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NATO's evolving purposes and the next Strategic Concept

DAVID S. YOST*

This article examines how NATO's purposes have changed since the end of the Cold War. The current Strategic Concept dates from 1999 and the allies intend to approve a new one at the NATO summit to be convened in Portugal in late 2010. The most fundamental issue in the new Strategic Concept will be the definition of the alliance's essential purposes, including the core function of collective defence. Although the alliance has assumed many new functions since the early 1990s, the fundamental imperative of collective defence has persisted. However, owing in part to new threats and technologies, new types of collective defence and security challenges are at hand. The allies will have to muster political will and vision if they are to meet them effectively.

The historical approach to analysing NATO's evolving purposes has been to draw a contrast between the alliance's basic aims during the Cold War and the additional functions it has assumed since the Cold War came to an end in 1989–91. This article takes note of this contrast and goes beyond it by raising three questions.

First, to what extent is there a conflict or tension between the alliance's original and enduring purpose of collective defence and its post-Cold War crisis management functions? The article suggests that the dichotomy between expeditionary and territorial defence capabilities has been overstated. The continued development of expeditionary capabilities is a priority for both collective defence and crisis response contingencies.

Second, how—and to what extent—have the allies given new meaning to their collective defence commitments? Without in any way abandoning the traditional meaning of collective defence (protection of the national territory of allies against 'armed attack'), the allies have in some circumstances blurred the distinction between Article 5 (collective defence) and non-Article 5 missions. They have, for example, extended security commitments to non-allies, notably during the 1999 Kosovo conflict; welcomed the participation of non-allies in an Article 5 mission (Operation Active Endeavour in the Mediterranean); and conducted a

* The views expressed are the author's alone and do not represent those of the Department of the Navy or any US government agency. An earlier version of this article appeared as a chapter in Bram Boxhoorn and David den Dunnen, eds, *NATO's new Strategic Concept: moving beyond the status quo?* (The Hague: Netherlands Atlantic Association, 2009). Thanks are owed to those who commented on earlier drafts of this article, including Patrick M. Condray, Rod Fabrycky, Jesse Kelso, George McCaffrey, James Clay Moltz, Kestutis Paulauskas, Joseph Pilat, Alberto Rosso, Michael Rühle, Diego Ruiz Palmer, Colin Stockman, and Roberto Zadra.

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nominally non-Article 5 mission (leading the International Security Assistance Force in Afghanistan under UN Security Council mandates) in order to prevent the re-emergence of an Article 5 threat. Moreover, some experts have discerned a tendency towards a certain 'deterritorialization' of the alliance's collective defence mission in conjunction with the emergence of a more 'proactive' and anticipatory concept of Article 5 requirements. Other issues also illustrate the changing dimensions of collective defence—missile defence, cyber-warfare, space operations, the risk of state-sponsored terrorism involving weapons of mass destruction (WMD), political–military dynamics in the Middle East and the Asia–Pacific region, and the risk of a non-Article 5 operation becoming a collective defence contingency.

Third, do the allies have the vision and political will to rise to the new challenges? Despite their disagreements over security priorities and the shortfalls in their defence efforts, with political leadership they may yet demonstrate that they have the imagination and determination necessary to meet their responsibilities.

NATO's purposes during the Cold War and after

The two main Cold War purposes of the Atlantic alliance were recalled in a classic formulation in the 1967 Harmel Report. The first purpose was to maintain sufficient military strength to deter aggression and attempts at coercion, to defend the allies in the event of aggression, and 'to assure the balance of forces, thereby creating a climate of stability, security and confidence'. Fulfilment of the first purpose—the collective defence mission expressed in Article 5 of the 1949 North Atlantic Treaty—would create a reliable basis for the second: 'to pursue the search for progress towards a more stable relationship in which the underlying political issues can be solved'.[1] In practice during the Cold War the second function meant that the NATO allies pursued dialogue and arms control negotiations with adversaries to the east. The allies nonetheless articulated a longer-term vision: 'The ultimate political purpose of the Alliance is to achieve a just and lasting peaceful order in Europe accompanied by appropriate security guarantees.'[2]

Since the Cold War came to an end in 1989–91, the allies have retained the traditional purposes of the alliance and have taken on additional roles.[3] In the 1999 Strategic Concept the allies listed five 'fundamental security tasks':

[1] The Harmel Report, named after Pierre Harmel, a Belgian foreign minister, was formally entitled 'The future tasks of the alliance', report of the Council, ministerial communiqué, North Atlantic Council, 13–14 Dec. 1967. The passages cited are found in para. 5. The document is available at http://www.nato.int/cps/en/natolive/official_texts_26700.htm, accessed 21 Jan. 2010.

[2] Harmel Report, para. 9.

[3] This article focuses on the alliance's external functions. Although NATO's internal functions in support of international security and the interests of the allies may be categorized and defined in various ways, at least eight have been identified: maintaining US engagement in European security; resolving intra-European security dilemmas; reassuring Germany's neighbours and allies; limiting the scope of nuclear proliferation in NATO Europe; promoting a certain 'denationalization' of defence planning; providing a forum for the coordination of western security policies; supplying economic benefits to all the allies; and encouraging and legitimizing democratic forms of government. For background on these internal functions, see David S. Yost, *NATO transformed: the alliance's new roles in international security* (Washington DC: United States Institute of Peace Press, 1998), pp. 50–72.

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- **Security**: To provide one of the indispensable foundations for a stable Euro-Atlantic security environment, based on the growth of democratic institutions and commitment to the peaceful resolution of disputes, in which no country would be able to intimidate or coerce any other through the threat or use of force.
- **Consultation**: To serve, as provided for in Article 4 of the Washington Treaty [that is, the North Atlantic Treaty], as an essential transatlantic forum for allied consultations on any issues that affect their vital interests, including possible developments posing risks for members' security, and for appropriate coordination of their efforts in fields of common concern.
- **Deterrence and Defence**: To deter and defend against any threat of aggression against any NATO member state as provided for in Articles 5 and 6 of the Washington Treaty.

And, in order to enhance the security and stability of the Euro-Atlantic area:

- **Crisis Management**: To stand ready, case-by-case and by consensus, in conformity with Article 7 of the Washington Treaty, to contribute to effective conflict prevention and to engage actively in crisis management, including crisis response operations.
- **Partnership**: To promote wide-ranging partnership, cooperation and dialogue with other countries in the Euro-Atlantic area, with the aim of increasing transparency, mutual confidence and the capacity for joint action with the alliance.[4]

The ambitious 'security' purpose, as defined above, is consistent with the Harmel Report vision of 'a just and lasting peaceful order in Europe accompanied by appropriate security guarantees'. The tasks of 'consultation' and 'deterrence and defence' also represent continuity with the purposes articulated by and for the alliance during the Cold War.

The 'crisis management' purpose, however, has constituted a significant departure from Cold War assumptions as to NATO's role. Indeed, even in the 1991 Strategic Concept, written at the beginning of the post-Cold War era, the Alliance declared that 'none of its weapons will ever be used except in self-defence.'[5] The allies did not anticipate that in the following year they would begin to engage in a wide range of demanding non-Article 5 operations in the Balkans. Operations of this kind, which the allies have also been carrying out in Afghanistan since 2003, have been given various names, including crisis management, crisis response, stabilization operations and peace operations. In these operations the allies have pursued what they have since 2006 called a 'comprehensive approach'. This approach has involved improved marshalling of the range of crisis management tools within NATO, plus extensive coordination with local authorities

[4] North Atlantic Council, Strategic Concept, 24 April 1999, para. 10, available at http://www.nato.int/cps/en/natolive/official_texts_27433.htm, accessed 21 Jan. 2010.

[5] North Atlantic Council, Strategic Concept, 7–8 Nov. 1991, para. 35, available at http://www.nato.int/cps/en/natolive/official_texts_23847.htm, accessed 21 Jan. 2010.

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and other international organizations, particularly the United Nations and the European Union, as well as a large array of non-governmental organizations and partner countries, including Australia, Japan, New Zealand and South Korea.[6]

The 'partnership' purpose, like that of 'crisis management', can be seen as supportive of the long-term 'security' vision. The allies have developed partnership policies to consolidate democratic progress in post-Cold War Europe. More broadly, they have reached out to former adversaries and other non-NATO countries in the Euro-Atlantic region and beyond via the Partnership for Peace, the Euro-Atlantic Partnership Council, the Mediterranean Dialogue, the Istanbul Cooperation Initiative and other cooperative frameworks in order to pursue shared political and security objectives. Through outreach, partnership and enlargement the allies have pursued the goal of creating what the 1999 Strategic Concept called 'a just and lasting peaceful order in Europe'—a phrase borrowed from the 1967 Harmel Report.[7] Moreover, partner countries have contributed substantially to the conduct of NATO-led non-Article 5 operations in the Balkans and Afghanistan.

Since the end of the Cold War the allies have given NATO three additional functions:

- opposing the proliferation of WMD;
- supporting EU-led crisis management operations; and
- serving as a general 'toolbox' for ad hoc security operations.

The North Atlantic Council first referred to WMD proliferation as one of the 'new security risks and challenges of a global nature' facing the alliance in 1990.[8] The Allies referred to WMD proliferation as a risk for 'Alliance security interests' in the 1991 Strategic Concept,[9] and pointed out in the 1999 Strategic Concept that it 'can pose a direct military threat to the Allies' populations, territory, and forces'.[10] In the same document the Allies stated that 'The Alliance will enhance its political efforts to reduce dangers arising from the proliferation of weapons of mass destruction and their means of delivery.' The Allies added that, 'By deterring the use of NBC [nuclear, biological and chemical] weapons', NATO's forces 'contribute to Alliance efforts aimed at preventing the proliferation of these weapons and their delivery means'.[11] The main institutional consequences have been the alliance's WMD Centre and the committees at NATO Headquarters that

[6] The allies agreed in 2006 that: 'Experience in Afghanistan and Kosovo demonstrates that today's challenges require a comprehensive approach by the international community involving a wide spectrum of civil and military instruments, while fully respecting mandates and autonomy of decisions of all actors, and provides precedents for this approach.' North Atlantic Council, Riga summit declaration, 29 Nov. 2006, para. 10, available at http://www.nato.int/docu/pr/2006/p06-150e.htm, accessed 7 Feb. 2010. NATO allies nonetheless have differing definitions of the requirements of a 'comprehensive approach', including the extent to which the allies should develop and employ civilian capabilities under alliance auspices. For background on national and NATO policies concerning the 'comprehensive approach', see David S. Yost, *NATO and international organizations*, Forum Paper 3 (Rome: NATO Defence College, Sept. 2007), pp. 19–30, 155–8, 176–83, available at http://www.ndc.nato.int/download/publications/fp_03.pdf, accessed 2 July 2009.

[7] North Atlantic Council, Strategic Concept, 24 April 1999, para. 6.

[8] North Atlantic Council, final communiqué, 17–18 Dec. 1990, para. 15, available at http://www.nato.int/cps/en/natolive/official_texts_23690.htm, accessed 21 Jan. 2010.

[9] North Atlantic Council, Strategic Concept, 7–8 Nov. 1991, para. 12. See also paras 11 and 49.

[10] North Atlantic Council, Strategic Concept, 24 April 1999, para. 22.

[11] North Atlantic Council, Strategic Concept, 24 April 1999, paras 40 and 41.

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deal with WMD proliferation.[12] Despite the political and strategic importance that the allies accord to addressing WMD proliferation, they have not attempted to coordinate their positions on nuclear non-proliferation matters either in the UN or in the review conferences of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). As Roberto Zadra, the deputy head of NATO's WMD Centre, wrote in 2007:

> The Allies have agreed to limit themselves to the monitoring of developments, to informal information exchanges, and to non-binding consultations … NATO's role in terms of non-proliferation efforts, i.e. political and diplomatic efforts, remains relatively small. Declarations from NATO Summits and Communiqués from Foreign and Defense Ministers' meetings usually emphasize the Alliance's support for the NPT and its goals, but there is little measurable follow-up in terms of concrete action. These Communiqués are nonetheless important as they demonstrate the Alliance's overall commitment to the principles and objectives of the NPT.[13]

The allies have supported EU-led crisis management operations since 2003. In terms of the formal 'Berlin Plus' cooperation agreements, there have been only two examples so far: Operation Concordia in the Former Yugoslav Republic of Macedonia in 2003 and Operation Althea in Bosnia and Herzegovina since 2004. However, there has also been some limited (and sub-optimal) coordination between NATO and the EU outside the 'Berlin Plus' arrangements, for instance in supporting the African Union in Darfur in 2005–2007, and in Afghanistan since NATO took over command of the International Security Assistance Force (ISAF) in 2003. The Barack Obama administration has continued the US support for close NATO–EU cooperation articulated in the last years of the George W. Bush administration. In the words of Alexander Vershbow, the US Assistant Secretary of Defense for International Security Affairs:

> The ideological debate over whether NATO and the European Union are complementary or competitive has ended. As we've seen in the Balkans and are seeing today in Afghanistan, each institution has distinct capacities that it brings to crisis management, stabilization operations, and responses to threats to our economic and security interests. We support steps that strengthen the EU's capacity to contribute, and we look forward to expanded continued close, results-oriented NATO–EU cooperation in the years ahead.[14]

Intractable political obstacles to more effective NATO–EU cooperation nonetheless persist, including disputes involving Turkey and Cyprus.[15]

[12] The allies in 1994 established the Joint Committee on Proliferation, which is supported by the Senior Politico-Military Group on Proliferation and the Senior Defence Group on Proliferation. The allies founded the WMD Centre in 2000, in conformity with decisions taken the previous year.

[13] Roberto Zadra, 'Nuclear proliferation and NATO Policy and Posture', in Joseph F. Pilat and David S. Yost, eds, *NATO and the future of the Nuclear Non-Proliferation Treaty*, Occasional Paper 21 (Rome: NATO Defence College, May 2007), p. 107, available at http://www.ndc.nato.int/download/publications/op_21.pdf, accessed 21 Jan. 2010.

[14] Alexander R. Vershbow, 'Crafting the new Strategic Concept: ambitions, resources, and partnerships for a 21st century alliance', keynote speech at the 'New challenges, better capabilities' conference, Bratislava, 22 Oct. 2009, available at http://nato.usmission.gov/Texts/Vershbow10222009.asp, accessed 19 Jan. 2010.

[15] For background on 'Berlin Plus', formal and informal NATO–EU interactions and the political barriers to more successful NATO–EU cooperation, see Yost, *NATO and international organizations*, pp. 72–111. For an

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The last of the three new functions has taken the form of miscellaneous security operations. Despite the widespread distaste for the term 'toolbox', the allies have in fact used their common assets in ad hoc fashion for a variety of purposes. These have ranged from helping to provide security for the Olympic Games in Athens in 2004 to transporting humanitarian relief to Pakistan and the US state of Louisiana following natural disasters. Recent examples of such ad hoc missions include the alliance's counterpiracy operations off the Horn of Africa and in the Gulf of Aden: Operation Allied Provider (October–December 2008), Operation Allied Protector (March–August 2009) and Operation Ocean Shield (from August 2009). These NATO counterpiracy operations have been pursued in support of relevant UN Security Council resolutions and in coordination with the actions of the EU and other organizations. Ocean Shield, the current operation, includes a 'capacity-building' dimension—that is, helping regional states develop their own counter-piracy abilities.[16] Capacity building has in fact become an important instrument in the Alliance's 'toolbox', with multiple examples: the NATO training missions in Afghanistan and Iraq, NATO training activities in the Balkans, the NATO military liaison mission to the African Union, and the various partnership efforts focused on improved capacity and interoperability.

Where does countering terrorism figure among NATO's purposes? In both the 1991 and 1999 Strategic Concepts, the allies stated that terrorism could affect their security interests.[17] Moreover, in the 1999 Washington summit communiqué the allies noted that 'Terrorism constitutes a serious threat to peace, security and stability that can threaten the territorial integrity of States.'[18] The terrorist attacks against the United States in September 2001 led the allies to invoke Article 5 of the North Atlantic Treaty for the first time in history. This suggests that—in some cases, at least—countering terrorism could be regarded as a collective defence task rather than a new function for the alliance. What was new in September 2001 was the discovery that a non-state group could mount such a destructive attack against a state. This was probably not what the authors of the North Atlantic Treaty had in mind in 1949 when they referred in Article 5 to the possibility of an 'armed attack'. The allies maintain that Operation Active Endeavour—the maritime surveillance effort in the Mediterranean undertaken in response to the September 2001 terrorist attacks—is a collective defence action under Article 5, and they have reported it to the UN Security Council as such.[19]

incisive recent assessment of the EU's European Security and Defence Policy, see Anand Menon, 'Empowering paradise? ESDP at ten', *International Affairs* 85: 2, March 2009, pp. 227–46.

[16] NATO, 'Counter-piracy operations', 22 Dec. 2009, available at http://www.nato.int/cps/en/SID-D71E706D-6CFC2B66/natolive/topics_48815.htm, accessed 21 Jan. 2010.

[17] North Atlantic Council, Strategic Concept, 7–8 Nov. 1991, para. 12; North Atlantic Council, Strategic Concept, 24 April 1999, para. 24.

[18] North Atlantic Council, Washington summit communiqué, 24 April 1999, para. 42, available at http://www.nato.int/cps/en/natolive/official_texts_27440.htm, accessed 21 Jan. 2010.

[19] For background, see Yost, *NATO and international organizations*, pp. 55–7. As in the past, the allies generally regard domestic cases of terrorism as matters for their police and criminal justice authorities.

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Is there a tension between collective defence and crisis response operations?

The first of the questions raised in this article has been widely canvassed. To what extent is there a conflict or tension between the alliance's original and enduring purpose of collective defence and its newer crisis management functions?

This question has been formulated in various ways. For example, some observers have asked what the balance should be between preparations for Article 5 collective defence missions and conducting non-Article 5 operations, such as crisis response, peacekeeping, humanitarian intervention, and stabilization and reconstruction. Some allied observers, notably in Poland and the Baltic states, have suggested that the alliance's focus of attention has in recent years been too heavily tilted towards non-Article 5 operations and that Russia could in some circumstances become a more fundamental and existential threat than the Taleban or Al-Qaeda. Some allied observers in Italy, Spain and other nations on the Mediterranean littoral have, however, emphasized the advantages of expeditionary capabilities that could counter the potential emergence of asymmetric challenges in Africa or the Middle East. Canadian, Danish and Norwegian observers have noted the relevance of expeditionary capabilities for the protection of the national interests of allies in the 'High North'.[20] Various analysts have discerned tendencies towards 'fragmentation' or a 'multi-tier' pattern among the allies. Some allies (such as Canada, Denmark, the Netherlands and the United Kingdom) are regarded as being more focused on NATO crisis response and distant 'comprehensive approach' operations in partnership with the EU and the UN, while others (such as the Baltic states, the Czech Republic, Poland and Turkey) are viewed as being more preoccupied with collective defence.[21]

To what extent is there a contradiction between transforming forces for expeditionary operations and sustaining preparedness for territorial defence? To some extent, this is an ill-framed debate. Some capabilities, such as static air defences, fuel pipelines and fortified barriers, are indeed expressly designed for territorial defence. Moreover, resources are finite; and forces committed to operations in Afghanistan and other countries distant from NATO national homelands are obviously not on duty for immediate territorial defence. The home base must nonetheless be secure in order to support expeditionary power projection. The authors of a recent report in Washington came up with a concise formula to make this point: 'If NATO cannot protect, it cannot project.'[22]

[20] See esp. 'The Norwegian government's High North strategy', published 21 Feb. 2007, available at http://www.regjeringen.no/en/dep/ud/Documents/Reports-programmes-of-action-and-plans/Action-plans-and-programmes/2006/strategy-for-the-high-north.html?id=448697, accessed 6 July 2009; Sven G. Holtsmark and Brooke A. Smith-Windsor, eds, *Security prospects in the High North: geostrategic thaw or freeze?*, Forum Paper 7 (Rome: NATO Defense College, May 2009), available at http://www.ndc.nato.int/download/publications/fp_07.pdf, accessed 6 July 2009.

[21] See, among other sources, Timo Noetzel and Benjamin Schreer, 'Does a multi-tier NATO matter? The Atlantic alliance and the process of strategic change', *International Affairs* 85: 2, March 2009, pp. 211–26.

[22] Daniel Hamilton, with Charles Barry, Hans Binnendijk, Stephen Flanagan, Julianne Smith and James Townsend, *Alliance reborn: an Atlantic compact for the 21st century* (Washington DC: Atlantic Council of the United States; Center for Strategic and International Studies; Center for Technology and National Security Policy, National Defense University; and Center for Transatlantic Relations, Paul H. Nitze School of

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Forces capable of conducting expeditionary operations may also be better equipped to undertake collective defence missions. During the Cold War, most of the allies planned to 'fight in place' rather than to project troops or firepower at great distances. Only a few countries, including Canada and the United Kingdom, were prepared to assist the United States with their own dedicated airlift in tasks such as reinforcing Denmark, northern Greece, northern Italy, northern Norway and eastern Turkey.[23]

The alliance has expanded from 16 countries at the end of the Cold War to 28 countries today; and some of these countries cannot be defended unless their allies are prepared to project power. In other words, NATO today needs improved expeditionary capabilities not only for crisis response operations distant from alliance territory but also for collective defence itself. This means investing in airlift and other 'strategic mobility' logistical assets, mobile communications networks, combat support and combat service support.[24] The allies must be able to project capabilities to every part of the significantly enlarged treaty area. For collective defence and deterrence, they need agile and rapidly deployable forces and high-readiness headquarters.

Lack of agreement on definitions may account for some perceptions of a dichotomy between capabilities suitable for collective or territorial defence, on the one hand, and for expeditionary or crisis response operations, on the other. Some terminological purists hold that 'expeditionary operations' are by definition outside NATO territory and that territorial defence means responding to direct attacks against an ally's territory. Policy-makers do not, however, respect these distinctions in discussing NATO's capability requirements. In October 2009, for example, Vershbow said: 'We're familiar by now with some of the biggest obstacles the alliance faces in having deployable expeditionary forces that can do both territorial defence and missions beyond Allied territory.'[25] In a speech at the same event, Anders Fogh Rasmussen, the NATO Secretary General, said: 'We must also realize that territorial defence very often starts far from our own borders, like in Afghanistan.'[26]

The essential point about 'expeditionary' operations is that they require movement at 'strategic distance'. For Canada and the United States, for example, any force deployment to Europe, whether for the territorial defence of an ally or for crisis response beyond allied territory, is an expeditionary operation. NATO's 2006 Comprehensive Political Guidance called for 'the ability to conduct and

Advanced International Studies, Johns Hopkins University, Feb. 2009), p. 22.

[23] Sean M. Maloney, 'Fire brigade or tocsin? NATO's ACE mobile force, flexible response and the Cold War', *Journal of Strategic Studies* 27: 4, Dec. 2004, p. 602.

[24] Combat support consists of units providing fire support (e.g. artillery and close air support) and other operational assistance to combat forces, while combat service support provides supplies, maintenance, transport, medical care and other essential services. This distinction is reflected in the *NATO glossary of terms and definitions*, AAP-6 (2009) (Brussels: NATO Standardization Agency, 2009), p. 2-C-9, available at http://www.nato.int/docu/stanag/aap006/aap-6–2009.pdf, accessed 6 Feb. 2010.

[25] Vershbow, 'Crafting the new Strategic Concept'.

[26] Speech by NATO Secretary General Anders Fogh Rasmussen at the 'New challenges, better capabilities' conference, Bratislava, 22 Oct. 2009, available at http://www.nato.int/cps/en/natolive/opinions_58248.htm, accessed 6 Feb. 2010.

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support multinational joint expeditionary operations far from home territory with little or no host nation support and to sustain them for extended periods'.[27] Although host nation support might well be available for collective defence, many of the other requirements for the movement of forces from the Atlantic seaboard (e.g. from the United Kingdom or France or Portugal or Spain) to the Baltic states or Poland or eastern Turkey or northern Norway would amount to those needed for an expeditionary operation, including strategic mobility and logistical assets, and command, control and communications. In other words, crisis response and collective defence capability requirements overlap to a considerable extent.

Moreover, expeditionary operations—that is, missions at 'strategic distance'—can provide training and experience relevant to possible Article 5 endeavours. The more the allies demonstrate their ability to conduct demanding non-Article 5 tasks at strategic range—for instance, in the Balkans (which are distant from some allies) and Afghanistan—successfully, the more they should feel able to rely on each other in an Article 5 contingency.

Conversely, given the need to curtail casualties in military operations, particularly in what are widely seen as 'optional' crisis response and peace support operations, the alliance needs to maintain capabilities to perform such operations with minimal risks. The political sustainability of non-Article 5 operations depends on reducing the risk of incurring casualties, and this necessitates an ability to dominate the field in crisis contingencies. In other words, practical factors—including the need to be able to counter asymmetric threats—justify the maintenance of a substantial conventional military posture, even when large-scale collective defence contingencies appear remote.

While non-Article 5 operations have taken up increasing proportions of the time and attention of the alliance's military and civilian personnel in their day-to-day activities, the allies have continued to uphold the primacy of collective defence. According to the November 2006 Comprehensive Political Guidance, 'Collective defence will remain the core purpose of the Alliance.'[28] Collective defence is the ultimate reason why the founder members formed the alliance in 1949; and it remains NATO's cornerstone, even as the alliance has taken on additional roles and responsibilities.

Current policies and activities relevant to Article 5 include Operation Active Endeavour; the Military Concept for Defence Against Terrorism; the alliance's nuclear deterrence posture;[29] and the alliance's various air and missile defence activities—to say nothing of continuing military transformation in many capabilities that could be applied to collective defence as well as to crisis response and stabilization operations. Certain steps to improve the alliance's collective defence

[27] North Atlantic Council, Comprehensive Political Guidance, 26 Nov. 2006, para. 16a.

[28] North Atlantic Council, Comprehensive Political Guidance, 26 Nov. 2006, para. 5.

[29] For a recent discussion of nuclear deterrence issues related to the Strategic Concept review, see David S. Yost, 'Assurance and US extended deterrence in NATO', *International Affairs* 85: 4, July 2009, pp. 755–80. See also Karl-Heinz Kamp and David S. Yost, eds, *NATO and 21st century deterrence*, Forum Paper 8 (Rome: NATO Defense College, May 2009), available at http://www.ndc.nato.int/download/publications/fp_08.pdf, accessed 6 Feb. 2010; and Paul Cornish, 'NATO's new Strategic Policy: going nuclear', *The World Today* 65: 12, Dec. 2009, pp. 23–4.

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capabilities—for example, enhanced situational awareness and command structures—could also support more effective action in non-Article 5 operations. Crisis response operations serve the security interests of the allies, albeit without the immediacy of preparations for collective defence of alliance territory in response to direct aggression. The alliance's agreed force transformation goal is to sustain reliable capabilities across the full spectrum of missions.[30]

The challenge for the allies is to work out through experience the right balance between the core function of collective defence and their many non-Article 5 tasks. Some allied observers have been concerned that the trajectory—sometimes with a boost from Washington—has been towards making NATO a reservoir of defence resources for potentially global applications, with an emphasis on expeditionary capabilities designed for counterinsurgency and stabilization operations such as those in Afghanistan. How, some observers have asked, can the allies reconcile a global crisis management perspective with their regional collective defence commitments? It is clear, however, that NATO must remain an effective collective defence organization—that is, it must perform its core task—if it intends to serve as a platform for organizing crisis response operations beyond the territory of the allies.

Moreover, in the current financial and economic crisis, the allies must allocate their scarce military resources with even greater care. Since they do not wish to convert the alliance into a sort of 'global policeman'—and cannot afford to do so anyway—the allies have to define priorities and take a selective approach to non-Article 5 tasks.

Collective defence has been reconfirmed as the top priority of several new allies on account of recent Russian behaviour. In particular, Moscow's disproportionate use of force against Georgia in August 2008 has raised anxieties in some allied nations. The allies have agreed that further capability development and force transformation are imperative to underpin their ability to conduct 'the full range' of NATO 'missions, including collective defence and crisis response operations on and beyond Alliance territory'.[31] For example, at the April 2009 Strasbourg/Kehl summit, the allies declared: 'We will vigorously pursue our work developing and fielding key enablers, such as mission-capable helicopters, strategic lift and the Alliance Ground Surveillance system.'[32] Allies such as Poland and the Baltic states have been (and remain) less concerned about the military capability of the alliance to deploy rapid reaction forces to their territory for collective defence than about the political will of some allies to honour their Article 5 commitments in a serious crisis. Allies in east-central Europe would nonetheless welcome substantially greater Alliance attention to exercises, planning, and investment in support of territorial defence and deterrence.

[30] According to the Comprehensive Political Guidance, 'NATO must retain the ability to conduct the full range of its missions, from high to low intensity, placing special focus on the most likely operations, being responsive to current and future operational requirements, and still able to conduct the most demanding operations': North Atlantic Council, Comprehensive Political Guidance, 26 Nov. 2006, para. 7.

[31] North Atlantic Council, Strasbourg/Kehl summit declaration, 4 April 2009, para. 42, available at http://www.nato.int/cps/en/natolive/news_52837.htm, accessed 6 Feb. 2010.

[32] North Atlantic Council, Strasbourg/Kehl summit declaration, 4 April 2009, para. 45.

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The continuing validity of the traditional meaning of collective defence

The alliance has clearly not abandoned the traditional meaning of collective defence. NATO's new allies—above all, the Baltic states, the Czech Republic and Poland—have laid particular emphasis on maintaining the priority of collective defence in the sense of protecting national territory from external aggression. In December 2006, well before the Georgia–Russia conflict of August 2008, Vaira Vike-Freiberga, then president of Latvia, said: 'If we were invaded … I would expect the NATO alliance to immediately react and to take all measures to defend us. This is absolutely the fundamental principle of the alliance and if ever the alliance falls down on it, the alliance collapses.'[33] Expressions of anxiety about Russia have multiplied since August 2008, especially in Eastern and Central Europe.

Since the end of the Cold War the official alliance position has been that Russia is a partner. Indeed, constructive relations with Russia remain of paramount importance for all the allies. However, Moscow has become increasingly assertive since early 2007. The list of adverse actions attributed to Russia since that time includes its suspension of compliance with the 1990 Conventional Armed Forces in Europe Treaty, its mixed record regarding Iran's nuclear activities, the 2007 cyber-attacks on Estonia, its declarations that Poland and the Czech Republic have made themselves potential targets for nuclear attack by supporting US missile defence plans,[34] its use of energy supplies as an instrument of coercion, and (of gravest concern) its use of force against Georgia in August 2008.

The allies stated in August 2008 that 'Russian military action has been disproportionate and inconsistent with its peacekeeping role, as well as incompatible with the principles of peaceful conflict resolution set out in the Helsinki Final Act, the NATO–Russia Founding Act and the Rome Declaration.'[35] Moreover, the allies hold that Russia violated Georgia's territorial integrity when it sent its forces beyond the enclaves of Abkhazia and South Ossetia, and that Russia's recognition of these enclaves as independent states is unwarranted and inconsistent with Russia's previously avowed support for Georgia's territorial integrity in UN Security Council resolutions. Russia's recognition of these enclaves, allies have noted, contravenes the principles of the Organization for Security and Cooperation in Europe (OSCE).[36] It implies a willingness to modify international borders by force.

[33] Vaira Vike-Freiberga, quoted in Stefan Wagstyl, 'Vaira Vike-Freiberga, Latvia's president', *Financial Times*, Central and Eastern European Review, 15 Dec. 2006, p. 6.

[34] See, among other examples, the statement by Colonel General Anatoly Nogovitsyn, the deputy chief of Russia's General Staff, quoted in Damien McElroy, 'Russian general says Poland a nuclear "target"', *Daily Telegraph*, 15 August 2008, available at http://www.telegraph.co.uk/news/worldnews/europe/georgia/2564639/Russian-general-says-Poland-a-nuclear-target-as-Condoleezza-Rice-arrives-in-Georgia.htm, accessed 7 Feb. 2010. Russian statements regarding possible deployment of the dual capable Iskander missile in Kaliningrad have also been significant in this respect.

[35] Statement of the meeting of the North Atlantic Council at the level of foreign ministers held at NATO Headquarters, Brussels, on 19 Aug. 2008, available at http://www.nato.int/cps/en/natolive/official_texts_29950.htm, accessed 6 Feb. 2010.

[36] North Atlantic Council, Strasbourg/Kehl summit declaration, 4 April 2009, para. 34.

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The NATO allies disagree strongly, however, about the extent to which their own decisions and actions may have contributed to Russia's more confrontational approach. As Jaap de Hoop Scheffer, then the NATO Secretary General, observed in July 2009, 'Russia's recent assertiveness … has exposed a lack of Allied unity vis-à-vis Russia.' Some allied observers, he noted, 'question the future of NATO enlargement as a benign means of consolidating Europe'.[37] Russian officials and experts have consistently expressed concerns about the alliance's enlargement process since President Boris Yeltsin's December 1994 speech warning that it could lead to a 'cold peace' in NATO–Russian relations.[38] Some allied observers interpret Russian behaviour and statements as to some extent reactions to US or NATO policies, including the alliance's enlargement process, the US withdrawal from the 1972 Anti-Ballistic Missile Treaty, the US proposal to deploy missile defence system elements in Poland and the Czech Republic, and the decision by the NATO allies not to ratify the 1999 Adapted Treaty on Conventional Armed Forces in Europe unless Russia withdraws all its military forces from Georgia and Moldova. The Russians maintain that NATO's policy of conditionality in respect of ratifying the Adapted CFE Treaty is an illegitimate interference in their bilateral relations with Georgia and Moldova.[39]

Moscow's military power was an explicit collective defence concern in the 1991 Strategic Concept.[40] In the 1999 Strategic Concept, however, the allies discreetly avoided any direct reference to Russia as a potential threat, and instead employed vague formulas—for example, the statement that 'powerful nuclear forces outside the Alliance' constitute 'a significant factor which the Alliance has to take into account'.[41]

The allies will certainly reaffirm collective defence in the next Strategic

[37] Jaap de Hoop Scheffer, then NATO Secretary General, 'NATO: securing our future', speech at The Hague, 6 July 2009, available at http://www.nato.int/cps/en/SID-673A28DB-CADC4661/natolive/opinions_56150.htm, accessed 6 Feb. 2010.

[38] Boris Yeltsin's speech at the CSCE summit in Budapest, Dec. 1994, quoted by Andrei Kozyrev, then the Russian foreign minister, in his article 'Partnership or Cold Peace?', *Foreign Policy*, no. 99, Summer 1995, p. 4.

[39] The NATO allies have consistently noted Russia's failure to honour its 1999 Istanbul commitments concerning its forces in Georgia and Moldova. As noted in a NATO report, 'Both of these states have made clear that they will not ratify the Adapted CFE as long as Russian military forces remain on their territory without their consent, which is a violation of Article IV of the CFE Treaty and also would be a violation of Article IV of the Adapted CFE Treaty': 'NATO's role in conventional arms control', available at http://www.nato.int/issues/arms_control/index.html, accessed 7 Feb. 2010. The long-standing position of the NATO allies, as noted in the Riga summit declaration, has been that 'Fulfilment of the remaining Istanbul commitments on the Republic of Georgia and the Republic of Moldova will create the conditions for Allies and other States Parties to move forward on ratification of the Adapted CFE Treaty': North Atlantic Council, Riga summit declaration, 29 Nov. 2006, para. 42. The Allies have maintained this position but have devised a 'parallel actions package' to address certain Russian concerns, bring Russia back into compliance with the CFE Treaty, and move forward with ratification of the Adapted CFE Treaty. See the North Atlantic Council statement on CFE, 28 March 2008, Press Release (2008) 047, available at http://www.nato.int/docu/pr/2008/p08-047e.html, accessed 14 Feb. 2010.

[40] 'Even in a non-adversarial and cooperative relationship, Soviet military capability and build-up potential, including its nuclear dimension, still constitute the most significant factor of which the Alliance has to take account in maintaining the strategic balance in Europe': North Atlantic Council, Strategic Concept, 7–8 Nov. 1991, para. 13.

[41] 'The existence of powerful nuclear forces outside the Alliance also constitutes a significant factor which the Alliance has to take into account if security and stability in the Euro-Atlantic area are to be maintained': North Atlantic Council, Strategic Concept, 24 April 1999, para. 21. Some allied observers have pointed out that the phrase 'powerful nuclear forces outside the Alliance' could refer to China as well as Russia.

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Concept, and they will probably employ general language that could be interpreted as encompassing Russia as a potential Article 5 threat. However, the allies do not wish to antagonize Moscow, partly because they could benefit from cooperation with Russia regarding terrorism, nuclear nonproliferation and Afghanistan, among other issues. Indeed, the allies have repeatedly agreed with Russia on extensive agendas of topics for cooperation, notably in the 1997 NATO–Russia Founding Act, in the 2002 'new quality' statement, and at the meeting of the NATO–Russia Council (NRC) in December 2009—at which the NRC launched 'a Joint Review of 21st Century Common Security Challenges' as proposed by the NATO Secretary General in September 2009.[42]

The alliance's decisions about how to conduct exercises, planning and infrastructure upgrading in support of collective defence and assurance to specific allies will be influenced by judgements about Russia's policies and prospects. In April 2009 President Obama stated: 'We must work together as NATO members so that we have contingency plans in place to deal with new threats, wherever they may come from.'[43] It was not until January 2010, however, that the NATO allies reportedly agreed in principle to prepare contingency plans for the defence of the Baltic states.[44] It is noteworthy in this context that in December 2009 the allies marked their 'formal resumption, at Ministerial level, of dialogue and cooperation with Russia'.[45] The allies had pursued, it should be recalled, a 'no business as usual' policy in relations with Russia after the August 2008 Russia–Georgia war.[46] The allies in December 2009 nonetheless added:

NATO–Russia relations depend on trust and fulfilment of commitments. In contributing to building that trust we will continue to be transparent about our military training and exercises and look to Russia to reciprocate. We reaffirm the OSCE principles on which the security of Europe is based, and reiterate our continued support for the territorial

[42] Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation, Paris, 27 May 1997, available at http://www.nato.int/cps/en/natolive/official_texts_25468.htm, accessed 21 Jan. 2010; 'NATO–Russia relations: a new quality', declaration by heads of state and government of NATO member states and the Russian Federation, available at http://www.nato.int/cps/en/natolive/official_texts_19572.htm, accessed 21 Jan. 2010; press conference by NATO Secretary General Anders Fogh Rasmussen after the NATO–Russia Council (NRC) meeting, 4 Dec. 2009, available at http://www.nato.int/cps/en/natolive/opinions_59971.htm, accessed 21 Jan. 2010; 'NATO and Russia agree to move partnership forward', NATO news release, 4 Dec. 2009, available at http://www.nato.int/cps/en/natolive/news_59970.htm?, accessed 21 Jan. 2010.

[43] Remarks by President Barack Obama, Prague, 5 April 2009, available at http://www.whitehouse.gov/the_press_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered/, accessed 18 Jan. 2010.

[44] 'Border controls: thanks to Poland, the alliance will defend the Baltics', Economist.com, 14 Jan. 2010, available at http://www.economist.com/world/europe/displaystory.cfm?story_id=15268095, accessed 18 Jan. 2010.

[45] Final statement, meeting of the North Atlantic Council at the level of foreign ministers held at NATO Headquarters, Brussels, 4 Dec. 2009, para. 12, available at http://www.nato.int/cps/en/natolive/news_59699.htm?mode=pressrelease, accessed 19 Jan. 2010.

[46] The foreign ministers of the NATO–Russia Council (NRC) met for the first time after the Russia–Georgia war of August 2008 in Corfu on 27 June 2009. The language employed in the Dec. 2009 statement by the North Atlantic Council suggests, however, that NATO foreign ministers did not regard the June 2009 meeting as constituting a 'formal' return to ministerial dialogue and cooperation in the NRC. Jaap de Hoop Scheffer said in June 2009 that the NRC was 'now back in gear' and that Russia and the allies had 'restarted … relations at a political level' and had 'agreed to restart the military-to-military contacts which … had been frozen since last August'. Press conference by NATO Secretary General Jaap de Hoop Scheffer after the NATO–Russia Council meeting in Corfu, Greece, 27 June 2009, available at http://www.nato.int/cps/en/natolive/opinions_55989.htm, accessed 6 Feb. 2010.

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integrity and sovereignty of Georgia within its internationally recognised borders. We continue to call on Russia to reverse its recognition of the South Ossetia and Abkhazia regions of Georgia as 'independent states'. We encourage all participants in the Geneva talks to play a constructive role as well as to continue working closely with the OSCE, the United Nations and the European Union to pursue peaceful conflict resolution on Georgia's territory.[47]

The allies also reaffirmed their 'open door' policy concerning NATO enlargement, including with respect to Georgia and Ukraine.[48] Assistant Secretary of Defense Vershbow stated in October 2009:

Complaints from the Russian leadership about Ukraine and Georgia's pursuit of NATO membership and Russian claims of privileged spheres of influence are troubling, and ones to which we are unequivocally opposed. Russia's leaders must accept that an enlarged NATO is not a threat to Russia—on the contrary, by bringing Central and Eastern European countries into the alliance, NATO has helped consolidate democracy, security, and stability in the region—a process that has left Russia more, not less, secure.[49]

The changing meaning of collective defence

How—and to what extent—have the allies given new meaning to their collective defence commitments?

Although, as discussed above, the traditional meaning of collective defence—action by the allies to counter 'an armed attack' against any ally—remains valid,[50] the distinction between Article 5 and non-Article 5 operations has become less clear-cut and more elusive, at least in some circumstances.

During the Balkan conflicts of the 1990s, NATO found it advisable on some occasions to extend security assurances to states neighbouring the Federal Republic of Yugoslavia—in effect, to promise protection against possible retaliation by Belgrade for cooperation with the alliance. The alliance expressed such security assurances most explicitly during the 1999 Kosovo conflict, when the neighbouring states—Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Romania and Slovenia—helped the allies by aiding refugees, hosting NATO forces, granting access to airspace for operations, and/or imposing economic sanctions.[51] In April 1999 NATO heads of state and government met with representatives of these seven states and 'reaffirmed

[47] Final statement, meeting of the North Atlantic Council at the level of foreign ministers held at NATO Headquarters, Brussels, 4 Dec. 2009, para. 13.

[48] Final statement, meeting of the North Atlantic Council at the level of foreign ministers held at NATO Headquarters, Brussels, 4 Dec. 2009, para. 10.

[49] Vershbow, 'Crafting the new Strategic Concept'.

[50] According to Article 5 of the North Atlantic Treaty, 'The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area'.

[51] See the comments by Jamie Shea, then the NATO spokesman, at press conference with Colonel Konrad Freytag, SHAPE, in Washington, 25 April 1999, available at http://www.nato.int/Kosovo/press/p990425b.htm, accessed 6 Feb. 2010.

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that the security of the neighbouring states was of direct and material concern to Alliance member states and that NATO would respond to any challenges by Belgrade to the neighbouring states resulting from the presence of NATO forces and their activities on their territory during this crisis'.[52] In other words, in order to conduct non-Article 5 operations, the NATO allies chose to extend security commitments to third parties that were comparable in some ways to the Article 5 mutual defence pledges that they had made to each other. These security commitments were, however, circumscribed with precise conditions distinguishing them from the Article 5 pledges.

NATO's role in leading ISAF in Afghanistan has been mandated by UN Security Council resolutions, and the allies generally regard it as a non-Article 5 operation. It should nonetheless be recalled that the UN Security Council first established ISAF in December 2001 in circumstances deriving from what the NATO allies regarded as an Article 5 contingency. The United States and its coalition partners in Operation Enduring Freedom, including several NATO allies, intervened in Afghanistan in response to Al-Qaeda's attacks in New York and Washington on 11 September 2001. These attacks led the NATO allies to invoke Article 5 of the North Atlantic Treaty, and the NATO allies took several steps to facilitate the conduct of Operation Enduring Freedom and to help ensure the defeat of the Taleban regime in Afghanistan, which had served as a base of operations for the Al-Qaeda terrorist network.[53]

The UN Security Council authorized the establishment of ISAF because the United States and its coalition partners (many of them NATO allies) had forcibly ousted the Taleban regime. ISAF's initial mission was 'to assist the Afghan Interim Authority in the maintenance of security in Kabul and its surrounding areas, so that the Afghan Interim Authority as well as the personnel of the United Nations can operate in a secure environment'.[54] From the outset, NATO member states contributed most of the forces in ISAF. Moreover, ISAF was led by a series of NATO allies—the United Kingdom, Turkey, and Germany and the Netherlands—from December 2001 to August 2003, when it became a NATO-led operation.

NATO's subsequent contributions to the implementation of the 2006 Afghanistan Compact and other measures intended to promote the establishment of a stable and democratic government in the country may be regarded as moves to prevent the return of the Taleban to power and to block the reconstitution of Al-Qaeda terrorist training camps and operational headquarters there. In other words, these measures may be considered as actions intended to prevent the re-emergence of an Article 5 threat. To quote a UN Security Council resolution of December 2001, the goal is 'to help the people of Afghanistan to bring

[52] Chairman's summary of the meeting of the North Atlantic Council at the level of heads of state and government with countries in the region of the Federal Republic of Yugoslavia, 25 April 1999, para. 5, available at http://www.nato.int/cps/en/natolive/official_texts_27439.htm, accessed 6 Feb. 2010.

[53] Until September 2001 the reference in Article 5 of the North Atlantic Treaty to the contingency of 'an armed attack' was generally assumed to concern state aggression, not terrorist attacks.

[54] UN Security Council Resolution 1386, adopted 20 Dec. 2001.

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to an end the tragic conflicts in Afghanistan and promote national reconciliation, lasting peace, stability and respect for human rights, as well as to cooperate with the international community to put an end to the use of Afghanistan as a base for terrorism'.[55] Thus there may be an element of collective defence in a nominally non-Article 5 operation. The security of the allies may depend on events far from their national territories; and the allies clearly have incentives to deal with emerging threats at their source, whenever possible.

Other factors also tend to obscure the difference between Article 5 and non-Article 5 operations. While the alliance's Balkan and Afghanistan operations are all officially regarded as non-Article 5 operations, the NATO allies have suffered greater casualties in combat in Afghanistan since 2001 than they have incurred in their operations in the Balkans since 1992; and they have reason to expect continuing combat in operations against the Taleban and Al-Qaeda and other terrorist organizations. Moreover, the NATO allies face a genuine threat of terrorist attacks against their homelands, and these attacks may be portrayed by their perpetrators and sympathizers as retaliation for NATO's intervention in Afghanistan—to say nothing of other grievances that might be cited by terrorists. In short, NATO's ostensibly non-Article 5 engagement in Afghanistan differs from its Balkan operations both because it originated in what the allies regarded as an Article 5 contingency—an act of aggression against a NATO ally—and because it involves greater combat and homeland security risks.

The NATO allies have chosen in recent years to open their principal ongoing Article 5 mission, Operation Active Endeavour in the Mediterranean, to contributions by non-allies. At the June 2004 Istanbul summit, the allies decided to welcome 'the contributory support of partner countries, including the Mediterranean Dialogue countries'.[56] To date two Mediterranean Dialogue countries, Israel and Morocco, have signed Exchanges of Letters with NATO regarding participation in Operation Active Endeavour. Russia participated in the operation in 2006 and 2007, and Ukraine did so in 2007 and 2008. Georgia and NATO completed an Exchange of Letters about participation in the operation in 2008.[57] It is noteworthy that the allies, having initiated Operation Active Endeavour as a collective defence mission under Article 5 of the North Atlantic Treaty and Article 51 of the UN Charter, have subsequently reached beyond the alliance to 'work very closely with the relevant law enforcement and intelligence agencies of … partner nations'.[58] Moreover, the alliance has placed Operation Active Endeavour within the context of 'NATO's determination to consult and cooperate closely with the United Nations in the fight against terrorism', including 'full implemen-

[55] UN Security Council Resolution 1383, adopted 6 Dec. 2001.

[56] North Atlantic Council, Istanbul summit communiqué, 28 June 2004, para. 10, available at http://www.nato.int/docu/pr/2004/p04-096e.htm, accessed 6 Feb. 2010.

[57] 'Operation Active Endeavour', NATO website, available at http://www.nato.int/cps/en/natolive/topics_7932.htm, accessed 22 July 2009; 'Operation Active Endeavour', Allied Maritime Component Command, Naples, available at http://www.afsouth.nato.int/JFCN_Operations/ActiveEndeavour/Endeavour.htm, accessed 22 July 2009.

[58] Letter from NATO Secretary General Jaap de Hoop Scheffer to UN Secretary General Kofi A. Annan, SG (2006) 0013, 10 Jan. 2006.

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tation of United Nations Security Council Resolution 1373 and support to the UN Global Strategy in the fight against terrorism'.[59]

Article 5 obligations have historically been bounded by Article 6 of the North Atlantic Treaty, which defines the geographical area in which an 'armed attack' would oblige the allies to honour their Article 5 commitments as consisting essentially of the territory of the allies in Europe and North America.[60] Some experts have nonetheless argued that since the terrorist attacks against the United States in September 2001 the allies have adopted policies that could lead to a certain 'deterritorialization' of collective defence under Article 5. In their view, this 'deterritorialization' tendency may be discerned in key definitions of the alliance's security requirements articulated since September 2001.[61] In May 2002, the North Atlantic Council declared:

> To carry out the full range of its missions, NATO must be able to field forces that can move quickly to wherever they are needed, sustain operations over distance and time, and achieve their objectives. This will require the development of new and balanced capabilities within the alliance, including strategic lift and modern strike capabilities, so that NATO can more effectively respond collectively to any threat of aggression against a member state.[62]

The geographical limitations on the contingencies that could lead the allies to take action regarding their collective defence obligations laid out in Article 6 still apply juridically; and the allies have not assumed legal obligations to adopt a new approach to collective defence beyond Articles 5 and 6. However, some experts maintain that the phrase 'wherever they are needed', in conjunction with the decision to prepare to 'more effectively respond collectively to any threat of aggression against a member state', represented a politically significant departure from the comparatively passive attitude to collective defence expressed by the allies in the decades before September 2001. It implied a shift away from a static, reactive and territorial concept of collective defence in which the allies would act to protect their security interests only in response to 'an armed attack' in Europe or North America. Henceforth, rather than waiting for 'an armed attack', the allies—to repeat the terms of their communiqué—expressed a determination

[59] Letter from NATO Secretary General Jaap de Hoop Scheffer to UN Secretary General Ban Ki-moon, SG (2007) 0260, 18 April 2007.

[60] Article 6 of the North Atlantic Treaty reads as follows: 'For the purpose of Article 5, an armed attack on one or more of the Parties is deemed to include an armed attack: on the territory of any of the Parties in Europe or North America, on the Algerian Departments of France, on the territory of or on the Islands under the jurisdiction of any of the Parties in the North Atlantic area north of the Tropic of Cancer; on the forces, vessels, or aircraft of any of the Parties, when in or over these territories or any other area in Europe in which occupation forces of any of the Parties were stationed on the date when the Treaty entered into force or the Mediterranean Sea or the North Atlantic area north of the Tropic of Cancer.' The geographical area of application of Article 6 is clarified by two notes. The first note makes clear that Turkish territory outside Europe is covered by Article 5: 'The definition of the territories to which Article 5 applies was revised by Article 2 of the Protocol to the North Atlantic Treaty on the accession of Greece and Turkey signed on 22 October 1951.' The second note excludes France's former possessions in Algeria: 'On January 16, 1963, the North Atlantic Council noted that insofar as the former Algerian Departments of France were concerned, the relevant clauses of this Treaty had become inapplicable as from July 3, 1962.'

[61] The author thanks Diego Ruiz Palmer for having first raised this point with reference to Article 5 and for having suggested the term 'deterritorialization'.

[62] North Atlantic Council, final communiqué of 14 May 2002, para. 5.

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to 'respond collectively to any threat of aggression against a member state'. The concept of moving forces 'quickly to wherever they are needed' also suggested an interest in taking action against emerging threats at their point of origin. This shift was confirmed at the Prague summit in November 2002, when the NATO allies 'approved a comprehensive package of measures … to strengthen our ability to meet the challenges to the security of our forces, populations and territory, from wherever they may come'.[63]

The alliance's move towards a more proactive and anticipatory concept of Article 5 requirements became even more explicit when it published a summary of its Military Concept for Defence Against Terrorism in October 2003:

> The Political Guidance provided by the [North Atlantic] Council … stipulated that NATO's actions should: … Help deter, defend, disrupt and protect against terrorist attacks or threat of attacks, directed from abroad against populations, territory, infrastructure and forces of any NATO member state, including by acting against these terrorists and those who harbour them … [and] Work on the assumption that it is preferable to deter terrorist attacks or to prevent their occurrence rather than deal with their consequences and be prepared to deploy as and where required to deal with particular circumstances as they arise … Therefore the following planning aspects need special attention: Procedures and capabilities that support accelerated decision cycles, in order to be successful in detecting and attacking time sensitive targets in the Counter Terrorist environment … Once it is known where the terrorists are or what they are about to do, military forces need the capability to deploy there. Due to the likelihood that warnings will be received only at very short notice, forces need to be at a high state of readiness … In addition to the capabilities described above, the Concept identifies certain procedures that need to be developed or enhanced. These include: … Making Alliance decision making as effective and timely as possible in order that, given the very short warnings that are likely for terrorist activity and intentions, Alliance forces can be deployed and employed appropriately.[64]

One of the key points about this Military Concept is that it may be impossible to 'disrupt' the 'threat of attacks' or 'prevent their occurrence' or take action 'once it is known where the terrorists are or what they are about to do' without engaging in anticipatory action. It therefore appears that the allies are in fact willing (at least as a matter of abstract principle) to make effective use of what they have referred to as 'the very short warnings that are likely for terrorist activity and intentions'.[65] At the same time, some allies have invested in measures designed to deter terrorist attacks, particularly enhanced protection for specific sites and resilience and consequence-mitigation capabilities. Such capabilities may promote 'deterrence by denial' by communicating the message that 'hard targets' involve a high risk of operational failure for terrorists.[66]

[63] North Atlantic Council, Prague summit declaration, 21 Nov. 2002, para. 3.

[64] NATO's Military Concept for Defence Against Terrorism, Oct. 2003, available at www.nato.int/ims/docu/terrorism.htm, accessed 2 July 2009. This document is an authoritative description of the concept endorsed at the NATO summit in Prague on 21 Nov. 2002.

[65] For background, see David S. Yost, 'NATO and the anticipatory use of force', *International Affairs* 83: 1, Jan. 2007, pp. 39–68.

[66] David S. Yost, 'New approaches to deterrence in Britain, France, and the United States', *International Affairs* 81: 1, Jan. 2005, pp. 86, 91, 100–102, 109.

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In short, the political meaning given to collective defence by the allies appears to be in transition. It seems to be no longer limited to the reactive defence of the national territories of the allies. Mainly in response to the new threats apparent since 11 September 2001, the allies have taken a more proactive approach and have articulated a willingness to act against emerging and imminent threats. While the treaty obligations for collective defence remain as defined by Articles 5 and 6, the allies have suggested a broader scope for collective defence in some of their statements and actions.

Moreover, some prominent observers have recently pointed to a more extensive conception of collective defence than that articulated in Articles 5 and 6 of the North Atlantic Treaty. In July 2009, in one of his last statements as NATO Secretary General, Jaap de Hoop Scheffer said: 'Article 5 … can apply outside NATO territory as much as inside. Today the challenge is not to defend our territory but our populations; and they, unlike our territory, move around.'[67] On the same occasion, a seminar launching NATO's Strategic Concept review, Madeleine Albright, a former US Secretary of State, said that collective defence and Article 5 'remain, properly, the cornerstone of our alliance. However, we must also be prepared to respond to threats that arise beyond our territory, taking into account the urgency of those threats, the availability of other security options, and the likely consequences of acting or of failing to act.'[68]

The distinction between Article 5 and non-Article 5 operations thus appears less clear-cut than it was during the Balkan conflicts of the 1990s. Nominally Article 5 operations, such as Operation Active Endeavour in the Mediterranean, have been supported by non-allies, including states in the alliance's Partnership for Peace and Mediterranean Dialogue; and this operation has been placed in the context of UN Security Council resolutions and UN-led counterterrorism efforts. Similarly, nominally non-Article 5 operations, notably in Afghanistan, can be seen as serving a purpose consistent with Article 5—that is, preventing the emergence of a new Article 5 threat. Afghanistan in particular marks the alliance's shift from a geographical view of security to a functional approach.

Illustrations of the changing dimensions of collective defence

At least six other issues illustrate the changing dimensions of collective defence: missile defence, cyber-warfare, space operations, state-sponsored WMD terrorism, political–military dynamics in the Middle East and the Asia–Pacific region, and the risk of a non-Article 5 operation becoming a collective defence contingency.

[67] Jaap de Hoop Scheffer, NATO Secretary General, 'Launching NATO's New Strategic Concept', introductory remarks at the opening of the Strategic Concept seminar, Brussels, 7 July 2009, available at http://www.nato.int/cps/en/natolive/opinions_56153.htm, accessed 6 Feb. 2010.

[68] Madeleine Albright, 'NATO 2009: past lessons, future prospects', speech at the Strategic Concept seminar, Brussels, 7 July 2009, available at http://www.nato.int/cps/en/natolive/opinions_56158.htm, accessed 14 Feb. 2010. Albright is the chair of the group of twelve experts appointed by the NATO Secretary General to serve as advisers on the new Strategic Concept. For background on the Strategic Concept review process, see 'Group of experts' at http://www.nato.int/strategic-concept/experts-strategic-concept.html, and 'A three-phased approach' at http://www.nato.int/strategic-concept/roadmap-strategic-concept.html#approach, accessed 21 Jan. 2010.

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Missile defence

The 1999 Strategic Concept contained a single reference to missile defence: 'The Alliance's defence posture against the risks and potential threats of the proliferation of NBC [nuclear, biological, and chemical] weapons and their means of delivery must continue to be improved, including through work on missile defences.'[69]

Until 2002 work on missile defence under alliance auspices concentrated on 'theater missile defence' (TMD)—that is, systems configured to protect forces deployed on operations from shorter-range ballistic and cruise missiles, not systems designed to shield territory and population centres. The focus on TMD reflected operational requirements as well as the political and legal obstacles to pursuing defences against 'strategic ballistic missiles' in the 1972 US–Soviet Anti-Ballistic Missile (ABM) Treaty. This treaty prohibited the construction of such defences by the United States beyond the single site in North Dakota permitted after the treaty's amendment in 1974, so there was no question of building such defences in NATO Europe. Moreover, the treaty prohibited transfers of technology for such defences to third parties, including the NATO allies.

The US withdrawal from the ABM Treaty took effect in June 2002, ending the treaty obstacles to the construction of missile defences for the protection of NATO European cities and territories. In November 2002, at the Prague summit, the allies agreed to

> examine options for addressing the increasing missile threat to alliance territory, forces and population centres in an effective and efficient way through an appropriate mix of political and defence efforts, along with deterrence. Today we initiated a new NATO Missile Defence feasibility study to examine options for protecting alliance territory, forces and population centres against the full range of missile threats, which we will continue to assess. Our efforts in this regard will be consistent with the indivisibility of Allied security.[70]

The reference to 'deterrence' in the decision to launch the feasibility study was significant because it reflected the conviction of some allies that the threat of retaliation was a sufficient means of protection against missile attack. Four years later, in November 2006, the allies announced the completion of the feasibility study: 'It concludes that missile defence is technically feasible within the limitations and assumptions of the study. We tasked continued work on the political and military implications of missile defence for the Alliance including an update on missile threat developments.'[71]

The alliance has not yet made a decision to pursue a NATO missile defence system to protect territory and populations. In December 2009 the allies endorsed the Obama administration's decision in September that year to refine the plans for missile defence system element deployments in Poland and the Czech Republic that it had inherited from the George W. Bush administration: 'We welcome the new phased adaptive approach of the United States to missile defence, which

[69] North Atlantic Council, Strategic Concept, 24 April 1999, para. 56.
[70] North Atlantic Council, Prague summit declaration, 21 Nov. 2002, para. 4g.
[71] North Atlantic Council, Riga summit declaration, 29 Nov. 2006, para. 25.

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further reinforces NATO's central role in missile defence in Europe. This approach would further anchor European missile defence work in NATO, which continues to bear in mind the principle of the indivisibility of alliance security as well as NATO solidarity.'[72]

The allies have also approved studies concerning possible expanded work on the alliance's TMD programme 'beyond the protection of NATO deployed forces to include territorial missile defence'.[73] The allies have not yet, however, made a decision to pursue a missile defence system designed to protect cities and territories. In December 2009 they stated: 'If the Alliance decides to develop a NATO missile defence capability in Europe to protect populations and territory, the United States' phased adaptive approach would provide a valuable national contribution to that capability and, thus, to Alliance security.'[74]

What may force decisions on the question is the fact, acknowledged in the same communiqué, that 'the proliferation of ballistic missiles poses an increasing threat to allies' populations, territory and forces'.[75] The continuing diffusion and improvement of ballistic and cruise missiles in Eurasia, the Middle East and the Asia–Pacific region are likely to lead to further US and NATO investments, even if the allies choose not to say much about missile defence in the next Strategic Concept.

Cyber-warfare

The vulnerability of modern communications and information systems raises the threat that an adversary could achieve strategic effects without undertaking overt military aggression. In October 2008, US Secretary of Defense Robert Gates stated:

> As we know from recent experience, attacks on our communications systems and infrastructure will be a part of future war. Our policy goal is obviously to prevent anyone from being able to take down our systems. Deterrence here might entail figuring out how to make our systems redundant, as with the old Nuclear Triad. Imagine easily deployable, replacement satellites that could be launched from high-altitude planes—or high-altitude UAVs [unmanned aerial vehicles] that could operate as mobile data links. The point is to make the effort to attack us seem pointless in the first place. Similarly, future administrations will have to consider new declaratory policies about what level of cyber-attack might be considered an act of war—and what type of military response is appropriate.[76]

[72] Final statement, meeting of the North Atlantic Council at the level of foreign ministers held at NATO Headquarters, Brussels, 4 Dec. 2009, para. 14.

[73] Final statement, meeting of the North Atlantic Council at the level of foreign ministers held at NATO Headquarters, Brussels, 4 Dec. 2009, para. 15.

[74] Final statement, meeting of the North Atlantic Council at the level of foreign ministers held at NATO Headquarters, Brussels, 4 Dec. 2009, para. 16.

[75] Final statement, meeting of the North Atlantic Council at the level of foreign ministers held at NATO Headquarters, Brussels, 4 Dec. 2009, para. 14.

[76] Speech delivered by Secretary of Defense Robert M. Gates, Carnegie Endowment for International Peace, Washington DC, 28 Oct. 2008, available at http://www.defenselink.mil/speeches/speech.aspx?speechid=1305, accessed 2 July 2009.

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If the United States has yet to decide what to say in its declaratory policy about 'what level of cyber-attack might be considered an act of war', this may also be an issue for the allies to consider in their next Strategic Concept. After all, one of the Strategic Concept's purposes is to support the alliance's deterrence posture. The allies noted in the 1999 Strategic Concept that 'state and non-state adversaries may try to exploit the Alliance's growing reliance on information systems through information operations designed to disrupt such systems'.[77] The allies expressed an intention to 'strengthen … capabilities to defend against cyber attacks' in the 2002 Prague Summit Declaration, and articulated more detailed policies in this regard at the summits in Bucharest in 2008 and Strasbourg/Kehl in 2009.[78] The Alliance has, moreover, established institutions to deal with the cyber-warfare challenge.[79] The challenge is grave because, as the US Department of Defense noted in February 2010, 'In the 21st century, modern armed forces simply cannot conduct high-tempo, effective operations without resilient, reliable information and communication networks and assured access to cyberspace … Moreover, the speed of cyber attacks and the anonymity of cyberspace greatly favor the offense. This advantage is growing as hacker tools become cheaper and easier to employ by adversaries whose skills are growing in sophistication'.[80]

Greg Rattray, Chris Evans and Jason Healey, all with Delta Risk Consulting, have argued that responsibility for cyber-attacks can in some cases be reliably assigned to states: 'Determining responsibility re-establishes some state-to-state symmetry and enables deterrence, as well as a wider range of options open to sovereign nations: diplomatic, intelligence, military and/or economic responses'.[81] Sverre Myrli, a member of the Norwegian parliament, has summarized the problems for the Alliance as follows:

> Estonian defence minister Jaak Aaviksoo has said that cyber war today represents an equivalent threat to the blockading of countries' ports two hundred years ago – a nation's access to the world could be denied. The analogy raises questions about whether cyber attacks should now be categorized amongst conventionally regarded acts of war … The decision to announce an expansion of Article 5 to encompass cyber attacks may cause potential

[77] North Atlantic Council, Strategic Concept, 24 April 1999, para. 23.

[78] North Atlantic Council, Prague summit declaration, 21 Nov. 2002, para. 4f; North Atlantic Council, Bucharest summit declaration, 3 April 2008, para. 47, available at http://www.nato.int/docu/pr/2008/p08-049e.html, accessed 7 Feb. 2010; and North Atlantic Council, Strasbourg/Kehl summit declaration, 4 April 2009, para. 49.

[79] These institutions include the NATO Computer Incident Response Capability (NCIRC) approved at the Prague summit in 2002 and two organizations established in 2008: the NATO Cyber Defence Management Authority (NCDMA) and the NATO Cooperative Cyber Defense Centre of Excellence (CCDCOE), the latter based in Tallinn, Estonia.

[80] US Department of Defense, *Quadrennial Defense Review Report* (Washington DC: US Department of Defense, Feb. 2010), p. 37.

[81] Greg Rattray, Chris Evans and Jason Healey, 'American security in the cyber commons', in Abraham M. Denmark and James Mulvenon, eds, *Contested commons: the future of American power in a multipolar world* (Washington DC: Center for a New American Security, Jan. 2010), p. 171, available at http://www.cnas.org/node/4012, accessed 7 Feb. 2010. In their view, in the case of the attacks against Estonia in 2007, 'All signs pointed to Russian involvement: Many of the cyber attacks themselves were traced to Russia; many of the attack tools were written in Russian; many of the corrupted Estonian websites were polluted with strong nationalist Russian reactions; numerous Russian politicians openly supported the attacks; and the Russian government refused to stop or even investigate the attacks'. Rattray et al.,'American security', p. 170.

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aggressors to think twice, but would it excessively restrict NATO's options in a crisis management scenario? How can the danger of misidentifying an aggressor be avoided? If the source of a cyber attack can be identified with certainty, which forms of cyber attack can NATO consider as direct acts of aggression against a Member or Members, and which constitute indirect acts of aggression?[82]

Admiral James Stavridis, USN, the Supreme Allied Commander Europe (SACEUR), recently said, 'In NATO … we need to talk about what defines an attack … I believe it is more likely that an attack will come not off a bomb rack on an aircraft, but as electrons moving down a fiber optic cable'.[83] As with certain other challenges, the NATO allies may choose formulations in the next Strategic Concept that will allow them latitude to deal with cyber contingencies when they arise, despite the argument that more precise declaratory policies might contribute to deterrence.

Space operations

Defense Secretary Gates's reference to developing redundant communications systems—including the option of launching 'easily deployable, replacement satellites'—as a hedge against cyber-attacks underscores the close linkages between cyber-warfare and space operations. As Michèle Flournoy and Shawn Brimley have noted, cyberspace and outer space, together with the sea and the atmosphere, constitute 'the global commons, those areas of the world beyond the control of any one state'. From a US national security perspective, they added, 'stability and security in space and cyberspace will depend on working with our allies and partners to develop a common framework and advance international norms that can shape the choices and behavior of others'.[84]

The armed forces of the NATO allies depend heavily on national space capabilities in expeditionary and other operations for command, control, communications and intelligence (C3I), as well as for navigation and guidance. Owing to the alliance's increasing reliance on space, Thomas Single has argued, 'it is time to break the paradigm that Space capabilities are veiled in secrecy, are strategic in nature only or are too politically sensitive to discuss in an Alliance forum'.[85] If the NATO allies do not determine their requirements collectively, in Single's view, they 'will continue to duplicate efforts, field systems that are not interoperable, and retain stove-piped intelligence networks … There is an urgent need for NATO to state the intended Alliance use of Space capabilities.'[86] Whether the

[82] Sverre Myrli, *NATO and cyber defence*, 173 DSCFC 09 E bis (Brussels: NATO Parliamentary Assembly, 2009), paras 59 and 61, available at http://www.nato-pa.int/default.Asp?SHORTCUT=1782, accessed 7 Feb. 2010.

[83] Stavridis quoted in Antonie Boessenkool, 'NATO Chief: Nations Must Unite on Cyber Warfare', *Defense News*, 2 Feb. 2010, available at http://www.defensenews.com/story.php?i=4483043, accessed 14 Feb. 2010.

[84] Michèle Flournoy and Shawn Brimley, 'The contested commons', US Naval Institute, *Proceedings* 135: 7, July 2009, available at http://www.usni.org/magazines/proceedings/story.asp?STORY_ID=1950, accessed 18 Oct. 2009. Michèle Flournoy is the US Under Secretary of Defense for Policy, and Shawn Brimley is a strategist in the Office of the Secretary of Defense.

[85] Thomas Single, *NATO space operations assessment* (Kalkar, Germany: Joint Air Power Competence Centre, Jan. 2009), p. 51, available at http://www.japcc.de/108.html, accessed 6 Feb. 2010.

[86] Single, *NATO space operations assessment*, pp. 7, 9.

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NATO allies will follow this prescription in the next Strategic Concept is unclear, partly because of differences among the allies in their space policies and interpretations of international law affecting space. They might agree to include a general formula in the Strategic Concept declaring that the NATO allies require 'assured access to space' without saying anything about the means, diplomatic and/or military, to achieve that goal. As with cyber-attacks, the level of damage to space capabilities through an enemy's attack that might be regarded by the allies as 'an act of war'—or, in NATO terms, an Article 5 collective defence contingency—is not self-evident, particularly if the attack caused no direct fatalities.

Moreover, Article 6 of the North Atlantic Treaty stipulates that Article 5 would apply in the event of 'an armed attack … on the forces, vessels or aircraft of any of the Parties, when in or over these territories'. Of course, no NATO ally had any 'forces, vessels or aircraft' in space in 1949; and in the late 1950s the first satellites established the international legal principle that national sovereignty does not extend beyond a country's airspace into space. This suggests that an ally's military assets in space are implicitly excluded from the geographical coverage specified in Article 6.

Another obstacle to achieving allied consensus on devoting more attention to space security issues in NATO is that no ally's space assets have yet come under 'armed attack.' Nor is it clear how such an attack should be defined in the case of space assets. Would jamming Global Positioning System (GPS) signals constitute such an attack? Would 'blinding' a satellite with a laser amount to such an attack? The same lack of agreed definitions applies to cyber attacks. To what extent, for example, could hacking a website, destroying data, denying service, or inserting a virus constitute 'an armed attack'? In contrast with space, however, a NATO ally has experienced cyber attacks—Estonia in 2007.

Various actions have nonetheless affected satellite functions without being widely characterized as attacks. For example, in 2003 Iraq reportedly used Russian-supplied GPS jammers against the United States; in 2006 US officials revealed that China had directed a laser at a US satellite and 'painted' it; and since 2003 Iran has repeatedly jammed satellite communications signals from foreign broadcasters and network services. Moreover, hackers have targeted the functions of some satellites via cyberspace. According to Eric Sterner of the George C. Marshall Institute, 'if threats are interpreted as a function of both intent and capability, multiple state and non-state actors have demonstrated ample intentions and capabilities to attack space systems'. Because of Estonia's experience in 2007, it may be easier to gain consensus in NATO about the significance of cyber attacks than about that of assaults on space capabilities. In other words, it is harder to gain consensus when the gravity of a threat has not yet been dramatically demonstrated. NATO agreement on an enhanced cyber policy might, however, be a step towards greater consensus on space policy.[87]

[87] Eric Sterner, 'Beyond the stalemate in the space commons', in Abraham M. Denmark and James Mulvenon, eds, *Contested commons: the future of American power in a multipolar world* (Washington DC: Center for a New American Security, January 2010), pp. 117–18, available at http://www.cnas.org/node/4012, accessed 7 Feb. 2010.

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State-sponsored WMD terrorism

Britain, France and the United States have in recent years highlighted the threat of state-sponsored terrorist attacks employing nuclear weapons, and they have made clear their determination to identify any anonymous attacker and retaliate. In the words of Defense Secretary Gates, 'To add teeth to the deterrent goal of this policy, we are pursuing new technologies to identify the forensic signatures of any nuclear material used in an attack—to trace it back to the source.' Moreover, as Gates noted, 'the United States has made it clear for many years that it reserves the right to respond with overwhelming force to the use of weapons of mass destruction against the United States, our people, our forces, and our friends and allies'.[88]

Since the alliance's three nuclear weapon states have chosen to make this issue part of their declaratory policies with a view to deterrence, this could also be seen as a question for NATO's next Strategic Concept.[89] Once again, supporting NATO's deterrence posture is an essential function of the Strategic Concept. Will the allies judge it prudent to include a statement holding state sponsors of terrorism accountable for nominally anonymous attacks with WMD? Or will they decide that the mutual defence pledge in Article 5 is sufficient and that there is no need to refer explicitly to this potential contingency?[90]

Political–military dynamics in the Middle East and the Asia–Pacific region

The words 'Asia', 'Pacific', 'China', 'Japan', 'Korea', 'India', 'Pakistan', 'Iran', and 'Middle East' did not appear in the 1999 Strategic Concept. Its authors maintained a resolute focus on the 'Euro-Atlantic' region. The closest they came to recognizing an international context beyond the Euro-Atlantic area was the vague observation that

[88] Speech delivered by Secretary of Defense Robert M. Gates, Carnegie Endowment for International Peace, Washington DC, 28 Oct. 2008. See also the speech by Jacques Chirac, then president of France, at Landivisiau-l'Ile Longue, 19 Jan. 2006, available at http://www.elysee.fr/elysee/elysee.fr/francais_archives/interventions/discours_et_declarations/2006/janvier/allocution_du_president_de_la_republique_lors_de_sa_visite_aux_forces_aeriennes_et_oceanique_strategiques-landivisiau-l_ile_longue-finistere.38406.html, accessed 2 July 2009; and the UK defence white paper, *The future of the United Kingdom's nuclear deterrent*, Cm 6994 (London: HMSO, Dec. 2006), p. 19, para. 3–11, available at http://www.mod.uk/NR/rdonlyres/AC00DD79–76D6–4FE3–91A1–6A56B03C092F/0/DefenceWhitePaper2006_Cm6994.pdf, accessed 2 July 2009. While the US and French statements referred to states employing terrorist groups to deliver 'weapons of mass destruction', the British white paper focused on the narrower category of state sponsors 'transferring nuclear weapons or nuclear technology to terrorists'.

[89] The allies noted in the 1999 Strategic Concept that 'Non-state actors have shown the potential to create and use some of these weapons'—that is, nuclear, chemical and biological weapons—but did not discuss the possible risk of state-sponsored WMD terrorism: North Atlantic Council, Strategic Concept, 24 April 1999, para. 22.

[90] Some European allied observers have indicated in interviews that referring to such a contingency in the Strategic Concept might be counterproductive because it might alarm the public in NATO nations. In their view, the document should provide reassurance to the public while nonetheless communicating a deterrent message to potential adversaries. Conversely, it might be argued that the allies have already come close to referring to such a contingency in the Comprehensive Political Guidance: 'As shown by the terrorist attacks on the United States in 2001 following which NATO invoked Article 5 for the first time, future attacks may originate from outside the Euro-Atlantic area and involve unconventional forms of armed assault. Future attacks could also entail an increased risk of the use of asymmetric means, and could involve the use of weapons of mass destruction': North Atlantic Council, Comprehensive Political Guidance, 26 Nov. 2006, para. 5.

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The security of the alliance remains subject to a wide variety of military and non-military risks which are multi-directional and often difficult to predict. These risks include uncertainty and instability in and around the Euro-Atlantic area and the possibility of regional crises at the periphery of the Alliance, which could evolve rapidly … The resulting tensions could lead to crises affecting Euro-Atlantic stability, to human suffering, and to armed conflicts. Such conflicts could affect the security of the Alliance by spilling over into neighbouring countries, including NATO countries, or in other ways, and could also affect the security of other states.[91]

The alliance's strictly Euro-Atlantic focus reflects its origins. When they concluded the North Atlantic Treaty in 1949, the allies wished to focus on security in Europe and North America and to avoid assuming additional security obligations, notably with respect to the overseas colonies of some allies. The geographical limits in Article 6 of the treaty therefore concern the area of application of the mutual defence pledge in Article 5. NATO's engagement in Afghanistan is only one indicator of how the long-standing Eurocentric concentration has been qualified and may be subject to further adjustment. As noted previously, at the Prague summit in November 2002, the NATO allies expressed a determination 'to strengthen our ability to meet the challenges to the security of our forces, populations and territory, from wherever they may come'.[92] The allies condemned the nuclear weapon tests conducted by India and Pakistan in 1998,[93] as well as the ballistic missile and nuclear weapon tests by North Korea in 2006 and 2009.[94]

The 2008 French defence white paper compared economic, demographic and technological modernization trends in Asia with those in the Euro-Atlantic region, and drew attention to 'a gradual shift of the strategic centre of gravity toward Asia'.

Asia is already the most dynamic part of the world … It is also a region with numerous unresolved conflicts (Kashmir, the Korean peninsula, the Taiwan question) and interstate tensions (India–Pakistan, India–China, China–Japan), and where three of the principal countries of the world have strategic interests and a military presence (Russia, China, and the United States). It is the only region where three nuclear powers have common borders that are not internationally recognized (India–Pakistan–China), while North Korea, which conducted a nuclear test in October 2006 and which continues to develop its ballistic technologies, alarms its neighbours, particularly Japan … In this context, the strong increase in military effort, notably in China (with announced budget rates of an average of 10% a year from 1989 to 2007, and of 17% for the years 2007 and 2008), is a factor

[91] North Atlantic Council, Strategic Concept, 24 April 1999, para. 20.

[92] North Atlantic Council, Prague summit declaration, 21 Nov. 2002, para. 3.

[93] NATO–Russia Permanent Joint Council meeting at ministerial level, Luxembourg, 28 May 1998, Statement on the Nuclear Tests of Pakistan and India, available at http://www.nato.int/docu/pr/1998/p980529e.htm, accessed 14 Feb. 2010. See also NATO–Ukraine Commission meeting at ministerial level, Luxembourg, 29 May 1998, NATO press release (98) 62, available at http://www.nato.int/docu/pr/1998/p98–062e.htm, accessed 14 Feb. 2010.

[94] NATO press release (2006) 081, 5 July 2006, available at http://www.nato.int/docu/pr/2006/p06–081e.htm, accessed 21 Jan. 2010; NATO press release (2006) 119, 10 Oct. 2006, available at http://www.nato.int/docu/pr/2006/p06–119e.htm, accessed 21 Jan. 2010; NATO press release (2009) 077, 25 May 2009, available at http://www.nato.int/cps/en/SID-A1BC720E-77E98810/natolive/news_55112.htm?mode=pressrelease, accessed 21 Jan. 2010.

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of preoccupation that is all the more serious because data concerning this effort lack transparency in the case of China, the region has no collective security system, and confidence building measures among states are limited.[95]

As Julian Lindley-French of the Netherlands Defence Academy recently observed, 'all the ingredients exist for state competition, particularly over resources and life fundamentals, and particularly in East and South Asia'. Political–military competition in Asia could, Lindley-French noted, raise burden-sharing questions in transatlantic relations, particularly if the United States is obliged to dedicate more resources to the Asia–Pacific region. In these circumstances the European allies may need to 'at least start to perform more credibly in keeping the famous "in and around Europe" reasonably stable so that NATO can help keep the U.S. strong in East and South Asia'.[96]

Stephan Frühling of the Australian National University and Benjamin Schreer of the Aspen Institute Germany recently argued cogently that

> NATO as a whole must pay greater attention to power shifts in the Asia–Pacific and the implications for the Alliance … Any additional demands on US defence efforts in the Pacific would thus reinforce … US demands for better transatlantic burden-sharing. Finally, major conflict in the Asia–Pacific … would immediately raise the question of possible European participation—in much the same way as events in Afghanistan did so in 2001, in a previously unthinkable manner … The rise of China reinforces the need for transatlantic allies to discuss the geographic scope of NATO operations, the geographic priorities of European military engagement and the respective global security roles of NATO and the EU. This debate has to occur *before* urgent crises demand immediate and improvised responses.[97]

Whether the NATO allies will articulate more explicit policies on potential security challenges beyond the Euro-Atlantic region in the next Strategic Concept remains to be seen. In January 2010, US Secretary of State Hillary Clinton said that 'there is an awareness of the global nature of a lot of these problems, but a great reluctance to go beyond the geographic reach of NATO'. As she observed, in the face of 'rogue regimes' such as North Korea, 'there are some who say this is too complicated, it is out of area, it is not our responsibility'.[98] Events may, however, oblige the allies to grapple with the consequences of security challenges originating in the Middle East and the Asia–Pacific region.

[95] *Défense et sécurité nationale: le livre blanc* (Paris: Odile Jacob/La Documentation Française, June 2008), pp. 34–5 (author's translation).

[96] Julian Lindley-French, 'Stratcon 2010: NATO's strategic transformation', in Boxhoorn and den Dunnen, eds, *NATO's new Strategic Concept*, pp. 69–70.

[97] Stephan Frühling and Benjamin Schreer, 'NATO's new Strategic Concept and US commitments in the Asia–Pacific', *RUSI Journal* 154: 5, Oct. 2009, pp. 98, 100, 102 (emphasis in original).

[98] US Secretary of State Hillary Rodham Clinton, 'Remarks on the future of European security', L'École Militaire, Paris, 29 Jan. 2010, available at http://www.state.gov/secretary/rm/2010/01/136273.htm, accessed 7 Feb. 2010.

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The risk of a non-Article 5 operation becoming a collective defence contingency

The danger that a non-Article 5 mission could turn into a collective defence contingency has been present since 1992, when the allies first undertook such operations in the Balkans. NATO forces operating in Afghanistan or some other location distant from their national territories could face attacks by a foreign government (as opposed to attacks by terrorists and insurgents), and these attacks might be conducted with nuclear, chemical or biological weapons. The core security interests of NATO or of specific allies could be affected by such attacks. If NATO forces came under attack by a foreign government outside the Article 6 area, how would the allies respond? Should the allies say in the Strategic Concept that they would regard such an attack as an Article 5 case? If core security interests held collectively by the allies came under attack, they might choose to treat it as an Article 5 case—even if the attack took place outside the Article 6 area, and even if they had said nothing about such a contingency in the new Strategic Concept. Given that deterrence may require sending messages about vital interests, however, should the NATO allies state that their vital interests include their armed forces when they are engaged in alliance operations beyond the geographical area specified in Article 6?

A related question is whether the alliance should say something in the new Strategic Concept about nuclear protection for allied forces conducting operations outside the geographical area defined in Article 6. If a country attacked forces deployed by NATO outside NATO territory with a nuclear weapon, the alliance would have to consider whether to make a nuclear response. Should nuclear deterrence regarding such a contingency be a matter for possible national policy declarations by Britain, France and the United States, the alliance's three nuclear weapon states? Or should there be a statement about such a contingency in the new Strategic Concept? Would it be sufficient to rely on the fact that there is an inherent nuclear dimension in the military operations undertaken by any nuclear weapon state?

In addressing these questions, it should be recognized that some doctrinal differences among NATO's three nuclear weapon states persist, and that these three allies have resisted the formulation of an alliance policy on, for example, negative security assurances, on the grounds that such unilateral national undertakings are matters for the countries making them, not for their allies.[99] Moreover, taking up the issue of nuclear protection outside NATO territory might reignite debates such as that which took place in France in the late 1970s concerning the implications of deploying nuclear weapons on aircraft-carriers operating far from the national homeland. Some French observers asked whether the nation's nuclear-armed aircraft-carriers should be regarded as protected by nuclear deterrence in the same way as the national homeland. Or should France's nuclear deterrence capabilities be reserved for the protection of more narrowly defined vital inter-

[99] Yost, 'New approaches to deterrence in Britain, France, and the United States', esp. pp. 111–14.

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ests, such as the national territory?[100] Possible nuclear deterrence contingencies involving NATO allies in operations distant from alliance territory appear to have received little public attention.

Other issues

The allies may well examine issues in addition to the six listed above in composing the new Strategic Concept. For example, some allied observers have suggested that ensuring the security of energy supplies, or 'energy security', could be regarded as a collective defence matter falling under Article 5 of the North Atlantic Treaty and that this should be explicitly stated in the new Strategic Concept. Others hold, however, that a statement similar to that employed in the 1999 Strategic Concept—that 'Alliance security interests can be affected … by the disruption of the flow of vital resources'[101]—would be sufficient, without brandishing Article 5 and an implicit threat of military action. According to another statement in the same paragraph of the 1999 Strategic Concept: 'Arrangements exist within the alliance for consultation among the allies under Article 4 of the Washington Treaty and, where appropriate, co-ordination of their efforts including their responses to risks of this kind.'[102]

In view of this proviso and similar statements elsewhere in the 1999 Strategic Concept,[103] some allied observers favour regarding 'energy security' as a policy challenge to which the NATO allies might choose to seek a collective response in a particular situation. In their view, the allies could express political solidarity and coordinate their policies without presenting particular issues as by definition matters of collective defence that might require the threat or use of military force. Some allied observers would apply the same logic to certain other potential challenges, such as the risks that might be presented by pandemics or climate change. From this perspective, unless an adversary has deliberately released biological warfare agents or exploited changing environmental conditions in pursuit of unilateral advantage, pandemics and climate change may constitute global challenges rather than security tasks for the alliance. As with their responses to certain natural disasters, however, the allies could choose to supply logistical assistance, including transport of medical supplies and equipment, under NATO auspices. NATO might be one of several international organizations charged with cooperating to address such a challenge, and in other cases have no role, with responsibility being assigned by governments to UN agencies or other bodies. In yet other instances, however, the NATO allies might decide that the alliance

[100] For background, see David S. Yost, *France's deterrent posture and security in Europe, Part I: capabilities and doctrine*, *Adelphi Paper* 194 (London: International Institute for Strategic Studies, Winter 1984–5), p. 55.
[101] North Atlantic Council, Strategic Concept, 24 April 1999, para. 24.
[102] North Atlantic Council, Strategic Concept, 24 April 1999, para. 24.
[103] As noted previously, the 1999 Strategic Concept stated that one of the alliance's purposes is: 'To serve, as provided for in Article 4 of the Washington Treaty, as an essential transatlantic forum for Allied consultations on any issues that affect their vital interests, including possible developments posing risks for members' security, and for appropriate co-ordination of their efforts in fields of common concern': North Atlantic Council, Strategic Concept, 24 April 1999, para. 10.

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framework would offer distinctive 'added value' and make it the preferred vehicle for the defence of their common security interests.

It should be recalled that, according to Article 4 of the North Atlantic Treaty, 'The Parties will consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened.' In an uncertain and turbulent world in which individual allies may face political intimidation, attempts at coercion and threats of limited aggression, rather than the threat of large-scale aggression aimed at territorial occupation and national defeat (as during the Cold War), NATO may in the future need to focus political consultations and military planning on Article 4 issues as well as Article 5 contingencies. The allies may therefore conclude that it would be wise to reconsider the meaning of Article 4 as well as Article 5 in the new international context. The allies might regard some contingencies—including the manipulation of resource supplies or certain forms of cyber-attack or assaults against satellites—as Article 4 cases calling for security consultations. Moreover, the allies may find it in their interest to place more emphasis on developing the alliance's potential as a proactive crisis management organization that strives to curtail emergent conflicts, despite the difficulties in moving beyond a reactive posture in a multinational, consensus-directed institution.

The wordsmiths drafting the alliance's next Strategic Concept may find it advantageous to favour firm and unambiguous language about essential principles such as collective defence, but artful vagueness about the particular contingencies in which the allies may choose to apply these principles.[104] Excessively specific language about what would constitute an Article 5 case or, more broadly, affect the alliance's security interests might constrain the flexibility of the allies or even inadvertently weaken deterrence and invite aggression. Similarly, the specification in the Strategic Concept of political criteria for undertaking non-Article 5 operations, such as those that have been suggested for a hypothetical NATO engagement in peacekeeping in the Middle East,[105] might unduly constrict the alliance's room for manoeuvre. With regard to the role of the UN Security Council, the allies may find it prudent simply to restate their understanding of its 'primary responsibility for the maintenance of international peace and security', as in the 1999 Strategic Concept.[106]

[104] As the foreign minister of Norway, Jonas Gahr Støre, recently observed, 'we must hope that the Strategic Concept will not be a detailed micro-management document': interview on 14 Jan. 2010, available at http://www.nato.int/cps/en/natolive/opinions_60694.htm, accessed 19 Jan. 2010.

[105] In 2005, Jaap de Hoop Scheffer, then the NATO Secretary General, described 'the necessary preconditions before envisaging any NATO contribution' as including 'a lasting peace agreement between Israelis and Palestinians', the support of these parties for 'a NATO role in its implementation' and 'a UN mandate': speech by NATO Secretary General Jaap de Hoop Scheffer in Israel, 24 Feb. 2005, available at http://www.nato.int/docu/speech/2005/s050224a.htm, accessed 6 Feb. 2010.

[106] 'The United Nations Security Council has the primary responsibility for the maintenance of international peace and security and, as such, plays a crucial role in contributing to security and stability in the Euro-Atlantic area': North Atlantic Council, Strategic Concept, 24 April 1999, para. 15. The reference in the 1999 Strategic Concept (para. 10) to the alliance's readiness 'case-by-case and by consensus, in conformity with Article 7 of the Washington Treaty, to contribute to effective conflict prevention and to engage actively in crisis management, including crisis response operations' constitutes another reference to the UN Security Council in the 1999 Strategic Concept. According to Article 7 of the North Atlantic Treaty, also known as

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As some allied experts have observed, 'thematizing' and 'regionalizing' NATO's purposes with great specificity could weaken the credibility of the Article 5 commitment and undermine alliance cohesion. While the allies may well identify types of challenges affecting their security interests in the next Strategic Concept, they may also choose formulations that are sufficiently open to allow them some latitude in dealing with contingencies as they arise. As in the past, the Strategic Concept will be given practical meaning by the actions, investments and political will of the allies.

Conclusion: vision and political will to meet the new challenges?

The final question is, do the allies have the vision and political will to meet the new challenges? This is the most important question, and only the allies themselves can answer it. The picture is mixed, but there are firm grounds for hope.

The picture is mixed because there are several rather negative indicators, notably inadequate defence spending by some allies, national caveats by some allies on where, when and how their forces may be used in operations, minimal contributions of forces and equipment to operations by some allies, and continuing disagreements among the allies as to how to rank their priorities and pursue their objectives. Moreover, some allies have failed to meet their capabilities commitments in rotations of the NATO Response Force (NRF); and the allies have yet to develop more comprehensive common funding arrangements to support various activities, including contingency deployments by the NRF.[107]

It is not clear whether or how reviewing the Strategic Concept will contribute to the alliance's renewal. The deliberation and drafting process regarding the alliance's core purposes is important, but ultimately secondary to the exertion of political will by allied governments to formulate shared commitments and to follow through on them with investment and action. Without sufficient consensus on their collective purposes the allies may face increasing political fragmentation, continued inadequate defence spending, more shortfalls in meeting commitments to operations and NRF rotations, and uncertainties among geographically exposed allies about the reliability of NATO collective defence commitments.

There are nonetheless solid grounds for hope because the allies have experienced and surmounted—or managed to work around—similar problems in the past. Disagreements among the allies as to how to rank their priorities and pursue their objectives have characterized the alliance throughout its history. However, as Jaap de Hoop Scheffer pointed out in July 2009, at least in relation to some security

the Washington Treaty, 'This Treaty does not affect, and shall not be interpreted as affecting in any way the rights and obligations under the Charter of the Parties which are members of the United Nations, or the primary responsibility of the Security Council for the maintenance of international peace and security.' For a discussion of the alliance's relationship to the UN Security Council, including the issues raised by NATO's Operation Allied Force in the 1999 Kosovo conflict, see Yost, *NATO and international organizations*, pp. 31–41.

[107] For a valuable discussion of this point, see Diego Ruiz Palmer, 'From AMF to NRF: the roles of NATO's rapid reaction forces in deterrence, defence and crisis-response, 1960–2009', *NATO Review*, 2009, 'NATO at 60', special issue, available at http://www.nato.int/docu/review/2009/0902/090204/EN/index.htm, accessed 6 Feb. 2010.

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challenges the post-Cold War security environment 'does not present the kind of visible, tangible threat to all NATO Allies that we were used to in the Cold War'. He continued:

> And this is perhaps the greatest challenge to our alliance. Why? Because it leads to a tendency to multiply the number of threats that NATO is called upon to deal with, with many allies having different perceptions according to their geographical location, their history or simply the last problem they faced—whether a terrorist attack or the breakdown of their computer systems or an instance of mass migration. The degree of solidarity that a nation wants to render today is very much at its own discretion. The test of our alliance, therefore, is in its ability to convince allies to show the necessary solidarity and to increase their willingness to share burdens equitably.[108]

De Hoop Scheffer's statement that 'The degree of solidarity that a nation wants to render today is very much at its own discretion' serves as a commentary on the changed international context. It underscores the challenge for the allies in defining their common purposes. Article 5 has always provided for national discretion, in that the mutual defence pledge is qualified: 'The Parties … agree that, if such an armed attack occurs, each of them … will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, *such action as it deems necessary*, including the use of armed force, to restore and maintain the security of the North Atlantic area' (emphasis added). In contrast with the Cold War situation, when an 'opt-out' from replying forcefully to direct Soviet aggression was generally deemed implausible, the NATO allies now face threats and discern security imperatives in addition to the classical collective defence contingency of responding to 'an armed attack'. They thus have greater latitude—and indeed must exercise judgement—in allocating resources to multiple security tasks.

Agreement on the alliance's purposes is irrelevant without the political will to act on them, and in an alliance this leads inevitably to the question of burden-sharing. The allies have disagreed since the founding of the alliance about how to define and measure equitable burden-sharing. All measures have shortcomings; and no measures—including quantitative measures—are regarded universally as objective and thorough. As measured by defence spending as a percentage of GDP, for example, burden-sharing within the alliance has always been uneven and unbalanced. However, this seemingly impartial gauge of burden-sharing does not, as many experts have pointed out, indicate anything about the efficiency with which funds are spent, nor does it spell out the specific purposes of the spending (for instance, personnel, equipment modernization, force transformation, or current operations and maintenance) or whether an ally employs its forces to support its own national priorities or NATO objectives or directs them to serve under other auspices (such as those of the UN, the EU, or an ad hoc coalition). Funds invested in force transformation—for instance, developing forces capable of expeditionary operations instead of simply static territorial defence—may

[108] Jaap de Hoop Scheffer, 'NATO: securing our future'.

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be regarded as contributions to burden-sharing just as valid as funds supporting current NATO operations. Some allies maintain, despite the doubts of critical allied observers, that development aid, technical assistance and humanitarian relief can also be considered contributions to alliance burden-sharing because they are intended to promote a more benign international security environment.

In other words, there is more to burden-sharing than current force levels in Afghanistan and the degree of engagement of these forces in combat operations. Moreover, with respect to the forces committed to missions in Afghanistan, some allowance must be made for differing national capabilities. It is difficult to make meaningful comparisons between, for example, contributions of light infantry, helicopters, special forces, and medical personnel and equipment.

The allies have not agreed how to identify, measure and compare contributions to NATO. Critics have accused some allies of abstaining from participation in certain NATO commonly funded equipment procurement budgets in order to protect their national military industries. Some of these same allies spend substantially more than others on military capabilities, however, and make large contributions to current operations. This circumstance reflects the long-standing capability gaps in the alliance—notably, those between the United States and the rest of the NATO allies, and those between certain European allies (especially France and the United Kingdom) and the other European allies.[109]

The capability gaps reflect the size of national economies to a considerable extent, but other factors—including the priority attached to military investments—are also involved. As Yves Boyer has noted, 'Of the 27 EU countries, only six—France, Germany, UK, Italy, Spain and the Netherlands—accommodated for 82% of all EU defence spending. Put another way, 21 of the Union's member states contribute between them a mere 18% of EU defence expenditure.'[110] According to Charles Grant, 'only about a third of the [EU] member states take defence seriously and believe in intervening to solve security problems'.[111] These observations about defence investments and attitudes in the EU are pertinent to the alliance because 21 EU members are NATO allies. In October 2009 US Assistant Defense Secretary Alexander Vershbow pointed out that:

> Consensus around collective defense cannot take place if there are perceptions that some members are true security providers while others are security consumers. In constant dollars, European defense spending has remained flat since 1998 … In fact, if it were not for some of our newest members, who have been working hard to achieve NATO spending targets, European defense spending levels would actually have declined since the 1990s. If NATO wants to remain relevant, we're going to have to ensure that our resources match NATO missions.[112]

[109] David S. Yost, 'The NATO capabilities gap and the European Union', *Survival* 42: 4, Winter 2000–2001; James Appathurai, 'Closing the capabilities gap', *NATO Review*, Autumn 2002.
[110] Yves Boyer, 'ESDP is badly damaged but it's far from dead', SDA discussion paper (Brussels: Security and Defence Agenda, April 2008), p. 16.
[111] Charles Grant, 'How to make Europe's military work', *Financial Times*, 16 Aug. 2009.
[112] Vershbow, 'Crafting the new Strategic Concept'.

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Restrictions on the use of forces and limited contributions of forces and equipment by some allies represent other political facts of life. Although throughout NATO's history some notable politicians have successfully sought to lead rather than to follow public opinion, allied governments generally cannot do more than their political base at home will permit. It is no accident that the forces of NATO allies in Afghanistan differ in their exposure to combat risks. Some NATO allies have stipulated that their forces be deployed and retained in less dangerous regions. Chris Patten, the Chancellor of Oxford University and a former European Commissioner for External Relations, wrote in November 2008 that 'the non-fighting NATO members should be prepared to join Britain, the Netherlands, Poland and Denmark in the trouble spots of the south and east'.[113] Nevertheless, caveats on how their forces may be deployed remain the price exacted by some allies for participating at all.

Political leadership will remain indispensable if allies are to exert political will and increase their efforts. This will require more than increased reliance on common funding mechanisms for specific capabilities or purposes. However, such mechanisms could lead to more equitable burden-sharing, especially if the funding share were based on each ally's GDP. Pooled logistics and greater investment in shared military capabilities might also enhance the collective effort.

Circumstances of necessity may motivate some allies to spend and do more. The fact remains that there is no alternative to NATO—not the OSCE, nor the EU, nor the UN—if the allies wish to secure their collective defence. Article 5 will remain the bedrock of the alliance, and the allies are likely to continue to take a selective approach to undertaking non-Article 5 operations—especially after the experience of Afghanistan.

The real challenge for the NATO allies is to agree on their common purposes and to define a strategy to meet them, including a shared understanding on required resources and contributions. As James Golden pointed out in a classic study of the problems in analysing NATO burden-sharing, 'Without agreement on alliance objectives and a strategy for meeting them, attempts to measure members' contributions, however precise and reliable, will mean little.'[114] The question of the alliance's 'level of ambition' in capabilities is inseparable from that of its agreed purposes and burden-sharing to achieve them.

[113] Chris Patten, 'How Europe can respond to Obama', *Financial Times*, 26 Nov. 2008.
[114] James R. Golden, *NATO burden-sharing: risks and opportunities*, Washington Paper 96 (New York: Praeger for the Center for Strategic and International Studies, Georgetown University, 1983), p. 19.

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