NATO'S NEW STRATEGIC CONCEPT

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Peace and Security Comittee

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Contents

Foreword

On 18 June 2009, the government asked the Advisory Council on International Affairs (AIV) to produce an advisory report on the review of NATO's Strategic Concept. The purpose of a new Strategic Concept is to provide a joint answer by the 28 member states to the question of what NATO's main objectives should be in the foreseeable future. What significance do NATO's original 1949 objectives have in the 21st century, taking account of the developments that have taken place since the previous Strategic Concept in 1999 and the current and expected security threats?

This advisory report deals with the main security risks that currently exist, the challenges facing NATO and the diverse security concerns within the Alliance. On the basis of this analysis proposals are made for the stance to be taken by the Dutch government in the negotiations on a new Strategic Concept.

In its request for advice the government posed the following questions:
- What significance do NATO's original objectives have in the 21st century, in the light of the current security threats and the developments that have taken place since 1999?
- What should be the goal and scope of possible future NATO enlargement?
- How can NATO give more substance to its relations with its partners (individual countries, formal partnerships and international organisations)?
- What reforms are needed to enable NATO to function effectively in the new context?
- How can NATO's armed forces be given a sharper expeditionary profile?
- How could burden sharing in the broadest sense of the term (a fair division of troop contributions, financial costs and operational risks) be put into practice in the best possible way, notably in expeditionary operations?
- What role could NATO play in the field of arms control, disarmament and non-proliferation?
- What role could the Netherlands play in all these areas?

The introduction starts by describing the function of NATO's Strategic Concept. It goes on to outline a number of important events affecting international security that have occurred since the publication of the last Strategic Concept in 1999.

Chapter 1 – the Security Context until 2020 – lists the current and future security risks and gauges their importance in the next five to ten years. Not every security risk will evolve into a threat or necessitate military action. However, these risks must be classified for the purposes of NATO's security agenda under the headings of collective defence, out-of-area operations or political dialogue.

Chapter II – Key Issues for NATO – focuses on the main challenges facing NATO in the next five to ten years. It first examines the scope of article 5 and the desirability of more intensive political consultation on security issues within NATO. Afterwards it considers the scope of NATO operations, cooperation with other international players, the possible enlargement of NATO and the role of NATO in relation to non-proliferation of weapons of mass destruction and disarmament. Finally, it examines the issues of public support, reforms within NATO and solidarity and burden sharing.

In chapter III – Conclusions and Recommendations – the AIV sets out the key points which should serve as a guideline for the Dutch government in the negotiations on a new NATO Strategic Concept. These key points are elaborated in the answers to the questions posed by the government in its request for advice.

The report was prepared by the Peace and Security Committee, consisting of Professor J.J.C. Voorhoeve (chair), Lt. Gen. M.L.M. Urlings (retd.) (vice-chair), D.J. Barth, Dr I. Duyvesteyn, Dr P.P. Everts, Lt. Gen. G.J. Folmer (retd.), Ms B.T. van Ginkel, Dr M. de Goede, J.S.L. Gualthérie van Weezel, Dr P. van Ham, Professor K. Koch, Rear Admiral R.M. Lutje Schipholt (retd.), Dr C.M. Megens, Ms C.F. Meindersma, J. Ramaker, Lt. Gen. H.W.M. Satter (retd.), and Dr W.F. van Eekelen of the European Integration Committee. The committee was assisted by civil service liaison officers Ms E. Schouten (Ministry of Foreign Affairs) and Colonel J.N. Zijlstra (Ministry of Defence). The executive secretary was M.W.M. Waanders, assisted by trainees Ms A. de Boer, J.J. van Blaaderen, Ms B.A. Kuiper-Slendebroek and D.A. Wegen. A word of thanks is due to the previous executive secretary, J.M.D. van Leeuwe, for his assistance at the start of the advisory process.

In the course of preparing this report the AIV consulted a number of experts and visited NATO Headquarters and the EU Council Secretariat in Brussels. Annexe IV lists the persons consulted. The AIV is very grateful to them for their contribution.

The AIV adopted this report at its meeting on 29 January 2010.

Introduction

The aim of the Strategic Concept is to provide a common basis for the objectives, priorities and resources of the NATO Alliance in relation to the political context and the security risks over the next five to ten years. As such it serves three functions:
- it expresses the political consensus of the member states;
- it provides a basis for the planning and deployment of the NATO armed forces;
- it constitutes an instrument of public diplomacy in relation to other players in the international security environment.

The last Strategic Concept dates from 1999 and was based on experiences with the crises in the Balkans, but was already partly outdated when it was adopted, particularly as regards the relationship between NATO and the European Union as a consequence of the new European Security and Defence Policy (ESDP).[1] Since then the Alliance has grown from 16 to 28 member states and has not succeeded in drawing up a new Strategic Concept that takes account of the major changes in the security context brought about by the terrorist attacks on the United States on 11 September 2001, the Iraq war and the NATO operations in Afghanistan. However, adjustments made in the meantime were recorded in ministerial communiqués and in the Comprehensive Political Guidance adopted by the Riga Summit in November 2006. At the NATO Summit in Strasbourg/Kehl in April 2009 it was decided to adopt a new Strategic Concept in the expectation that consensus would now be possible, given the new multilateral approach of the United States and the fact that France had rejoined NATO's military structures.

Analyses of worldwide strategic trends and security risks reveal major uncertainty and changeability in numerous fields in the next few decades.[2] Uncertainties about the negative aspects of globalisation, the effectiveness of international security institutions and the emergence of non-state actors also influence the NATO Alliance. In view of this uncertainty and changeability, the AIV would prefer a concise Strategic Concept with a short time horizon of five to ten years.

The Strategic Concept must define the core tasks of NATO in an unpredictable world and provide political guidelines for future action by the Alliance. These guidelines can be translated into specific measures and up-to-date positions (such as force planning, agreements on the reform of headquarters and institutional adjustments) at a later date in supporting documents that have a short time horizon.

The Strategic Concept can also help to generate public support for NATO and create an understanding of its relevance and tasks in changing security conditions.

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1 'The Alliance's Strategic Concept', NATO Summit Washington D.C. (April 1999).

2 NATO Allied Command Transformation, 'Multiple Futures Project: Navigating towards 2030' (April 2009).

I   The security context until 2020

Various changes in the security context are of great importance from the perspective of the Netherlands. The new Strategic Concept should accordingly take account of the following changes.

1. The threat to the territorial integrity and independence of the member states has greatly diminished since 1989, although there is a still a wide gap in perceptions between the old member states on the one hand and the new Central and Eastern European member states and Norway on the other, which tend to regard Russia as more of a threat.

2. Globalisation – the worldwide process by which economic, political and sociocultural factors influence one another – has continued apace since 1999. This process is being driven by the rapid development and wide availability of information and communication technology and by the great improvements in transport infrastructure. Many 'new' security issues, including the spread of terrorism and the possibility of cyber attacks, are closely connected with globalisation.

3. The link between internal and external security has become stronger, partly due to catastrophic terrorism, fragile states, international organised crime, illegal immigration and refugee flows.

4. A broader definition of the concept of security comprises not only state security but also human security. This means personal safety and related fundamental rights.

5. Greater attention has been paid to the relationship between security and development. Within the OECD/DAC it is recognised that without security there can be no balanced development, but conversely that without development there can be no lasting security. Like some of its allies, the Netherlands advocates a comprehensive approach in fragile states and regions, which emphasises not only military security but also the link with diplomacy and development cooperation. Cooperation between international organisations and also with NGOs is essential for this purpose.

6. A growing number of crisis management operations undertaken by the UN, NATO and the EU involve 'war amongst the people', in other words the deployment of troops among the civilian population in circumstances in which the opposing forces resort to irregular warfare and hide among the population. In its expeditionary operations, NATO is frequently confronted with asymmetric threats such as terrorist attacks, confrontations with insurgents and organised criminal violence.

The Strategic Concept must be based on a careful estimation of possible security risks in the next five to ten years and on the shared national interests and views of the 28 member states. The points referred to above go beyond NATO's core tasks and also require close attention from the EU, the UN and other institutions.[3] Experience has shown that NATO can act effectively only if the member states are convinced of the urgency of certain security risks and are willing and able to deal with them collectively. It should be noted that NATO is only one of the instruments for collective action available to governments. By no means all security risks require NATO intervention. The issue of which tasks must be carried out by NATO and which can better be carried out in other contexts, with or without NATO support, is discussed in this advisory report. The report also considers how broadening the concept of security would affect the objectives of NATO.

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3   See also AIV Advisory Report no. 45, 'The Netherlands in a Changing EU, NATO and UN', The Hague, (July 2005).

I.1   Inter-state conflicts

The likelihood of a large-scale inter-state conflict within the Euro-Atlantic area has diminished in the past decade. Although the relationship with Russia has been characterised by a number of serious incidents in recent years, most security experts agree that Russia poses no military threat to the Alliance. Nonetheless, many countries that formerly belonged to the Soviet sphere of influence remain concerned about their political independence and territorial integrity.[4]

Outside the Euro-Atlantic area, allowance must be made for the possibility that open or latent regional conflicts may escalate, particularly in the Middle East, the Caucasus and Central Asia, South-East Asia and Africa. A conventional, large-scale military confrontation between states does not seem probable, although this risk cannot be entirely excluded, especially in the Middle East. Another potential source of conflict is shifts in the balance of power, for example the emergence of China as a great power alongside the United States. The United States maintains an important military presence in the Pacific in connection with its existing security guarantees to Japan, South Korea and Taiwan. China is expected to expand its military power in the Pacific.[5] In addition, great powers are also competing with one another to secure their supply of energy and other commodities in conflict-prone regions such as the Middle East, Africa and Central and South-East Asia.[6] The tensions between India and Pakistan and between India and China also demand attention. This is not an exhaustive list as experience shows that new conflicts can suddenly flare up from long-smouldering, latent tensions.

The AIV believes that NATO's core task is and should remain the collective defence of its own territory. This is why attention should be given to article 5 scenarios even where the threat to NATO territory has greatly diminished.

I.2   Weapons of mass destruction (WMD)

Nuclear weapons
Under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) of 1968, the world currently recognises five nuclear-weapon states: the United States, Russia, the United Kingdom, France and China. Other states that have nuclear weapons in practice are India, Pakistan, North Korea and Israel. The ultimate viability of the non-proliferation system was called into question, particularly after India and Pakistan's nuclear tests in the late 1990s. Then North Korea unilaterally withdrew from the NPT in 2003. It announced in early 2005 that it possessed some nuclear weapons and subsequently tested them in October 2006 and May 2009.[7] Iran's nuclear programme could als result

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4   See also *Gazeta Wyborcza*, 'An open letter to the Obama administration from Central and Eastern Europe' (15 July 2009).

5   See also AIV Advisory Report no. 55, 'China in the Balance: Towards a Mature Relationship', The Hague, (April 2007).

6   United States National Intelligence Council, 'Global Trends 2025: Transformed World' (November 2008), Ministry of Defence, 'Strategische Kennis Agenda' (November 2008).

7   See also AIV Advisory Report no. 47, 'The Nuclear Non-Proliferation Regime: the Importance of an Integrated, Multilateral Approach', The Hague, (January 2006).

in a new de facto nuclear-weapon state. In such a case, the possibility of a nuclear arms race in the Middle East or a conflict with Israel cannot be excluded.

On the other hand, some progress is discernible in relation to the existing non-proliferation regime, the main instrument of which is the International Atomic Energy Agency (IAEA). After the disintegration of the Soviet Union, Belarus, Ukraine and Kazakhstan dismantled the nuclear weapon systems on their territory and acceded to the NPT as non-nuclear-weapon states. After the end of the apartheid regime, South Africa dismantled its nuclear-weapon infrastructure and opened the country to IAEA inspections. Brazil and Argentina had previously terminated the proliferation-sensitive elements of their nuclear programmes. Recently, Libya too has ended its nuclear weapons programme and allowed IAEA inspections. However, the long-term stability and the credibility of the present nuclear non-proliferation regime remain a source of concern and require constant attention.[8]

Chemical and biological weapons
The proliferation of chemical and biological weapons has a different dynamic from that of nuclear weapons. The likelihood that the number of states with chemical and biological weapons will increase markedly in the coming decade is fairly remote. However, the danger that terrorist organisations will obtain these weapons is by no means inconceivable. Whereas nuclear weapons are very hard to produce, chemical and biological weapons are less so. The ingredients for chemical and biological weapons are easily obtainable because they are also used frequently for civilian purposes. The Chemical Weapons Convention (CWC) of 1997, the Biological Weapons Convention (BWC) (which lacks verification provisions) and UN Security Council Resolution 1540 (2004) are able to limit this danger of proliferation only to a slight extent.[9]

Means of delivery
More countries will come to possess means of delivery of WMD in the coming decade. Iran, North Korea, India, Pakistan and Syria are expected to continue their ballistic missile programmes and development of advanced missile technology. An important reason why countries initiate such programmes is the strategic value of means of delivery of WMD in negotiations with other countries. North Korea is the clearest example of this.

The AIV notes that weapons of mass destruction and their means of delivery continue to be a major security problem. The nuclear problem is examined in more detail in section II.8.

I.3   Fragile states

Fragile states are countries in which the central government is unwilling or unable to perform basic functions such as guaranteeing public order, security and human rights, promoting development and reducing poverty. The term fragile relates to weak state capacity. The problem is at its most serious in Sub-Saharan Africa and Central Asia. The majority of the world's 19 most fragile states are on the African continent. There are also rogue states which are controlled by severely repressive regimes. The problems

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8   United States National Intelligence Council, 'Global Trends 2025: Transformed World' (November 2008).

9   S.J. van der Meer, 'Proliferatie van massavernietigingswapens: Vooruitzichten en betekenis voor de Nederlandse krijgsmacht' (Proliferation of Weapons of Mass Destruction: Prospects and Significance for the Dutch Armed Forces), Militaire Spectator no. 11/2009.

in these states can easily spread to neighbouring countries and thus cause regional instability. Explosions of violence, crime, refugee flows and economic crises can have crossborder consequences, sometimes affecting distant countries as well.[10]

In the past decade NATO has expanded the geographical range of its responsibilities to include military operations in fragile states such as Bosnia, Kosovo and Afghanistan. Serious and large-scale human rights violations can also be a reason for international intervention. NATO should help to ensure compliance with international human rights conventions and enforce the humanitarian law of war, first of all by setting a good example itself in all its operations and, second, where possible and desirable, providing support in an international context for enforcement of human rights and international criminal law.[11]

The present fragile states and rogue states will continue to demand the constant attention of the international community in the next ten years. The possible security threats emanating from such states are terrorism, regional conflicts, crossborder crime, piracy and disruption of access to energy and raw materials. In addition, internal conflicts often cause massive flows of refugees, which put a serious strain on neighbouring countries.[12]

The AIV believes that these security risks may necessitate international intervention and that there is a possible role for NATO in such cases.

I.4 Crossborder crime

South America, the Caribbean, Central Asia and parts of South-East Asia are faced with large-scale organised crime, such as international drug trafficking. These criminal networks also have links with serious organised crime in Europe and North America and with other forms of international organised crime such as human trafficking and money laundering.

It is not uncommon for relations between organised crime and the state to be very close in some areas. International measures to combat organised crime therefore benefit, directly or indirectly, from improving the quality of public administration in the countries concerned.

Organised crime, radicalisation and terrorism are not separate phenomena; they can be mutually reinforcing. They can pose a threat to vital infrastructure and hence cause social dislocation at national or international level. The close link between these risks, which affect both internal and external security, requires political consultation within

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10 Minister of Foreign Affairs and Minister for Development Cooperation, 'Security and Development in Fragile States: the Netherlands' strategy 2008-2011', policy document, The Hague, (7 November 2008).

11 The AIV will shortly publish an advisory report on the Responsibility to Protect.

12 See also Advisory Report no. 35, 'Failing States: a Global Responsibility'*,* The Hague, May 2004, Advisory Report no. 60, 'The Netherlands and European Development Policy', The Hague, May 2008 and Advisory Report no. 64, 'Crisis Management Operations in Fragile States: the Need for a Coherent Approach', The Hague, (March 2009).

NATO and with other international players.[13]

The AIV would note that NATO should support other international organisations such as the EU and the UN in their efforts to combat international crime, but that this is not a core task of the Alliance.

I.5 Terrorism

The UN Security Council has defined terrorism as:

> 'Criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organisation to do or to abstain from doing any act.'[14]

The motives for terrorist attacks can differ very widely, but can in many cases be traced to ideological conflicts, nationalist differences or religious extremism. The attacks of 11 September 2001 revealed the scope and threat of international terrorism. The international network structure of terrorist cells that operate independently poses a major threat to both Western and non-Western states. The attacks in London and Madrid also clearly revealed the existence of a parallel trend involving home-grown terrorism, in which the groups concerned were inspired by al Qa'ida but had no direct links with it. Terrorist networks also seem to be becoming increasingly transnational. Even separatist-oriented terrorist movements such as ETA have many international contacts.[15]

Terrorist attacks in Muslim countries cause the majority of victims worldwide. This is evident from the relatively large number of attacks and victims in countries such as Iraq, Afghanistan, Pakistan, India and Indonesia. Although most terrorist attacks are committed with conventional weapons, there is a fear that terrorist organisations will, if possible, make use of WMD. A major risk is posed by the possible use of a radiological weapon ('dirty bomb') in terrorist attacks. The relative ease with which such a weapon could be produced makes it an attractive option for terrorists.

Both democratic and autocratic states can provide a fertile breeding ground for terrorism, which tends to flourish above all in countries where the central authority is weak. Combating home-grown terrorism is primarily a matter of internal security and is thus the responsibility of national authorities. However, combating terrorist networks that operate internationally requires a multinational approach, including cooperation between intelligence agencies.[16]

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13 According to the annual report of the United Nations Office on Drugs and Crime, the illegal drug market was worth 322 billion dollars in 2005. This was more than the GNP of 88% of the countries of the world.

14 UN Security Council resolution 1566, (8 October 2004).

15 Marc Sageman, 'The Next Generation of Terror', *Foreign Policy* (March/April 2008). E. Bakker, 'Jihadi terrorists in Europe', *Clingendael Security Paper* no. 2/2006. E. Bakker and L. Boer, 'The Evolution of Al-Qaedaism: Ideology, terrorists and appeal', *Clingendael Security Paper* no. 4/2007.

16 See also AIV Advisory Report no. 49, 'Counterterrorism from an International and European Perspective', The Hague, (September 2006).

Future conflicts are very likely to be hybrid in nature. In other words, they may involve threats from both state and non-state actors using conventional tactics and/or irregular warfare, including terrorism. Indeed, the NATO Alliance is increasingly confronted by terrorist activities during its expeditionary operations.

The AIV believes that NATO, as a military alliance, is not the organisation that should be primarily responsible for tackling the various types of terrorism. This is mainly the task of the police, criminal justice authorities and intelligence services in the countries concerned. Nonetheless, the nature and scope of a terrorist threat may result in a NATO deployment out of area.

I.6 Cyber attacks

Modern economies are very dependent on vital infrastructure in the fields of transport, energy supplies and communications, especially the internet. The rapid growth of open network structures such as the internet has not only led to economic innovation and growth but has also revealed new vulnerabilities.[17] Societies can be disrupted by information operations and hacking.[18]

Hacking and the manipulation of communication networks, also known as cyber warfare, pose a real security threat to the ICT infrastructure of the armed forces of NATO countries. This requires considerable protection measures and emergency equipment which is not dependent on private open network structures. As there is a clear relationship between cyber warfare and operations in space, the emergency equipment should also include satellites which can be launched into space relatively easily and serve as mobile data links.

The AIV therefore recommends that reducing the vulnerability of the ICT infrastructure of NATO and the member states and their armed forces should be included as an objective in the new Strategic Concept. However, national governments, including the Dutch government, also have their own responsibility in this matter.

I.7 Small arms proliferation

The rapid proliferation of cheap small arms is increasing instability in many countries and undermining the vulnerable central authority in fragile states. According to estimates, some 650 million small arms and light weapons are in circulation worldwide (one for every 10 people).[19] The legal and illegal arms trade generates an annual turnover of many billions of US dollars.

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17 Manuel Castells, 'The Rise of the Network Society' (1996). Ministry of Defence, *Strategische Kennis Agenda* (November 2008).

18 This happened both to Estonia a few years ago following a dispute with Russia about the removal of a Russian war memorial and to Georgia during its armed conflict with Russia in August 2008.

19 Small Arms Survey, 'Yearbook 2008: Risk and Resilience', Cambridge University Press.

Estimates of the number of fatalities connected with the use of firearms vary from 52,000 to 184,000 per year, the vast majority of whom are young men and children.[20] The presence of small arms in large quantities increases the likelihood of armed violence, especially in fragile and failing states. Small arms are also a security risk for NATO military personnel during crisis management operations.

Although various UN agencies and working groups are concerned with small arms control and disarmament, there is still no effective way of tackling this problem.[21] The lack of statutory regulation of firearms possession in certain NATO countries, particularly the United States, is a major obstacle to an effective approach.[22]

The AIV therefore recommends that the importance of concluding new international conventions against the proliferation of small arms should be discussed within NATO, as elsewhere.

I.8   Piracy

The threat of piracy is a recurrent phenomenon. Pirates' *modus operandi* differs from region to region. In South-East Asia their chief objective is to capture ships and their cargoes. The crews are accordingly subjected to violence, often deadly. Off the coast of Somalia, the pirates are mainly interested in obtaining ransoms and therefore have an interest in keeping crews alive and cargoes intact.

Piracy is a serious problem for commercial vessels on major shipping lanes and for the provision of humanitarian aid. One way of keeping the problem under control is through maritime cooperation between countries in the region, for example between Indonesia, Singapore and Malaysia in the Strait of Malacca. The real solution to the problem should, however, be found on land; piracy is, in fact, a symptom of a fragile state in which the rule of law is not functioning properly and the economy is in poor condition. In such circumstances, pirate gangs can evolve into international criminal organisations.

Piracy can also act as a catalyst for international cooperation. For example, various international organisations (EU and NATO) and states (Russia, China, India and others) are currently involved in fighting piracy off the coast of Somalia. The legal basis for action against pirates is contained in the UN Convention on the Law of the Sea and a

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20 Small Arms Survey, 'Yearbook 2009: Shadows of War', Cambridge University Press. See also Geneva Declaration, 'Report: Global Burden of Armed Violence' (September 2008). More than 740,000 people die each year from armed violence: the majority of them (490,000) are victims of homicidal violence.

21 UN Office for Disarmament Affairs, UN Conference on Illicit Trade in Small Arms and Light Weapons (SALW) in All its Aspects (2001), UN Programme of Action Implementation Support System, UN Institute for Disarmement Research.

22 The main difficulty is identifying and tracing small arms and in discovering and monitoring arms flows. This is why the UN General Assembly introduced the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.

number of UN Security Council resolutions.[23]

The AIV believes that the EU is better equipped than NATO to tackle the causes of piracy in cooperation with countries from the region. However, NATO can provide support in combating piracy on the high seas, although this is not a core task.

I.9   Scarcity of food, water, raw materials and energy

The growth of the world's population and of per capita consumption in the rapidly growing economies is pushing up the demand for energy, raw materials, agricultural land and fresh water. This mainly impacts on Africa and the Middle East and is strengthening the economic competition between the great powers.

There is a shortage of agricultural land, water or both in about 21 countries, which have a total of 600 million inhabitants. As a consequence of population growth, approximately 36 countries with 1.4 billion inhabitants are expected to fall into this category in 2025. The lack of access to stable water supplies is reaching a critical point in many areas of the world, and the situation is expected to worsen as a consequence of further urbanisation.[24]

Water and food shortages will also be exacerbated by climate change, particularly in sub-Saharan Africa. Owing to its relative scarcity, water will increasingly become a strategic natural resource capable of being used to influence the geopolitical balance of power. Scarce access to water may accordingly become a source of conflict between states or even within states and societies.[25] On the other hand, studies of disputes about water show that scarcity and climate change can also result in more inter-state cooperation.[26]

Mineral shortages can also cause political instability and crises. The commodities in short supply are mainly phosphate, lead, tin and rare earth metals. While these can at present be mined economically, stocks will decline in the coming decades as consumption rises. This will push up commodity prices and recycling costs and cause disputes about mining rights.[27] In addition, some countries such as China are pursuing a commodities policy that is disrupting the free market in minerals. In consequence, commodities are increasingly becoming a subject not only of trade policy but also of power politics.

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23 Bibi van Ginkel, Jort Hemmer, Susanne Kamerling and Frans-Paul van der Putten, 'Pioneering for Solutions to Somalian Piracy: Facing the Challenge, Seizing the Opportunity', CSCP Policy Brief no. 3 (August 2009). Minister of Justice and Minister of Defence, 'Letter to the House of Representatives on the legal aspects of piracy' (23 March 2009).

24 United States National Intelligence Council, 'Global Trends 2025: Transformed World' (November 2008).

25 Peter Schwartz and Douglas Randall, *The Pentagon*, *An Abrupt Climate Change Scenario and Its Implications for United States National Security* (October 2003).

26 See also AIV Advisory Report no. 66, 'Demographic Changes and Development Cooperation', The Hague, July 2009 and AIV Advisory Letter no. 14, 'Climate Change and Security', The Hague, (January 2009).

27 HCSS, 'Scarcity of Minerals: A Strategic Security Issue', The Hague (January 2010) and A.M. Diederen, 'Global Resource Depletion: Metal Minerals Scarcity and the Elements of Hope' (June 2009).

Demand for fossil fuels is increasing, as a result of the rapidly growing economies in Asia and other factors. Demand for energy will probably have grown by more than 50% by 2035, and fossil fuels will account for more than 80% of this increase. This means competing claims to energy supplies. Disruptions in supply may also pose a threat.[28]

Energy supply security may also be jeopardised if countries such as Russia use their control of energy sources and supply lines for political leverage. In fragile states such as Nigeria, ethnic and political violence as well as crime can seriously threaten oil production. Terrorism and piracy can also hamper energy production or the transport of energy by land or sea. China and India are greatly enlarging their navies. This may in turn cause mounting tension and rivalry, but also provides opportunities for greater multinational cooperation in protecting important shipping lanes and choke points.[29]

How energy scarcity affects international security and stability is not decided by any single factor. The strategic environment, bilateral relations, the operation of the market and the various actors (producers, consumers and transporters) and their perceptions each influence the security situation. There may be a race to benefit from previously unexploited energy resources (as in the case of the Spratly Islands and the North Pole). Owing to the strategic location of these areas and possible territorial claims, regional stability may be affected. Sensitivity to sudden disruptions and political blackmail can be reduced by stockpiling oil and gas and diversifying supply routes.[30]

The AIV recommends that provision be made in the new Strategic Concept for NATO to hold regular consultations, under article 4 of the North Atlantic Treaty, on the international tensions which could arise from the scarcity issues discussed above or affect vital interests of the members of the Alliance and how these issues can be tackled.

I.10   Changed security context

The overview of security risks in the preceding sections above reveals uncertainty and change in numerous fields. At the same time a closer connection is emerging between internal and external security. Incidentally, not every risk described above will develop into a threat or necessitate military action. Together, however, these risks do form NATO's security agenda and can therefore be assigned a place in the concentric circles of the diagram below. Security risks are subject to change and can therefore move from the core to the periphery and vice versa.

Collective defence against armed attack is and will continue to be NATO's core task and is therefore placed in the inner circle. This includes both physical aggression of external origin against a NATO ally and a major terrorist attack on Allied territory. In the event of a terrorist attack, the exogenous nature and scope of the attack determines whether there is an article 5 situation or a purely domestic security problem. Likewise, factors other than those mentioned above could cause international conflicts of such scope as to

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28 See also AIV/AER Advisory Report no. 46, 'Energised Foreign Policy: Security of Energy Supply as a New Key Objective', The Hague, (December 2005); International Energy Agency, 'World Energy Outlook 2005' and Ministry of Defence, *Strategische Kennis Agenda* (November 2008).

29 United States National Intelligence Council, 'Global Trends 2025: Transformed World' (November 2008).

30 See also AIV Advisory Letter no. 14, 'Climate Change and Security', The Hague, (January 2009).

pose a serious threat to the vital security interests of the NATO member states.

Inter-state conflicts outside the Euro-Atlantic area and security operations in fragile states which may affect the security of NATO member states are placed in the second concentric circle (out-of-area operations). The possible security risks emanating from fragile states, such as terrorism, regional conflicts, crossborder crime, piracy and disruption of access to energy and raw materials, may therefore necessitate crisis management operations with a role for NATO.

Diagram   NATO's security agenda
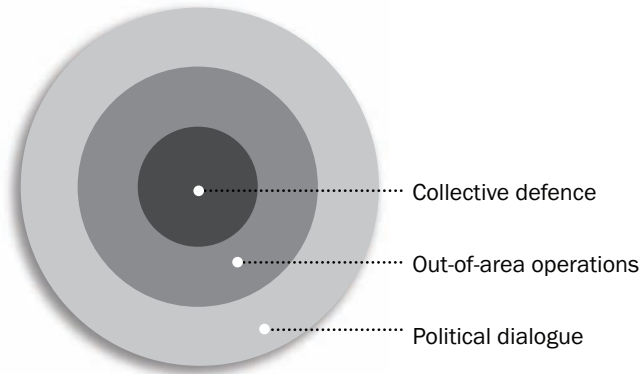
NATO is an alliance which endeavours, through intensive political dialogue, to reach consensus on common security problems that can directly or indirectly threaten its territorial integrity or security interests. Many of the security risks described in this chapter can be placed only in the outermost circle (political dialogue). One aim of such dialogue, both within NATO and with strategic partners (under article 4 of the North Atlantic Treaty), should be to clearly define the scope for military action and what is or is not possible as regards NATO's tasks both in its own territory (article 5) and in out-of-area operations. As the outermost circle encloses the two inner circles, political dialogue also occurs in these circles. As noted, security risks are subject to change; they can move from the outermost circle to one of the inner circles and vice versa.

II   Key issues for NATO

The new Strategic Concept must address important issues such as the current significance of articles 5 and 4 of the North Atlantic Treaty, the scope of NATO operations, cooperation with other international players, the possible enlargement of NATO and NATO's role in relation to disarmament and the non-proliferation of WMD. This chapter examines the key issues and challenges facing NATO in this connection.

II.1   Article 5

'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.'[31]

Since its formation NATO has successfully managed to link the security of Europe with that of North America. Article 5 of the North Atlantic Treaty, which states that an armed attack against one of the states will be considered by the others as an attack against them all, is the cornerstone of the Alliance.[32] The Declaration on Alliance Security, which was adopted on the 60th anniversary of the Alliance, confirms that collective defence remains the cornerstone of the Alliance.[33] This is dealt with below in chapter III.

As the 'new' security issues have led to a broadening of the concept of security, it is no longer clear when article 5 is applicable.[34] For example, the principle of Alliance solidarity was declared applicable to the United States after the terrorist attacks of 11 September 2001, but article 5 was not invoked after the somewhat comparable, albeit smaller-scale, attacks in Madrid (March 2004) and London (July 2005). The scope of article 5 was the subject of renewed discussion following the cyber attacks on Estonia in July 2007. NATO must therefore make political choices, which also have implications for military force planning.

Views differ within the Alliance on the precise extent of the cover provided by the 'article 5 insurance policy'. In 2008, for example, Poland negotiated additional security

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31 Article 5 of the North Atlantic Treaty, Washington D.C., (4 April 1949).

32 Article 5 includes a discretionary element. It is up to the member states themselves to decide what action they deem necessary in order to contribute to the collective defence in general and in specific cases.

33 'Declaration on Alliance Security' issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Strasbourg/Kehl on 4 April 2009.

34 See also the discussion of the *Caroline* criteria in AIV Advisory Report no. 36, 'Pre-emptive action', The Hague, (July 2004).

guarantees with the United States in exchange for allowing it to station units for the American missile shield. Poland evidently considered that article 5 no longer provided a sufficient security guarantee and wished to have 'additional insurance'.[35]

The AIV recommends that collective defence should remain the cornerstone of NATO.

II.2   Article 4

'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.'[36]

The differing views on the security challenges facing NATO underline the desirability of having more intensive political consultation on security issues, as referred to in article 4 of the North Atlantic Treaty. As the AIV noted in 2005, however, the idea of NATO as a framework for consultation between the allies on political strategy is less firmly established than that of NATO as a framework for military cooperation.[37] France, in particular, was for a long time reluctant to engage in a transatlantic security dialogue within NATO on the grounds that this would be at the expense of the European Security and Defence Policy (ESDP). As the present US administration recognises the importance of multilateral cooperation and the French government is once again acting as a full-fledged ally since France rejoined the military structure of NATO, there are new opportunities for transatlantic dialogue on all international security issues that directly or indirectly threaten the territorial integrity or security interests of the member states, such as forms of aggression, international instability and arms proliferation. The territorial integrity and security interests of non-member states can also be discussed under article 4.

The AIV recommends that the importance of broader use of article 4 be emphasised in the new Strategic Concept, including more use of informal consultations.

II.3   Global scope?

What is meant precisely by global scope? Does it mean global tasks, global operations, global influence or global enlargement of membership? NATO divides its operations into two categories: operations in the context of collective defence, under article 5 of the North Atlantic Treaty, and other operations which are known as 'non-article 5 crisis response operations'. The latter include conflict prevention, peacemaking, peacebuilding, peacekeeping and humanitarian activities.

Among NATO member states there are differing perceptions of threats and differing views on how threats should be combated. There are also differing views on the issue of collective defence and NATO's role in the coming decade. For example, the United States sees NATO primarily as a broad framework for cooperation in tackling terrorism

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35 Ko Colijn, 'From "Plenty of nothing" to "I will survive": On the 60th anniversary of an alliance' *Internationale Spectator* no. 3/2009.

36 Article 4 of the North Atlantic Treaty, Washington D.C., (4 April 1949).

37 AIV Advisory Report no. 45, 'The Netherlands in a Changing EU, NATO and UN', The Hague, (July 2005).

and other new or long-standing security risks worldwide that pose a potential threat to its national security or vital interests. Americans believe that their own territory and their own population cannot now be effectively defended without out-of-area operations. This is why expeditionary operations outside the Treaty area should mainly be in the interests of collective defence and allied security. According to this view, NATO should carry out a wide range of security tasks.[38]

Views on the desirability of giving NATO a global scope also differ among the European allies. The United Kingdom believes that in view of the global nature of the new threats NATO has no choice but to operate outside the Euro-Atlantic area.[39] However, other West European countries are more cautious. Although the Dutch government favours a worldwide approach to old and new security issues, it argues its case by relating this approach to NATO's own borders and territory.

> 'In these times of globalisation, we may not close our eyes and hope that conflicts elsewhere will not reach our borders. This is why we are active worldwide in the interests of peace and security.'[40]

Germany, for example, takes the view that if NATO troops are to be deployed outside the Treaty area a convincing connection with the defence of NATO territory must be demonstrated. Norway considers it desirable to achieve a better balance between NATO operations out of area and those within the Treaty area, with a focus on ensuring that NATO operations enjoy public support in the member states. The AIV notes that most European countries occupy the middle ground between, on the one hand, the United States, which is in favour of extending NATO's tasks (for example as regards terrorism, energy supply security and cyber defence) and, on the other, Russia's neighbours within NATO, which stress the importance of national security and NATO's classic defence task.

Reflection on the geographical, political and military scope of the Alliance is therefore appropriate. In the past decade NATO has operated far beyond its own territory and, in doing so, has cooperated closely with non-NATO countries. The AIV notes that the emphasis of the core task has shifted from collective defence to collective security. This raises the question of what priorities NATO should now set when addressing the many security issues at hand. Should the emphasis be or remain on defence of NATO territory or should there be a further shift towards preventive or other measures to tackle security risks far from NATO territory? This involves deciding between a regional and a global scope. The new NATO member states especially tend to favour the former option,[41]

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38 See also the report of Daniel Hamilton et al., 'Alliance Reborn: An Atlantic Compact for the 21st Century', the Washington NATO Project (February 2009).

39 See also the report of the British House of Commons, 'The Future of NATO and European Defence' (March 2008).

40 Dutch Ministry of Foreign Affairs, 'Explanatory Memorandum to the 2010 Budget', p. 29.

41 'An open letter to the Obama Administration from Central and Eastern Europe', *Gazeta Wyborcza*, (15 July 2009).

whereas the Netherlands and some other member states tend towards the latter.[42]

NATO is an alliance with a defined Treaty area. However, it is not a regional organisation within the meaning of the UN Charter. The main task and responsibility of the Alliance is collective self-defence, in accordance with article 51 of the Charter. Owing to NATO's size and the fact that internal and external security are interwoven, the Alliance also plays a role in a broader geographical framework. Under article 4 of the North Atlantic Treaty NATO can also help to tackle worldwide arms control and other security issues.

The cornerstone of NATO is the article 5 obligation, i.e. defence against an armed attack from outside against one or more of its members. Basically, article 4, which provides for political consultation, covers all the security issues considered to be of importance by the members. Although this article is therefore broader than article 5, it is less prescriptive and does not make NATO a global organisation. NATO is in turn strongly influenced by global security issues and shifts in the balance of power outside its own territory. However, in the opinion of the AIV, this does not mean that NATO is or should attempt to become a global organisation. The Alliance should not aspire to be a global cop capable of enforcing security throughout the world.

The AIV recommends that the government's clear position in the Alliance should be that 'global scope' must in any event not be taken to mean that NATO has to assume responsibility for global security, because this is not possible. In certain circumstances, however, NATO can act to prevent crises or in response to an acute crisis. NATO can also make a military contribution to stabilising and reconstructing some fragile states. Finally, NATO can provide support for crisis management operations of the UN, the EU and the African Union (AU), for example in the context of Security Sector Reform. The AIV recommends that clear criteria be applied to out-of-area operations, as recommended in chapter III.

II.4   Relations with Russia

When taking up his post, NATO's new Secretary-General, Anders Fogh Rasmussen, stated that the relationship with Russia calls for special attention.[43] There are indeed various reasons for this. There is scope for Russia and NATO to work together on various important issues. Russia is a nuclear power and a permanent member of the UN Security Council with the right of veto. The West and Russia need each other in order to tackle important security issues such as Iran and North Korea. Russia adjoins Central Asia and has influence in the Middle East. Consultations should also be held with Russia on how best to tackle terrorism. Many European NATO countries are also dependent to a significant extent on Russia for their energy supplies (particularly gas).

Owing to their geographical location and recent history, Russia's neighbours within NATO have a different perception of the latent security risks posed by Russia than the

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42 Policy letter from Minister of Defence and the State Secretary for Defence, 'Service Worldwide' (Wereldwijd Dienstbaar), The Hague (18 September 2007). The Washington NATO Project, *Alliance Reborn: An Atlantic Compact for the 21st Century* (February 2009).

43 Speech by Anders Fogh Rasmussen, 'NATO and Russia. A New Beginning', Carnegie Endowment, Brussels, (18 September 2009).

United States and Western Europe. In South Ossetia and Abkhazia, Russia breached the principle of the inviolability of national borders. There are also concerns about the rule of law and democracy in Russia. For Russia's neighbours within NATO, the collective defence of NATO territory is the chief priority, and they therefore want firm security guarantees, which only NATO and, in particular, the United States can provide. It is sometimes said in this context that the 'new Europe' wishes to preserve the 'old NATO'.

The best way of conducting a security dialogue with Russia would be to have a clear NATO agenda based on the premise that Russia cannot be permitted its own exclusive sphere of influence, which could compromise the independence of its neighbours.[44] However, the problem is that the European NATO countries do not pursue a uniform policy on Russia as individual countries are guided to a large extent by their economic ties with it. This makes it difficult for NATO to adopt a common position in its dialogue with Russia. The NATO-Russia Council remains the most appropriate forum for this dialogue.

It would seem to be in Russia's interests to have a pragmatic understanding with NATO and the EU and to avoid exacerbating underlying tensions seriously and permanently. Although its view of these two organisations is not positive, Russia needs goods relations with their member states for reasons of stability and economic development. Enlargement of NATO to include Ukraine and Georgia would put great pressure on relations with Russia. However, Russian objections to the accession of these countries may not be the decisive factor in any future decision on this subject.

The AIV considers it of great importance for the new Strategic Concept to emphasise the importance of a constructive relationship with Russia. It believes that if the concepts of allied security and solidarity are confirmed and defined more specifically in the new Strategic Concept, on the basis of article 5 of the North Atlantic Treaty, this could contribute to a more open and constructive attitude on the part of the 'New Europe' towards Russia.

II.5   Relations with the EU

NATO and the EU have common interests and are based on similar democratic principles. Both organisations make security decisions on the basis of consensus. And both have a presence in some crisis management areas. Political control in NATO rests with the North-Atlantic Council, which meets at all levels – permanent representatives, ministers and heads of government – chaired by the Secretary-General. In the EU control rests with the Political and Security Committee at ambassador level, subject to the Foreign Affairs Council, which since the entry into force of the Treaty of Lisbon has been chaired by the EU High Representative for Foreign Affairs and Security Policy, who is also the First Vice-President of the European Commission. It is expected that this new post will enable the EU to act more coherently and make a more effective contribution to state-building and socioeconomic development in societies riven by violent conflicts.

In 2003 the EU adopted a Security Strategy, which included implementation of the Petersberg tasks.[45] Conflict prevention and the disarming of combatants were added in

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44 In accordance with the Charter of Paris for a New Europe, (21 November 1990).

45 Petersberg tasks: humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking.

December 2008. Pursuant to the Treaty of Lisbon, article 21 of the Treaty on European Union states that the purpose of these tasks is to 'preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter, with the principles of the Helsinki Final Act and with the aims of the Charter of Paris, including those relating to external borders'.

The EU has now carried out 23 crisis management operations, most of which have been civilian and small-scale. The EU has an Operations Centre which is suitable for small-scale civil-military operations and relies in the case of military operations on the national headquarters of a member state or on a NATO headquarters and communication system. For the foreseeable future larger military operations will be impossible for both NATO and the EU without a contribution from the United States. A division of tasks will have to be agreed from case to case, but the EU cannot be denied the right to make provision for autonomous operations. In the Washington Declaration[46] (1999) NATO endorsed the possibility of independent military action by the EU in situations in which the Alliance as a whole does not wish to take action.

Since 2003 the provisions for cooperation between the EU and NATO have been laid down in a framework for EU-NATO permanent relations, better known as the Berlin-Plus Arrangement. This comprises agreements about consultations in times of crisis and the avoidance of unnecessary duplication and also contains a security agreement for the exchange of information. However, Berlin-Plus concentrates mainly on the military aspects of cooperation. There is no fixed framework for cooperation between an EU civilian mission and a NATO military operation in the same area, as in Kosovo and Afghanistan. As the two organisations can provide each other with extra support here, efforts will have to be focused on improving this situation.[47]

The permanent North Atlantic Council and the EU's Political and Security Committee meet periodically, but the consultations are confined to the subject of Bosnia since this is the only case to which the Berlin-Plus Arrangement is applicable. Former NATO Secretary-General Jaap De Hoop Scheffer repeatedly pointed to shortcomings in EU-NATO cooperation. Sometimes relations in the field are better, but improvement is urgently needed for future operations. Another factor is that the United States regards NATO as the main forum for consultation with Europe, but now also fully endorses the EU's security role. For example, the United States is participating in the EU's civilian missions in Kosovo and elsewhere.

The key problem is that no agreements and structures are in place for proper coordination of political decision-making in the North Atlantic Council and the EU's General Affairs and External Relations Council (GAERC).[48] A framework for coordination must therefore be created. For example, monthly consultations could be held in the meantime between the chair of the North Atlantic Council and the president of the EU's

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46 Article 9a of the Declaration of the Washington Summit issued by the Heads of State and Government.

47 Speech by Jaap De Hoop Scheffer at the High-level Seminar on Relations between the European Union and NATO, (7 July 2008).

48 Following the entry into force of the Treaty of Lisbon, the GAERC was split into the General Affairs Council (GAC) and the Foreign Affairs Council (FAC). The FAC regulates the external action of the European Union in accordance with the outline strategies adopted by the European Council.

Foreign Affairs Council. The bilateral problems between Cyprus (which is a member of the EU but not of NATO and does not have a security agreement with NATO) and Turkey (which is a member of NATO but whose negotiations for accession to the EU are proving difficult) are a barrier to formal cooperation between the two organisations. Although it is unclear for the time being how and where new links can be made between the two organisations, it is important to reach agreement on their respective comparative advantages. This could then serve as a framework for more detailed arrangements between them.[49]

The AIV believes that the entry into force of the Treaty of Lisbon has created new opportunities for raising coordination and cooperation with the EU to a higher level. The Strategic Concept should also be closely coordinated with the European Security Strategy.[50]

II.6   Relations with other international players

It is impossible to determine precisely which international organisations are responsible for which security issues and regions. Various cross-connections and overlaps exist. Likewise, it is difficult – but desirable – to determine what instruments (political, diplomatic, economic, military, humanitarian or development) and which international organisations are the most suitable in any given circumstances. Experience in the Balkans and Afghanistan has shown, for example, that NATO needs other international organisations in order to integrate the civil and reconstruction aspects of a crisis management operation with the military aspects. In situations where a broad 3D perspective is necessary NATO cannot provide for this on its own. Strategic cooperation with the UN and the EU, and better relations with, say, the African Union and China, are necessary in order to achieve effective cooperation in implementing a comprehensive approach in fragile states.

The AIV notes that NATO needs other international organisations and/or countries in order to achieve effective cooperation in implementing a comprehensive approach in fragile states.

II.7   NATO enlargement

NATO has expanded rapidly since 1990 and now has 28 member states. The original North Atlantic area has thus been greatly enlarged and it is now more accurate to talk of a Euro-Atlantic area. This process has avoided the creation of a 'grey zone' in Central Europe and has led, in combination with the enlargement of the European Union, to greater solidarity and stability. A limited number of other countries would still like to join, but in each case their applications give rise to problems. Macedonia meets the requirements for membership, but is awaiting the consent of Greece with which it has a dispute about its name. Bosnia & Herzegovina and Montenegro are candidates for membership, as are Georgia and Ukraine. A serviceable framework for assessing the membership aspirations of individual countries is provided by the NATO enlargement study of 1995:

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49 See also AIV Advisory Report no. 45, 'The Netherlands in a Changing EU, NATO and UN', The Hague, (July 2005).

50 European Security Strategy, 'A Secure Europe in a Better World' (December 2003) and 'Report on the Implementation of the European Security Strategy: Providing Security in a Changing World' (December 2008).

- a functioning democratic, political system combined with a (social) market economy;
- democratic political-military relations and institutional structures;
- equal treatment of minorities in the country concerned;
- a commitment to the peaceful settlement of disputes;
- a commitment to promoting good relations with neighbouring states, which can benefit all countries in the Euro-Atlantic area (both NATO and non-NATO countries);
- ability and willingness to make a military contribution to NATO operations.[51]

The AIV would add that the candidates for membership should be clearly committed to implementing international human rights instruments and international humanitarian and criminal law.

The debate on the accession of Georgia and Ukraine raises some important questions for NATO:
1. What is the position regarding democracy and the rule of law in these countries? States wishing to join NATO must, after all, meet certain minimum requirements in these areas.
2. Would an accession process cause even more instability in these countries and what bearing would this have on their internal and external security? Georgia is facing the secession of two regions (Abkhazia and South Ossetia) and the presence of Russian troops on its territory. Ukraine is politically very divided, between a pro-Russian and a pro-Western faction.[52] The stability of both countries is being impaired by the activities of their Russian neighbour.

Enlargement of NATO to include countries outside the Euro-Atlantic area, such as Japan, South Korea, Australia and New Zealand, would not be advisable. This would transform NATO into an alliance covering four continents, which would then have to tackle security issues in the Far East. Achieving the agreement of all the member states on common security problems would then become even more difficult.

The AIV recommends a cautious enlargement strategy based on the criteria set out in the NATO enlargement study of 1995.

II.8 Non-proliferation of weapons of mass destruction and disarmament

NATO itself does not take part in worldwide forums for arms control and non-proliferation of WMD. This is mainly because the Alliance has no diplomatic role as such and is concerned above all with military aspects of WMD, such as missile defence and military protection against the threat of chemical, biological and radiological weapons. These military matters are of great political significance.

Nuclear weapons
Nuclear weapons serve two functions: a political function (i.e. as a deterrent) and a military function (for deployment if deterrence fails). During the Cold War NATO's nuclear weapons served mainly as a deterrent to mass aggression involving conventional weapons against European NATO members and very probably helped to prevent war.

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51 Study on NATO Enlargement (September 1995).

52 See also AIV Advisory Report no. 61, 'The Cooperation Between the European Union and Russia: a Matter of Mutual Interest', The Hague, (July 2008).

During the Cold War, the balance of deterrence existed in a bipolar situation involving two superpowers. However, the present world order is very different and less stable. The number of nuclear weapon states has increased. The situation in the Middle East in particular gives cause for concern. From this point of view, it is vital to limit the number of nuclear weapon states and nuclear weapons.

The AIV believes that the importance of nuclear weapons in NATO strategy should be scaled back in the new Strategic Concept. Nuclear weapons no longer play such an important role as in the time of the Cold War between East and West, although the mutual nuclear deterrent continues to exist. The United States and Russia have made successive agreements designed to significantly reduce the number of nuclear warheads on both sides. The role of tactical (non-strategic) nuclear weapons is now much smaller than in the old NATO strategy of flexible response, if they are indeed needed at all. It should be noted in passing that many thousands of tactical nuclear weapons from the old arsenals of the former Soviet Union are still waiting to be dismantled and therefore pose a risk which must be dealt with in cooperation with Russia.

It is now unlikely that Russia or other states will threaten NATO members with nuclear weapons, although the possibility of such a threat cannot be altogether excluded in theory. There could, for example, be a future threat from Iranian nuclear weapons. The question which now arises is whether NATO still needs the small number of American, British and French nuclear weapons remaining in Europe in order to counter what is now largely a theoretical threat of aggression involving nuclear weapons against European allies.

Efforts to reduce nuclear weapon numbers and ultimately achieve complete nuclear disarmament have been boosted by President Obama's long-term vision of a nuclear weapon free world, which has gained widespread support.[53] This is now being advocated by influential voices in the Netherlands as well.[54] A number of NATO members could make contributions of this kind in the short term (i.e. the period of five to ten years addressed by this advisory report). The AIV believes that further drastic reductions in the number of nuclear weapons should be made initially through bilateral negotiations between the United States and Russia. Agreement between the United States and Russia about further reductions in the number of warheads and their means of delivery would be an important boost for the Non-Proliferation Treaty.

The debate on the role of nuclear weapons, their numbers and whether it is necessary and desirable to have them in European countries must be conducted NATO-wide and should not be narrowed down to the question of whether any remaining nuclear weapons

53 Speech by President Barack Obama in Prague, 5 April 2009. See: <http://www.whitehouse.gov/
    the_press_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered/>. See also articles by
    Henry Kissinger/George Shultz/William Perry/Sam Nunn, 'A World Free of Nuclear Weapons and Toward
    a Nuclear-Free World' in the *Wall Street Journal* of 4 January 2007 and 15 January 2008 respectively.
    Douglas Hurd/Malcolm Rifkind/David Owen/George Robinson, 'Start worrying and learn to ditch the
    bomb', *The Times*, 30 June 2008; Helmut Schmidt/Richard von Weizsäcker/Egon Bahr/Hans-Dietrich
    Genscher, 'Toward a nuclear-free world: a German view', *International Herald Tribune*, (9 January 2009).

54 Ruud Lubbers/Max van der Stoel/Hans van Mierlo/Frits Korthals Altes, 'Op naar een kernwapenvrije
    wereld' (Towards a nuclear weapon free world), *NRC Handelsblad*, 23 November 2009. See also Ko Colijn,
    'De Bende van Vier, die kernwapens wil afschaffen, kan uitgroeien tot een Bende van Bendes' (The Gang
    of Four, who want to abolish nuclear weapons, may expand to become a Gang of Gangs), *Vrij Nederland*,
    (23 November 2009), p. 7.

which may possibly be stored in the Netherlands should be returned to the United States. This question should be answered in proper consultation with the Allies. The Netherlands could endorse previous proposals by other NATO countries.[55] The aim of the negotiations with the United States should be to terminate or in any event scale back the presence of nuclear weapons in the territory of non-nuclear weapon states. A factor that should of course be taken into account in this connection is to what extent such a change could contribute to multilateral reduction of all tactical nuclear weapons in Europe, including Russia. In addition, the question of whether allied solidarity means that these burdens must also be symbolically shared can be raised by the Netherlands in the Alliance.

The role of nuclear weapons could be limited exclusively to deterring other states from deploying weapons of mass destruction against members of the Alliance. This could be taken a step further in the context of non-proliferation policy by limiting the role of nuclear weapons to deterring a nuclear weapon attack.[56] Limiting the role of nuclear weapons to deterring use of WMD or nuclear weapons, to which the three NPT nuclear-weapon states within NATO could agree, would strengthen international efforts to combat the further proliferation of nuclear weapons, but should, as noted, first be the subject of further consultation within the Alliance.

The question in the longer term is whether it would be possible to rid the world of all nuclear weapons, including those of China, Pakistan, India, Israel, North Korea and, possibly in the future, Iran and any other nuclear weapons states not yet recognised or identified. This should be the central issue at the forthcoming Review Conference of the Parties to the Non-Proliferation Treaty in May 2010. NATO (particularly the three member states with nuclear weapons) and the EU and their member states can make a clear contribution in this respect. At the same time, the AIV realises that a nuclear weapon free world requires much more than convincing official and unofficial nuclear-weapon states to give up their arsenals. For example, there will have to be a reliable inspection system which is accepted by all countries, including checks on civil use of nuclear energy (which are often perceived as a violation of sovereignty). Experience with existing, less far-reaching systems shows how difficult this is. Nor is it possible to eradicate the knowledge of how to make nuclear weapons.

II.9   Public support

Concerns about public support for military operations out of area exist in many NATO countries, including the Netherlands.[57] The AIV noted in 2006 that five political and social factors are mainly responsible for determining the level of public support for the international deployment of military personnel, namely:

1. *Legitimacy:* the extent to which political acts of those in authority are perceived by citizens as justified and correct and are legitimated by valid resolutions of international organisations such as the UN and NATO.

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55 Germany, for example, has argued in the Strategic Concept consultations for the withdrawal of the remaining nuclear weapons from its territory.

56 This is sometimes called core deterrence.

57 An opinion poll carried out by market research agency TNS/NIPO among the Dutch population in December 2009 showed that a majority (60%) of the respondents were in favour of future military operations by NATO outside European territory (press release, Netherlands Atlantic Association, 12 January 2010).

2. *Interests and values:* the objectives to be achieved by the military operation.
3. *Success:* the actual or expected result of a military operation.
4. *Leadership:* the display of convincing political leadership in the course of the decision-making process, especially in clearly demonstrating why military action is necessary.
5. *Costs:* the risk of casualties in particular can undermine public support for military operations.[58]

As regards the risk of casualties (see point 5), however, the Dutch public indicated in relation to the current missions that once a mission is started it should not be broken off solely on account of casualties. Another factor that plays an important role in mobilising public support for military operations is risk sharing and solidarity between member states. To maintain public support for the international deployment of military personnel it is also important for the authorities to render account for the deployment after the event.

The AIV believes that mobilising public support for NATO's activities should play an important role in the new Strategic Concept. The Strategic Concept (and, of course, to an even greater extent the policy based on it) should therefore be able to make clear to the general public what NATO stands for.

II.10   Reforms within NATO

NATO has made few if any changes to its organisational structure to take account of the increase in the number of member states and the expansion of its tasks out of area. Reforms within the NATO organisation are therefore necessary in order to improve decision-making, decisiveness, efficiency and solidarity within the Alliance. Reforms may relate to the structure and procedure of the headquarters in Brussels, the NATO Command Structure and the NATO Force Structure. Some countries consider that the Strategic Concept must first be revised before modifications to the headquarters can be discussed. The Netherlands and some other countries rightly take the view that the two procedures should run in parallel.

The last adjustment to the NATO Command Structure was made after the Prague Summit in 2002.[59] Although more adjustments have been discussed in recent years, national interests have so far prevented any further rationalisation.

The NATO Response Force (NRF), which was established after the Prague Summit, has played a positive role in the transformation to a more expeditionary force, particularly in the new NATO member states. The AIV believes that vigorous efforts should be made to continue this transformation, which is relevant to both article 5 operations and to non-article 5 crisis response operations. Successful deployment in complex non-article 5 crisis response operations also boosts the mutual confidence of the members in their ability to mount article 5 operations when the occasion arises. The NRF provides a unique capability for responding quickly to very varied crisis situations (from natural disasters to escalating conflicts). However, the NRF has so far been deployed only for the provision of humanitarian assistance in the case of Hurricane Katrina and the earthquake

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58 AIV Advisory Report no. 48, 'Society and the Armed Forces', The Hague, (April 2006), p. 28.

59 Prague Summit Declaration issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Prague on 21 November 2002.

in Pakistan in 2005. In addition, the great demand for troops in the current crisis management operations has led to problems with military contributions to the NRF.

At their summit meeting in Strasbourg/Kehl in April 2009 the Heads of State and Government of NATO countries reaffirmed the importance of a rapidly deployable, credible NRF 'able to respond to new and unpredicted crises for either collective defence or crisis response operations beyond Alliance borders'.[60]

NATO's effectiveness is mainly determined by the process of political consultation with a view to achieving consensus. The AIV believes that the principle of consensus should be seen not as a right of veto, but as the willingness of a country in the minority to be persuaded by the majority if there are no substantial national interests at stake.

In the opinion of the AIV, the new Strategic Concept should contain a coherent vision of the nature of future missions and how the NRF could contribute to these missions.

II.11   Solidarity and burden sharing

NATO is based on the principle of solidarity in the defence of NATO territory and in the performance of other agreed NATO tasks. This solidarity should be reflected in equitable burden sharing, including operational burden sharing, cost sharing and risk sharing in the event of military deployment. The main criterion in the international assessment of risk sharing is the willingness to contribute ground troops to crisis management operations.

Traditionally, there has been a discrepancy as regards burden sharing between the United States and its European allies. In military matters the Americans have borne the heaviest burden. There has been constant criticism in the United States of the fact that the defence budgets of most European NATO countries are well below the 2% norm. The ISAF operation in Afghanistan, in particular, has revived the debate, among the European countries too, about equitable burden sharing, political cohesion and solidarity within the Alliance.

The debate about burden sharing is always political (what is desirable and politically acceptable within the existing relationships), and determining what is equitable is not an exact science, no matter how often it is suggested that this can be achieved by comparing the defence expenditures of the NATO member states. Expenditure in both relative and absolute terms says a lot but by no means everything. What is at least as relevant is how the money is spent and the willingness to make capabilities available when the occasion arises.

The common funding mechanism is at present applicable only in very limited cases, mainly in respect of infrastructure in the member states themselves. The mechanism could be expanded to cover the strengthening of operational capabilities, for example the construction of facilities such as base camps and the deployment of transport capabilities in operational areas. This could make it more attractive for countries to take part in crisis management operations.

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60 Strasbourg/Kehl Summit Declaration issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Strasbourg/Kehl on 4 April 2009.

Burden sharing in the case of the NRF is viewed over a longer period, during which countries participate to a varying extent in successive force rotations. The countries participating in the NRF themselves bear the full costs, in keeping with the principle that costs lie where they fall.

The AIV recommends that the common funding mechanism should be expanded for crisis management operations and the NRF in order to share the burden more evenly.[61]

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61 The Netherlands has taken the position that only the costs of the NRF which cannot be estimated in advance by the member states – i.e. the variable costs – should be eligible for common funding.

III Conclusions and recommendations

In the introduction to this report the Advisory Council on International Affairs (AIV) advocated the adoption of a concise Strategic Concept with a time horizon of five to ten years. This will require clear choices about NATO's core tasks in the next decade and about its relationship with other international organisations. The AIV believes that the following points in the consultations on a new Strategic Concept will be crucial both for the Netherlands and for the chances of bringing the negotiations to a successful completion:

1. reappraisal of article 5 of the North Atlantic Treaty in a manner that underscores allied solidarity, but at the same time takes account of the changing security situation and new threats;
2. the criteria for expeditionary operations outside the Treaty area on the basis of the interests of member states, legitimacy under international law, a coherent civil-military approach and the size and capabilities of the available military units of the member states;
3. emphasis on stepping up the political dialogue on security issues;
4. improving the cooperation between NATO and the EU within a comprehensive approach;
5. a security dialogue and possible cooperation with Russia;
6. NATO's role in arms control, disarmament and non-proliferation.

These key points are dealt with in the specific answers to the questions put by the government.

Government's question
What significance do NATO's original objectives have in the 21st century, in the light of the current security threats and the developments that have taken place since 1999?

Reference was made in the previous chapter to the discussion on the scope of article 5 of the North Atlantic Treaty. When can there be said to be an armed attack on an ally such that the assistance of other NATO member states can be requested? As article 5 is the cornerstone of collective self-defence and the allies require specific security guarantees, a continued focus on this article is preferable. The danger of a substantial expansion of the functional and geographic scope of the Alliance is that this would not work well in practice owing to its military shortcomings and the complex political situations which NATO could not change by military means alone.

What should be understood by an armed attack as referred to in article 5? It is not really possible to draw up an exhaustive list of such cases in advance as their nature may rapidly change in the foreseeable future and the Alliance must then be free to judge situations as and when they arise. The North Atlantic Council would be best advised to continue developing the 'case law' on aggression against members whenever the occasion arises in practice. It should be noted at the outset that article 5 is about armed attacks, in other words physical aggression of foreign origin against a member state which considers that its security, territory, population, essential state institutions or vital interests are threatened as a result. When serious threats of aggression occur the North Atlantic Council must determine whether article 5 is applicable on a case-to-case basis, usually as a matter of urgency.

The AIV concludes that articles 5 and 4 of the North Atlantic Treaty should be central to the Strategic Concept. Article 5, which regulates the obligation of collective self-defence in the event of an attack (including a major terrorist attack) on Alliance territory, should remain the cornerstone of the Alliance, even though there is at present no threat of large-scale military aggression against NATO members. It would not seem worthwhile or indeed feasible to change the wording of this article. However, some further considerations could be added in the Strategic Concept.

Interpretation of collective defence of NATO territory

Nonetheless, reconfirming article 5 in the new Strategic Concept would not in itself be sufficient. A credible interpretation of the concept of collective defence of NATO territory is required in order to emphasise the solidarity among the NATO member states. For the older members of NATO there is a greater need for political consultations and joint action in crisis management operations. For the new members, however, there is a need for the security guarantee to be defined in more concrete terms, for example through a form of contingency planning. If NATO wishes at the same time to promote a constructive relationship with Russia any such contingency planning will have to be generic only, as it could otherwise be interpreted as provocative. This is why any provision that our armed forces should be flexible and mobile in order to meet new threats should be of a generalised nature and apply to article 5 scenarios as well. Such armed forces should therefore be able to provide assistance quickly. This flexibility and mobility can be demonstrated and enhanced in military exercises.

A second question concerns the applicability of article 5 to large-scale terrorist attacks or indications of such attacks, as well as other non-military threats which can dislocate our society. Such a provision could be based on the solidarity clause in the Treaty of Lisbon, which expresses the willingness to grant assistance to the state concerned in the event of terrorist attacks or other disasters. NATO's role outside the Treaty area has grown as a result of various factors. For example, at certain crucial moments the UN proved unable to end conflicts and lacked the resources to convincingly perform peace-enforcement mandates. In Afghanistan the NATO operations were mandated by the UN Security Council, but article 5 was initially invoked because of the terrorist attacks on US territory. The intervention in Afghanistan against the Taliban was based on the protection which the Taliban government afforded to al Qa'ida and Osama bin Laden.

Criteria for expeditionary operations outside the Treaty area

Differences of opinion regularly emerge between the member states about the objectives and effectiveness of missions during NATO crisis management operations outside the Treaty area, particularly in the case of the ISAF mission in Afghanistan.[62] This is why the decision-making process on NATO operations out of area should meet stricter criteria. The following criteria could serve as a framework for assessing NATO decisions on out-of-area operations:
• the existence of a demonstrable relationship with the security or vital interests of NATO member states (except where NATO military forces are deployed in humanitarian emergencies);
• legitimacy under international law;

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62 Ko Colijn, 'From "Plenty of nothing" to "I will survive": On the 60th anniversary of an alliance', *Internationale Spectator* no. 3/2009.

- a comprehensive civil-military approach under civilian leadership from the UN or the EU;
- agreement about feasible objectives of military action;
- scope and quality of the military capabilities offered to be in accordance with the planned duration and nature of the operation.

The AIV recommends that NATO should not be expanded to form a global security organisation. Caution in accepting tasks out of area is required not only on account of the risks of overstretch but also because the NATO label will not always be viewed constructively by the parties to the conflict. Nonetheless, security risks outside the Treaty area may affect the security or vital interests of NATO member states in such a way that NATO deployment is necessary.

Stepping up the political dialogue on security issues (article 4)

Article 4 should be reappraised with a view to achieving greater convergence of positions on security threats and NATO's role, partly in the interests of being able to maintain European influence. For example, it is important to be able to talk about and decide within the transatlantic framework on security issues which do not come under article 5 but do pose a threat or potential threat to NATO member states, such as large-scale disruption of energy supplies or social dislocation following a cyber attack.

NATO's importance as a forum for transatlantic dialogue on security issues has declined since the end of the Cold War. The emphasis of the consultations within NATO has shifted from political to military issues. This shift is to some extent understandable since NATO has carried out a number of crisis management operations in the past 20 years. However, experience with NATO operations, particularly in Kosovo and Afghanistan, shows that a military strategy alone is not sufficient and should always form part of a comprehensive approach that includes diplomatic, political, military, economic, development cooperation and humanitarian instruments.

Under President Obama of the United States there are fresh opportunities for political dialogue on security issues within NATO. This dialogue is also necessary in order to generate public support in the member states for NATO's activities. Finally, the political dialogue must be a prelude to improving the coordination and cooperation with other international players, in particular the European Union.

New threats such as cyber attacks, piracy, large-scale disruption of energy supplies and fragile states

NATO's thinking on the significance of new threats such as cyber attacks, piracy and energy supply disruption is still in its infancy. Cyber attacks could, at their most extreme, dislocate societies or the ICT infrastructure of armed forces. The NATO member states and their armed forces must naturally take measures to protect themselves against possible cyber attacks on military targets. If cyber attacks were to dislocate the vital functions of a society to such an extent that national security is jeopardised, NATO consultation under article 4 would be necessary and the members could decide to take immediate measures to assist one another.

The threat of piracy on strategic sea routes is a complex problem, in which security interests (hostage taking and the transport of strategic goods), commercial interests (freedom of navigation), humanitarian interests (protection of food transport) and energy interests (transit of oil) vie for precedence. The existence of all these different interests

makes it more difficult to achieve a coherent international approach to the problem of piracy.

The AIV concludes that the threat of piracy falls outside the scope of article 5, but regular consultations on international measures to tackle it are desirable under article 4. As piracy is in fact a symptom of a fragile state, the solution to the problem must be sought above all in the country concerned. The AIV believes that the EU and the UN are better equipped to tackle the causes of piracy. However, NATO can provide support in combating piracy on the high seas by providing maritime and complementary military capabilities (e.g. reconnaissance aircraft). The AIV would also point out that cooperation with Russia, China and India in combating piracy off the coast of Somalia can also act as a catalyst for broader maritime cooperation in the future. The AIV expects to advise separately on this subject in the foreseeable future.

Uncertainties about energy supplies are an international security risk. First of all, large energy-producing countries can use energy supplies for political leverage. In addition, non-state actors (e.g. terrorists) can disrupt energy supplies carried by land and sea. There is a shared international security interest in protecting vulnerable energy infrastructure and supply routes over land (pipelines) and choke points at sea. Strategic policy on energy supply security is dictated to a large extent by national economic interests. The stockpiling of oil and gas and the creation of different supply lines would reduce susceptibility to sudden disruptions and political blackmail. If the interruption of energy supplies were to result in a crisis situation with implications for national security, political consultation would be necessary both within NATO and with other relevant partners. The NATO member states could then decide to take security measures to deal with the crisis.

Countries presently classified as either fragile states or rogue states will continue to demand the constant attention of the international community in the next ten years. The possible security threats emanating from such states are terrorism, regional conflicts, crossborder crime, piracy and disruption of access to energy and raw materials. There may also be serious and large-scale violations of human rights. In addition, internal conflicts often cause massive flows of refugees. The AIV believes that these security risks may necessitate international intervention and that there is a possible role for NATO in such cases.

Government's question
What should be the goal and scope of possible future NATO enlargement?

The enlargement of NATO from 16 to 28 member states in the past ten years underlines its success as the guardian of collective security in Europe and North America. The aim of any further NATO enlargement should be twofold:
• to enable European countries which comply with the conditions drawn up in 1995 to join the Alliance;[63]
• to strengthen the collective security and stability of the Euro-Atlantic area.

Decisions on the enlargement of NATO by the addition of new European states in accordance with article 10 of the North Atlantic Treaty are made on a case-by-case basis. Only when there is consensus between the member states on the question

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63 Study on NATO Enlargement (September 1995).

of whether a candidate country fulfils the agreed conditions and can actually help to enhance the security of the Alliance, will enlargement take place. Recently, the discussion on the admission of Ukraine and Georgia to NATO has caused much dissension.[64] The Netherlands has an interest in strengthening internal cohesion within the Alliance. The AIV believes that the admission of Ukraine and Georgia would not be desirable at present since these countries do not fulfil the conditions laid down in the 1995 Study on NATO Enlargement and admission would not enhance stability in their region. However, Russian objections to the admission of these countries may not be the decisive factor in any future decision on this subject.

Enlargement of NATO to include countries outside the Euro-Atlantic area would not be desirable since this would involve expanding the scope of article 5 to other regions, which would have consequences for cohesion in the Alliance that cannot be foreseen at present.

Government's question
How can NATO give more substance to its relations with its partners?

Improvement of cooperation between NATO and the EU within the comprehensive approach

As the number of military operations out of area is increasing and the Common Security and Defence Policy (CSDP) is being developed at the same time,[65] NATO and the EU must improve the coordination of their activities. Issues which are raised (or should be raised) within NATO are often also discussed within the EU as well. A positive development is that since President Sarkozy came to power the complementarity of NATO and the ESDP has been assigned an important role in French security policy and that the United States has at the same time acknowledged the importance of a strong ESDP.

The AIV recommends that the two organisations focus on their comparative advantages. NATO's main advantage is its integrated command and communication system, with its fully operational headquarters and wealth of expertise in planning, organising and implementing large-scale, complex military operations. The EU differs from NATO by virtue of its civilian capabilities and financial resources for developing state structures and fostering socioeconomic development in war-torn societies. Civilian capabilities are also provided by organisations such as the UN, the World Bank and NGOs. The EU's civilian capabilities are delivered to a substantial extent by the pools of civilian experts which have been or are being developed by various countries. If the desired cooperation between NATO and the EU does *not* work, NATO will be obliged to develop some civilian-military planning capability of its own and also to make use of the pools of civilian experts of the countries concerned, for example for the deployment of police trainers.

While the so-called Berlin-Plus Arrangement, under which NATO assets and capabilities are made available to EU-led operations, admittedly proved effective in Bosnia, it has not

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64 See also AIV Advisory Report no. 61, 'The Cooperation Between the European Union and Russia: a Matter of Mutual Interest', The Hague, (July 2008), pp. 35-36.

65 Since the entry into force of the Treaty of Lisbon the European Security and Defence Policy (ESDP) has been called the Common Security and Defence Policy (CSDP).

been applied elsewhere. The arrangement is due for review as it is particularly important that NATO and the EU should act side by side in the context of the comprehensive approach. Owing to the Cyprus problem an institutional barrier has been put in place by Turkey within NATO and by Cyprus and Greece within the EU. Resolving this problem would be a major step forward for both organisations. The AIV recommends that the Netherlands should press for new diplomatic initiatives in the UN, the EU and NATO in order to resolve the dispute concerning Cyprus and Turkey.

Despite this issue there are opportunities for better cooperation. For example, in Kosovo cooperation between the NATO stabilisation operation (KFOR) and the EU Rule of Law Mission in Kosovo (EULEX) is proceeding well, despite institutional barriers. The explanation for this is that both missions have clear mandates, which are complementary. In Afghanistan, however, the effectiveness of the joint operation by NATO and the EU is hindered by the lack of formal arrangements for civil-military cooperation between the two organisations.

The entry into force of the Treaty of Lisbon on 1 December 2009 has increased still further the EU's importance as a security partner for NATO. The two organisations now have no alternative but to cooperate together more closely. New initiatives are needed in order to enhance cooperation in crisis areas and in developing scarce capabilities. The AIV would make the following proposals:

a. It is important for the Secretary-General of NATO and the new EU High Representative for Foreign Affairs and Security Policy, who is also the First Vice-President of the European Commission, to develop a new coordination mechanism for planning and implementing combined EU-NATO operations in crisis areas. This coordination mechanism should provide, among other things, for clear agreements on the division of tasks and responsibilities between NATO and the EU in the context of the comprehensive approach. The expertise and financial resources available to the European Commission play a major role in this respect. The combined position of High Representative for Foreign Affairs and Security Policy and First Vice-President of the European Commission provides an opportunity not only for a more coherent EU policy but also for better coordination between NATO and the European Commission. Taking account of the comparative advantages of the two organisations and the current decision-making procedures, NATO and the EU should in this way be able to cooperate more closely together in crisis areas and thus avoid unnecessary duplication and fragmentation of activities.

b. The Netherlands, together with the other 20 countries which are members of both NATO and the EU, has an interest in achieving greater consultation and cooperation between the organisations in capability-related matters. The Netherlands should advocate expansion of formal consultations and joint capability projects between the European Defence Agency (EDA) and NATO.

c. At a time when European defence budgets are strained by the financial and economic crisis, pooling scarce military capabilities is a worthwhile instrument. These capabilities should be at the service of NATO, EU and national operations.

d. All countries which are members of both NATO and the EU should be encouraged to appoint a single permanent military representative to both organisations. This would improve decision-making and coordination between NATO and the EU, in particular in crisis areas where both organisations are active.

e. A joint study should be carried out into the concept of Provincial Reconstruction Teams (PRT) in order to assess the scope for integrating the military and civilian capabilities of NATO and the EU in crisis areas.

f. A joint EU-NATO pre-deployment training programme, which could grow in time into an EU-NATO school for peacebuilding, should be developed.

g. Periodic high-level EU-NATO exercises should be held in which the Secretary-General of NATO, the EU High Representative for Foreign Affairs and Security Policy and the heads of government of the Troika of the EU Presidency participate.

h. There should be a joint EU-NATO Conflict Prevention Task Group, with a permanent secretariat, which analyses information about conflict areas and develops strategies for conflict management.[66]

Relationship with the UN

In practice, NATO is prepared to consider a request from the UN Security Council to take part in an international crisis management operation which is not covered by article 5 of the NATO Treaty. The provisions of the framework for assessing NATO out-of-area operations should be observed when making such decisions. The success of crisis management operations in fragile states depends to a large extent on cooperation with the UN in adopting and implementing a comprehensive approach to security and development. NATO therefore has a special relationship with the UN.[67]

Relationship with Russia

The AIV recommends that efforts should be made to achieve a constructive security dialogue in the NATO-Russia Council (NRC), despite concerns about the rule of law, human rights and democracy in Russia. This dialogue could help to restore mutual confidence and, where possible, establish practical cooperation on a variety of security issues ranging from disarmament and non-proliferation to joint action against terrorism and piracy. The AIV believes that the NATO-Russia Council should be a forum for discussion of differences of opinion between the parties and for consultation about joint security problems. Greater unity among the NATO member states is a precondition for fruitful dialogue with Russia.

President Medvedev's recent proposals for a new binding European security treaty deserve further study, but are notable for their emphasis on 'hard' state security whereas the West has always emphasised the connection with 'soft' security such as human rights, democracy and the rule of law. In addition, the Russian proposals for a new European security treaty appear to be directed against NATO as an organisation. The basic premise for the Alliance should continue to be what was agreed in the Charter of Paris of 1990 and the Budapest Code of Conduct, in particular that countries are entitled to determine their own future, including the choice of alliances of which they wish to be a member.

66 Some of these proposals are derived from a discussion paper by Tomas Valasek & Daniel Korski, 'Closer NATO-EU Ties: Ideas for the Strategic Concept', (November 2009).

67 See also AIV Advisory Report no. 64, 'Crisis Management Operations in Fragile States: the Need for a Coherent Approach', The Hague, (March 2009).

Government's question
How can NATO's armed forces be given a sharper expeditionary profile?

Although there has been much discussion within NATO in recent years about far-reaching changes to the NATO command structure, no results have yet materialised. The national interests of the separate member states are obstructing further rationalisation of the NATO structures. The AIV believes that the outcome of the consultations on the Strategic Concept should have direct consequences for the reform of NATO's military and civilian organisation. For example, the expeditionary profile of NATO armed forces should receive even greater emphasis, both for deployment for the collective defence of NATO territory and for out-of-area operations.

The proposal for a revised NATO Response Force (NRF), which was approved by the NATO Ministers of Defence in June 2009, should be implemented. Improvement of interoperability calls for special attention. The AIV believes that the new Strategic Concept should contain a coherent vision of the nature of future missions and the NRF's possible contribution to them. In the consultations on a new Strategic Concept the Netherlands should press for the NRF to be made available as a strategic reserve for major missions.

The new Strategic Concept should contain clear choices on NATO's core tasks and the nature of future missions. Afterwards, the question of how these choices are to be militarily translated into specific measures such as adjustment of the expeditionary profile of the armed forces and the further switch to deployable headquarters can be set out in separate documents. At that point it will be time to decide *how* the expeditionary profile of NATO's armed forces could be sharpened.

Government's question
How could burden sharing in the broadest sense of the term be put into practice in the best possible way, notably in expeditionary operations?

The AIV believes that solidarity and proportionality should be included as basic principles of the Strategic Concept. The common funding mechanism is at present applicable only in very limited cases, mainly in respect of infrastructure in the member states themselves. The AIV recommends that this mechanism should be expanded for crisis management operations and the NRF in order to share the burden more evenly. This could make it more attractive for countries to take part in crisis management operations and the NRF. The EU has the Athena mechanism for funding the common costs of military operations. The AIV believes that the NATO and EU common funding mechanisms should be compared more closely. Besides dividing the financial burden, the willingness to share risks in relation to military deployment is of particular importance.

Government's question
What role could NATO play in the field of arms control, disarmament and non-proliferation?

The AIV believes that the number of strategic and tactical nuclear weapons should be greatly reduced, first of all through bilateral negotiations between the United States and Russia. However, the debate about the role of nuclear weapons and their numbers and about the need for and desirability of their presence in European countries must be

conducted on a NATO-wide basis. The aim should be to achieve a further limitation of tactical nuclear weapons throughout Europe (including Russia) and ultimately a Europe that is free of tactical nuclear weapons.

From the perspective of credibility and the related principle of proportionality, the role of the nuclear deterrent can be restricted in the new Strategic Concept to answering a threat or use of weapons of mass destruction, namely biological, chemical or nuclear weapons and their means of delivery. The new Strategic Concept could, however, go a step further by limiting NATO's deterrence strategy to deterring other nuclear-weapon states from using or threatening to use their nuclear weapons against member states of the Alliance. Such a limitation, which could be endorsed by the three NPT nuclear-weapon states within NATO, would strengthen international efforts to curb the further proliferation of nuclear weapons.

The Netherlands should encourage this process by urging that periodic consultations be held within the Alliance on the broader field of arms control, disarmament and non-proliferation in relation to both nuclear weapons reductions and strengthening the existing regimes governing chemical and biological weapons and their means of delivery and the export control regimes applicable to them. A world free of nuclear weapons is an aim which should be endorsed by the Netherlands but which falls outside the time horizon of the new Strategic Concept and can be achieved only once a reliable worldwide inspection system has been put in place.

Government's question
What role can the Netherlands play in the development of the new NATO Strategic Concept?

In the past, the Netherlands has always been an advocate within NATO of a constructive transatlantic relationship. The AIV believes that the Netherlands should now view the transatlantic relationship more in conjunction with the growing role of the European Union. More specifically, the Netherlands should work to coordinate the NATO Strategic Concept and the European Security Strategy of 2003, which was amended in December 2008 and now requires further adjustment.

Politically, little can be achieved in the world if the United States and the EU do not work together. This will be easier under President Obama, who is more multilaterally-minded than his predecessor, although Washington will certainly press the Europeans to accept more responsibility and provide more military capacity. Without American support, large-scale military operations will be inconceivable in the next ten years.

Compared with NATO the EU has the advantage of having not only a wide range of political instruments at its disposal but also a common foreign and security policy which allows direct contact with the governments of other countries and with international organisations. Under the Treaty of Lisbon the EU has its own diplomatic service,[68] which will act not only on behalf of the European Commission (as in the past) but also on behalf of all EU institutions. This will strengthen the EU's role as a global player.

It seems likely that the following issues in the negotiations on a new Strategic Concept will be hard to resolve:

68 The European External Action Service (EEAS).

- What can be done to ensure that failings in cooperation between NATO and the EU do not paralyse the ability of both organisations to act effectively in crisis management operations? The Netherlands should work with other allies and partners in both organisations to promote a solution to the Cyprus issue.
- How can Russia's neighbours be credibly supported without adversely affecting the relationship with Russia?
- Would it be possible to compensate for the negative effect of delaying the admission of former Soviet republics by other forms of cooperation with these countries?
- Would it be possible to define the role of nuclear weapons in the new Strategic Concept as deterring other (nuclear-weapon) states from using their weapons of mass destruction or (taking this a step further) from using or threatening to use their nuclear weapon against member states of the Alliance?
- Are there ways of establishing coalitions of the willing within NATO in order to circumvent lack of consensus? The same question can be asked with regard to permanent structured cooperation in the EU, which has been possible since the entry into force of the Treaty of Lisbon.

In view of the size of its armed forces, the Netherlands is reliant on military cooperation with partners in carrying out crisis management operations. The Dutch armed forces have proved well capable of working within larger international structures and even occupying command positions in them. In Afghanistan the comprehensive approach used by the Dutch contingent is held up as an example. Within NATO the Netherlands is in the vanguard of the moves to transform the armed forces into an expeditionary force capable of being deployed for both collective defence tasks and crisis management operations outside the Euro-Atlantic area. The Netherlands should once again stress the importance of the interoperability, flexibility and mobility of the armed forces for their capacity to operate in the various scenarios. This could assuage some of the concerns of Russia's neighbours within NATO. In addition, the Netherlands should advocate a critical evaluation of the decision-making process within NATO and request that attention be paid in particular to the criteria to be applied to NATO decisions on participation in crisis management operations out of area. Finally, the AIV believes it important for NATO to return to a broad political dialogue on all subjects that directly or indirectly threaten the security interests of the member states. In this respect article 4 of the North Atlantic Treaty is just as important as article 5 and even more topical.

Final remarks

There is a desire in the Netherlands, deriving from a combination of ideals and interests, to help improve the international policy of various organisations and structures. The Netherlands wishes to promote the international legal order; indeed, this is actually a constitutional obligation. As the world's sixteenth largest economy and ninth largest exporter, the Netherlands is an important economic player. For both idealistic and material reasons the Netherlands has a great interest in fostering peace and stability in the world under the international legal order. The Netherlands must aspire to and earn a position of influence in order to be a credible participant in consultations and decision-making in international forums. The Netherlands should therefore be prepared to shoulder its share of risks with its partners in international security policy. The added value of this risk sharing should not be underestimated.

The Netherlands has built up considerable international goodwill through its military contributions to NATO, EU and UN crisis management operations over the past 10 years. Nonetheless, the AIV notes that the general public is currently less inclined to accept the argument that Dutch military contributions to promoting stability and the international legal order also serve Dutch interests. Clear public diplomacy is therefore needed from leading politicians in order to mobilise public support for an active foreign policy.

One of the conditions for successful public diplomacy in relation to Dutch participation in NATO tasks is the existence of a clear Strategic Concept, which has the political support of the member states. A second condition is that in the event of NATO deployment out of area the decision is assessed by the reference to the criteria referred to in this advisory report and the connection with the security or vital interests of the NATO area is clearly demonstrated. If the Netherlands is to participate, it is essential for there to be sufficient support in parliament and among the general public. Widespread public support for the deployment of Dutch armed forces can be counted upon only if it is regarded as necessary and legitimate.[69]

It would in any event be advisable for the Dutch government and parliament to enter into a dialogue with the general public whenever such a decision has to be made. Although leading politicians should always explain the Netherlands' responsibilities as a member of NATO, the EU and the UN in relation to specific issues, they should also always be willing to listen to different views and take account of changing public opinion. NATO's new Strategic Concept therefore needs broad support from parliament, the political parties and public opinion. Finally, the AIV believes that the new Strategic Concept will acquire significance in the future only as a consequence of its actual implementation.

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69 The AIV notes that the criterion that there must be sufficient public support for the deployment of military personnel, as set out in the 1995 assessment framework for decisions on the deployment of Dutch troops, has wrongly been omitted from later versions of the framework.

Annexes

Mr F. Korthals Altes
Chairman of the Advisory Council
on International Affairs
Postbus 20061
2500 EB DEN HAAG

Date   18 June 2009
Re   Request for advice on the review of the NATO Strategic Concept

Dear Mr Korthals Altes,

We kindly request the advice of the Advisory Council on International Affairs (AIV) on the following subject.

At the summit on 3-4 April 2009 in Strasbourg and Kehl on the occasion of NATO's 60th anniversary, the decision was taken to review NATO's Strategic Concept. In the Declaration on Alliance Security adopted at the summit, this decision was formulated as follows:

> We are committed to renovating our Alliance to better address today's threats and to anticipate tomorrow's risks. United by this common vision of our future, we task the Secretary General to convene and lead a broad-based group of qualified experts, who in close consultation with all Allies will lay the ground for the Secretary General to develop a new Strategic Concept and submit proposals for its implementation for approval at our next summit. The Secretary General will keep the Council in permanent session involved throughout the process.[1]

The current Strategic Concept dates from 1999. Among other things, it reflects the Alliance's experience of the Balkan crises that resulted from the collapse of the former Yugoslavia, as well as NATO's first 'out of area' operation. Since then, however, the international security environment has continued to change. In addition to the intra-state conflicts that characterised the new security situation in the first post-Cold War years, many other direct and indirect threats to our security have emerged in recent years, ranging from terrorism and the proliferation of weapons of mass destruction to energy supply insecurity and climate change. The question is what this implies for the performance of NATO's traditional role: the defence of allied territory.

Moreover, not only has the world changed, NATO itself has changed. The Alliance has been enlarged since 1999 to include twelve new members, making a total of 28. These countries' different histories and geographical situations mean that they do not all see NATO affairs in the same way. In reviewing the Strategic Concept, it is therefore equally important for this now more diverse membership to give a common answer to the question of what NATO's core business is. A new balance needs to be struck between the collective defence of the member states' own territory, which some of them stress, and operations far beyond it, which others advocate. The transatlantic 'acquis' that has been built up in recent years is an

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1   See: http://www.nato.int/cps/en/natolive/news_52838.htm?mode=pressrelease

asset worth preserving. The Comprehensive Political Guidance adopted by the NATO summit in Riga in 2006 could be one of the starting points for the new Strategic Concept.

Against this general backdrop, we would like to pose the following specific questions.

1. What?
- What significance do NATO's original objectives have in the 21st century, in the light of the current security threats and the developments that have taken place since 1999, in particular with regard to:
  - · the increased size and diversity of the Alliance;
  - · the altered character of the conflicts it faces;
  - · the altered character of military operations;
  - · the fact that expeditionary forces now operate in remote regions;
  - · new threats such as cyber attacks, piracy and energy supply insecurity?

2. With whom?
- What should be the goal and scope of possible future NATO enlargement?
- How can NATO give more substance to its relations with its partners (individual countries, formal partnerships and international organisations)? More specifically:
  - · how should its relationships with countries like Australia and Japan develop in the future?
  - · should NATO develop a more substantive relationship with Russia?
  - · how can NATO and the EU improve their relationship, and in which areas should they cooperate and/or complement each other's work in the framework of the comprehensive approach?

3. How?
- What reforms are needed to enable NATO to function effectively in the new context?
- How can NATO's armed forces be given a sharper expeditionary profile?
- How could burden sharing in the broadest sense of the term (a fair division of troop contributions, financial costs and operational risks) be put into practice in the best possible way, notably in expeditionary operations?
- What role could NATO play in the field of arms control, disarmament and non-proliferation?

4. The Netherlands
- What role could the Netherlands play in all these areas?

We look forward to receiving your advisory report.

Yours sincerely,

Eimert van Middelkoop   Maxime Verhagen
Minister of Defence   Minister of Foreign Affairs

Definitions of terms

3D	Diplomacy, Defence, Development.
Berlin-Plus Arrangement	General framework for calling on NATO for assistance in EU-led operations.
Burden sharing	Sharing of the operational, financial and personnel burden among the allies in the event of military deployment and the willingness to accept risks.
Choke points	Bottlenecks on major transport routes, mainly at sea (Strait of Malacca, Gulf of Aden and the Suez Canal).
Common funding	Financing of infrastructure and/or operations (or parts of operations) from a common fund.
Comprehensive approach	Integrated approach to security problems in which political, military and civilian activities are viewed in conjunction.
Core deterrence	Nuclear deterrence aimed exclusively against nuclear weapon states.
Costs lie where they fall	Principle under which each member state bears the costs of its own military contribution to operations.
Cyber attack	Attack using digital communication technology to disrupt vital logistical, communication or energy infrastructure.
Fragile state	Country in which the central government is unwilling or unable to perform basic tasks such as maintaining public order, reducing poverty, fostering development and safeguarding security and human rights.
Force planning	The planning process designed to ensure that NATO has sufficient, adequately equipped armed forces available to perform the tasks of the Alliance. (*There is no NATO-approved definition of this term.*)
Force structure	The troops and military capabilities made available to NATO by the member states and the political and military command structure for their control. (*There is no NATO-approved definition of this term.*)
Globalisation	Worldwide process by which economic, political and sociocultural factors influence one another.

Hacking	Accessing digital information systems by circumventing their security systems.
Information operations	Coordinated and planned use of information technology for the purposes of sabotage.
Irregular warfare	Use of guerrilla tactics against a militarily stronger and technologically superior enemy.
Small arms	*Small Arms and Light Weapons (SALW)* – weapons that can be carried by an individual, such as machine guns, grenade launchers and pistols.
Weapons of mass (WMD) destruction	Weapons fitted with a nuclear, biological, chemical or radiological pay load capable of causing mass casualties.
Military scope	Scope for military deployment.
NATO Response Force	Rapid intervention force which can be deployed by NATO in international crises.
Out of area	Geographical designation for the expeditionary deployment of NATO forces outside the Euro-Atlantic area.
Proliferation	Spread of WMD, in particular nuclear material that can be used for military purposes.
Strategic Concept	NATO's political and military strategy for the foreseeable future.

List of abbreviations

AIV	Advisory Council on International Affairs
AU	African Union
BWC	Biological Weapons Convention
CSDP	Common Security and Defence Policy
CWC	Chemical Weapons Convention
EDA	European Defence Agency
ESDP	European Security and Defence Policy
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
FAC	Foreign Affairs Council
GAERC	General Affairs and External Relations Council
IAEA	International Atomic Energy Agency
ISAF	International Security Assistance Force
KFOR	Kosovo Force
NATO	North Atlantic Treaty Organisation
NGO	Non-governmental organisation
NPT	Non-Proliferation Treaty
NRF	NATO Response Force
OECD	Organisation for Economic Cooperation and Development
OECD/DAC	Development Assistance Committee of the OECD
PRT	Provincial Reconstruction Team
UN	United Nations
WMD	Weapons of mass destruction

List of persons consulted

NAME	POSITION
Ambassador P. Andréani	Permanent Representative of France to NATO
Ambassador U. Brandenburg	Permanent Representative of the Federal Republic of Germany to NATO
Ambassador I.H. Daalder	Permanent Representative of the United States of America to NATO
Lt. Gen. P.J.M. Godderij	Director of the International Military Staff at NATO
T.P. Hofstee	Former ambassador in Moscow
K.J.R. Klompenhouwer	Civilian Operations Commander (ESDP) and Director of the Civilian Planning and Conduct Capability (CPCC) at the Council Secretariat of the EU
Dr M. de Kwaasteniet	Representative of the Netherlands on the Political and Security Committee of the EU, Permanent Representative WEU
Lt. Gen. A.D. Leakey CMG CBE	Director General of the EU Military Staff at the Council Secretariat of the EU
Professor J.G. van der Linde	Director of Clingendael International Energy Programme and Professor of Geopolitics and Energy Management, University of Groningen
Ambassador F.A.M. Majoor	Permanent Representative of the Netherlands to NATO
A.J. Molenaar	Representative of the Netherlands to the Politico-Military Group of the Council of the EU
Lt. Gen. A.G.D van Osch	Permanent Military Representative of the Netherlands to NATO and the EU
Ambassador H.A. Schaper	Permanent Representative of the Netherlands to the UN and former Permanent Representative to NATO
Dr J.P. Shea	Director of Policy Planning in the Private Office of the Secretary-General of NATO
J. van der Veer	Vice-Chair of the NATO Strategic Concept Expert Group
J.T. Versteeg	Deputy Permanent Representative of the Netherlands to NATO

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