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## TOWARDS A COMMON EUROPEAN POLICY ON SECURITY AND DEFENCE: AN AUSTRIAN VIEW OF CHALLENGES FOR THE "POST-NEUTRALS"

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**October 1999**

# **TOWARDS A COMMON EUROPEAN POLICY ON SECURITY AND DEFENCE: AN AUSTRIAN VIEW OF CHALLENGES FOR THE “POST-NEUTRALS”**

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**October 1999**

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# THE "POST-NEUTRALS" AND THE W/EU FRAMEWORK

With the entry into force of the Amsterdam Treaty on 1 May 1999 and the European Council's Cologne Declaration of 4 June 1999, further steps have been taken towards the realisation of the Common Foreign and Security Policy (CFSP), and therefore towards a common defence policy. From the viewpoint of the EU member countries that are not members of NATO (i.e. Observers in WEU),<sup>[1]</sup> who may now certainly be designated "post-neutrals", several urgent issues arise:<sup>[2]</sup> the inclusion of assistance obligations in the Treaty on European Union (TEU), the arrangements for crisis-management in the framework of WEU (Petersberg tasks) and thus the transfer of essential WEU functions into the EU, decision-making and the range of military actions within the CFSP, as well as the related forthcoming challenges in the national political and military areas.

## Core Points in the Development of the Common European Policy on Security and Defence

In some "post-neutral" states, especially Austria, a discussion on the further development of the CFSP has been going on for some time, to the effect that there would be a requirement, in particular, to create a "European Security Union" largely independent of NATO and the United States.<sup>[3]</sup> It therefore seems appropriate to first provide a rough outline of the development of the CFSP.<sup>[4]</sup>

The Maastricht Treaty of December 1991 included reference to a CFSP, including "the eventual framing of a common defence policy, which might in time lead to a common defence" (Art. J 4, para. 1), and a functional relationship between WEU and the EU was established. At the WEU ministerial meeting in Petersberg in 1992 an explicit distinction between Article V and non-Art. V contingencies was made, the latter (what were to become known as the "Petersberg tasks") decisively defining WEU's operational development.<sup>[5]</sup>

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<sup>[1]</sup> Although it is a member of NATO, Denmark has opted for Observer status in WEU.

<sup>[2]</sup> Finland and Sweden, according to their own designation, are now to be classified as alliance-free for instance, while the official status of Austria requires final clarification. On the one hand, the neutrality statute in Austria has not been formally repealed and there is also no government or parliament declaration on a possible change of status, on the other hand, according to the opinion of leading experts of international law, the neutrality statute is obsolete to a large extent and Austria to be designated de facto as a non-aligned state. See "Aufhebung des Neutralitätsgesetzes würde Etikettenwahrheit herstellen", in: Die Presse, July 2, 1999. This opinion has also been officially represented by the minister of defence and the minister of foreign affairs at least since the summer of 1999.

<sup>[3]</sup> This is in accordance, for instance, with the basic position of the Austrian social democrats who, with this argument, also want to declare a NATO membership of Austria as obsolete.

<sup>[4]</sup> See De Spiegeleire, Stephan: "The European Security and Defence Identity and NATO: Berlin and Beyond", in European Security: Implications for Non-alignment and Alliances, edited by Mathias Jopp and Hanna Ojanen, Kauhava 1999.

<sup>[5]</sup> Military units of WEU member states, acting under the authority of WEU, could be employed for: humanitarian and rescue tasks; peacekeeping tasks; tasks of combat forces in crises management, including peacemaking.

The relationship with the United States and the role of the European Security and Defence Identity (ESDI) within NATO were clarified at the NATO summit in Brussels in January 1994 (M-1(94)3). On the one hand, the Europeans recognised NATO as Europe's essential security forum and accepted the development of an ESDI within NATO. On the other hand, the political and military structure of NATO was to help develop the ESDI, through the Combined Joint Task Forces (CJTF) concept and the use of NATO assets in WEU operations. With this, measures providing for "separable but not separate capabilities" for WEU-led operations were introduced. At the North Atlantic Council of Berlin in June 1996, the Europeans again explicitly agreed "to build a European Security and Defence Identity within NATO".<sup>[6]</sup> After the Amsterdam Treaty a transfer of WEU's functions to the EU, at present still with the exception of Article V of the modified Brussels Treaty, was finally initiated, whereby the EU was to be enabled to carry out crisis-management operations with politico-strategic control over national and multinational structures of armed forces outside NATO using NATO structures. NATO, in its Washington Summit Communique of 24 April 1999, took this development into account and now allows the EU to develop the ESDI. Access to NATO capabilities and common assets, up to now to be made available to the WEU, is now being transferred to the EU. The EU could thus for the first time become a player in the security policy field, inasmuch as it could now also include the use of armed forces in its catalogue of means for crisis management. However, the EU's capacity for autonomous actions is to be restricted to those cases "where the Alliance as a whole is not engaged".<sup>[7]</sup>

### **Status of the Common European Policy on Security and Defence After the Ratification of the Amsterdam Treaty and Cologne**

In principle, the Amsterdam Treaty does indeed make provisions for all issues regarding the security of the European Union in Title V, Article 17. However, at the same time, it *de facto* restricts the current military options to the Petersberg missions (subparas. 1 and 2). Based on the fundamental principle of voluntary participation in such operations ("coalition of the willing", as is also valid for NATO non-Article 5 operations), with ratification of the treaty, "post-neutrals" are now entitled to participate fully on equal terms in the planning and decision-making process as well as in the execution of operations. In doing so, the EU can at present still make use of WEU for the preparation and execution of actions with defence policy implications, while the European Council is to be granted "direct authority" *vis-à-vis* WEU. However, at Cologne it was decided in point 5 of the Declaration to prepare the conditions "for the 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". The necessary decisions are to be made by the end of the year 2000. The perspective of developing a common defence should the European Council so decide is mentioned in the Amsterdam Treaty. However, at the same time it is explicitly pointed out that in future the collective defence of certain member states is to remain within NATO, and this is likewise explicitly stated in the Cologne Declaration. Therefore it can be assumed that the measures for a common security and defence policy within the EU are to be developed complementary to NATO. This is also in accordance with the decisions of WEU foreign and defence ministers taken in Bremen in May 1999, when,

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<sup>[6]</sup> Ministerial Meeting of the North Atlantic Council, Berlin, 3 June 1996 (M-NAC-1(96)63).

<sup>[7]</sup> Washington Summit Communique Pt. 9 and 10, Press Release NAC-S(99)64 of 24 April 1999.

for the purpose of carrying out Petersberg tasks, “appropriate decision-making bodies and effective military means, within NATO, or national and multinational means outside the NATO framework” were requested, while “these structures and capabilities” are to be developed “in complementarity with the Atlantic Alliance whilst avoiding unnecessary duplications”.<sup>[8]</sup> Thus several important issues remain unresolved, such as the question of the possible transfer of the assistance obligation from the WEU treaty to the EU, the question of the EU’s autonomy in decision-making and action, as well as the question of the division of tasks between WEU and NATO in general. The answers to these questions will determine the scope of action of the “post-neutrals”.

### **The Challenge of Article V of the Modified Brussels Treaty**

The fact that the decisions taken at the EU summit in Cologne on 4 June 1999 concern only the implementation of Petersberg tasks was not met with unanimous approval within WEU, as the president of the WEU assembly, Louis Maria de Puig, clearly expressed in June 1999: first, the current course does not lead to the creation of a genuine common European defence; on the contrary, the current goals do not extend beyond the development of capabilities for the execution of a *certain type* of crisis-management operation. Second, the question of how genuine European autonomy *vis-à-vis* NATO is to be developed is unresolved.<sup>[9]</sup> At least some Europeans still wish to develop a common European defence, which at least implicitly means questioning the relevance of the ESDI within NATO. In its action plan for defence of March 1999, for instance, the WEU assembly considers very clearly that Article V of the WEU treaty on collective defence and the arrangements on close cooperation with NATO must become an integral part of the TEU.<sup>[10]</sup> It can be assumed that this intention is most likely in accordance with the interests of at least some of the big EU states, even if the question of putting it into effect might not be up for discussion in the framework of the EU at present or in the near future.

It remains clear that for the present collective defence will have to be undertaken outside W/EU. The essential restraint on the development of a common defence policy lies in the “post-neutral” states, inasmuch as they have not up to now been willing to assume assistance obligations. Consequently, the demand on the “post-neutrals” to adopt Article V of the WEU treaty in some form in the context of the TEU exists, which, however, due to Article IV of the WEU treaty, which requires close cooperation with NATO, would have to mean simultaneous membership of NATO. Even if from a legal point of view it were possible to adopt only Article V of the WEU treaty, there are substantial political reasons for not doing so. A significant assistance obligation by NATO to EU member states who only want to assume the assistance obligation of the WEU treaty, which would be equal to an assistance obligation via the back door, is also for the time being probably excluded.

The WEU treaty, with Article V as its core, will therefore continue to exist and thus also the question *whether* and in *what form* it shall be transferred to the EU treaty.

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<sup>[8]</sup> Bremen Declaration 12 May 1999, WEU Council of Ministers 10-11 May 1999.

<sup>[9]</sup> Puig, Luis Maria de: WEU’s Defining Moment, presentation in the course of the 45th assembly of WEU on June 11, 1999, in Paris.

<sup>[10]</sup> See “Time for Defence”, report of the extraordinary meeting of the Permanent Committee, Paris, 16 March 1999, p. 59.

The options of integration of Article V in the EU's second pillar or the creation of a separate fourth pillar, as UK premier Tony Blair proposed in Pörschach, are no longer considered.<sup>[11]</sup> Current considerations provide for the attachment of a separate protocol containing Article V to the EU treaty which would then be signed at least by the WEU states.<sup>[12]</sup> Implicitly, in this way there would then be increased pressure on the observers not to exclude themselves any longer from this area, in order to avoid a "two-class society" within the EU. Another solution would, for example, be an adjustment in Article 11 of the TEU which, *inter alia*, lists the "protection of the independence and integrity of the Union" as an objective of the CFSP. This Article could certainly be worded more strongly in the direction of an assistance obligation.

A further question arising in the context of the transfer of assistance obligations to the EU treaty is the ratification by member states. Even if this took place on the basis of Article 17, which provides for the development of a common defence, namely through a European Council resolution, it is explicitly pointed out there that such a resolution would have to be accepted by the member states according to their constitutional requirements. A change of the treaty is now certainly also possible without a heads of government conference, however, a new ratification by member states might be necessary, which could theoretically result in delays or even blockage.

### **Competition in the Area of Crisis Management – The Question of the W/EU's Autonomy**

According to the Cologne Declaration, the EU requires the capability for *autonomous action* for the purpose of executing Petersberg missions. This implies credible military capacities, the decision-making capability and the willingness also to use it, in order to be able to react appropriately in the event of an international crisis, without prejudicing NATO's options for action. On the basis of this wording, as well as in light of experience in dealing with conflicts in the Balkans, a wide acceptance of "NATO first" by the European states can be supposed. In NATO's new Strategic Concept, which was also agreed by eleven EU member states, NATO's support for EU-led operations is explicitly assured, whereby NATO as the decisive security policy body has again defined the future framework.

#### Political Aspects

In analysing the W/EU framework for action, two problem areas have to be differentiated: the political and the operational. From a political point of view it can be assumed that the willingness to accept an explicit division of tasks may be rather small both on the part of the European states and on that of the United States. Whether and in what way the United States participates in crisis management on the European continent will depend on its national interests. In the event of American engagement, NATO will remain the decisive forum for politico-military measures.<sup>[13]</sup>

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<sup>[11]</sup> See The Pörschach Summit. Federal Trust Memorandum on the informal summit meeting in Carinthia on 14-15 October 1998. [Http://www.fedtrust.co.uk/portschach\\_summit.htm](http://www.fedtrust.co.uk/portschach_summit.htm).

<sup>[12]</sup> See Whitman, Richard G.: Amsterdam's unfinished business? The Blair government's initiative and the future of Western European Union. Occasional Papers 7, pub. by ISSWEU, Paris, January 1999, p. 17.

<sup>[13]</sup> This circumstance is explicitly stated in the two declarations of WEU which were attached to the treaties of Maastricht (1991) and Amsterdam (1997): NATO in these declarations is defined as "the

For Europeans, the transatlantic link does offer in particular the possibility to use American capabilities in many ways, especially in areas where the Europeans are not in a position to produce anything equivalent. In view of drastically reduced defence budgets in most EU countries, it must be asked whether the willingness to make comprehensive investments in separate, purely European capacities exists at all, despite the fact that this was proposed at the Franco-British summit at Saint-Malo and that of the EU in Cologne.<sup>[14]</sup> Reliance on American political as well as military potential, especially in the context of European crisis-management, may therefore very well be in the general interest of the Europeans, even though this cannot be argued openly. US leadership seems, for various reasons, to be the lesser of two evils to the majority of the Europeans for the time being.<sup>[15]</sup> Thus NATO will certainly remain the pre-eminent security institution for the Europeans, however a “substitute strategy” needs to be developed for instances where the United States does not want to participate in an operation.<sup>[16]</sup>

From the viewpoint of at least the US administration, the Europeans’ autonomy of action is limited by the so-called “three D” criteria (Decoupling, Duplication and Discrimination).<sup>[17]</sup> “No Decoupling” means that the development of the ESDI must not lead to the decision-making processes in Europe happening separately or even in competition with NATO. “No Duplication” refers, in particular, to military command structures and staffs used in particular for European-led operations. Such duplication would, from an American point of view, lead to unwanted competition or even to separation, and would also undermine interoperability. “No Discrimination” means above all that the eight NATO members which are not EU members<sup>[18]</sup> are to be included as far as possible in EU-led operations if they so wish. These concepts make it clear that in the end the United States wants to remain *the* decisive factor of European security policy through NATO, and that it is willing to cede autonomy to the Europeans only inasmuch as this does not negatively influence the transatlantic interlocking, and thus also that the influence of the United States is not undermined.<sup>[19]</sup>

Two essential problem areas can be pointed out in connection with the “three D’s”: first, the development of permanent European structures that endanger the integrated NATO command structure, and second, the establishment of a European communication and decision-making centre which would prejudice the NATO

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essential forum for consultations” and “the framework in which they [members] agree on policies bearing on their security and defence commitments under the Washington Treaty”.

<sup>[14]</sup> Especially a country like Austria which is by far in the last place of the EU member states with its defence expense should refrain from raising respective demands here.

<sup>[15]</sup> See Dembinski, Matthias: Die Zukunft des politischen Westens. Zum Spannungsverhältnis zwischen europäischen und transatlantischen Strukturen in der Sicherheitspolitik. HSFK-Report 4/1999, pp. 20.

<sup>[16]</sup> See De Spiegeleire, Stephan: From mutually assured debilitation to flexible response: a new menu of options for European crisis management, in: WEU at 50, pub. by Institute for Security Studies of WEU, 1998, pp.18.

<sup>[17]</sup> See Gordon, Philip: New Developments in European Security: A view from Washington. The presentation was held in the course of the WEU parliamentary assembly on 15 June 1999 in Paris.

<sup>[18]</sup> Canada, the Czech Republic, Hungary, Iceland, Norway, Poland, Turkey and the United States.

<sup>[19]</sup> The Kosovo conflict is a good example for the interest assessment of the UNITED STATES. The UNITED STATES has certainly always made it clear that no particular national interests are to be defended there; when, in addition to the massive violations of human rights, also the credibility and the existence of NATO was concerned, it was even more willing to intervene.



Council.<sup>[20]</sup> The decision-making process in the framework of the EU is therefore affected by NATO's primacy. In addition, however, *de facto*, the coordination of national foreign and security policies among EU member states happens mainly outside the EU through traditional diplomatic relations. The Amsterdam Treaty now provides for a series of measures which are to permit coherent EU action. Under Title V, the European Council may adopt general guidelines for the CFSP (Article 12) and common strategies (Article 13), which shall be applicable in all pillars and binding for all member states. Having adopted common strategies, it will be up to the Council to implement them through common actions and positions. The first common strategy concerns Russia, the relevance of which has still to be evaluated. One key question will certainly be how Javier Solana will be able to combine the responsibilities of Secretary-General of the Council and those of High Representative for the CFSP (Article 18). Since the President of the European Council represents the EU in CFSP matters, it remains to be seen how "Monsieur PESC", whose function lies between the Council and the European Commission, will be able to establish the necessary authority to ensure the continuity and durability of the CFSP. Moreover, the Amsterdam Treaty substantially strengthens the European Council, a genuinely intergovernmental body in which the consideration of national interests is in the forefront.

Cologne specifically mentioned decision-making for EU-led Petersberg missions. For ensuring political control and strategic direction, the EU requires capacities for the analysis of situations, in the area of intelligence and strategic planning. In order to ensure this, the following detailed demands are made: regular (or *ad hoc*) meetings of the General Affairs Council with the inclusion of defence ministers; a permanent body (the Political and Security Committee) consisting of civil and military experts; an EU Military Committee which can express recommendations for the Political and Security Committee; an EU military staff as well as a situation centre; other facilities such as a Satellite Centre and an Institute for Security Studies.

It is expected that the above functions, which at present exist to a large extent in WEU, will probably be transferred to the EU by the end of 2000. One of the key questions will be the actual planning capacity of the EU military staff, and whether it will substantially extend beyond the present rather limited capacities of the WEU military staff. A further essential question arises in the area of intelligence. Up to now NATO and WEU have restricted dissemination of their intelligence product. WEU has been dependent on NATO intelligence, while also within NATO the flow of information from the United States to its European allies is not unrestricted. It is even harder to imagine that NATO would in future adequately provide the EU and thus also its non-NATO members with intelligence. On the other hand it is also questionable whether the EU member states are willing and able to establish appropriate intelligence capabilities outside NATO. Here too, substantial problems arise due to the different NATO, EU and WEU memberships.

The Cologne Declaration specifies, moreover, that European forces for crisis-management should be established, but that there should be no unnecessary duplication with NATO structures. Since the Franco-German summit in Toulouse at the end of May 1999, the EUROCORPS has been repeatedly mentioned as the core of

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<sup>[20]</sup> See Dembinski, Matthias, *ibid.*

a EU crisis-reaction force,<sup>[21]</sup> yet its degree of autonomy must be in question due to its assignment to NATO.<sup>[22]</sup> In the case of EU-led operations without the use of NATO assets, those national or multinational European forces are to be deployed which are provided for by the EU states and announced in the course of an audit. With regard to headquarters, this would mean the possibility to use an existing multinational command structure or a national headquarters that is in a position to integrate multinational structures. The central question in this area is their size and spectrum of use for exclusive EU operations. From today's point of view, a restriction to only the lowest part of the spectrum of Petersberg Tasks (humanitarian and rescue tasks) is probable. Actual planning capacities may probably also remain for the future either in SHAPE or in NATO's Combined Joint Planning Staff (CJPS), which is concerned with non-Article V operations.<sup>[23]</sup> Also here the key question is the possibility of developing purely European planning and command structures outside SHAPE. The latter option could be in the interest of the United States in cases where it cannot or does not want to participate in an operation if, for instance, it takes place in the border area of the Russian sphere of interest.<sup>[24]</sup>

Reference is made to reliance on NATO assets, both in the resolution of Berlin of 1996 ("separable but not separate") and in that of the Washington summit (points 9 and 10). In the course of several CRISEX-type exercises a list of those NATO assets which are to be placed at the disposal of WEU has been produced:<sup>[25]</sup> American assets such as logistics, transport aircraft and observation satellites; specific NATO assets like AWACS, NATO command assets, communications equipment, HQ (headquarters) or HQ-support elements. In particular, in Washington reference was made to the effect that EU access to NATO planning capacities in EU-led operations is to be ensured, and that the conditions governing the availability of NATO assets for such operations are to be defined. Whether and in what way this can be done, will, apart from the question of US interests, also depend essentially on Turkey. As a NATO member, Turkey is able to block W/EU access to NATO assets. The further development of the ESDI within NATO will therefore decisively depend on the clarification of Turkey's position in the framework of the European Security and Defence Policy (ESDP).

### Operational Aspects

From an *operational* point of view, the Petersberg tasks describe WEU's range of actions in the area of crisis management, since the EU will not be willing to go beyond that within the foreseeable future. Apart from conventional UN operations, like those in the initial phase of the Yugoslavia conflict or a NATO operation, with or

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<sup>[21]</sup> See "Bonn und Paris wollen europäische Verteidigung konkretisieren", in: APA215, 30 May 1999.

<sup>[22]</sup> See Neubauer Helmut: Das Eurokorps. Die Streitkräfte für Europa und die Atlantische Allianz, in: Wehrtechnik 1/99, pp.6-10.

<sup>[23]</sup> In the CJPS which not by chance is located at the Deputy SACEUR, the "post-neutrals" are not represented at present. Also, the "post-neutrals" are not represented in the military staff of the WEU which, however, has only limited planning capacities at its disposal.

<sup>[24]</sup> In the course of the Kosovo crisis it was pointed out repeatedly on the part of the Russians that there were no objections to a purely European operation but that objections were raised in particular against the role of the United States.

<sup>[25]</sup> See "The NATO Summit and its implications for Europe", Assembly of Western European Union, Document 1637, 15 March 1999, p.18.

without PfP partners,<sup>[26]</sup> there are in principle the following “European” possibilities for crisis-management:<sup>[27]</sup> *national options* are to be expected especially at the lower end of the Petersberg spectrum, for instance, in evacuation operations, but with WEU approval. *Ad hoc multinational* operations are exemplified by Operation ALBA in 1997 which, however, was mandated by the UN. Here the national command structure remained intact to a large extent, and national contingents operated side by side, and were coordinated rather than centrally led.

Aside from strategic and operational problems,<sup>[28]</sup> it has to be mentioned that both national and multinational *ad hoc* options, inasmuch as they are realized outside the relevant institutions, have a tendency to undermine the credibility of these institutions. From a European perspective, therefore, what is to be striven for is that, if there is to be no NATO operation, then in any case there must be a WEU operation (later on an EU operation), so that there are at present three variations feasible in theory: *WEU “Framework Nation” operations*,<sup>[29]</sup> *autonomous WEU operations* and *WEU-led CJTF operations*. The “Framework Nation” concept, often also called “lead nation” concept, is intended to allow the quick implementation of an operation by one country (the lead nation) by making the infrastructure and core elements of a headquarters or troops quickly available to WEU. In principle, the framework nation concept is to be regarded as a special case of autonomous WEU operations. Up to now, the analysis, planning and decision-making process has been done under the responsibility of the WEU Council, up to the principal decision to carry out an operation, the selection of a plan, a headquarters and a commander. With the forces deployed, the Transfer of Authority (TOA) from national command to WEU having taken place, the WEU Council exercises politico-military control over the commander until the decision to end the operation is made.

In future, in particular, these WEU functions are to be transferred to the EU; and in this respect one can also talk of W/EU operations outside NATO’s ESDI. Finally, in W/EU-led CJTF operations, an essential prerequisite is the willingness of the United States and Canada to cede NATO assets to WEU. A central question for WEU’s autonomy is therefore the extent to which NATO assets have to be used. If, for instance, only AWACS but no headquarters are used, one could also talk of an autonomous W/EU operation *with* NATO assets.<sup>[30]</sup> However, the most likely scenario might be a CJTF operation with reliance on at least one of the NATO headquarters, which would then also mean substantially more involvement of the NATO Council. Operations going beyond the lower end of the Petersberg spectrum will, for the time being, be dependent on the planning capacities of NATO staffs. A duplication of exactly these capacities would also be strongly objected to by the United States.

In this context several questions arise which are also of relevance for WEU Observer countries. For instance, how, with the full participation of the 15 member states, can

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<sup>[26]</sup> Examples for NATO operations without partner would be the operation “Deliberate Force” in the summer of 1995 in Bosnia-Herzegovina, or the operation “Allied Force” in the spring of 1999 against the Federal Republic of Yugoslavia. An operation within the framework of the NATO PfP would be the mission of IFOR or, respectively, of SFOR in Bosnia-Herzegovina since the fall of 1995.

<sup>[27]</sup> See De Spiegeleire, *ibid.*, pp. 22.

<sup>[28]</sup> See Jedlaucnik Herwig, Die Mission ALBA. Europäisches Krisenmanagement im Land der Skipetaren, in: ÖMZ, 4/1999, pp. 425.

<sup>[29]</sup> See WEU Council of Ministers Paris Declaration, Paris 13 May 1996.

<sup>[30]</sup> See De Spiegeleire, *ibid.*, p. 29.

W/EU planning processes be integrated into NATO's planning process, and how in this case can the WEU Observers in particular be integrated. Experience so far - in the course of exercises - has not been very encouraging for WEU Observers, who are also required to provide forces. Since participation in Petersberg missions is not obligatory, the provision of as large as possible a "pool of forces" is of special importance in order to be able to build up the required forces as necessary. It can be assumed at present that for most so-called "illustrative missions" - which have been worked out by WEU on a planning basis and cover most types of Petersberg missions - sufficient assets (especially troops) are available. Here, the key question remains whether - regarding CJTF headquarters, command, communication and intelligence resources - the United States would support W/EU in the same way it supports NATO operations. If so, the next question would be whether the United States would place these assets and capabilities under the ultimate authority of W/EU in regard to planning and deployment.

Although the WEU treaty itself does not specify any geographic limitation, regions of strategic interest are listed in WEU's "Common Concept" on European Security of November 1995: Central and Eastern Europe, South-Eastern Europe, the Mediterranean region, and the CIS; Africa is referred to only as an area of interest, Asia and the Pacific as regions with which Europe shares a series of interlocking security interests; and, finally, Latin America is mentioned, but as a region with a common cultural heritage and where only some individual states have specific security interests.<sup>[31]</sup> For the time being, the result is that planning scenarios which provide for the deployment of armed forces should most probably be limited to Central, South-Eastern, to some extent also Eastern Europe and the Mediterranean. In certain circumstances, evacuation operations could also be possible, for instance in Africa.

The theoretical scope of W/EU operations for which basic planning must be worked out can be seen from the six so-called "illustrative missions" from the lower end of the Petersberg range of missions, for instance, as a smaller brigade-sized humanitarian support mission, up to a larger operation at the upper end of this spectrum.<sup>[32]</sup> As an example, a division-plus-sized deployment for the separation of conflicting parties in the region of approximately 85,000 troops is cited, where the mission could be carried out at a distance of up to 6,000 km and for a duration of up to one year.<sup>[33]</sup>

The specific scope of W/EU operations seems extremely limited at present, as is evident from various examples in former Yugoslavia.<sup>[34]</sup> One of the key questions for the development of autonomous European actions is the provision or creation of autonomous European military capacities that are capable of multinational operations outside NATO. Aside from appropriate headquarters this refers, above all, to an intervention force, where the EUROCORPS is repeatedly mentioned. At present,

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<sup>[31]</sup> See Extraordinary Council of Ministers Declaration: European Security: a Common Concept of the 27 WEU Countries, Madrid, 14 Nov. 1995.

<sup>[32]</sup> The so-called "Mission Profiles" include "Conflict Prevention", "Assistance to Civilians", "Guarantee and Denial of Movement", "Imposition of Sanctions" and "Containment and Separation of Parties by Force".

<sup>[33]</sup> See De Spiegeleire, *ibid.*, pp. 21.

<sup>[34]</sup> See Clement, Sophia: WEU and South-Eastern Europe, in: WEU at 50, pub. by Institute for Security Studies of WEU 1998, p. 93.

troops from Belgium, France, Germany, Luxembourg and Spain participate in this force, which was of course conceived at the time of the Cold War for the requirements then and which now needs to be adjusted to the new requirements.<sup>[35]</sup> In particular, quickly available German and French crisis-reaction forces could be placed under the command of an a restructured EUROCORPS which could then be at the disposal of both the EU and NATO. In general, for the strengthening of the EU's military capacities, increasing attention is given to the definition of so-called "convergence criteria". Since this idea was proposed especially by the British, EU foreign ministers, in the course of an informal meeting at the end of May in Bonn, initiated a working group to develop concepts. According to the British concept, the proportion of the national budget for procurement, research and development devoted to defence is to be fixed at 40 per cent, the total armed forces are to be reduced to 0.3 per cent of the population, which in many cases would mean abandoning conscription; defence budgets would in no case be reduced any further, and certain quotas of national forces would have to be defined which could be called upon for "out-of-area" missions.<sup>[36]</sup> Especially the last requirement largely conforms to the demand for autonomous European armed forces as voiced in the context of the EU. The extent to which the establishment of military convergence criteria will be feasible within the framework of the EU is not at all clear at present. However, it can be assumed that the "post-neutrals" in particular will view this development at least with reservations. If, however, like the Euro- and Schengen-zones, an area of defence integration also came into being within the EU, this would without doubt increase pressure on the "post-neutrals" to participate. In the British concept the idea that individual nations specialise in specific areas of armed forces in order also to achieve respective savings is remarkable. The price for the integration of armed forces forced in this way would, however, be that larger operations would no longer be possible within the national framework, which would massively impact on national sovereignty in the most decisive area. Attractive as this idea might be for the smaller states, resistance by the larger EU and NATO states on this point could be expected. It would be interesting to see a development in which those NATO states that are also EU members decide on such integration within the EU. Would the "post-neutrals" within the EU then renounce military integration in favour of remaining sovereign?

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<sup>[35]</sup> See FN 24.

<sup>[36]</sup> See Heisbourg, Francois: The EU needs defence convergence criteria, in: CER Bulletin of June/July 1999. See also Grant, Charles: European defence post-Kosovo, CER working paper 1999.

# AUSTRIA'S SCOPE FOR ACTION FROM AN AUSTRIAN VIEWPOINT

## The Legal Basis

“Classic neutrality” has been substantially restricted already for some time due to Austria’s membership of the United Nations and its participation in NATO’s Partnership for Peace; above all, however, due to its membership of the European Union. In spite of formal continuance of the law on neutrality, Austria - since 1 May 1999, the day the Amsterdam Treaty came into force - is no longer obliged to observe neutrality stipulations with respect to the CFSP. Austria, like Finland, Ireland and Sweden, must now be designated an alliance-free state.<sup>[37]</sup> The amendment to the federal constitution that came into force simultaneously on 1 May 1999, provides that Austria can participate in the tasks referred to in Article 17, para. 2 of the Amsterdam Treaty, as well as in measures “with which economic relations with one or several other countries can be halted, restricted or fully restricted”.<sup>[38]</sup> There thus remains rather a “neutrality à la carte” or a “residual function” of neutrality in all those areas in which the EU or the UN are not involved. Also, the relevant national norms for participation in a peace operation were, above all, defined by the amendment to the constitution on “cooperation and solidarity in sending units or individual persons abroad” passed in 1997, (KSE-BVG)<sup>[39]</sup>. In its current wording, this law provides that Austria can at present participate in all the “Petersberg tasks”.<sup>[40]</sup> It is also possible for Austria, in the NATO context, to participate fully in operations as provided for in the “enhanced PfP”, therefore in peace enforcement in a NATO context too. It is entirely at Austria’s discretion whether it participates in a UN, W/EU, NATO or OSCE peace operation.

## Political Application

Not only the practice, exercised for decades, of participation in UN peacekeeping operations (Actions according to Chapter VI of the UN Charter), but also the granting of overflight and transit rights in the course of the second Gulf war at the beginning of 1991 (which were coercive measures according to Chapter VII of the UN Charter) clearly showed that Austria has always subordinated its neutrality status to the resolutions of the UN Security Council. It is worth mentioning that Austria is a participant both in the SFOR mission in Bosnia-Herzegovina and in the KFOR

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<sup>[37]</sup> See Reiter, Erich: Zur Korrektur der Entwicklung der sicherheitspolitischen Diskussion in Österreich. Brochure pub. by Bundesministerium für Landesverteidigung (ministry of defence), Vienna, August 1999, pp.7. For clarification of definition, see *ibid.*: “Ad hoc neutrality is only observed in case of war and continuous neutrality means that a country will remain neutral in any war and therefore, in times of peace, behaves in such a way that it can in fact remain neutral in case of war.” Since Austria’s legal status does not any longer conform to the prerequisites of neutrality according to international law and policy practiced not any longer to a policy of neutrality, as a consequence of a legal neutrality status, Austria has to be designated as alliance-free state.

<sup>[38]</sup> Artikel 23f. BVG, BGBl Nr. 83/1998 (amendment of the Austrian constitution).

<sup>[39]</sup> BGBl. Nr.38/1997 i.d.F. BGBl.Nr. 30/1998 (amendment to the Austrian constitution).

<sup>[40]</sup> Humanitarian and rescue tasks; peacekeeping tasks; tasks of combat forces in crisis management, including peacemaking. The meaning of peace making in the context of the WEU is equal to peace enforcement as used in U.N. and NATO terminology.

mission in Kosovo, with one contingent in each, although these are NATO-led operations of which the security mandate is based on Chapter VII of the UN Charter. Peace enforcement operations - as experience from the last few years shows - will also in future be carried out not under UN command, even if mandated by the UN, but by individual regional organisations or *ad hoc* alliances. Austria's participation in UN operations will therefore also in future be limited to classic "peacekeeping missions". More robust peace operations in the European context will, depending on the situation, be carried out either within the framework of NATO and, increasingly also of W/EU, or in the context of a lead nation operation mandated above all by the UN, as was shown by the Italian-led Operation ALBA, in which Austria also participated. The probability of future missions like ALBA is difficult to assess; however, there is reason to suppose that carried out in the European context will rely on appropriate structures: NATO or W/EU. Since the OSCE as a regional arrangement according to Chapter VIII of the UN Charter cannot decide on operations of a coercive nature without the authority of the Security Council, its military concepts are in principle restricted to classic peacekeeping operations. Indeed, it currently sees its mission in the civil area of conflict management, of CSBM (Confidence and Security-Building Measures) and arms control.

NATO's Partnership for Peace in the meantime offers a very important framework which allows the partner states, including Austria since 1995, the possibility of participation in peace operations. Of course, decisions are made by the North Atlantic Council and the partner states are only informed or consulted. Therefore, the specific area of participation for the partner countries according to NATO guidelines is given only after the respective decisions have been made in NATO. Since in principle "robust forces" are planned for the management of peace operations by NATO, they will most often be used according to Chapter VII of the UN Charter. Finally, the "enhanced PfP" decided upon in May 1997 explicitly provides for the total spectrum of peace operations, and therefore also "military combat missions under varying topographic and climatic conditions". According to the decision of the Austrian federal government of November 1998, Austria participates in the enhanced PfP.<sup>[41]</sup>

In line with prevailing political practice, Austria's participation in a PSO (peace support operation) has been made dependent on authorization by the UN or the OSCE. Whether in future a resolution within the framework of the EU will suffice cannot be assessed, even though this is a key question. For W/EU-led operations a change in position may be possible in such a case; for pure NATO non-Article 5 operations which are not mandated by the UN, doubts have to be raised for the time being. Here Austrian policy may be faced with serious issues in any case, considering the continuing neutrality policy reservations. A typical example of this was the NATO air strikes against the Federal Republic of Yugoslavia (FRY) in the spring of 1999, when Austria refused to grant use of its airspace for reasons of neutrality. The example of Austria's participation in KFOR after the end of the NATO air raids in Kosovo also clearly shows its commitment to UN Security Council resolutions and the inclination for engagement in the framework of classic peacekeeping operations. The deployment of Austrian troops should only take place after the parties to the conflict have concluded an agreement.

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<sup>[41]</sup> See Erläuterungen zum KSE-BVG (legal interpretations of the KSE-BVG).

## ***Ad hoc* Solidarity in Crisis Management, No Solidarity regarding Common Defence**

The current political position of the federal Government, which has up to now been legitimized with pseudo-neutrality policy arguments, thus denies Austria any participation in common defence (Article 5 or V, of, respectively, the NATO or WEU treaty) or PSOs in the framework of NATO or W/EU not mandated by the UN or OSCE, at least according to the most recent political interpretation. The latter cases would probably be those in which the EU states, in concert with the United States or in future also alone, were willing to use armed force for the protection of vital European interests and in accordance with the UN Charter. Whether Austria will also participate in W/EU missions that do not have a UN or OSCE mandate will be one of the key political – rather than legal - questions of the future.

Since the resolutions of Cologne, like NATO's Strategic Concept, provide *inter alia* for PSOs without UN or OSCE mandate - which has been accepted by the "post-neutrals" - it follows that in general those countries can participate in peace operations in the framework of W/EU that are not based on a UN or OSCE resolution if they so wish. Neutrality status is thus no obstacle to such an EU resolution. At least from an Austrian point of view, by acceptance of the EU as a quasi mandate-issuing organisation, a further substantial cut in "residual neutrality" is to be noted. Above all, in principle the "post-neutrals", like all other EU states, have been given the possibility of not blocking a resolution for important political reasons. Of course, resolutions in the context of Title V of the TEU are in principle to be made unanimously, however, according to the stipulations of the Amsterdam Treaty the members now have the option of "constructive abstention" (TEU Article 23, TEU para.1). When a resolution is passed in this way, the state abstaining is obliged, in the sense of mutual sovereignty, to refrain from anything that could impact or prevent EU actions. In principle, however, every member state has the right to veto resolutions that require unanimity, and this in any case includes resolutions with defence policy implications. Whether, however, the mere raising of neutrality arguments would be met with political acceptance for the prevention of EU actions within the Union is more than questionable.

Also in the case of "constructive abstention" for "neutrality policy" reasons, time will show to what extent neutrality principles can be maintained, since EU actions must not be prejudiced. Neutral behaviour may in the context of the EU become obsolete, since both the carrying of resolutions, which also includes "constructive abstention" as well as the prevention of a resolution by use of the veto contradict neutral behaviour in any case. In principle, such behaviour is also in contradiction with the idea of solidarity. Where qualified majority resolutions are possible (only with those having no defence policy or military implications), it is also questionable, to what extent pure neutrality viewpoints will be accepted, if, as Article 23 para. 2 provides, for important reasons of national policy the intention is expressed to veto a resolution, and then no vote is taken. From a purely legal viewpoint, however, the "post-neutral" states' margin for action would remain intact in principle, since due to the lack of jurisdiction of the European Court of Justice in TEU Title V matters, blocking cannot



be challenged. However, over time - and this is decisive - problems of political acceptability might arise.

Thus the present wording of the TEU raises no serious problems for the “post-neutrals”. However, “residual neutrality” will tend to be incompatible with the general objectives and philosophy of the CFSP. This applies not only to the *de facto* limited possibility of participation in the area of crisis-management – because of non-membership of WEU and NATO - which is certainly of the greatest relevance, but also above all to common defence, inasmuch as the adoption of an assistance obligation has so far failed due to resistance by the “post-neutrals”, and is presently undertaken exclusively within NATO.<sup>[42]</sup> Austria therefore claims its full right to political participation as a member of the EU yet without being in a position to back this claim with appropriate military participation.

This Austrian position might also become a problem if the ESDI is taken to the point where there is a direct dialogue between the EU and the United States. It would then be for Brussels and Washington to determine in which forum a crisis should be dealt with. Such a move of the framework for decision-making might be desirable for Austria, since it would offer participation at the highest possible level by reducing NATO’s role. However, in this case the question arises as to the legitimacy of the Austrian claim to participate in decision-making as, like all “post-neutral” countries, and unlike the majority of EU members, it is not included in NATO’s decision-making structures. Thereby the “post-neutrals” could be placed in a position where they could participate, via the EU, in decision-making at the highest possible politico-strategic level on NATO missions in which they cannot themselves participate or do not wish to participate.

On the other hand, this problem also shows that it cannot be in the interest of some European NATO states, but above all in the interest of the United States, to downgrade NATO in favour of the EU in the decision-making process. This in turn means that non-NATO members will remain excluded from the crucial decision-making body, the North Atlantic Council. The latter body then either refers to participation in a NATO operation within the scope of the PfP or participation in a W/EU European-led operation, whose principal politico-strategic determining factors have been previously defined in the NAC. The unpredictability and abstention of the “post-neutrals” in European defence matters is not understandable, at least from the viewpoint of the European members of NATO and WEU, in spite of diplomatic public statements, and produces scepticism *vis-à-vis* Austria’s reliability in foreign and security policy issues.<sup>[43]</sup>

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<sup>[42]</sup> According to the opinion of the Österreichische Volkspartei (Austrian ‘people’s’ party), which at present fills the positions of foreign and defence minister, NATO membership as well as adoption of the assistance obligations in the EU treaty are aspired to. In his own words foreign minister Schüssel argued: “He who looks for protection by international solidarity must also make a contribution himself”. Therefore he would argue for a European assistance agreement and “that we Austrians - in the interest of our own security - stand for a European assistance obligation and adopt it also ourselves.” Die Presse, 31 August 1999, p.1.

<sup>[43]</sup> During a longer research sabbatical at the WEU Institute for Security Studies in Paris the author was able to verify this assessment persistently. Not least, in the course of the 45th meeting of the WEU assembly in mid-June of 1999 in Paris the reservations *vis-à-vis* the WEU observers, that is above all *vis-à-vis* the neutral states, were voiced clearly.

Also, in the execution of a PSO problems may arise due to Austria's political practice resulting from its tradition of neutrality, which may raise doubts regarding the reliability but also the usability of Austrian contingents.<sup>[44]</sup> Current and predictable crisis-management scenarios in particular show that classic peacekeeping operations (characterised by agreement of the parties in conflict, implementation of an arrangement, impartiality, etc.) are rather the exception and that, on the contrary, due to the high potential for escalation of conflicts in which PSOs are taking place at present, "robust" operations are becoming the norm. The perceived capability of peacekeeping troops to meet any possible escalation by superior forces from the beginning not only requires the deployment of appropriately "heavy" forces but also an adequate mandate with suitable rules of engagement. The progression from the use of weapons for self-defence to their use for peace enforcement can happen quickly and, in extreme cases, even the extension up to a war scenario would be feasible, when the task could become an Article V mission. Of what political and military value would a contingent be that, in accordance with national regulations, was debarred from participation in an operation and had to be withdrawn? An example is the withdrawal of the Finnish-Swedish UN contingent from Macedonia in the central phase of the Kosovo crisis in the autumn of 1998, when the UN mandate was not extended any further and the NATO Extraction Force replaced the UN force in Macedonia.<sup>[45]</sup> For Finland, participation in this contingent was not possible, and it is fully aware of limitations resulting from neutrality and is in the meantime working on a change in the law gradually to extend its scope of action.<sup>[46]</sup>

An essential threshold to participation in peace operations that needs to be passed at least by Austria is a willingness to send combat troops to participate in combat operations. Independent of the mandate issue, the rules of engagement and in particular the rules on weapons use, which are in the end nationally decided, determine the actual range of options for participation in peace operations. Here Austria's usual position, that it will take part in a PSO only when it concerns the implementation of a peace agreement and not peace-making, may perhaps even in the medium term no longer be sustainable *vis-à-vis* those states which have to bear the dangers and burdens of enforcement operations. Here, not only the example of the NATO air raids against the Republika Srpska in the summer of 1995 and against the FRY in the spring of 1999 should be mentioned but also the beginning of the KFOR mission in June 1999 when, in the difficult phase of moving into Kosovo, the requirement was to fill the power vacuum and establish a basis for security and order.<sup>[47]</sup> Presumably, the assumption that today, as a matter of course, for instance American, British, French and, in the meantime, also German troops undertake these difficult and risky missions in order to in the end also establish the conditions for deployment of less willing or capable armed forces, e.g., those of Austria, will not be

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<sup>[44]</sup> See N.N.: Politische Aspekt zum Einsatz österreichischer Soldaten im Kosovo, in: Der Offizier 3/1999, pp. 6.

<sup>[45]</sup> The ending of the U.N. mandate was not a consequence of the escalation in Kosovo but of the veto of the Republic of China because Macedonia had recognized Taiwan as a sovereign state before.

<sup>[46]</sup> See Glogan, Tim: Interview mit dem finnischen Verteidigungsminister Jan-Erik Enestam, in JDW , 23 June 1999, p.32.

<sup>[47]</sup> See Feichtinger, Walter and Gustenau, Gustav E.: Das Ende der Operation Allied Force. Eine erste Bewertung, in: ÖMZ 5/1999, pp. 621.

accepted forever. Solidarity will also have to mean a willingness to run risks together in the whole spectrum of missions.<sup>[48]</sup>

### **Limited Military Options in the Framework of European Crisis Management**

Given the present state of Austria's integration into the Euro-Atlantic structures, but also as a consequence of the real capacities of its armed forces, there are serious limitations to Austria's participation both in the decision-making and planning process as well as in specific military operations.

The voting process on whether a NATO operation takes place at all and to what extent the participation of partners is possible, has taken place up to now within NATO, where US predominance is to be assumed. NATO will first analyse a situation and then decide whether it feels it has responsibility.<sup>[49]</sup> Should this result in an operation executed exclusively by NATO, be it for the defence of the Alliance or for European crisis management, Austria is not in a position to participate in the decision-making process as it is not represented in either the political or the military planning bodies. The NATO air strikes against the FRY in the spring of 1999 showed that the "post-neutrals" could not only not influence this phase of crisis management, which at least militarily had entirely passed to NATO,<sup>[50]</sup> but also, in the case of Austria, obstructed it by the refusal to allow its air space to be used by adopting a position of neutrality. In this context the agreement of the Austrian federal chancellor to NATO air attacks expressed in the EU Council seems odd and shows the contradictions of Austrian foreign and security policy.<sup>[51]</sup>

Options for participation in the framework of NATO PfP peace operations are limited to partial tasks which are offered by NATO and which take place under either one of the leading NATO commands in the operation, as in Bosnia-Herzegovina, or of a lead nation, usually a larger NATO nation, as in Kosovo, where the Austrian contingent is under command of the German brigade. In WEU-led operations under the political direction and strategic control of the EU, the "post-neutrals" at present have the advantage of full political participation and the option, at any time, to declare an "intention to contribute" to the operation.<sup>[52]</sup> From now, full participation in the WEU planning process should also be made possible. In order to ensure this, a Dedicated Planning Cell Unit (DPCU) is to be established at the military headquarters, more precisely outside the military headquarters in a restricted security area, to include observers in the planning.<sup>[53]</sup> Experience gained in exercises up to now has not been very satisfactory, at least from an Austrian viewpoint.

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<sup>[48]</sup> The rules of engagement for the Austrian contingent in the framework of KFOR are, for instance, substantially different from those of the German contingent under whose command the Austrians are placed. For the Austrian soldiers, the weapon use rules are valid without exception only in the case of self defence and in case of emergency assistance, for instance, for the unarmed Swiss soldiers under their command.

<sup>[49]</sup> Dembinski, *ibid.* p.37.

<sup>[50]</sup> Naumann, Klaus: Kosovo-Modell für die Zukunft. The essay is with the author and will be published in the near future by Hase und Köhler in the framework of a collection of essays.

<sup>[51]</sup> Gustenau, Gustav E., *Das Neutralitätsdilemma in: ASMZ.* 6/1999, pp. 11.

<sup>[52]</sup> See Declaration of the WEU Council of Ministers (CM (97) 50), Erfurt, 18 November 1997.

<sup>[53]</sup> See Declaration of the WEU Council of Ministers (CM (98) 33/2), Rome, 16 November 1998.

Last but not least, Austria's options are severely reduced, due to its limited military capabilities. Apart from the question of the political will to participate in the full spectrum of Petersberg missions or in PSOs in the framework of the enhanced PFP, there is also a lack of suitable troops for combat operations. Austria's long tradition of participation in UN peacekeeping operations and the country's force structure, with its strong civil defence component, have up to now not led to the creation of mainly professional units that would be especially suitable for combat operations abroad. Taking into account troop rotations, since such special units cannot be deployed too often, there are also objective limits resulting from the small size of the country. In present circumstances it is, for instance, hardly conceivable that a full brigade could be maintained for missions abroad. Here, alternative models, for instance in the form of regional cooperation, have to be found, as is being tried, for instance, in the framework of CENCOOP.<sup>[54]</sup> It should however be pointed out that these units are at present rather unsuitable for combat operations.

Finally, specialisation in certain arms would be a possible way of permitting participation in the full spectrum of PSOs. With regard to Austria, mountain troops, logistics units and medical units are mentioned frequently. Attractive as such specialisation may seem because of the low cost, the danger arises that these units are requested too frequently, and that Austria, whether it wants to or not, would be participating in almost every PSO.

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<sup>[54]</sup> Die Central European Nations Cooperation on Peace Support shall comprise a brigade sized unit, which shall deploy contingents tailored to the event in PSOs. Apart from Austria, on whose initiative the unit was created, Slovakia, Hungary, Slovenia, Romania, and, to an initial extent, also Switzerland participate in this initiative.

# CONCLUSION

Essential prerequisites for effective crisis management include the early detection of a crisis and its determining factors, the definition of a strategy for the management of the crisis, and its implementation. At the level of the EU or NATO, this means achieving not only a consensus but also the willingness to deploy and use forces. For Austria, as for any state in the Euro-Atlantic security community, this presents a double challenge. On the one hand, it has to decide whether to act with respect to the current crisis, and on the other side, it has to define its position in the framework of the leading institutions.

Consequently, there appear to be a number of specific points that Austria should consider.

- If Austria, as has been clearly shown, is no longer neutral within the framework of the UN and now also the CFSP, then a “residual neutrality” remains in the sense of a political position, above all with regard to all cases of collective defence and NATO non-Article 5 operations not mandated by the UN or OSCE. On the general political level, therefore, there is a need for quick clarification, transparent to the outside and internally, of the Republic’s position regarding security policy.
- If European solidarity is to have a true meaning, it must ultimately include collective defence, and therefore Austria’s acceptance of obligations under Article V of the modified Brussels Treaty. Due to the overlapping of WEU and NATO, de facto this requires full membership of NATO.
- It will be difficult for Austria to evade the issue of non-UN mandated NATO non-Article 5 operations. In no case should neutrality arguments be used as a pretext to block such operations if they are justified or necessary.
- Although Austria aspires to full and equal participation in the EU political area, it does not regarding NATO’s decision-making processes or its military planning and command structures. It therefore only has a right to involvement at the lowest level of Petersberg tasks. However, it is precisely cases above this level that have the greatest relevance for European and thus also Austrian security. If, therefore, Austria wishes to participate in these, this will only be possible as a full member of NATO.
- It must become an imperative of Austrian policy that actions in the framework of the CFSP are not in any case prevented purely on the basis of neutrality. If Austria does not wish to participate in an action, the right to “constructive abstention” is to be used.
- In the framework of the structural adjustments now planned following the Cologne Declaration, first the opportunities for participation of the “post-neutrals” in the framework of the W/EU processes should improve, since in the new institutions an equivalent status is provided for. The new capabilities shall in particular comprise:

- Decision-making
- Analysis of situations
- Intelligence
- Strategic planning

Austria has an obligation to implement the Cologne resolutions. It needs to participate in a constructive way in setting up and running the institutions that are required: the Political and Security Committee, the EU Military Committee, the EU Military Staff, the Situation Centre and the Satellite Centre.

- Finally, it will be necessary to adjust the structure of the armed forces in Austria in such a way that participation is possible in combat missions and thereby increase Austria's political room for manoeuvre. In this context, too, adjustments to the law are required. This should in future also permit participation in European crisis prevention forces, for instance, in the EUROCORPS once it is restructured as a rapid intervention corps, e.g., along the lines of NATO's Allied Command Europe Rapid Reaction Corps (ARRC).

In conclusion, for the "post-neutrals" a picture is emerging that is only superficially satisfactory. If solidarity is to be taken seriously, this means that some further steps still have to be taken towards the adequate acceptance of political responsibility, and the preparedness to provide material and personnel and, ultimately, also risks and losses.