public outreach to interested individuals and groups, including discussion of the adaptations which the Alliance’s force posture has undergone over the last decade in response to the changed security environment. NATO is equally committed to discussing the Alliance’s policy of support for nuclear arms control and disarmament. In this regard, the Alliance will continue to broaden its engagement with interested non-governmental organizations, academic institutions and the general public and will contribute actively to discussion and debate regarding nuclear weapons and nuclear arms control and disarmament issues.

97. As NATO has reacted to the changes of the past 10 years, it has developed a number of documents that set out the facts

and rationale of the Alliance’s nuclear posture. NATO’s Strategic Concept of 1991 and its revision in 1999 are public documents. Additionally, communiqués from NATO foreign and defence ministerials have chronicled successive reductions in Alliance nuclear forces and other changes in Alliance posture. Several documents have been developed by the Allies concerned to address nuclear issues. These documents were designed primarily for use by Allied officials in responding publicly to questions. Basic Fact Sheets, as well as a recent paper on ‘NATO’s Nuclear Stance’, are now available on NATO’s internet website.

98. The general aim of transparency is to contribute to confidence and security building and non-proliferation and to foster public and political support by explaining the rationale of NATO’s nuclear policy and posture. The following policy issues are of particular importance:

The role of nuclear weapons in the post-Cold War security environment

– There is a clear rationale for a continued, though much reduced, presence of sub-strategic forces in Europe. This is consistent with the Alliance’s fundamental guiding principle of common commitment, mutual co-operation and collective security, the burden and risks of providing the nuclear element of NATO’s deterrent capability should not be borne by the nuclear powers alone.

NATO’s force posture since the end of the Cold War

– Drastic reductions and significant relaxation of readiness levels to Alliance nuclear forces have been implemented since the end of the Cold War.

Safety, security, and survivability of nuclear weapons

– NATO is transparent to the maximum degree possible with respect to the safety, security, survivability, and storage conditions of US nuclear weapons. Nuclear weapons and procedures are designed to ensure that weapons are safely and securely stored and handled.

5.1.1.3. Nuclear proliferation

99. Nuclear proliferation remains a concern for both governments and publics. It touches on aspects of nuclear policy, nuclear arms control and disarmament policy, and traditional non-proliferation policy as well. Allies concerned have explored—in the

broadest sense—the reasons why nations may be attempting to acquire, or already have acquired, nuclear weapons despite the provisions of the Nuclear Non-Proliferation Treaty.

100. Allies concerned have concluded that the primary motivations for proliferants' pursuit and development of nuclear weapons remain 'local' threat perceptions, regional ambitions, and global prestige. The idea that proliferant states would assess the broader military and security environment in deciding to develop weapons of mass destruction is only common-sense. However, no evidence was found that proliferant nations acquire nuclear capabilities based on the fact that NATO maintains nuclear weapons in Europe for ensuring the security of the Alliance. NATO's residual sub-strategic nuclear arsenal—which has been dramatically reduced and its land-based forces de-alerted and de-mated—is not responsible for nuclear proliferation.

101. NATO's nuclear posture has evolved constantly to suit the changing realities of Euro-Atlantic security. Indeed, in line with this approach, the Alliance has over the past decade continually reviewed its nuclear doctrine and posture. In concluding that the role of NATO's nuclear forces in today's environment is fundamentally political, the Alliance has greatly reduced the operational/military focus for these weapons. To support such changes, the size and readiness of the NATO nuclear stockpile and forces have been dramatically reduced, and the remaining land-based forces have been de-alerted and demated. These measures reflect the reduced role of nuclear weapons in the current security environment. They also support NATO's policy that the Alliance's nuclear weapons will be maintained at the minimum level sufficient to preserve peace and stability. This enhances the security of the Euro-Atlantic region and beyond.

102. NATO countries have made firm commitments to realistic and practical measures toward arms control and disarmament in the area of nuclear weapons. To this end, NATO and its nuclear weapons states have taken unilateral steps, entered into bilateral agreements, undertaken CSBMs, and adhered to a range of multilateral agreements that support arms control and disarmament. It bears noting that all Allied governments are parties to the Non-Proliferation Treaty and signatories to the Comprehensive Nuclear-Test-Ban Treaty. By contrast, proliferant

states have shown little interest in pursuing similar measures—either through adjustments to their own posture, or through measures to promote disarmament and arms control. The consequence of this has been that their nuclear programmes have diminished, not strengthened security and stability within their regions and beyond. Here again, despite statements that profess support for total disarmament, the actions of proliferant states suggest a very different approach.

5.2. Support by Alliance members for the Non-Proliferation Treaty

103. As States Parties to the Non-Proliferation Treaty, all Allies are committed to and will continue to pursue vigorously the principles and objectives of the NPT as the cornerstone of the nuclear non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament.

104. Alliance nations have dramatically reduced nuclear weapons and delivery systems, and reaffirm their commitment under Article VI of the NPT to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

105. Allies have welcomed the decisions concerning the indefinite extension of the NPT and the 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament' adopted by the 1995 NPT Review Conference. They have also welcomed the positive outcome of the 2000 NPT Review Conference. The Conference agreed on the importance of universal adherence to and compliance with the NPT, and reaffirmed the commitment of all States Parties to disarmament, IAEA safeguards, and peaceful use of nuclear energy in accordance with the NPT. Allies confirm their commitments made at the NPT Review Conference and will contribute to carrying forward and implementing the conclusions reached there.

106. NATO members support the entire Final Document of the May 2000 NPT Review Conference, including all of the following practical steps for the systematic and progressive efforts to implement Article VI of the NPT and paragraphs 3 and 4 (c) of the 1995 Decision on 'Principles and Objectives for Nuclear Non-proliferation and Disarmament':

- The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

- A moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of that Treaty.

- The necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.

- The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body.

- The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.

- An unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all States parties are committed under Article VI.

- The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the ABM Treaty as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.

- The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency.

- Steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:

- Further efforts by the nuclear-weapon States to reduce their nuclear arsenals unilaterally.

- Increased transparency by the nuclear-weapon States with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to Article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament.

- The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process.

- Concrete agreed measures to further reduce the operational status of nuclear weapons systems.

- A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination.

- The engagement as soon as appropriate of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.

- Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside of military programmes.

- Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

- Regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of Article VI and paragraph 4(c) of the 1995 Decision on 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament', and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996.

- The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

5.3. Arms control issues relevant to outer space

107. Alliance member States support the view that it is particularly important for the international community to preserve and protect current economic and security benefits from the use of Outer Space while avoiding the creation of new and daunting military competitions in the future. There already exist a number of agreements for limiting the uses of Outer Space to those that are peaceful and for providing a framework for the legitimate military uses of Outer Space. Alliance nations share specific interests in, and have already expressed support for the following areas:

- efforts within the UN Committee on the Peaceful Uses of Outer Space (COPUOS).
- the establishment within the Conference on Disarmament (CD) of a subsidiary body to discuss issues relevant to Outer Space, in the context of a programme of work for the CD.

5.4. Building confidence through consultations with partners and dialogue countries

108. NATO's dialogue with partners plays a distinct role in the overall efforts of the Alliance to promote a broader, more comprehensive and more verifiable arms control and disarmament process, and in the achievement of the Alliance's non-proliferation goals.

109. NATO recognises that confidence and trust are necessary conditions for an irreversible disarmament process and for non-proliferation efforts to succeed, and that confidence and trust can only be achieved through openness and transparency. The Alliance has adopted a comprehensive approach to enhance openness and transparency in proliferation-related matters, including consultations with Partners on our ability to operate together under the threat of WMD use.

5.4.1. Consultations with Russia

110. The NATO–Russia Permanent Joint Council (PJC) was established under the NATO–Russia Founding Act of May 1997. The Founding Act provides for regular meetings of the PJC at ambassadorial level as well as bi-annual meetings at the level of Foreign Ministers. Its purpose is to provide a venue for consultation, co-operation and consensus-building in discussions of political and security matters. In this context, it has been

agreed that NATO member states and Russia will meet—at expert level—to discuss political and defence efforts against proliferation of nuclear, biological and chemical weapons and their delivery means, including discussion of current risks. It has also been agreed that experts will consult on defence-related questions, including information regarding threat perceptions, the development of common language and terminology on WMD proliferation topics, and defence responses to WMD proliferation threats.

111. NATO–Russia expert level consultations on proliferation have, to date, included very productive discussions on defence issues related to proliferation, as well as more in-depth consultations on specific proliferation risks. A longer term work programme for consultations is currently being developed with Russia; it is envisaged that this programme will include key questions on nuclear, biological, chemical weapons and delivery means.

5.4.2. Consultations with Ukraine

112. The NATO–Ukraine Commission was established under the terms of the Charter on a Distinctive Partnership between NATO and Ukraine signed in July 1997. The Commission meets at least twice a year to review progress in the development of the relationship between NATO and Ukraine. Consultations with Ukraine on proliferation have included a general exchange of views on risks, the role and effectiveness of multinational regimes, and questions regarding assistance with export controls. Ukraine has highlighted its own national contributions to global non-proliferation efforts: following its independence, it joined the Non-Proliferation Treaty in 1994, renouncing the possession of nuclear weapons; Ukraine ratified the CTBT in November 2000; Ukraine is also active in international fora on non-proliferation, *inter alia* in the South Asia Task Force. Further consultations with Ukraine are actively being planned.

113. The Alliance dialogue with Russia and with Ukraine on proliferation-related issues are tangible contributions to the overall goal of establishing CSBMs. The Alliance will work for the enhancement and deepening of the established broad dialogue with Russia on a reciprocal basis within the framework of the NATO–Russia Founding Act. Further-

more, the Alliance will pursue its broad dialogue with Ukraine on matters related to WMD proliferation, including defence-related consultations aimed to promote increased co-operation eventually leading to interoperability in defence efforts against the risks posed by WMD. It is recommended that these consultations be continued and improved.

5.4.3. Consultations with EAPC Partners and Mediterranean Dialogue countries

114. Allies recognize the importance of consultations at an appropriate stage on WMD proliferation issues with other Euro-Atlantic Partnership Council (EAPC) Partners and with Mediterranean Dialogue countries, in accordance with the Washington Summit's Initiative on Weapons of Mass Destruction. It is recommended that the Alliance proceed with defining the nature and scope of consultations with EAPC Partners and Mediterranean Dialogue countries, and that the Alliance undertake such consultations, with a view to increasing common understanding and information-sharing on proliferation-related issues. Such consultations constitute a useful contribution to confidence-building activities.

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5.6. Conventional arms control

5.6.1. The CFE process

116. The CFE process, begun in 1990, has achieved a significant reduction in the holdings of conventional armaments and equipment of the States Parties to the Treaty and has established a new pattern of security relations among them. However, there are continuing implementation issues, which must be addressed as we approach the next CFE Review Conference in 2001. The Agreement on the Adaptation of the Treaty on Conventional Armed Forces in Europe (CFE), signed at the OSCE Summit in Istanbul on 19 November 1999, will ensure the continuing role of the CFE Treaty as a cornerstone of European security and stability. The successful completion of this negotiation is an important contribution to the overall process of enhancing security and stability in Europe. It also demonstrates the common commitment of Allies to cooperative security relations.

117. Maintaining the effectiveness and credibility of the CFE Treaty will also represent a significant contribution to the overall

process of enhancing arms control. In this regard, NATO Ministers at Florence have stated that the Alliance advocates 'entry into force at the earliest possible time but this can only be envisaged in the context of compliance by all States Parties with the Treaty's agreed levels of armaments and equipment, consistent with the commitments contained in the CFE Final Act. We look for early and effective implementation of Russia's commitments to reduce and withdraw its forces from Moldova and Georgia'. But we remain concerned about the continued high levels of Russian Treaty limited equipment in relation to the Treaty's Article V ('Flank') limits. These levels must be brought into line with treaty limits in a manner consistent with agreed counting rules and procedures. It is on this basis that Allies will continue to work towards bringing the Adapted Treaty into force. Pending the completion of this process, the full and continued implementation of the Treaty and its associated documents remains crucial.

118. NATO nations have begun work on tasks related to the implementation of the Adapted CFE Treaty. This work will include the development and/or updating of procedures for co-ordination among Allies for the implementation of the Adapted CFE Treaty and consideration of procedures for enhanced co-operation with CFE Partners.

119. The accession provisions of the Adapted CFE Treaty provide for increasing the number of States Parties and extending the CFE pattern of new security relations based on peaceful co-operation beyond the current 30 States Parties. In accordance with those provisions, addition on a case-by-case basis of new States Parties to the Adapted CFE Treaty can contribute to transparency, predictability, and stability within the Euro-Atlantic region.

120. The Alliance views conventional arms control to be both an important tool of conflict prevention and an integral part of crisis response. There may be scope for including specific reference to arms control provisions in Alliance planning documents dealing with crisis management.

5.6.2. The way ahead on conventional arms control

121. The negotiation of Vienna Document 1999 demonstrated that the current Document sets a high substantive standard for new pan-European CSBMs. Allies agree that the future challenges in the conventional arms

control/CSBM arena are likely to focus on regional and sub-regional issues.

122. In the Euro-Atlantic region a comprehensive regime of conventional arms control has been developed. This may serve as an example for other regions of the world. In this context Allies and the Alliance will continue to have expertise to offer and a contribution to make to discussions on regional agreements.

123. There may be scope for encouraging the development, within the appropriate fora, of discussions on stabilising measures in certain regions of tension.

124. Upon entry into force of the Adapted CFE Treaty, OSCE participating States with territory in the area between the Atlantic Ocean and the Ural Mountains may apply for accession to the Adapted Treaty, thereby providing an important additional contribution to European stability and security. The Alliance is pleased that the Adapted Treaty will permit accession by new States Parties, and stands ready to provide relevant information to accession candidates regarding the rights and responsibilities of States Parties.

125. The Alliance will continue to engage Russia, Ukraine and other EAPC Partners in discussion of conventional arms control issues, as opportunities arise.

5.7. NATO and EAPC contribution on small arms and light weapons

126. NATO, along with the UN, EU, OSCE and other international organizations have undertaken a number of initiatives at the global, regional and local levels. Alliance members have engaged in a dialogue with NATO Partners in the EAPC on practical steps that can be taken to deal with the challenge of small arms. The EAPC Ad Hoc Working Group on Small Arms and Light Weapons has addressed stockpile management and security, national export controls and enforcement mechanisms, and weapons collection and destruction in the context of peacekeeping operations. Individual Allies and Partners have co-sponsored a number of seminars and workshops addressing a number of these issues. NATO and Partner countries including through SFOR and KFOR, have made substantial contributions to the control, seizure and destruction of small arms in the Balkans, and will continue these efforts. It is recommended that NATO members build upon the fruitful co-operation that

has taken place within the EAPC, and identify further means to address the challenge of SALW. In this context, Alliance members look forward to participating actively in the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects.

5.8. NATO and anti-personnel landmines

127. Landmines can take a disproportionate toll on civilian populations in conflict, can stall reconstruction especially in rural areas in post-conflict situations, and can pose a significant risk to NATO forces in peace support operations. NATO nations have demonstrated their commitment to tackle this scourge.

128. NATO has been actively engaged on the landmines issues through the work of the EAPC Ad Hoc Working Group on Global Humanitarian Mine Action, and through the Partnership for Peace (PfP) Partnership Work Programme. Specific initiatives have included the creation of a PfP Trust Fund for Anti-Personnel Landmine Destruction, as well as seminars and workshops.

129. NATO and non-NATO troops involved in Peace Support Operations in Bosnia-Herzegovina (SFOR) and Kosovo (KFOR) conduct daily operational mine-clearing in support of military operations, to ensure their own security, the freedom of movement and the completion of assigned tasks.

130. De-mining to humanitarian standards, which provides a guarantee that the area is almost totally clear of mines (more than 99% clear), is under the responsibility of the United Nations Mine Action Services (UNMAS). However, IFOR/SFOR, and more recently KFOR have provided and are still providing assistance to International Organizations, Non-Governmental Organizations, and local organizations in humanitarian demining efforts in Bosnia-Herzegovina and Kosovo.

Source: NATO, 'Report on options for confidence and security building measures (CSBMs), verification, non-proliferation, arms control and disarmament', Press communiqué M-NAC-2(2000)121, 14 Dec. 2000, URL <<http://www.nato.int/docu/pr/2000/p00-121e/home.htm>>.
