

CHAPTER 4

NATO POST-COLD WAR: SEARCH FOR A NEW IDENTITY

I. INTRODUCTION

This chapter seeks to highlight the relevance of NATO after the end of the Cold War. It is divided into three parts: (I). Disappearance of the U.S.S.R, (II). New Challenges and (III). Evolution of a New Framework.

PART I: DISAPPEARANCE OF THE U.S.S.R

Throughout history, military alliances have formed to balance either countervailing power or the perceived threat thereof. They have collapsed when the need for a balance disappeared as a result of either power crumbling or threat perceptions changing. While the origins of the North Atlantic Treaty Organisation can be found in its members' perceived need to balance rising Soviet power in the aftermath of the Second World War, the collapse of Soviet imperial rule in the late 1980s did not lead to NATO's demise. For that reason, NATO is often referred to as the most successful military alliance in history. Not only did it prove to be the key instrument in defending its members against Soviet attack or subversion and in helping to speed Soviet disintegration, the Atlantic Alliance survived and at times, thrived in the decade since the disappearance of the Soviet threat robbed NATO of its main *raison d'être*. If success is measured by longevity, then NATO has rightly earned its historic designation.

For a full half century-with forty of the fifty years just ended dominated by the Cold War. NATO has served as a foundation stone of Euro-Atlantic peace and security, many deeming it in fact the 'cornerstone'. Now in an international security landscape greatly different from the past, sweeping changes have posed a need for careful re-thinking of what NATO will be and do in the years that lie ahead.

When the Cold War ended, at the end of 1989, it was expected that an ideal world, based on understanding, cooperation, disarmament and peace would emerge. As one of the bloc leaders (Soviet Union) disintegrated and possibility of unipolar world emerged, it was expected that under the leadership of the United States, a new world order free from conflicts, disputes and wars would emerge. The United Nations was being perceived as focal point of rallying of all peace-loving forces. The US President George Bush had said, with the touch of Wilsonian idealism, that 'We have a vision of new partnership of nations that transcends of Cold War – a partnership based on consultation, cooperation, and collective action, especially through international and global organisations.' Bush had hoped that the partnership would be 'united by principle and the rule of law and supported by an equitable sharing of both cost and commitment'. Later, Bush's successor President Bill Clinton had spoken of the dream 'of a day when the opinions and energies of every person in the world will be given full expression of thriving democracies that cooperate with each other and live in peace.'

The United States had proclaimed its intention to build a new world order by applying its domestic values to the world at large.

The greatest concerns of the past regarding peace and security in and among the world's major nations are vastly diminished. Now the focus is on the outbreaks of violence of a new order, still deadly in their effects but far lesser in scales than those of the past: ethnic conflict, genocide, ancient enmities, terrorist attacks, fundamentalist insurgencies, and the ever possible depredations of rogue states, limited in number but threatening to regional peace and stability. Given such changes and challenges, it is essential to look ahead to consider in depth the future role of NATO, the missions it should perform and the institutional responses that are now required.

The NATO served as a battering ram and military enforcer in the cold war against the Soviet Union. With the Cold War over, why NATO?¹ First, in a world full of crises and conflicts where history moves fast and is full of surprises, NATO still served its main strategic purpose: to maintain the common defence and security of its member countries. In the immediate aftermath of Soviet imperial rule, few were ready to throw the Alliance overboard.² The need to hedge against an uncertain future was reflected in the new Alliance strategic concept, adopted in November 1991 by NATO Heads of State and Government just days before the Soviet collapse.³ This concept pointedly noted that the need to "preserve the strategic balance in Europe" would remain one of NATO's four fundamental security tasks. Today, it does so with fewer troops and at lost cost. NATO serves as the insurance policy against the remaining risks and new dangers. Once dissolved, an effective Alliance could not be recreated overnight.

Secondly, the transatlantic relationship is the most stable and valuable geo-political asset on the globe today, bringing together the world's two largest trading zones and the two regions with the greatest global outreach and sense of global responsibilities. "How could we seriously hope to achieve a more stable world without strategic alliance of these two major power centers? Where else but in NATO could they coordinate their policies and pool their capabilities to deal with major security challenges, as was done so successfully in the Gulf War?" said the Secretary General.⁴ Moreover, the countries of Central and Eastern Europe already rely upon the stabilizing influence, which the

1 West, Jim, Who Needs the North Atlantic Treaty Organisation?, *People's Weekly World*, 21st March, 1998.

2 Ibid.

3 Daalder, Ivo H., *NATO In The 21st Century: What Purpose, What Missions?*, Brookings Institution, April 1999, pp.6-28.

4 Speech by the Secretary of NATO General Manfred Wörner at the inaugural conference of the Atlantic Council of the United Kingdom, London, 26th November 1993.

Alliance exerts around its periphery. The disintegration of NATO would increase the risk of conflict in Europe dramatically.

Thirdly, one of the greatest achievements of the Atlantic Alliance has been to put an end to the bad habits of European power politics.⁵ There was simply no longer any need for secret pacts and cordial, or not so cordial, ententes. The American presence for a stable balance between former rivals and enemies. It even made possible the realization of German unification without a major crisis in West European politics. By contrast, the dissolution of NATO or the disengagement of the United States from Europe could and would undermine the European integration process. This would be damaging not only for Western Europe and the United States, but would also gravely effect the political and economic transition of the countries of Central and Eastern Europe, which are urgently looking for links to the political, economic and security institutions of the West.

Fourthly, the Alliance has always meant more than providing a countervailing balance to Soviet power. To a considerable extent, NATO evolved into a community of like-minded states, united not just by their opposition to Soviet communism but also by their determination (as the preamble to the North Atlantic Treaty of 1949 stated) “to safeguard the freedom, common heritage and civilizations of their peoples, founded on the principles of democracy, individual liberty, and the rule of law.”⁶ Over time, NATO grew from being an alliance principally dedicated to protecting its members against military threat or attack into the principal institutional expression of the transatlantic community states and the western values that both defined and united them. Together, the NATO allies formed a viable, yet pluralistic security community, one where (with possible exception of Greece and Turkey) the thought of setting its dispute among its members by the threat or use of force has been ruled out a priori. That community remains as vibrant today as it did at the height of the Cold War.

Fifthly, when the military organisation was established in 1949 to give full expression to the collective defence commitment of the Washington Treaty, the basis was laid for a large bureaucracy, staffed by many thousands of people dedicated to the organisation and its mission.⁷ When old soldiers may fade away, large organisations rarely do. After

5 Daalder, Ivo H., *NATO In The 21st Century: What Purpose, What Missions?*, Brookings Institution, April 1999, pp.6-28.

6 Ibid.

7 Ibid.

initially resisting the need to change, the NATO bureaucracy responded by seeking to adapt its mission and structure in a manner relevant to its new environment. On the military side, internal adaptation has taken the form of a streamlined and more flexible command structure capable of deploying military forces rapidly and over greater distances than was the case during the Cold War.

1. FROM DEFENCE OF EUROPE TO DEFENCE OF EUROPEAN VALUES

With the Cold War, NATO had a defined enemy and a clear function – to defend Western Europe against conventional or nuclear assault from the communist world. Without the Cold War, it had no clear enemy or function, other than oiling its guns.⁸ Politically, the Alliance had sought new missions to retain its relevance – from peacekeeping to countering the proliferation of weapons of mass destruction (WMD). In the process, NATO has not only survived but also seen transformed into a politico-military entity that differs in many significant ways from the organisation that stood ready to meet a Warsaw Pact tank assault across the Fulda Gap.⁹

In Europe, post-cold war American security policy has had three main objectives:¹⁰ (i). To further the integration of Western Europe, (ii). To integrate Eastern Europe into the Western structure; and (iii). To integrate Russia into the Western circle. The first task had largely succeeded with the beginning of European Monetary Union. However, Germany's still incomplete unification and the move of the capital to Berlin had disjointed the Franco-German partnership that had driven European unification and had made it even more clear that the European Union was moving towards confederation, not federation.

The second objective, integration of the former Warsaw Pact countries of Eastern Europe into the West had partially succeeded. The difficulties of German unification and the resultant delays in European Union enlargement to the East brought the use of a substitute mechanism, NATO enlargement, which frustrated the third objective, integration of Russia.

There were at least 15 more candidates for NATO membership, a fact, which could keep the enlargement issue alive as a source of serious friction with Russia for decades to come. The integration process had also left out part of Yugoslavia, which Marshall Tito had taken out of the alliance with the Soviet Union. Yugoslavia had remained under

⁸ Ibid.

⁹ Brown, Michael E., *European Security: The Defining Debates*, Cambridge, Mass.: The MIT Press, forthcoming.

¹⁰ Ibid.

fairly continuous authoritarian rule from the dawn of recorded history, with tribal and clan cohesion as the only dependable social foundation. Now, belatedly, these poor Balkan cousins of the European Union would have to be gathered into the family. Even Albania had gained political entrée through its asylum for the Kosovars.

With Russia, the first wave of attempted Western integration failed. Western governments put up insufficient money. There was no Marshall Plan organisation of donor governments with the authority that was needed to overrule sovereignty-based defences for theft, corruption, and the absence of accountability in Russia. The procedure the West used for integrating Eastern Europe, the enlargement of NATO, alienated Russia. American military power used in Iraq and in Kosovo over Russian objections, and U.S. plans for nationwide missile defence of the United States brought fear and more alienation.

It would have been extremely difficult under any circumstances to conduct a Western policy that could avoid intensifying Russia's pain over its loss of international status. Efforts were made, but Russian sensitivities were trampled on. Now, the job of integrating Russia would have to be done the slow way over a fifty-year period through German-led European Union investment and possible ultimate integration.

The missed opportunity meant that Russia might go through serious detours – fascism or military rule, or the two combined. The Caucasus area had already become Russia's Balkans.¹¹ The worst victims of this process would continue to be the Russian people, but there would also be increased danger of military clashes with the outside world. Making NATO membership universal for all potential candidates, including Russia, would ease the continuing friction of that process, but the harm seems to have been done in terms of creating enduring Russian hostility toward the United States, although fortunately less for the European Union states.

The important change that NATO is undergoing is in its strategy and supporting 'operational art'. NATO governments established the guidelines for the new allied members during the London (July 1990) and Rome (November 1991) Summits; moving their focus away from the relatively static and heavy concentration of forces around the Central region which characterized the Cold War to a reduced, more complex and multi-directional defence positions which places a premium on flexibility and mobility.¹² In accordance with this new defence posture, NATO is developing both immediate reaction forces and more substantial rapid reaction forces. The ministers pledged to intensify political and military contacts with Moscow and Central and East European capitals and

11 Deans, Jonathan, Evaluating the Post-Cold War Policy of the United States, at a presentation to the PDA symposium "[Ten Years After the Wall: Trends in post-Cold War U.S. Security Policy](#)" held at the American Academy of Arts and Sciences, 11th November, 1999.

12 Stuart, Douglas, NATO's Future As A Pan-European Security Institution, *NATO Review*, Vol. 41, No. 4, Aug. 1993, pp. 15-19.

to work not only for the common defence but to build new partnerships with all nations of Europe. They underlined the need to undertake broader arms control and confidence-building agreements to limit conventional armed forces in Europe. In recognition of the radical political changes in Europe and the improved security environment, the ministers mandated a fundamental review of the Alliance's political and military strategy.

The Alliance has also accorded a high priority to the development of multinational units and arrangements have been worked out for the assignment of the Franco-German Euro corps to NATO command in times of crisis.¹³

1. New Threat Perceptions

The greatest concerns of the past regarding peace and security in and among the world's major nations have vastly diminished. Now the focus is on the outbreaks of violence of a new order, still deadly in their effects: - ethnic conflicts, genocide, re-living of ancient enmities, terrorist attacks, fundamentalist insurgencies, and the ever possible depravities of 'rogue' states, limited in number but threatening regional peace and stability, in Europe, in Africa, in Asia. The "New Strategic Concept" was outlined at the meeting of the North Atlantic Council in November 1991.¹⁴ The threat of a massive full-scale Soviet attack, which had provided the focus of NATO's strategy during the Cold War, had disappeared after the end of the political division of Europe. The Alliance acknowledged that risks to its security, such as proliferation of weapons of mass destruction and acts of terrorism and sabotage, were now less predictable and beyond the focus of traditional concerns. The new strategy adopts a broader approach to security, centered more on crisis management and conflict management.

2. Search for Potential Military Powers

The implosion of the Soviet Union and its Warsaw Pact in the early 1990s did away with NATO's former common enemy.¹⁵ Russia no longer poses a threat to the Alliance, and not for the foreseeable future. Even so, none of the allies is willing to conclude that NATO has served its purpose and completed its task. All of them would prefer to maintain the ties that bind the United States and Canada to Europe. Yet they have not been able to agree on an answer to the question: What should the future tasks of the

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Ibid.

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Fact Sheet: The North Atlantic Treaty Organization Prepared by the Department of State; Bureau of European and Canadian Affairs; August 28, 1996.

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Schmidt, Helmut, The Transatlantic Alliance in the 21st Century, *NATO Review: 50th Anniversary Edition*, 22.

Alliance be? Looking for an answer to this question means reviewing the world situation as it may develop in the coming decades.¹⁶

First of all, centers of power are shifting. China is already regarded by many as a world power. India will be next, possibly followed by Brazil. Russia, with its vast spaces, its natural resources and its nuclear arms, will remain a world power, even if its present weakness endures for another two generations. Japan, too, will remain a world power economically and financially, despite its present crisis. Whether or not the European Union becomes a superpower of the future remains to be seen, but the euro and the further political and institutional consolidation it will bring make it probable that the EU will at least develop into an economic and financial world power.¹⁷

Confronted by this future vision of a world of several great powers and superpowers, both Europeans and Americans will conclude that the Atlantic Alliance and the close links it provides between Europe and North America must be preserved. Yet this conclusion is far from providing a satisfactory definition of the future tasks and role of the Alliance.

Secondly, the character and scope of problems that these powers must face are also changing. Paramount, of course, is the ownership and proliferation of weapons of mass destruction. The world is no longer defined only in terms of the five traditional nuclear powers – the United States, Russia, China, Britain and France – each of which has an exclusive right of veto on the UN Security Council. There are other countries with nuclear weapons now – India, Pakistan and Israel – and no one can compel them to relinquish those weapons. Not only that, but there are a number of other states which are suspected of striving for a nuclear capability.¹⁸

The Alliance worked on the principle that the security of each member country depends on the security of them all. If the security of member state is threatened, all are affected. In signing the Washington Treaty, NATO's founding Charter, every member state makes a commitment to each other to respect this principle, sharing the risks and responsibilities as well as the advantages of collective defence.¹⁹ This also means that

¹⁶
Ibid.

¹⁷
Ibid.

¹⁸
Ibid.

¹⁹
NATO Handbook, Public Diplomacy Division, Brussels, NATO Headquarters, 2006, pp.40-46.

many aspects of the defence planning and preparations that each country had previously undertaken alone are undertaken together. The costs of providing the facilities needed for their military forces to train and work effectively together are also shared.

When the Alliance was founded in 1949, the Soviet Union was seen as the main threat to freedom and independence of Western Europe. Communist ideology, political aims and methods and military capacity meant that, whatever the Soviet Union's real intentions may have been, no Western government could afford to ignore the possibility of conflict. As a result, from 1949 to the end of the 1980s, the Alliance's main task was to maintain sufficient military capabilities to defend its members against any form of aggression by the Soviet Union and the Warsaw Pact. The stability provided by NATO during this period helped Western Europe as a whole to rebuild its prosperity after the Second World War, creating the confidence and predictability that are essential for economic growth.

During the Cold War, the recognition that Alliance cohesion was necessary to ensure a credible deterrent posture vis-à-vis the Soviet threat led to an understanding among the allies that NATO qua NATO would not engage in out-of-area operations, since these were viewed as likely sources of intra-Alliance discord.²⁰ In the early cold war years, it was the United States that opposed such operations, fearing that it could be dragged into conflicts resulting from Europe's withdrawal from its colonial possessions. Later, Europe opposed NATO's out-of-area engagement for fear of becoming embroiled in disputes resulting from the globalisation of the U.S.-Soviet rivalry. With the end of the Cold War, however, a widespread belief emerged that confining NATO's actions and interests to Alliance territory was no longer viable. As the reigning phrase of the early 1990s had it, 'NATO should either go out of area or out of business'.

From this perspective, NATO's fundamental purpose after the Cold War would shift from defending common territory to defending the common interests of Alliance members. As an alliance of interests, NATO would be the vehicle of choice to address threats to these shared interests, wherever these threats reside. Former Secretary of State Madeline Albright said, "NATO should be the institution of choice when North America and Europe must act together militarily".²¹ An alliance of collective interests would not be a "global NATO", but rather, it would place NATO within a global instead of a regional context. In this era of globalisation, placing geographical limits on NATO's reach and purpose would marginalize the Alliance in the foreign and security policy of the United States and its major European allies, all of whom have interests that reach

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Daalder, Ivo H., *NATO In The 21st Century: What Purpose, What Missions?*, Brookings Institution, April 1999, pp.6-28.

21

Madeleine K. Albright, Prepared Statement before the North Atlantic Council, NATO Headquarters, Brussels, Belgium, February 18, 1997.

well beyond the geographical confines of the Euro-Atlantic region. As Albright explained in December 1997 to her NATO colleagues in Brussels, “the United States and Europe would certainly face challenges beyond Europe’s shores. Our nations share global interests that require us to work together to the same degree of solidarity that we have long maintained on this continent”.²²

There are at least three arguments in favour of NATO as an alliance of collective interests. First, the basic security threats confronting the United States and the NATO allies are outside rather within Europe. Europe today is at relative peace. For the first time in a century, European stability is not threatened by a major power – be it a revisionist Germany or an expansionist Russia. Instead, Europe’s actual peace is today disturbed only by Serbia, which is led by a thug, whose actions cause large-scale human suffering but pose no fundamental or systematic threat to NATO countries or European stability. Instability and threats to real, if not vital, interests do exist outside of Europe. These include the proliferation of weapons of mass destruction, terrorism, disruption of energy supplies, and challenges to the balance of power in critical regions like southwest and northeast Asia. Addressing these threats in concert would be in the interest of all NATO allies and therefore ought to guide NATO’s purpose.²³

Second, if threats outside Europe pose the most immediate challenge to the shared interests of the NATO countries, the Alliance combines countries that are both the closest of allies, and the most capable of dealing with these types of threats in concert. America and its European allies share the key values of democracy, market-based economics, liberty, and the rule of law, and they are committed to defending these values against emerging threats, wherever these may come from. At the same time, the nations allied as NATO are together the economically, technologically and militarily most potent force in the world, accounting for nearly half of the world’s economic output and well over half global defence spending in 1996.²⁴

It is therefore to their advantage to combine resources in order to defend against threats to their values and interests and to use NATO, the militarily most capable and best-organised instrument, for that purpose. As Albright told her Alliance colleagues in December 1997, “when the world needs principled, purposeful leadership against aggression, proliferation, and terror, the nations represented in this room have to set other concerns aside and lead, because few others can or will”.

22
Ibid.

23
Ruhle, Michael, “NATO After Prague: Learning the Lessons of 9/11”, *Parameters*, Summer 2003, p. 92.

24
Ibid.

Third, to sustain American public and congressional support for continued U.S. engagement in Europe, NATO needs to become an instrument for sharing burdens in a manner that is not only fair, but also supportive of basic American national security interests.²⁵ To many Americans, while the U.S. involvement in Bosnia may have been necessary to demonstrate continued fidelity to NATO and underscore the commitment to American engagement in Europe, the deployment of 20,000 U.S. soldiers was not necessarily mandated by the need to defend vital U.S. interests. At the same time, the failure of most allies to support the United States in, for example, helping to stabilize the Persian Gulf when their dependence on mid-east oil is far greater than that of the United States, would reduce support for U.S. involvement in future Bosnia-like situations. A European commitment to join the United States in non-European contingencies is therefore necessary to demonstrate Europe's willingness to fairly share the burdens of upholding international security.

The policies agreed by NATO member countries had evolved continuously in the light of the changing strategic environment. Since the end of the Cold War, Alliance policies and structures have been fundamentally transformed to reflect the sea change in Europe's political and military environment and the emergence of new security threats. In addition, the concept of defence has been broadened to include dialogue and practical cooperation with other countries outside the Alliance as the best means of reinforcing Euro-Atlantic security.

Today, NATO is much more than a defensive Alliance. Indeed, it has reached out to former adversaries and is now working to build and preserve peace and security throughout the Euro-Atlantic Area. To achieve this, the Alliance took an ever-greater number of tasks and adopting increasingly flexible, innovative and pragmatic approaches to resolve what were inevitably complex issues. In the process, NATO's central role in guaranteeing the security of the Euro-Atlantic area had been reinforced and many Partner countries were seeking future membership of the Alliance.

The spectre of "burden sharing", which has traditionally haunted the NATO, has been transformed into "burden shedding."²⁶ The traditional focus of intra-alliance disputes has been on who will bear what share of the financial, military and other responsibilities for the alliance. The new phenomenon of burden shedding consists of unilateral disarmament and defence budget cutting measures by various NATO members with a view to reaping a peace dividend in this new era of lowered tensions. Burden shedding is likely to be the diverse issue of the 1990s for NATO in the same way that burden

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Ibid.

26
Fiscarelli, Rosemary, *NATO in the 1990s: Shredding Replaces Burden Shedding*, Foreign Policy Briefing, CATO Institute, 26/06/1990, p.1.

sharing was in earlier times. That transformation, while significant, should not be allowed to obscure the fundamental and imbalance in NATO's structure, namely the US guarantee of European security.

Throughout the Cold War, military contributions were a major measure of achieving an equitable degree of defence burden sharing.²⁷ The military threat was enormous, immediate and well understood. However, with the demise of the Soviet system, and the subsequent emergence of a radically different international and regional security environment, there is a need to consider a wider range of defence and security responses than was the case before. Political discourse and terms of reference must go beyond the narrow confines of Cold War-era focal points to encompass and comprehend a more complete range of allied security and defence contributions.

For this reason, the United States has eschewed the term "burden sharing", which has become associated with only one kind of contribution to mutual security, that of Host Nation Support (HNS) for forward-deployed troops. Instead, the United States has adopted the term "responsibility sharing" to encompass the whole range of contributions states make to international security: defence spending, alliance and treaty commitments, foreign aid, peacekeeping operations, and help preventing the proliferation of weapons of mass destruction as well as host-nation support.

Washington's readiness in the late 1960s and early 1970s to use NATO as a vehicle for embarking upon détente with the Soviet Union, thus giving in to European calls for a relaxation of the Cold War, was strongly influenced by American economic and financial problems. Some commentators began speaking of relative American decline and the end of the American century. This was symbolized by Richard Nixon's termination in 1971 of the 1944 Breton Woods economic system by his sudden suspension of the dollar's convertibility into gold, which resulted in the free floating of international currencies and an effective devaluation of the dollar. These measures were solely dictated by domestic economic requirements in the United States, and any negative economic consequences for its European allies were disregarded. America's problems were largely due to the costs of the Vietnam War, the lingering burden of financing the domestic Great Society programmes of the 1960s, and the relative over-valuation of the dollar, which helped European and Japanese exports. The European Community's imposition of quotas, exchange controls and import licenses on goods from outside the community as well as its protectionist common agricultural policy contributed to America's ever-larger budget deficit. The United States not only accumulating a considerable balance-of-payments deficit, but from 1971, it also had a considerable trade deficit as well as inflationary problems, rising unemployment and almost stagnant wages. Transatlantic relations were becoming increasingly difficult and this included relations within NATO.

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Ibid.

America's relative economic and financial decline, in combination with global détente and the accompanying perception that the military threat from the Warsaw Pact was receding, decisively contributed to undermining the Nixon's administration's commitment to the European continent, and to some extent, to NATO.²⁸ Congress had also grown increasingly skeptical about the benefits of America's involvement in Europe. Within the administration, it was the national security advisor Henry Kissinger who insisted on basing America's relations with its western European allies on a purely bilateral nation-state basis within the Atlantic framework.²⁹ Establishing a united and federal Europe, as the creators of NATO originally had envisaged, was now seen as counterproductive for Washington's hegemony in the Western world. In Kissinger's realist world view, it was unlikely that "Europe would unite in order to share our burdens or that it would be content with a subordinate role once it had the means to implement its own views".³⁰ Kissinger even recognised that once "Europe had grown economically strong and politically united, Atlantic cooperation could not be an American enterprise in which consultations elaborated primarily American designs".³¹

The Nixon administration continued speaking out in favour of a united federal Europe with a large single market, fully integrated into the Atlantic system. It was still assumed in Washington that a united Europe would share "the burdens and obligations of world leadership" with the United States. In particular, the Nixon White House favored the envisaged expansion of the European Community. Yet on the whole, Nixon and Kissinger were not too prepared to accept the growing maturity of Europe and the realities of a more pluralistic and interdependent world. The Nixon administration still expected a largely docile Europe.

By 1973, Kissinger realised that the transatlantic relations were in urgent need of revision and repair. To the anger of the European Community countries who had not been consulted, he grandly announced the "Year of Europe".³² The Nixon administration

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Wilson, Joan H., "Nixingerism," NATO, and Détente, *Diplomatic History*, Volume 13, Issue 4, October 1989, pp.501–526.

29

Ibid.

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Larres, Klaus, West Germany and European Unity in U.S. Foreign Policy, 1969-1990, *Cercles* 5, (2002):127-145.

31

Kissinger, Henry, *Years of Upheaval*, Weidenfeld and Nicolson and Michael Joseph, London, 1982, pp.131-132.

32

Ibid; Brandt, Willy, *Erinnerungen*, M. Ferenczy, Frankfurt, 1989, pp.189-190, 192.

had been largely occupied with the Vietnam War and the development of détente with China and the Soviet Union during its first years in office, and the “Year of Europe” was Kissinger’s attempt to improve U.S.-European Community relations inside and outside NATO while safeguarding Washington’s leadership role. Kissinger proposed a new Atlantic Charter and did not hesitate to emphasise that the United States had global responsibilities while the European Community countries only had to deal with regional problems. Moreover, he insisted on a greater degree of military burden-sharing, arguing that only Europe’s economic contribution would guarantee the continued functioning of America’s security umbrella. The so-called Nixon Doctrine of 1970 had emphasised that America’s allies ought to assume more of the burden of defending themselves.³³

The linkage between economic and security concerns led to severe difficulties between Washington and the Western Europeans. Kissinger, however, managed to persuade the Europeans to agree to a clause in the new Atlantic Declaration, signed in June 1974, stating that Washington should be consulted before the European Community countries arrived at important decisions that impacted on transatlantic issues.³⁴ Thus, American ideas of the nature of the transatlantic relationship had largely won the day. Severe friction occurred during the Yom Kippur War of October 1973, when Washington wholeheartedly backed Israel and many European countries hesitated to do so. The European Community was much more dependent on Middle Eastern oil than the United States, and many countries (like France, the United Kingdom and Western Germany) had strong economic links with the Arab countries in the region.³⁵ Thus, the war and the energy option were closely connected with both security and economic prosperity.

American-European differences with respect to the Year of Europe and the Yom Kippur War pushed the European Community into developing more sophisticated processes of cooperation, not least in order to resist pressure to fall in line with American wishes. The 1973 Declaration on European Identity was influential in gradually leading to a tentative common European foreign policy. It encouraged European Community members to use the instrument of European Political Cooperation, created in 1970, to ensure that foreign policy positions would be coordinated among all European Community members.³⁶ In 1968, the informal Euro

33
Ibid.

34
Ibid.

35
Lavy, George, *Germany and Israel: Moral Debt and National Interest*, Frank Cass, London, 1996, 175ff.

36
Dinan, Desmond, *Even Closer Union? An Introduction to the European Community*, Basingstoke, Macmillan, 1994, pp.75-87.

group of European Community defence ministers had been founded to discuss European defence cooperation. In late 1970, this led to the launch of the European Defence Improvement Programme to build up NATO's infrastructure and national European forces.³⁷

The United States remained committed to increased allied sharing of roles, risks, responsibilities, costs and benefits of meeting common security goals and objectives. Military and defence efforts remain paramount among factors contributing to peace, security and stability in the post-Cold War era. Resources and armed forces dedicated to the common defence continue to be the foundation of cooperative security arrangements with allies. Host nation support for U.S. forces based in Europe in itself remains an important aspect of responsibility sharing. Such support included the costs and foregone revenue incurred by nations hosting U.S. forces. For example, Germany provided over \$ 1.43 billion in HNS in 1993. This consists of both foregone revenue (i.e. waived rents, fees and charges for land and facilities) and other payments such as labour, utilities, construction, and logistics support.³⁸ Other European allies make similar contributions. In addition to host nation support, the United States considered a wide range of allied contributions to the common defence.

With the arrival of Mikhail Gorbachev, Russian leader and his plans to drastically reform the Soviet Union, however, the Western allies, European and American alike, gradually began to believe that the Soviet threat, the glue that kept the Alliance together, was declining. The watershed point was Gorbachev's address to the United Nations General Assembly in December 1988, in which he pledged to unilaterally withdraw substantial numbers of Soviet forces from Eastern Europe.³⁹ That move was a clear break with past Soviet initiatives in that it did not require reciprocal cuts from NATO, and it seemed to signal Soviet recognition that their security goals could be met with lower, less-threatening force levels.

Responses to Gorbachev's announcement varied. In the United States, it was greeted with cautious optimism but no substantive action. In Europe, however, a curious phenomenon emerged: before a single Soviet soldier was withdrawn, and – perhaps even more significant—before the Conventional Force Reduction (CFE) talks began,

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Kissinger, Henry, note 227.

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Perry, William J., United States Security Strategy for Europe and NATO, Department of Defence, Office of International Security Affairs, Washington D.C., <http://www.defenselink/pubs/Europe/index.html>.

39

Ibid.

European members of NATO began to make unilateral cuts of their own. In Belgium, the Parliament voted to cut military spending by nearly 2 percent, and it was announced that the Belgians would withdraw 3 air squadrons and armed battalion from the NATO forces in West Germany. The Danes passed a three-year budget that featured zero growth of military expenditures, and the French Defence Ministry announced plans to reduce military spending.⁴⁰

That trend accelerated as 1989 progressed: In August, the West German defence minister Gerhard Stoltenberg called for a study examining the feasibility of cutting the West German military, the Bundeswehr, by 22 percent (from 486,000 to 400,000). The Germans also announced a 57 percent cut (from 188 to 80) in the number of their ships deployed on the North and Baltic Seas. In September, the departing chief of staff of the Canadian Forces acknowledged that Canada was seriously considering withdrawing its forces from Europe. In October, NATO's Supreme Allied Commander, Europe (SACEUR) General John Galvin, complained that the alliance had suffered approximately a 10 percent reduction in military capabilities because of the unilateral cuts.⁴¹

It is perhaps easy in hindsight to think that all those moves were made in response to the easing tensions in Europe following the collapse of Moscow's East European empire. It is important to note, however, that those moves were largely made before the Berlin Wall was breached and before the Soviets renounced the Brezhnev Doctrine.

That timing is significant for two reasons: first, the obligation of all member states of the alliance to defend any aggressive moves that might have been made by the Soviets, or the Warsaw Pact collectively, reminded unchanged. If the Soviets had invaded Hungary, Poland, Czechoslovakia and/or East Germany in an attempt to put down the anti-Communist revolutions going on in those circumstances, because of the cuts made by the allies, the United States would have had to unfairly shoulder an even greater portion of the burden. Second, the allies made their reductions unilaterally. In stark contrast with their persistent demands by the United States always diligently consult them and not indulge in "reckless Reykjavikism," they blithely made decisions affecting alliance commitments without any intra-alliance discussion.

In the course of all these reductions, there had been ongoing talks in Vienna about reducing both NATO and Warsaw Pact conventional forces in Europe, the CFE negotiations. In general, the CFE negotiators strived to arrive first at a codifiable balance of NATO and Warsaw Pact conventional forces in Europe and subsequently to reduce each alliance's forces to a lower level of balance. In fact, events had outstripped

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Fiscarelli, Rosemary, *NATO in the 1990s: Shredding Replaces Burden Shedding*, Foreign Policy Briefing, CATO Institute, 26/06/1990, p.1.

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Perry, William J., Note 234.

the pace of negotiations, and in both pacts member-states are making unilateral reductions. CFE, obviously, cannot be relied upon to resolve the asymmetries in NATO burden sharing.

In *a World Transformed*, the U.S. President George Bush crafted a strategy of flooding Mikhail Gorbachev, the Russian leader, with proposals at the Malta Conference to catch him off guard, preventing the U.S. from coming out of the summit on the defensive. The Malta Conference of 2-3 December 1989 reinvigorated discussion of the new world order. It expected the replacement of containment with superpower cooperation. This cooperation might then tackle problems such as reducing armaments and troop deployments, settling regional disputes, stimulating economic growth, lessening East-West trade restrictions, the inclusion of the Soviets in international economic institutions, and protecting the environment. Pursuant to superpower cooperation, a new role for NATO was forecast, with the organisation perhaps changing into a forum for negotiation and treaty verification, or even a wholesale dissolution of NATO and the Warsaw Pact following the resurrection of the four-power framework from the Second World War (i.e. the United States, United Kingdom, France and Russia). However, continued U.S. military presence in Europe was expected to help contain 'historic antagonisms', thus making possible a new European order.⁴²

In Europe, German reunification was seen as part of the new order. However, Strobe Talbott saw it as more of a brake on the new era, and believed Malta to be a holding action on part of the superpowers designed to forestall the "new world order" because of the German question.⁴³

U.S. President Bush Sr. stated,

"We live in a peaceful, prosperous time, but we can make it better. For a new breeze is blowing, and a world refreshed by freedom seems reborn; for in man's heart, if not in fact, the day of the dictator is over. The totalitarian era is passing, its old ideas blown away like leaves from an ancient, lifeless tree. A new breeze is blowing, and a nation refreshed by freedom stands ready to push on. There is new ground to be broken, and new action to be taken".⁴⁴

NATO's European members had strong domestic incentives for avoiding an American withdrawal. In West Germany, for example, a recent study noted, "a complete American

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Beschloss, Michael R., and Talbott, Strobe, *At The Highest Levels: The Inside Story of the End of the Cold War*, Little Brown, London, 1993, pp.128-29 and 160.

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"American Abroad: Braking the Juggernaut", *Time Magazine*, December 18, 1989.

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Pastusiak, Longin, "After the Cold War: We Need To Build A New World Order", *International Herald Tribune*, 3/01/04.

troop withdrawal could have disastrous economic consequences for the areas near the bases.”⁴⁵ Also, several European allies (e.g., Italy, Norway, Denmark, West Germany) have been facing severe shortfalls in manpower to meet their alliance commitments. The possibility of painlessly meeting a reduced level of commitment by continuing their reliance on US protection was therefore highly attractive to them, and it comes at a very convenient time. An obvious reason for their opposition, however, is simple economics: why pay for something oneself when another party, larger and wealthier, will pay? The allies stand to make substantial gains by reducing their defence expenditure and plowing those resources back into their economies.⁴⁶

Beyond those economic incentives for maintaining the American security commitment to Europe, there is also a military motivation. In the unlikely event of a renewed Soviet threat, it is much simpler for the allies to continue to rely on the US-provided insurance policy than to develop their security arrangement.⁴⁷

For Western Europeans, far more important has been the continued cementing of the United States to the defence of Europe. The post-Cold War reductions have seen a dramatic decrease in the number of American troops stationed in Europe. There are always concerns over isolationist tendencies in both American society in general, and the U.S. Congress in particular. The American public is influenced by the same factors motivating other NATO members: with the Cold War “won”, there were calls for a “peace dividend”.⁴⁸ Further, there initially seemed to be no clear-cut threats to the West, thereby obviating the need for substantial armed forces. The mid-1990s proved the opposite: that in fact, there is an even greater need for the maintenance of highly trained troops capable of peacekeeping duty, whether through NATO or the United Nations. Of direct concern to NATO is the instability along the frontiers of Europe, particularly in the Balkans. NATO has had to repeatedly intervene in the area in order to promote its agenda for peace. In 1992 NATO created the Allied Command Europe Rapid Reaction

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“In 1986 alone West Germany received \$6.9 billion in jobs and profits from the American presence”, *Arms Control Reporter*, 1989, p. 407.B.207.

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According to Cambridge Econometrics, an independent economic forecaster, a 50 percent reduction in British defense spending by the year 2000 would, in turn, “yield a 520,000 cut in the jobless figure, raise GDP by 1.84 per cent, and increase investment by 4.27 percent.” Marshall, Andrew, “Cuts in Defence May Boost Jobs,” *Financial Times*, May 29, 1990, p. 8.

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Fiscarelli, Rosemary, *NATO in the 1990s: Shredding Replaces Burden Shedding*, Foreign Policy Briefing, CATO Institute, 26/06/1990, p.1.

48

Ibid.

Corps (ARRC) as a means to quickly deal with issues along its periphery. This showed a somewhat surprising speed in adapting to the new global geostrategic environment.⁴⁹

Such activity prompted many in both American and European circles to call for a greater devolution of responsibility to Western Europe to look to its own defence. This is not necessarily as drastic today than a decade ago.⁵⁰ First, Europe is strong economically, no longer needing the financial support it once did from the U.S. Second, the European Union is slowly emerging as a significant political entity, potentially leading one day in the distant future to a unified Europe. There has been progress towards the establishment of a European Defence Identity (EDI) based upon Great Britain, France, and Germany. And lastly, the removal of the Soviet threat means that Europe likely faces no significant direct military threat in the near future that its forces cannot deal with themselves. Such optimism in European capability was dashed by the crisis in the former Yugoslavia, particularly in Bosnia. EU diplomats were unable to broker an agreement, while the inactivity of the West in the face of continual atrocities tarnished the European image.

The Bosnian Crisis highlighted the continued dependence of Western Europe upon the United States, at least in projecting NATO political and military power.⁵¹ While Europe is currently able to defend itself, it lacks sufficient clout to advance into areas such as the Balkans. It is likely that the European pillar of NATO is moving towards greater military autonomy from the North American pillar, but that this will take much more work. The Bosnian Crisis was too soon after the Cold War to expect Europe to act independently, after almost fifty years of U.S. leadership. Yet the desire for increased European autonomy is definitely there. Such actions as the Western European Union, the experiment with the Franco-German Corps, and the Eurofighter project all indicate a potential willingness to assume greater responsibility for their own affairs in the future.⁵² Yet for the foreseeable future, continued U.S. leadership is deemed critical in promoting NATO's agenda in the absence of any other obvious leader.

Bosnia showed that NATO, a community of states bound by general common principles, could disagree sharply when it came to particular issues.⁵³ Being a transnational organization, it was hampered operationally by the essential sovereignty

49
Ibid.

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Ibid.

51
Cox, Michael, *U.S. Foreign Policy After the Cold War*, Pinter Publishers Ltd, March 1996.

52
Ibid.

of the member states. The dilemma is this: politically and ideologically, NATO is committed to the political diversity and debate inherent to democracies; yet this same diversity can potentially hamper the application of military force. NATO eventually was able to field IFOR to effectively supervise the Dayton Accords, yet it was criticized for acting too slowly in reaching the consensus necessary to take such action.⁵⁴

Nonetheless, the fundamental problem is not that the allies are scrambling to shed their financial and military contributions to the alliance. The shift from burden sharing to burden shedding is merely the metamorphosis of a symptom. The underlying problem is the American security guarantee to Europe.

Throughout NATO's history, considerable tension has existed between the United States and the European allies because of the American security guarantee. As in times past, the Europeans are not yet willing to assume full responsibility for their own defence, and the Americans are restless about paying security of prosperous and capable allies. With the demise of the Cold War, Americans were eagerly anticipating a long-awaited peace dividend. If, however, the United States maintained its commitment to European security, while the allies continue to decrease their own military efforts, the allies would in effect be signing over peace dividend check to the Americans.

It is also important to recognize that a reduced level of threat means that the requirements for meeting the threat are also reduced. Traditionally, one of the arguments in support of an American security guarantee for Western Europe was that only the United States, as a superpower, was in a position to counter the threat posed to Europe by the massive Soviet military capabilities. Whatever the merits of that argument in that past, it is clear that the situation has drastically changed. The collapse of the Warsaw Pact means that the Soviets cannot count Pact forces to support any aggressive moves. It also means that the Soviets would have to cross an uncooperative and probably antagonistic Eastern Europe to mount a conventional attack on the West and do so with diminished conventional forces. Although the Soviets retain a formidable strategic arsenal, the European allies are not without resources to deal with that threat. All of this begs the question of what could possibly motivate the Soviets to launch an attack against Western Europe, of what they would hope to gain by such an undertaking. The European allies can clearly and adequately meet the reduced Soviet military threat.

After the end of the Cold War, Europe underwent a fundamental revolution in the politico-military sphere as well as in the economic and cultural spheres. The economic

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Roberts, Adam, "NATO's 'Humanitarian War' Over Kosovo", International Institute for Strategic Studies, *Survival*, vol.41, no.3, Autumn 1999, pp.102-103.

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Ibid.

unification of the European Community (EC) expanded to include a basic political unification at the behest of the French and the West Germans.⁵⁵ Although the unification process began before the end of the Cold War, it is now occurring simultaneously with the demise of the anomalous bipolar world.

Western Europe recovered from the ravages of Second World War and is now poised to take its place among the superpowers. The combined material and human resources of the EC surpass even those of the US and the Japanese national economies. The European allies have for many years been developing various components of a European defence organisation, most notably the Western European Union (WEU).⁵⁶ Their efforts, however, have always been eclipsed by NATO. It is now time for the Europeans to reassume full responsibility for European security to them. Clearly, choices about how European defences are to be organized – whether under the auspices of the EC, the WEU, or another organisation – must be made by the Europeans.⁵⁷

Nonetheless, only a transfer of responsibility from the United States to the Europeans will prevent the emergence of burden-shedding disputes far more bitter than the traditional burden-sharing controversies.⁵⁸ Such disputes could cause NATO to break up in an atmosphere of mutual recrimination that would poison transatlantic relations for years. Even if that does not occur, the current trends are hardly favourable to American interests. As the Europeans pursue their unilateral burden-shedding initiatives, the United States may be left with a greater relative NATO defence burden that it has endured throughout the Cold War. If the US policymakers allow the Europeans to engage in pre-emptive reductions, while Washington “stands fast” as NATO’s loyal guardian, there will be no peace dividend for Americans to enjoy.⁵⁹

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Fiscarelli, Rosemary, *NATO in the 1990s: Shredding Replaces Burden Shedding*, Foreign Policy Briefing, CATO Institute, 26/06/1990, p.1.

56

Ibid.

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Ibid.

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Ibid.

59

Ibid.

The United States had taken a positive view of the development of the European Community and the gradual integration of almost all its European allies over the last fifty years from Schumann Plan for the European Coal and Steel Community to today's European Union. This constructive attitude even applies to the Common European currency, the Euro.

Europe in 1945 was decimated by war as Joshua S. Goldstein wrote, "Most of the next decade was spent getting back on its feet with the help from the United States through the Marshall Plan."⁶⁰ But already a plan for Franco-German cooperation was being developed in order to implement the idea of functionalism in Europe. The Council of Europe founded in 1949 was to bring about greater European unity and cooperation and to stimulate democracy and human rights.

Under the plan of French Foreign Minister Robert Schumann, France and Germany could merge their coal and steel industries into a single framework so that Europe could be saved from future wars. Schumann urged the creation of a United States of Europe, emphasizing the need for Franco-German cooperation. In 1951, Belgium, Federal Republic of Germany, France, Italy, Luxembourg and the Netherlands signed a treaty for setting up of the European Coal and Steel Community (ECSC).⁶¹

Evolution of NATO and the European Community (now the European Union) after the collapse of the Soviet Union in 1991 had brought with it some friction between the United States and several of its allies over security responsibilities of the two organisations.⁶² The differences centered on threat assessment, defence institutions and military capabilities.

The collapse of the Soviet Union, the dissolution of the Warsaw Pact and the process of the European integration had not ended the need for NATO's essential commitment to safeguard the freedom and security of all its members by political and military means in accordance with U.N. principles. The London Declaration on Transformed North Atlantic Alliance, issued after the summit meeting of the North Atlantic Council in July 1990, signaled the vitality of the Alliance in adapting to security needs in a post-Cold War period. At that meeting, NATO Allies announced a fundamental review of strategy

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Goldstein, Joshua S., *International Relations*, Pearson Publisher, New Jersey, 26th February, 2011, pp.29-30.

61

Ibid.

62

Gallis, Paul and Archick, Kristin, "NATO and the European Union", CRS Report for the Congress, 29th January, 2008.

and invited the Soviet Union and the countries of Central Europe to establish regular diplomatic liaison and to develop a new partnership.⁶³

The November 1991 Rome Declaration on Peace and Cooperation further underlined NATO's intention to redefine its objectives in light of changed circumstances.⁶⁴ The declaration took into account the broader challenges to Alliance security interests, such as the proliferation of weapons of mass destruction, regional stability, and terrorism. It outlined its future tasks in the context of a framework of interlocking and mutually reinforcing institutions, including the Conference on Security and Cooperation in Europe (CSCE)_now the Organisation for Security and Cooperation in Europe (OSCE), the Western European Union (WEU), the European Community (now the European Union), and the Council of Europe, working together to build a new European security system.⁶⁵ The Rome meeting also created the North Atlantic Cooperation Council to develop an institutional relationship of consultation and cooperation on political and security issues between NATO and its former adversaries. This initiative culminated in the participation of Foreign Ministers and representatives from the 16 NATO countries, six Central European countries, and the three Baltic States at the inaugural meeting of the North Atlantic Cooperation Council in December 1991.⁶⁶

The United States supported the development of a greater European security identity and defence role as a means of strengthening the integrity and effectiveness of NATO. The North Atlantic Alliance and the American presence in Europe had helped keep peace for more than forty years. Having helped to forge successful policies toward the former Soviet Union and the Warsaw Pact since the foundation of NATO, the United States with its European Allies must play a central role in building the framework of the new Euro-Atlantic architecture.⁶⁷

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Ibid.

64
Fact Sheet: The North Atlantic Treaty Organization, Prepared by the U.S. Department of State, November 1995; Bureau of European and Canadian Affairs, 28th August, 1996.
http://www.fas.org/man/nato/offdocs/us_95/dos951122.htm.

65
Ibid.

66
Ibid.

67
Puig, Lluís Marie de, "The European Security and Defence Identity within NATO", *NATO Review*, Vol.46, No.2., Summer 1998, pp.6-9.

European NATO allies that were also members of the European Community/European Union sought to build a security apparatus able to respond to the developments believed to threaten specifically the interests of Europe. In consultations with the United States, they sought to establish the European Security and Defence Identity (ESDI) within NATO, in which they would consult among themselves and with NATO over response to threat. In 1994-96, NATO endorsed steps to build an ESDI that was “separable but not separate” from NATO to give the European allies as a whole was not engaged.⁶⁸ In 1998-99, the European Union adopted ESDI as its own and began to transform it into a European Security and Defence Policy (ESDP), given greater definition by more detailed arrangements for the Europeans to borrow NATO assets for the ‘Petersburg tasks’ (crisis management, peace operations, search and rescue and humanitarian assistance).⁶⁹

At the December 1999, Helsinki European Council meeting, a ‘headline goal’ for a rapid-reaction force was set. This established a force deployable within 60 days, comprising 50,000-60,000 soldiers, equivalent to an army corps along with its air and naval components, one that would be sustainable for at least a yearlong operations in the field. It was to be made operational by 2003. As a parallel development, the relevant institutional machinery began operating on an interim basis on 1st March, 2000. It comprised of a political and security committee, a military committee and the embryo of a European military staff.⁷⁰

ESDP’s principal differences with ESDI were in the effort to secure more interdependence from NATO tutelage and guidance in the event that the United States expressed reluctance to become involved in a crisis, a renewed discussion of more carefully outlined EU decision-making structures, and consideration of forces appropriate for potential crises. The Kosovo conflict of 1999 further spurred this effort, when most EU members of NATO conceded that they still lacked adequately mobile and sustainable forces for crisis management. All EU members express a wish to see a

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Gantz, Nanette and Roper, John, ed., *Towards A New Partnership: U.S.-European Relations in the Post-Cold War Era*, Institute for Security Studies of Western European Union, Paris, 1993, pp.60-61, 205.

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Howorth, Joylon, *Security and Defence Policy in the European Union*, Palgrave Macmillan, New York, April 2007, p. 56 and Hunter, Robert, *The European Security and Defence Policy: NATO’s Companion or Competitor*, RAND National Security Research Division, Washington D.C., May 2002, p. 206.

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For an overview of early developments of the ESDP see Gnesotto, N., *EU Security and Defence Policy: The First Five Years (1999–2004)* (EU Institute of Security Studies: Paris, 2004), URL <<http://www.iss-eu.org/>>; and Lachowski, Z., ‘The military dimension of the European Union’, *SIPRI Yearbook 2002: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2002), pp. 151–73. See also Quille, G. and Missiroli, A., ‘European security in flux’, ed. F. Cameron, *The Future of European Security* (Routledge: London, 2003); and Cameron, F. and Quille, G., ‘ESDP: the state of play’, *European Policy Centre (EPC) Working Paper no. 11*, EPC, Brussels, Sep. 2004, URL <http://www.theepc.be/>.

strong US-led NATO. However, there were disputes with the United States over how or whether to involve international institutions, such as the UN in international crises. There were also disagreements over the weight given to political versus military instruments in resolving these crises. These disputes had fueled European desires to develop a more independent ESDP.⁷¹

The move towards acquiring a greater clarity flowed from the gradual petering out of the 'Kosovo factor', from the sense of urgency born from the inescapable and rather sad spectacle of Europe's inability to be more than a minority contributor in the implementation of the Atlantic Alliance's air campaign during March-June 1999.⁷² It was mainly after the Kosovo air campaign that the E.U. realized the extent of its reliance on U.S. military muscle and its subjection to U.S. strategic whims. Although having more than 1.9 million personnel under arms, the E.U. was not able to deploy 2 percent of that force in Kosovo, showing the utter European dependency on the Washington government.⁷³ The other reason that reinforced the need for developing a separate structure was also the fact that the U.S. had operated outside the U.N. framework in a whole series of missions involving NATO forces. With its Helsinki decision, the E.U. not only went beyond the previous stalemates on European Security and Defence, it also moved beyond the model of transatlantic partnership agreed to in the 1996 Berlin ministerial conference. The Western European Union was to serve as a bridge between E.U. and NATO under the Combined Joint Task Force (CJTF).⁷⁴

NATO Secretary General Javier Solana stated: "NATO's future will also require a stronger role for the European Allies and a re-balancing of the vital transatlantic relationship."⁷⁵ That is why, at the Summit, NATO's leaders welcomed the new impetus given to efforts to strengthen the European security and defence dimension and reaffirmed the Alliance's support for these efforts. The Summit also recognized the

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CRS Report RL 30538 by Donfried, Karen and Gallis, Paul, *European Security: The Debate in NATO and the European Union*, April 25, 2000.

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Heisbourg, Francois, Europe's Strategic Ambitions: The Limits of Ambiguity, *Survival*, vol.42, No.2, Summer 2000, pp.5-15.

73

Ibid.

74

Ibid.

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Solana, Javier (NATO Secretary General), "A defining moment for NATO: The Washington Summit decisions and the Kosovo crisis", *NATO Review*, Vol. 47, No. 2, Summer 1999, pp. 3-8.

significant progress achieved in building the European Security and Defence Identity within the Alliance on the basis of decisions taken in Berlin 1996 and directed that it should be further developed. Building on the arrangements developed between NATO and WEU, the Alliance stands ready to define and adopt the necessary arrangements for close cooperation with the EU as that organisation assumes a greater role in security matters. The involvement of all European Allies in these developments is of particular importance for the Alliance. The new NATO command structure and the implementation of the Combined Joint Task Force (CJTF) concept will provide valuable tools for the Alliance, not only for its own operations, but also to support European operations where the Alliance as a whole is not engaged.”⁷⁶

A related American worry surfaced that a more capable and self-confident Europe would not only hinder decision-making, but could also bring about a transatlantic decoupling. Should European views diverge from those of the United States, a stronger Europe would have the wherewithal to go off on its own. The Americans felt that efforts to strengthen European defence, which originally were to have taken place within the context of NATO, were evolving within the framework of the E.U. The U.S. fear was that this development could ultimately lead to NATO’s demise. Another concern regarding this area was that a stronger Europe could actually become a strategic competitor of the United States. The European drive for a common defence stems not just from a desire to become more responsible and autonomous. The French reference to the importance of replacing unipolarity with a multipolar world, so as to create a counterweight to American dominance, reflected this particular brand of anxiety.

Washington saw no sense for the E.U. to create an entirely new set of defence structures paralleling those of NATO structures, considering it a waste of money and was against autonomy, which implied duplication and decoupling. On the other hand, Europe for the time being would not be able to act without U.S. assistance. The ‘separable but not separate’ notion implied that the E.U. would be able to borrow the NATO command structure, should the U.S. opt out of certain missions. At the end of the day, what it amounted to was that while the U.S. essentially welcomed the European defence capability but it was not interested in power sharing with the E.U., as Washington enjoyed calling the shots. The E.U., while it very much liked to have influence over European security, was not yet ready to make the required political and military sacrifices, to acquire the necessary capabilities. For the U.S., while it may rail against the European free riding as well as a lack of support for U.S. initiatives, Europe’s dependence on U.S.-owned assets for any substantial independent military operations, gave Washington *droit de regard* over such European missions. The idea of a WEU-led CJTF could never, on its own, overcome this security dependence on U.S. military hardware and technology.⁷⁷

⁷⁶
Ibid.

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NATO Celebrates its Fiftieth Year, Strategic Survey, London, Vol. 99, No.1, 1998, pp.31-38.

The important development that NATO has undergone, since the collapse of Berlin Wall, is its outreach to the nations of the former Warsaw Pact. In an editorial published in 1990, an American historian John Lewis Gaddis recommended that NATO and the Warsaw Pact should be preserved in post-Cold War Europe and that the two alliances should be merged into pan-European Security Organisation.⁷⁸ This reflected a very valid concern about the dangers that the international community would face if the nations of the former Soviet bloc were left without any institutionalized forums for security cooperative and mutual reassurance.

NATO's response to this problem was the creation of the North Atlantic Cooperation Council, whose objective is to enhance stability throughout the European region by providing the nations of the former Warsaw Pact with a forum for dialogue, consultations and the development of joint projects.⁷⁹

The North Atlantic Cooperation Council had become a venue for pan-European discussions relating to arms control, defence cooperation, crisis management and peacekeeping. Meetings between foreign and defence ministers of North Atlantic Cooperation Council governments have helped to maintain the momentum for approval and compliance with the Treaty on Conventional Forces in Europe (CFE) and other arms control agreements.⁸⁰

While it is true that some member governments would have preferred direct membership in NATO to partnership through the North Atlantic Cooperation Council, no one who monitors these developments can fail to be impressed with the progress that North Atlantic Cooperation Council has made in institutionalizing pan-European security cooperation in such a brief period of time. Finally, NATO has adjusted to the new circumstances of the post-Cold War era by making itself and the North Atlantic Cooperation Council available to the United Nations and the Conference on Security and Cooperation in Europe (CSCE) for pan-European peacekeeping, peacemaking and peace enforcement operations.⁸¹

The war in Bosnia and Herzegovina (1992-1995) was a great challenge to the world community and its capacity for crisis management and preventive actions in the new

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Gaddis, John Lewis, "One Germany-in both alliances", *New York Times*, March 21st 1990, p.27.

79

Simon, Jeffrey, "Partnership for Peace: Charting A Course For A New Era", Institute for National Strategic Studies, Washington D.C., March 2004, pp.229-244.

80

Ibid.

post-Cold War international security environment.⁸² A peace settlement was achieved there at the end of 1995 but at a very high price – after serious diplomatic and military setbacks and much bloodshed. The lessons for the international community regarding the potential for conflict resolution and the limitations to its intervention in an escalating crisis were harsh and not optimistic at all. For NATO as an European regional arrangement for safeguarding peace and defending its member states from outside aggression the unfolding crisis in Bosnia and Herzegovina made it very clear that NATO had to change the way it did business, if it were to continue to make an effective contribution to international peace and security.

The challenges for change within NATO and the European Community came at a time when the United States were also reconsidering their role in the world arena, being aware that as the lonely remaining superpower in the post-Cold War era they had certain (and becoming even greater with every passing day) obligations for safeguarding world peace and regional stability. Very soon NATO, led by the United States embarked on a pro-interventionist track, strongly convinced as a lesson from the early stages of the War in Bosnia and Herzegovina that it could not remain disengaged from the rest of Europe. Many experts spoke in the early 1990's about the phenomenon, criticized by then-NATO Secretary General Manfred Wörner as “the NATO's out-of-area syndrome” – the idea that NATO could not act outside the borders of its members. He suggested that the Gulf Operations should be seen as a precedent:

“Could we not develop an internal Alliance understanding whereby, in a spirit of solidarity, the degree of engagement in dealing with a given [out-of-area] problem might vary from Ally to Ally, but the assets of the Alliance would be available for coordination and support? This would operate where there is clear need for common alliance interests to be defended.”⁸³ Wörner considered the Yugoslav wars as a moral challenge of the highest order and advocated a fuller engagement in Bosnia and Herzegovina. After Wörner's death in August 1994 his colleagues realized that conflicts outside-of-

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Snow, Donald, *Peacekeeping, Peacemaking and Peace Enforcement: the US Role in the New International Order*, SSI Monograph Series, Strategic Studies Institute, US Army War College, February 1993.

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There exists a vast literature on the War in Bosnia and Herzegovina (1992-1995) and the involvement of the international community in the search for a peaceful settlement of the conflict there. Closely related to the arguments presented in this thesis are facts and analyses made by: Burg, Steven, and Shoup, Paul, *The War in Bosnia and Herzegovina: Ethnic Conflict and International Intervention*, Armonk, M.E.Sharpe, New York, 1999; Cohen, Ben, and Stamkowski, George (eds.), *With No Peace to Keep: United Nations Peacekeeping and the War in the Former Yugoslavia*, Grain Press, London, 1995; Gow, James, *Triumph of the Lack of Will*, Columbia University Press, New York, 1997; Ullman, Richard (ed.), *The World and Yugoslavia's Wars*, Council of Foreign Relations, New York, 1996; Woodward, Susan, *Balkan Tragedy*, The Brookings Institution, Washington D.C., 1995.

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Speech by the NATO Secretary General at the 36th Session of the North Atlantic Assembly, *North Atlantic Treaty Union* (NATO), *NATO Press Service*, Brussels (1990).

territory were inflicting damages on Euro-Atlantic security (including their own) and therefore the security interests in the area were requiring a military response.⁸⁴

In January 1994, NATO Heads of State and Government approved the entry into force of the Maastricht Treaty and the launching of the European Union as a means of strengthening the European pillar of the Alliance and allowing the European members of NATO to make a more coherent contribution to the growing cooperation between NATO and the Western European Union, achieved on the basis of agreed principles of complementarity and transparency.⁸⁵

The setting up of the Combined Joint Task Force aimed to provide improved operational flexibility and permitting the more flexible and mobile deployment of forces needed to respond to the new demands of the Alliance missions.⁸⁶ Taking advantage of the Combined Joint Task Force, the strengthened European identity would be based on sound military principles supported by appropriate military planning and would permit the creation of militarily coherent and effective forces capable of operating under the political control and strategic direction of the Western European Union.⁸⁷

To transfer most of the WEU's functions to the EU raised the question of how to transform the well-established relationship between the WEU and NATO into a relationship between NATO and the EU. Based on the decisions taken in Berlin in 1996, NATO approved a series of arrangements allowing the WEU access to NATO assets and capabilities. These arrangements cover the assignment of a European strategic commander (in practice, the Deputy Supreme Allied Commander Europe, known as DSACEUR) for WEU-led operations, the selection of NATO headquarters, and the

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Ibid.

85
Polli, Gert R., *The European Security and Defence Identity: A Challenge For NATO and the United States*, Naval Postgraduate School, USA, March 2001. Declaration of the Head of States and Government Participating in the Meeting of the North Atlantic Council, Brussels, 10-11 January 1994, par. 6, quoted in David S. Yost, *NATO Transformed: The Alliance's New Roles in International Security*, United States Institute of Peace Press, Washington D.C., 1998, p. 201.

86
For more detailed information about the outcome of NATO's summit in Brussels in 1994, and how this relates to ESDI, see David S. Yost, *NATO Transformed: The Alliance's New Roles in International Security*, United States Institute of Peace Press, Washington D.C., 1998, p. 76.

87
Ibid.

adaptation of the CJTF concept, in order to ensure more flexibility for a European chain of command within NATO.⁸⁸

The EU declaration released in Cologne calls for “the development of effective mutual consultations, cooperation and transparency between the European Union and NATO.”⁸⁹ The decisions in Cologne raised the question of how such a new EU entity would link up to NATO. Cologne set the terms of this discussion. In fact, the EU in Cologne approved separate EU decision-making structures, and thereby ignored the “political acquis”⁹⁰ of an established relationship between the WEU and NATO in order to ensure “the capacity for autonomous actions.”

After the European Council in Cologne, the United States was concerned because of its impression that the new structures implied acting outside the Alliance whenever possible, rather than through the Alliance.⁹¹ The European Council’s decision to endorse the headline goal and collective capability goals six months later in Helsinki reinforced the United States concerns. From a U.S. point of view, the EU’s headline goal and collective capability goals could imply the development of separate requirements for the same forces. Such a process could lead to incompatibility between NATO’s defense planning and the EU’s defense planning, as envisaged by the European Council in Helsinki, and could therefore contribute to a division between the EU and the United States.⁹²

By the end of 2000, the roles and tasks previously assigned to Western European Union had been transferred to the European Union. The Alliance commitment to re-informing its European pillar is based on the development of an effective European Security and Defence Identity, which could respond to European requirements and at

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See Frank Kramer, Assistant Secretary of Defense for International Security Affairs, “Transcript: Kramer on NATO-EU Defense Planning”, Roundtable on DoD views concerning NATO-European Union defense planning, Washington, October 18, 2000, p. 4. Available [Online]:[<http://www.useu.be/issues/kraml018.htm>], October 2000.

89

“Presidency Report on Strengthening of the Common European Policy on Security and Defence”, Cologne, June 3-4, 1999. Available [Online]: [<http://info-france-usa.org/news/statements/eudef8.htm>], October 2000.

90

The term “political acquis” means all the political achievements of an entity or organization.

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Polli, Gert R., *The European Security and Defence Identity: A Challenge For NATO and the United States*, Naval Postgraduate School, USA, March 2001.

92

Ibid.

the same time contribute to Alliance security. By assuming greater responsibility for their security, the European member countries seek to create a stronger and more balanced transatlantic relationship, thus strengthening the Alliance as a whole.⁹³

As far as NATO is concerned, European Defence will be a re-balancing of roles and responsibilities between European and North Atlantic Allies.⁹⁴ European defence will rest on the national capabilities of the European Union nations-capabilities that are equally available for NATO missions in the case of Allies that are members of the European Union. To avoid duplication in planning staffs, communications and headquarters, NATO has sensibly agreed that the European Union can draw on NATO assets and capabilities.⁹⁵

At its 50th Anniversary summit on April 23-25, 1999 in Washington D.C., NATO adopted a new “strategic concept” formally recasting the Alliance’s Cold War-era mission from collective defence to one that, in the words of NATO Secretary General Javier Solana, would guarantee European security and uphold democratic values “within and beyond the European borders”.⁹⁶

In his speech in Rome on 25th January 1999, NATO Secretary General Solana stated: “NATO, the Atlantic Alliance, has been the centerpiece of this community from the very beginning. It has never been just a military Alliance – it has been an Alliance of values as well. It has never been concerned only with the defence of territory, but also with the defence of common values. What unites us are shared interests, not shared threats. That is why this Alliance has remained so strong beyond the end of the Cold War. And that is why this Alliance has been able to change the security landscape in Europe for the better. NATO’s 50th Anniversary, therefore, gives us every reason to celebrate this historic moment. Yet celebration must not be mistaken for complacency. The project of managing security is far from over.”⁹⁷

93
Ibid.

94
Sloan, Stanley R., *The United States and European Defence*, Institute for Security Studies, Western European Studies, Paris, April 2000, pp.40-42.

95
Ibid.

96
This was taken from the Fact Sheet: NATO’s New Strategic Concept. 24 April 1999; available from <<http://www.usia.gov/topical/Dol/nato5Q/text/99042450.htm>>; Internet; accessed 12 September 1999.1-2.

97
Speech by NATO Secretary General Javier Solana on “NATO: It’s 50th Anniversary – The Washington Summit – The Next Century”, Rome, 25th January, 1999.

He further stated: “indeed, the 21st century will confront us with a set of entirely new challenges, for which we need to be prepared: the proliferation of weapons of mass destruction may result in new threats to our territories and societies. And perhaps most immediately, regional conflicts will confront us with a cruel choice between costly indifference and costly engagement.”⁹⁸

Although the meeting of the leaders of NATO was initially organised to celebrate the 50th anniversary of the Alliance’s founding, the ongoing crisis in Kosovo in 1999 became the centre of attention. The meeting, taking place at the historical Mellon Auditorium (where the Washington Treaty was signed in 1949), had a single formal title, the Washington Summit, but contained several other issues. On 23rd April, 1999, the Alliance leaders issued the “Statement on Kosovo”, which declared that as long as the Federal Republic of Yugoslavia authorities failed to meet the legitimate demands of the international community, NATO would continue its air campaign against Serbia. NATO demanded: (i). Serbian President Milosevic halt all military actions and immediately end the violence and repression in Kosovo, (ii). The withdrawal from Kosovo of the FRY military, police and para-military forces, (iii). An agreement to station an international military presence in Kosovo, (iv). An agreement on the unconditional and safe return to Kosovo of all refugees and displaced persons with unhindered access to them by humanitarian aid organisations and (v). A credible assurance that the FRY would work for the establishment of a political framework agreement based on the Rambouillet accords.⁹⁹

NATO Secretary General Solana said: “In the Kosovo Crisis, NATO is engaging, as is the rest of the international community, to try bring an end to hostilities. The current state of constant violence and political oppression cannot continue. NATO must be ready to act if that is the only way to bring about a political solution to this crisis. Our objectives will be clear. First, to help prevent a humanitarian catastrophe caused by refugees and displaced persons fleeing the violence – a catastrophe that we narrowly averted last autumn. Second, to help to protect the human and civil rights of the people of Kosovo; and third to help to achieve a political settlement for Kosovo based on a large measure of autonomy for this region within the frontiers of the Federal Republic of Yugoslavia.”¹⁰⁰

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Ibid.

99

Bajarunas, Eitbydas, “NATO Summit in Washington – 1999”, *Journal for European Security*, Latvia, Volume 14, Issue No. 18, March 2005, pp.51-70.

100

NATO Secretary General Javier Solana note 291.

U.S. President Bill Clinton was committed to build a Europe wedded to freedom, democracy, and prosperity; genuinely secure throughout the continent. He stated: "I am committed to doing what we can to build that kind of Europe based on three principles:"¹⁰¹

1. To support democracy in Europe's newly free nations.
2. To work to increase economic vitality in Europe with America and other partners through open markets and expanded trade, and to help the former communist countries complete their transition to market economies – a move that would strengthen democracy there and help block the advance of unilateralism and ethnic hatred.
3. To build a transatlantic community of Tomorrow by deepening, not withdrawing from U.S. Security cooperation. With the overarching threat of communism gone, the faces of hatred and intolerance are still there with different faces ethnic and religious conflicts, organised crime and drug dealing, state-sponsored terrorism, and the spread of weapons of mass destruction. America cannot insulate itself from these threats any more than it could insulate itself after the Second World War.

Unveiled on April 24th, 1999, the Strategic Concept identified the U.N. Security Council as having primary responsibility for the maintenance of international peace and security, but did not tie Alliance action to Security Council endorsement.¹⁰² Some European Allies, such as Greece and Italy, had questioned whether NATO could act without Security Council authorisation prior to the launching of NATO's attacks against Yugoslavia. According to the 1999 Concept, NATO's 19 members must "safeguard common security interests" and be prepared to act in conflict management and crisis response operations, including those beyond Alliance territory. Yet, NATO's air-strikes during the Bosnian war and the on-going air war against Yugoslavia, which muted what was to had been a summit celebrating Alliance membership for the Czech Republic, Hungary and Poland, suggested that the Alliance was already willing to engage out-of-area.¹⁰³

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"Sustaining American leadership through NATO" – President Bill Clinton, Transcript, *US Department of State Dispatch*, November 6th, 1999.

102

Boese, Wade, NATO Unveils 'Strategic Concept' at 50th Anniversary Summit, *Arms Control Today*, April/May, 1999; The NATO Strategic Concept of April 24, 1999, from the U.S. Department of State web-page: http://www.state.gov/www/regions/eur/nato/nato_990424_stratcnpt.html

103

Boese, Wade, "NATO Unveils 'Strategic Concept' at 50th Anniversary Summit", *Arms Control Today*, Volume 29, no.3, April/May 1999, p.40.

The United States does not want to get involved in every regional crisis in Europe. For instance, the proposed legislation in US Congress limited the US involvement in Bosnia and Kosovo. The United States does want Europe to do more. For the foreseeable future, Europe's strategic 'independence' is simply not feasible. NATO has the assets and capabilities that are necessary for large-scale operations. That is why ESDI is being developed to complement NATO; not replace it. ESDI is about less US; it's about more Europe and therefore a stronger Alliance.¹⁰⁴

NATO's fundamental purpose after the Cold War would shift from defending common territory to defending the common interests of Alliance members and defending 'common European values', as Lord Robertson put it in the context of Kosovo.¹⁰⁵ As an alliance of interests, NATO would be the vehicle of choice to address threats to these shared interests, wherever these threats crop up. An alliance of collective interests would not necessarily be a "global NATO", but rather, it would place NATO within a global instead of a regional context. For the first time, NATO undertook peacekeeping tasks in areas of conflict outside the Alliance, opening the way for a lead role in multinational crisis-management operations and extensive cooperative arrangements with other organisations.

(2). FROM EUROPEAN VALUES TO COMBATING TERRORISM: -

The logic of regional security cooperation is clear. By pooling resources in the right way, like-minded countries can enhance their own security more effectively. Economically, cooperation allows for economies of scale and the acquisition of equipment that would otherwise be unaffordable for individual, especially smaller countries.¹⁰⁶ Militarily, cooperation multiplies the potential of any individual country's armed forces. Politically, cooperation in the security field is the ultimate confidence and security building measure because it requires transparency, coordination and mutual trust.

It is precisely because the potential of regional and sub-regional cooperation is so clear that the Alliance has lent increasing support to these efforts, even among

104
Ibid.

105
Robertson, Lord George, "The Future of NATO: A New Organisation for New Threats?" *Harvard International Review*, Cambridge, Volume 26, no.3, Fall 2004, p.2.

106
Appathurai, James, NATO's evolving partnerships Promoting regional security, *NATO Review*, Vol. 49, No. 3, Autumn 2001, pp. 13-15.

countries that do not aspire to NATO membership.¹⁰⁷ No single, approved document sets out the rationale behind regional cooperation and the modalities by which the Alliance will support it. Instead, that approach is set out through a variety of documents and policies, each of which applies to a specific area or issue – but which, when taken together, form an intellectually coherent whole. The Alliance works to promote regional security cooperation primarily in the Balkans, the Caucasus and the Baltics, as part of NATO's overall efforts to promote peace and security across the Euro-Atlantic area. NATO takes an individual, targeted approach to each region, because each faces its own security challenges in a unique geo-political context, and because each is of unique security interest to the Alliance.¹⁰⁸

Although the Kosovo crisis heavily influenced the agenda during the NATO's Washington Summit in 1999, the NATO leaders also spent considerable time discussing the future of the organisation. The NATO leaders signed and issued the "Washington Declaration".¹⁰⁹ This declaration marked the 50th anniversary of the Alliance and declared its goals for the 21st century. The Declaration stated that collective defence remains the core purpose of NATO and affirmed its commitment to promote peace, stability and freedom. It was also open to new members and working together with other institutions, Partners and Mediterranean Dialogue countries in a mutually reinforcing way to enhance Euro-Atlantic security and stability.

The Washington Summit also pondered over the European Security Development Initiative.¹¹⁰ The meeting reinforced the European pillar of the Alliance on the basis of NATO's Brussels Declaration of 1994, which declared that the NATO leaders would improve the defence capabilities of the Alliance to ensue the effectiveness of future multinational operations across the full spectrum of Alliance missions in the present and foreseeable security environment with a special focus on improving interoperability among Alliance forces. Possibility of better sharing of military burden?¹¹¹

107
Ibid.

108
Ibid.

109
Kay, Sean, After Kosovo: NATO's Credibility Dilemma , *Security Dialogue*, 2000, 31(1): 71–84.

110
Ibid.

111
Ibid.

NATO Secretary General Solana stated: "The gap between European ambitions and European capabilities is still wide. No one should harbour any illusions about that. We will have to live for some time with an asymmetry between the U.S. expects from Europe and what Europe is willing to deliver and able to deliver. But there are signs that the Kosovo conflict is indeed transforming the debate on a European Security and Defence Identity. From Saint Malo to Cologne, a workable ESDI is now regarded by many countries as an urgent necessity."¹¹²

Responding to the risks to the security of the Alliance posed by the spread of weapons of mass destruction and their delivery means, NATO launched an initiative to improve the overall political and military efforts of the Alliance to prevent or reverse their proliferation through diplomatic means.¹¹³ The Alliance is committed to contribute actively to the development of arms control, disarmament, and non-proliferation agreements as well as to confidence and security-building measures (CSBMs).¹¹⁴ The Allies are fully aware of their distinctive role in promoting a broader, more comprehensive and more verifiable international arms control and disarmament process. They consider confidence-building, arms control, disarmament and non-proliferation as important components of conflict prevention. NATO's partnership, co-operation and dialogue programmes offer a unique opportunity to promote these objectives. In this context, the Alliance's longstanding commitments and current activities in the area of arms control, disarmament and non-proliferation are in and of themselves tangible contributions to the overall goal of creating meaningful CSBMs and a cooperative approach to international security.¹¹⁵

The action in Yugoslavia in 1999 marked a new departure for NATO; it moved away from its original role as an organisation for collective self-defence. As noted already, the end of the Cold War, it had begun a quest for a new role for itself; from 1990 on it began to redefine itself.¹¹⁶

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Speech by NATO Secretary General Javier Solana on "NATO As A Community of Values" in his Manfred Worner Memorial Lecture at Konrad Adenauer Stiftung, Berlin, June 2, 1999.

113

Disarmament Diplomacy, NATO Arms Control Report, [Issue No. 53, December 2000 - January 2001](#).

114

Ibid.

115

Ibid.

116

Simma, Bruna, "NATO, the UN and the Use of Force: Legal Aspects", *European Journal of International Law*, 1999, p. 15.

The blowing up of the World Trade Center towers in New York by terrorists on 11th September 2001 transformed not just the NATO's agenda, but also the entire agenda of international relations of the 21st century. On 12th September, NATO proclaimed that the terrorist attacks on the United States amounted to an attack against one of the Alliance members in terms of Article 5 of its Charter and therefore an attack on all the members and it offered all necessary assistance to the United States in its 'Crusade against International Terrorism'.¹¹⁷

September 11, 2001 forced the Americans to recognize that the United States is exposed to an existential threat from terrorism and the possible use of weapons of mass destruction by terrorists. Meeting that threat became premier security challenge for the United States as well as Europe. There was a clear and present danger that terrorists would gain the capability to carry out catastrophic attacks on the Europe and the United States using nuclear, biological or chemical weapons.

After the terrorist attacks on the United States, the members of the NATO invoked the treaty's mutual defence guarantee for the first time in the alliance's 52 years. Article 5 of the treaty was drafted pledging that an attack on one ally would be treated as an attack on all involved Europeans coming to the aid of the United States.¹¹⁸

Although NATO invoked Article 5 for the first time in its history in the wake of the September 11 attacks and allies came forward with offers of military support for the subsequent military operation in Afghanistan, the United States found that European allies had little useful to offer. U.S. rejection of most of the offers ruffled allied feathers and raised questions about the relevance of a military alliance, where only one member could project significant, high-end, expeditionary military power.¹¹⁹

The U.S. response to this dilemma was two-fold.¹²⁰ The first was to persuade European allies to pool their limited resources to establish a single, multinational, European-centered NATO Response Force (NRF), trained and equipped to U.S.

117

Mani, V.S., "The Fifth Afghan War and International Law", *Economic and Political Weekly*, 26/01/06, pp.294-298.

118

Daley, Suzanne, AFTER THE ATTACKS: THE ALLIANCE; For First Time, NATO Invokes Joint Defense Pact With U.S., *New York Times*, 13th September, 2001.

119

Schmidt, John R., "Last Alliance Standing? NATO After 9/11", *The Washington Quarterly*, No.30, Winter 2006-7, pp.93-106.

120

Ibid.

standards, that would be able to deploy quickly and fight effectively alongside U.S. forces. The second, closely related to the first, was to persuade allies that NATO need to extend its mandate beyond the traditional borders of Europe so that NATO forces could go out-of-area to where the threats actually were.

Despite this effort to reinvigorate the alliance, however, NATO found itself deeply entangled in one of the most serious crises in its history, when France, Germany and Belgium vetoed having NATO undertake precautionary planning to provide military assistance to Turkey in the event of an invasion of Iraq resulted in very little damage being done to the Prague Agenda in 2002.¹²¹ In the immediate aftermath of this crisis, NATO agreed to assume command of the ISAF peacekeeping operation in Afghanistan, the first out-of-area operation in the history of the Alliance.

Afghanistan and the NRF had dominated the NATO agenda ever since. Under persistence U.S. prodding, the Allies had agreed to the step-by-step expansion of the ISAF peacekeeping force from Kabul into the provinces, most recently into the former Taliban heartland of southern Afghanistan, where NATO peacekeeping operations have been seriously tested.¹²² Although increasing Taliban attacks had made ISAF peacekeeping operations highly dangerous, the Allies had steadily resisted U.S. efforts to get them involved in U.S.-led 'Operation Enduring Freedom' counter terrorism operations, which would put their forces even more seriously in harm's way.

The notion that mutual defence could be a two-way street, and that NATO might use its military power to deal with international terrorism – in Central Asia no less – are just some of the ways that the attacks have begun to transform the world's largest and longest-standing defence alliance. It is probably too soon to say with certainty whether the campaign against terrorism will become the 'new paradigm' for international relations to the same degree as the Cold War. What seems certain, however, is that it will have significant impact on practically every aspect of the NATO and the context which it operates – the future of transatlantic solidarity, alliance military structures, enlargement, NATO-Russia relations, the European Security and Defence Policy, and NATO's future organisation, roles and missions.¹²³

Before the 11th September attack, there were serious doubts about the future of the Atlantic Alliance. With Cold War over, the most difficult part of the NATO military mission in the Balkans largely completed and the European Union finally coming together,

121
Ibid.

122
Ibid.

123
Gordon, Philip H., "NATO After 11 September", *Survival*, no.4, Winter 2000-02, pp.xx—xx.

analysts began to wonder whether the Atlantic Alliance and NATO, specifically, could endure.¹²⁴ First, it was argued that a transatlantic values gap was beginning to emerge with major differences over issues such as the death penalty, the environment, abortion, religion and gun control increasingly dividing allies no longer held together by a common threat. This argument was in fact largely exaggerated, in part a misleading extra-polation of the very narrow electoral victory of the conservative George Bush over the more European Al Gore. But there was something to it and it was certainly widely perceived at least in Europe.¹²⁵

A second factor was American 'unilateralism' exemplified by the Bush Administrations rejection or dilution of a wide range of international treaties and agreements-the Comprehensive Nuclear Test Ban Treaty (CTBT), the Kyoto Protocol on Climatic Change, the Anti-Ballistic Missile Treaty, the Biological Weapons Convention verification protocol, the International Criminal Court and a United Nations agreement on the trade in small arms. The impression given was that the world's 'sole superpower' no longer felt it had to take its allies' news into account.¹²⁶

The terrorist attacks on the United States and the Trans-Atlantic solidarity they provoked have pushed these debates aside or at least put them into perspective. By reminding Europeans of their common values and interests with the United States and reminding the Americans of their enduring need for allies, the explosions in New York and Washington also demolished the myth that the alliance between Europe and America was no longer necessary or possible. European sympathy and support for the Americans in the wake of the attacks has been impressive with leaders from across the continent expressing their 'unequivocal support' for the United States.¹²⁷ In Britain, Prime Minister Tony Blair immediately seized the moment and made clear that there would no distance at all between his country and the United States as it prepared to lead

124

Daalder, Ivo H., "Are the United States and Europe Heading for Divorce?", *International Affairs*, 77, 3 (Summer 2001), pp 553-67.

125

Mois, Dominique, "The Real Crisis Over the Atlantic", *Foreign Affairs*, vol. 80, no. 4 (July/August 2001), pp. 149-53, William Wallace, "Europe: the Necessary Partner", *Foreign Affairs*, 80, no. 3 (May/June 2001), pp. 16-34.

126

Wallace, William, 'Europe: the Necessary Partner'; Matthews, Jessica, 'Estranged Partners', *Foreign Policy* (November-December 2001), pp. 48-53; and the discussion in Daalder, note 26, pp. 560-63.

127

European Union, Conclusions and Plan of Action of the Extraordinary European Council Meeting on 21 September 2001; Hoge, Warren, "Outpouring of Grief and Sympathy for Americans is Seen Throughout Europe and Elsewhere", *New York Times*, 14 September 2001; and Drozdak, Williamk, "EU Leaders Back Attacks on Afghanistan", *Washington Post*, 20 October, 2001.

the anti-terrorism campaign.¹²⁸ In Germany, Chancellor Gerhard Schroder announced his 'unlimited solidarity' with Washington and spoke of a 'new conception of German foreign policy' that would end the post-war pattern of standing on the sidelines and avoiding military risks.¹²⁹ French President Jacques Chirac, the first foreign leader to visit Washington and New York after the strikes, expressed his 'total support' for the United States and did not hesitate to offer French troops.¹³⁰

For its 52 years, NATO never really had to define its central commitment the Article 5 defence guarantee. Article 5 clearly states that an attack on an ally shall be considered an attack against them all. But the authors of the North Atlantic Treaty never had to contemplate that such an attack might come from half way around the world, that the victim would be the United States or that it would be carried out by a terrorist group rather than state.¹³¹

In a US-NATO Missions Conference in Brussels, Belgium on January 18, 2002, Senator Richard G Lugar, said, "September 11 has destroyed many myths. One of those is the belief that the West was no longer threatened after the collapse of communism and our victory in the Cold War. Perhaps nowhere was that the myth stronger than in the United States where many Americans believed that America's strength made us vulnerable."¹³²

The meaning of Article 5 was debated briefly during the 1990 Gulf War, when some Europeans questioned whether the commitment would apply to an Iraqi attack on NATO member Turkey in response to coalition air strikes from Turkish territory. But the question was never formally answered because the attack on Turkey never took place.

Nor was it perfectly clear what the commitment to collective defence entailed. For while the Washington Treaty commits each ally to considered an attack on one an

128

Reid, T.R., "Blair Embraces a New Role As a Chief of War on Terror", *Washington Post*, 9 October, 2001.

129

Finn, Peter, "Germany Sheds Its Backseat Military Role", *International Herald Tribune*, 12 October, 2001.

130

"Jacques Chirac annonce la participation des forces francaises", *Le Monde*, 7 October, 2001.

131

Blinken, Anthony J. and Gordon, Philip H., "NATO is ready to Play a Central Role", *International Herald Tribune*, 18 September, 2001.

132

NATO'S Role in the War on Terrorism By Senator Richard G. Lugar, United States Senate Foreign Relations Committee at U.S.-NATO Missions Conference, Brussels, Belgium, January 18, 2002.

attack on all, it commits them only to taking 'such action as [they deem] necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area'. This somewhat diluted engagement was written in at the insistence of the Americans, who in 1949 wanted to preserve some flexibility in their defence commitment to Europe. Thus, while the original idea may have been that any invocation of Article 5 would necessarily trigger a military operation planned by NATO planners and carried out under the authority of the Supreme Allied Commander Europe (SACEUR), there was no automatic or legal obligation to do so.

NATO's response to the 11 September attacks has resolved some of these uncertainties. At the suggestion of Secretary General George Robertson, allies agreed as early as 12 September that the collective defence clause did indeed apply to a terrorist attack on the United States: "if it is determined that this attack was directed from abroad from the United States,' the allies declared, 'it shall be regarded as an action covered by the Article 5 of the Washington Treaty'.¹³³ With very little public or official debate, NATO had now interpreted Article 5 to include a terrorist attack on a member state.

Even as they express their solidarity with the United States, European leaders have made clear that their commitment to the alliance-even after the invocation of Article 5-does not mean a 'blank cheque' for Washington.¹³⁴ They had views on how the campaign should be prosecuted, and they expect to be 'consulted in advance about the objectives and modalities of action'.¹³⁵

Many Europeans stress the need for 'legitimacy' for the response to 11 September, which they believe comes from as broad an international coalition as possible and the approval and involvement of the United Nations. France, for instance, went to the Security Council as early as 12 September to propose a resolution condemning the attacks and having them declared a 'threat to international peace and stability' under the Charter's Chapter VII concerning the use of force. The EU's special 21 September Summit also called for 'the broadest possible global coalition against terrorism, under the United Nations aegis'.¹³⁶

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"Statement by the North Atlantic Council", *NATO Press Release*, 12 September, 2001; and Daley, Suzanne, "For First Time, NATO invokes Joint Defence Pact with US", *New York Times*, 12 September 2001.

134

The words of Tony Blair's press spokesperson cited in Daley, Suzanne, "A Pause to Ponder Washington's Tough Talk", *New York Times*, 15 September, 2001.

135

Jacques Chirac's words after his 18 September White House meeting, cited in Jarreau, Patrick and Bacque, Raphaëlle, "Jacques Chirac réaffirme à Washington l'offre de coopération de la France", *Le Monde*, 19 September, 2001.

Perhaps most significant, the Europeans stress the importance of renewed engagement to resolve regional problems- such as Iraq and the Israeli-Palestinian conflict- if terrorism is to be eliminated. Already before the 11 September attacks, European leaders were concerned about the deterioration of the Middle East peace process and calling on the United States to get more involved.¹³⁷ This pressure will only increase now, not least because of the European conviction that, while not directly responsible for the attacks, the anger built up throughout the Arab world as a consequence of the suffering of Iraqis and Palestinians continues to creating a breeding ground for terrorism. Thus, while agreeing on the need for short-term diplomatic, economic and military measures to combat terrorism, the Europeans are also focused on what they see as its root causes.

The decision on whether and how to expand NATO membership - one of the main controversies of the mid- to late-1990s – has also been placed in a dramatically new context by the 11th September attacks. Prior to those attacks, there strong indications that the Bush administration was planning to support a wide enlargement, notwithstanding strong opposition from Russia and from longstanding domestic opponents of the process. In a major speech in Warsaw, Poland on 15th June 2001, Bush asserted that ‘all of Europe’s new democracies’ from the Baltics to the Black Sea should have equal chance to join Western institutions. He suggested that the failure to allow them to do so would amount to moral equivalent of ‘Yalta’ or ‘Munich’ and appealed to NATO leaders to take a forward-leaning approach to enlargement at their November 2002 summit in Prague.¹³⁸ At American urging, alliance leaders agreed to allow NATO Secretary NATO expected to launch the next round of enlargement at the Prague Summit in 2002.¹³⁹

In the wake of terrorist attacks, opponents of NATO enlargement will now argue even more forcefully that it should be put off or stopped altogether, particularly since Russian cooperation in the war on terrorism is so important. The NATO allies’ solidarity in the campaign against terrorism underlines the importance of having strong, stable partners who can contribute to common goals. And while cooperation with Russia on terrorism is

136

European Union, note 321.

137

Vedrine, Hubert, “L’attentisme des Etats-Unis les fait ressembler a des Ponce Pilate”, *Le Figaro*, August 30, 2001.

138

‘Remarks by the President in Address to Faculty and Students of Warsaw University’, Warsaw University, Warsaw, Poland, 15 June, 2001 and Bruni, Frank, “President Urging to Expansion of NATO to Russia’s Border”, *New York Times*, 16 June, 2001.

139

‘Statement to the Press by NATO Secretary-General Lord Robertson’, NATO Brussels, 13 June 2001.

also critically important, the 11th September attacks have served to remind Russians of the common interests they have with the United States and Europe. This changes Moscow's own calculations about its interests and already there signs from Russian leaders that even NATO membership for the Baltic states would not lead to the crisis long predicted by opponents.¹⁴⁰

The European Union's efforts to develop a credible autonomous European Security and Defence Policy (ESDP) – another of the big issues for NATO prior to 11 September – must also be seen in a new light in the wake of the terrorist attacks. Launched at the Franco-British summit at St. Malo, France in 1998, ESDP has been the top defence policy priority for many European members of NATO for the past several years. New EU-based security organisations – a Policy and Security Committee, a European Military Committee and a European Military Staff – have been set up in Brussels, and the Union is developing its 'headline goal' force of 60,000 troops, capable of being deployed with 60 days notice and sustained on mission for at least a year.¹⁴¹

On one level, ESDP – not yet fully operational and initially intended for relatively minor humanitarian or peacekeeping missions in or near Europe – would not seem to be very relevant to a major, US-led operation conducted halfway around the globe. In fact, 11 September has at least two important implications for ESDP.¹⁴²

First, because the demands on US forces will require a partial and possibly even total withdrawal of American troops from the Balkans, European military capabilities – possibly even under EU authority – might be called into action.¹⁴³ Just after Afghanistan operation began, the US announced its intention to redeploy ships from the eastern Mediterranean, which the Europeans agreed to replace as part of the Article 5 commitment. Washington also let it be known that it might need to draw down other units involved in the Balkan operation – such as specialized medical units in Kosovo, drones and other surveillance aircraft, and counter-terrorism forces – for use in the

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Gordon, Philip and Steinberg, James B., *NATO Enlargement: Moving Forward after September 11*, Brookings Policy Brief, forthcoming.

141

Andreani, Gilles, Bertram, Christoph, and Grant, Charles, *Europe's Military Revolution*, Centre for European Reform, London, March 2001, and Quinlan, Micheal, *European Defence Cooperation: Asset or Threat to NATO?* Wilson Forum, Woodrow Wilson Centre Press, Washington D.C, 2001.

142

Gordon, Philip, NATO After 11th September, *Survival*, vol. 43, no. 4, Winter 2000–02, pp. xx–xx.

143

Ibid.

Central Asian theatre.¹⁴⁴ More significantly, it was clear that if more American combat troops or other type of forces or equipment were required in Afghanistan (or some other Middle Eastern operation in later stage of the campaign), the Americans might withdraw from the Balkan operations altogether, leaving the Europeans in charge.

The second implication of the terrorist attacks for ESDP concerns European defence capabilities.¹⁴⁵ One of the main criticisms of ESDP was that because of non-defence budgetary priorities, the project risked emphasizing institutions rather than actual military capabilities. While Europeans were conscious of the issue and pledged to address it, falling or stagnant military budgets in many European Union member states was cause for concern. In this context, the 11 September attacks provided a tragic reminder that the world is still a very dangerous place, and that distant and high intensity military operations are not merely the stuff of American fantasies. Europeans will have to take this into account as they proceed with the development of ESDP.

Already before 11 September, EU defence ministers had made good progress in identifying their most critical military deficiencies. These included strategic airlift and sealift; in-air refueling (among EU members, only the UK and France have significant number of in-air refueling tankers); precision-guided munitions, (not just laser-guided but especially Global Positioning System-guided, which can work in bad weather); reconnaissance planes and satellites; long-range cruise missiles (presently only available to Britain with a French-British programme underway); a dedicated capability for Suppression of Enemy Air Defences (SEAD), such as the American high-speed anti-radiation (HARM) missiles; mobile target acquisition; aircraft carriers; and a capability for secure, classified communications.¹⁴⁶

Following the September 11, 2001, the EU struggled with whether to expand ESDP's purview to include combating external terrorist threats or new challenges, such as countering the proliferation of weapons of mass destruction. In June 2002, EU leaders agreed that the Union should develop counter-terrorism force requirements, but stopped short of expanding the Petersberg tasks.¹⁴⁷ Increasingly, EU member states appeared to recognize that ESDP must have a role in addressing new challenges in order to remain

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Richburg, Keith B. and Brown, DeNeen L., "Radar Planes from NATO To Patrol US Coast", *Washington Post*, 9 October, 2001.

145

Mawdsley, Jocelyn and Quille, Gerrard, *The EU Security Strategy: A new framework for ESDP and equipping the EU Rapid Reaction Force*, ISIS Report, International Security Information Service Europe, Brussels, December 2003.

146

Yost, David, "The NATO Capabilities Gap and the European Union", *Survival*, vol. 42, no. 4, Winter 2000-01, pp. 97-128.

relevant and to bolster the EU's new, broader security strategy developed by the EU's top foreign policy official, Javier Solana.¹⁴⁸

In the wake of the March 11, 2004, terrorist bombings in Spain, EU leaders issued a new "Declaration on Combating Terrorism". Among other measures, it called for "work to be rapidly pursued to develop the contribution of ESDP to the fight against terrorism". In November 2004, EU officials outlined a more detailed plan to enhance EU military and civilian capabilities to prevent and protect both EU forces and civilian population from terrorist attacks, and to improve EU abilities to manage the consequences of a terrorist attack. EU policymakers noted that ESDP missions might include preventing support to third countries in combating terrorism. At the same time, EU officials maintained that countering terrorism would not be ESDP's main focus, in part because they viewed the fight against terrorism largely as an issue for law enforcement and political action.¹⁴⁹

Successive US Administrations, backed by the US Congress, supported the EU's ESDP project as a means to improve European defence capabilities, thereby enabling the allies to operate more effectively with US forces and to shoulder a greater degree of the security burden.¹⁵⁰ The US maintained that the ESDP's military requirements are consistent with NATO efforts to enhance defence capabilities and interoperability among member states.¹⁵¹ The EU made relatively quick progress on its ESDP agenda, and its mission in the Balkans and it demonstrated that the EU could contribute effectively to managing crises, both within and outside of Europe.¹⁵²

147

Gallis, Paul and Archick, Kristin, NATO and the European Union, Congressional Research Service, Library of Congress, 4th January, 2005.

148

Hostetler, Bianca C., *The European Union : expand, shrink or status quo*, Nova Science Publishers, New York, 2006, pp. 101-103.

149

Solana, Javier, "Intelligent War on Terrorism", *Korea Herald*, November 8, 2004.

150

Hostetler, Bianca C., *The European Union : expand, shrink or status quo*, Nova Science Publishers, New York, 2006, pp. 101-103.

151

Gallis, Paul and Archick, Kristin, NATO and the European Union, Congressional Research Service, Library of Congress, 4th January, 2005.

152

Ibid.

The European Union had launched several civilian and military missions in the Balkans, an area long assumed by EU observers to be the most likely destination of any EU-led operation. In January 2003, the EU's civilian crisis management force took over UN police operations in Bosnia as the first-ever ESDP mission. The EU launched in March 2003 its first military mission – Operation Concordia – that replaced the small NATO peacekeeping mission in Macedonia. In December 2003, Operation Concordia ended, but the EU established police mission to help Macedonia's police forces. In early December 2004, the EU took over the NATO-led peacekeeping mission in Bosnia within the 'Berlin Plus' framework.¹⁵³

The US remained concerned that France and some other European members would continue to press for a more an autonomous EU defence identity.¹⁵⁴ Washington approved the December 2003 agreement to enhance the EU's planning capabilities, but the US administration feared that the new EU planning cell could grow over time into a larger staff, which could duplicate and compete with NATO structures.¹⁵⁵ They also feared that the 'mutual assistance clause' and 'structured cooperation' in the EU's constitutional treaty could ultimately lead to a multi-tiered security structure that could destroy the indivisibility of the transatlantic security guarantee.¹⁵⁶

As the world faced the challenges of September 11th events and as time approached to the Prague Summit, there were number of issues that require further clarification.¹⁵⁷ What had been the impact of September 11th events to the mission and function of NATO and its enlargement towards the East? What would be the impact of the Prague enlargement on the effectiveness and relevance of the Alliance?

153

Gallis, Paul and Archick, Kristin, NATO and the European Union, Congressional Research Service, Library of Congress, 6th April, 2004.

154

Hostetler, Bianca C., *The European Union : expand, shrink or status quo*, Nova Science Publishers, New York, 2006, pp. 101-103.

155

Ibid.

156

Dempsey, Judy, "EU big three in deal over defence", *Financial Times*, December 12, 2003.

157

Yusufi, Islam, "Enlarged NATO and its Relevance in the Post-September 11th Era", Presented At 'New Faces Conference in Geneva, August 29 – September 1, 2002, Organised by Geneva Center and IISS.

The September 11th events had made clearer the necessity for more commitment on the part of the North Atlantic Allies for more defence capabilities, for new quality relationships and for new members. It had also pushed to move beyond the traditionalist selective and less criteria-abiding enlargement approach towards more inclusive and in detail reviewed enlargement of NATO.

The new situation called for robust enlargement of NATO in the Prague Summit, despite the fact that none of the 10 Membership Action Plan countries were ready to assume the responsibilities of membership, especially in the military sphere.¹⁵⁸ However, their inclusion in NATO would not cause any harm to the Alliance, as neither Hungary, Poland, nor the Czech Republic were ready to assume the military responsibilities of membership in 1999. Further enlargement would cause ineffectiveness in the decision making process of NATO, were proven wrong with the continuous engagement of NATO to maintain peace and stability in South East Europe and with the support of the new members of NATO to the war against terror.¹⁵⁹

Greater diversity and more members would not strain political cohesion, would not weaken decision-making and would not hurt operational efficiency of NATO. Instead, it would increase the relevance of partnership, consolidation of democratic and liberal values, and maintaining the walls of the stability and peace against the new threats, such as terrorism.

Towards Prague Summit (2002)

Following terrorist attacks of September 11th, the Alliance members had continuously been working on three issues to: - (i). Deal with terrorist threats and close the gap in the military capabilities between U.S. and European Allies; (ii). Expand NATO membership to include new democracies of Central and Eastern Europe; and (iii). Enhance the relationship with Russia, Ukraine, Central Asian and Mediterranean countries.¹⁶⁰

The Prague Summit, which is the first NATO summit of the 21st century and the first summit following the terrorist attacks of September 11th, would be a summit of the evaluation of the work done so far and a summit that would give a new direction to the North Atlantic Alliance with regard to new capabilities; new members and new relationships.¹⁶¹ “This is not business as usual, but the emergence of a new and modernised NATO, fit for the challenges of the new century,” said NATO Secretary

158
Ibid.

159
Ibid.

160
Ibid.

General Lord Robertson.¹⁶² Most importantly, it would test NATO's open door policy that deciding on the inclusion of the new member countries from Central and Eastern Europe. The decisions to be adopted would be the beginning of the new era that would be critical for the NATO's relevance and its significance for the maintenance of the peace and stability in the Euro-Atlantic area.

However, one thing that is a new in terms of NATO is that afore-mentioned changes have made the NATO to become more than of the collective defence. NATO, as it stands now, is more than a mere Alliance. It is a system of a collective defence; cooperative security; cooperation and partnerships. This system to a great facilitates NATO's adaptation to the new circumstances created by September 11th and stands as a factor for NATO's relevance in the new era. But, what is NATO's role in the post-September 11th era? What it stands for in this new era? It survived the shock of the end of the Cold War, is it going to survive the shock of September 11th?

As Gaddis puts it, NATO is detached from the shocks and surprises that dominate most of history.¹⁶³ There have always been claims in the history of NATO that the Alliance stands at a crossroads or a turning point. However, so far the Alliance has not yet experienced a turning point, a point as again by Gaddis,¹⁶⁴ a moment at which it became clear that the status quo can no longer sustain itself, at which decisions have to be made about new courses of action, at which the results of those decisions shape what happens for years to come.

After 11 September 2001, however, a fundamental debate about the future transatlantic security relationship could not be dodged any longer. The changes in the international security environment had become too fundamental to allow for business as usual. Both the transatlantic relationship in general and NATO in particular have had to adapt to the realization that the immediate post-Cold War period has ended and a new, still undefined era has begun. Three changes, in particular, stand out:¹⁶⁵

161

Ibid; Gallis, Paul, "The NATO Summit at Prague, 2002", Congressional Research Service, 1st March, 2005.

162

NATO transformed: new members, capabilities and partnerships, 21st November 2002. See NATO website, <http://www.nato.int/docu/update/2002/11-november/e1121e.htm>.

163

Gaddis, John Lewis, "NATO's Past, NATO's Future", a paper presented at Joint Workshop on Europe and Transatlantic Security: Issues and Perspectives, Kandersteg, Switzerland, August 25-27, 2000, CIAO, February, 2002.

164

Ibid.

The first change concerns the new threats of terrorism and weapons of mass destruction.¹⁶⁶ These threats emerge from outside of Europe. Naturally, they draw US attention away from the Old Continent, toward Central Asia and the Middle East. A focus away from Europe, however, also means a focus away from NATO, an institution that is critically dependent on US leadership.

The second change concerns the strategies with which to respond to the new threats.¹⁶⁷ Simply put, an effective response might require a different team and a different approach than NATO is able to provide. Afghanistan was the first glimpse of that option. Also, NATO might be sidelined by ad hoc coalitions of states more able and perhaps even more willing than the old NATO fogies. Furthermore, NATO might also be sidetracked because of the perception that its consensual decision making culture is too slow and cumbersome to deliver results in time.

The third change concerns the military capabilities required to respond to the new threats.¹⁶⁸ Rapid response, force projection, and protection against weapons of mass destruction are at a premium—precisely the areas in which the United States is increasingly strong and where Europe's Cold War legacy forces are weak. As a result, US unilateralist impulses are strengthened, and Europeans see whatever influence they hoped to exert on Washington drifting away down the Potomac.

In the months preceding the summit, fears of a public relations debacle were heightened by the transatlantic rift over Iraq.¹⁶⁹ The spectacle of the U.S. demanding, and European allies withholding, a strong communiqué expression of support for a war against Saddam Hussein's regime would have confirmed the Alliance's progressive marginalization in geostrategic affairs. Enough questions had been raised about NATO's strategic relevance after 11th September; open discord over Iraq would have overshadowed the summit's invitations to candidates from the formerly communist

165

Ruhle, Note 219, p. 91.

166

Ibid.

167

Ibid.

168

Ibid.

169

"NATO Summit After The Prague Summit: What Kind Of Future?", International Institute For Strategic Studies, Brassey, United Kingdom, Volume 8, No.10, December 2002.

Eastern Europe to join a second round of enlargement. In fact, the summit was a modest success. A confrontation over Iraq was avoided because the U.S. President George Bush's decision to take the issue to the United Nations narrowed the transatlantic divergence and put off the immediate prospect of military action.¹⁷⁰

The summit communiqué language in support of the U.N. demands for Iraqi disarmament was stronger than the United States had hoped.¹⁷¹ The challenge of a yawning capabilities gap between 21st century U.S. forces and under-funded Cold War-configured European forces was met with specific, albeit modest, commitments from European members to fill shortfalls. These new capabilities are to be put in service of a high-readiness NATO Response Force, which would enable European allies, at least in theory, to join early in strategically demanding U.S.-led operations such as the intervention that toppled the Taliban regime in Afghanistan. Finally, NATO leaders issued invitations to seven candidates, including the three Baltic republics, to join the Alliance by 2004 - without apparently damaging the cordial and newly formalized relationship with Russia.¹⁷²

These initiatives were not dramatic, but they do rebut the view of an Alliance hurling towards its demise.¹⁷³ In fact, the real danger was not demise but disuse. The central problem was familiar: an Alliance organised for collective defence against the threat of Soviet invasion did not have an obvious purpose after the threat disappeared. Although it was clear, even before 11th September, that there were other serious threats in the world, it was not clear that transatlantic allies would agree on how to deal with them, and particularly on using NATO institutions to do so. NATO played a background role in support of the United States, United Kingdom and French deployments in the 1990-91 Gulf War.¹⁷⁴ In 1995, its bombing campaign against Bosnian Serb positions helped the combined Croat-Muslim forces turn the course of the war in Bosnia and set the stage for the Dayton peace agreement. Under that agreement, NATO organised the post-war

170
Ibid.

171
Ibid; Schwarz, Peter, Iraq War dominates NATO Summit in Prague, *World Socialist Web Site*, 21st November, 2002.

172
Ibid.

173
Ibid.

174
“The Alliance’s New Strategic Concept”, North Atlantic Council in Rome, 7th-8th November 1991, Brussels, NATO Headquarters, para. 12.

peacekeeping regime. In 1999, NATO's air war against Kosovo resulted in a settlement that reversed the ethnic cleansing of Kosovar Albanians; once and again, there was a heavy and long-term commitment of a NATO-led peacekeeping force. In 2001, NATO officials played a critical role, alongside the European Union, in mediating a resolution of Macedonia's incipient civil war.

When, in response to 11th September, the United States preferred to fight in Afghanistan mainly on its own, with some substantial help from the United Kingdom forces.¹⁷⁵ Afghanistan was, in some ways, an unfair test - having suffered a dramatic forces, it was never very likely that the United States would organise its response under the command of a multi-national NATO headquarters. Non-British European Allies did, in fact, play important roles such as peacekeeping and mopping-up operations in Afghanistan and sending AWACS aircraft to patrol American skies.

The Prague Summit further defined NATO's role in combating terrorism with the development of a military concept against terrorism, specific military capabilities to implement this new mission, agreement on a Partnership Action Plan against terrorism, and a stated willingness to act in support of the international community.¹⁷⁶ Prague's definition of NATO as a focal point of any multinational military response to terrorism was given considerable credibility with the agreement to provide Germany and the Netherlands with NATO planning and support as they assumed command of the International Security Assistance Force (ISAF) in Afghanistan.¹⁷⁷ The emerging discussion on whether NATO itself should take command of ISAF indicates that this evolution has significant potential to move NATO into a new role outside the traditional Euro-Atlantic area.

NATO with the end of the Cold War did change some of its functions with regard to the in-area and out-of-area functions. However, its' mission of collective defence – Article 5 – has not changed, and therefore, there isn't any transformation of the Alliance. What are we witnessing is the adaptation of it to the new circumstances.¹⁷⁸ With the creation of this system and as NATO got bigger, wider and deeper, the specialization had become as a new critical factor in the new era of post-September 11th. A specific

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Sloan, Stanley R., [Crisis Response](#), "Opinion" in *NATO Review*, Spring 2002.

176

Ruhle, Michael, NATO after Prague: Learning the Lessons of 9/11, *Parameters*, 2003, pp.89-97.

177

Ibid.

178

Yusufi, Islam, "Enlarged NATO and its Relevance in the Post-September 11th Era", Presented At 'New Faces Conference in Geneva, August 29 – September 1, 2002, Organised by Geneva Center and IISS.

security and defence contribution of a country, which is a part of a system of NATO, in the Alliance's war against terror, is a crucial element for the evaluation of the relevance of the Alliance. This change had critically affected the NATO's approach towards its relevance and its enlargement.

It is somewhat unfair, but hard to deny, that NATO's strategic relevance is in the eye of the American beholder. European officials often speak of ensuring the organisation's strategic 'value added', so as to secure continued U.S. interests in its viability.¹⁷⁹ In terms of its actual activities over the past decade, NATO was transformed from a defensive alliance against a common threat into a collective security organisation devoted to maintaining peace and stability on the European continent, with a special focus on the Balkans where that peace was most threatened. That function remains important.

Moreover, given that Europe today is, by global standards, safe and peaceful, it is a function that the Europeans themselves could carry out with a considerably reduced American role. However, the Europeans are not willing to forego their vital strategic links with Washington, for at least three reasons: Washington's residual role as a balancer and security guarantor for Europe; the desire to influence the U.S. strategic policy across the globe; and an aversion to Europe's own irrelevance in military-strategic terms, such as would be implied by the demise of NATO.¹⁸⁰ The United States could more plausibly do without its European alliance, or with only the British, but such a prospect would pose problems of legitimacy both abroad and at home. The more that the United States exercises its overwhelming power on its own, the more prominent a lightning rod it will be for anti-American reactions. Moreover, opinion polls consistently show that the American people do not want to be involved in military interventions without substantial allied support.

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"NATO Summit After The Prague Summit: What Kind Of Future?", International Institute For Strategic Studies, Brassey, United Kingdom, Volume 8, No.10, December 2002.

180

Ibid; "The State of NATO Alliance", Hearing before the Subcommittee on European Affairs of the Committee on Foreign Relations, United States Senate, One Hundred Seventh Congress, First Session, 27th February, 2001.

PART II: POST-COLD WAR NATO: SOME CASE STUDIES

The end of the Cold War brought about a release of global tensions perhaps unparalleled throughout the entire twentieth century. The communist bloc collapsed and its conflict with the capitalist world, which had long threatened the horror of nuclear war, ceased within a few short years. It appeared to give rise to a new hope of a new era of global peace and harmony that could last for decades, heralding rapid economic development unchecked by destructive wars and expensive arms races.

The United States emerged as the sole superpower with a stated global agenda of freedom, democracy and economic development for all nations. The only real tension in the world that continued was the conflict between the West and the Islamic world over oil resources, and more specifically with Iraq.¹⁸¹ But compared to the old global cold war, this struggle was 'minor' and involved no real clash of superpowers. Other regional and national problems continued in different parts of the world but nothing arose that could be construed as a real threat to global peace.

However, no sooner than the Cold War ended, the United States started to handle its global dominance in a way that, in retrospect, may appear reckless or even hypocritical and arrogant, and used sanctions, intimidation and force to impose its will, particularly on smaller and weaker countries that would not bend to its often self-serving views and policies. Under the guise of protecting peace, freedom and democracy globally, the US began pursuing an agenda of its own political and economic self-interest, and with the mindset of the Cold War, began considering threat perceptions from lesser powers like China and India.

181

Frawley, David, Kosovo: The Beginning of a New Era of Global Tension, *The Hindu*, 12/02/2000.

Nevertheless, many Western observers saw NATO in the post-Cold War era as an umbrella of security in Europe struck by the nationalist passions unleashed in Eastern Europe and the former USSR.¹⁸² Following the dissolution of the USSR, NATO sought to strengthen relations with the newly independent nations that had formerly made up the USSR and with other Central and Eastern European countries that belonged to the Warsaw Pact.

What would have been unthinkable under the conditions caused by the east-west conflict has become common practice after it finished: NATO is used for peacekeeping operations in states and regions in and out of Europe. The world has seen two-dozen regional wars from Iraq and Chechnya to Bosnia and Kosovo, since 1990.¹⁸³ All these wars took place 'out of area' from the perspective of the Alliance, meaning outside the territory of the parties to the North Atlantic Treaty, defined in the Article 6, which alone is protected by the Alliance. Parties to the Treaty have intervened in a few of these wars, though the Alliance as a whole has become involved only in the territory of the former Yugoslavia.

The operative section of Article 6 of the NATO Treaty establishes the Alliance's borders as comprising the sovereign territories of the NATO allies in Western Europe and North America. During most of NATO's history, Article 6 was used to interrupt discussions of so-called 'out-of-area' issues before they reached the point of common military action. At times, this strict constructionist reading of the Treaty was a source of frustration for the policy makers. During the Yom Kippur War, for example, then-Secretary of State Henry Kissinger railed against the 'stampede of dissociation' by Washington's allies in the face of American requests for assistance in supplying Israeli forces. He was especially critical of the allied use of 'the legalistic argument' that NATO's boundaries did not extend to the Middle East.¹⁸⁴

NATO found itself challenged by the onset of an uncertain strategic environment following the termination of Cold War. Concurrent with the efforts to redefine itself and its mission, NATO after initial hesitation, joined other international organisations in seeking to bring an end to the fighting in the former Yugoslavia.¹⁸⁵ The involvement was

182

Kipp, Dr. Jacob W. and Thomas, Mr. Timothy L., International Ramifications of Yugoslavia's Serial Wars: the Challenge of Ethno-national Conflicts for a Post - Cold-War, European Order, *European Security*, Vol.1, No.4., Winter 1993.

183

Ibid.

184

Kissinger, Henry, *Years of Upheaval*, Little, Brown and Co., Boston, Mass., 1982, p. 711.

185

Papacosma, S. Victor, NATO In the Post-Cold War Balkans, *Journal of Political & Military Sociology*, Winter

not without controversy and indecisiveness. In the process, Balkan developments had played a critical role in helping to transform NATO into an alliance system for a different era. Completion of this reorganization and a final evaluation of NATO's effectiveness in the Balkans are still pending.

I. BOSNIA-HERZEGOVINA (1993-95)

At the end of the Second World War, Tito reconciled all the various parts of Yugoslavia and created a Yugoslav federation with Bosnia and Herzegovina as one of the constituent republics, despite insistence by Serbs that the region should be made only a province like Vojvodina and Kosovo. During the 1960s Tito granted Muslims a distinct ethnic status, in an effort to put them on equal footing with Serbs and Croats. In the 1970s a collective presidency was instituted in the republic. Ethnic tensions worsened, however, following Tito's death in 1980.

During the Cold War, neither the United States nor the Soviet Union effectively deflected the overriding nationalist concerns and strategic attention of the Allied States in the Balkans toward broader alliance objectives in the superpower confrontation. NATO stepped cautiously and with few accomplishments in trying to reconcile the differences between Greece and Turkey and obviously, alliance solidarity and planning suffered.¹⁸⁶ And when one considers the broad sweep of the post-World War II era, the Soviet Union moved warily and suffered even greater setbacks in maintaining what was initially and briefly a solid Communist wall of four states in South-eastern Europe.

As the 1980s drew to a close and the new decade began, dramatic developments in the Soviet Union and Eastern Europe combined to topple Communist Party domination and to bring an end to the Cold War. Soviet hegemony in Eastern Europe crumbled, the Warsaw Pact officially ended its existence on 1 July 1991, and the Union of Soviet Socialist Republics formally died in December 1991. Superpower rivalry ceased, and NATO had justified its existence by defending Western interests and deterring aggression from the East for four decades. But whither NATO's post-Cold War calling?¹⁸⁷

Balkan problems, fundamental to the origins of the Cold War, and laterally to the consequent founding of NATO, would also contribute, in a tortuous manner, the Atlantic Alliance's evolving mission after 1989. The proclaimed "New World Order" proved short-

1996, Vol. 24 Issue 2, p.233.

186
Ibid.

187
Papacosma, S. Victor, NATO In the Post-Cold War Balkans, *Journal of Political & Military Sociology*, Winter 1996, Vol. 24 Issue 2, p.233.

lived, and if anything, not very “new” for South-eastern Europe.¹⁸⁸ Many old problems with pre-1939 origins, revived vigorously along with new variables to create an updated Balkan morass. Nationalism, replacing communism as the dominant ideology, and the world was reminded once again of the durability and regenerative volatility of ethnic hatreds and regional rivalries. Communism and the superpower confrontation had simply muted these sentiments in certain areas. The fall of communism in and rapid superpower retreat from Eastern Europe essentially left the region’s peoples to their own devices, a rare condition with good and bad consequences. The region no longer served itself up as an area of contention between rival Great Power/Superpower interests. Hostilities in the Balkans, if they did not directly involved neighbouring Greece and Italy, both NATO states, could apparently remained localized between the disputants. But the Balkanisation of Yugoslavia compelled governments in Europe and the United States to re-evaluate such initially optimistic assumptions.¹⁸⁹

The complex process of transition from communism to regimes and institutions more resembling those of democratic ad free-market Western Europe has not been smooth and has encountered, dependent upon the country, varying degrees of political, economic, and social difficulties. In the Balkans, as in some republics of the former Soviet Union, ethnic issues have dominated and given direction to post-Communist developments. Yugoslavia, which had implemented a moderate form of Communist rule and which had played with its non-aligned foreign policy a positive role in maintaining regional stability, has had a bloody post-Cold War life.¹⁹⁰ Tito’s creative manipulation of Communist power and federalism had managed to hold together a multi-ethnic state. Cold War dynamics and a viable economy also contributed to the maintenance of this regime.¹⁹¹ But potential difficulties manifested themselves even before Tito’s death in 1980, economic and political conditions worsen during the 1980s, and the fall of Communist regimes elsewhere intensified centrifugal separatist forces in Yugoslavia. Attempts to dismantle Communist hegemony and to maintain the federal structure faltered and then failed, as each national group had its own agenda. The Yugoslav

188
Ibid.

189
Ibid.

190
Ibid.

191
Ibid; Krebs, Lutz F. and Vorrath, Judith, Democratisation and Conflict in Ethnically Divided Societies, *Living Reviews in Democracy*, Vol 1, 2009.

People's Army (YPA), with its Serbian-domination officer corps, remained the only important organisation still committed to the maintenance of the federation.

As far back as 1980, several European leaders assembled for the funeral of Marshal Josef Tito, the long-time leader of Yugoslavia of the Second World War fame, concluded that this composite state assembled together at least eight nations and ethnic minorities and previously held together by the popular dictator would collapse in five or ten years at the most. No one suggested the possibility of Western intervention to deal with this, though there were certainly fears of Soviet military action. As it turned out, the Soviet Union and Yugoslavia began collapsing simultaneously. But Yugoslavia slide into chaos and confusion for want of a cementing factor like Tito who had recognized and provided for the special interests of the constituent parts of the country.

Starting in 1982-83, in response to nationalist Albanian riots in Kosovo, the Central Committee of the SFRY of Communists adopted a set of conclusions aimed at centralizing Serbia's control over law enforcement and the judiciary in its Kosovo and Vojvodina provinces.¹⁹² In 1986, Serbian President Ivan Stambolic established a commission to amend the Serbian Constitution in keeping with conclusion adopted by the Federal Communist Party. The constitutional commission worked to harmonise its positions and in 1989, an amended Serbian constitution was submitted to the governments of Kosovo, Vojvodina and Serbia for approval. In 1986, Slobodan Milosevic succeed Ivan Stambolic as the leader of Serbian Communist Party. Kosovo-Albanian nationalists reacted violently to the constitutional amendments. In the wake of the unrest following the 1989 constitutional amendments, ethnic Albanians in Kosovo largely boycotted the provincial government and refused to vote in the elections. In the wake of the Albanian boycott, supporters of Slobodan Milsoveic were elected to positions of authority by the remaining Serbian votes in Kosovo.¹⁹³

Nationalist sentiment was aroused by what Serbs perceived as Albanian threats to the sovereignty and communal existence of the Serbs in Kosovo, a Serbian region where Albanians make up more than 90 percent of the population.¹⁹⁴ Exploiting this sentiment, Milosevic consolidated his personal power and abolished Kosovo's autonomy, which provoked alarm in the rest of Yugoslavia.

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International Criminal Tribunal for the former Yugoslavia, United Nations, 5th March 2007. Ramet, Sabrina P., *The Three Yugoslavias: State-building and Legitimation, 1918-2005*, Indiana University Press, Bloomington, Indiana, USA, 2006, p.343.

193

Ibid.

194

Collins, Lieutenant Colonel Donald J., *The War in Bosnia*, U.S. Army War College, Pennsylvania, 1995, pp.2-15.

The 1990 parliamentary elections led to a national assembly dominated by three ethnically based parties, which had formed a loose coalition to oust the communists from power. Croatia and Slovenia's subsequent declarations of independence and the warfare that ensued at the instance of the federal government, placed Bosnia and Herzegovina and its three constituent ethnic groups – the Bosnian Muslims, the Croats and the Serbs – in an awkward position. A significant split soon developed on the issue of whether to stay with the Yugoslav Federation (overwhelmingly favoured among the Serbs) or seek independence (Bosnians and Croats). A declaration of sovereignty in October 1991 was followed by a referendum for independence from Yugoslavia in February and March 1992 boycotted by majority of Bosnian Serbs. The turnout in the independence referendum was 63.7 percent and 99.4 percent voted for independence. The controversy lies in the fact that the referendum failed to fulfill the constitutional two-third required majority. Bosnia-Herzegovina declared independence, nevertheless.¹⁹⁵

Milosevic was opposed to granting the republics greater autonomy or independence, and instead claimed the large minority of Serbs in republics had the right to stay in Yugoslavia and that the Yugoslav Constitution gave the right of self-determination to populations (Serbs, Croats etc) as a whole not republics (Serbia, Croatia etc).¹⁹⁶

Milosevic was widely blamed for providing financial and military backing to nationalist Serbs fighting in Croatia and Bosnia. He received international criticism for the brutal atrocities that were committed by Serbs in those conflicts. However, trade sanctions imposed by the United Nations (UN) in 1992 had a devastating impact on Serbia's economy and put pressure on Milosevic to reverse his position and support a peace plan. In August 1994 Milosevic broke ties with the Serb leadership in Bosnia and declared that he had closed the border between the two republics.¹⁹⁷

Till April 1992, the United States, especially the Bush Administration, postponed the recognition of the independence of Bosnia, which it had declared in June 1991 along with Croatia and Slovenia.¹⁹⁸ This had led to the disintegration of former Yugoslavia and

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Malcolm, Noel, *Bosnia: A Short History*, New York University Press, New York 1994, p. 20.

196

Kipp, Jacob W. and Thomas, Timothy L., International Ramifications of Yugoslavia's Serial Wars: the Challenge of Ethno-national Conflicts for a Post - Cold-War, European Order, *European Security*, Vol I, No. 4, Winter 93.

197

Delevic, Milica, Economic Sanctions As a Foreign Policy Tool: The Case of Yugoslavia, *International Journal of Peace Studies*, vol.3, January 1998, p.79.

198

Ibid; Woodward, Susan L., *Balkan Tragedy: Chaos and Dissolution After the Cold War*, The Brookings Institution, Washington, 1995, pp.190-195.

the emergence of Serbia as the largest Slav Balkan State, whose mission was to integrate all Serbians who are living in the States that were originally part of Yugoslavia. The Serbian mission was a challenge to Bosnian independence and the ensuing conflict and crisis had the dreaded sequence and most horrible incident of “ethnic cleansing” – killing of Bosnian Muslims by the Serb Christians. These cruel developments did not even move the Bush administration to initiate any humanitarian intervention. The “do nothing” policy of the Bush administration was strongly criticised by the then presidential candidate Bill Clinton who also advocated American intervention to stop the genocide.¹⁹⁹ Significantly, these entire pronouncements during the campaign speech were given up once Clinton entered the White House.²⁰⁰

It is noteworthy that in the Bosnian Crisis, the United States had indicated its option to get involved in peace enforcement or peacekeeping through NATO rather the U.N. Indeed, since the winding of the NATO’s rival Alliance – Warsaw Pact – in 1991, the relevance and future of NATO in post-Cold War era became a major debate among American policy elite and policy makers.²⁰¹ Increasingly, this debate moved in the direction of upholding NATO’s relevance and assigning a new role for it in the post-Cold War era. A Rand Corporation study observed: “While almost everyone from the Atlantic to the Urals shudders at the prospects of NATO crumbling and the United States withdrawing from Europe, the simple fact is that if NATO does not address the primary security challenges facing Europe today, it will become increasingly irrelevant. NATO must go out of area or it will go out of business”.²⁰² This meant NATO’s original area of operation needed to be amended and extended as far as East to Russia and beyond and that the Bosnian crisis needed NATO response. Signs of such policy approach was revealed when the United States took the leadership in NATO’s decision to use air-power to protect U.N. forces, if attacked.

199

Power, Samantha, “Bystanders to Genocide,” *The Atlantic Monthly*, Volume 288, No. 2, September 2001, pp.84-108.

200

Raj, Christopher, “United States and U.N. Peacekeeping in Post-Cold War Era” in Varma, Lalima, (ed), *United Nations in the Changing World*, Radiant Publishers, New Delhi, 1997, pp. 65-67.

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Latawski, Paul and Smith, Martin, *Kosovo Crisis and the Evolution of post-Cold War European Security*, Manchester University Press, 2003, pp.11-40.

202

Asmus, Ronald D., “Building A New NATO”, *Foreign Affairs*, Volume 72, No.4, September-December 1993, p. 31.

Meanwhile, the Clinton administration had almost completed the Presidential Decision Directive (PDD)-25 relating to U.S. participation in the U.N. peacekeeping operations.²⁰³ In April 1994, the United States led the first NATO air strike against Bosnian Serb forces to hold a Serb attack on the U.N. safe area of Gorazde. In November 1994, again the U.S under NATO banner carried out intensive air strikes on Serbian positions in Bosnia and Croatia. Hence, increasingly, American policy in Bosnia had been to contain the conflict through NATO by adopting a strategy of “lift and strike” – lift the international arms embargo on Bosnia and carry out “surgical” strike on the Bosnian Serbs. Indeed, such a containment policy was pursued essentially to meet the challenges of the Republican Party, which won a majority in the Congress following the November 1994 elections.²⁰⁴

International recognition especially by the European Union²⁰⁵ of Bosnia and Herzegovina increased diplomatic pressure for the Yugoslav People’s Army to withdraw from the republic’s territory, which they officially did. Savage warfare along ethnic and religious dividing lines then broke out on the soil of the former Yugoslavia, causing heavy loss of life among the civilian population and releasing floods of refugees.

On NATO’s doorstep, Yugoslavia with its declining state of affairs attracted attention, but the United States and its allies during the late summer of 1990 began concentrating on a response to Iraq’s invasion of Kuwait.²⁰⁶ European Community member-states appeared preoccupied with advancing European integration. The future of the Soviet Union also concerned Western allies, who hoped to take advantage of pending opportunities to downsize defence budgets.²⁰⁷

203

Clinton Administration Policy on Reforming Multilateral Peace Operations (PDD 25), Bureau of International Organizational Affairs, U.S. Department of State, February 22, 1996.

204

Finan, William W., “America and the World: Drift and...?”, *Current History*, Philadelphia, March 1995, no.57, p.137.

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Burg, Steven L., and Shoup, Paul, “The War in Bosnia-Herzegovina: Ethnic Conflict and International Intervention”, *Political Science Quarterly*, Volume 114, No. 3, Autumn 1999, pp.521-522.

206

Papacosma, S. Victor, NATO In the Post-Cold War Balkans, *Journal of Political & Military Sociology*, Winter 1996, Vol. 24 Issue 2, p.233-236.

207

Ibid.

Yugoslavia's disintegration, with the accompanying shock to the regional status quo, probably would have created a Cold War crisis and might well have invited the intervention of one superpower – with an inevitable counter response from the other. Stakes such as these did not exist now and consequently broader security issues beyond the borders of the former Yugoslavia that threatened the territorial integrity of NATO members did not appear to be involved. An Alliance based on collective defence and conceived for the different international challenges of the Cold War, NATO thus had no prescribed charge in the Yugoslav situation – a redefinition of its mission had to be proposed and accepted to justify its existence. With its structure, forces, equipment, and overall military capabilities, NATO was, however, the organisation that could doubtlessly produce the most conclusive results if its members called it on to act assertively.²⁰⁸ Notwithstanding many differences and the utilisation of intra-alliance pressures and compromises in arriving at a common policy, the Soviet threat had provided the crucial unifying focus for NATO allies for four decades. New criteria for determining threats to security and accompanying responses had to be established for the Alliance that had succeeded so well in another era and that generated few calls for its dissolution in the present.

NATO was by no means ready or willing to involve itself in the worsening Yugoslav situation when fighting broke out in the mid-1991. The constraints were many and included the reluctance of the United States to intervene and its preference to have Europe respond to the crisis.²⁰⁹ As just one early example, this phenomenon of a lack of unity among allies plagued policymaking and the determination of common strategy in NATO and in what have come to be termed NATO's interlocking institutions. The European Union, the Conference on Security and Cooperation in Europe (CSCE), the Western European Union, and the United Nations all entered into the diplomatic campaign to arrange an end to Yugoslav fighting before the close of 1991. These efforts all faltered in trying to contain the fighting that spread to Bosnia-Herzegovina. The situation then became even more complicated, as a triangular conflict involving Muslim, Serbs and Croats in shifting alliances further plagued those actively seeking resolution to the conflicts. By 1992, world opinion generally singled out the Serbs as the prime culprits in a war of aggression that viciously and deliberately claimed thousands of innocent civilians among its victims.²¹⁰

208
Ibid.

209
Ibid; Ifantis, Kostas, 'Security and Stability: EU and NATO Strategies', in V. van Meurs (ed.), *Beyond EU Enlargement: The Agenda of Stabilisation for Southeastern Europe*, Vol.2., Gutersloh, Bertelsmann Foundation Publishers, 2001, 95-117.

210
Ibid.

The Western powers sent military missions to put an end to the murders and persecutions, which, according to them, threatened European stability, initially through the United Nations or backed by UN resolutions. They backed by NATO's military capability entered the country to safeguard the implementation of the Dayton Peace Agreement that the Serbian Yugoslav President Slobodan Milosevic refused to accept and abide by. Under the terms of the agreement, the NATO deployed peacekeepers for the first time leading a 60,000 Implementation Force (IFOR).²¹¹ The UN Security Council was slow to act thanks mainly to the pro-Serbian leanings of Russia.

Given the strangulation of the powers of the U.N. mission in Bosnia, it was not surprising when NATO stepped in and the war got "Americanised". The immediate provocation for NATO intervention was a bomb attack in a Sarajevo market by the Serbs, killing dozens of civilians.²¹² With this, the U.N. authority was linked to NATO intervention. NATO command being unified, necessitated much less democratic or transparent decision-making than that of the U.N. This made it a preferable form of intervention for the United States and the West.

A confidential NATO-U.N. "MOU" gave NATO the authority for air strikes. This undermined the U.N. veto on NATO action and allowed punitive air strikes in Bosnia.²¹³ The logic of the U.N.-NATO deal was clear. U.N. approval with NATO action was a mere formality. The plan was to rescue U.N. troops with NATO combat troops. (British Commander in Bosnia Rupert Smith pulled the British army out of Gorazde in the night, while world attention was focused on NATO bombing. This left 62,000 Bosnian Muslims to their fate). Similarly, the U.S.-led peace deal, which was in the offing, eased out the U.N. and European Community negotiators and brought in the Americans.²¹⁴

The NATO air offensive (rather than face ground troops, NATO preferred the safety of air strikes) was accompanied by two critical moves. One was the agreement between

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Sagramoso, Domitilla, "Why Did Milosevic Give In? Political Cooperation in Retrospect," in Kurt R. Spillmann, *Kosovo : Lessons Learned for International Cooperative Security*, Peter Lang Publication Inc, 5th January, 2000, pp.45-59.

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Malcolm, Noel, *Kosovo: A Short History*, New York University Press, New York, 1998, pp.450-458; Owen, David, *Balkan Odyssey*, Victor Gollanz, London, 1995, pp.45-50.

213

The Guardian Weekly, August 27, 1995.

214

Chenoy, Dr. Anuradha, "Crisis in Bosnia and U.N. Peacekeeping", in Varma, Lalima, (ed), *United Nations in the Changing World*, Radiant Publishers, New Delhi, 1997, p. 92.

the Bosnian Muslims and the Croats for an Alliance against the Serbs.²¹⁵ This agreement was sponsored by the Americans and was signed in Washington.²¹⁶ Second, the American Holbrooke plan was offered to the Serbs and the warring sides.

The Clinton administration moved from a policy of containment to one of so-called “liberal interventionism” to change the military situation on ground in Bosnia and diplomatically pressurise the Serbs to the negotiation table.²¹⁷ The Clinton Administration first abandoned control of compliance with the embargo imposed by the United Nations Security Resolution on the supply of arms to Bosnia from February to December 1995, illegal deliveries of weapons and training was provided by retired military officers of the U.S. armed forces to the armed forces of the Republic of Croatia.²¹⁸ This was the turning point. The Croatian armed forces in cooperation with the Bosnian government forces captured Western Bosnia, which resulted first in the exodus of about 160,000 Serbs. Subsequently, in August and September 1995, the American aircraft under the NATO banner carried out massive bombing on the Bosnian Serbs, which resulted in Bosnian leadership agreeing to negotiate. This opened the road to peace negotiations in Dayton.²¹⁹

The Dayton Proximity Talks culminated in the initiating of a General Framework Agreement for Peace in Bosnia and Herzegovina.²²⁰ Firstly, Bosnia-Herzegovina, Croatia and the Federal Republic of Yugoslavia (FRY) agreed to fully respect the sovereign equality of one another and to settle disputes by peaceful means. Secondly, the FRY and Bosnia-Herzegovina recognised each other and agreed to discuss further aspects of their mutual recognition. Thirdly, the parties agreed to fully respect and

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Young, Rick and Mokhiber, Jim, Nation Building in Bosnia, *Frontline*, 11th May, 1999. Available online at <http://www.pbs.org/wgbh/pages/frontline/shows/military/etc/peace.html>.

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Izetbegovich, Ilija, Bosnian President, Speech, *Summary of World Broadcasts*, Central Europe, August 16th, 1995.

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Dumbrell, John, Clinton’s Foreign Policy: Between the Bushes, 1992-2000, Routledge, 2009, pp.5-30.

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Simic, Predrag, “The End of the War”, *Review of International Affairs*, Belgrade, December 1975, p.5.

219

Ibid.

220

Securing a Peace Agreement for Bosnia, Bureau of Public Affairs, U.S. Department of State Dispatch Supplement, Volume 6, Number 5, December 1995.

promote the fulfilment of the commitments made in the various Annexes and they obligated themselves to respect human rights and the rights of refugees and displaced persons. Finally, the parties agreed to cooperate fully with all entities, including those authorised by the United Nations Security Council, in implementing the peace settlement and investigating and prosecuting war crimes and other violations of international humanitarian law.²²¹

In November 1995, the signing of the Dayton Agreement (or in other words, The General Framework Agreement for Peace in Bosnia and Herzegovina) in Dayton, Ohio, US, by the Presidents of Bosnia and Herzegovina (Alija Izetbegovic), Croatia (Franjo Tudman) and Yugoslavia (Slobodan Milosevic) brought a halt to the fighting, roughly establishing the basic structure of the present-day state. The number of identified victims is currently at 97,207 and number of deaths estimated to total number to be less than 110,000 killed (civilians and military)²²² and 1.8 million displaced. The Hague War Crimes Tribunal charged Milosevic with crimes against humanity, violating the laws or customs of war, grave breaches of the Geneva Conventions and genocide for his role during the wars in Croatia, Bosnia and Kosovo.²²³

The Dayton Accord divided Bosnia into two entities – a Muslim Croat Federation and Bosnian Serb Republic – roughly equal in territory and loosely joined by a Central Government. A critical factor in the agreement was the U.S. commitment of over 20,000 ground troops in Bosnia as part of 60,000 NATO troops in a year-long NATO peacekeeping operations. Commenting on the decision to contribute 20,000 American troops for the NATO peacekeeping operation in Bosnia, President Clinton said:²²⁴

“In Bosnia, we can and will succeed because our mission is clear and limited and our troops are strong and well prepared. But my fellow Americans, no deployment of American troops is risk-free, and this one may well involve casualties. I will take every measure possible to minimise these risks, but we must be prepared for that possibility. And so I ask all Americans, and I ask every

221
Ibid.

222
“War-related Deaths in the 1992-95 Armed Conflicts in Bosnia and Herzegovina: A Critique of Previous Estimates and Recent Results”, *European Journal of Population*, June, 2005, p. 10.

223
Kim, Julie, *Yugoslavia War Crimes Tribunal: Current Issues For Congress*, Congressional Research Service, Foreign Affairs, Defence and Trade Division, 23rd May, 2002.

224
“The Bosnian Conflict: U.S. Involvement in the Balkans”, *Congressional Digest*, Washington D.C., February 1996, p. 41.

member of Congress, to make the choice for peace. In the choice between peace and war, Americans must choose peace.”

By the time of the Dayton Agreement on Bosnia in November 1995, it was clear that there would be a major problem over Kosovo.²²⁵ The particular nature and urgency of the negotiations at Dayton precluded its inclusion. Milosevic was regarded as an integral part of that settlement and additional pressure could not be brought to bear on him over this separate question. Nevertheless, the issue remained and it appears, in retrospect, that the winding-up of the EU-UN led International Conference on former Yugoslavia, after Dayton but before a more comprehensive settlement of Balkan issues, was a mistake.²²⁶ It was compounded by the fact that the continuing diplomatic sanctions included the suspension of Yugoslavia from the OSCE. That did not bring about the desired result, and indeed had a negative effect.

NATO's support for the UN-led peacekeeping efforts – though difficult - opened a new era of cooperation between these two institutions. The deployment of the multinational Implementation Force (IFOR) was equally significant.²²⁷ The deployment of Implementation Force, which included soldiers from NATO and non-NATO countries, was the Alliance's first major military operation on land, which contributed greatly to the re-shaping of the post-Cold War identity of the Alliance.²²⁸ It was a visible demonstration that the whole of the international community was determined to end the war and set Bosnia on the path of peaceful reconstruction. The adaptation was evident in the way in which the peacekeeping in Bosnia and Herzegovina under Implementation Force and later the Stabilization Force (SFOR) evolved and provided lessons that proved vital when the NATO deployed the Kosovo Force (KFOR) in 1999, this time against the wishes of the UN Security Council and even against the wishes of some of the Alliance Partners.

Why does NATO remain so central? Because it combined three key elements no other organisation can match.²²⁹ Firstly, the transatlantic link meant that NATO brought together North America and Western Europe, which was the two major centres of

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Wentz, Larry, *Lessons from Bosnia: The IFOR Experience*, National Defence University Press, Fort McCair, Washington D.C., 1998, pp.30-50.

226

Sandole, Dennis J.D., *Peace and Security in the Postmodern World*, Routledge, London, 2007, pp.95-111.

227

Speech by Dr. Javier Solana, NATO Secretary General on “Collective Security and the Post-Cold War World” at the Conference On “Crisis Management and NATO Reform”, Rome, 15 June 1998.

228

Ibid.

democracy and market economy, and two principal actors in upholding international stability. Secondly, the military structure meant that NATO forces were able to operate together under effective command and control arrangements, even in the most difficult of circumstances. And the principal of consensus meant that each decision taken by the Alliance was the result of a thorough, deliberate process of reflection and consultation, with no country being ignored or pushed aside. Bosnia demonstrated most visibly the continuing value of these key ingredients.

In his speech in NATO Defence College in Rome in 1996, NATO Secretary-General Javier Solana stated: "The transatlantic solidarity displayed in Bosnia not only put an end to the fighting but made it possible to move beyond containment of war. Our military structure enabled NATO to orchestrate the most complex military operation in Europe since the Second World War. And NATO's political consultation process gave us flexibility to incorporate contributions by so many countries and to reconcile so many different interests."²³⁰

At the Conference on 'Crisis Management and NATO Reform' in Rome in 1998, NATO Secretary-General Javier Solana stated²³¹,

"The international presence in Bosnia-Herzegovina created in practice a working system of mutually reinforcing institutions. For the peace-building process, which emerged in Bosnia rests on mutual reliance among institutions. IFOR and SFOR have closely coordinated with many other institutions in Bosnia. Without the secure environment provided by NATO and its Partners, the OSCE could not have organized democratic elections. Without IFOR and SFOR, the economic and political reconstruction efforts led by the EU, the UN, the OSCE and many non-governmental organisations could not have started."

The crisis in the former Yugoslavia can be viewed as a baptism of fire for the newly transformed NATO. The Alliance has taken several concrete steps in support of the effort by the United Nations to end the internecine warfare in this region.²³² NATO forces are enforcing the no-fly zone over Bosnia-Herzegovina as well as the UN arms embargo and the maritime blockade of Serbia and Montenegro, and have also offered to provide protection under UN peacekeeping troops in Bosnia-Herzegovina, including the use of

229

McCalla, Robert, NATO's Persistence after the end of the Cold War, [*International Organization*](#), Volume 50, Issue 03, Summer 1996, pp. 445-475; Speech by Dr. Javier Solana, NATO Secretary General on "NATO: Fit for the 21st Century" at NATO Defence College in Rome in 1996.

230

Speech by Dr. Javier Solana, NATO Secretary General on "NATO: Fit for the 21st Century" at NATO Defence College in Rome, 13th September 1996.

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Speech by Dr. Javier Solana, NATO Secretary General on "Collective Security and the Post-Cold War World" at the Conference On "Crisis Management and NATO Reform", Rome, 15 June 1998.

air strikes should the UN so request.²³³ All the allies understood that these operations might have to be followed by more direct and more dangerous initiatives on the ground. NATO Secretary-General Manfred Worner described the nature of operation clearly in a speech in Rome:²³⁴

“What an irony! An organisation created to deal with the military challenge of the Cold War, and which survived that Cold War and succeeded without firing a shot, now has to contemplate seriously the use of force-after the Cold War has ended, and outside of what has traditionally been called the NATO Treaty area.”

On May 7, 1996, the first trial under jurisdiction of the International Criminal Tribunal for the former Yugoslavia (ICTY) began.²³⁵ It was the beginning of a remarkable experiment in international humanitarian law, a nascent body of law rooted in international custom and binding on all states. Not since the Nuremberg and Tokyo trials has the international community unambiguously declared that individuals who violate fundamental human rights will be held accountable and brought to justice.

II. KOSOVO (1999)

Just when one fire was being put out, another sprang up, this time in the Serbian province of Kosovo, perhaps encouraged by the secession of Bosnia-Herzegovina and Croatia. This Serbian province was populated mainly by the ethnic Albanians, many of whom were fighting for autonomy or independence for Kosovo.²³⁶ NATO deployed a force of 50,000 troops to a safe and secure environment for the future UN-

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Stuart, Douglas, NATO's Future As A Pan-European Security Institution, *NATO Review*, Vol.41, No.4, August 1993, pp.15-19.

233

Kriendler, John, “NATO's changing role-opportunities and constraints for peacekeeping”, *NATO Review*, No. 3, June 1993, pp. 16-22.

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Speech by the Secretary General Manfred Worner in Rome, 10 May 1993, p.1, NATO Office of Information and Press.

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Ellis, Mark S., Achieving Justice After the International War Crimes Tribunal: Challenges for the Defence Counsel, *Duke Journal of Comparative and International Law*, Vol 7, 1996-1997, pp.519-520.

236

Beary, Brian, Separatist Movements Should Nations Have a Right to Self-Determination?, Vol 2, Issue 4, CQ Global Researcher, 2008, pp.10-15.

administration in Kosovo and hoping to end the ongoing repression of the minority ethnic Albanians by the FRY's ethnic Serbian majority.²³⁷

Kosovo has been disputed between Serbs and Albanians for generations and their respective fortunes have ebbed and flowed. For most of this century Serbs have been a minority in Kosovo. In 1912 Serbia annexed the province.²³⁸ This situation was recognised by the Treaty of Versailles in 1918 but in the next quarter century Serbian rule created great antagonism in the Albanian population. In 1941 the incorporation of Kosovo into greater Albania (under Italian control) led to thousands of Serbs being killed. After the war Tito ruled Kosovo as a Yugoslav Republic in all but name until the late 1960s. Then a policy of 'Albanianisation' caused many Serbs to leave, complaining of discrimination.²³⁹ Landlocked and poor, apart from mineral deposits, Kosovo was an autonomous region of the Socialist Yugoslav Federation and had effective self-government in 1974, but ethnic tensions escalated in the 1980's as Yugoslavia began to crumble and economic conditions deteriorated.

In 1986/7 Slobodan Milosevic rose to power in Serbia on the back of Serb grievances against the Albanians in Kosovo. In 1989 he revoked Albanian autonomy and banned their language in schools and offices. In 1992, under the moderate (indeed pacifist) leadership of Ibrahim Rugova, a strategy of passive resistance was adopted, a parallel state set up, a new constitution proclaimed and elections held. Albanians officially demanded independence since renegade elections in 1992 made pacifist leader Ibrahim Rugova President of a self-declared republic.²⁴⁰ The demand was ignored as FRY was then engaged in a fight for pieces of Croatia and Bosnia and Kosovo's campaign became an armed struggle led by the Kosovo Liberation Army, a ruthless guerilla force. Serb forces hit back so hard in 1998 that 100,000 Albanians were reported to have fled to the hills and NATO powers warned Milosevic that they would not tolerate another round of "ethnic cleansing" in the Balkans.²⁴¹ Peace talks failed in Paris and in March 1999 NATO started bombing to force Serbia to withdraw.

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Knudsen, Tonny Brems and Lausten, [Carsten Bagge](#), *Kosovo between War and Peace, Nationalism, Peacebuilding and International Trusteeship*, Routledge, London, 2006, pp.20-23.

238

Beach, Hugh, "Secessions, Interventions and just war theory: the case of Kosovo", pp. 11-36 in Pugwash Study Group, Pugwash Study Group On Intervention, Sovereignty and International Security, Council of the Pugwash Conferences on Sciences and World Affairs, Cambridge, February 2000.

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Ibid.

240

Ibid.

The first NATO attacks were limited to a few dozen military targets, but the alliance dramatically expanded the air campaign against the FRY after reports of widespread atrocities by the Serbian forces against Kosovo's ethnic Albanian civilian population. NATO had issued several ultimatums to Belgrade, threatening to drop bombs even without the backing of an explicit UN resolutions-since China Russia had threatened to use their veto.

In the ensuing 79 days NATO flew some 38,000 sorties against Yugoslavia of which around 10,000 were strike missions. Some 23,600 munitions were discharged and 300 cruise missiles. According to their own account some 600 of the Yugoslav military were killed. Serb and Albanian civilian deaths due to the bombing are put at 500 according to Human Rights Watch.²⁴² Meanwhile, according to NATO accounts, more than 1.5 million Albanians had been forced from their homes, of which nearly one third left the country.²⁴³ The number of Albanians reported missing during the expulsion campaign and believed dead has been given as 11,334 by the International Criminal Tribunal for the Former Yugoslavia.²⁴⁴ On 3 June Milosevic rather unexpectedly accepted terms for a ceasefire. On 10 June Serb forces began to withdraw from Kosovo, bombing ceased and the Security Council adopted a resolution whereby NATO forces were to enter Kosovo as an 'international security presence' (UNSCR 1224). Key principles of this resolution included not only substantial self-government for Kosovo but also the territorial integrity of Yugoslavia (including Kosovo) and demilitarisation of the KLA. Separatism was thus duly 'repelled'.²⁴⁵

Instead of persuading Yugoslav leaders to accept a negotiated peace, the air strikes appeared to deepen Serbian resolve to oppose NATO demands and intensified the violence directed at ethnic Albanians. Serbian troops bombarded villages, killed civilians

241
Ibid.

242
International Herald Tribune, 08/02/2000.

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NATO's Role in Kosovo, *NATO Review*, 15th July, 1999; Daalder Ivo H., and Hanlon Michael E., *Winning Ugly: NATO's War to Save Kosovo*, Brookings Institution Press, October 1, 2001, pp.15-20.

244
International Herald Tribune, 11/11/1999.

245
Beach, Hugh, "Secessions, Interventions and just war theory: the case of Kosovo", pp. 11-36 in Pugwash Study Group, *Pugwash Study Group On Intervention, Sovereignty and International Security*, Council of the Pugwash Conferences on Sciences and World Affairs, Cambridge, February 2000.

in Kosovo and forced hundreds of thousands of ethnic Albanians to flee the province. Critics charged that NATO failed to anticipate the refugee crisis.²⁴⁶

The Kosovo crisis had brought the question of humanitarian intervention to centre stage. Nineteen NATO countries had used extensive military force in Yugoslavia for the state purpose of compelling the government of Slobodan Milosevic to cease its repression and expulsion of ethnic Albanians living in the area of Kosovo.²⁴⁷ NATO member states did not take the issue to the Security Council, anticipating Russian and Chinese vetoes. Not wanting Western policy to be held captive by a Russia historically sympathetic to Serbia, and by a China unsympathetic to international enforcement action for human rights, NATO states proceeded to undertake air strikes. Alliance unity and Western public opinion held firm support of extensive bombing, despite controversy over selection of targets and collateral damage to civilians.²⁴⁸

At the time of writing, the denouncement of this crisis was yet to be known. Much Western opinion was caught in various dilemmas. Having stood aside during Hitler's rise to power, with disastrous consequences, should the West defer to Yugoslavia's sovereignty and allow Milosevic to work his evil? Given the lack of Western vital interests defined in traditional terms, did liberal democracy in Europe constitute a new vital interest?²⁴⁹

At the end of the 21st century, it seemed clear that when the Permanent Five members of the Security Council could avoid profound disagreement, Charter language about international security could be stretched to include human security inside states. This approach could provide for collective intervention to protect various human rights. Should NATO prevail on issues pertaining to Kosovo, a strong argument could be made

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Jones, Pauline Neville, "Dayton, IFOR and Alliance Relations in Bosnia", *Survival*, 38, no. 4, Winter 1996-1997, p. 46; "Recent Background to Current Crisis in Kosovo", *Jane's Sentinel*, March 1999 at www.janes.com/defence/features/kosovo/background.html.

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Denison, Andrew B., "The United States and the Lessons of the Kosovo Campaign" in Spillmann, Kurt R., and Krause, Joachim, (ed.) *Kosovo: Lessons Learned for International Cooperative Security*, Peter Lang Publishing, New York, 28th May, 2000, pp. 175-195.

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Forsyther, David and Rieffer, Barbara Ann J., "Human Rights, the United Nations and Foreign Policy", Volume 15, No.3, Summer 1999, p.15.

249

Schnabel, Albrecht and Thakur, Ramesh Chandra, *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship*, United Nations University Press, 1st January, 2000, pp.456-475.

for another step toward establishing collective humanitarian intervention in customary international law, supplement to the U.N. Charter. No doubt controversies would remain about what situation justified such intervention, and whether such claims were employed responsibly.²⁵⁰

The legality of the use of force against a sovereign nation without a UN mandate became a matter of intense debate as NATO justified its actions on the basis of an “International Humanitarian Emergency”.²⁵¹ At the same time, it is a fact that no NATO member is obliged by treaty to participate. In any case, anyone who bears in the mind the history of the Balkans over the centuries will take a sceptical view of the possibility of bringing stable peace to the area by any form of military intervention. Could NATO have used force acting under the UN Charter in a situation where there was no attack, present or imminent, against anyone of the members of the Alliance?²⁵² The NATO Charter specifies that NATO is an organisation created for defence of its members, but in this case, as also in the case of Bosnia-Herzegovina, it was used to mount an attack on a non-NATO country (Yugoslavia), which was neither directly, nor indirectly threatening any NATO member.

The U.N. Secretary-General Kofi Annan said:²⁵³

‘The (UN) charter protects the sovereignty of peoples. It was never meant as a license for governments to trample on human rights and human dignity. The fact that a conflict is ‘internal’ does not give parties any right to disregard the most basic rules of human conduct... All our professions of regret, all our expressions of determination never again to permit another Bosnia or another Rwanda, all our claims to have learned something from the recent past will be cruelly mocked if we now let Kosovo become another killing field’.

NATO countered this argument by making three contentions²⁵⁴: that in Kosovo, it was defending the basic principles of its Charter, namely democracy and freedom; that instability in the Balkans was a direct threat to the security interests of the NATO

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Ibid.

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Greenwood, Christopher, Humanitarian intervention: the case of Kosovo, *Finnish yearbook of International Law*, Helsinki, Finland, Kluwer Law, 2002, pp. 141-175.

252

Ibid.

253

“Two Concepts of Sovereignty” by Kofi Annan in *The Economist*, 18/09/1999.

members, and that at any rate, the gross violation of human rights in Yugoslavia amounted to a threat to neighbouring countries some of which are Alliance partners. Hence, NATO Charter justified military action, argued the prominent alliance members like the United States.

The action in Yugoslavia in 1999 marked a new departure for NATO; it has moved away from its original role as an organisation for collective self-defence. As noted already, the end of the Cold War, it had begun a quest for a new role for itself; from 1990 on it began to redefine itself.²⁵⁵ It agreed on the need to transform the Atlantic Alliance “to reflect the new, more promising era in Europe” and it adopted a new Strategic Concept in 1991.²⁵⁶ This provided that risks to allied security were less likely to result from calculated aggression against the territories of the Allies, but rather from the adverse consequences of instabilities that may arise from the serious economic, social and political difficulties, including ethnic rivalries and territorial disputes which are faced by many countries in central and eastern Europe. These tensions could lead to crises inimical to European stability and even to armed conflicts, which could involve outside powers or spill over into NATO countries, having direct effect on the security of the Alliance. Accordingly, NATO would have to be prepared to undertake management of crises.

In pursuance of this new role, NATO became involved in the conflict in the former Yugoslavia and used force other than in collective self-defence before the military action in Kosovo.²⁵⁷ But in this conflict, its member states were specifically authorized to use force by the Security Council. First, after the imposition of a complete trade embargo in Serbia and Montenegro, member states acting nationally or through regional agencies or arrangements were called on a “to use such measures commensurate with the specific circumstances as may be necessary under the authority of Security Council to halt all inward and outward maritime shipping” in order to ensure strict implementation

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Martinez, David, “NATO: Maintaining Relevance in the Twenty-First Century”, Naval Postgraduate School, California, June 2012, pp.45-61.

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See Chapter 4 Part I. On NATO’s redefinition of its role up to February 1999 and on the NATO action with regard to Kosovo up to this date. Simma, Bruna, ‘NATO, the U.N. and the Use of Force: Legal Aspects’, *European Journal of International Law*, 1999, p. 15.

256

Ibid; Johnson, Jennifer L., *NATO’s Crisis Management in the Balkans*, Naval Postgraduate College, California, June 2002, pp. 1-7.

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Joyner, Daniel H., The Kosovo Intervention: Legal Analysis and a More Persuasive Paradigm, *European Journal Of International Law*, Vol 13, Issue No.3, 2002, pp.20-25

of the embargo. Despite the controversy as to whether NATO is actually a regional arrangement, it was clear that this was intended to authorize NATO action.²⁵⁸ Subsequently, NATO was authorized to use force to ensure compliance with the ban on military flights over Bosnia-Herzegovina and to protect the “safe areas” in Bosnia. The action taken under these resolutions by NATO was its first out of area action and its first UN authorized action.

After this action, further changes were made to NATO’s strategic concept. The 1991 new Strategic Concept had still emphasised that the “Alliance is purely defensive in purpose.”²⁵⁹ This phrase has disappeared from the newest Strategic Concept adopted in 1999. NATO was now not only to ensure the defence of its members but also to contribute to peace and stability in the Euro-Atlantic region.”²⁶⁰ NATO would undertake new missions including conflict prevention and crisis management. This latest redefinition of NATO was made specifically in response to the events in Kosovo. The member states in announcing in 1999 Strategic Concept explained:²⁶¹

“The continuing crisis in and around Kosovo threatens to further destabilize areas beyond FRY. The potential for wider instability underscores the need for a comprehensive approach to the stabilization of the crisis region on South-Eastern Europe. We recognize and endorse the crucial importance of making South-Eastern Europe a region free from violence and instability. A new level of international engagement is thus needed to build security, prosperity and democratic civil society, leading in time to full integration into the wider European family.”

Nevertheless, when NATO resorted to force to protect ethnic Albanians in Kosovo, there was some ambivalence in the official NATO statements as to the precise legal justification for its action in Yugoslavia. NATO did not on the whole clearly and expressly invoke humanitarian intervention as a legal doctrine²⁶²; the initial authorization by the North Atlantic Council of air strikes in January 1999 said simply that the crisis in Kosovo

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Simma, Bruna, ‘NATO, the U.N. and the Use of Force: Legal Aspects’, *European Journal of International Law*, 1999, pp.20-25.

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Wijk, Rob de., Towards a new political strategy for NATO, *NATO Review*, Vol. 46, No. 2, Summer 1998, pp. 14-18.

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Winter, Beata Górka and Madej, Marek, NATO Member States And the New Strategic Concept: An Overview, *Polish Institute of International Affairs*, Warsaw, May 2010, pp.1-5.

261

NATO Press Release NAC-S (1999), 64.

was a threat to the peace and security of the region; the NATO strategy was to halt the violence in Kosovo and thus avert a humanitarian catastrophe.²⁶³

When Operation Allied Force began in March 1999, the NATO justification focused primarily on moral and political rather than expressly legal justifications for the action. The NATO Secretary-General said that all efforts to achieve a negotiated, political solution to the Kosovo crisis had failed and that the NATO forces were taking action to support the political aims of the international community.²⁶⁴ The military aim was to contain and suppress the violent acts being committed by the Serb army and to weaken their ability to cause further humanitarian catastrophe. They wished thereby to support international efforts to secure Yugoslav agreement to an interim political settlement. "We must halt the violence and bring an end to the humanitarian catastrophe now unfolding in Kosovo."²⁶⁵

In September 1998, the Security Council adopted Resolution 1199, which invoked Chapter VII of the UN Charter²⁶⁶, and determined that the deterioration of the situation in Kosovo constituted "a threat to peace and security in the region". The Council demanded the cessation of hostilities, a ceasefire, as well as immediate steps by both parties to improve the humanitarian situation and enter into negotiations with international involvement. This interpretation was along the lines of the fierce opposition of China and Russia in 1998 to any UN authorization of the use of force against Yugoslavia.

After the NATO bombing had destroyed much of Yugoslavia's infrastructure, the FRY consented to most of the Alliance's demands. These demands were: immediate and verifiable end of violence and repression in Kosovo, withdrawal from Kosovo of military, police and paramilitary forces, and deployment in Kosovo of effective

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Wheeler, Nicholas J., *Unilateral Humanitarian Intervention and International Law*, Paper presented to the British International Studies Association Annual Conference held at the University of Bradford, 18-20 December 2000.

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NATO Press Release 99/12, 30 January 1999.

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Gray, Christine D., *International Law and the Use of Force*, Oxford University Press, Oxford, 2004, pp.40-45.

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NATO Press Release, 1999 (040).

266

UN Security Council Resolution 1199, September 1998.

international civil and security presences, endorsed and adopted by the United Nations, capable of guaranteeing the achievement of common objectives.²⁶⁷ FRY leaders signed an agreement that ended the bombing and placed Kosovo under international control. As part of the agreement, a NATO-led multinational force occupied Kosovo to help ensure the safe return of ethnic Albanian refugees.²⁶⁸ The Kosovo Peacekeeping Force saw its mission extended to protect public safety, demilitarize Kosovo and provide humanitarian assistance.²⁶⁹ The agreement also mandated the disarmament of the KLA, which indeed proved to be a hard nut to crack.

NATO's involvement in Kosovo indicated the expanded role of the alliance in European and World affairs. Prior to the hostilities, military forces under NATO command served primarily to deter the would-be attackers.²⁷⁰ During the Kosovo operation, NATO attempted to use its military might to advance humanitarian goals, to force compliance with the alliance's wishes and to prevent the possibility of a wider conflict in Europe. NATO intervened in Kosovo despite the fact that the FRY directly attacked none of the alliance's members.²⁷¹

The NATO's actions have caused intense controversy between many people in the Alliance states and in particular in those countries, which, like Russia, do not belong to NATO and which, consider it an instrument of dominance for the largest Alliance member, the United States.²⁷² The Non-Aligned countries were equally critical of NATO's new policy of interventionism.²⁷³

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U.N. Security Council Resolution 1244, June 10, 1999.

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General Wesley Clark, "When force is necessary: NATO's military response to the Kosovo crisis", *NATO Review*, no. 2, Summer 1999, p. 14.

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Lt. General Sir Mike Jackson, "KFOR: Providing security for building a better future for Kosovo," *NATO Review*, no. 3, Autumn 1999, p. 16.

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Microsoft Encarta Encyclopedia, 2003.

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Roberts, Adam, NATO's 'Humanitarian War', Over Kosovo, *Survival*, Vol. 41, no. 3, 1 October 1999.

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Plate, Bernard von, A Changing Defence Alliance - NATO, Stiftung Wissenschaft und Politik, Berlin, 2003, p.11.

Was NATO allowed to start a war, which did not serve to defend against an armed attack on one of its members? It is stipulated in the UN Charter that use of force is prohibited in international relations, with the exception that every state has the right to defend itself against an attack, alone or in collaboration with others.²⁷⁴ But what should be done if in a situation such as in Macedonia or Yugoslavian province of Kosovo, one population group fights against the other, meaning that it is not an attack from outside? Seen from the viewpoint of international law, this is unproblematic if a state expressly requests help from NATO. This was the case in Macedonia, but in the war against Yugoslavia as an answer to the happenings in Kosovo, it was not.

If, therefore, NATO wishes in spite of this fact, to end a conflict such as the one in Yugoslavia using force, it requires special legitimisation. This can only be bestowed by the UN Security Council - the United States, England, France, Russia and the People's Republic of China being the members. Each of these five states can by placing a veto, prevent the decision for violent intervention. In the case of Kosovo, Russia made use of this veto right. However, NATO intervened in spite of this.²⁷⁵

The adoption by the UN Security Council of Resolution 1244 (passed on 10 June 1999) after the agreement in principle on a political solution to the Kosovo crisis) did not mark a retrospective acceptance of the legality of the NATO action or of humanitarian intervention.

While there is little doubt that NATO regarded its own cause as just, it stubbornly refused to label what it was doing as a war, preferring neologisms such as 'humanitarian action by military means'. To all practical intents and purposes, however, a 78-day 'campaign' including 37,225 'sorties' (according to the US Secretary of Defence Cohen²⁷⁶) was very much a war – certainly for those on the receiving end of the air strikes and those civilians who fell victims to the FRY's ethnic cleansing campaign.²⁷⁷

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Thakur, Ramesh and Schnabel, Albrecht, *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship*, United Nations University Press, Tokyo, 2000, pp.450-460.

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See Articles 2(4) and Article 51 of the UN Charter.

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von Plate, Bernard, *A Changing Defence Alliance-NATO*, Institution for Science and Politics, Berlin, 01/08/06

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Doggett, Tom, "Cohen Fears 100,000 Kosovo Men Killed by Serbs", *The Washington Post*, 16th May, 1999.

Humanitarian concern for the sufferings of the Albanian inhabitants was clearly the main motive but the 'credibility' of NATO (represented in some quarters as American hegemonism) was also at issue. Another consideration was that if Milosevic was allowed to have his way in Kosovo it would be the turn of Macedonia next, leading to a wider Balkan war; or at least the encouragement of other villains in other places, from which NATO nations themselves would be bound in the end to suffer. Henry Kissinger wrote: 'Humanitarian intervention asserts that moral and humane concerns are so much a part of American life that not only treasure but lives must be risked to vindicate them: in their absence American life would have lost some meaning'.²⁷⁸

Operation *Allied Force* was to force Milosevic to accept the substance of the Rambouillet proposals. It was widely expected that a few days bombing would suffice. Failing this, the military aim was badly defined by General Wesley Clark:

'We are going to systematically and progressively attack, disrupt, degrade, devastate and ultimately destroy these (Yugoslav) forces and their facilities and support. This is not an attack on the Serb people'.²⁷⁹

As far as the first *jus* and *bellum* criterion was concerned, both sides apparently believed to have a just cause. NATO because its motives were pure and unselfish, namely to salvage the civilian Kosovars from a brutal onslaught by the forces of the FRY.²⁸⁰ They could further refer to a number of UN Security Council resolutions labeling as 'wrong' what NATO was referring to 'right'. While there may have been other motives at work behind the scenes, there is little doubt that the humanitarian motives were decisive.

Perhaps more surprisingly, the FRY's cause was also 'right', at least in the legal sense, as it was a clear case of self-defence against what was (again in the legal speaking) an act of aggression, according to the definition of the UN General Assembly in Resolution no.3314 (1974) as the 'use of armed force by state against the

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Moller, Bjorn, "The UN, the USA and NATO, Humanitarian Intervention in the Light of Kosovo", Working Papers, no. 23, Copenhagen Peace Research Institute, 1999.

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International Herald Tribune, 16th Dec, 1992.

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NATO Press Briefing, March 25th, 1999.

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Moller, Bjorn, "The UN, the USA and NATO, Humanitarian Intervention in the Light of Kosovo", Working Papers, no. 23, Copenhagen Peace Research Institute, 1999.

sovereignty, territorial integrity or political independence of another State.’²⁸¹ Where the FRY erred was not in defending itself, but in the way they did so, i.e., according to *jus in bello* criteria (*vide infra*).²⁸²

In SC Resolution 1160, 31 March 1998 the Security Council acted under Chapter VII to impose an arms embargo on the FRY in accordance with article 41.²⁸³ It therefore understood the situation to constitute a threat to international peace and security. It called upon all States to “act strictly in conformity with this resolution”. Security Council Resolution 1203 on 24 October 1998 made specific obligations directed towards the Kosovo Albanian leadership (to comply with all relevant resolutions, to condemn terrorist actions and to pursue its goals by peaceful means only) and towards the Yugoslav government (to comply with all relevant resolutions and to be mindful of its primary responsibility for the safety and security of all diplomatic personnel and for the safe return of the refugees and displaced persons).

A draft resolution proposed by the Russian Federation, Belarus and India on 26 March 1999 condemning the bombing as violating UN Charter articles 2(4), 24 and 53 was rejected by a vote of 12-3.²⁸⁴ This might be taken as tacit approval. SC Resolution 1244, 10 June 1999 adopted in Annex 2 the Agreement on the Principles (Peace Plan) to move towards a Resolution of the Kosovo Crisis, authorised the international security presence in Kosovo to exercise “all necessary means” to fulfill its responsibilities and entrusted the Secretary-General with organising a parallel international civil presence there.²⁸⁵ An argument can be made that the Security Council would not have endorsed the Peace Plan if it was condemning the action that led to it, and thus Resolution 1244 can be read as subsequent approval.

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Dinstein, Yoram, *War, Aggression, and Self-defence*, Grotius Publications, Cambridge University Press, Cambridge, 2nd Edition, 1994, p.127.

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Moller, Bjorn, “The UN, the USA and NATO, Humanitarian Intervention in the Light of Kosovo”, Working Papers, no. 23, Copenhagen Peace Research Institute, 1999.

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On the FRY sanctions, see SC Resolution 1160, 31st March, 1998, preambular para 8 (invoking Chapter VII) and para 8 (applying an arms embargo).

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“NATO’s Kosovo Intervention”, *American Journal of International Law*, Vol. 93, no. 4, October 1999.

285

UN Security Council Resolution 1244 (1999), 10 June 1999, paragraphs 3 and 5.

With regard to proper authority, there is little doubt that the FRY complied with this criterion. In fact the rejection of Rambouillet draft accord was endorsed by the Yugoslav parliament, and the war was fought on the behalf of the UN member state under the authority of a universally recognized government.²⁸⁶ NATO's case is much more dubious in this respect. The only political authority with powers to legitimately mandate the use of force is the United Nations Security Council, which provided no such a mandate, not even implicitly.²⁸⁷ It did not help that the war was launched by an alliance of democratic states (and that for a good cause), as collective aggression is just as unlawful as one undertaken by a single state.

The question whether the war was one of last resort only arises as far as NATO is concerned, as the party initiating hostility. There were already sanctions in place against FRY, and the ceasefire had been signed in October 1998, which was monitored by the OSCE. Even though it had been violated by both the FRY and the KLA (Kosovo Liberation Army), the intensity of violence had abated considerably.

The main question is, however, whether the negotiations in Rambouillet ever stood any chance of producing an accord without use of force – and, if so, how long it might have taken, and what would have happened in the course of more protracted negotiations. NATO (personified by Richard Holbrooke) went out of its way to explain that the military implementation parts of the draft were not negotiable, once the signature of the Kosovar delegations had been secured. Had NATO been prepared to negotiate this (extremely radical and intrusive) military regime with the government in Belgrade, they just might have found a mutually accepted solution, e.g. along the lines of the UN Security Council resolutions (1244) which ended the war.²⁸⁸

Slobodan Milosevic's Serbia was guilty of ethnic cleansing and unspeakable atrocities against the people of Kosovo. This does still mean that the blame lay 100 percent with the Serbs and that the Kosovars were nothing but innocent victims. NATO became a tool for the Kosovo Liberating Army's policy of inciting Serb reprisals through

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Møller, Bjørn, "Kosovo and the Just War Tradition", Paper for the Commission on Internal Conflicts at the 18th IPRA Conference in Tampere, 5-9 August 2000.

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Simma, Bruno, "NATO, the UN and the Use of Force: Legal Aspects", *European Journal of International Law*, Col. 10, no. 1, 1999, pp. 10-11; for more information on the October crisis, see J. Gow, "Kosovo after the Holbrooke-Milosevic Agreement. What Now?", *The International Spectator*, vol. XXXIII, no. 4, 1998.

288

On the negotiations, Weller, Marc, "The Rambouillet Conference on Kosovo", *International Affairs*, vol. 75, no.2, April 1999, pp.211-53; Oberg, Jan: "Rambouillet – A Process Analysis", *PressInfo*, no.56 (Lund: Transnational Foundation, 20 February, 1999). Both the Rambouillet draft and UNSCR 1244 are excerpted at length in Møller, Bjørn, "The UN, the USA and NATO, Humanitarian Intervention in the Light of Kosovo", Working Papers, no. 23, Copenhagen Peace Research Institute, 1999.

terrorist attacks in order to provoke NATO intervention. In 1999, United Nations Secretary General Kofi Annan acknowledged that his call for debate on “the challenge of humanitarian intervention” had led to fears that the concept “might encourage secessionist movements deliberately to provoke governments into committing gross violations of human rights in order to trigger external interventions that would aid their cause.”²⁸⁹

Moreover, every aspect of action was blocked by one or two vetoes in the UN Security Council. But this was never put to the test as NATO launched its own “humanitarian war” – a war over values, not interests – without UN authorization.²⁹⁰ Few noticed that the intervention was confined to bombing, leading to the logically absurd conclusion of humanitarian bombing. The U.S. President Bill Clinton’s address attempting to justify – after the fact – the U.S.-led NATO bombing of Serbia should set off alarms.²⁹¹ After all, the ideas and concerns Clinton invoked – the notion of instability spreading from country to country (much like falling dominoes), the perception that world politics is a bipolar ideological confrontation between democracy and dictatorship, the obsession with reaffirming U.S. leadership and resolve, the anxiety about the vitality of Alliance commitments and the conviction that U.S. Security is tied to peace in an area of little strategic importance – were all factors that led to the catastrophe of American involvement in Vietnam.²⁹²

The justification for a collective defence organisation bypassing the UN to wage an offensive war was and remains problematic. The Kosovo precedent deeply troubles for having posed fundamental challenge to the normative architecture of world order.²⁹³ The Independent International Commission on Kosovo concluded that NATO’s intervention was illegal but legitimate. The intervention was illegal because the use of force was

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Thakur, Ramesh, “From Kosovo in 1999 to Iraq in 2003,” *The Hindu*, 3/3/08, p. 10.

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Ibid; Roberts, Adam, ‘NATO’s ‘Humanitarian War’ Over Kosovo’, *Survival*, Vol. 41, no. 3, 1st October 1999.

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Schwarz, Benjamin and Layne, Christopher, “The Case Against Intervention in Kosovo”, *The Nation*, April 1, 1999.

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Ibid.

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“The Kosovo Report: Conflict, International Response, Lessons Learned”, The Independent International Commission on Kosovo, Oxford University Press, New York, 2000, pp. 99-110.

prohibited by the UN Charter except in self-defence or when authorized by the Security Council.²⁹⁴

It was legitimate, nevertheless, many insisted, because of the scale of atrocities by the Milosevic regime, the failure of other means used to try stopping the atrocities and the political stalemate in the Security Council created by Russia and China.²⁹⁵

Critics argued that NATO acted illegally in terms of its own constitution, the UN Charter and state practice. The illegal-but-legitimate argument turned the normal process of reasoning upside down. The war illegal, but necessary and justified, highlighted defects in international law, not shortcoming in NATO behaviour.²⁹⁶ The (anticipated) failure of the Security Council to authorize the war was a reflection on flaws in the Council's functioning, not on the invalidity of NATO bombing: the Council failed to meet the challenge of international moral authority. The moral urgency underpinning NATO actions, and the military success of those actions, would in due course shape legal justifications to match the course of action.²⁹⁷

Progress in Kosovo remained on track in most priority areas, despite continued uncertainty, a change of Government and the fact that Kosovo Serbs continue to shun participation in the provisional institutions, Secretary-General Kofi Annan's representative Soren Jessen Petersen told the United Nations Security Council. He pointed, in particular, to the rapid formation of a new Government in March following the resignation of Prime Minister Ramush Haradinaj after his notification of an imminent indictment from the International Criminal Tribunal for the former Yugoslavia (ICTY).²⁹⁸

Petersen said that it was time for the province's majority and minority communities to move toward the resolution of Kosovo's status by showing that they can build a stable,

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Ibid; Simma, Bruna, "NATO, The U.N. and Use of Force: Legal Aspects", *European Journal of International Law*, Volume 10, No.1, 1999, pp. 1-22.

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Thakur, Ramesh, "Did Kosovo Illuminate Iraq?", *The Japan Times*, 17th October, 2004.

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Thakur, Ramesh, "From Kosovo in 1999 to Iraq in 2003," *The Hindu*, 3/3/08, p. 10.

²⁹⁷

Ibid.

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"Kosovo making steady progress despite continued challenges", Security Council told, *UN Press Release*, May 27, 2005.

tolerant, multi-ethnic and democratic society. 'The time has come for all sides to put short-term politics aside and to get involved, to talk openly, frankly, passionately and constructively about the concrete issues and make the changes which we all recognize are needed,' said Petersen.²⁹⁹

Kosovo had been administered by the United Nations with NATO peacekeeping force since June 1999. Kosovo's uncertain future status virtually precludes outside investment. Spasms of ethnic violence, mostly by Albanians against Serbs, together with criminal gangs trafficking in contraband and people had tarnished its image with the West. Albanian leaders say only independence from Serbia can cure these ills. A troika of EU, the US, and Russian mediators told UN Secretary General Ban Ki Moon in December 2007 that their mission had failed because neither side was willing to give way on sovereignty.³⁰⁰ Expectations were that in due time, Kosovo would simply declare independence.

Intellectuals and political analysts argue that this re-binding of Kosovo inevitably trips over history. Albin Kurti, an ethnic Albanian activist, contends that Kosovar Albanians are wedded to their Albanian identity because they had long defined themselves by the ethnicity for which they were executed during the decades of authoritarian regimes. "Our nationalism is a reaction to oppression by Milosevic and war with the Serbs," states Kurti, referring to the former Yugoslav President Milosevic, who in 1989 ended Kosovo's autonomous status and dismissed 130,000 ethnic Albanians from their jobs.³⁰¹

A new identity was needed if Kosovo is to provide for a multiethnic state with a segregated Serbian minority and reduce the divisions that had often led to war, a variety of leaders said. The ethnic Albanians of Kosovo, who are 95 percent Muslims, could look to their Muslim roots for identity, as some did after the war of 1990s, when several local imams went to study in Saudi Arabia and returned preaching Islamist nationalism.

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The Secretary General's Special Representatives made a statement in a two-day conference on 'Future Status of Kosovo' organized by the Helsinki Committee for Human Rights in Serbia, 13 June 2005.

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"EU Close to Full Unity on Kosovo", *Reuters*, 11/12/07. p. 12.

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Bilefsky, Dan, 'Kosovo's struggle to forge an identity', *New York Times*, 17th December 2007.

302

Ibid.

Finally, the inevitable happened and Kosovo declared independence from Serbia on 17 February 2008, ending, hopefully, a long chapter in the bloody breakup of Yugoslavia. The proclamation was made by leaders of Kosovo's 90 percent ethnic Albanian majority, including former guerillas that fought for independence in a 1998-99 war, which claimed about 10,000 civilian lives. "We, the leaders of our people, democratically elected, through this declaration proclaim Kosovo an independent and sovereign state," said the text read out in Parliament by Kosovo Prime Minister Hashim Thaci.³⁰³

Well-known foreign affairs specialist and US Deputy Secretary of State Strobe Talbott said, 'When I was in the Clinton Administration and dealing with the Kosovo issue, I was worried about Kosovo spurring on Balkanisation. One, this was because Kosovo includes a very substantial Serbian minority who were very concerned about how they would be treated in an independent Kosovo. And second was the effect on other countries. I think we should move away from the Westphalian nation state that is drawing borders around ethnic communities. We had no choice given the atrocities the Belgrade government was carrying out against the Kosovars to conduct the military operations that opened the road to the independence for Kosovo. We simply had no choice. But the blame here lies on Milosevic and the Serbian leadership of the time. I would hold that it is fait accompli that other countries would support and recognize Kosovo.'³⁰⁴

But the move was condemned by Serbia's nationalist government along with the ethnic Serbians of northern Kosovo. Serbian Prime Minister Vojislav Kostunica branded the southern region "a false state" and said; "Kosovo was propped up unlawfully by the United States which was ready to violate the international order for its own military interests."³⁰⁵ Serbs vowed never to give up the territory, in which their history goes back 1000 years, but which has been ward of the United Nations for nearly nine years. They can do little to stop it, but their one big-power ally Russia stood by them.

The case against recognition is not only based on the Security Council's 1999 resolution reaffirming Serbia's sovereignty over Kosovo, but also founded on the view that the international system has, as a result of the hostile act by the Kosovo Albanians,

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"Kosovo declares independence", *Reuters*, 18/2/08, p. 14.

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Dikshit, Sandeep, "Consider Kosovo fait accompli: We should move away from the Westphalian nation state that is drawing borders around ethnic communities, says Strobe Talbott", *The Hindu*, 12/03/08, p. 11.

305

"New Born Kosovo Gets No From Spain", *Indian Express*, 18/02/08, p. 12.

become more unstable, more insecure and more unpredictable.³⁰⁶ Hence, recognizing the unilateral declaration of Kosovo's independence from Serbia legitimizes the doctrine of imposing deepening solutions to ethnic conflicts. It legitimizes the act of unilateral secession by a provincial or other non-state actor. It transforms the right to self-determination into an avowed right to independence. It legitimizes forced partition of internationally recognized, sovereign states.³⁰⁷

It violates the commitment to the peaceful and consensual resolution of disputes in Europe. It supplies any ethnic or religious group that has a grievance against its capital with a playbook on how to achieve its ends. It even resurrects the discredited Cold-War doctrine of the limited sovereignty. Serbia's Foreign Minister Vuk Jeremic stated, 'A historical injustice is being imposed on a European country that has overcome more obstacles since we democratically overthrew Slobodan Milosevic in October 2000 than most other nations have in a much longer time. Recognising Kosovo means saying, in effect, that Serbian democracy must be punished because a tyrant – one who committed heinous deeds against the Kosovo Albanians in the 1990s – was left unpunished. Such misplaced revenge may make some feel better, but it will make the international system feel much worse.'³⁰⁸

Russia, China and numerous other nations had condemned the move, saying that it set a precedent that separatist groups around the world would seek to emulate. Russia said that it was calling for the United Nations Security Council consultations over the independence declaration. The West especially, the United States, Great Britain, France, Germany, Italy and over 100 other countries would accept its new status as the world's 193rd country, the sixth to be created from Yugoslavia. As European Union foreign ministers met in Brussels to confer, Spain said that it had made up its mind not to accept the new state. "The government of Spain will not recognize the unilateral act proclaimed by the assembly of Kosovo. We will not recognize because we consider... this does not respect the international law," said Spain's Foreign Minister Miguel Angel Moratinos.³⁰⁹ Apart from Spain, Cyprus, Greece, Slovakia, Bulgaria and Romania also indicated they would not recognize the new state.

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Jeremic, Vuk, "One Nation, Indivisible", *The New York Times*, 27th February, 2008.

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Ibid.

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"One Nation, Indivisible: Misplaced Revenge may make some feel better, but it will make the international system feel much worse" stated by Vuk Jeremic, Serbia's Foreign Minister, *The Hindu*, 10/03/08, p. 11

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Ibid.

On the relevance of Kosovo's independence four points have been made³¹⁰. First, in practical terms, it will be a new type of international protectorate, and the local authorities will be quite limited in their actions. Potentially, Kosovo may enter into a conflict with its Western partners, but that is unlikely. Pristina knows full well that independence will not resolve any of its urgent problems, such as its economic crisis, high unemployment rate and the ensuing criminalisation of society. If Belgrade exerts economic pressure on Pristina, the situation in Kosovo may become worse. In the long term, Kosovo's economy would fully depend on the EU, and international financial institutions would hardly be able to render assistance to a province with such a vague status.³¹¹

Second, it is impossible to exclude the possibility of armed clashes. Neither Belgrade nor Pristina are interested in them. But there are enough radicals capable of provocations among both the Kosovars and the Serbs. Those Serbs who remain on Kosovo's territory would be in an extremely difficult situation. The authorities of Kosovo and their Western partners are vitally interested in the well being of the Serbian minority. Any incident may have disastrous moral consequences for the self-proclaimed province. It is not clear for how long the EU and NATO will bear full responsibility for security in province. The event will have repercussions in Bosnia and Macedonia.³¹²

In the mid-1990s, when the state of Bosnia and Herzegovina was set up in line with the Dayton Accords, its ethnic communities, the Serbs, the Croats, and the Muslims, were denied self-determination.³¹³ The international patrons of Bosnian sovereignty compelled these three communities to unite into a single state. The new state was built on the non-ethnic principle. Kosovo's independence rests on the ethnic principle that allows the Bosnian Serbs to demand self-determination and accession to Serbia. Bosnia's redivision is fraught with gigantic problems for all of Europe. Macedonia is a country with a tangible Albanian majority that is rapidly growing. The Albanians have a higher birth rate than the Slavs. Although the idea of Greater Albania

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Ibid.

311

Ibid.

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Ibid.

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Lukyanov, Fyodor, "[Kosovo's self-proclaimed independence - what next?](#)", RIA Novosti, 18th February, 2008.

is more in the nature of a political venture, the Albanians may view themselves as a divided ethnic community.³¹⁴

Thirdly, the Kosovo case will create a precedent that will influence developments in other parts of Europe. Its influence is unlikely to be decisive in stable and prosperous EU countries with separate potential such as France, Belgium, Spain and Britain. The Kosovo case may provide a catalyst, though not by itself, but by again bringing up the problem of self-determination. Unstable countries like Bosnia, Macedonia, Georgia, Moldova and Azerbaijan will feel the impact of the Kosovo scenario. Their minorities will interpret it as a direct precedent.³¹⁵

Finally, there is a general problem that is linked not only with Kosovo. International institutions are growing weaker and stepping back from resolving urgent issues. The instability of the Great Powers to come to terms with the rules of conduct results in the degradation of almost all global organisations. International Law is increasingly fusing from the foundation of decision-making into an instrument for legalizing what has already been decided.³¹⁶

It is difficult to shake off the feeling that the birth of Kosovo is really the culmination of a series of old and unhealthy trends in global politics. Major powers in Europe seem to relish the fact that for the first time a small Muslim majority state has been carved out of Europe, thus testifying to Europe's progress. But the truth is that the birth of Kosovo is also a profound testament of the failure of the nation state form in Europe to accommodate ethnic diversity.³¹⁷

Kosovo sets a dangerous precedent in international law. A unilateral declaration of independence has been recognized without an appropriate form of institutional mediation; every unsavoury separatist is gloating. Milosevic represented barbarism of the highest order and that history has a profound bearing on Kosovo's claims.³¹⁸

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Ibid.

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"One Nation, Indivisible: Misplaced Revenge may make some feel better, but it will make the international system feel much worse" stated by Vuk Jeremic, Serbia's Foreign Minister, *The Hindu*, 10/03/08, p. 11.

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Ibid.

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Mehta, Pratap Bhanu, "As Easy As Kosovo", *Indian Express*, 27/02/08, p.10.

Serbia has been Russia's Slavic Orthodox Christian ally for ages. Staying with it on Kosovo was a question of moral vindication for Russia. Following the 11-week bombing of Yugoslavia by the NATO in 1999, which Russia strongly opposed, Moscow persuaded Serbian leader Slobodan Milosevic to withdraw from Kosovo, conveying him a solemn promise by the West that a NATO occupation of the enclave would never lead to its separation from Serbia. Moscow was stung by the West's treachery; it has now vowed to go as far as Belgrade is prepared to in opposing Kosovo's independence.³¹⁹

Russia had all along insisted that it was not Kosovo's independence as such that it was opposed to, but the fact that it was being imposed on Serbia against its will and in flagrant violation of international law. Russian Foreign Minister Sergei Lavrov said: "It is the for the first time since the Second World War that a United Nations member-state is being dismembered in violation of all principles and rules that have been applied till now to the settlement of territorial conflicts."³²⁰

Russia had vehemently opposed Kosovo's independence against Serbia's will, with President Vladimir Putin describing it as a 'terrible precedent, which would *de facto* blow apart the whole system of international relations'.³²¹ Russia has rebelled against Kosovo's independence because it sees it as a part of the United States efforts to dismantle the post-Second World War international system based on the respect for state sovereignty and inviolability of borders and enshrined in the supremacy of the United Nation in resolving international disputes. "The UN is the main target of US policy on Kosovo", said head of the Russian Parliament's foreign policy committee, Kostantin Kosachyov.³²² "The US is asserting a new model in international relations when a group of allied countries enforce a solution bypassing the United Nations."³²³ In 1999, the United States and the rest of NATO decided to bomb Yugoslavia without UN approval. In 2003, the United States went to war against Iraq in defiance of the UN. In

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Ibid.

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Bhat, Younes, "Kosovo Independence opens up a Pandora's Box: Extended Crisis from the Balkans to the Caucasus", *Global Research*, 14th October, 1999.

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Radyuhin, Vladimir, "Russia makes a statement in Kosovo", *Indian Express*, 29/02/08, p.10.

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Radyuhin, Vladimir, "Russia Strikes Back", *The Hindu*, 14th March, 2008, p.10.

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Radyuhin, Vladimir, "Russia makes a statement in Kosovo", *Indian Express*, 29/02/08, p.10.

2008, the US and its NATO allies annexed Kosovo from Serbia in glaring breach of UN decisions.³²⁴

Russia had lifted the economic sanctions against Georgia's breakaway province of Abkhazia in a move that had set Russia on a collision course with Europe.³²⁵ This was bound to have long-term consequences for the region. The sanctions were imposed by the Commonwealth of Independent States, which united most former Soviet republics, in 1996 in order to prompt Abkhazia to re-admit Georgian refugees. Ten of thousands of ethnic Georgians had fled Abkhazia in the wake of a bitter-armed conflict in the region, which ended in August 1993, with Abkhazia gaining *de facto* independence from the former Soviet republic. Russia did not recognize either Abkhazia or the other Georgian breakaway territory South Ossetia, though it had tacitly supported their autonomy by granting Russian passports to a majority of the local residents.³²⁶

The Russian government denied that the re-opening of economic relations with Abkhazia was linked to the Kosovo issue. But Putin said, 'Russia knows what it will do' in response to Kosovo's Western-backed independence, even as he stated that Moscow would not 'ape' the West.³²⁷

Abkhazia on March 7 2008, appealed to the United Nations, the European Union and all countries of the world to recognize its self-proclaimed independence.³²⁸ However, Russia's Deputy Foreign Minister Andrei Demnisov gave assurances that the lifting of

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Ibid.

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Ibid.

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Radyuhin, Vladimir, "Russia Strikes Back", *The Hindu*, 14th March, 2008, p.10.

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Ibid.

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Ibid.

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Statement of the People's Assembly of the Parliament of the Republic of Abkhazia to the General Secretary of the United Nations, Chairman of Security Council of the United Nations, Parliaments of the Countries of the World, 7th March, 2008.

sanctions against Abkhazia would not alter Russia's position in support Georgia's territorial integrity.³²⁹ The lifting of economic sanctions would firmly strap Abkhazia to Russia and bury Georgia's hopes of re-asserting its control over rebel territory. Russia's relations with Abkhazia will be similar to the US's relation with Taiwan: full-fledged economic ties but no diplomatic recognition. Russian companies are expected to invest heavily in Abkhazia, which used to popular Black Sea resort in the Soviet Union and is a major source of citrus fruit for Russia.³³⁰

The European Union voiced concern over Russia's move. 'There is a growing preoccupation and anxiety that Russia may be paving the way for recognition of Abkhazia,' EU External Relations Commissioner Benita Ferro-Waldner was quoted as saying on March 10, 2008.³³¹ The United States and Europe insist that Kosovo is a 'unique case' and that the mode of handling it cannot set a precedent for other separatist movements. Russia rubbished the claim and said that Kosovo would open a Pandora's box of separatism and territorial conflicts across the world.³³² The Europeans are merely being shortsighted, Russian analysts said, but the Americans do have a plan. The US goal is to drive a geopolitical wedge in the Balkans and manipulate integration process in Europe.³³³

Security Council Resolution 1244 of 1999, which gave the UN jurisdiction over Kosovo, had explicitly rejected Kosovo's declaration of independence by reaffirming 'the sovereignty and territorial integrity of the Federal Republic of Yugoslavia', of which Serbia is the successor state, and calling for 'substantial autonomy and meaningful self-administration for Kosovo'.³³⁴

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Radyuhin, Vladimir, "Russia Strikes Back: Russia 'knows what it will do' in response to Kosovo's Western-backed independence: Putin", *The Hindu*, 14/03/08, p. 11.

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Ibid.

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Ibid.

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Ibid.

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Ibid.

The Serbia's partition is also seen in Moscow as a deliberate attempt to undermine Russia's influence in the region.³³⁵ Nationalist leader Tomislav Nikolic, who narrowly lost to centrist Boris Tadic in Serbia's presidential election in January, had raised the possibility of hosting a Russian military base in Serbia.³³⁶ During the visit of Dmitry Medvedev, the incoming Russian President to Belgrade, Serbia and Russia had signed an agreement to build the Serbian branch of the South Stream gas pipeline that would fully meet Serbia's energy needs and turn Serbia into a major transit country for Russian gas exports to Europe.³³⁷

The KLA, which spearheaded the Kosovars' fight for independence for Serbia, was on the US lists of Islamist terrorist groups with links to the Al Qaeda. But it was removed from the list when US President Bill Clinton needed an excuse to go to war against Serbia.³³⁸ During the period of the KLA insurgency, organized crime increased in Kosovo and it became a major link in drug trafficking from Afghanistan. With unemployment running at 60 percent, Kosovo remained Europe's black hole. "Attempts to lend legal status to this 'black hole' of drug trafficking and organized crime, which NATO peacekeepers stationed there for years had failed to close, amount to connivance at the dark forces in Kosovo," said Anatoly Safonov, Russia's special envoy for international cooperation in fighting terrorism and organized crime.³³⁹

Even though Russia was powerless to prevent the US and its allies from recognizing Kosovo's independence, its staunch opposition helped thwart Washington's efforts to

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Radyuhin, Vladimir, "Russia makes a statement in Kosovo", *Indian Express*, 29/02/08, p.10; Bhat, Younes, "Kosovo Independence opens up a Pandora's Box: Extended Crisis from the Balkans to the Caucasus", *Global Research*, 14th October, 2009.

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Radyuhin, Vladimir, "Russia makes a statement in Kosovo", *Indian Express*, 29/02/08, p.10.

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Ibid.

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Ibid.

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Ibid.

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Biondich, Mark, "The Status of Kosovo: Political and Security Implications for the Balkans and Europe", Canadian Security Intelligence Service, Spring 2005.

build solid international support for Kosovo.³⁴⁰ Moscow's firm 'no' has steeled Belgrade's resolve to fight tooth and nail against Kosovo's split-up. Russia has joined hands with China in ensuring that Kosovo got no support in the UN. The United States and its allies suffered a setback in the UN Security Council when at an emergency meeting called by Russia, only five out of the 15 member-states backed Kosovo's independence.³⁴¹ Moscow has also vowed to block Kosovo's membership of the UN. With Spain, Greece, Romania, Slovakia and Cyprus refusing to recognize Kosovo and a number of other countries still remained undecided, Kosovo has split Europe.³⁴²

The European Union appealed for calm in the Balkans and unity in Europe as ministers met, after Serbian nationalist protestors in the Serbian capital in protest at the declaration from a region they consider a Serbian heartland. "The European Union has already decided to send a mission, a mission of stability, a mission of rule of law. It should contribute to the stability of the Balkans," EU foreign policy chief Javier Solana said.³⁴³ Despite the differences over recognition, the EU agreed to send some 2000 police, justice and civil administrators to supervise Kosovo and help build institutions. At an emergency session of the UN Security Council, Western powers resisted a bid by Serbia's ally to Russia to block Kosovo's independence and said that NATO and the EU would take responsibility for the region's stability.³⁴⁴

There seemed to be no immediate consequences when, in 1908, Austria annexed Bosnia-Herzegovina. Vienna was in clear violation of the 1878 Treaty of Berlin, which it had signed and kept Bosnia in Turkey, yet the protests of Russia and Serbia were in vain. In June 1914, a Russian-backed Serbian gunman exacted revenge by assassinating the heir to the Austrian throne in Sarajevo.³⁴⁵

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Radyuhin, Vladimir, "Russia makes a statement in Kosovo", *Indian Express*, 29/02/08, p.10.

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Ibid.

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Ibid.

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"New Born Kosovo Gets No From Spain", *Indian Express*, 18/02/08. p. 12.

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Bytyci, Fatos, "Kosovo sees recognition 'any minute'; Spains says 'no'", *Reuters*, 18th February, 2008; "EU leaders urge calm on Kosovo", *New York Times*, 18th February, 2008.

Parallels between Kosovo in 2008 and Bosnia in 1908 are relevant, but not only because whether legal trickery the West uses to override United Nations Security Council Resolution 1244 – which kept Kosovo in Serbia – the proclamation of the new state will have incalculable long-term consequences: the secessionist movement from Belgium to the Black Sea via Bosnia, on relations with China and Russia, and on the international system as a whole. Instead, what has now emerged south of the Ibar River is a post-modern state, an entity that may be sovereign in name but is a US-EU protectorate in practice.³⁴⁶

The EU plans to send some 2000 officials to Kosovo to take over from the UN, which has governed the province since 1999. It wants to appoint an International Civilian Representative – according to the plan drawn up in 2007 by Martti Ahtisaari, the UN Envoy – will be the final authority in Kosovo with the power to correct or annul decisions by the Kosovo public authorities.³⁴⁷

Those who support the sort of ‘polyvalent sovereignty’ and ‘post-national statehood’ in the EU welcome such arrangements. But such fictions are in fact always underpinned by the timeless realities of brute power. There are 16,000 NATO troops in Kosovo and they have no intention of going back home. They are even now being reinforced with 1000 extra troops from Britain. They, not the Kosovo army, are responsible for the province’s internal and external security.³⁴⁸

NATO troops came under fire during Serb riots in the northern Kosovo flashpoint of Mitrovica, on 17 March, in the worst violence in the territory since the Albanian majority declared independence in February.³⁴⁹ The rioting was a challenge to the authority of NATO, the United Nations and a fledgling European Union justice mission, underscoring fears that Kosovo could be heading for ethnic partition exactly one month after breaking away from Serbia. Reuters witnesses in the town reported hearing gunfire

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Laughland, John, “A post-modern declaration”, *Guardian Newspaper Limited*, 18/02/08, p. 11.

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Ibid.

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Ibid.

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Bilefsky, Dan, “Kosovo Serb rioters clash with UN and NATO forces”, *New York Times*, 17th March, 2008.

349

“U.N. and NATO Troops Clash With Serbs in Kosovo”, *Reuters*, 17th March, 2008.

as hundreds of Serbs, clashed with the NATO peacekeeping force KFOR, and with UN police. A French NATO Spokesman said automatic weapons had been aimed at peacekeepers, but gave no further details.³⁵⁰

The violence began at dawn when several hundred U.N. special police backed by NATO peacekeepers stormed a U.N. court that had been seized by the Serbs and arrested dozens. Hundreds of Serbs fought back with stones, grenades and firecrackers, forcing the U.N. police to pull back and leave KFOR to face the rioters. Rioters attacked three U.N. vehicles, breaking doors and freeing around ten of those detained in the raid. The police and troops responded with tear gases. Some UN vans with detainees were still in the courtyard of the compound, with dozens of Serb protestors outside blocking their exit.

“After attacks with explosive devices suspected to be hand grenades, and firearms, the police are ordered to withdraw from the north of Mitrovica, while the situation will be taken over by KFOR,” a UN police statement said.

III. AFGHANISTAN

The blowing up of the World Trade Center towers in New York by terrorists on 11th September 2001 transformed not just the NATO’s agenda, but also the entire agenda of international relations of the 21st century. On 12th September, NATO proclaimed that the terrorist attacks on the United States amounted to an attack against one of the Alliance members in terms of Article 5 of its Charter and therefore an attack on all the members and it offered all necessary assistance to the United States in its ‘Crusade against International Terrorism.’³⁵¹ NATO’s crisis management and operational capabilities have since been in increasing demand.³⁵² The European nations through many of their common regional institutional mechanisms responded, initially accepting the possibility of a military action, “provided that any such action was approved by the UN Security Council, that it clearly defined its objectives, and that it avoided targeting civilians, and was generally conducted in conformity with international law.”³⁵³

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“Serbs take on peacekeepers”, *Hindustan Times*, 17/03/08, p. 13.

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Statement by NATO Secretary-General Lord George Robertson on the North Atlantic Council Decision on the Implementation of Article 5 of the Washington Treaty following the 11th September Attacks Against the United States, NATO Headquarters, Brussels, 4th October 2001.

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Pardew, James and Bennett, Christopher, “NATO’s evolving operations”, *NATO Review*, Spring 2006.

The day after the American bombing began, UN Secretary-General Kofi Annan made a gratuitous Press statement to the effect that the American action must be seen in the context of the Security Council's determination to combat, by all means, the threats to international peace and security caused by terrorist acts, and that the Council also had reaffirmed the inherent right of individual or collective self-defence in accordance with the UN Charter.³⁵⁴ The same day the Security Council met at the request of the representatives of the US and the UK. The Council took note of their letters whereby they claimed that the military action was taken in accordance with the inherent right of individual and collective self-defence, pursuant to Article 51 of the UN Charter.³⁵⁵ From the legal viewpoint, however, nothing much can be read into the Council Presidential statement, either in support of or in opposition to the claim of self-defence – absence of opposition to the claim was clearly due to the voting politics in the Council. For the same reason, the Council's acquiescence into the validity of the claim cannot also be read into the presidential statement. Thus the Council's position did not constitute a clear, explicit endorsement of the legality of self-defence action by the US-UK forces.³⁵⁶

On 12th September, both the General Assembly and the Security Council of the United Nations adopted resolutions which strongly condemned the acts of terrorism, and asked the member states “urgently” to co-operate “to bring to justice the perpetrators, organizers and sponsors of the outrages of 11 September 2001,” and in combating terrorism world-wide. They stressed that “those responsible for aiding, supporting or harbouring the perpetrators, organizers and sponsors of these acts will be held accountable.” Additionally, the Security Council resolution expressed “its readiness to take all necessary steps to respond to the terrorist attacks of 11 September 2001, and to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations.”³⁵⁷

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See Lord Russell Johnson, President of the Parliamentary Assembly, published in the *Frankfurter Allgemeine*, 10 October 2001, http://stars.coe.fr/President/Russell/Speeches/FrankfurterAllgemeine_October 2002_E.htm.

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See, SG/SM///7985 of October 8, 2001.

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Press statement by the President of the Security Council vide UN Doc. AFG/152, SC/7167 of 8 October 2001.

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Ibid.

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Resolution 1368 (2001), September 12, 2001.

On the same day, the North Atlantic Council unanimously adopted a statement, which it relied upon Article 5 of the NATO statute, which provides for the right of collective self-defence in case of attack on one of the 19 members of the Alliance. By doing so, these 19 states opted for the solution based on Article 51; they preferred this avenue to that of a centralized use of force under the authority of the Security Council.

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Thus, when the United States and Britain decided to exercise their right of self-defence³⁵⁹ and mounted an attack on Afghanistan (its Taliban regime being identified with the terrorist efforts of and giving shelter to the Al Qaeda, the organisation responsible for the 9/11 attacks), NATO offered logistical support.³⁶⁰ Subsequently, when the US-led coalition forces removed the Taliban regime and began hunting after its members as also the members of the Al Qaeda, the US found it convenient to have the NATO forces to don the mantle of UN peacekeeping forces in the now liberated Afghanistan supervising the long road to return to normalcy and establishment of democracy in that country.

NATO Secretary General Jaap de Haap Scheffer stated that the stabilization of Afghanistan is the alliance's primary mission. He also stated that without concrete action to reduce civilian casualties, NATO's mission in Afghanistan is at risk of losing support from the Afghan people, the parliament, and even Afghan President Hamid Karzai's government.³⁶¹

There are two military operations in Afghanistan. NATO leads the International Security Assistance Force (ISAF); its mission is to bring stability to Afghanistan. The United States leads a separate, non-NATO mission called Operation Enduring Freedom

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NATO press release 124 of 2001 (The Council agreed that if it is determined that this attack was directed from abroad against the United States, it shall be regarded as an action covered by the Article 5 of the Washington Treaty, which states that an armed attack against one or more of the Allies in Europe or in North America shall be considered as an attack against them all.)

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Article 51 of the U.N. provides self-defence until the Security Council has taken measures necessary to maintain international peace and security and imposes an obligation to report. Myjers, Eric and White, Nigel, "The Twin Towers Attack: An Unlimited Right to Self-Defence?", *Journal of Conflict and Security Law*, Volume 7, No. 1, 2002, pp. 5-17.

360

Khan, Dr. Hidayat, "Pakistan's Contribution To Global War On Terror After 9/11", *IPRI Journal XIII*, no. 1, Winter 2013, pp. 37-56.

361

Synovtiz, Ron, "Afghanistan: NATO Focuses on Reducing Civilian Casualties", *New York Times*, 15/06/07.

(OEF); with a mission to eliminate Taliban and Al Qaeda remnants, primarily active in the southern and western parts of the country.³⁶² In fact the latter mission is not accountable to the UN, while the former is a UN peacekeeping operation authorized by the UN Security Council.³⁶³ It is well known that more often than not, the latter comes in the way of the effectiveness of the former.

Evidently, the situation arising from the September 11 attacks called for use of armed force, in view of the Taliban's obdurate recalcitrance (assuming that the United States has been in possession of evidence that would stand judicial scrutiny). Does it justify unilateralism on the part of the United States and its NATO Allies?

Under the UN Charter all threat or use of force is prohibited in international relations against the territorial integrity or political independence of any state. The Charter recognises only two permissible uses of force: one, use of force by the organisation (Security Council) on behalf of the international community, and two, the right of each state to individual and collective self-defence.³⁶⁴ Under the scheme of the Charter the Security Council alone can preside over the UN collective security system. Decisions on a threat to the peace, a breach of the peace or an act of aggression, identification of the recalcitrant party, evaluation of evidence against that party, the nature and intensity of coercive response to be applied and so on are expected to be made impartially, and on the basis of impartial, non-eclectic criteria. They cannot be allowed to be made unilaterally by any one state or a few states. But, on the contrary, this is precisely what the Security Council has done in this case. In the process, both the Council as well as the US lost a chance of impartial verification of the evidence against Osama bin Laden and the Taliban, a necessary element in the imputation of responsibility for the September 11 attacks.

The right of self-defence under Article 51 of the Charter is available against an armed attack. It is subject to the principle of proportionality of response and observance of the principles of the International Humanitarian Law. It is also subject to an obligation to report to the Security Council. Upon receipt of such a report, it is for the

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Clausson, M.I., NATO: Status, Relations, and Decision-making, Nova Science Publishers Inc, May 22, 2006, pp. 10-14.

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Security Council Resolution 1510 (2003) of October 13, 2003. NATO took over the command and coordination of ISAF in August 2003.

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Douglas Eisner, 'Humanitarian Intervention in the Post-Cold War Era', [Boston University International Law Journal](#), 195, 1993; Bartram Brown, 'Humanitarian Intervention at a Crossroads', [William and Mary Law Review](#), 41, 1683, 2000, fn 59.

Council to decide on further measures (including enforcement action) to restore international peace and security.

In the present case, it is submitted that the justification of self-defence was not available to the US and its Allies, not because there was no “armed attack” within the meaning of Article 51 – we have no difficulty in construing 9/11 attacks as amounting to an armed attack, for that was what they were contextually -, but because it could not be invoked in a situation when the Security Council was already in the picture.³⁶⁵ Indeed, the Afghan situation has been before the Council since 1993. So is the issue of international terrorism being a threat to international peace and security. In every resolution on either of these issues, the Council has as of habit decided, “to remain seized of the matter.” Further, specifically in respect of the September 11 attacks, its resolutions repeatedly expressed the Council’s readiness to fulfill its Charter responsibilities, and its decision to remain seized of the issue. If that were so, the only legitimate course open for the US was to ask the Council to fulfill its Charter responsibilities. Indeed, the Council could have invoked its awesome powers of use of force on its own, or even at the initiative of the Secretary-General under Article 99. The US and its allies started the carpet bombing of Afghanistan a good three weeks after the 12th September resolution of the Council, and a week after its 28th September ‘earth-shaking’ resolution (falling in line with President Bush’s Executive Order on terrorist funds and support systems).³⁶⁶ This they did despite the worldwide up-welling of sympathy for the United States, and a clear possibility of mustering a strong consensus for a Security Council action exactly the way the United States would have wanted. They may have chosen unilateralism to stay clear of any obligation of international accountability, and also to foreclose their freedom of military action from being inhibited by the constitutional requirements of the UN.³⁶⁷

If the United States could not in law resort to the right of self-defence, then NATO’s original claim for legitimacy of collective self-defence under Article 5 of the Washington Treaty 1949 would automatically fall through. Added to this, NATO congenitally suffers from a dubious legality of status.³⁶⁸ It cannot at once be both a collective defence organisation as well as a regional organisation under the supervision of the Security Council. This is an old criticism that the former Non-Aligned countries used to raise consistently during the days of the Cold War.³⁶⁹ For, a regional organisation is not legally

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Richter, Chris, “Pre-emptive Self-Defence, International Law and US Policy”, *Dialogue*, 2003, 1:2, pp 55-66.

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Griffin, David Ray, “Did 9/11 Justify the War in Afghanistan?”, *Global Research*, 19th May, 2013.

367

Ibid.

competent to resort to force except with the approval of the Security Council *vide* Article 53 of the Charter.

The post-October 2001 Afghan situation was further complicated by the fact of big power invasion under a claim of self-defence. The role of the Security Council has largely been to endorse the 6+2 and the Bonn Agreements.³⁷⁰ In such a situation, the Council had to change/expand/diversify UN operations in response to developing situations, without relating the change either to the past or to future likely evolution of the crisis, but often conditioned (or restricted?) by the presence of a multinational force (continuing self-defence?) as also the ISAF. In a sense, the establishment of ISAF itself was a *fait accompli* for the Council itself. One, however, feels uneasy that NATO, having invoked its collective defence mandate in the immediate aftermath of 9/11, has since turned itself into a Security Council mandated operation under the label, ISAF³⁷¹ – that too, long way away from its traditional geographical venue, for whatever reason.

The 'war against international terrorism' made the already discredited Taliban regime of Afghanistan a ready target of the US ire. The result was the US-UK joint attack on Afghanistan with the overwhelming air power of the new invaders all but pulverised anything it targeted, whether deliberately or 'by mistake'.

In the aftermath of a series of carpet bombings, this awesome show of air power gave way to an 'International Security Assistance Force' (ISAF) and the return of a number of UN agencies to 'nurse' the country back to 'normalcy'. While at the outset one could easily say that the process of nursing the country back to 'normalcy' is more of a moral rather than a legal question, it is important to look at the legality of the process and of the entire circumstances that led to it. For, legitimacy is cumulation of both legal as well as moral considerations. Indeed, the presence of 'foreigners' in a country dictating the course of events in that country must have some legality in their

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Simma, Bruno, "NATO, the UN and the Use of Force: Legal Aspects", *European Society of International Law*, Vol.10, 1999.

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See for instance Jawaharlal Nehru's inaugural address at the establishment of Indian Society of International Law on August 29, 1959, reprinted in *Indian Journal of International Law*, vol. 1, 1960-61, p.7.

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Bellamy, Alex J., and Wheeler Nicholas J., "Humanitarian Intervention in World Politics," in Baylis, John and Smith, Steve, *The Globalisation of World Politics: An Introduction to International Relations*, Oxford University Press, New York, 2005. P 572.

371

Security Council Resolution 1510 (2003) of October 13, 2003.

support, so that the new regime set by them becomes a legitimate and acceptable regime.³⁷²

The International Security Assistance Force is left with the most unenviable task of bringing the security situation in Afghanistan under control, yet leaving the US-led forces operate independently as their own masters, often rendering the ISAF's mission difficult, if not impossible, to achieve. One of the reasons why the security situation in Afghanistan has not discernibly improved is because:³⁷³

"Washington's single-minded focus on the fight against al Qaeda and Taliban remnants while neglecting broader Afghan security issues...US military forces are as involved in local politics and civil affairs as ever, and the short-term re-equipment of certain militias could destabilise an already tenuous process and prolong US deployment in the region. For its own sake and that of the international community at large, Afghanistan merits more than the scant attention it receives today."

The ISAF commanders were keen on emphasizing the Afghan element of the operation in fighting the Taliban militants. The training of a competent and effective Afghan National Army was a key part of the strategy to re-build Afghanistan and create a sufficiently secure environment to allow international forces to be withdrawn.³⁷⁴

The ISAF had 6500 troops from 31 countries; overwhelmingly, however, the forces were from NATO's member states, above all from Germany, Canada, Britain, France, Spain and the Netherlands.³⁷⁵ ISAF had surged temporarily to approximately 8800 troops to provide security for the October 2004 elections, where proceeded in relative calm and resulted in President Hamid Karzai's continuation in power. US forces in ISAF

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Mani, V.S., "ISAF In Afghanistan: A Study In Nursing After A Humanitarian Surgery", *Indian Journal of International Law*, vol.45, 2005, pp.17-41.

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Manuel, Anja and Singer, P.W., "Arming Kabul, Disarming Cabals", *foreignaffairs.org – author update*, September 22, 2004.

374

Burke, Jason, "First Major Test for NATO-trained Afghan Army", *Guardian Newspaper Limited*, 11 December, 2007.

375

See Congressional Research Service Report RL30588, *Afghanistan: Post-War Governance, Security, and U.S. Policy*, by Kenneth Katzman.

are minimal.³⁷⁶ ISAF provided security for Kabul and several outlying regions, and was a stabilization force not geared for combat operations.³⁷⁷

NATO wished to extend ISAF's reach in Afghanistan. 'Warlords' are re-existing authority in parts of the country.³⁷⁸ ISAF was attempting to establish Provincial Reconstruction Parts (PRTs), composed of soldiers and civil affairs, in parts of Afghanistan. The objective of the PRTs was to extend the authority of the central government, provide security, and undertake projects (such as infrastructure development) that would boost the Afghan economy.³⁷⁹ This effort had met with only mixed success, in part because allied governments had been slow to sponsor PRTs and to provide troops for them, in part because some allies lacked deployable, sustainable forces.³⁸⁰

Deeply concerned at the prospect of failure in Afghanistan, the Bush administration and NATO began in 2006 three top-to-bottom reviews of the entire mission, from security and counter terrorism to political consolidation and economic development.³⁸¹ The reviews are an acknowledgement of the need for greater coordination in fighting the Taliban and Al Qaeda in Afghanistan, halting the rising opium production and trafficking that finance the insurgency and helping the Kabul government extend its legitimacy and control.³⁸² Taken together, these efforts reflect a growing apprehension that one of the administration's most important legacies- the routing of Taliban and Al Qaeda forces in Afghanistan after the 11 September attacks - may slip away, according to senior administration officials. The American reviews of Afghan strategy had not been

376

Ibid.

377

Ibid.

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Gallis, Paul, "The NATO Summit at Istanbul, 2004", Congressional Research Service, 2nd July, 2004.

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Ibid.

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O'Brien, Paul, "PRTs – guaranteeing or undermining a secure future in Afghanistan?", *Forced Migration Review*, Volume 18, September 2003, pp.38-39.

381

Dale, Catherine, War in Afghanistan: Strategy, Operations, and Issues for Congress, Congressional Research Service, 9th March, 2011.

announced and were not expected to result in an infusion of combat forces, mostly because there are no American troops readily available. The administration is continuing to press for more NATO troops to fight an insurgency that made this the most violent year since the Taliban and Al Qaeda were routed in December 2001.³⁸³

The NATO-led ISAF wished to reduce opium production because it contributed to general lawlessness in much of the country, and that the United States is not protecting warlords with links to the opium crop. On November 18, 2004, the Bush Administration announced an \$800 million plan; reportedly call for forcible extermination of the crop.³⁸⁴ Some allies, including Britain, were in the early stages of promoting programme in which Afghan farmers would turn to other crops, such as wheat that can be grown in the country. An additional method to reduce opium production would be strengthening the police and judicial systems to contain illegal activities. Rapid elimination of the opium crop could deprive of their livelihood and send the country into anarchy³⁸⁵

Opium production had risen steadily particularly in the turbulent Helmand province and the Taliban and Al Qaeda continue to benefit from external sanctuary along the Afghan-Pakistani frontier.³⁸⁶ Weak governance and widespread corruption had fuelled the insurgency and allowed the Taliban to compete with the Afghan government for the loyalties of the local population. Without a comprehensive strategy that integrates the disparate security, reconstruction, and governance activities of the international community, Afghanistan would slide into chaos and once again become a safe-haven for the Taliban and “terrorist groups of global reach”.³⁸⁷

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Ibid.

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Shanker, Thom and Myers, Steven Lee, “Afghan legacy slipping, US and NATO review mission”, *New York Times*, 16 December 2007, p. 12.

384

Clausson, M.I., *NATO: Status, Relations, and Decision-Making*, Nova Science Publishers Inc, May 22, 2006, pp.11-12.

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Marie, Michele Alliot, “Afghanistan’s drug boom”, *Washington Post*, October 6th, 2004, p. A27.

386

Imbrie, Andrew, NATO and the Afghan Insurgency: Looking ahead to Bucharest, Basic Papers, Occasional Papers on International Security Policy, British American Security Information Council, 25th March, 2008.

The Taliban regime had made poppy cultivation and heroine production a lucrative activity for the Afghan farmer.³⁸⁸ To effectively prevent him from continuing to engage in this trade, one needs to educate him and win him back to traditional agriculture, or rehabilitate him into any other profitable trade or avocation. Thus, as a UN report observes, “Economic dependency on poppy cultivation, limited law enforcement resources, corruption and the lack of an effective institutional framework for drug control add to the complexity of the situation. Narcotics are becoming an increasing threat to national security, social stability and governmental effectiveness.”³⁸⁹

ISAF had only served an indirect role in fighting the illegal opium economy in Afghanistan through shared intelligence with the Afghan government, protection of Afghan poppy crop eradication units and helping in the coordination and the implementation of the country’s counter narcotics policy.³⁹⁰ Crop eradication often affects the poorest farmers who have no economic alternatives to fall back on. Without alternatives, these farmers can no longer feed their families, causing anger, frustration and social protest. Thus, being associated with “counter productive” drug policy, the ISAF soldiers on the ground found it difficult to gain the support of local population.³⁹¹

By 2004, the Bush Administration had begun to urge the allies to assume more responsibilities in the fight against insurgents and terrorists in Afghanistan.³⁹² By 2005, the Administration was urging that ISAF and OEF be merged under one command.

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Rubin, Barnett R., “Saving Afghanistan”, *Foreign Affairs*, January/February 2008.

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Petersd, Gretchen, “How Opium Profits the Taliban”, United States Institute of Peace, Washington D.C., August 2009, pp. 3-7.

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UN Doc.A/59/581-S/2004/925, 26th November 2004 p. 9.

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“U.S. Counternarcotics Strategy for Afghanistan”, Bureau of International Narcotics and Law Enforcement Affairs, August 2007; Katzman, Kenneth, “Afghanistan: Post-Taliban Governance, Security and U.S. Policy, Congressional Research Service, 4th March, 2014, p.17.

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“Poppies For Peace: Reforming Afghanistan’s Opium Industry”, *The Washington Quarterly*, Winter 2006-2007, Volume 30, No.1, pp. 69-82.

392

Gallis, Paul, “NATO in Afghanistan: A Test of Transatlantic Alliance”, Congressional Research Service, 18th July, 2008, pp.8-9.

Many allies at first resisted the call to merge the two commands largely because of the different nature of the two operations and differing national agendas.³⁹³

Britain, France and Germany were the principal allies opposing the U.S. idea to merge the commands. They did so for different reasons.³⁹⁴ Britain and Germany wished to preserve ISAF as a stabilisation, and not combat, mission. They wished to ensure that the initiative remained in the political sphere and using force against Afghan farmers to eradicate the poppy crop would result in a broadened insurgency. Germany opposed a merger of the commands because German forces in ISAF were trained only for stabilisation, and not for counter-insurgency.³⁹⁵

On the other hand, the French government viewed that some combat operations against the Taliban and other elements would be necessary. At the same time, France was concerned that the U.S. administration, after having a U.S. commander in place to guide all military activity in Afghanistan, would use NATO as a “toolbox” to accomplish Washington’s broader objectives. Specifically, the French was concerned that the American government would designate more U.S. units from Afghanistan to be sent to Iraq, and leave the allies to stabilize Afghanistan.³⁹⁶

Disagreements between the United States and its allies over eradication methods, with the United States advocating aerial spraying, had blocked efforts to build a comprehensive counter-narcotics strategy.³⁹⁷

Afghanistan’s narcotics had struck Russia like tsunami threatening to decimate its already shrinking population.³⁹⁸ In a country of 142 million people, there are about 6

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Ibid.

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Ibid.

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Ibid.

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Ibid.

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Soble, Jonathan, “U.S. and allies split on Afghan poppy spraying”, *Financial Times*, February 5, 2008.

398

Radyuhin, Vladimir, “Russia: Victim of Narco-Aggression”, *The Hindu*, 4th February, 2008, p.10.

million drug-users- a 20-fold increase since the collapse of the Soviet Union. Overwhelmed by a flood of drugs from Afghanistan, Russia said that it had fallen victims to “narco-aggression”.³⁹⁹

The disintegration of the Soviet Union in December 1991 threw open the floodgates of drug trafficking from Afghanistan across Central Asia to Russia and further west to Europe. Russia lost control over nearly 5000 km of former Soviet borders in Central Asia and the Caucasus.⁴⁰⁰

When Russia backed the US-led invasion of Afghanistan to crush the Taliban and the Al Qaeda in the post 9/11 scenarios, it expected drug trafficking from Afghanistan to assume gargantuan proportions under the US military.⁴⁰¹ The US-led NATO forces had not only failed to eliminate terrorist threat from the Taliban but also have presided over a spectacular rise in opium production. Russia’s Foreign Minister Sergei Lavrov said Afghanistan was tottering on the brink of becoming a ‘narco state’.⁴⁰²

Narco business has emerged as virtually the only economy of Afghanistan valued at some \$10 billion a year. Opium trade is estimated by the United Nation to be equivalent to 53 percent of the country’s official economy, and it is helping to finance the Taliban.⁴⁰³ In 2005, Prime Minister Vladimir Putin stated, “NATO are doing nothing to reduce the narcotic threat from Afghanistan even a tiny bit,” and accused the coalition forces of “sitting back and watching caravans haul drugs across Afghanistan to the former Soviet Union and Europe.”⁴⁰⁴

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Ibid.

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Ibid; Radyuhin, Vladimir, “Narco Aggression: Russia accuses the U.S. military of involvement in drug trafficking out of Afghanistan”, *Global Research*, 24th February, 2008.

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Risen, James, “Reports Link Karzai’s Brother to Afghanistan Heroin Trade”, *New York Times*, 4th October, 2008.

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Radyuhin, Vladimir, “Russia: Victim of Narco-Aggression”, *The Hindu*, 4th February, 2008, p.10.

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Ibid.

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Ibid.

As time went by, Russian suspicions regarding the \$ 1 billion a year, US counter narcotics effort in Afghanistan grew deeper. Former US Ambassador to UN, Richard Holbrooke described it as 'the single most ineffective program in the history of American foreign policy'.⁴⁰⁵ He wrote in Washington Post, "It's not just a waste of money. It actually strengthens the Taliban and the Al Qaeda as well criminal elements within Afghanistan."⁴⁰⁶ Opium accounts for as much as 60 percent of the Afghan economy; its production had surged since the overthrow of the Taliban in 2002. Warlord and Al Qaeda had benefited from the sale of opium by farmers who rely on their protection or in many cases, are subject to their threats. Afghanistan supplies an estimated three quarters of the world's opium, much of it finding its way to European cities. European governments believed that the United States had turned a blind eye to opium production because its primary interest is to eradicate Al Qaeda and it needed warlord assistance to accomplish this objective.⁴⁰⁷

It is an open question whether Russian charges of US complicity in drug trafficking are based on hard evidence or have been prompted by Moscow's frustration at Washington's failure to address the opium problem in Afghanistan. But it is a fact that the US and NATO have stonewalled numerous offers of cooperation from the Shanghai Cooperation Organisation, and the Moscow-led Collective Security Treaty Organisation, a defence pact of six former Soviet republics.⁴⁰⁸

NATO is seeking Russia's help to stabilize the situation in Afghanistan. This promises to radically change the complexion of the military coalition in Kabul. Given NATO's desperation and the trying-up of American troops in Iraq, Russia is bound to drive a hard bargain before it agrees to help in Afghanistan.⁴⁰⁹

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Holbrooke, Richard, "The Longest War", *Washington Post*, March 31st, 2008, p. A19.

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Ibid.

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"Afghanistan is a narco-economy", UK says, *Financial Times*, November 19, 2004.

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Radyuhin, Vladimir, "Russia: Victim of Narco-Aggression", *The Hindu*, 18/01/08, p.12.

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Aneja, Atul, 'India and Iran: looking beyond energy', *The Hindu*, 29/04/08, p.10.

So far, Russia appears inclined to back a proposal by Uzbekistan's President Islam Karimov, made at the NATO summit at Bucharest in 2008.⁴¹⁰ Karimov proposed that a "six-plus-three" format address the situation – that is apart from NATO, China, Kyrgyzstan, Tajikistan, Uzbekistan, Iran, Pakistan, Russia and the United States play a lead role in Afghanistan.⁴¹¹ Americans and their European partners may have little choice but to accept Russia's involvement on its terms. A realignment of forces in Afghanistan is likely to undermine the U.S. influence in the new military pecking order that is likely to surface there. The Russians, Europeans and the regional countries are expected to emerge as heavyweights.

Negotiations between Russia and NATO had been ongoing over possible supply routes, all of which could best be described as circuitous.⁴¹² The first proposed route extended from Poland or "any Baltic country", through Belarus, Russia, Kazakhstan and Uzbekistan to Afghanistan. The second route goes through Russia, down the Caspian Sea coastline through Turkmenistan, while the third possible route runs from St. Petersburg, down the Volga River to the Caspian, and thence by train through Turkmenistan and Uzbekistan to Afghanistan.⁴¹³

The civilian casualties had become one of the greatest sources of tension between NATO forces and the Afghan government. After more than five years of increasingly intense warfare, the conflict in Afghanistan reached a grim milestone in the first half of 2007: U.S. troops and their NATO allies killed more civilians than insurgents did. Scores of civilian deaths from the heavy U.S. and Allied reliance on air-strikes to battle Taliban insurgents were threatening popular support for the government of President Karzai and creating severe strains within the NATO Alliance about the nature and goals of the mission in Afghanistan.

What angered the Afghans were not just the bombings but also the raids of homes, the shooting of civilians in the streets and at checkpoints and the failure to address those issues over the five years (2002-07) of war. Afghan patience was wearing dangerously thin. Even the Afghan President Karzai, who had expressed gratitude to the United States and NATO for their presence in his country, had complained bitterly

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Ibid.

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Ibid.

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"Russia Considering Several Options of NATO Cargo Transit By Train to Afghanistan," *Central Asia General Newswire*, 21st, March, 2008.

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Ibid.

about the number of innocent people killed in the fighting. Under increasing pressure because of civilian deaths and slow reconstruction, the Afghan President Karzai stated, "The nation can no longer tolerate the growing number of Afghan civilians killed by the NATO forces doing battle with the Taliban insurgents".⁴¹⁴

In October 2008, NATO altered its position in an effort to curb the financing of insurgency by the Taliban.⁴¹⁵ Drug laboratories, and drug traders became the targets, and not the poppy fields themselves. In order to appease France and Germany, the deal involved the participation in an anti-drug campaign only of willing NATO member countries, was to be temporary, and was to involve cooperation of the Afghans.⁴¹⁶ Tribal areas of Pakistan and Afghanistan pose primary threat to the security of the United States, even as terrorists have expanded their network to other parts of the world, Head of the Federal Bureau of Investigations Robert Mueller said. "Our primary threat continues to come from the Tribal areas of Pakistan and Afghanistan", said Mueller in his testimony before the Senate Judiciary Committee.⁴¹⁷

NATO must deepen its engagement with Pakistan, ensure it has sufficient troops in Afghanistan and keep up a dialogue with Pakistan, NATO Secretary General Jaap De Scheffer said.⁴¹⁸ "We need to look beyond Afghanistan...and especially Pakistan, with which we must deepen our engagement", Scheffer said at a conference in Budapest on the 10th anniversary of the Poland, the Czech Republic and Hungary to NATO.⁴¹⁹ He also said that NATO must ensure it has enough troops in Afghanistan as that country

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Fletcher, Michael, "Bush, NATO Chief Seek Ways To Bolster Afghanistan Mission", *Washington Post*, May 20, 2007, p.A20.

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Ham, Peter van, and Kamminga, Jorrit, "Poppies for Peace: Reforming Afghanistan's Opium Industry", *The Washington Quarterly*, Vol 30, No.1, Winter 2006-07, pp.69-81; "NATO To Attack Afghan Opium Lab, *BBC News*, 10th October 2008.

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"NATO To Attack Afghan Opium Lab, *BBC News*, 10th, October 2008.

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"Tribal Areas Primary Threat To The United States", *Press Trust of India, Indian Express*, 27/03/2009, p.16.

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"NATO Must Deepen Links With Pakistan", *Hindustan Times*, 13/03/09, p.15.

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Ibid.

prepares for elections. Scheffer said that NATO had considerable success in training and equipping the Afghan national army. "Afghanistan is one key area where we have obvious interests but there are other areas as well, such as the fight against terrorism and piracy", he added.⁴²⁰

The new U.S. President Barack Obama approved the deployment of 17,000 more troops to Afghanistan as Washington and other NATO nations try to stabilise the country.⁴²¹ Other NATO countries are under pressure to boost troop commitments to the international organization in Afghanistan, though some are reluctant to do so. President Obama's plan to widen U.S. involvement in Afghanistan came after an internal debate in which Vice-President Joe Biden warned against getting into a political and military quagmire, while military advisors argued that the Afghanistan war effort could be imperiled without even more troops.⁴²² All of the President's advisors agreed that the primary goal in the region should be narrow - taking aim at Al Qaeda. The question was how to get there. The commanders in the field wanted a firmer and long-term commitment of more combat troops beyond the 17,000 that Obama had already promised to send, and pledge that billions of dollars would be found to significantly expand the number of Afghan National Forces.⁴²³

Defence Secretary Robert Gates and Chairman of the Joint Chiefs of the Staff Admiral Mike Mullen pressed for an additional 4,000 troops to be sent to Afghanistan as trainers.⁴²⁴ They tempered the commander's request and agreed to put off any decision to order more combat troops to Afghanistan until the end of 2009, when the strategy's progress would be assessed. During these discussions, Biden was the voice of caution, reminding the group members that they would have to sell their plans to a skeptical Congress.⁴²⁵

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Ibid.

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"U.S. Wants NATO Boost in Afghanistan", *Al Jazeera*, 10th March, 2009.

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Ibid.

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Cooper, Helene and Schmitt, Eric, "AfPak Policy An Outcome Of White House Debate: Obama's Plan that reflects strains of discussion among political, military advisors", *The Indian Express*, 29/09/2009, p.15.

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Cooper, Helene and Schmitt, Eric, "Debate led Obama to new Afghan plan", *The Telegraph*, 29th March, 2009.

The debate offered a glimpse into how Obama makes decisions.⁴²⁶ In this case, he chose a compromise between his political and military advisors. It also offers insight into the role of Biden and other members of a foreign policy team. In the end, the plan is a compromise that reflected all of the strains of the discussion among his advisors. Invoking concerns of another possible terrorist strikes on the American soil, Obama framed the issue as one that relies on one central tenet - protecting Americans from 9/11-like attacks.⁴²⁷ To do so, he said, he would increase aid to Pakistan and would, for the first time, set benchmarks for progress in fighting Al Qaeda and the Taliban in both countries.⁴²⁸

Afghanistan's President Hamid Karzai offered support for the new United States Strategy for the growing conflict in his country, praising increased civil and military aid and highlighting a plan for reconciliation with the moderate elements of the Taliban. He had long championed the idea of reconciliation with the Taliban as the key way to tamp down the growing insurgency in Afghanistan. The Bush Administration had generally opposed the idea, but the new President Obama stressed reconciliation with more moderate elements of the Taliban when he presented the new U.S. strategy. Karzai, of the review, stated, "It is exactly what the Afghan people are hoping for. The plan to include Iran in a regional role, which the United States has outlined, is a positive thing and we hope to use this opportunity in a positive way for the good of Afghanistan".⁴²⁹

Applauding India's efforts in rebuilding the post-Taliban Afghanistan, the Obama administration said that it had "actively consulted" New Delhi during the comprehensive review of its Afghan-Pakistan policy.⁴³⁰ "The United States has actively consulted India

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Cooper, Helene and Schmitt, Eric, "AfPak Policy An Outcome Of White House Debate: Obama's Plan that reflects strains of discussion among political, military advisors", *The Indian Express*, 29/09/2009, p.15.

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Ibid.

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Ibid.

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Ibid.

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"Karzai Backs New U.S. Strategy On Terror", *Hindustan Times*, 29/03/2009, p. 19.

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"U.S. Actively Consulted India On Afghan-Pak Policy: Boucher", *Press Trust of India*, 28th March, 2009.

while developing its strategy on Afghanistan and Pakistan. I think we had very good consultations with India so far and we hope to work closely with them as we go forward”, Assistant Secretary of State Richard Boucher told a group of South Asian reporters, adding that New Delhi has been positive and active when it comes to Afghanistan.⁴³¹

Boucher said that it is important for Pakistan to focus on its western border, where the terrorism comes from.⁴³² His remarks follow President Obama’s announcement about creating a new Contact Group for Afghanistan and Pakistan, which would include all the major stake holders and key global and regional players including India and Iran.⁴³³ “Together with the United Nations, we will forge a new contact group for Afghanistan and Pakistan that brings together all who should have a stake in the security of the region. Our NATO Allies and other partners, the Central Asian states, the Gulf nations, Iran, Russia, India and China. None of these nations benefit from a base for Al Qaeda terrorists and a region that descends into chaos. All have a stake in the promise of lasting peace and security and development”, Obama said.⁴³⁴

IV. INVASION OF IRAQ 2003

The political instability in the post-Cold War threatened basic Western interests in the economic welfare.⁴³⁵ Growing reliance on international trade, particularly in the importation of oil from the Middle East, required the global economies to maintain stability in the global market. The dependence of US and its allies on foreign oil, particularly in the Middle East, obligated the US to maintain military capability to intervene in support of countries in the region against external or internal threats.⁴³⁶ Since 1990 until today, Iraq posed a challenge to the stability of neighbouring oil-

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Jha, Lalit K., “AfPak Policy An Outcome Of White House Debate: U.S Actively Consulted India On Policy”, *The Indian Express*, 29/09/2009, p.15.

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“U.S. Actively Consulted India On Afghan-Pak Policy: Boucher”, *Press Trust of India*, 28th March, 2009.

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Ibid.

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Remarks By the President on a New Strategy For Afghanistan and Pakistan, Office of the Press Secretary, The White House, 27th March, 2009.

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Yost, David, “The Necessity for American Military Intervention in the Post-Cold War World” in the Aspen Strategy Group. *The United States and the Use of Force in the Post-Cold War Era*, 1995, p.43.

producing regimes. The terrorist network, Al Qaeda, posed a different type of challenge. It aimed at replacing the regimes in the Middle East with a restored Islamic Chalifate ruled by the Shariat Law.⁴³⁷ The two threats are interconnected. Of particular offence to the Al Qaeda ideologues was what they perceived as the occupation of Saudi Arabia and the desecration of Islamic holy places by the US military forces situated to protect the regime against the external and internal challenges. Hence, reducing Saudi Arabia's external threats by removing Saddam Hussein and limiting the presence of US troops in Saudi Arabia may have been part of effort to reduce the appeal of the Al Qaeda ideas.

On the brink of war, and in front of the whole world, the United States Government asserted that Saddam Hussein, President of Iraq, had reconstituted his nuclear weapons programme, had biological weapons and mobile biological weapon production facilities, and had stockpiled and was producing chemical weapons. All of this was based on the assessments of US Intelligence Community.⁴³⁸ As the war loomed, the US Intelligence Community was charged with telling the policymakers what it knew about Iraq's biological, chemical and nuclear weapons. The Community's best assessments were set out in an October 2002 National Intelligence Estimate (NIE), a summation of the Community's view.⁴³⁹ The title, *Iraq's Continuing Programmes for Weapons of Mass Destruction*, foretold the conclusion: "Iraq was still pursuing its programmes for Weapons of Mass Destruction. And not a bit of it could be confirmed when the war was over."⁴⁴⁰ While the intelligence services of many other nations also thought that Iraq had weapons of mass destruction, in the end it was the United States that put its credibility on the line, making this one of the most public – and most damaging – intelligence failures in the American history.

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Ibid, pp.43-44.

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On the ideology and ideals of Al Qaeda group, see Doran, "The Pragmatic Fanaticism of Al Qaeda: An Anatomy of Extremism in the Middle Eastern politics", *Political Science Quarterly*, 2002, 177; Posen, Barry R., "The Struggle Against Terrorism: Grand Strategy, Strategy and Tactics", Vol. 26 *International Security*, 2002, 39.

438

Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, Report to the President of the United States, 31st March, 2006.

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NIEs, produced under the auspices of the National Intelligence Council, contain the coordinated judgments of the Intelligence Community and are the DCI's most authoritative written judgments concerning national security issues. CIA Website. http://www.cia.gov/nic/NIC_about/html.

440

Ibid.

The stage was being set for the United States to take unilateral military action against Saddam Hussein, soon after the 9/11 tragedies. The US Defence Secretary, Donald Rumsfeld, alleged that fleeing Al-Qaeda terrorists from Afghanistan had found refuge in Iraq.⁴⁴¹ He was of the opinion that President Saddam Hussein of Iraq was possibly unaware of this. He was reported to have said: "In a vicious, repressive dictatorship that exercises near-total control of its population, it is very hard to imagine that the Government is not aware of what is taking place in the country." (He would not, of course, extend the same logic to other, 'friendly' military dictatorships!).

Christine Gray notes that the actual invocation of the right to anticipatory self-defence is rare and that states prefer to take a wide view of armed attack rather than openly claim anticipatory self-defence: "It is only where no conceivable case can be made for this that they resort to anticipatory self-defence. This reluctance expressly to invoke anticipatory self-defence is in itself a clear indication of the doubtful status of this justification for the use of force."⁴⁴² This may be another reason the United States and United Kingdom sought to justify their use of force against Iraq by reference to resolutions 678 (1990) and 687 (1991) rather than attempt to justify them on a basis of anticipatory self-defence of the Bush doctrine of preventive war.⁴⁴³

The U.S President, George W. Bush, in a televised address to his nation on March 17 declared: "Saddam Hussein and his sons must leave Iraq within 48 hours. Their refusal to do so will result in military conflict commencing at a time of our choosing."⁴⁴⁴ This ultimatum was the U.S. response to its failure to get a U.S.-U.K.-Spanish draft resolution through the U.N. Security Council.

According to the United States and the United Kingdom, the previous Council resolutions on Iraq, including resolutions 661 and 678 (1990) and 687 (1991), already embodied adequate legal basis for any use of force against Iraq.⁴⁴⁵ Evidently, they did not want to give the Council an opportunity to specify what action it would take, as that

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Krishnaswami, Sridhar, "Al Qaeda Men May Be in Iraq", *The Hindu*, 8th August, 2002.

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Gray, Christine, *International Law and The Use of Force*, Oxford University Press, Oxford, 2nd Edition, 2000, p.45.

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Weisburd, Mark, "The War in Iraq and the Dilemma of Controlling the International Use of Force", *Texas International Law Journal*, Vol 39, pp.531-534.

444

Mani, V.S., "A War To Enforce Disarmament", *The Hindu*, 20th March, 2003, p.10.

would have deprived them of their so-called 'right' to unilateral military action. The Bush ultimatum specifically invoked resolutions 678 and 687.⁴⁴⁶

The first Gulf War took place after the end of Cold War in 1991, Iraq attacked neighbouring oil-rich Kuwait. When all efforts to persuade Iraq to withdraw from Kuwait failed, and peaceful solution appeared to be impossible, the 28-nation coalition led by the United States and authorised by the United Nations Security Council, waged a war on Iraq and liberated Kuwait. Iraqi President Saddam Hussein offered to surrender on the condition that the UN guaranteed US withdrawal of allied forces from the region or if US President George Bush gave in writing a 'clear, unequivocal commitment' to withdrawal all allied forces from the region 'along with a lifting of the UN blockade of Iraq'.⁴⁴⁷ Immediately, the United States rejected the demand until Iraq completely withdrew from Kuwait. Iraq had tried to link the Kuwait crisis with the Arab-Israeli conflict. Iraq's demand was the end of Israel's occupation of West Bank and Gaza, the Golan Heights and southern Lebanon.

The Iraqis tried to deter and split the growing international coalition through several means. They made it clear that their adversaries would pay heavily if war broke out, and they hinted they would use chemical weapons and missile attacks on cities, as they had against Iran during the Iran-Iraq War. Iraq also detained citizens of coalition countries who had been in Kuwait at the time of the invasion and said they would be held in militarily sensitive areas – in effect using them as human shields to deter coalition attacks. Iraq eventually released the last of the foreigners in December 1990 under pressure from several Arab nations.

What was really going on in Iraq before the American invasion?⁴⁴⁸ Iraq's nuclear weapons program was on the threshold of success before the 1991 invasion of Kuwait - there was no doubt that Iraq could have produced dozens of nuclear weapons within a few years - but was stopped in its tracks by UN weapons inspectors after the Gulf war

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Mani, V.S., "Is an attack on Iraq Illegal?", *The Hindu*, 4th September, 2002, p.10 and "A War To Enforce Disarmament?", *The Hindu*, 20th March, 2003, p. 10.

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Ibid. .

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"Confrontation in the Gulf; Proposals by Iraqi President: Excerpts From His Address", *New York Times*, 13th August, 1990.

448

Obeidi, Mahdi, "Saddam, the Bomb and Me", *New York times*, 26th September, 2004.

and was never restarted.⁴⁴⁹ During the 1990s, the inspectors discovered all of the laboratories, machines and materials Iraq had used in the nuclear program, and all were destroyed or otherwise incapacitated. Another factor in the mothballing of the program was that Saddam was profiting handsomely from the UN oil-for-food program, building palaces around the country with the money he skimmed.⁴⁵⁰

UN Security Council Resolution (UNSCR) 688 of 5 April 1991 described Iraqi repression of the Kurds and Shias as a threat to international peace and security.⁴⁵¹ It was on the strength of this resolution that France, followed by the US, Britain and a number of other countries, took action with ground and air forces to compel the Iraqis to desist. Authorised by the UN Security Council, which called upon Iraq to vacate Kuwait, failing which use of force could be resorted to compel her to vacate the aggression, the United States and 28 states launched Operation 'Desert Storm' to free Kuwait.⁴⁵² Although the war ended in early 1991, UN imposed sanctions against Iraq were not withdrawn even till 1997. As Iraq failed to destroy its nuclear capability, the United States was in no mood to oblige Iraq.

The Soviet Union joined the coalition and fully supported the UN resolutions and the US determination to expel Iraq from Kuwait, but refused to participate in the military build-up in the Gulf or join the war against Iraq.⁴⁵³

The issue of WMD had been central to the work of the U.N. inspectors led by Hans Blix and Mohammed El-Baradei and tangible results were being achieved and regularly reported to the Council. At any rate, the argument of a 'possible Pearl Harbour' does not fit in with scenario of a right of self-defence against an armed attack, or even a pre-

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Ibid.

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Ibid.

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Gallant, Judy A., "Humanitarian Intervention And Security Council Resolution 688: A Reappraisal In Light of A Changing World Order", *American University International Law Review*, Vol.7, Issue 4, 1992.

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Tisdall, [Simon](#), Walker, [Martin](#) and Beresford, David, "From the archive, 28 February 1991: The liberation of Kuwait", *The Guardian*, 28th February, 2014.

453

Gordon, Philip H., and Shapiro, Jeremy, *America, Europe and The Crisis Over Iraq*, McGraw-Hill, New York, 2004, pp. 36-40.

emptive right against an "imminent" attack. On the contrary, the invasion of Iraq by the US-UK has established the clear possibility of wanton abuse of the so-called right of pre-emptive attack as a free licence for unrestrained and whimsical unilateral use of force by the mighty against the weak, and does violence to the U.N. Charter scheme of international community action through the instrumentality of the Security Council. How does a grossly subjective threat perception as part of pursuit of foreign policy objectives amount to an actual threat the 'imminence' of which should prompt defensive invasion and regime change? Subsequent official revelations from both the United States and the UK showed with ample clarity to the entire world that there was not a shred of hard evidence of WMD stockpiles with the Saddam Hussein regime and that these stockpiles, if existed, were destroyed as long ago as 1998.

According to William Howard Taft IV, and Todd Buchwald, the Legal Advisor and the Assistant Legal Advisor of the United States Department of State: A central consideration, at least from the U.S. point of view, was the risk embodied in allowing the Iraqi regime to defy the international community by pursuing weapons of mass destruction.⁴⁵⁴

Professor Ruth Wedgwood of John Hopkins University uses President Kennedy's handling of the Cuban missile crisis as a precedent for President Bush's decision to invade Iraq: 'The introduction of nuclear weapons into Cuba,' she writes, 'reducing the Soviet launch time to seven minutes, would have destroyed any adequate interval for the assessments of nuclear warnings,' thus justifying the United States in imposing a defensive quarantine'.⁴⁵⁵

What about the new doctrine of pre-emptive/preventive war has made it palatable to so many people, despite the fact that it undermines the very essence of the United Nations Charter?⁴⁵⁶ Apparently, it is the magnitude of the armed attack that the pre-emptor sees coming from the presumed attacker, as well as the impossibility of determining just when the attack will occur.

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Taft IV, William and Buchwald, Todd, "Preemption, Iraq and International Law", *American Journal of International Law*, vol. 97, no. 3, p.563.

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Wedgwood, Ruth, "The Fall of Saddam Hussein: Security Council Mandates and Pre-emptive Self-Defense", *American Journal of International Law*, vol. 97, no. 3, 2003, p. 584.

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Weiss, Peter and Burroughs, John, "Weapons of Mass Destruction and Human Rights", *Human Rights, Human Security and Disarmament*, United Nations Institute for Disarmament Research, Issue 3, 2004, pp. 2-5,

The mere invocation of the threat of nuclear weapons, whether delivered by plane, by missile or by suitcase, the rhetorical projection of a mushroom cloud over Manhattan – or London, Mumbai or any other city – tends to cut off rational discussion.⁴⁵⁷ It is likely, therefore, that the pre-emptive/preventive war doctrine will spread as long as the spectre of nuclear weapons in the arsenal of a state or in the hands of a non-state actor can be summoned up. According to United States Deputy Secretary of Defence Paul Wolfowitz, when justification for going to war with Iraq was discussed at the highest levels of the American government, ‘For bureaucratic reasons, we settled on one issue, weapons of mass destruction, because it is the one reason everyone could agree on.’⁴⁵⁸

The US invasion of Iraq on 17TH March 2003 and subsequent efforts to stabilize that country had caused a great deal controversy in the alliance.⁴⁵⁹ From at least early 2002, some allies particularly France and Germany were contending that the principal threats to the allies lay elsewhere, in the unclear programmes of Iran and North Korea and from instability in Pakistan and Afghanistan. They contended that Iraq could be contained through sanctions, and after the fall of 2002, UN Weapons of Mass Destruction Inspections.⁴⁶⁰

Transatlantic differences over Iraq touched off a bitter dispute in NATO in February 2003, shortly before the war, France, Germany and Belgium blocked initial US efforts to provide NATO defensive assistance to Turkey. They argued that such assistance would be tantamount to acknowledgement that war was necessary and imminent at a time when UN inspections were still underway. The Iraq conflict and ensuing failure to locate Weapons of Mass Destruction sharpened a debate among the allies over an appropriate NATO role in Iraq, and Iraq’s effect on allied interests.⁴⁶¹

457

Ibid.

458

“Wolfowitz’s comments revive doubts over Iraq’s WMD”, *Associated Press*, June 1, 2003.

459

Gallis, Paul and Archick, Kristin, “NATO and the European Union”, Congressional Research Service, 12th May, 2005.

460

“Future of Transatlantic Security: New Challenges, A European-American Discussion,” Occasional Paper the American Council on Germany, based on conference of US, French, German and British policy makers in Washington DC, 5-7 December, 2002.

461

Ibid.

The US administration contended that stabilization of Iraq was in the interests of all allies. The insurgency and general disorder in much of Iraq had opened the door to a terrorist foothold in the country.⁴⁶² The United States believed that anchoring democratic institutions in Iraq would have a positive, reverberate effect on Middle Eastern Governments that have authoritarian traditions.⁴⁶³ Most immediately, however, the US justified use of force against Iraq on FOUR main grounds: (1) Combating terrorism linkage with Osama bin Laden, (2) Iraq was suspected to develop WMDs, (3) to enforce the disarmament obligations imposed by the Security Council since 1990 (4) use of force permitted under Resolution 688 of UNSC. However, in terms of US security interests, two publicly unarticulated purposes of US action were (1) control over oil good to have an Iraqi government pro-US, (2) to fortify the security of Israel (Israel was allergic to Iraq developing its nuke technology).

Many allies led by France and Germany recognized that an unstable Iraq was an unsettling force in the already volatile Middle East. They believed that the Arab-Israeli conflict must first be settled before there can be stability in the region, and that the United States policy favoured Israel excessively and was thus an impediment to peace.⁴⁶⁴ They were skeptical that an outside power like the United States can develop democracy in Iraq, a country that has sectarian and tribal divisions and no rooted legacy of representative government. They also believed that the United Nations should have a larger scale in Iraq. French President Jacques Chirac stated that a US-led invasion of Iraq would lead to the growth and spread of anti-western terrorism.⁴⁶⁵

UN Security Council Resolution 1441 (2002) threatened Iraq with serious consequences if it continued to violate this and earlier resolutions of the United Nations Security Council.⁴⁶⁶ Does this threat include military measures and, if so, who may carry them out? The United States and its allies acting alone, or only on the basis of an additional resolution of the Security Council?⁴⁶⁷ These were the crucial questions in the Iraq crises, which was not only a threat to international peace, but also constituted a

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Gallis, Paul and Archick, Kristin, "NATO and the European Union", Congressional Research Service, 12th May, 2005.

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"Iraq uprising growing, Powell says", *Washington Post*, September 27, 2004, p A 14; Burns, Nicolas, "War on terror is NATO's new focus", *International Herald Tribune*, October 6, 2004, p.6.

464

CRS Report RL 31956 on *European Views and Policies towards the Middle East* by Kristin Archick.

465

"Blair and Chirac draw line under Iraq quarrel", *Financial Times*, November 19, 2004, p. 4; "Irak: le 'oui mais' de la France a une conference internationale", *Le Monde*, September 29, 2002, p.2.

threat to the UN system of collective security. Military measures by a group of states against Iraq not explicitly authorized by the Security Council would strained the United Nation's collective security system to the point of threatening its very existence.

If military measures against Iraq cannot be supported by Resolution 1441, and there is no authorization for the United States comparable to one following Iraq's aggression against Kuwait, the questions is necessarily raised as to the legitimacy of military action by the United States and states supporting it.⁴⁶⁸ In such action, those states could not invoke Iraq's violation of Security Council resolutions; they would not have the mandate to act as an enforcement organ of the United Nations. Nor can action by the United States and its allies find support in Resolution 678 (1990), which made a military liberation possible following Iraq's aggression against Kuwait.⁴⁶⁹

The United States pointed to its right of self-defence as a justification for military action. According to the text of Article 51 of the UN Charter, only a concrete attack against a state activates a state's right to self-defence. When a UN Charter was adopted, a conscious decision was made against the possibility of preventive self-defence. The United States also wanted to recognize the right to self-defence only in the case of an actual attack.⁴⁷⁰

The Iraq War episode demonstrated the limitations of US power. Firstly, military power could overthrow Saddam but not keep the peace or guarantee the building of a stable and democratic Iraq afterwards. Secondly, the USA, having gone into Iraq against the will of most international organizations, rather quickly had to call in their help to provide a legal framework and contribute practical expertise for re-building. Thirdly,

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Security Council Holds Iraq in 'Material Breach' Of Disarmament Obligations, Offers Final Chance to Comply, unanimously adopting resolution 1441, Press Release Sc/7564, 2002.

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Bartholomees, J. Boone, "U. S. Army War College Guide to National Security Policy and Strategy", Volume 2: National Security Policy and Strategy, 5th Edition, June 2006.

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Copson, Raymond W., "Iraq War? Current Situation and Issues for Congress?", Congressional Research Service, 29th January, 2003.

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Ibid.

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Rudiger, Wolfrum, "Iraq – a crisis for our System of Collective Security", Director, Max Planck Institute for Comparative and International Law, Heidelberg, Germany, 24/02/03.

the concerns which the Iraq episode stirred up among other countries regarding the excessive or wrongly directed use of American power led to a number of counter-measures or at least balancing measures, notably the attempt to strengthen the strategic role and unity of the European Union and other regional cooperation groups. Finally, the US's own resources have become badly overstretched in terms both of military manpower, and of finance, resulting in abnormally large US budget and trade deficits which in their own way, again, make the US more dependent on the behaviour and cooperation of other players.⁴⁷¹

The Bush Administration had gained a measure of NATO involvement in Iraq. The Alliance provided logistical and communications assistance to Poland, which was leading a multinational force of 8500 troops in a stabilisation effort in Southern Iraq, until the Iraqi elections on January 31st, 2005.⁴⁷² Under the terms of UN Security Council Resolutions 1546 and at the request of the Iraqi Interims Government, NATO had agreed to a training mission for Iraqi security forces. At the Istanbul Summit in June 2004, the allies agreed in principle to train elements of Iraq's army, police and National Guard.⁴⁷³

The NATO mission consisted of 300 trainers in Iraq. At least six NATO governments, such as the French, German and Spanish insisted that they would not send forces to Iraq for the mission, but would train Iraqi security forces outside the country. Germany already had underway such a training mission in the United Arab Emirates.⁴⁷⁴

There are approximately 135,000 US troops in Iraq. Another 26,000 are being contributed by other countries. All of these troops are under the US-led Multinational Force, which is not under NATO auspices. Fifteen of NATO's 26 members have troops in the Multinational Force. Except for Britain (9200), Italy (3120) and Poland (2400), these contingents are small.⁴⁷⁵ The Polish Government said that it would begin withdrawal of its forces after the Iraqi elections. Hungary indicated that it might begin withdrawing its contingent of 300 troops early in 2005 as well.⁴⁷⁶

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Bailes, Alyson J.K., "Lessons of Iraq", Director, Stockholm International Peace Research Institute, Beijing, May 2, 2005.

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Archick, Kristin, "NATO and the European Union", Congressional Research Service, 12th May, 2005.

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Ibid.

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Clausson, M.I., *NATO: Status, Relations and Decision-Making*, Nova Publishers, 2007, pp.12-13.

The Bush Administration's efforts to shift NATO's mission to combating terrorism and proliferation, with a strategic center of gravity in the Middle East, led to uneasiness and a series of challenges by some allies.⁴⁷⁷ While all allies view terrorism and proliferation as serious threats, and all have embraced the need for more 'expeditionary' forces, several key allies nonetheless had questions about the administration's leadership and its commitment to NATO.⁴⁷⁸

International political considerations play an important role in some allies' questioning of US leadership. Most allies are members of the European Union.⁴⁷⁹ They place great importance on international institutions as a means of solving transatlantic problems, from economic dislocation to narcotics trafficking to prevention of conflict. The legacy of two World Wars in Europe remained a central factor in shaping governments' policies; prevention of illegitimate violations of sovereignty was a principal reason for their support of the establishment of the United Nations, the EU and NATO.⁴⁸⁰ This view lies behind the general European opposition to the Bush Administration's doctrine of 'pre-emptive action'. Some European observers believed that there was an 'absence of anything that could be called an international security architecture,' in part because of the United States, in this view, avoided reliance on the UN.⁴⁸¹ US global leadership was once 'embedded in the international rule of law that constrained the powerful as well as

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Ibid.

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CRS Report RL 32105 on Post-War Iraq: A Table and Chronology of Foreign Contributions by Jeremy Sharp; "Vowing Iraq pullback, Polish Leader wins vote", *International Herald Tribune*, October 14, 2004, p.1.

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Archick, Kristin, "NATO and the European Union", Congressional Research Service, 12th May, 2005.

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Ibid.

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Archick, Kristin, "NATO and the European Union", Congressional Research Service, 12th May, 2005; Mix, Derek E., "The United States and Europe: Current Issues", Congressional Research Service, 20th March, 2013

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Ibid.

481

Ibid.

the weak.’ However, in this view, the United States resorted to force in Iraq, without clear support from the UN, had made the United States ‘a revolutionary hyperpower.’⁴⁸²

Some US officials counter that there is a good cooperation with allies on the use of law enforcement to combat terrorism,⁴⁸³ but that there are moments when the danger of impending catastrophic developments or an imminent attack justifies the use of force without ‘legitimation’ through the often time-consuming process of obtaining a UN resolution. The Clinton Administration (and ultimately all the allies) reached this conclusion when it decided that NATO must act to prevent ethnic cleansing in Kosovo without explicit UN authorization in light of a threatened Russian veto, and the Bush Administration reached this conclusion when it went to war in Iraq in the belief that the Hussein regime possessed a WMD arsenal.⁴⁸⁴

The terrorist bombing in Madrid on March 11, 2004, which killed approximately 200 people, had led to severe repercussions for the administration. Approximately 90 percent of the Spanish population had opposed Prime Minister Aznar’s support for the invasion of Iraq, and his subsequent decision to send forces as part of the US-led coalition.⁴⁸⁵ Spain held scheduled elections three days after the bombing. Voters turned out the sitting government and elected a Socialist-led coalition. The newly elected Socialist Prime Minister, Jose Luis Rodriguez reportedly said, ‘The war in Iraq was a disaster and the occupation continues to be a disaster.’ He accused President Bush and British Prime Minister Tony Blair of ‘lies’ over leading a coalition to war on the basis of inaccurate intelligence information. Rodriguez said that he would withdraw the 1300 Spanish forces from Iraq by June 30 unless the UN is given the clear authority to replace the US occupation.⁴⁸⁶

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Stevens, Philip, “A fractured world remains a very dangerous place”, *Financial Times*, December 19, 2003, p.15.

483

CRS Report RL31509 on *Europe and Counterterrorism: Strengthening Police and Judicial Cooperation* by Kristin Archick; and CRS Report RL 31612 on *Europe and Counterterrorist Efforts Since September 11* by Paul Gallis.

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Archick, Kristin, “NATO and the European Union”, Congressional Research Service, 12th May, 2005.

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“Those awkward hearts and minds”, *The Economist*, April 1, 2003. p. 12.

486

“Spain prepares to pull out of Iraq”, *Financial Times*, March 16, 2004, p.1.

Five years after launching the US invasion of Iraq, US President Bush was making some of his most expansive claims of success in the fighting in Iraq.⁴⁸⁷ Bush said that troop buildup had turned Iraq around and produced ‘the first large-scale Arab uprising against Osama Bin Laden, Al Qaeda Leader.’⁴⁸⁸ He defended the decision to go to war, calling it the ‘right decision’ and maintaining ‘this is a fight America can and must win.’⁴⁸⁹ He said, ‘In Iraq, we are witnessing the first scale Arab uprising against Osama Bin Laden, his grim ideology and his terror network. And the significance of this development cannot be overstated.’⁴⁹⁰

Bush described critics who call for the withdrawal of US troops and cited the burgeoning costs of the war. ‘No one would argue that this war has not come at a high cost in lives and treasure – but those costs are necessary when we consider the cost of a strategic victory for our enemies in Iraq.’⁴⁹¹

At least, 3990 US Soldiers have died since the beginning of the war in 2003. It has cost taxpayers about \$500 billion so far and estimates of the eventual tab run far higher. Retreating from Iraq would allow the country to sink to ‘chaos’; emboldening terrorists bent striking the United States, Bush said.⁴⁹²

These studies indicate the security perceptions of the United States and NATO had changes since the end of the Cold War. After the Cold War, the United States is left as the sole surviving superpower and so subservience of NATO to the security interests of the United States became more pronounced to such extent that where both NATO and US participated together.⁴⁹³ NATO actions subserved US interests. Operationally, this would mean expansion of original geographical field of action (former Eastern

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Loven, Jennifer, “Bush speech marks 5 years of war in Iraq”, *USA Today*, 19th March, 2008.

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Ibid.

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Ibid.

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Ibid.

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“Spain prepares to pull out of Iraq”, *Financial Times*, March 16, 2004, p.1.

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Ibid.

Europe, Middle East, Central Asia) and indeed, wherever the US interests take it to. Hence, in terms of operational responsibilities, NATO ceased to be North Atlantic.⁴⁹⁴ Secondly, if American interests should be served by NATO by undertaking peacekeeping operations under the United Nations, it would do so, although it had shunned from such responsibilities in the past. Yet US security interests demand NATO forces would accept mandates whether overlapping or in competition with its own peacekeeping operations. Afghanistan remains a standing example to this level of opportunism.

PART III: EVOLUTION OF A NEW FRAMEWORK

No sooner had the cold war ended than America's political and military leaders set about reviewing their strategic concepts, but never called into question the existence of NATO, which had played a crucial role in the cold war. They focused on tackling regional conflicts and the use of new stealth and high precision weapons.⁴⁹⁵

The international strategic landscape has been revolutionized, making previous theories old-hat, for example, the idea of "two-and-a-half conflicts" (a major war against either the USSR or another one against China and a regional conflict) or "one-and-a-

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Kristensen, Kristian and Heurlin, Bertel, "International Security", in Wiener, Jarrod; Schrire, Robert A., *International Relations: Encyclopedia of Life Support Systems*, Eolss Publishers, Oxford, 2006.

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Ibid.

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Gorce, Paul-Marie de La, "NATO on Russia's Doorstep", *Le Monde Diplomatique*, July 1997.

half conflicts” (a major war against the U.S.S.R or China plus a regional conflict) as conceived under the Nixon Administration. The working hypothesis is that the U.S. army must be able to cope with two regional conflicts at the same time, on a scale comparable with the Gulf War.⁴⁹⁶

There was a strong consensus in the American foreign policy-making establishment and, to a lesser extent, in Western Europe that at least one or two and perhaps Central European states should be made members of NATO at some point in the not too distant future.⁴⁹⁷

American officials hope that talks on accession would begin in 1996 and that the alliance would begin to expand in 1997, 1998 or 1999. Some experts – including Zbigniew Brzezinski and Ronald Asmus – believe NATO should move quickly to extend membership to Poland, Hungary and the Czech Republic.⁴⁹⁸ Both approaches are misguided. They fail to explain why NATO expansion is needed.

Why is NATO expansion is needed?⁴⁹⁹ First, it is said that Russian aggression in Europe is likely if not inevitable. It is true that Russia has a long imperialist past, but it is also true that Russia not now pose a military threat to Central Europe. As Brzezinski concedes, “Neither the Alliance nor its prospective new members are facing any imminent threat.” Even worst-case scenarios, he says, do not justify talk of a Russian military threat.⁵⁰⁰ Significantly, Poland and Hungary were reducing military conscription and the Czech army was reducing its mechanized and infantry forces. These were not the actions of states worried about military threats.⁵⁰¹

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Ibid.

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Brown, Michael, “NATO Expansion: The Need Is Dubious, the Risks Real”, *New York Times*, 17/01/95.

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Ibid.

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Ibid.

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Ibid.

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Ibid.

Second, according to Asmus, NATO expansion is needed to stabilize “the East”.⁵⁰² “Malignant nationalism” is a potential problem, NATO must expand now, he argues, “before something goes wrong in the region”.⁵⁰³

(1). THROUGH THE COLD WAR PERIOD

(a). 1949 to 1966

The outbreak of the Korean War in 1950 was crucial for NATO as it raised the apparent threat level greatly (all Communist countries were suspected of working together) and forced the Alliance to develop concrete military plans.⁵⁰⁴ The 1952 Lisbon Conference, seeking to provide the forces necessary for NATO’s Long-Term Defence Plan, called for an expansion to 96 divisions.⁵⁰⁵ However, this requirement was dropped roughly to 35 divisions with heavier use to be made of nuclear weapons. Also at Lisbon, the post of Secretary General of NATO as the organisations’ chief civilian was also created, and Baron Hastings Ismay eventually appointed to the post.⁵⁰⁶ Greece and Turkey joined the Alliance in the same year, forcing a series of controversial negotiations, in which the United States and Britain were the primary disputants, over how to bring the two countries into the military command structure.

Until 1950, NATO consisted primarily of a pledge by the United States to aid its members under the terms of Article 5 of the treaty. There was no effective machinery, however, for implementation of this pledge. The outbreak of the Korean War in June 1950 convinced the allies that the Soviets might act against a divided Germany.⁵⁰⁷ The result was not only the creation of a military command system, but also the expansion of the organization. In 1952 Greece and Turkey joined the alliance, and in 1955 West

502

Ibid.

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Ibid.

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Fautua, David T., “The ‘Long Pull’ Army: NSC-68, the Korean War, and the Creation of the Cold War U.S. Army,” *Journal of Military History*, Vol. 61, no. 1, January 1997; Isby, David C.; Kamps Jr., Charles, *Armies of NATO's Central Front*, [Jane's Information Group](#), London, 1985, pp.13-15.

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Ismay, Lord Hastings, “NATO the first five years 1949-1954”, *NATO Review*, 4th September, 2001; Osgood, Robert E., [NATO: The Entangling Alliance](#), [University of Chicago Press](#), Chicago, 1962, pp.370-372.

506

“NATO: The Man With the Oilcan”, *Time*, 24th March, 1952.

Germany was accepted under a complicated arrangement whereby Germany would not be allowed to manufacture nuclear, biological, or chemical weapons.⁵⁰⁸ In its first decade, NATO was mainly a military organization dependent on U.S. power for security and for the revival of Europe's economy and polity.

The unity of NATO was breached early on its history, with a crisis occurring during Charles De Gaulle's presidency of France from 1958 onwards. In 1947, De Gaulle supported the Marshall Plan's contribution to the reconstruction of a Europe sheltering under the United States nuclear umbrella from the threat of the Soviet bloc. He accepted the creation of the Alliance Pact in April 1949 to counter the threat, but the subsequent establishment of NATO with its regime of integrated forces created a situation of subordination that France could no longer accept.⁵⁰⁹

The process of development of sound French nuclear strategy itself was started as early as in late 1956 - a year and a one-half year in advance to the official order signed in April 1958 by Felix Gaillard - the Fourth Republic's last Prime Minister - to manufacture the first French experimental nuclear device the test of which was scheduled for the first quarter of 1960.⁵¹⁰ It seems the U.S. refusal to grant to France and the United Kingdom support during the Suez crisis was the most important individual factor, "the last drop" that finally led to the decision to develop really independent French nuclear postures and strategy.⁵¹¹ French leadership had to consider seriously that move taking into account the conditions under which the United States refused to support joint French-British actions - that took place when the Soviet Union warned about its willingness to intervene into the situation "with employment of nuclear

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Isby, David C.; Kamps Jr., Charles, *Armies of NATO's Central Front*, [Jane's Information Group](#), London, 1985, pp.13-15.

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Ismay, Lord Hastings, "NATO, The First Five Years, 1949-1954", *NATO Review*, 4th September, 2001.

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Wenger, Andreas, Nuenlist, Christian and Locher, Anna, [*Transforming NATO in the Cold War: Challenges beyond deterrence in the 1960s*](#), Routledge, London, November 2006, pp.67-69.

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Norris, Robert S., Burrows, Andrew S., Fieldhouse, Richard W, *Nuclear Weapons Databook British, French, and Chinese Nuclear Weapons*, Vol.5., Westview Press, Boulder, San Francisco, Oxford, 1994, p.183.

511

Ibid.

missiles" if France and United Kingdom would not break off military actions against Egypt.⁵¹²

Absence of its own powerful enough tools to withstand that sort of "warnings" from the side of a nuclear power (French and British forces had broken off the military actions against Egyptians in 22 hours after Soviet Ambassadors in Paris and London handed the Soviet Government's messages to the top French and British officials) multiplied by the dependence of the United States will to put in danger the U.S. security for defense of allies' interests had.⁵¹³ In that situation for Paris (as one can consider), the decisive significance and it definitely was among the most important "votes" for necessity to develop really independent of France's allies nuclear policy. Suez crisis has very convincingly for the period proved that France could not depend too much on its allies.⁵¹⁴

The United States did their best to prevent appearance of the French nuclear Bomb. That was the clear consequence of the U.S. policy of the period aimed to prevention of nuclear proliferation.⁵¹⁵ Nevertheless, those American attitudes towards the idea of the French Bomb were considered among Paris political elite as the sign of the U.S. intentions not to let France to increase the role it played - and wanted to play - in the international relations. Without French nuclear arsenal President de Gaulle felt that superpowers would deal with each other paying little attention to smaller nations, their interests and aspirations.⁵¹⁶

Moreover, consequent deterioration of French-U.S. relations (especially after de Gaulle came to power) gave birth to extremes in the two states relations concerning the nuclear affairs.⁵¹⁷ For instance, in 1962 the U.S. Secretary of State Dean Rusk was said to have warned that France's refusal to follow NATO nuclear policy and establishment of

512

Ibid.

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Ibid.

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Ibid.

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Ibid; Sokolski, Henry D., *Getting MAD: Nuclear Mutual Assured Destruction, its Origin and Practice*, Strategic Studies Institute, United States Army War College Press, November 2004, pp.250-251.

516

Ibid.

independent operating French nuclear forces could make those forces a target for U.S. nuclear weapons.⁵¹⁸

De Gaulle protested the United States' strong role in the organisation and what he perceived as a special relationship between the United States and the United Kingdom. In a memorandum sent to the U.S. President Dwight D. Eisenhower and British Prime Minister Harold Macmillan on September 1958, De Gaulle argued for the creation of the tripartite directorate that would put France on an equal footing with the United States and the United Kingdom⁵¹⁹, and also for the expansion of NATO's coverage to include geographical areas of interest to France, most notably Algeria, where France was waging a counter-insurgency and sought NATO assistance. In the case of refusal by its partners, France, which wished to retain absolute control of its armed forces, reserved the right to withdraw from NATO.

Indeed, de Gaulle drew no distinction between NATO and Europe. He sought to take advantage of France's strengthened position in NATO in order to consolidate its influence among the Six on the basis of a Franco-German axis.⁵²⁰ On the other hand, he also hoped to develop European political and strategic cooperation in order to pressurise the United States into accepting the French plans for the reform of the Atlantic Alliance.⁵²¹

Considering the response given to be unsatisfactory, and in order to give France, in the event of a East German incursion into West Germany, the option of coming to a separate peace with the Eastern bloc instead of being drawn into a NATO-Warsaw Pact global war, De Gaulle began to build an independent defence for his country.⁵²² On March 11, 1959, France withdrew its Mediterranean Fleet from NATO command; in June

517

Ibid.

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Ibid; Ogden, Christopher, "Bombs Away!", *Time Magazine*, Volume 146, No. 12, 18th September, 1995, pp. 166–189; Schoenbaum, Thomas J., *Waging Peace and War: Dean Rusk in the Truman, Kennedy, and Johnson Years*, [Simon and Schuster](#), Michigan, 1988, p. 421.

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Wenger, Andreas, Nuenlist, Christian and Locher, Anna, [*Transforming NATO in the Cold War: Challenges beyond deterrence in the 1960s*](#), Routledge, London, November 2006, pp.67-69.

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Dowd, Alan, ["Not Enough NATO In Afghanistan"](#), *CBS News*, 22nd September, 2009.

521

Ibid.

1959, De Gaulle banned the stationing of foreign nuclear weapons on French soil.⁵²³ This caused the United States to transfer two hundred military aircraft out of France and return control of the ten major force bases that had operated in France since 1950 to the French by 1967.⁵²⁴

In the meantime, France had initiated an independent nuclear deterrence programme, spearheaded by the “*Force de Frappe*” (“Striking Force”).⁵²⁵ France tested its first nuclear weapon on February 13, 1960 in (what was then) French Algeria.⁵²⁶ After the test was completed, there was immense criticism at France and De Gaulle in particular. This criticism revolved around three central ideas. The first was that France was not a prominent enough nation to complete a strategically effective nuclear force.⁵²⁷

The second was that the United States and NATO already protected France in particular, and did not need an independent source of nuclear weapons. However, De Gaulle had seen the lack of U.S. support during the Suez Crisis in 1956 and this and other historical reasons led him to be reluctant about relying on U.S. for support.⁵²⁸ Drawing on U.S. action, or more precisely, inaction during the Suez Canal crisis, De Gaulle was not going to rely on the United States to bail France out of trouble if the

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Ibid.

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Allied Command Structures In The New NATO, Institute for National Strategic Studies, National Defence University, Diana Publishing, 1997, p.50.

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Ibid.

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Ullman, Richard H., “The Covert French Connection”, *Foreign Policy*, Summer 1989, pp.3-33.

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Gordon, P.H., *Charles De Gaulle and the Nuclear Revolution*, paper presented at the Nuclear History Program conference “Cold War Statesman and the Nuclear Revolution”, Athens, Ohio, 19th September, 1991, forthcoming.

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Kenneth Waltz, “The Spread of Nuclear Weapons: More May Better,” *Adelphi Papers*, Number 171, International Institute for Strategic Studies, London, 1981.

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McDermott, Rose, *Risk-Taking In International Politics: Prospect Theory in American Foreign Policy*, University of Michigan Press, 1998, pp.145-159.

Soviets attacked. This fear of De Gaulle's was only reinforced with the announcement of the United States policy of flexible response.⁵²⁹ Under this new policy, the United States and presumably, the U.S.-led NATO would not respond to a Soviet invasion with full-scale nuclear retaliation but with a more proportional response.⁵³⁰ This change in policy occurred in 1961 and left De Gaulle and France fearing that the United States would use this new policy to abandon Europe and France in the face of a Soviet attack. De Gaulle believed that the United States was unreliable when it came to the defence of France and used this belief as motivation for continuous nuclear weapon testing and development.⁵³¹

The final criticism was based on the general belief that there was no foreign country, which was directly threatening France alone. De Gaulle's concerns about French political independence even with respect to its own allies can be variously attributed to grand heritage from Charlemagne through Louis XIV to Napoleon, the General's own egocentric reaction to his marginalisation during the Second World War, and perhaps exaggerated emphasis on the exigencies of realpolitik. Whatever the reasons for it, France's single-minded drive towards nuclear independence under De Gaulle and beyond clearly drove both its exhaustion of its cheaper domestic uranium resources and its neo-colonialistic policy concerning African uranium resources.⁵³²

Though France showed solidarity with the rest of NATO during the Cuban Missile Crisis in 1962, De Gaulle continued his pursuit of an independent defence by removing France's Atlantic and Channel Fleet from NATO command.⁵³³ In 1966, all French armed forces were removed from NATO's integrated military command, and all non-French NATO troops were asked to leave France. This withdrawal forced the relocation of the Supreme Headquarters Allied Powers Europe (SHAPE) from Paris to Casteau, north of

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Gavin, Francis J., "The Myth Of Flexible Response: United States Strategy in Europe during the 1960s", *International History Review*, 23, 4, 2001, pp. 647-75.

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Sokolski, Henry D., *Getting MAD: Nuclear Mutual Assured Destruction, its Origin and Practice*, Strategic Studies Institute, Carlisle, November 2004, pp.51-55.

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Ibid.

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Moravcsik, Andrew, "[Charles de Gaulle and Europe: The New Revisionism](#)", *Journal of Cold War Studies*, Vol. 14, No.1, Winter 2012, pp.53-77; Martin, Garret, "Conclusion: A Gaullist Grand Strategy?," in Christian Nuenlist, Anna Locher, and Garret Martin, eds., *Globalizing de Gaulle: International Perspectives on French Foreign Policies, 1958-1969*, Lexington Books, Lanham, MD, 2010, pp. 291-308; James Ellison, "Britain, de Gaulle's NATO Policies, and Anglo-French Rivalry, 1963-1967," in Nuenlist, Locher, and Martin, eds., *Globalizing de Gaulle*, pp. 136,148.

Mons, Belgium by October 16, 1967.⁵³⁴ France remained a member of the Alliance, and committed to the defence of Europe from possible Communist attack with its own forces stationed in the Federal Republic of Germany throughout the Cold War.⁵³⁵

(b). 1966 to 1989

During most of the duration of the Cold War, NATO maintained a holding pattern with no actual military engagement as an organisation. On 1st July, 1968, the Nuclear Non-Proliferation Treaty opened the signature: NATO argued that its nuclear weapons sharing did not breach the treaty as the U.S. forces controlled the weapons until a decision was made to go to war, at which point the treaty would no longer be controlling. Few states knew of the NATO nuclear sharing arrangements at that time, and they were not challenged.⁵³⁶

On 30th May, 1978, NATO countries officially defined two complementary aims of the Alliance – to maintain security and pursue détente. This was supposed to mean matching defences at the level rendered necessary by the Warsaw Pact's offensive capabilities without spurring a further arms race.⁵³⁷

NATO enlargement is certainly not a new issue for policymakers in Brussels. The addition of Greece and Turkey in 1952 gave NATO increased manpower, yet also increased the areas of responsibility to be defended.⁵³⁸ It also foisted the traditional Greco-Turkish antagonism upon an Alliance with enough on its hands with rearmament and reconstruction issues.⁵³⁹ NATO spent much of the 1960s and 1970s trying to secure its Southern flank as much from within as from without. The Cyprus crises seriously strained NATO internally, alleviated by the UN peacekeeping mission there.⁵⁴⁰ As well, the creation of the Federal Republic of Germany and its admission as an equal partner

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van der Eyden, Ton, [*Public management of society: rediscovering French institutional engineering in the European context*](#), IOS Press, Amsterdam, 2003, pp.104-105.

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Le Blévennec, François, “The Big Move”, *NATO Review*, 25th October, 2011.

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Cody, Edward, “After 43 Years, France To Rejoin NATO as Full Member”, *The Washington Post*, 12th March, 2009.

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Garthoff, Raymond L., *Détente and Confrontation: American-Soviet Relations from Nixon to Reagan*, Brookings Institution Press, 1994, pp.659-661.

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Ibid.

was crucial to NATO defence planning, yet was also accompanied by tremendous debate.⁵⁴¹ The admission of West Germany was essential for its potential to raise numerous well-equipped, well-trained troops.⁵⁴² It also pushed the border with the Soviet bloc eastwards, buying the Alliance more time in the event of war to defend in depth. Yet the Federal Republic of Germany had its own agenda, insisting upon a policy of “Vornerverteidigung”, or “defence in proximity to the border”.⁵⁴³ Thus enlargement brought both benefits and pitfalls, as in the south. European concerns over the American strategic commitment grew as a result of the Soviets developing its own atomic arsenal and the means to devastate North America.⁵⁴⁴

The membership of the organisation in this time period likewise remained largely static. In 1974, as a consequence of the Turkish invasion of Cyprus, Greece withdrew its forces from NATO’s military command structure, but with Turkish cooperation, was readmitted in 1980. On 30th May, 1982, NATO gained a new member following a referendum, the new democratic Spain joined the Alliance.⁵⁴⁵

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Ismay, Lord Hastings, “NATO In The First Five Years 1949-1954”, *NATO Review*, 17th September, 2001, pp.31-35; Lymbens, Panagiotis, *Greek-Turkish Crises Since 1955: Implications for Greek-Turkish Conflict Management*, Naval Postgraduate School, California, 1997, pp.80-83.

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Ibid.

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Brenner, Stefan, “Military Coalitions in War and Peace: NATO and the GreekTurkish Conflict 1952 – 1989”, *Journal of Military and Strategic Studies*, Vol 14, Issues 3 and 4, 2012.

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Asmus, Ronald D., *West-German NATO Policy: The Next Five Years*, RAND Corporation, California, November 1989.

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Ismay, Lord Hastings, “NATO In The First Five Years 1949-1954”, *NATO Review*, Chapter 9, 17th September, 2001.

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“West Germany Accepted Into NATO”, *BBC News*, 9 May 2011; Isby, David C.; Kamps Jr., Charles, *Armies of NATO's Central Front*, [Jane's Information Group](#), New York, 1985, p.15.

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Ibid.

The end of the Cold War and the dissolution of the Warsaw Pact in 1991 removed the de facto main adversary of NATO. This caused strategic re-evaluation of NATO's purpose, nature and tasks.⁵⁴⁶ In practice, this ended up entailing a gradual (and still ongoing) expansion of NATO to Eastern Europe, as well as the extension of its activities to areas that had not formerly been NATO's concerns. The first post-Cold War expansion of the NATO came with the re-unification of Germany on 3rd October 1990, when the former East Germany became part of the Federal Republic of Germany and the Alliance. This had been agreed in the Two Plus Four Treaty. To secure Soviet approval of a united Germany remaining in NATO, it was agreed that foreign troops and nuclear weapons would not be stationed in the East.⁵⁴⁷ The scholar [Stephen F. Cohen](#) argued in 2005 that a commitment was given that NATO would never expand further east,⁵⁴⁸ but according to [Robert Zoellick](#), then a [State Department](#) official involved in the Two Plus Four negotiating process, this appears to be a misperception; no formal commitment of the sort was made.⁵⁴⁹ In May 2008, Gorbachev repeated his view that such a commitment had been made, and that "the Americans promised that NATO wouldn't move beyond the boundaries of Germany after the Cold War."⁵⁵⁰

NATO's aim was: accelerate full membership of the European Union and its nascent defence arm, Western European Union, for the East-Central European states now in process of qualifying to join these bodies, while maintaining NATO's 'Partnership for Peace', to which those states, together with Russia, Ukraine and the Baltic States, all belong.⁵⁵¹ WEU was at a formative stage and was not viewed as a threat by the Russians, while NATO would always remain in their eyes what it was designed to be: a

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Isby, David and Kamps, Charles Jr., *Armies of NATO's Central Front*, Janes' Publishing Group Ltd, New York, 1985, p. 25.

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Harding, Luke, "[Kremlin tears up arms pact with NATO](#)", *The Observer*, 14th July, 2007.

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Isby, David and Kamps, Charles Jr., *Armies of NATO's Central Front*, Janes' Publishing Group Ltd, New York, 1985, p. 25.

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Cohen, Stephen F., "Gorbachev's Lost Legacy", *The Nation*, 24th February, 2005.

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Zoellick, Robert B., "The Lessons of German Unification", *The National Interest*, Fall 2000, pp.17-28.

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Blomfield A and Smith M., "Gorbachev: US Could Start New Cold War", *The Telegraph*, 6th May, 2009.

military alliance directed against the Soviet Union and now, by inheritance, against Russia.⁵⁵²

NATO expansion could not be limited to political and psychological consequences. Talbott wrote that the expanded North Atlantic Alliance would also have military goals.⁵⁵³ Thus, the armies of the new member states, long neglected by governments incapable of financing their modernisation, would have to be brought up to NATO standards at the cost of billions of dollars that should rather be spent on economic development. The taxpayers of present Alliance member-states, including those of the United States, would be expected to bear the lion's share of this burden, since the new members could hardly afford the soaring costs of modern weapons systems. Once this process began, the only mission that could be prescribed for the modernized forces would be that of combating Russia.⁵⁵⁴

(2). SINCE THE END OF THE COLD WAR

The fall of 1989 proved to be one of the most remarkable moments in the twentieth century. The post-World War II order collapsed, shocking government leaders and opinion-molders alike.⁵⁵⁵ A movement that started in Poland, fueled by a Polish Pope, accomplished what NATO could have dared contemplate. The Berlin Wall, hated symbol of the East-West division, was breached. German reunification took shape breathtaking speed. The Cold War, which had held Europe and the world in its grasp for forty years, was at an end. The Soviet Communist experiment in Russia thus came to an end.⁵⁵⁶

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Bugajski, Janusz, *The Eastern Dimension of America's New European Allies*, Strategic Studies Institute, October 2007, pp.29-35.

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Davies, Richard, "Should NATO Grow? – A Dissent", *The New York Review of Books*, Volume 42, Number 14, September 21, 1995.

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Ibid.

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Ibid.

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Qgwyn, John H., "NATO At 50- Historic Past, Hopeful Future", *Tomorrow's World*, May-June 1999.

556

Ibid.

With the end of the Cold War and the collapse of the Soviet Union, the NATO found itself at a difficult juncture.⁵⁵⁷ Its core mission – the defence of Western Europe from the U.S.S.R – had become an historical anachronism, and many wondered what purpose, if any, NATO should serve in the post-Cold War world. So what is the way ahead for NATO? After the Cold War, a new Europe, deeper and wider and a transformed NATO, larger and increasingly global transformed the Atlantic Alliance into a genuine partnership that global developments since 9/11 have challenged. NATO seemed to be an Alliance in search of a mission. Formed to combat Russian Communism, that menace had faded away and NATO continued. Soon former members of the Warsaw Pact, which had officially disbanded in the aftermath of Communism's collapse, were clamouring to join.⁵⁵⁸

The pivotal issue of NATO expansion deserves thorough and careful consideration has important ramification: (1). Future of NATO (2). Future of countries of Central and Eastern Europe and (3). Security order throughout Europe. NATO was established to protect the Western democracies from an expansionist Soviet Union that seemed to determine to spread its influence through subversion, political intimidation and the threat of military force.

When NATO was formed in 1949, Europe was faced with post-war devastation and the emergence of Soviet aggression and confrontation. Western consensus developed around two critical concepts that were decisive in winning the Cold War and in winning the peace⁵⁵⁹: -

(1). Germany and Japan should not be isolated but should be integrated into the community of democratic nations.

(2). The Western democracies should pursue together policy of containment, and unite NATO to carry out this policy.

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Isaacs, John, "NATO Expansion: A Dangerous Policy", *Council for a Livable World*, 13 March 1997.

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Ibid.

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Nunn, Senator Sam, *The Future of NATO In An Uncertain World*, Congressional Record Volume 141, Number 109, 30th June 1995.

Integration and containment succeeded as the Berlin Wall was brought down in 1989 and Germany was reunited. The Soviet Union has disintegrated and Russia is struggling to try to establish a market economy and some semblance of democracy.⁵⁶⁰

(a). Expansion of Membership: Enemies Into Allies

NATO survived by drastically altering its fundamental nature. While maintaining its primary mission to defend Western Europe against any aggressor, it now undertook a major role in reaching out to the former Warsaw Pact states, through initiatives such as the Partnership for Peace. NATO Secretary General Manfred Wörner remarked that "The first and most important area where change must come is in further developing our ability to project stability to the East".⁵⁶¹ Such actions reintroduced the old issue of enlargement. The new democracies in Central and Eastern Europe pursued agendas of integration with the West, economically, politically, and militarily. They did so to raise their standards of living, and to create democracies.

After the end of the Cold War, the Eastern Europe countries, the Baltic countries and many of the countries of the former Soviet Union that have become fully independent are turning westward and are anxious to become part of the European community and to join NATO as full.⁵⁶² They also wanted closer ties with the West to safeguard against any new Russian imperialism. This became more of an issue as the decade progressed, and the pace of reform in Russia did not meet everybody's expectations. Western-Russian relations cooled from the euphoria of only a few years previously, prompting renewed efforts by the fledgling democracies to join NATO.⁵⁶³

NATO's position is that the question is not whether but when and how. NATO was founded on a fundamental truth: the vital interests of the countries of NATO were put at risk by the military power and political intimidation of the Soviet Union.⁵⁶⁴ As the United

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Ibid.

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"A New NATO for a New Era" Speech by the Secretary General of NATO Manfred Wörner at the National Press Club, Washington DC, USA, 6 October 1993.

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Nunn, Senator Sam, *The Future of NATO In An Uncertain World*, Speech to the SACLANT Seminar 95, June 22, 1995, Norfolk, Virginia.

563

Ibid.

564

States President Harry S. Truman said in his memoirs: "The NATO Pact was a shield against aggression and against the fear of aggression..."⁵⁶⁵ Because NATO was built on this fundamental truth, the alliance endured and prevailed.

NATO was caught in the same dilemma as in the 1950s. To accept new member states would potentially in the long run strengthen the Alliance, adding both manpower and geostrategic depth. However, such enlargement might actually decrease NATO security, by antagonizing Russia and by increasing NATO responsibility for defence. Another issue, still worrisome, is the further dilution of decision-making capability due to the increased number of members. The original members found it difficult enough to formulate strategy when they were only twelve, let alone the later sixteen. The addition of new members would increase the number of voices and potentially dissenting opinions. NATO eventually decided that the benefits would outweigh the negatives, and elected to admit Poland, Hungary, and the Czech Republic as new members. Will enlargement stop there, however?

The sixteen NATO governments thought otherwise when they agreed in July 1997 to invite three new countries to join the Alliance. In making this invitation, the allied leaders underscored that this was only the beginning of the process by reaffirming "that NATO remains open to new members," a commitment that itself is enshrined in Article 10 of the North Atlantic Treaty.⁵⁶⁶ Several countries considered for the first round are candidates for future expansion. Slovakia, Romania, and the Baltic countries are making concerted bids to join the Alliance. Will their presence help or hurt NATO?⁵⁶⁷

The process of NATO enlargement started in 1993 when the United States and Germany for quite different reasons decided that adding new members represented an appropriate response NATO in the 21st Century - 53- Final – February 15, 1999

Ibid.

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Regarding the President's strong feelings about the menace of aggressive communism, see Harry S. Truman, *Memoirs*, Doubleday, New York, 1965, Vol. I, p. 279. For full text of the President's March 17 speech, see Department of State Bulletin, March 28, 1948, pp. 418-420.

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"Madrid Declaration on Euro-Atlantic Security and Cooperation," Issued by the Heads of State and Government, Meeting of the North Atlantic Council, Madrid, Spain, July 8, 1997, paragraph 8. According to Article 10 of the Washington Treaty, "The Parties may, by unanimous agreement, invite any other European state in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area to accede to this Treaty."

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Simon, Jeffrey, *NATO Enlargement, Opinions and Options*, Institute for National Strategic Studies, Washington D.C., 1995, p.79.

to the changes in post-cold-war Europe. For the United States, enlargement was part of its vision for the new Europe – to make “Europe whole and free,” as President Bush argued in 1989, and to forge a “peaceful and undivided Europe,” as President Clinton urged in 1994.⁵⁶⁸ For Germany, enlargement was part of its post-unification strategy of securing a positive role for Berlin in the new Europe. On the one hand, this implied filling the political and security vacuum between Germany and the former Soviet Union. On the other hand, it meant placing Germany in the center of the new Europe rather than leaving it at the (exposed) eastern flank of the old Europe

The expansion of NATO not only commits U.S. troops and nuclear forces to the protection of new member states, it also commits the U.S. treasury to this endeavour. While the Clinton Administration produced a “low ball” estimate of the potential costs of expansion, the Congressional Budget Office conducted an independent study. This analysis found that the cost of expansion in the first group of likely new member states – Poland, Hungary, the Czech Republic and Slovenia – would be between \$61 billion and \$125 billion over the 15 year period from 1996 to 2010. The U.S. portion of this tab would run between \$5 billion and \$19 billion.⁵⁶⁹

The states, which are likely to be, accepted as new members face severe economic crises brought on by their efforts to adopt market economies. It is highly improbable that they would be able to shoulder much of the burden of expansion. Current NATO members, who are facing harsh budget constraints due to the pressures of European unification, may also be unwilling to take on the additional expenses of facilitating NATO expansion – a policy, which was imposed upon them by the United States and Germany.⁵⁷⁰ It may come to pass, therefore, that a disproportionate portion of the cost of expansion would be paid by the United States.

Even if the United States decided that it was willing to shoulder this heavy burden, it was highly questionable whether NATO expansion would be able to achieve its desired effect.⁵⁷¹ The official rationale for the expansion of NATO was to encourage the development of free markets and democracy in Eastern Europe. An expanded NATO would provide the stability and security that were required for democratic and free market reforms to prosper in the former Soviet sphere of influence.

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Goldgeier, James M., *Not Whether, But When: The U.S. Decision to Enlarge NATO*, Brookings Institution Press, Washington D.C., 1999 and Stent, Angela E., *Russia and Germany Reborn: Unification, the Soviet Collapse, and the New Europe*, Princeton University Press, Princeton, 1999.

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Isaacs, John, “NATO Expansion: A Dangerous Policy”, *Council for a Livable World*, 13 March 1997.

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Ibid.

The true motivation for expansion (in addition to providing NATO with a new mission) might be to counter a perceived Russian threat to the region.⁵⁷² Russia's actions in Chechnya and the ascendance of nationalist politicians like Vladimir Zhirinovsky (leader of Liberal Democratic Party) are seen as evidence of resurgent expansionist tendencies. A strong NATO would serve as a deterrent to Russian aggression. In fact, while some Russian elements in Russia might harbour aggressive impulses, NATO expansion may only increase the likelihood of their ascendance by aggravating Russia's historic fear of foreign invasion.⁵⁷³

If the NATO expands in the near term to take in Visegrad countries, these countries would gain in self-confidence and stability. It is possible that border disputes and major ethnic conflicts would be settled before entry. Rapid NATO enlargement would be widely misunderstood in Russia and would have a serious negative impact on political and economic reform in that country.⁵⁷⁴ Firstly, Russian nationalism is on the rise and reformers on the defensive. The Russian military establishment and the still huge military-industrial complex that undergirds it are dispirited and resentful. Secondly, the average Russian voter is unsure what future may hold, but is well aware that Russia has gone from being the seat of a global empire and the headquarters of a military superpower to a vastly international state.

Russian nationalists believe that rapid NATO enlargement is intended to take advantage of a weakened Russia and would pose a grave security threat to the Russian

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Ibid.

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McCalla, Robert B., "NATO's Persistence After the Cold War," *International Organization*, vol. 50, no. 3, Summer 1996, pp. 445-475.

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Isaacs, John, "NATO Expansion: A Dangerous Policy", *Council for a Livable World*, 13 March 1997.

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Nunn, Senator Sam, *The Future of NATO In An Uncertain World*, in Robert F. Dundervill, Peter F. Gerity, Anthony K. Hyder, Lawrence H. Luessen, (ed), *Defence Conversion Strategies*, Kluwer Academic Publishers, the Netherlands. 1997, pp.208-210.

people.⁵⁷⁵ Russian demagogues argue that Russia must establish a new global empire to counter an expansionist west.⁵⁷⁶

The reasons for Russian opposition are twofold: in the first place, NATO expansion is seen as a betrayal of clear though implicit promises made by the West in 1990-91, and a sign that the West regards Russia not as an ally but as a defeated enemy.⁵⁷⁷ Russians point out that Moscow agreed to withdraw troops from the former East Germany following unification after NATO promised not to station its troops there. But NATO planned to leapfrog over eastern Germany and end up closer to Russia, in Poland. In the second place, Russians feared that NATO expansion would ultimately mean the inclusion of the Baltic States and Ukraine within NATO's sphere of influence, if not in NATO itself – and thus the loss of any Russian influence over these states and the stationing of NATO troops within striking distance of the Russian heartland.⁵⁷⁸

In short, if NATO enlargement stays on its current course, reaction in Russia is likely to be a sense of isolation by those committed to democracy and economic reform with varying degrees of paranoia, nationalism and demagoguery emerging from across the current political spectrum.⁵⁷⁹

In 1993, under the plan known as Partnership for Peace, the former Warsaw Pact countries were invited to take part in information sharing, joint exercises, and peacekeeping operations.⁵⁸⁰ The Partnership for Peace was a step towards providing security and cooperation throughout all Europe. In 1995, after a 30-year boycott, France returned to NATO, accepting a seat on the military committee after U.S. President Bill

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Hendrickson, Gordon B., *NATO Enlargement – Round Two Prudence or Folly?*, Air Command and Staff College, Air University, Alabama, April 1999, p. 36.

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Ibid.

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Rozanov, Anatoliy, "Belarus, Russia and A New European Security Architecture" in Kurt R. Spillman and Andreas Wenger (ed), *Russia's Place in Europe: A Security Debate*, Peter Lang, New York, 1999, pp.116-120.

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Ibid.

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Nunn, Senator Sam, *The Future of NATO In An Uncertain World*, Speech to the SACLANT Seminar 95, June 22, 1995, Norfolk, Virginia; "Keeping Watch on the New Russia", *Air Force Magazine*, Vol.79, No.1., January, 1996.

Clinton accelerated plans for NATO's expansion. In March 1999, three former members of the Warsaw Pact – Hungary, Poland and the Czech Republic – joined the alliance.⁵⁸¹

The NATO expansion raises two serious questions for the West.⁵⁸² The first: Is fear of Russian aggression justified? The second: Would NATO membership for Poland in particular make Russia's western neighbours, Ukraine and the Baltic States, more or less secure? The answer to the first question is that a Russian military threat to Poland and Eastern Europe is for the foreseeable future inconceivable.⁵⁸³ The war in Chechnya had been squalid and brutal, but given what it has revealed about the state of the Russian army and about Russians' complete lack of desire to fight wars, it would allow the NATO members to sleep more easily in their beds. Nor, given the transformation of the Eastern European economies and political systems, does Russia have the ability to bring serious non-military pressure to bear on these states. Russia is, therefore, not an immediate threat to Eastern Europe – so why the urgency about NATO expansion?

This brings to the second question, for a potential Russian threat to Ukraine and the Baltic States obviously does exist.⁵⁸⁴ NATO membership for Poland might radically lessen Ukraine's security, because Moscow, in a pre-emptive anti-NATO measure, would greatly increase pressure on Kiev to join a Russian-dominated military alliance. The West would be worried by this possibility.

The issue of the former Baltic states (Latvia, Estonia, and Lithuania) is an exceptionally sensitive one.⁵⁸⁵ Russia grudgingly accepted NATO enlargement into its

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Ruhle, Michael and Williams, Nicholas, "Partnership for Peace: A Personal View from NATO", *Parameters*, Winter 1994, pp. 66-75.

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Perlez, Jane, "Expanding Alliance: The Overview; Poland, Hungary and the Czechs Join NATO", *New York Times*, 13th March, 1999.

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Lieven, Anatol, "A New Iron Curtain", *The Atlantic*, 1st January, 1996.

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Ibid.

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Ibid.

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"Study of NATO Enlargement", September 1995, NATO HQ, Brussels, www.nato.org.

previous zone of influence in Eastern Europe. Any move to expand into territory once part of the Soviet Union proper, and bordering directly upon Russian land, will be fiercely resisted. By 1994, Russia began to fear NATO influencing the Ukraine against Moscow, helping to chill relations. According to Zbigniew Brzezinski, the fundamental political struggle underway within post-communist Russia “is over whether Russia will be a national and increasingly European state or a distinctly Eurasian and once again an imperial state,” and “it cannot be stressed enough that without Ukraine, Russia ceases to be an empire, but with Ukraine suborned and then subordinated, Russia automatically becomes an empire.”⁵⁸⁶

Popular support for NATO has grown in these new members, as has the professional capability of their armed forces.⁵⁸⁷ There is still much to be done before these countries become net contributors instead of net losses to the Alliance. All three states require massive modernization to their forces and infrastructure in order to create interoperability with the more technologically advanced members.⁵⁸⁸ Further, political and economic reforms in those countries must proceed apace in order to firmly cement them into the Western community.

If Russia had already begun to put ruthless pressure on Ukraine and the Baltic States, then the West might be justified in going ahead with NATO expansion regardless, but no such pressure is being applied.⁵⁸⁹ On the contrary, Moscow had actively discouraged radical Russian separatism in the Crimea, and it has withdrawn its troops from the Baltic States, subsequently exerting neither military nor economic pressure on the Balts, despite deep anger at the policies of those states toward their Russian minorities.⁵⁹⁰ Moscow has been tough in its negotiations with Kiev over control of the Black Sea Fleet and its base at Sevastopol, but without resorting to military pressure.

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Brzezinski, “A Plan for Europe,” p. 31, and Zbigniew Brzezinski, “The Premature Partnership”, *Foreign Affairs*, Vol. 72, No. 2, March-April 1994, p. 80.

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Urbelis, Vaidotas, *Defence policies of the Baltic States : from the concept of neutrality towards NATO membership*, NATO-EAPC Individual Fellowship Report 2001-2003, Vilnius, 2003, p.24.

588

Ibid.

589

Lieven, Anatol, “A New Iron Curtain”, *The Atlantic*, 1st January, 1996.

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Ibid.

Also in 2002, NATO invited seven other countries – Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovenia and Slovakia – to become members of the organisation.⁵⁹¹ All seven were admitted in 2004, bringing the NATO's total membership to 26. Admitting Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovenia and Slovakia as new members would enhance NATO's ability to face the challenges of today and tomorrow.⁵⁹² They have demonstrated their commitment to the basic principles and values set out in the Washington Treaty, the ability to contribute to the Alliance's full range of missions including collective defence and a firm commitment to contribute to stability and security, especially in regions of crisis and conflicts.⁵⁹³

Euro-Atlantic Partnership Council and the Partnership for Peace have greatly enhanced security and stability throughout Euro-Atlantic area.⁵⁹⁴

(b). Europe's Search For Self-Reliance In Security

During the Cold War, the European countries made emphasis on collective defence against the Soviet aggression and safeguarding values. But this changed dramatically with the end of the Cold War.⁵⁹⁵ The level of military forces had been considerably reduced following the end of confrontation in Europe. But the risk of instability still remained, which became a reality in the war in Bosnia and Kosovo. And there are other multi-faceted risks to European security – the proliferation of nuclear, biological or chemical weapons. Responding effectively to these new risks and challenges is beyond

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Norkus, Renatas, "Ratification of the NATO treaty in the U.S. Senate: lessons learned", *Lithuanian Foreign Policy Review*, 2003, pp.38-53.

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Ibid.

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Ibid.

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Ruhle, Michael, "NATO After Prague: Learning the Lessons of 9/11", *Parameters*, Vol. 33 (2), Summer 2003, pp.93-94.

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McCalla, Robert B., "NATO's Persistence After the Cold War," *International Organization*, Vol. 50, No. 3, Summer 1996, pp. 445-475.

the capacity and the resources of any one nation. Thus, European countries gathered to address these issues collectively.⁵⁹⁶

NATO had helped developed the principles of collective security – and the instruments necessary to sustain it – for the wider Euro-Atlantic region.⁵⁹⁷ Although one of NATO's core functions remains collective defence, the end of the Cold War offered opportunities for Allies to pursue a much broader, cooperative approach to security.

Five objectives might be considered fundamental for European stability:⁵⁹⁸

- Preserve the North American-European partnership.
- Prevent a new division of Europe with an alienated hostile Russia.
- Support and enlarge Europe's stable liberal base.
- Manage violent instability affecting Europe.
- Maintain an insurance against revived military threats.

Moreover, several decades of successful security cooperation within the Alliance had given the Alliance unique expertise in organising multinational security. Multinational institutions – the U.N. Security Council and the Organisation for European Security and Cooperation have a special role to play in providing legitimacy for collective military actions.⁵⁹⁹ For the need to work collectively in preserving security in Europe, institutions like the Western European union, the European union, the Council of Europe, are being set up.

With problems in Bosnia and Kosovo and implementation of the Dayton Peace Accords, the sense of responsibility assumed throughout Europe and even by countries beyond Europe. The challenges of crisis management in post-Cold War Europe require

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Ibid.

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Speech of Javier Solana, NATO Secretary General, on “Collective Security and the Post-Cold War World”, at the Conference On *Crisis Management and NATO Reform*, Rome, 15 June 1998.

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Ries, Thomas, *NATO Enlargement – A European View* prepared for the IISS/CEPS European Security Forum, 9/07/01.

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Speech of Javier Solana, NATO Secretary General, on “Collective Security and the Post-Cold War World”, at the Conference On *Crisis Management and NATO Reform*, Rome, 15 June 1998.

an unprecedented degree of multinational cooperation – political, military and not least institutional cooperation.⁶⁰⁰

The deployment of the multinational Implementation Force (IFOR) in Bosnia brought more than a dozen Partner countries, in their first joint operation.⁶⁰¹ The international presence in Bosnia-Herzegovina also created in practice a working system of mutually reinforcing institutions. IFOR and SFOR closely coordinated with many other institutions present in Bosnia. Without the secure environment provided by NATO and its partners, OSCE could not have organized democratic elections.⁶⁰² Without IFOR and SFOR, the economic and political reconstruction efforts led by the E.U., the U.N., OSCE and many non-governmental institutions could not have started.⁶⁰³

The international community contributed in achieving a peaceful resolution of the crisis and in promoting stability and security in neighbouring countries with particular emphasis on Albania and the former Yugoslav Republic of Macedonia.⁶⁰⁴

The road towards collective security for all nations in Europe remains a long road. Moreover, less than a decade after the end of the Cold War, the collective response to Bosnia and Kosovo, Europe is being understood as a common security space.

(c). Co-operation With Non-Member States

The Rome Declaration on Peace and Cooperation issued after the meeting of the North Atlantic Council in November 1991 signaled the vitality of the Alliance in adapting to the security needs in a Post-Cold War World.⁶⁰⁵ While NATO continues to adhere to a comprehensive approach of political and military efforts to create a just and lasting

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Ibid.

601

Ibid.

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Ibid.

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Ibid.

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Report of the Secretary-General Prepared Pursuant to Resolution 1160 (1998) of the Security Council, UN Secretary General S/1998/470, 4 June 1998.

peaceful order in Europe, future opportunities for achieving alliance objectives through political means are recognised as being greater than ever before.

To build increased understanding and confidence among all European countries, the new NATO security policy reflects a greater reliance on elements of dialogue and cooperation in addition to the commitment to maintain an effective, collective defence capability.⁶⁰⁶ Regular diplomatic cooperation and military contacts with countries of Central and Eastern Europe would reinforce stability by affording “means to exchange information on respective security concerns. Greater cooperation among the countries of Europe would lessen political, economic or social divisions that might lead to future instability and threaten security.”⁶⁰⁷

U.S. Secretary Baker termed NATO as “a sturdy cornerstone and initiator of cooperative structures of security for a Europe whole and free.”⁶⁰⁸ The Secretary had encouraged the Alliance’s move to adjust to its strategic concept to meet changing times and its decision to open a new agenda with Central and Eastern Europe and the evolving Soviet Union. Calling this the “time to set new goals, which go beyond the concept of balance and begin to establish a basis for a real cooperative security”, he emphasised that “NATO has a key role to play in bringing about a Europe and trans-Atlantic community that involves the Soviet Union and is truly whole and free.”⁶⁰⁹ On the eve of the Rome Summit, he looked forward to the opening of “a new chapter in the history of the Alliance, a time for genuine peace and partnership.”⁶¹⁰

NATO took an active interest in promoting cooperation in the area of the Baltic Sea. The Baltics are a region of direct geo-political importance to the Alliance and the one in

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On NATO’s Rome Summit see Michael Legge, “The making of NATO’s new strategy”, *NATO Review*, December 1991, pp.9-14, and Manfred Wörner, “NATO transformed: the significance of the Rome Summit”, *NATO Review*, December 1991, pp.3-8; Cooper, Mary H., “NATO’s Changing Role: Does the Old Atlantic Alliance Have a Post-Cold War Role?”, *CQ Researcher*, 31, No.2, 21st August, 1992, pp.712-735.

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NATO Strategic Concept, 1991, Part II, para. 28.

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Ibid.

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U.S. Secretary of State James Baker’s Speech on “The Euro-Atlantic Architecture: From West to East”, *Dispatch*, U.S. Department of State, Vol 2, No 25, June 24, 1991.

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Ibid.

which regional cooperation is already progressing properly and does not require the same level of support from NATO.⁶¹¹

After the withdrawal of Russian troops from the Baltic States in 1994, Baltic States applied for full membership to NATO. NATO's response to the aspirations of the candidate countries came in early 1994 in the form of an invitation to participate in the Partnership for Peace programme. The first Individual Partnership for Peace Programme was signed between Lithuania and NATO in November 1994.⁶¹²

Baltic's integration with the West has been followed by political, economic and cultural distancing from the East. In Lithuania, the process was boosted by the Constitutional Act of June 8, 1992, which proclaimed Lithuania from entering any new political, military, economic or any other alliances with the states or commonwealths formed on the basis of former U.S.S.R.⁶¹³ The Baltic States' economies were switching from markets in the East to those in the West.

After Duma's elections in 1993, Russia's quest for a liberal state's identity was superseded by the ideology of "return to the empire". Thus, the ideas of a Baltic Security alliance and of integration with Western Security structures soon became predominant in the Baltic States.⁶¹⁴

The issue of the neutrality of the Baltic States was raised by Russia in 1997-98. Early in 1997, Moscow came up with the 'Baltic Concept', which was considered as Russia's response to Baltic States declared intention to join NATO in exchange of the guarantees for their security needs. After NATO's Madrid Meeting in July 1997 with the Baltic States, intention to sign the NATO-Baltic Charter was declared. Russian officials

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Ibid.

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Vytautas, Lands Bergis, *The Role of NATO in the Changing Security Environment of Europe*, Vilnius, 2000, pp.23-24.

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The Baltic States in the European Security Framework, www.nato.int/docu/basic/txt/enl-9502.htm.

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Clive, Archer and Oyvind, Jeager, "The Security Policy Doctrines in the Nordic and the Baltic Countries: Stability and Change", in Lars Hedeizaard and Bjame Kindstrom eds. *The NEBI Yearbook*, Spring 1998, p.459.

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Lukin, Vladimir, "Russia ad its Interests," Volume 6, Issue 1, Center for Strategic and International Studies, Washington D.C. 1994, p.113.

emphasised that the only basis for Baltic Security was “the preservation of their status outside the blocs”, in exchange for non-alliance.⁶¹⁵

Russian President Boris Yeltsin proposed the Russian guarantees for the security of the Baltic States through the establishment of regional security arrangements, the so-called “cross-security guarantees”.⁶¹⁶ Russia also proposed to establish a regional security and stability pact based on the principles of the OSCE.

According to Baltic States, the best way to face the challenge of the post-Cold War era and achieve the security goals lies through Euro-Atlantic integration, not only because they share the same value system or face the same risks, but also because they wish to jointly deal with them.⁶¹⁷ In the year 2002, during the Prague Summit, Baltic countries accepted the invitation to join NATO.⁶¹⁸

While Western decision makers saw NATO as becoming “more of a co-operative security organisation in its relations with Russia”, politicians in the Baltic States treated it as a “collective defence organisation” against Russia.⁶¹⁹

(1). Euro-Atlantic Partnership

In an environment of uncertainty and unpredictable challenges, NATO aimed to build the architecture of an undivided Europe.⁶²⁰ The initiative undertaken by the Allies in London in 1990 to reach out to the merging democracies of the East resulted in an invitation for high-level representatives from Eastern Europe, the Baltics and the Soviet

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Lehti, Marko, *Sovereignty Redefined: Baltic Cooperation and the Limits of National Self-Determination*, Working Paper, Copenhagen Peace Research Institute, 1999.

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Trenin, D., *The End of Eurasia-Russia on the Border Between Geo-political and Globalisation*, Carnegie Moscow Center, Washington D.C. 2001, p.319.

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Coffey, Luke, “The Baltic States: Why the United States Must Strengthen Security Cooperation”, *The Heritage Foundation*, 25th October, 2013.

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Kramer, Mark, “NATO, the Baltic States and Russia: A Framework For Enlargement”, *International Affairs*, Vol 78, No. 4, October 2002, pp.732-756.

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Miniotaite, Grazina, “The Security Policy of Lithuania And The “Integration Dilemma”, CIAO Working Paper 6/2000, Copenhagen.

Union to attend a ministerial meeting of the North Atlantic Council in December, 1990. As NATO members affirmed in Rome in November 1991: “In a world where the values which we uphold are shared ever more widely, we gladly seize the opportunity to adapt our defences accordingly; to cooperate and consult with our new partners; to help consolidate a now undivided continent of Europe; and to make our Alliance’s contribution to a new age of confidence, stability and peace.”⁶²¹

President George Bush characterized the NATO allies as “confronting the forces of change liberated by our own success”⁶²² and emphasised the importance of their future agenda: “In North America, in Western Europe and even in the East, the Alliance is rightly viewed as the core of European – indeed, world stability. As its stewards, it is up to us to give the alliance direction and to employ its towering strengths towards noble ends.”⁶²³

Following the dissolution of the U.S.S.R., NATO sought to strengthen relations with former Soviet satellites. The North Atlantic Cooperation Council, set up in 1991, provided a forum for consultations between NATO members, Western European nations and the former Soviet republics. In 1993, under the plan – the Partnership for Peace (PfP) was a step towards providing security and cooperation throughout all of Europe.⁶²⁴

In 1994, NATO established the PfP to promote practical cooperation between the Alliance and non-member Euro-Atlantic states. The objective was to expand and intensify political and military cooperation throughout Europe by increasing stability,

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Perry, William, “U.S. Security Strategy For Europe and NATO”, U.S. Department of Defence, Office of International Security Affairs, June 1995, GPO, Washington D.C., p.27.

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Rome Declaration on Peace and Cooperation, Press Communiqué S-1(91)86, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Rome, 8th Nov. 1991; Hill, Christopher and Smith, Karen E., *European Foreign Policy*, Routledge, London, 27th July, 2000, pp.197-198.

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George H. W. Bush, “Outline of Remarks at the North Atlantic Treaty Organization Headquarters in Brussels”, December 4, 1989, *Public Papers: George Bush, 1989*, Book 2, Washington, Government Printing Office, 1990, p. 1647.

623

Ibid.

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Kramer, Franklin and Serfaty, Simon, *Recasting The Euro-Atlantic Partnership*, Center for Strategic and International Studies, Washington D.C., February 1, 2007.

diminishing threats to peace, building relationships and commitment to democratic principles that underpin the Alliance. PfP has 26 participants: Albania, Armenia, Austria, Azerbaijan, Belarus, Bulgaria, the Czech Republic, Estonia, Finland, Georgia, Hungary, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Malta, Moldova, Poland, Romania, Russia, Slovakia, Slovenia, Sweden, Turkmenistan, Ukraine and Uzbekistan.⁶²⁵

Romania was the first partner state that signed the PfP Framework Document on January 26, 1994.⁶²⁶ Since 2004, when Romania became a fully-fledged ally, the United States used its acquired expertise in the defence and security fields to offer advice and practical support to the interested partners in the specific areas of cooperation of the EAPC/PfP.⁶²⁷ The geographical location of Romania in the wider Black Sea region helped the United States to promote the basic values and principles of democracy, human rights and the rule of law that underlie the cooperation within the Euro-Atlantic Partnership with the countries situated at the Eastern frontier of the Alliance.⁶²⁸

Defence Minister Pavel Grachev of Russia brought NATO ministers' assurances from President Boris Yeltsin that Russia would join the Alliance's Partnership for Peace, the program intended to forge closer ties between NATO and its former Warsaw Pact enemies. Grachev cautioned that Moscow would put forward its own "more comprehensive" plan on ways it intended to cooperate with NATO.⁶²⁹ He also emphasised Moscow's willingness to send troops to join international peace-keeping missions, serving under either NATO or foreign command.⁶³⁰

Several specific factors shaped Georgia's relationships with Russia and the West. They are: the continuing Russian influence and military presence; Georgian

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Ibid.

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Falls, Donald R., *NATO Enlargement: Is Romania Ready To Join the Alliance?*, Cambridge Publisher, Massachusetts Institute of Technology, SSP Working Paper, May 2000, pp.6-8.

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Ibid.

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Terterov, Marat and Niculescu, George, "The Evolution of European and Euro-Atlantic Policy Making In the Wider Black Sea: E.U. and NATO Attempts At Strengthening Regionalism In An Area of Strategic Interest", European Geopolitical Forum, Brussels, June 2012.

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Schmidt, William, "Russia Tells NATO It Is Ready To Join Peace Partnership", *Washington Post*, 25/05/1994.

governmental confusion and lack of clarity about policy, state financial weakness, corruption in government and organized crime in society, and finally, Georgia's strategic location for both parties.⁶³¹

After the Soviet break-up in 1992, Georgia's economy, dominated by seasonal agriculture like fruit and tea and bolstered by Russian subsidies, went to steep decline. "When the Soviet Union fell apart, not only did the subsidies disappear, so did Georgia's unrestricted access to 400 million Soviet consumers, leaving it with an internal market of less than 6 million."⁶³²

Economically, Russia's great strength can be exacted in several ways. One of the least pleasant for Georgians has been the Russian tactic of cutting off the natural gas supply in the dead of winter, as it did on 1 January 2001.⁶³³ Georgian President Eduard Schevernadze did not appeal to Washington or to the Russian Gas Company (Itera); rather, he appealed directly to President Vladimir Putin. And so "once it was clear to the world that Russia had made its point about who was truly in control, the gas once again flowed."⁶³⁴ Given the country's continuing economic hardships, and its tortured relationship with Russia, it is not hard to understand why the West had become Georgia's most promising suitor. But if NATO is to become Georgia's knight in shining armour, it would come about because of a failure to rectify the many local problems and primarily the relationship with Russia. Elements of that country's leadership are clear in their hostility to an independent or even Western-leaning Georgia. But if Russia continued to bully its southern neighbours, it would have no one else to blame if Georgia chose to flee to the West. Most to the Russian government was in Georgia's budding partnership with NATO.⁶³⁵ The culmination of this relationship was in June 2001: NATO's Georgian operations conducted under the auspices of its Partnership for Peace programme. This was hailed by Lt. Gen. David Tevzadze, Georgia's defence

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Ibid.

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Deliso, Christopher, "A Quiet Battle in the Caucasus: Georgia Between Russia and NATO", *Antiwar.com*, 26th September, 2001.

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Ibid.

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Ibid.

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Ibid.

minister, who announced it as “the first NATO/Partner’s full-scale field exercise in the South Caucasus.”⁶³⁶

NATO offered Georgia an Intensified Dialogue with Georgia’s membership aspirations in September 2006.⁶³⁷ The Intensified Dialogue gave Georgia access to a more intense political exchange with NATO on the standards necessary to achieve membership and the way in which Georgia’s reforms can be tailored to achieve those standards.⁶³⁸ At their summit in Bucharest in April 2008, NATO leaders agreed that Georgia would become a member of the Alliance and launched a period of intensive engagement with Georgia to address questions still outstanding pertaining to Georgia’s Membership Action Plan (MAP) application.⁶³⁹ But the Alliance decided not to offer Georgia a MAP due to opposition of several countries, led by Germany and France, who feared the decision would anger Russia.⁶⁴⁰

Russian President Dmitri A Medvedev warned the Georgian President, Mikheil Saakashvili, that Georgia’s joining NATO would deepen the conflict between the former Soviet states.⁶⁴¹ He further stated that Georgia’s quest for NATO membership would not help resolve the simmering tensions in the separatist Georgian regions of Abkhazia and

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Ibid.

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Statement by Lt. Gen. David Tevzadze, Minister of Defence of Georgia at EAPC Meeting of the Defence Ministers NATO HQ, Brussels, 8 June 2001.

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“Georgia begins Intensified Dialogue with NATO”, *NATO Review*, 14th December, 2007; Irakli Menagarishvili, “Partnership in practice: Georgia’s experience”, *NATO Review*, Autumn 2001, pp.16-21.

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Dorman, Andrew M., and Kaufman, Joyce P., *The Future of Transatlantic Relations: Perceptions, Policy, and Practice*, Stanford University Press, Stanford, California, 2011, pp.230-232.

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Robert, [Ondrejcsák](#), “Perspectives of NATO-Georgia Relations”, in Róbert Onderjcsak and Beata Gorka-Winter (eds.), *NATO’s Future Partnerships*, Center for European and North Atlantic Affairs, 2012, pp. 49-55.

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Ibid.

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Kishkovsky, Sophia, “Georgia Is Warned by Russia Against Plans to Join NATO”, *New York Times*, 7th June, 2008.

South Ossetia.⁶⁴² The conflict in Abkhazia had increased friction between the nations in recent months. In April 2008, a Russian fighter jet shot down a Georgian reconnaissance drone over Abkhazia, according to a United Nations investigation.⁶⁴³

The Russian reaction of NATO expansion as a security risk is a reflection of its Cold War reflexes. In fact, Russia had maintained an uneasy relationship with the military Alliance over the past two decades.⁶⁴⁴ NATO, on its part, had been pursuing a policy of remolding itself into an alliance that was built around shared ideals, not shared arsenals. However, Russians and most Georgians today continue to identify NATO primarily as a military organisation. In particular, Georgians think that Alliance membership would bring an end to Russian dominance in the country and a resolution of the Abkhaz and South Ossetian conflicts.⁶⁴⁵

The Georgian government, handling the issue of NATO membership, complains that while Moscow obviously did not want them to proceed with their relationship with the Alliance, no alternative option was offered. The Commonwealth of Independent States (CIS) format proved to have little benefits of Georgia. The biggest bone of contention between the two was Russia's perceived role in the frozen conflicts in Abkhazia and South Ossetia.⁶⁴⁶ They had long accused Moscow of antagonizing the conflicts, an accusation Moscow had thus far ignored. In addition to ignoring Georgia's attempts to internationalise the peacekeeping process, Russia had issues Russian citizenship to thousands of ethnic Abkhaz and South Ossetians living in the conflict zones.⁶⁴⁷

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Ibid.

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Kishkovsky, Sophia, "Georgia is warned by Russia Against Plans to Join NATO", *New York Times*, 7/06/08.

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Jibladze, Kakha, "Russia's Opposition to Georgia's Quest for NATO Membership", *China and Eurasia Forum Quarterly*, Volume 5, No. 1, 2007, pp. 45-51.

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Ibid.

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Ibid.

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Ibid.

The Russian Government also objected to another missile shield being erected in the Caucasus or even possibly in the Ukraine. The Republic of Azerbaijan and Georgia are potential candidates for housing the missile shield project in the Caucasus. "Our analysis shows that the placing of a radio locating station in the Czech Republic and anti-missile equipment in Poland is a real threat to us [Russia]," clarified Lieutenant-General Vladimir Popovkin, Commander of Russia's Space Forces, and additionally explained, "It's very doubtful that elements of the national U.S. Missile defence system in Eastern Europe were aimed at Iranian missiles as has been stated [by U.S. officials]."⁶⁴⁸

In 1997, the Euro-Atlantic Partnership Council (EAPC) was established.⁶⁴⁹ It succeeded the former North Atlantic Co-operation Council as a forum for consultations and cooperation with the PfP members on a broad range of political and security issues in the Euro-Atlantic area. The 26 members of the Alliance and 23 partner countries make up the EAPC. Western ideals towards enlargement were laid out by U.S. President Bill Clinton in May 1997:⁶⁵⁰

"Enlargement would...strengthen the ability of the Alliance to meet future security challenges; secure democracy; encourage prospective members to resolve their differences by peaceful means; erase the artificial line in Europe that Stalin drew."

The positive developments in the Balkans were indeed a product of the new strategies of the transatlantic partners, the European Union and the NATO. Both took an overall regional view and not a more parochial country-oriented view of the problems in the Balkans. The Western Allies were able to expel the Yugoslav army from the Kosovo province and end the ethnic cleansing. But neither the NATO-led Kosovo Force nor the United Nations Mission in Kosovo could lay claim to full power and control there.⁶⁵¹ The uncertainty about the status of Kosovo - according to UN Security Council Resolution 1244, it was still part of the Yugoslav Federation, but in practice, it was an international protectorate under KFOR and UNMIK - enabled all sides in the conflict to present their

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Nazemroaya, [Mahdi Darius](#), "The Globalization of Military Power: NATO Expansion", *Global Research*, 18th May, 2007.

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"Basic Document of the Euro-Atlantic Partnership Council", Euro-Atlantic Partnership Council, NATO, 1997; Volten, P.M.E., Tashev, B., *Establishing Security and Stability in the Wider Black Sea Area: International Politics and the New and Emerging Democracies*, Human and Societal Dynamics. NATO Science for Peace and Security Series E, IOS Press, U.S., 1st July 2007, pp. 45-46.

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Jires, Jan, "The Heyday of Multilateralism: Clinton Administration and NATO Enlargement", *Perspectives, Review of International Affairs*, Issue No.20, Summer 2003, pp.73-81; Clinton, William J., *A National Security Strategy for a New Century*, The White House, (Draft), Washington D.C., 29; Blank, Stephen J., "Rhetoric and Reality in NATO Enlargement", in Stephen J. Blank (ed.), *European Security and NATO Enlargement: A View from Central Europe*, Strategic Studies Institute, Carlisle, PA, 1997, p.47.

own strategies as the only possible way forward. This, however, opened the way for a new struggle for ethnic domination in all those places where inter-ethnic animosities had vanished from sight only because of the international presence.⁶⁵²

The Stability Pact for Southeastern Europe opened up prospects of a European future for the region. To be sure, this long-term goal means little to victims of ethnic cleansing and military conflict, to people who have to struggle for their daily bread.⁶⁵³ Yet the Stability Pact does, for the first time in the history of the region, represent a credible alternative to the hopelessness of the marginalization within Europe. This alternative could become reality if the international community - and above all, the European Union and NATO - continue to support the process of democratic reconstruction in the region.⁶⁵⁴

The delay on the part of the international community and the Euro-Atlantic partners in formulating new short and medium term goals in their Balkan strategy in the new situation threatened to unravel the system of security as conceived after the war in Kosovo.⁶⁵⁵ The close United States-European Union partnership, the full involvement of the Balkans themselves, the blending of military, civilian and of regional and country-focused development were all put at risk. The U.S. President George W. Bush even mused aloud about reducing American commitments in the Balkans unilaterally.⁶⁵⁶

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Krähenbühl, Pierre, "Conflict in the Balkans: Human tragedies and the challenge to independent humanitarian action", *International Review of the Red Cross*, No. 837, 31st, March 2000.

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Mintschew, Emil, "Euro-Atlantic Partnership In The Balkans", Volume 2, *International Politik, the Journal of the German Council on Foreign Relations*, Fall 2001.

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Ifantis, Kostas, "Security and Stability: EU And NATO Strategies" in Meurs, Wim van (ed), *Prospects and Risks beyond EU Enlargement, Southeastern Europe: Weak States And Strong International Support*, Leske and Budrich, Opladen, 2003, pp.95-117.

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Ibid.

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[Miniotaitė, Grazina](#) and [Bailes, Alyson J K](#), *New dimensions of European security: the ESDP and the Baltic Sea region*, Lithuanian Military Academy, Vilnius, 2006, pp.9-20.

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Brooks, Stephen G. and Wohlforth, William C., "International Relations Theory and the Case Against Unilateralism", *Perspectives on Politics* 3, No.3, September 2005, pp.509-524.

The Partnership for Peace became a key component of NATO's response to the challenges of the 21st century. PfP strengthened new democracies in Europe, strengthened peace and stability in the Euro-Atlantic area and contributed to closer integration and cooperation across Europe and Eurasia. The PfP has renewed importance in fulfilling NATO's wider post-9/11 commitments. To retain its relevance and effectiveness, Jeffrey Simon said that PfP must be transformed, adequately funded, and better integrated with bilateral and regional efforts to address new security challenges. He further said, "The Istanbul Summit should launch an initiative to promote new, tailored PfP programmes in the Balkans, Greater Black Sea region, and Central Asia."⁶⁵⁷

Partnership for Peace is an expression of a joint conviction that stability and security in the Euro-Atlantic area can be achieved only through cooperation and common action. Protection and promotion of fundamental freedoms and human rights, and safeguarding of freedom, justice and peace through democracy are shared values fundamentals to the Partnership.⁶⁵⁸

The launching of the Partnership for Peace initiative at the January 1994 Brussels Summit proved to be a major policy step by NATO. It was directed at increasing confidence and cooperative efforts to reinforce security.⁶⁵⁹ Italian Prime Minister Lawrence Gonzi said: "I would like to take an opportunity to express my gratitude for the support received regarding the reactivation of Malta's membership of the Partnership For Peace initiative. In taking this step, Malta today signifies its continued adherence to the principles and values enunciated in the Partnership For Peace framework document and accepts the concept of the Euro-Atlantic Partnership Council as laid out in the Euro-Atlantic Partnership basic document. For several years, the security policy environment in and around Europe has been characterised by extensive processes of change. Old threats have been replaced by new. Old relationships have been replaced by new. Opportunities for cooperation have increased. As far as North Atlantic Treaty Organisation is concerned, the years after the end of the Cold War have meant for reaching changes. A central element of this process has been the extensive cooperation programmes, the Euro-Atlantic Partnership Council and the Partnership for Peace. Malta views its membership of Partnership for Peace as part of its endeavours to

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Jeffrey, Simon, 'Partnership For Peace: Charting A Course For a New Era', *Strategic Forum*, No. 206, National Strategic Studies, National Defence University, March 2004, pp.1-6.

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Partnership For Peace: Framework Document, Brussels Summit, 10 January 1994.

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Major General Adem Copani, Defence Advisor to the President of Albania, "Partnership for Peace and New Dimensions of Albania's Security Posture", *NATO Review*, No. 2, Mar. 1996, Vol. 44 - pp. 24-28.

promote a pan-European security order. And a way to enhance and develop the functioning of E.U.-NATO cooperation, which we feel is essential in today's world".⁶⁶⁰

With 10 of the original 24 Partnership for Peace (PfP) partners having achieved full Alliance membership, questions about the program's direction and long-term viability are raised.⁶⁶¹ The original strategic rationale for PfP – enhancing stability among and practical cooperation with the countries along NATO's periphery – has become even more compelling in the context of the Alliance's further enlargement, the war on terrorism, and growing Western interests in Southwest and Central Asia. That said, the key incentive that animated partner engagement in the programme, which it was the "best path to NATO membership", is diminished since the remaining partners are either not interested or not likely to enter the Alliance for many years.⁶⁶²

The security architecture that was facilitated and institutionalized by the Clinton Administration in the Balkans was part of a wider regional strategy that predated the initial stages of the disintegration of Yugoslavia.⁶⁶³ As part of this strategy, the disintegration in Yugoslavia was intended to demonstrate that at the end of the Cold War, the old bipolar security architecture was inadequate to prevent the outbreak of a regional conflict on the fringes of Europe.⁶⁶⁴ For this reason, a new strategic concept for the NATO Alliance and a new security architecture in the Balkans became the focal points of attention for American strategic planners.⁶⁶⁵ A part of this new strategy was to

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Statement by Italian Prime Minister Lawrence Gonzi at the Euro-Atlantic Partnership Council, Bucharest, Romania, 3rd April 2008.

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Jeffrey, Simon, 'Partnership For Peace: Charting A Course For a New Era', *Strategic Forum*, No. 206, National Strategic Studies, National Defence University, March 2004, pp.1-6.

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Ibid.

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Dakovic, Mirko and Miseljic, Boro, Destabilizing the Balkans: US & Albanian Defense Cooperation in the 1990s, Independent Center for Geopolitical Studies, March 22, 2001. Available at www.antiwar.com.

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Ibid.

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Zapolskis, Martynas, "Redefining the EuroAtlantic Security Agenda: What is the Role for the New NATO Strategic Concept?", *Lithuanian Foreign Policy Review*, Issue 23, 2010, pp 2951.

promote the integration of Central and Eastern European states into the European Union and into the security structures of the NATO Alliance.⁶⁶⁶ However, where the Balkans were concerned, for American strategic planners, Albania was chosen to become the center of the new security architecture that Washington was consolidating in the Balkans.⁶⁶⁷

Partnership for Peace offered Albania not only a true possibility of strengthening its relations with NATO (in accordance with its own specific interests and capabilities) but also served as a key element of the country's integration process into the Alliance.⁶⁶⁸ Viewed from an Albanian perspective, the PfP was not simply an initiative into bring Eastern European armies more in line with those of NATO or merely a programme to coordinate activities.⁶⁶⁹ It was an ambitious initiative intended to enhance security and stability -globally in Europe and regionally in the Balkans and Mediterranean. In effect, PfP increasingly serves as a new and appropriate institution through which Albania was attempting to deepen and intensify ties with the Alliance, primarily in the security sphere.⁶⁷⁰

Along with Albania, NATO Allies found themselves responding to and implementing U.N. mandates in the Balkan crisis. The need for more coherent preparation in peacekeeping missions became more urgent as a result of the increased risk and greater demand on military forces conducting such operations.⁶⁷¹ Since PfP's

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Ibid.

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Dakovic, Mirko and Miseljic, Boro, *Destabilizing the Balkans: US & Albanian Defense Cooperation in the 1990s*, Independent Center for Geopolitical Studies, March 22, 2001. Available at www.antiwar.com.

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Winter, Beata Górka, and Madej, Marek, "NATO Member States and the New Strategic Concept: An Overview", *Polish Institute of International Affairs*, Warsaw, 2010, p.7; Major General Adem Copani, Defence Advisor to the President of Albania, "Partnership for Peace and New Dimensions of Albania's Security Posture", *NATO Review*, No. 2, Mar. 1996, Vol. 44 - pp. 24-28.

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Ibid.

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Ibid.

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Ibid.

inceptions, the Central and Eastern European countries became NATO members. Several of NATO's PfP partners contributed to the NATO-led operations in the Balkans (SFOR and KFOR) and Afghanistan (ISAF).⁶⁷² Many are also participating in Operation Enduring Freedom in Afghanistan and the Multinational Force in Iraq.

In 1997, taking view of the achievements of the North Atlantic Cooperation Council, decision was taken to create the Euro-Atlantic Partnership Council which reflected NATO's desire to build a security forum for a more enhanced and operational partnership. The Euro-Atlantic Partnership Council brought together NATO and non-NATO countries for dialogue and consultation on political and security-related issues. It was formed as the successor to the North Atlantic Cooperation Council and works alongside the PfP.⁶⁷³

Following the terrorist attacks against the United States, the Euro-Atlantic Partnership Council met on 12th September 2001 and issued a statement expressing solidarity with the people of the United States of America, condemning unconditionally the barbaric terrorist attacks and pledging to undertake all efforts to combat the scourge of terrorism.⁶⁷⁴

The Euro-Atlantic Partnership Council Military Committee met with the NATO Chiefs of Staff at NATO headquarters on 7th May, 2004.⁶⁷⁵ The Supreme Allied Commander, Europe General James L. Jones delivered an update on the Alliance's partner operations including various efforts against terrorism.⁶⁷⁶ Similar discussion followed at a

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"NATO Partnership for Peace Strengthens Democracy, Stability", White House fact sheet issued at NATO Summit in Istanbul, Turkey, 28 June 2004.

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Kramer, Franklin and Serfaty, Simon, *Recasting the Euro-Atlantic Partnership*, Center for Strategic and International Studies, Washington D.C., February 1, 2007.

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Foster, Benjamin, "NATO's Role In The Global War On Terror: Is the Alliance Obsolete?", Claremont-UC Undergraduate Research Conference on the European Union, Claremont McKenna College, 3rd August, 2012, pp.41-42.

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Press Briefing by the Chairman of the Military Committee after the meetings at Chiefs of Staff level at NATO Headquarters, 7th May, 2004.

676

U.S. Department of Defence News Briefing With General James L. Jones, 6th March, 2006.

meeting of the heads of the state and government of the 46 EAPC States that was convened during NATO's Istanbul Summit, held on 28-29 June 2004.⁶⁷⁷

The first ever Euro-Atlantic Partnership Council Security Forum was held in Åre, Sweden, from May 24 to 25, 2005. The event brought together a number of ministers from NATO and partner countries, as well as senior decision makers, representatives of think tanks, and civil society.⁶⁷⁸

NATO added the Czech Republic, Hungary and Poland as full members in 1999, increasing the number of Allies to 19. The leaders of the three newest Allies were formally welcome into the Alliance at the Washington Summit meeting on 24th April 1999.⁶⁷⁹ At the same time, NATO Heads of State and Government reaffirmed their commitment to the openness of the Alliance would continue to welcome new members. But they went beyond a mere declaration of intent. They also launched a Membership Action Plan (MAP), a programme of activities to assist aspiring countries in their preparations for possible future membership.⁶⁸⁰

The MAP does not replace the PfP programme.⁶⁸¹ In fact, participation in PfP for aspiring countries remains essential, as it provides a well-established way of developing progressive inter-operability with Alliance forces. Moreover, the Washington Summit 1999 put into place a coherent package of measures for a more operational Partnership, to strengthen the ability of Allies and all Partner countries, including membership aspirants, to work together.⁶⁸² The provisions of the MAP will complement

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“Violence marks NATO summit”, [The Tribune](#), 28th June, 2004.

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Euro-Atlantic Partnership Council Security Forum at Åre, Sweden - 24-25 May 2005.

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Rutten, Maartje, *From St. Malo to Nice. European Defence: Core Documents*, Chaillot Paper 47, Institute for Security Studies of Western European Union, Paris, May 2001.

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“The Membership Action Plan: Keeping NATO's door open” by Ambassador Klaus-Peter Klaiber, NATO's Assistant Secretary General for Political Affairs, *NATO Review*, Vol. 47, No. 2, Summer 1999, pp. 23-25.

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Ibid.

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Ibid.

these activities available under PfP by addressing the broader spectrum of preparations required for eventual membership.⁶⁸³

NATO's three new members would not be the last. NATO's door remained open and the Membership Action Plan was clear evidence of the Alliance's commitment to the continuing the enlargement process.⁶⁸⁴ The MAP was thus another step towards a Europe in which each state can find its rightful place.

(2). *Mediterranean Dialogue*

The end of the Cold War raised many questions. Of particular concern was the extent to which NATO's eye would cast outside Europe, to the South and the East where new threats might arise. It was not that the Mediterranean was ignored during the Cold War; it had actually become increasingly a matter of concern. The Soviet Union had forged allies in parts of the Middle East and North Africa, which gained them basing rights. NATO's response was to strengthen the military capabilities of 'Southern Flank' Member States. However, there was never a real threat from the southern shores. It soon became apparent the extent to which the Mediterranean would become a vital area for NATO to exercise its influence. Of primary concern was the region's instability. Geographically, the Mediterranean countries border the so-called, "stable southern European nations", who guard their security. It is where, "three continents meet [and where] more than 20 states border the Mediterranean Sea".⁶⁸⁵

In the opinion of the Italian Chief of the General Staff, Admiral Giampaolo Di Paola:⁶⁸⁶

"...security challenges of Southern Europe and the Mediterranean stretch well beyond their geographic boundaries; their geopolitical dimensions encompass the Atlantic approaches to Gibraltar, the Middle East, the Persian Gulf, the Caucasus and even Central Asia. From a Western point of view, this results in a

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Ibid.

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Ibid; Hendrickson, Ryan C., "NATO's Open Door Policy and the Next Round of Enlargement", *Parameters*, Winter 2000-01, pp. 53-66.

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Thiele, Ralph, *Mediterranean Security After the E.U. and NATO Expansion*, Garland Ltd, New York, August 2000, p. 34.

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Statement by Admiral Giampaolo Di Paolo, Chief of Defence of Italy on "Security Challenges of Southeastern Europe and the Mediterranean" at 21st International Workshop on Global Security, Center for Strategic Division Research, Berlin, 7-10 May 2004.

'wider Mediterranean' arena; from an Eastern point of view there is a 'greater Middle East'. However, both outlooks follow the historical perspective of 'bridges and crossroads' among cultures.

The end of the Cold War was immediately followed by a flurry of diplomatic activity, designed to seize the enormous opportunities offered by the "unfreezing" of the international system. An important signal of the new political climate was the attempt by Italy and Spain, in 1990, to focus the attention of the Euro-American coalition on Mediterranean security issues, broadly understood, through the establishment of a brand new international forum or "Conference".⁶⁸⁷ This was the first visible effort, in the post-1989 world, to give prominence to Mediterranean issues in a multilateral institutionalized format, and can be regarded as a forerunner of the MD as well as other initiatives.

In October 1990, Italy and Spain jointly proposed a "Conference on Security and Cooperation in the Mediterranean" (CSCM), thus specifically modeled after the European CSCE and the principles of the 1975 Helsinki Act.⁶⁸⁸ The proposed "Conference", would, among other things, define the region in a highly inclusive fashion by also encompassing the entire Middle East. The Italo-Spanish move was a high-profile initiative, given the venue that was chosen at the opening session of the CSCE conference in Palma de Majorca (September 24-October 19, 1990).⁶⁸⁹

In the post-Cold War security environment, the Mediterranean basin has thus acquired a new significance, although no clear "structure".⁶⁹⁰ In this connection, the 1991 Strategic Concept of the Alliance explicitly recognized that the "southern periphery of Europe" posed certain identifiable problems and risks, even in the context of a much more benign international setting in Europe with positive repercussions in the

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Menotti, Roberto, "NATO's Mediterranean Dialogue initiative: Italian positions, interests, perceptions, and the implications for Italy-US relations", Final Report, NATO Institutional Fellowship, 1999.

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Ibid.

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Ibid.

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Ormanci, EMR Ye Bagdagul, "Mediterranean Security Concerns and NATO's Mediterranean Dialogue", paper submitted to the North Atlantic Treaty Organization in partial fulfillment of the requirements for the Individual Research Fellowship for the Academic Cycle 1998/2000, p. 12, available online at www.nato.int/acad/fellow/98-00/ormanci.pdf

Mediterranean region.⁶⁹¹ The Strategic Concept thus issued first of all a statement of intention, declaring that the Alliance wished “to maintain peaceful and non-adversarial relations with the countries in the Southern Mediterranean and Middle East”. The document then went on to formulate NATO’s key security concerns: “The stability and peace of the countries on the southern periphery of Europe are important for the security of the Alliance, as the 1991 Gulf war has shown. This is all the more so because of the build-up of military power and the proliferation of weapons technologies in the area, including weapons of mass destruction and ballistic missiles capable of reaching the territory of some member states of the Alliance”.⁶⁹²

As a consequence, many security challenges within the Mediterranean had been documented. They range from its demographic distributions that encompass both economic and political migration flows, which ultimately create imbalances amongst the indigenous populations, to environmental pressures, most notably apparent in the competition for water resources in the region and energy security which has become a growing concern as much of the oil and gas supplies pass through its territory. Europe depends on this flow of natural resources. It is not only the importing nations in Europe who share this concern but also the regions’ energy producers and the countries through which oil and gas transits. Economic interests and energy security are both key issues in NATO’s Mediterranean policy. Protecting access to energy resources in the Persian Gulf and in North Africa has always imposed power projection requirements on the U.S. and on NATO allies.

Mediterranean Dialogue, launched in 1994, became a forum of cooperation between NATO and seven countries of the Mediterranean with the aim of contributing to regional security and stability by achieving mutual understanding and dispelling misconceptions about NATO, among Dialogue countries. The Dialogue reflects NATO’s view that security in Europe is tied to the security and stability in the Mediterranean. It also reinforces and compliments the Euro-Mediterranean Partnership and the OSCE’s Mediterranean Initiative.

An intriguing feature of the Mediterranean Dialogue is that this initiative has been launched in spite of the obvious absence of a widely shared conception of its desired content, goals and realistic prospects. Evidently, there is a minimum consensus on a basic (albeit somewhat vague) rationale, at least among the “Mediterranean” members of the Alliance, who are primarily responsible for the initiative. The lack of a more solid consensus over the essence of the Dialogue has not deterred its sponsors, which is in itself an indication of the unique characteristic of this consultative forum: the unspoken

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Menotti, Roberto, “NATO’s Mediterranean Dialogue initiative: Italian positions, interests, perceptions, and the implications for Italy-US relations”, Final Report, NATO Institutional Fellowship, 1999.

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The Alliance’s New Strategic Concept, Rome, November 7-8. 1991.

premise seems to be that a weak dialogue is better than no dialogue at all. In order to develop a better understanding of the potential and challenges of the Mediterranean Dialogue, one important conceptual requirement is to constantly be aware that, as Jerrold D. Green has nicely put it, “security is not narrowly the product of geography, but is rather a state of mind”.⁶⁹³

The secondary importance of geography should not be surprising, given the fact that NATO itself currently includes as full members countries such as Italy (a founding member), Greece, and Turkey (both members since 1952), whose “Atlantic” ties are clearly not geographical in nature. The underlying assumptions about sub-regional security to the South and Southeast of NATO are political rather than geographical, and are thus linked to behaviors and established practices/institutions in each current or potential participant in the Mediterranean Dialogue.

If NATO governments want to have a viable post-Cold War peace-operations mission, they must find ways to highlight the potential selective incentives that are available. To varying degrees, all of these involve decentralizing the alliance and assigning responsibility for specific elements of its peace-operations mission to particular actors.⁶⁹⁴ When some member states – such as, in this case, Italy, Spain and Portugal – express a strong interest for an initiative such as, in this case, Italy, Spain and Portugal – express a strong interest for an initiative the limits defined by allied consensus. In the long run, however, allied solidarity is a precondition for any collective endeavour.

There are three underlying Italian interests in the context of NATO’s evolution from a pure “defensive alliance” to a de facto “security management institution”. In particular, at least three goals which reflect “Mediterranean-related interests” and concerns have certainly contributed to shaping Italy’s attitude vis-à-vis the first round of NATO enlargement.⁶⁹⁵ The first key interest is that enlargement to Central-Eastern Europe should not be detrimental to a gradual shifting of NATO’s focus toward the South, where most future sources of instability are likely to be located. A “geostrategically balanced” Alliance is central to Italian security in the long run, both looking to the Balkans and to the Mediterranean. While the Kosovo crisis of 1999 appears to have definitely convinced NATO (as well as the EU) to invest significant resources in Balkan “stabilization”, a more focused Mediterranean policy still remains an elusive goal.

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Green, Jarold, *Mediterranean Dialogue*, Centro Studi di Politica Internazionale, Working Papers, Rome, 1997.

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Lepgold, Joseph, “NATO’s Post-Cold War Collective Action Problem”, *International Security*, Vol.23, N.1, Summer 1998, p.105.

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Dassu, M. and Menotti, R., “Italy and NATO Enlargement”, *The International Spectator*, Vol.XXXII, N.3/4, July-December 1997.

The second interest has to do specifically with the Southeastern and Balkan dimension of “the South”, and indirectly connects to the Mediterranean basin: Italian official support for Slovenia’s and Romania’s bid for NATO membership, before and after the Madrid Summit of July 1997, was in part a tangible sign of a genuine desire to extend the Alliance’s reach to the South, as well as to enhance Italy’s role within NATO’s Southern Command. It must be added that support for Romania was largely a byproduct of a deal between Rome and Paris designed to assure support for both Slovenia (Italy’s candidate) and Romania (France’s candidate), in a package. Even so, geopolitical considerations also dictate that NATO should take visible steps to demonstrate an increasing commitment to security in the South of Europe and beyond.

The third major goal is strengthening the European presence and visibility within NATO, in all its various incarnations: European pillar, ESDI, WEU. In the longer term, the EU itself is regarded as the natural locus of the European security and defense dimension, through development of a coherent Common Foreign and Security Policy (CFSP). Of course, there are various institutional paths which can be chosen, and the choice will make a difference in terms of the kind of enhanced European contribution that will result. Italy was among the EU members supporting the eventual merging of WEU into the EU since the Rome EU Summit of March 1997. In any case, signs of a stronger European determination to create a common security and defense identity (ESDI) are probably making it easier to overcome the traditional Italian attitude of sticking to a “special” relationship with the US as long as the European option seemed distant or unrealistic. This whole reasoning clearly applies to the Mediterranean as well, where US military preponderance remains uncontested but, from Italy’s viewpoint, European political leadership would be welcome on many issues.

The 1994 “Alliance Policy Framework on Proliferation of Weapons of Mass Destruction” (issued at the NAC held in Istanbul on June 9, 1994) marked another turning point in the process of widening – and better defining – the full spectrum of NATO’s security concerns, and needs to be taken fully into account in assessing the prospects of the Mediterranean Dialogue. The Policy Framework asserted that “proliferation of WMD and their delivery means pose a threat to international security and is a matter of concern to the Alliance.”⁶⁹⁶

At a meeting in December 1994, NATO Foreign Ministers declared their readiness “to establish contacts, on a case-by-case basis, between the Alliance and Mediterranean non-member countries with a view to contributing to the strengthening of regional stability”. Hence, on February 8, 1995, the North Atlantic Council invited Egypt, Israel, Mauritania, Morocco and Tunisia to participate in a dialogue with NATO. An invitation was extended to Jordan in November 2005 and to Algeria in February 2000.

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In November 1995, E.U. member states and 12 non-member Mediterranean countries (Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Syria, Tunisia, Turkey and the Palestinian Authority) signed the Barcelona Declaration, which spelt out the framework of the Euro-Mediterranean Partnership (also known as the Barcelona Process).⁶⁹⁷ The Declaration outlines three major goals: - (a). A political and security partnership aimed at creating a common area of peace and stability; (b). An economic and financial partnership designed to establish a common area of prosperity; and (c). A social, cultural and human partnership to increase exchanges between the civil societies of the countries involved. The Barcelona Process envisages the establishment of a complete free trade area by the year 2010.⁶⁹⁸

A major issue that loomed over the whole initiative was the overlap between the Mediterranean Dialogue and the Euro-Mediterranean Partnership. Euro-Mediterranean, also known as the Barcelona Process, launched in November 1995, had formalized “security dialogue” dimension. There was indeed a substantial security agenda inherently tied to the Barcelona process. NATO Secretary General Javier Solana stated: “To help stabilize the Mediterranean Region and build a peaceful, friendly, economically vibrant area is [...] a major strategic objective for all Euro-Atlantic institutions. The European Union must take the lead, yet NATO, too, can lend a helping hand”.⁶⁹⁹

The distinctively European role in the Transatlantic alliance will be defined in part under the pressure for some kind of visible progress generated by the “Mediterranean fora” that are slowly emerging, and at the same time the evolving European contribution to NATO will deeply affect the nature and content of the Mediterranean Dialogue. As Roberto Aliboni has argued, there is great potential for a constructive adjustment of transatlantic relations with regard to the broad Mediterranean security agenda: provided all principal actors will be willing and able to seize the opportunity, Euro-Mediterranean and the Mediterranean Dialogue could both contribute to a strengthened and renewed Euro-American link.⁷⁰⁰

Since its establishment in 1995, the NATO-Mediterranean Dialogue has been based on the following five principles: First, it is progressive in terms of participation and substance, allowing additional countries to join and the content of the Dialogue to

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Attina, F., *L'Italia tra Europa e Mediterraneo: il bivio che non c'è più*, Il Mulino (AREL), Bologna, 1998.

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Haddadi, Said, “The Western Mediterranean As A Security Complex: A Liaison Between the European Union and the Middle East”, *Jean Monnet Working Papers in Comparative and International Politics*, Montreal, Canada, Volume 1, no. 24, November 1999.

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Solana, Javier, “NATO and the Mediterranean”, in N.A. Stavrou and R.C. Ewing (eds.), “NATO and the Mediterranean”, *Mediterranean Quarterly*, volume 7, no.1, 1997, p.20.

evolve. Second, the Dialogue is bilateral in structure, making it less vulnerable to disruption due to political developments in the region. Third, all Mediterranean partners are offered the same basis for cooperative activities with a non-discriminatory framework. Fourth, the Dialogue is meant to reinforce and complement other cooperative international efforts such as the Western Europe Union (WEU) and the Organisation for Security and Cooperation in Europe (OSCE). And last, the activities within the Dialogue take place on a self-funding basis, with the exception of certain information activities.

By July 1997, NATO held the Madrid Summit and committed itself to establish a Mediterranean Cooperation Group (MCG) under the auspices of the North Atlantic Council. This initiative was fundamental in providing a forum where discussions could take place. The Madrid summit of July 1997 provided some indications that a renewed push toward a higher-profile Mediterranean Dialogue might come from NATO's "Mediterranean" members, especially France, Spain and Italy. To some extent, explicitly mentioning the Mediterranean dimension of European security in the final communiqué was a sort of (minor) compensation for the somewhat upsetting conclusion of inter-allied negotiations over the candidates to the first round of enlargement. The exclusion of Slovenia and Romania (however temporary, on the basis of the "open door" principle) leaves some major concerns relating to Southeastern instabilities essentially unaddressed: the paragraph devoted to the Mediterranean is largely an attempt to mitigate such concerns. The Madrid communiqué reads as follows: "The Mediterranean region merits great attention since security in the whole of Europe is closely linked with security and stability in the Mediterranean. [...] The dialogue we have established between NATO and a number of Mediterranean countries is developing progressively and successfully, contributes to confidence-building and cooperation in the region, and complements other international efforts. We endorse the measures agreed by NATO Foreign Ministers in Sintra on the widening of the scope and the enhancement of the dialogue and, on the basis of their recommendation, have decided today to establish under the authority of the North Atlantic Council a new committee, the Mediterranean Cooperation Group, which will have the overall responsibility for the Mediterranean dialogue".

In spite of the commitment made by NATO to enhancing the Mediterranean Dialogue, a certain lack of momentum was easily discernible by 1998, when Deputy Secretary General Sergio Balanzino indicated two areas where progress could be expected – but still lagging: "the first area is to further develop a dialogue of variable geometry. We must enable the Mediterranean countries to shape this dialogue according to their specific needs [...]. The second area we need to explore more fully is the development of military related cooperation".⁷⁰¹ The Deputy Secretary General pointed out that NATO's comparative advantage lay in "military competence", and specifically referred to

search and rescue operations, maritime safety, medical evacuation, as well as peacekeeping.⁷⁰²

At the Riga Summit, a NATO Training Cooperation Initiative in the modernisation of defence structures and the training of security forces were launched. NATO decided to further develop relations to Partners in a more flexible and pragmatic manner. As a principle, NATO decided to work more effectively with individual countries, also within the Mediterranean Dialogue, by opening up for consideration those partnership tools currently available to EAPC countries. The use of these existing EAPC countries and tools would improve the ability of the Alliance and Mediterranean Partners' forces to operate together in NATO-led and U.N.-led operations.

At the Washington Summit on 24th April 1999, NATO leaders decided to enhance both the political and practical dimensions of the Mediterranean Dialogue. NATO's Strategic Concept, approved by NATO Heads of State and Governments, was at the heart of this process. It was designed to outline, "The Alliance's commitment to a broad approach to security and defines NATO's fundamental security tasks". It decided on increasing its transparency, mutual confidence and joint cooperation, which is made possible by the workings of the Euro-Atlantic Partnership Council (EAPC), PfP and the special relationships forged with Russia and Ukraine and with a number of southern littoral states through the Mediterranean Dialogue. The April 1999 Washington summit confirmed that "The Mediterranean Dialogue is an integral part of the Alliance's co-operative approach to security since security in the whole of Europe is closely linked to security and stability in the Mediterranean". The declaration reiterated the fundamental goals of the MD, as well as its "complementary and mutually reinforcing" relationship with "other international efforts, including the EU Barcelona process".

Since the terrorist attacks of 11th September 2001, NATO's Mediterranean Dialogue had come under increased scrutiny both in the Mediterranean region and beyond. This had raised a number of questions about its future development, especially in connection with the much broader issue of the Alliance's role in the post-9/11 security environment. At the Prague Summit in 2002, the Alliance leaders agreed a package of measures to upgrade the Mediterranean Dialogue. This package has the potential fundamentally to change the nature of this important relationship between NATO members and Partners in the wider Mediterranean region to the benefit of both sides. By strengthening both the political dialogue and practical co-operation dimensions of the NATO-Mediterranean Dialogue, NATO Heads of State and Government could move forward together with their common security concerns.

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Remarks by the Deputy Secretary-General Sergio Balanzio at the Conference on "Mediterranean Security in the 21st Century", Rome, December 3, 1998.

702

Ibid.

At the Istanbul Summit of 28-29th June 2004, NATO leaders decided to elevate the Mediterranean Dialogue to a genuine partnership and to launch the Istanbul Cooperation Initiative with selected countries in the broader region of the Middle East. The overall aim of the enhanced Mediterranean Dialogue would contribute to regional security and stability through stronger practical cooperation. This included inter alia, enhancing the existing political dialogue, assisting defence reform and contributing to the fight against terrorism. Their efforts would complement and mutually reinforce other Mediterranean initiatives. Including those of the European Union and the OSCE that were previously strengthened at Prague. While respecting the specificity of the Mediterranean Dialogue, the enhanced Mediterranean Dialogue and the Istanbul Cooperation Initiative are complementary, progressive individualized processes. They would be developed in a spirit of joint ownership with the countries involved. Continued consultation and active engagement would be essential to their successes.

Since Istanbul, it was concluded that much of the cooperation and coordination of measures relating to the Greater Middle East Initiative are to be conducted through the North Atlantic Council (NAC), to ensure there is no overlap of initiatives and to ease multilateral and bilateral meetings. The United States and the West recognise that mistakes have been made in the region and that the relations have to be urgently addressed. NATO leaders therefore decided to launch the Istanbul Cooperation Initiative, an offer to engage in practical security cooperation activities with states throughout the Broader Middle East. This new initiative stands alongside NATO's long-standing PfP programme and its Mediterranean Dialogue. These security cooperation partnerships are ways in which NATO is responding to the new challenges of the 21st century.

The majority of Dialogue and cooperation initiatives in the Mediterranean, including the NATO Initiative, face a paradox of priority. Europe and the United States believe that political dialogue is the way forward where discussions and the exchange of information come first as they help to build confidence and stimulate and develop constructive cooperation. While the "Arab's half-hearted" participation in the activities of the Barcelona Process and the NATO Dialogue Initiative, is a mere response to the negative Israeli attitudes in the Middle East peace process.

The NATO Mediterranean Dialogue's mission is to build a strategic understanding among the Dialogue countries on the overall issues of security in the Mediterranean. The key is the Arab-Israeli conflict. Of no less importance, the multilateral process included a framework for Regional Security and Arms Control (ACRS) and Sharm El Sheikh anti-terror summit in 1996 formed the first anti-terror multilateral effort in the region and beyond. This entire legacy could be part of the Dialogue to pave the road for a much more meaningful partnership. In a way, the NATO Dialogue could act as a preparatory institutional forum for the Quartette and for the future reconstitution of the region and the relationship between NATO and South Mediterranean countries.

The events of September 11th had "created reciprocal apprehension in the West and in Arab and Muslim countries. This had all added to the long list of security in the Dialogue

and redefined the challenges facing the Mediterranean.” The threat of terrorism was starkly realized on 11th September 2001. As a result of the Mediterranean’s political, socio-economic and religious vulnerabilities, NATO chose to invoke ‘Article 5 the day after the attacks’, as an immediate collective response to the tragedy. The increased terrorist attacks in the Mediterranean-led NATO to send its standing naval forces were sent within a few hours to the Eastern Mediterranean with the task of security duties. The post-September 11 world is in need of success in initiatives such as the NATO’s Mediterranean Dialogue, ‘to prevent a slide into a civilizational clash that would only benefit radicalism, fundamentalism and instability.’

The United Kingdom strongly supported the decision by the NATO Heads of State and Government at the Istanbul Summit in June 2004 for a more ambitious and expanded framework for the Mediterranean Dialogue. The first concrete result of this was a meeting at Foreign Ministerial level in Brussels in December 2004, the first ever meeting at Ministerial level between NATO and Mediterranean countries, reflecting the mutual wish to enhance the political and practical dimensions of the Dialogue. This was followed by the second successful meeting of Foreign Ministers in December 2007. The Secretary General Jaap de Hoop Scheffer said:

“The presence of these Ministers is, in itself, a strong signal of shared interests between Mediterranean Dialogue partners, and NATO, and of the ability to work together to tackle common challenges. Ministers agreed that our political dialogue and practical cooperation must go hand in hand. And we also had, today, a good political dialogue.”

The Istanbul NATO Summit on June 28-29, 2004, came at a pivotal time for the Alliance. Since the Prague Summit in November 2002, two momentous developments for NATO have occurred: the enlargement of the Alliance to 26 members, and the assumption of command of the International Security Assistance Force (ISAF) in Afghanistan, the first operation outside of Europe in NATO’s 55-year history.⁷⁰³

Meeting in Istanbul, NATO leaders decided to elevate the Alliance’s Mediterranean Dialogue to a genuine partnership and to launch the Istanbul Cooperation Initiative with selected countries in the broader region of the Middle East. NATO’s Mediterranean Dialogue has successfully contributed to confidence building and cooperation between NATO and its seven Mediterranean members: Algeria, Egypt, Israel, Jordan, Mauritania, Morocco and Tunisia. The enhanced Mediterranean Dialogue would contribute to regional security and stability, by promoting greater practical cooperation, enhancing the Dialogue’s political dimension, assisting in defence reform, cooperation in the field of border security, achieving interoperability and contributing to the fight against terrorism, while complementing their international efforts.

At the same time, the Alliance leaders decided to reach out to the broader region of the Middle East through the Istanbul Cooperation Initiative, by promoting practical bilateral cooperation with interested countries of the region, starting with countries of the Gulf Cooperation Council. This Initiative aimed at enhancing security and stability through a new transatlantic engagement, offering tailored advice on defence reform, defence budgeting, defence planning and civil-military relations, promoting military-to-military cooperation to contribute to interoperability, fighting terrorism through information sharing and maritime cooperation, proliferation of weapons of mass destruction and their delivery means and fighting illegal trafficking.

Norway took an active part in efforts aimed at strengthening relations with countries south of the Mediterranean, and would continue to remain a political priority. Norway strongly supported the decisions by NATO Heads of State and Government at the Istanbul Summit in 2004 for a more ambitious and expanded framework for the Mediterranean Dialogue, a decision that was endorsed at the Riga Summit.

The enhanced Mediterranean Dialogue and the Istanbul Cooperation Initiative form the basis of Allied partnership efforts towards the Mediterranean and broader Middle East and as such would entail a significant outreach programme in the Arab world.

The United Kingdom believed that NATO's Mediterranean Dialogue was an important part of the Alliance's co-operative approach to regional security, based on recognition that security in the Euro-Atlantic area was closely linked to security and stability in the Mediterranean region. NATO's involvement in the Mediterranean goes back to the Cold War. At the time, the Alliance perceived security in the Mediterranean as little more than an extension of the East-West confrontation and viewed in terms of the threat of Soviet intrusion in the region. As such, the Mediterranean was important to NATO primarily in military terms a fact reflected in it being identified as the Alliance's "Southern Flank".

In the context of NATO-led operations, several partners in the Mediterranean Dialogue have contributed with forces. Mediterranean Dialogue countries may also join Operation Active Endeavour, the Alliance's maritime mission to detect, deter and disrupt terrorist activity in the Mediterranean. Only Israel is currently supporting Active Endeavour directly, but more partners showed interest to follow the suit of Israel. Israel is also the only country to have signed an Individual Cooperation Plan with NATO.

On 16th October 2006, NATO and Israel finalized the first ever Individual Cooperation Programme (ICP) under the enhanced Mediterranean Dialogue, where Israel would be contributing to the NATO Maritime Operation Active Endeavour. The ICP covered many areas of common interests, such as the fight against terrorism and joint military exercises in the Mediterranean Sea. NATO expects further ICP agreements to be signed with additional Mediterranean Dialogue member states in the future.

With a firm foundation, the Mediterranean Dialogue was designed to evolve through bilateral (19+1) and multilateral (19+7) means, although it is predominantly bilateral in character. The Dialogue Initiative became an important vehicle for information sharing across the Mediterranean and developed into a useful confidence-building measure,

especially after the creation of the Mediterranean Contact Group. It had provided a context for practical cooperation, and greatly increased the interest for the understating of Mediterranean security within the Alliance. The Dialogue also created 'contact' structures both inside NATO and in the Dialogue countries that allow for the accumulation of knowledge, information and experience and also on-job training for officials on non-traditional is a multinational environment.

The Mediterranean Dialogue is, potentially, a sort of gateway to the common search for a "Partnership for the Mediterranean", or PfM. Official NATO statements only refer to "partnership" as a more distant goal, but it is clear that the MD may serve the purpose of exploring and testing schemes that are broadly based on the successful experience of the PfP model. The PfP framework is highly flexible, by virtue of its "multi-bilateral" nature, and could address the need for ad hoc forms of cooperation between NATO and non-NATO Mediterranean countries.

At least three fundamental factors act as constraints on the successful development of the Mediterranean Dialogue: the lack of a truly unified policy; the unique position of Israel; the unsettled or rather immature relationship between the US and the EU in the security realm. The first factor is internal to NATO, and has to do with existing priorities and the limited nature of allied consensus; the second factor is external to the Alliance, and greatly contributes to slowing the pace of progress in the dialogue and even potentially working at cross-purposes with the aims of the MD; finally, the Euro-American relationship is both an inter-allied issue and a major determinant of the entire political landscape in the Mediterranean region.

There is even a temptation to use the MD as an opportunity to actually devise the central features of the missing allied strategy toward the Mediterranean: according to the 1998 RAND Report, "The NATO dialogue is a useful way both to promote internal discussion on such topics [as non-traditional threats] and to effectively communicate any Alliance decisions on these topics to Southern partners".⁷⁰⁴

Relations between Israel and its Arab and Muslim neighbors are the second major factor to be taken into consideration. These relations are certain to affect any possible security dialogue in the Mediterranean, given Israel's role as a major military player in the Middle East as well as a constant source of at least latent friction between the US and most Arab regimes. In addition, Israel also poses a special problem for NATO's evolving WMD policy. Israel is a de facto nuclear power in a region that comprises other aspirants to the nuclear status, and also enjoys a special relationship with the dominant military power in the area – and a nuclear power itself – i.e. the United States. This combination puts NATO under considerable pressure to maintain an evenhanded stance vis-à-vis Israel and the Arab regimes, or it will lose any credibility as a promoter of "cooperative security". The looming paradox is that NATO-Israeli relations may

naturally become closer, but this would reduce the chances of establishing an open bi-multilateral channel for dialogue with Mediterranean countries in general. In other words, if the Alliance is to raise its profile in the region, it can not escape some involvement in Arab-Israeli politics, although this is likely to prove a risky venture.

The third factor constraining the scope and pace of the Mediterranean Dialogue is of great significance for the whole structure of international relations in and around Europe. NATO inherently links the US to Europe in dealing with security issues. In the Mediterranean setting, just like elsewhere, active American participation and commitment lend more credibility to any initiative in the field of security ("cooperative" or otherwise), as the US remains the key military player in the Mediterranean (and the country with more leverage to influence Israel's policies). Inevitably, the American role does constrain the freedom of action enjoyed by the European allies in the region, and this is especially true when national initiatives by the Europeans are the norm. When confronted with an array of national policies, the US naturally emerges as the dominant power, and the multilateral character of the NATO alliance can not change this. However, as is well known the European members are becoming fully aware that a unified European position, both within NATO and through the EU, will allow them to capitalize on the pivotal role of the EU itself as the center of gravity in the entire Euro-Mediterranean geopolitical complex.

(3). NATO-Russia Federal Council

Another key element in the new architecture is strengthening cooperation with Russia. Russia is pre-eminent by its size, geo-strategic importance, and military potential among the states emerging from communist tyranny, and is sure to have a major influence on Europe's security. An active and constructive security relationship with Russia is critical to building a stable European future. If the West is to create an enduring and stable security framework for Europe, it must solve the enduring strategic problem of integrating the former communist state, especially Russia, into a stable European security system.

To end this, the United States and its Allies are pursuing strengthened relations with Russia on a bilateral basis, as well as in various multinational for a. Russia is already involved in most aspects of the emerging architecture. It participates actively in the OSCE and worked closely with the United States in upgrading that organisation. Russia had signed an ambitious partnership agreement with the European Union. It is a candidate for membership in the Council of Europe and the OECD. The United States supports deeper Russian participation in the Group of 7 industrialised nations and is sponsoring Russia's membership in the World Trade Organisation. For the first time since 1945, Russia participated, as a member of the Contact Group on Bosnia, in a multinational negotiating team presenting a unified position on a difficult European security issue.

As part of these European ties, the United States and NATO allies had agreed with Russia to develop relations between Alliance and Russia, in parallel to NATO expansion, both within PfP and outside it. The need for a special effort toward Russia is

inherent in Russia's importance in European security. Indeed, if NATO expansion and PfP are to succeed in their goal, enduring, and cooperative relationship between NATO and Russia is absolutely essential. Although Russia joined PfP, many Russians still harbor a negative attitude towards NATO and its policies. This reaction reflects Russian misconceptions concerning NATO's process of enlargement, and historical habits of regarding NATO as Russia's enemy. Through cooperation with NATO, Russia would see that the Alliance is no enemy, that a stable Central Europe is in Russia's interest, and that the United States and its allies are working to avoid divisions that existed in the past.

The evolving emphasis in NATO's mission from homeland defence to coalition operations has two important consequences for relations with Russia. First, because territorial defence is not currently at issue, it should be clear that NATO is not drawing new lines across Europe nor is it directed at Russia. Second, because "coalitions of the willing" organized by NATO would include some-but not necessarily all NATO members, and would generally include non-members drawn from the Partnership for Peace (like Bosnia's peacekeeping force), the distinction between full membership and partnership will be less important in the new NATO. In particular, Russia could be a partner in future coalition operations.

There may be some differences in Russia's attitudes towards the next phase of NATO enlargement as compared to the previous one. In particular, there will most probably be a strong sensitivity on the fact of expanding onto post-Soviet territories. Also, this emotional reaction might be supported by strategic and security considerations, more concrete and specific than in the case of East Central Europe. It is based on the assumption that Russia's attitude towards NATO enlargement, be it the previous or the next one, is only part of Russia's attitude towards, and Russia's perception of NATO as such.

Two factors seem essential in this respect. First, the alliance is still very often perceived as a challenge to Russia's security interests, even if only a potential one. Secondly, Moscow wants to prevent the central security role in Europe being played by a structure to which Russia does not and will not have direct access.⁷⁰⁵

In the aftermath of the cold war there seemed to be two main scenarios concerning the future of NATO, and both looked as basically acceptable to Russia. One proceeded from the inevitable disappearance of the alliance that looked having lost its *raison d'être*, represented a kind of memorial inherited from the previous epoch and could at best continue for some time only due to political and bureaucratic inertia. Another one described NATO as the core of the future pan-European security system, with the Alliance to be radically transformed and to include Russia as *sine qua non*.⁷⁰⁶

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Baranovsky, Vladimir, *NATO Enlargement: Russia's Attitudes*, prepared for IISS/CEPS European Security Forum, Brussels, 9/07/2001.

In reality none of these two scenarios was implemented. The developments in and around NATO followed a 'third way' and contained several components that were (and still are) perceived by Russia with considerable concern. First, this on-going scenario envisages the consolidation and growing role of NATO rather than its gradual erosion. Secondly, new military and political tasks are being ascribed to the Alliance *in addition* to the 'old' ones rather than *instead* of them. Thirdly, the Alliance, far from getting a lower profile, is carrying out a kind of a triple expansion – extending its functions, its membership and its zone of responsibility. Fourthly, instead of making the international law and the UN-based system the core elements of the post-bipolar world, NATO is perceived as disregarding them both and pretending to have exclusive *droit de regard* with respect to what is going on in the world.⁷⁰⁷

None of these characteristics might turn Russia very enthusiastic about the new dynamism of NATO. And when they all are considered together, this creates a critical mass of negative attitudes making Russia feel particularly depressed. Such political and even psychological frustrations represent the source of Russia's vigorous (although not always coherent) opposition to this trend. Noteworthy, this opposition has endured through almost the whole decade of the 90s and combined the logic of rational arguments with the acute emotional reaction.

The first wave of Russia's negativism towards NATO was provoked by the discussions on its eventual expansion onto East Central Europe. Noteworthy, Russia's official negativism was accompanied by a massive campaign against the enlargement of NATO. The scale of this campaign was unprecedented for the whole Russia's post-Soviet history. It was alleged that Russia saw the emergence of its first foreign policy consensus bringing together representatives of all major political forces – from communists to democrats and from liberally oriented enthusiasts of market reform to proponents of 'Russia's specific (i.e., 'not-like the-others') identity'. For Russia's fragmented political life this phenomenon is rare indeed – although it should be mentioned that the 'consensus' was build by those who had different (sometimes mutually exclusive) explanations of, and motives for their opposition to, NATO enlargement.

This, in turn, explained the internal weakness of Russia's opposition and the lack of coherence therein. Also, some arguments by no means looked convincing or in accordance with other elements of internationally oriented thinking. This was, for instance, the case of 'security argument' developed by many military and civilian strategists; indeed, insisting that the enlargement of NATO would inevitably threaten Russia's security looked both artificial and reproducing the logic of Cold War period.

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Ibid.

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Ibid.

Criticizing plans of NATO enlargement also did not look very appropriate in the light of the generally recognized right of states to join any international structures (or to refrain from doing so).⁷⁰⁸

Practical results of Russia's 'anti-enlargement' campaign also looked rather ambivalent. In East Central Europe, it was clearly perceived as a manifestation of Russia's 'Big Brother' syndrome and brought about increasing domestic support with respect to the policy line of joining NATO. It is not excluded that the voice of critics would have been better heard if Russia had followed a kind of 'do-as-you-wish' formula. In the West, some opponents to NATO enlargement also found themselves in an ambivalent position: while objecting to this prospect in principle, they would be against providing Russia with a veto right in this regard.

Whether Moscow was somehow disoriented by such developments or just decided, very pragmatically, to build upon these new themes remains an open question. In any case, Russia's opposition to NATO enlargement went in parallel with attempts to build relationship with the Alliance as a major pillar of the evolving European security architecture. This line proceeded from the idea of constructing 'special relationship' with NATO that would be deeper and more substantive than the Alliance's relations with any of its other partners. A dialogue between Russia and NATO did develop since mid-90s, although its political weight turned out rather limited. In fact, both sides were cautious with respect to an option of increasing its salience, albeit for different reasons: NATO did not want to make relations with Russia excessively 'privileged' whereas Moscow was reluctant to be regarded as accepting NATO enlargement by the very fact of flirting with the Alliance.

When it became clear that the expansion of NATO membership was inevitable, Russian government was actually faced with a very realistic danger of becoming the hostage of its own anti-NATO rhetoric and wide anti-enlargement campaign. Indeed, the enthusiasts of the latter were arguing in favour of reacting in the most energetic way, even at the expenses of rational considerations on Russia's own security and political interests. For instance, among the proposed 'counter-measures' were the following: building a CIS-based military alliance; re-deploying armed forces in the western areas of Russia; targeting East Central Europe with nuclear weapons; developing strategic partnership with anti-Western regimes and so on.

President Boris Yeltsin of the Russian Federation continued to attach priority to foreign-policy issues during the first days of 1997, negotiating with German Chancellor Helmut Kohl on January 4, 1997. On January 6, 1997, in a 90-minute conference in the Kremlin, Yeltsin reaffirmed Russia's unequivocally negative stand concerning NATO's projected eastward expansion.

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Ibid.

Yeltsin's close attention to international affairs, the Russia-NATO Relationship, first and foremost is quite understandable. The thing is that NATO plans to hold its Madrid session early in July. That session has some far-reaching intentions, that is to draw up the list of prospective candidates for the NATO-expansion programme. What does this signify? Why do such plans cause concern for both in Russia and among impressive segments of the world public? Madrid summit can lead to sinister consequences (as regards Europe). In a nutshell, it could serve to demolish the current regional balance, which has been achieved through great efforts. Besides, NATO would approach Russian borders, eventually damaging Russian geo-political and national interests in the field of security.

Those advocating the admission of new NATO members keep referring to partner-like relations with Moscow, saying that one should not worry about anything. However, why does NATO have to build up its military presence along its partner's borders at a time when it apparently takes such partnership rather seriously? Does this imply that Russia is not to be trusted?

At the same time, NATO openly warns Russia that this country would isolate itself if it continues to stick to its "die-hard" positions. Russian society unanimously rejects NATO plans. All Russian government branches agree that any advance towards Russian's borders is seen as something unacceptable. President Boris Yeltsin has repeatedly confirmed Russia's outright negative stand on NATO's eastward expansion. Prime Minister Viktor Chernomyrdin says that Russia's position on this issue is unshakable. The State Duma's Vice-Speaker Mikhail Gutseriyev believes that the expansion of NATO is something unacceptable.

NATO has constructively engaged Russia without which collective security in Russia would be impossible. Formal contacts between NATO and Russia began within the framework of the North Atlantic Cooperation Council (later re-named Euro-Atlantic Partnership Council) in 1991 and were supplemented later with Russia's accession to Partnership for Peace programme on June 22, 1994.

NATO member states and Russia began working in the NATO-Russian Council as equal partners, making progress in areas such as peacekeeping, defence reforms, WMD proliferation, search and rescue, threat missile defence and the struggle against terrorism, towards shared goal of a stable, peaceful and undivided Europe.

Moscow opted for another logic: disagreement over NATO enlargement should not be aggravated by other confrontational words and deeds; on the contrary, the enlargement might make a breakthrough towards constructive interaction even more imperative and urgent. This was confirmed by the decision to sign NATO-Russia Founding Act in May 1997 – the decision pushed through by then Foreign Minister Primakov against considerable domestic opposition.

With Russia participating in the meetings of the Euro-Atlantic Partnership, it is the Founding Act on Mutual Relations, Cooperation and Security between NATO and the

Russian Federation (referred to as 'Founding Act') signed in 1997 that constitutes the main forum after NATO-Russia relations. This document institutionalized regular contacts in the form of Permanent Joint Council. In accordance with Founding Act and the Rome Declaration, NATO is determined to intensify and strengthen cooperation with Russia. NATO and the Russian Federation made a reciprocal commitment "to work together to build a stable, secure and undivided continent on the basis of partnership and common interests." In May 2002, this commitment was strengthened with the establishment of the NATO-Russia Council, bringing together the NATO members and the Russian Federation. The purpose of this council was to identify and pursue opportunities for joint action with the 27 participants as equal partners. The Founding Acts expanded substantially the scope of cooperation between NATO and Russia. Contacts were interrupted by Russia for a period of almost a year in protest of NATO's intervention in Yugoslavia.

The military operation of NATO against Yugoslavia in the context of developments in and around Kosovo produced the most traumatic impact on Russia's official and unofficial attitudes towards the Alliance. Indeed, it was the Kosovo phenomenon that has contributed to the consolidation of Russia's anti-NATO stand more than the whole vociferous anti-enlargement campaign. The air strikes against Yugoslavia became the most convincing justification for Russia's negativism with respect to the prospect of establishing a NATO-centered Europe.

However, some elements of Russia's attitude towards NATO in the context of the Kosovo crisis were striking by the apparent lack of coherence. Russia strongly condemned NATO military operation – but in June 1999 Moscow endorsed the NATO-promoted logic of resolving the crisis in Kosovo. Moscow contributed to impose onto Belgrade the settlement designed by NATO – but it turned out very close to a serious conflict with NATO because of the famous 'march' of 200 Russian peacekeepers from Bosnia to Pristina (on 12 June 1999). The policy of NATO with respect to Kosovo caused the 'freezing' of Russia's relations with NATO – but during some time afterwards Kosovo was the only field of cooperative interaction of two sides, with all other activities being effectively interrupted and chances of re-launching them looking close to zero.

In an alternative interpretation, this all testified to a well-balanced combination of energetically articulated hostile rhetoric and careful preservation of channels for constructive interaction. Indeed, in 1999 NATO military campaign in the Balkans and Russia's aggressive reaction to it seemed to set a new long-term 'cold war-type' agenda for their future relations. There were serious grounds to apprehend their aggravating erosion, with the Kosovo factor becoming a constant irritant. Contrary to such expectations, the Kosovo syndrome in Russia's negativism towards NATO has turned out surprisingly short – much shorter than the scope of campaign against NATO aggression and the overall indignation both in Russian political class and in public opinion at large would allow to anticipate.

To a considerable extent this is due to domestic political changes in Russia and the possibility of a 'new start' for Russia's new leadership. Indeed, the decision (supposedly,

taken against considerable domestic resistance) to 'defreeze' relations with NATO is especially impressive after all what was said about this alliance in the aftermath of Kosovo.

A number of facts deserve mentioning in this regard. First, the pace of positive changes looks extremely dynamic. In fact, by mid-2001 the NATO-Russia dialogue has practically resumed in full, and both sides have re-launched the programme of developing relationship that was stopped in connection with Kosovo. Secondly, the tone of Russia's comments on NATO has significantly changed; what was predominantly condemning and denouncing just two years ago is becoming more informative and unbiased nowadays; and even the most convinced anti-NATO activists prefer to remain noiseless rather than showing up. Thirdly, the level of officials and representatives meeting on behalf of two sides has become considerably higher. Finally, a prospect of further rapprochement is no longer excluded; although schemes arguing in favour of developing a kind of 'Russia-NATO axis' are not officially endorsed, it is noteworthy that some analysts started to raise the issue of possible Russian membership in NATO.

What is behind such developments? Three main interpretations could be offered in this context. First of all, it is a manifestation of pragmatism that has become a key word of new Russian administration under President Putin. Russia would certainly prefer some alternatives to NATO, but if there are no political, financial and military means for promoting them and downgrading NATO, it is better to get accommodated to this situation rather than re-entering into exhausting confrontation with chances to succeed being close to nil. It is not a green light to anything NATO would like to do, but a deliberate decision not to get negatively over-excited with respect to what seems to happen anyway. At the same time, to the extent to which promoting bilateral relations with western countries and cooperative interaction with the West as a whole is considered to be in Russian interests, this line should not be damaged by maintaining the spirit of confrontation towards the structure where most of these countries are members.

Secondly, there is a need to put Russia's attitude towards NATO into appropriate context, without making it the central issue of the international agenda. Russia faces numerous challenges and has to deal with them seriously – without being diverted all the time by the issue of NATO. On the contrary, one might even think about using it as leverage for promoting Russia's interests in other areas. Thus, it was noted by some observers that during the formative period of the new US administration, when its forthcoming policy towards Russia raised a lot of concerns in Moscow, the latter seemed to engage into considerably more intense dialogue with NATO officials than with those from Washington. Indeed, this could be viewed as a paradoxical pattern, when the erosion and the degradation of relations with the USA were counterbalanced by Moscow via rapprochement with the structure that was traditionally considered as created, inspired and controlled by the Americans.

Thirdly, the most serious test for the future relations between Russia and NATO will be connected with the next phase of the Alliance's enlargement. One might expect that

Russia's negativism on eventual involvement of three Baltic States into NATO will be much stronger than in the case of East Central Europe. In contrast to the latter case, Russia's eventual arguments on security implications of such development could be considerably more coherent and substantive. Also, Moscow might expect that its reservations will have more chances to be taken into account – although Russia's right to draw a 'red line' will by no means be recognized by other international actors. In addition, the issue might turn out extremely sensitive in terms of Russia's domestic politics. In a worst-case scenario, this all could develop into a very acute situation, more dangerous than in the case of the previous wave of NATO enlargement.

Reflecting the transformed relationship, between NATO and Russia, U.S. President George Bush and other NATO Heads of State Government agreed with Russian President Vladimir Putin to establish the NATO-Russia Council (NRC). The creation of NRC opened a new era in NATO-Russia relations, providing opportunities for consultation, joint decision and joint action on a wide range of issues. The NRC would focus on specific, well-defined projects where NATO and Russia share a common goal. NATO and Russia agreed on a initial, specific work plan, which included projects such as assessment of the terrorist threats, crisis management, non-proliferation, arms control and confidence building measures, defence reform, new threats and challenges (including scientific cooperation and airspace management).

The NRC does not affect NATO's existing responsibilities as a potential and military alliance based on collective defence. The NRC does not provide Russia a veto over NATO's decisions or action. The NATO allies retain the freedom to act, by consensus, on any issue at any time.

Russia walked out of a key Cold War treaty setting limits on troops and weapons across Europe, but promised there were no immediate plans for a major military build-up. Russia's participation in the Conventional Forces in Europe (CFE) Treaty was suspended from midnight in Moscow, the Russian foreign ministry said in a statement. "Such a step has been caused by the exceptional circumstances connected to the content of the treaty, which concern the security of Russia and demand that we take immediate measures," the ministry statement said.⁷⁰⁹

During the close of the Cold War, in January 1989, NATO and the Warsaw Pact members produced the Mandate for the Negotiation on Conventional Armed Forces in Europe. The mandate set out objectives for the CFE Treaty and established negotiating principles, and formal negotiations began on March 9, 1989 in Vienna. When U.S. President George Bush and France's President Francois Mitterrand met in May 1989, Bush announced the acceptance of reductions of combat aircraft and helicopters. He also proposed a ceiling of 275,000 personnel stationed in Europe by the United States and Soviet Union. Bush's proposal was formally adopted during the 1989 Brussels

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"Russia walks away from Key Cold War Arms Treaty", *Times of India*, 13/12/2007, p.11.

NATO Summit and subsequently presented in Vienna. In November 1989, the Berlin Wall fell and in the following months revolutions broke out in Hungary, Czechoslovakia, Romania and Bulgaria. Bush and Gorbachev agreed to speed up arms control and economic negotiations. Bush proposed even steeper reductions, and the Soviet Union negotiated and concluded troop withdrawal agreements with Warsaw Pact states.

Signed on November 19, 1990, by the 22 members of NATO and the former Warsaw Pact in Paris, the Treaty on Conventional Armed Forces in Europe is a landmark arms control agreement that established parity in major conventional forces/armaments between East and West from the Atlantic to the Urals. It provides an unprecedented basis for lasting European security and stability. The original CFE Treaty (which is of unlimited duration) entered into force in 1992. Following the demise of the Warsaw Pact and the enlargement of NATO in the 1990s, the then 30 CFE States Parties signed the Adaptation Agreement at the Istanbul OSCE Summit on November 19, 1999, to amend the CFE Treaty to take account of the evolving European geo-strategic environment. The CFE places precise limits on the stationing of troops and heavy weapons from the Atlantic coast to Russia's Ural Mountains – a mammoth agreement that helped resolve the Cold War standoff.

After Russia was not willing to support the U.S. missile defence plans in Europe, the Russian President Vladimir Putin threatened a “moratorium” on the treaty in his April 26, 2007 address, and then raised most of its demands for re-writing the treaty during the Extraordinary Conference of States Parties to the Treaty on Conventional Forces in Europe, held in Vienna on June 11-15, 2007 at Russia's initiative. As his demands were not met during this conference, Putin issued a decree intended to suspend the observance of its treaty obligations on July 14, 2007, effective 150 days later, stating that it was the result of “extraordinary circumstances, which affect the security of the Russian Federation and require immediate measures,” and notified NATO and its members. The suspension applies to the original CFE treaty as well as to the follow-up agreements.

Russian President Vladimir Putin, who has made a priority of restoring Russian military might, signed a decree ordering Moscow's suspension of the treaty in November 2007. Suspension meant troops can now be moved around the country without notifying NATO. The foreign ministry said that Russia was no longer “constrained by the limitations placed on arms deployments on its flanks.” However, the ministry added a reassuring note, saying: “We have no current plans to accumulate massive armaments on our neighbours' borders.” In theory, Russia can return to the treaty at any time, but analysts say that is unlikely, given mounting East-West tensions.⁷¹⁰

Given the problems and complexities by Russia's CFE Treaty suspension, a final question involves why Russia did not simply withdraw from the CFE Treaty. Certainly,

international politics may explain the suspension – i.e. Russia wanted to signal its displeasure with the slow pace of ratification of the Adaptation Agreement and/or object to NATO encroachment into certain areas without destroying the CFE Treaty framework entirely.

An alternative explanation for Russia's suspension though may lie in Russian domestic legal requirements. Russia's participation in the CFE Treaty is governed by the 1995 Federal Law on International Treaties of the Russian Federation. Article 37(4) of this law governs Russia's CFE Treaty suspension. That provision authorises President Putin to suspend certain treaties "in instances requiring the taking of urgent measures," but it does not authorise a treaty's termination. Moreover, it requires the President to inform Russia's legislature of his action and to submit a draft federal law concerning the suspension to the State Duma (if the Duma rejects that law, the treaty immediately resumes operation). Thus, Russia's decision to suspend rather than terminate the CFE Treaty may have turned on President Putin's available options under current Russian law; absent further legislative action by the Duma, he has no legal authority to terminate the CFE Treaty, but can only suspend it.

NATO leaders at the Bucharest Summit issued a statement urging Russia to lift its moratorium on the CFE Treaty and to consider proposals made by the Alliance. Russia imposed a unilateral moratorium on the CFE treaty in December 2007, amid concerns over U.S. plans to deploy a missile shield in Central Europe and NATO's ongoing expansion. Moscow stated that it would resume its participation if NATO countries ratify the document.⁷¹¹

Russian nuclear weapons-armed strategic bombers could return to the U.S. plans to deploy its national missile defence shield (NMD) in Central and Eastern Europe. "While they are deploying the missile shield in Poland and the Czech Republic, our strategic bombers will be landing in Cuba," a highly placed Russian Air Force official quoted as saying by Izvestia daily.⁷¹²

In a strongly worded statement, the Russian Foreign Ministry had declared that Moscow would take 'military-technical' steps in response to the U.S. missile shield, claimed to be aimed at protection from the missiles of "rogue" countries like Iran and North Korea.

After a lull of almost 15 years, Russian Air Force was back on regular patrolling missions of the remote seas and oceans since last year by its nuclear missiles carrier strategic bombers Tupolev Tu-160 (NATO codename Blackjack) and T-95 (Bear). After

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"NATO urges Russia to lift CFE Treaty Moratorium", *RIA Novosti*, 04/04/08.

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"U.S. missile plan: Russia may place bombers in Cuba", *Press Trust of India*, 22/07/08, p.15.

the signing of the U.S.-Czech deal on the deployment of missile tracking radar in the Czech Republic, Russian President Dmitry Medvedev pledged to rebuff the U.S. shield, which Moscow saw as a threat to its retaliatory second strike capability, in the event of pre-emptive U.S. nuclear strike.⁷¹³

President of the Academy Geopolitical Problems, General (Retd). Leonid Ivashov, the former head of the Russian Defence Ministry's department for international cooperation, said that Cuba could be used as a refueling stopover for Russian strategic bombers rather than as a permanent base.⁷¹⁴

In October 1962, deployment of Soviet nuclear missiles on Cuba in response to the deployment of U.S. nuclear weapons in Turkey, a NATO ally, had put the former Cold War rivals on the brink of a nuclear showdown. In 2002, President Vladimir Putin had shut down the Russian electronic warfare base in Cuba in an attempt to forge a closer partnership with the U.S. and cut operating costs.

On April 4, 2008, Russian President Putin addressed the NATO-Russian Council, airing his views on the alliance's future plans. The President urged NATO's leadership to hear Russia's concerns, and "to engage in an honest dialogue." Putin claimed, "None of the global players – Europe, the United States or Russia is interested in returning to the past." He flatly laid out the viewpoint that "the emergence of the powerful military bloc on Russian borders" would constitute a "direct threat to Russia's security."

On the opening night of the summit, NATO's foreign ministers conducted a meeting that was "bad-tempered" with Secretary of State Condoleezza Rice and Germany's Foreign Minister Frank Walter Steinmeier reportedly at odds. Steinmeier aired the view that Georgia would not fit to join the Membership Action Plan until it resolved the "frozen conflicts" over Abkhazia and South Ossetia. Steinmeier's comments apparently reflected the German view that Putin's successor Dmitri Medvedev, should be given a breathing space to settle into office, without having a fight on his hands. The French Government supported the German stance: Foreign Minister Francois Fillon stated that France was not in favour of the Membership Action Plan because "We think it is not the right response to the balance of power in Europe." France and Germany clearly are working on the assumption that NATO expansion would aggravate the Kremlin unnecessarily.

Given the fact that NATO operates on a consensus basis, these opinions meant that Georgian and Ukrainian membership in the alliance effectively was vetoed. The United

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Ibid.

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ibid.

States gained an apparent concession, however, in that the decision on the Membership Action Plan is to be reviewed in December. In light of NATO's decision, President Putin's aforementioned comments must be viewed as a victory speech.

Realistically, the question must be asked: what would change by December? If the German and French views prevail, Georgia and Ukraine would remain outside the alliance's circle of protection, at least until there was a change of viewpoint (or governments) in Paris and Berlin.

Russia moved its troops and tanks into South Ossetia to protect its nationals and peacekeepers hours after Georgia launched a full-scale military offensive against its breakaway territory. Russian President Dmitry Medvedev condemned Georgia's attack as an act of "aggression" and vowed to defend Russian citizens in South Ossetia. An overwhelming majority of the region's 70,000-strong population holds Russian passports.⁷¹⁵

Medvedev stated in televised remarks at an emergency meeting of Russia's Security Council, "I must protect the life and dignity of Russian citizens wherever they are. We will not allow their deaths to go unpunished. Those responsible will receive a deserved punishment."⁷¹⁶

The conflict was likely to spread as Abkhazia threatening to open a second front against Georgia under a mutual defence pact with South Ossetia.⁷¹⁷ The United States, European Union and NATO had called for an end to hostilities in South Ossetia, but the United States and Britain blocked a Security Council Resolution tabled by Russia that would have called on Georgia and its separatist region in South Ossetia to immediately put down their arms and "renounce the use of force."

Russia suspended all military cooperation with NATO in a reaction to the Alliance's siding with Georgia in its war with Russia over South Ossetia. "The Russian Defence Ministry has frozen military cooperation with the Alliance," said Dmitry Rogozin, Russia's envoy to NATO. Moscow had recalled the envoy from Brussels for consultations.⁷¹⁸

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Radyuhin, Vladimir, "Georgia Attacks South Ossetia", *The Hindu*, 09/08/08, p.13.

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Ibid.

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ibid.

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Radyuhin, Vladimir, "Russia Snaps Military Cooperation With NATO", *The Hindu*, 23/08/08, p 14.

Rogozin explained Russia's move would affect delegation exchanges and joint war games. "Instead of supporting Russia's intervention to save civilian lives in South Ossetia, NATO has displayed double standards," he said.⁷¹⁹

Russia's Foreign Minister Sergei Lavrov accused NATO of trying to rescue "a criminal regime" in Georgia. He, however, said Moscow "is not shutting the door of NATO" and made clear Russia would not close a transport corridor for NATO supplies to Afghanistan through Russian territory.⁷²⁰

Nicolas Burns, U.S. Permanent Representative to NATO said, "On terrorism, NATO needs friends and partners in this shared light. The global war on terrorism cannot be fought – or won – by one or even a few nations alone. This single issue, more than any other, will dominate the agenda of the NATO-Russia Council for the foreseeable future, just as it has defined NATO's agenda since the devastating attacks on America of September 11, 2001. The Alliance responded to those attacks by invoking – for the first time in its history – Article 5 of the Washington Treaty, which states that an armed attack against one or more NATO member country will be considered an attack against all. Today, I am proud to say that NATO is present on the front lines of this global war on terror, with missions in both Afghanistan and Iraq. United by this clarity of purpose – the fight against terrorism – we are also taking NATO's partnership with Russia to a new level of cooperation, engagement, and effectiveness. NATO is working with Russia to develop new practical initiatives that will help coordinate and further strengthen our approaches to counter terrorism".⁷²¹

(4). NATO-Ukraine Relations

NATO-Ukraine relations were formally launched in 1991, when Ukraine joined the North Atlantic Cooperation Council (later re-named the Euro-Atlantic Partnership Council), immediately upon achieving independence with the break-up of the Soviet Union. In 1994, Ukraine became the first of the Commonwealth of Independent States to join the Partnership for Peace. The country soon demonstrated its commitment to contribute to Euro-Atlantic security in its support for the NATO-led peacekeeping operations in the Balkans during the 1990s.

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Ibid.

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Ibid.

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Burns, Nicolas (U.S. Permanent Representative to NATO), "The NATO-Russia Council: A Vital Partnership In The War On Terror" Remarks to Spaso House, Moscow, Russia, and Department of State, Washington D.C., November 4, 2004.

The 1997 Charter on a Distinctive Partnership recognised the importance of an independent, stable and democratic Ukraine to European stability. The Charter set out principles and arrangements for the further development of NATO-Ukraine relations and identified areas for consultation and cooperation, establishing the NATO-Ukraine to take work forward.⁷²²

In order to pursue full Euro-Atlantic integration, Ukraine would have to implement all the reforms necessary including as regards enforcement of export controls. The new Action Plan that NATO is adopting with Ukraine is an important step forward; it identifies political, economic, military and other reform areas where Ukraine is committed to make further progress and where NATO would continue to assist. Continued progress in deepening and enhancing relationship required an unequivocal Ukrainian commitment to the values of the Euro-Atlantic Community. Steps were taken to deepen and broaden the NATO-Ukraine relationship with the adoption of the NATO-Ukraine Action Plan in November 2002. It aimed to support Ukraine's reform efforts on the road towards full integration in Euro-Atlantic security structures.

In the wake of the "Orange Revolution", newly elected President Viktor Yushchenko was invited to a summit meeting at NATO Headquarters in February 2005. NATO leaders expressed support for the new President's ambitious reform plans for Ukraine and agreed to sharpen and refocus NATO-Ukraine cooperation in line with the new government's priorities.⁷²³

NATO allies and Ukraine launched an Intensified Dialogue on Ukraine's aspirations to membership. They also announced a package of short-term actions designed to enhance NATO-Ukraine cooperation in key reform areas.

NATO and Ukraine actively cooperated in international peace-support operations and had developed practical cooperation in a wide range of other areas. Dialogue is also underway on Ukraine's membership aspiration and related reforms. At the Bucharest Summit in April 2008, Allied leaders agreed that Ukraine would become a NATO member in future. NATO would work with Ukraine to address questions regarding its application to join the Membership Action Plan, which would be reviewed by NATO foreign ministers in December 2008.

NATO's expansion, which started in the 1990s, has approached a critical point again. Having admitted East European and Baltic countries, the Alliance was now planning to admit Ukraine, a post-Soviet republic. This would be NATO's biggest expansion since it

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Bilinsky, Yaroslav, *Endgame in NATO's Enlargement*, Praeger Publisher, New York, 28/2/1999, p.43.

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Ibid.

was joined by West Germany in 1956. A new political reality that would result from this step gave much food for thought.

When would this happen? For the time being, Ukraine has been denied admission to the NATO Membership Action Plan (MAP), which precedes the entry into the Alliance. But the NATO leaders reassured Ukraine that their cooperation and preparations for admission would be continued. Most likely, Ukraine's participation in the MAP and subsequent entry into NATO would continue to be a bargaining chip in NATO-Russia relations. NATO might accept Ukraine only if the West's contacts with Russia sharply deteriorate.

There may be many reasons for such a turn in the upcoming decade. What could be a catalyst? Events in Iran or Georgia? Will soaring oil prices lead to a clash? Or will it be something else? In any case, it would take from one to two years to complete all MAP procedures, and this process may start at the next NATO summit.

Attitude to NATO in Ukraine may develop into much bigger problem. It is obvious that so far the majority of people in Ukraine is opposed to NATO membership and wants it to remain neutral. In the complicated domestic situation, forced entry into NATO may split the country and some of its regions may secede. Such an outcome is not likely to please either Kiev or Brussels; so, there are no grounds to expect Ukraine's fast NATO entry.

But what consequences would Russia face if Ukraine joined NATO? They could be broken into several categories. Firstly, it would encounter military consequences. Tensions on Russia's western borders would rapidly go up. At present, NATO's tactical aircraft could reach Moscow in about an hour. Their flying time would be reduced to 20-25 minutes. The NATO forces would increase by several divisions, 300 to 350 combat aircrafts and 10 to 12 surface ships. This would further increase the already big gap in NATO and Russia's military potentials.

Political consequences would be closely linked with the military ones. Tensions between Russia and the West would escalate; and the political climate, which already leaves much to be desired, would finally slide to the worst times of the Cold War. Confrontation in Europe would be tense, but its front would move closer to the former Soviet territory.

Russia had already sustained economic losses because of Kiev's flirtation with NATO. Its defence industry had to downgrade cooperation with its western neighbour and gradually move to Russia the production of spare parts for military hardware, which were previously made in Ukraine, or develop their counterparts. The range of this hardware is rather broad-electronic components, missile, aircraft, ship and tank engines, as well as different auxiliary equipment.

However, the fact that Ukraine's NATO entry would give a legal seal to the new geopolitical reality is its most important aftermath. Russia's more than 300-year-old dominance over the former Kievan Rus, which allowed it to consider itself a leader,

consolidator and protector of east Slavic civilisation, would be left in the past. The Russian leaders are not likely to consider such a scenario, but there is not doubt that Russia would use all political and economic levers in order to keep Ukraine at least neutral, and at best, to strengthen its influence there. The destinies of Russia and Ukraine have been intertwined for centuries. They are too close for Russia not to notice a loss of Ukraine.

(3). RETURN OF FRANCE TO NATO

French President Nicolas Sarkozy unveiled major cutbacks in the French armed forces to divert resources against what he called the greater threat of terrorism, and announced France's return to NATO command. In a major speech setting out his defence strategy, Sarkozy on Tuesday said that the armed forces would lose 54,000 posts to make for a "massive investment" to develop state-of-the-art intelligence.⁷²⁴

Bringing France closer to the United States on defence, Sarkozy confirmed France's plans to return to NATO's integrated command, which it left it in 1966 when Charles De Gaulle rejected U.S. dominance of the Alliance. "The most immediate threat today is that of a terrorist attack," said the President.⁷²⁵

"The threat is there, it is real and we know that it can tomorrow take a new form, even more serious, with nuclear, chemical and biological means," Sarkozy said. He stressed that France would remain "an independent ally" and keep its nuclear deterrent forces under strict national control as conditions for rejoining NATO command. "We can renew our relations with NATO without fear for our independence and without running the risk of being unwillingly dragged into a war," said Sarkozy. Officials said this is expected to take place in 2009.⁷²⁶

In a move towards healing NATO's oldest rift, French President Nicolas Sarkozy said that he would decide by the end of this year on France's return to the Alliance's military command, which it quit in 1966. Sarkozy told his first NATO summit he expected to take the decision at the end of France's six-month presidency of the European Union in the second half of this year, when he wanted to push for closer European defence organisation. France had continued to work closely with NATO's military hierarchy and had taken part in almost all of the Alliance's missions, but the decision was of huge

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"Sarkozy announces French return to NATO command", Agence France Presse, *Indian Express*, 19/06/08, p.13.

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ibid.

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ibid.

political symbolism, reversing four decades of Gaullist “exceptionalism”. General Charles De Gaulle withdrew French forces from NATO’s command in 1966 at the height of the Cold War and expelled the Alliance’s headquarters from Paris and Fontainebleau in protest at what he saw as U.S. hegemony in Europe. France’s decision to pursue a more independent foreign and defence policy still has many supporters at home today and Sarkozy faces resistance from opposition Socialists and Communists and some hard-line Gaullists.⁷²⁷

Gordon Johndroe, the White House national security spokesman, said the United States welcomed France’s announcement, as did NATO. Rejoining of France to the military command is seen mostly as a symbolic gesture that would entail the appointment of several French Generals to NATO military headquarters and to the Alliance’s defence planning committee.⁷²⁸

The French parliament has backed President Nicolas Sarkozy’s decision to take France fully back into NATO, rejecting a no-confidence motion. Opposition critics and some among Sarkozy’s UMP Party said that the move would weaken French independence from the United States. But France’s national assembly voted by 329 votes to 238 in favour of Sarkozy’s government. The policy reversed a 1966 decision by the late President Charles De Gaulle to pull out of NATO’s military command. Sarkozy said, “there was no sense in France - a founder member of NATO - having no say in the organization’s decisions on military strategy. This rapprochement with NATO ensures our national independence. To distance ourselves would limit our independence and our room for manoeuvre”. He also stated that NATO remained a central element of France’s security and defence policies, but stressed that he would not give up the country’s independent nuclear deterrent.⁷²⁹

NATO Secretary General Jaap De Scheffer welcomed Sarkozy’s announcement. He said, “France’s full participation in all the civil and military decision-making and planning processes cannot but strengthen the alliance further”.⁷³⁰

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Pineau, Elizabeth, “Sarkozy to decide on French NATO return this year”, *Reuters*, 03/04/08.

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“Sarkozy announces French return to NATO command”, Agence France Presse, *Indian Express*, 19/06/08, p.13.

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“Sarkozy survives vote over NATO”, *BBC News*, 19/03/09.

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“France ends four-decade NATO Rift”, *BBC News*, 19/03/09.

The French decision, taken by Sarkozy using his presidential prerogative in matters of foreign policy, has been widely criticized within the country, many Gaullists saying it would curtail France's foreign options and put an end to its legendary "independence". Hubert Vedrine, a former foreign minister said that the decision to rejoin NATO was a symbolic of French renouncement of a certain freedom of thought and action in international relations and it was highly negative symbol. "The President tells us that he will be able to advance the project of a separate European Security and Defence Policy (ESDP) from within the NATO Alliance. Given the weight of the Pentagon within NATO such as outcome appears highly unlikely. I do not understand that this decision to re-integrate. The dust has died down 43 years after General De Gaulle took the decision to leave the integrated strategic command. We should have negotiated the changes we wish to see in NATO using our return as a bargaining chip. I think that for most Arab, African and emerging nations, for Latin America, this means an end to the De Gaulle-Mitterrand heritage. In other words, it means that 130-140 countries will consider that they can no longer count on France to express a differing western voice, a voice slightly divergent from the usual western consensus", Vedrine said.⁷³¹

President Sarkozy defended his decision to fully re-integrate NATO saying: "We have no posts of military responsibility, so we have no say when the allies define objectives and military means of operations in which we participate. France will be stronger and more influential, because it's the absent parties that are always at a disadvantage. France should co-direct rather than submit". Denouncing "sterile anti-Americanism" as the major source of opposition to full French membership of NATO, the President also addressed concerns over France's strategic independence by pointing to French positions at odds with those of the United States - on Syria, Iran and Cuba, for example - as proof that the country's freedom of action has not been undermined by a close partnership with America.⁷³²

In return, France would be given two command posts - French members of the General Staff would supervise the Allied Command Transformation project in Virginia and the direction of the regional command headquarters in Lisbon, the location of the NATO's Rapid Reaction Force and its satellite reconnaissance system. Paris would take part in all military planning and French officers would be integrated into NATO's command structure.⁷³³

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Naravane, Vaiju, "Ending decades-old rift with NATO: France wants to have say in the pact's future by fully integrating into the Alliance", *The Hindu*, 03/04/2009, p. 9.

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Ibid.

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Ibid.

Indeed, Sarkozy's main argument for rejoining NATO was that, given its current level of engagement, France must have a voice at the top in order to defend its own interests. In recent years, France has gradually rejoined the political and operational elements of the Alliance; it now sits on 36 of NATO's 38 committees. But it has remained absent from the permanent military command structure, which means that it does not participate in the strategic planning that goes into operational deployments. Sarkozy says this must change.

But Sarkozy also has other motives for reaching out to NATO. Full membership of the Alliance will, for example, enhance French military interoperability with the United States and other NATO allies, thereby contributing to the badly needed modernization of French forces. Moreover, Sarkozy hopes that full NATO membership will provide the French defense industry with [access to the mammoth US defense procurement market](#), which accounts for almost half of global defense expenditures.

To be sure, Sarkozy says that building an autonomous European defense capability remains an "absolute priority." Indeed, he believes that if France fully rejoins NATO, he can boost ESDP by eliminating suspicions among NATO allies that his main motivation is to build a rival to NATO and thus undermine American influence in Europe. "Our position, outside the military command, sustains mistrust about the object of our European ambition," Sarkozy said, but then adding: "A France taking its full place in NATO would be an alliance that would be giving a greater place to Europe."

To achieve this end, Sarkozy knows that he especially needs to be able to convince Britain of the genuineness of his pro-Atlanticist leanings. Britain, of course, is central to building a credible European defense capability, but up until now, it has resisted closer European defense cooperation because of its deep distrust of French motives. Sarkozy seems to be making a bet that Britain will no longer have suspicions about a country that is a fully fledged member of NATO.

(4). NATO AS A PEACEKEEPING ARM OF THE U.N.

What role can institutions such as the NATO play in maintaining peace and security in today's world? During the Second World War, Winston Churchill saw regional security "arrangements" as the basis of multipolar world order, which could ensure the balance of power and prevent another global conflagration. Today, the United States presides over a unipolar world and all international and regional institutions are inhibited by this reality. But the breakdown of international cooperation over Iraq, and the growing anti-Americanism around the world, raise doubts about the prospects for a stable and legitimate international order under American hegemony. Hence, a return to multipolarity has become not just a strategic aspiration of some major states, but indeed a normative one.

Until the end of the Cold War and the disintegration of the Soviet Union, the United States found it difficult to decisively influence the U.N. organs particularly the U.N.

Security Council to cater for its interests and concerns in diverse international situations. This was because the Soviet Union was powerful enough politically and militarily to block the American moves to utilise the U.N. to cater for its interests. Consequently, the United States during the Cold War mostly acted either unilaterally or through regional organisations/arrangements of which it had controlled by largely avoiding the U.N. Thus, U.S. concerns in Europe were taken care of by NATO and European regional organisation. The U.S. concerns in Latin America were addressed mostly through Organisation of American States (OAS) and the United States prevented the U.N. organs from playing any meaningful role in Latin America.

The end of the Cold War saw the disappearance of the USSR, which was replaced by economically and militarily weak Russia, and a group of former Soviet republics were still groping in the dark to find their own identities and with internal quarrels, for instance Georgia. Russia did threaten to use its veto in a very few situations, but after a similar exercise seeking to prevent the U.S. invasion of Iraq, it stood as a helpless onlooker to the United States pushing NATO into peacekeeping operations with or without the U.N. Security Council sanction.

(a). NATO-UN Relations during Cold War

NATO and the United Nations now became two organisations trying to work together despite the fact that they have very different philosophies: NATO is an organisation designed to fight war; if necessary, in order to defend peace; whereas the United Nations is an organisation designed to avoid war in order to maintain peace. In other words, the effectiveness of NATO is directly proportionate to the amount of military force available for use – and the quantity and quality of NATO's military prowess is phenomenal –; whereas the effectiveness of U.N. peacekeeping is inversely proportionate to the amount of military force made available to it by member nations.

Like much of the content of the United Nations Charter, the provisions relating to regional arrangements were the product of two inter-related recent experiences: the failure of League of Nations and the Second World War. In this context, the Charter drafters were keenly aware of the impact of a lack of universality in any international security organisation, and the consequences of inaction when conflict is left unchecked in its early stages. The question of how and even if regional organisations had a role to play in dealing with issues of peace and security related to both of these critical issues. In the first instance, the United States were concerned that nothing in the proposed Charter should detract from the primacy of the Security Council on international peace and security questions. Other countries, however, particularly those in Europe and Latin America, wanted an ability to respond to conflict within their regions, in the event that the Security Council was unable or unwilling to do so.

No one disputed the idea that regional organisations had a role to play and a right to exist fit the two together so that regional international organisation. The question was how to fit together so that regional organisations could fulfil their own peace and security objectives without detracting from the goals of the international organisation.

Determining the exact nature of that fit raised a number of difficult questions for those negotiating the terms of the Charter. How should a regional organisation or arrangement be defined? Should the Security Council have a role in deciding whether or not an organisation was suited to deal with peace and security issues? What kind of freedom of action should these regional groups have in dealing with conflict situations?⁷³⁴

It was above all to avoid the recurrence after the Second World War of threats to world peace and order that the United States set out to design and bring into the United Nations and the congeries of related agencies. "From the very beginning", says the report of the American delegation to the United Nations Conference on International Organisation at San Francisco, "the problems of post-war peace and security were paramount."⁷³⁵

During the Cold War, there has been a close interaction between the United States and the Soviet Union outside the U.N. and within it. Antagonisms between East and West dictated that the United Nations be denied of an independent ability to establish its own permanent U.N. military force.⁷³⁶ In the post-war days of rapidly mounting hostility and the desperate effort to stabilise Europe and limit the extension of Soviet power, the United States turned to the U.N. as an instrument to mobilise political and material support and to record moral opprobrium against Communist violations of political independence and human rights.⁷³⁷ U.N. military authorisations can be vetoed by any of the five permanent Security Council members. The Soviet Union, which could have vetoed U.N. entry into the Korean War, actually permitted it by temporarily boycotting the world body. No full-scale direct U.N. military action has occurred since – only U.N. peacekeeping activity.

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For a good overview of how these questions featured in the early stages of the debate and negotiations on the formation of the United Nations Charter, see Russell, Ruth B., *A History of the United Nations Charter, The Role of the United States 1940-45*, Brookings Institute, Washington D.C., 1958, pp. 107-108, 398-399, 472-474.

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Charter of the United Nations: Report to the President on the Results of the San Francisco Conference by the Chairman of the United States Delegation, the Secretary of State, June 26, 1945, (Department of State Publication 2349, Conference Series 71) (Washington: U.S Government Printing Office, 1945), p.21. in the edited book of Lawrence S. Finkelstein, *The United States and International Organisation: The Changing Setting*, World Peace Foundation, p.1.

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Article 63 of the UN Charter.

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Although it did so cautiously and not without misgiving. See Weiler, Lawrence D. and Simons, Anne Patricia, *The United States and the United Nations: The Search for International Peace and Security*, Manhattan Publishing Company, New York, 1967, pp.127-128.

A main foreign policy which the United States has pursued through regional organisations has been the objective of “Communism”. Both economic and military organisations have been used. Among the latter the United States created and participated in NATO – first the Treaty in 1949, then the highly organised developed organisation after the onset of the Korean War in 1950 – as a means of establishing a credible commitment to defend Western Europe against the Soviet Union. With decolonisation and increased focus on the power of the People’s Republic of China (Communist China) in Asia, Secretary of State John Foster Dulles promoted the quasi-regional Baghdad Pact (later CENTO) in which the United States was an observer and the quasi-regional SEATO of which the United States was a non-regional member as a means of completing the ring around the Communists. It has been suggested that Dulles turned to these quasi-regional imitations of NATO because they were sell to Congress, because they were expected to allow easier access to weak areas, and because they promised to limit American expense and responsibility.⁷³⁸ In any event, the opposition of neutralist Asian countries and their refusal to join made the inadequacy of the quasi-regional pacts apparent even to Dulles who soon limited the United States commitment in SEATO.⁷³⁹

Articles 52-54 of the U.N. Charter authorise forming “Regional Arrangements”, precisely what NATO is. In its preamble and 14 short articles, the 1949 NATO Charter demonstrates its U.N. genesis in five places. Marketed to the American people as only a military alliance designed to check any westward movement of the Soviet Bloc, NATO won immediate – though not unanimous – approval in the U.S. Senate.⁷⁴⁰ When the Soviet Union, and its Warsaw Pact dissolved, NATO should have as well, but its founders had other plans.

Senator Robert Taft opposed the ratification of the pact because NATO’s Article 5 pledged all member nations to consider an attack on one as an attack on all. He insisted that the use of the U.S. armed forces should be exclusively “to protect the liberty of American people,” not those of other nations. His plea to fellow senators included criticism of the Truman administration because “it had adopted a tendency to interfere in the affairs of other nations, to assume that we are a kind of demigod and Santa Claus to

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Furniss Jr., Edgar S., “A Re-examination of Regional Arrangements”, *Journal of International Affairs*, 1955, Volume. 9, No.2, pp.80-81.

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Halle, Louis, *The Cold War as History*, Harper and Row Limited, New York, 1967, p. 304.

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Heindel, Richard H., Kalijarvi, Thorsten V., and Wilcox, Francis O., “The North Atlantic Treaty in the United States Senate”, *American Journal of International Law*, vol. 43, No.4, October 1949, p.638.

solve the problems of the world, an attitude that is more and more likely to involve us in disputes where our liberty is not in fact concerned.”⁷⁴¹

(b). NATO-UN Relations Post-Cold War

The end of the Cold War, the disintegration of the Soviet Union and the general movement towards a global, free market economy had dramatic impact on both the United Nations and regional security arrangements. First, for the latter, much if not all of their rationale simply disappeared, either resulting in their complete collapse (as with the Warsaw Pact), or necessitating a process of redefinition in the emerging new world order (as with NATO). Second, the removal of the Cold War “overlay” on regional affairs, i.e., the lifting of the template of superpower ideology, intervention, and clientelism, transformed the dimensions of conflict within the system. Interstate tensions and overt conflicts dropped significantly. But, on the other hand, intrastate conflicts increased dramatically, marked by internecine communal struggle and shocking levels of destruction and lethality, particularly targeted against civilian populations. For the United Nations, the result was a renaissance of sorts in the early 1990s. With the Security Council unlocked, an activist Secretary General in office, and a sense of relative equanimity among the major powers, the U.N. was called upon by its members to assume a dramatically expanded role in international peace-related activities.

NATO has adapted to the new circumstances of the post-Cold War era by making itself and the North Atlantic Cooperation Council available to the United Nations and the Conference on Security and Cooperation in Europe (CSCE) for pan-European peacekeeping, peacemaking and peace enforcement operations.⁷⁴² In recent years, co-operation between NATO and the United Nations has developed well beyond their common engagement in the past in bringing peace and stability to crisis-hit regions. Consultations with U.N. specialized bodies now cover a wide range of issues, including civil emergency planning, civil-military co-operation, combating human trafficking, action against mines, and the fight against terrorism.

From the viewpoint of NATO, the idea of involvement in U.N. peacekeeping missions arose quite quickly in 1992. Between the time of the Oslo Ministerial meeting in June 1992, NATO participation in U.N. missions went from being a non-issue to being a fact

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McManus, John F., “NATO is a U.N. Subsidiary”, *The New American*, 17/03/08 This argument is reminiscent of one of the arguments raised by Henry Cabot Lodge, Sr. blocking the US ratification of the Treaty of Versailles, 1919. Lodge argued that Article 10 of the League of Nations Covenant obligated the US to send its troops to all parts of the world, at the instance of the organisation. See Walters, Maurice, *League of Nations*.

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Snow, Donald, *Peacekeeping, Peacemaking and Peace Enforcement: The US Role In The New International Order*, SSI Monograph Series, Strategic Studies Institute, US Army War College, February 1993.

of life. In the June 1992, Ministerial Communiqué, the U.N. rated only a one-paragraph mention in support of the participation of Allied States in U.N. peacekeeping missions.⁷⁴³

(1). Yugoslavian Crisis (1993-1999)

The situation changed in 1992, against the background of growing conflicts in the Western Balkans, where their respective roles in crisis management led to an intensification of practical cooperation between the two organisations.

NATO's intervention in Yugoslavia, undertaken with the aim of preventing gross human rights violations, was the object of much controversy. The intervention itself was not supported by all countries and all people. Indeed, many, including India and China were against it. NATO launched attacks with cruise missiles and bombs on Yugoslavia, a sovereign state, a founding member of the United Nations and the Non Aligned Movement; and against a people who were at the forefront of the fight against Nazi Germany and other fascist forces during the Second World War. These actions were unbecoming of great powers. It is appropriate to touch on the humanitarian dimension for it is the innocent who had been subjected to displacement, pain and misery. Unfortunately, this was the tragic and inevitable outcome of all such situations of civil wars, insurgencies, rebel movements, and terrorist activity.⁷⁴⁴

The Non-Aligned Movement countries at its Kuala Lumpur Meeting 1999 were categorical in its opposition. The NAM countries issued a statement on 9th April 1999 regarding the situation in Kosovo, reaffirming its commitment to the “sovereignty, territorial integrity and political independence of all States”.⁷⁴⁵ Fortunately, the majority in Europe justified the intervention from the political, legal, humanitarian and moral viewpoints.

NATO Secretary-General Javier Solana had justified the action by pointing to the refusal of Yugoslav President Milosevic to accept the proposals negotiated in Rambouillet and to abide by agreed limits on Serb Army and Special Police Forces in Kosovo. Thus, the use of force was the only way to prevent more human suffering and

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NATO Ministerial Meeting of the North Atlantic Council, *Press Communiqué M-NAC-1* (92) 51, 4 June 1992. Paragraph 13 states, “We reiterate our commitment to strengthening [the UN’s] ability to carry out its larger endeavours for world peace. We welcome the fact that Allies participate in and contribute to United Nations peacekeeping and other efforts.”

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Nambiar, Lt. General Satish (Retd), “The Fatal Flaws Underlying NATO’s intervention in Yugoslavia”, *United Services Institution of India*, New Delhi, April 6th, 1999.

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UNSCOR, UN Doc S/1999/451, 9th April, 1999.

more repression and violence against the civilian population of Kosovo. The argument was more political than legal, as were the justifications invoked at the time by the various NATO capitals. Apart from the debate on the political wisdom of military action, reactions ranged from simple skepticism to vehement condemnation of the legality of the campaign. NATO's unilateral use of force was a significant departure from classic international legality. At worst, it jeopardised the international order based on the U.N. Charter, which entrusts the Security Council with the responsibility to monitor and guarantee international peace and security.⁷⁴⁶

Following the Albanian crises in 1999, which was handled outside the NATO framework, the favoured alternative for future responses to out-of-area conflicts appeared to be ad hoc coalitions of the willing and flexible use of military assistance through the Partnership for Peace programme. However, the eruption of violence in Kosovo during 1998 and 1999 eventually led to the deployment of several new NATO out-of-area operations. Most importantly, however, NATO expanded its "out-of-area" role even further through its decision to launch air strikes against a sovereign state without explicit authorisation from the UN Security Council. That happened on 24th March 1999.⁷⁴⁷

The intervention of the North Atlantic Treaty Organisation (NATO) in Kosovo in 1999 highlighted a triple policy dilemma of complicity, paralysis and illegality. To respect sovereignty all the time is to risk being complicit in humanitarian tragedies sometimes. To argue that the U.N. Security Council must give its consent to international intervention for humanitarian purposes is to risk policy paralysis by handing over the agenda either to the passivity and apathy of the Council as a whole, or to the most obstructionist member of the Council, including any one of the five permanent members determined to use the veto clause. To use force without U.N. authorisation is to violate international law and undermine world order.⁷⁴⁸

In 1992, NATO ships belonging to the Alliance's Standing Naval Force Mediterranean, assisted by NATO Maritime Patrol Aircraft, began monitoring operations in the Adriatic in support of a U.N. arms embargo against all republics of the former Yugoslavia.⁷⁴⁹ In the same year, NATO and the Western European Union (WEU) began enforcement operations in support of U.N. Security Council resolutions aimed at

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Metreveli, Mamuka, "Legal Aspects of NATO's Involvement In The Out-Of-Area Peace Support Operations", Spring 1992, Issue No.21, *Joint Force Quarterly*, Institute For National Strategic Studies, National Defence University, Washington DC, p.49.

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Ibid.

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Thakur, Ramesh, "Use of Force and Responsibility To Protect", *The Hindu*, 01/06/05. p. 11.

preventing the escalation of the conflict.⁷⁵⁰ Thus began NATO evincing interest in peacekeeping operations on behalf of the UN.

A number of measures were subsequently taken, including joint maritime operations under the authority of the NATO and WEU Councils; NATO air operations; close air support for the United Nations Protection Force (UNPROFOR); air strikes to protect U.N. 'Safe Areas'; and contingency planning for other options, which the United Nations might take.

Following the signature of the General Framework Agreement for Peace in Bosnia and Herzegovina (the Dayton Agreement) on 14th December 1995, NATO was given a mandate by the United Nations, on the basis of the U.N., Security Council Resolution 1031, to implement the military aspects of the peace agreement. This was NATO's first peacekeeping operation. A NATO-led Implementation Force (IFOR) began operations in Bosnia and Herzegovina to fulfill this mandate on 16th December 1995. Later, a NATO-led Stabilisation Force (SFOR) replaced it. Throughout their mandates, both multinational forces worked closely with other international organisations and humanitarian agencies, on the ground, including U.N. agencies such as the U.N. High Commissioner for Refugees (UNHCR) and the U.N. International Police Task Force (IPTF).

From the onset of the conflict in Kosovo in 1998 and throughout the crisis, close contacts were maintained between the U.N. Secretary General and NATO's Secretary General. Actions were taken by the Alliance in support of U.N. Security Council resolutions both during and after the conflict. The Kosovo Force (KFOR) was deployed on the basis of U.N. Security Council Resolutions 1244 of 12th June 1999 to provide an international security presence as the prerequisite force peace and reconstruction of Kosovo.

(2). Afghanistan (2001)

With the September 11 attacks began with the Fifth War on Afghanistan, the U.S. President George Bush called it a "crusade". The NATO promptly declared that the 11th September attacks amounted to an armed attack against a member of the Alliance within the ambit of the Article 5 of the Treaty of Washington, 1949, its basic constitution, and that therefore, all other members of the Alliance were entitled/obliged to response as the Alliance might deem fit.

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U.N. Security Council Resolution 781, 9 October 1992.

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Metreveli, note 415, p.8.

One needs to look at the delicate situation at the very beginning of operations in Afghanistan. There are two military operations in Afghanistan. NATO leads the International Security Assistance Force (ISAF); its mission is to bring stability to Afghanistan. The United States leads a separate, non-NATO mission called Operation Enduring Freedom (OEF); with a mission to eliminate Taliban and Al Qaeda remnants, primarily active in the southern and western parts of the country. In fact the latter mission is not accountable to the UN, while the former is a UN peacekeeping operation authorized by the UN Security Council.⁷⁵¹ It is well known that more often than not, the latter comes in the way of the effectiveness of the former. NATO Secretary-General Jaap de Haap Scheffer stated that the stabilization of Afghanistan is the alliance's primary mission. He also stated that without concrete action to reduce civilian casualties, NATO's mission in Afghanistan is at risk of losing support from the Afghan people, the parliament, and even Afghan President Hamid Karzai's government.⁷⁵²

The post-October 2001 Afghan situation was further complicated by the fact of big power invasion under a claim of self-defence. The role of the Security Council has largely been to endorse the 6+2 and the Bonn Agreements. In such a situation, the Council had to change/expand/diversify UN operations in response to developing situations, without relating the change either to the past or to future likely evolution of the crisis, but often conditioned (or restricted?) by the presence of a multinational force (continuing self-defence?) as also the ISAF. In a sense, the establishment of ISAF itself was a *fait accompli* for the Council itself. One, however, feels uneasy that NATO, having invoked its collective defence mandate in the immediate aftermath of 9/11, has since turned itself into a Security Council mandated operation under the label, ISAF⁷⁵³ – that too, long way away from its traditional geographical venue, for whatever reason.

ISAF as a UN authorized peace operation⁷⁵⁴ has to be viewed against the backdrop of the very concept of UN peace operations over the years.

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UNSC 8495, September 13, 2005.

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Ron Synovtiz, "Afghanistan: NATO Focuses on Reducing Civilian Casualties", *New York Times*, 15/06/07.

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Security Council Resolution 1510 (2003) of October 13, 2003. NATO took over the command and coordination of ISAF in August 2003. See NATO handouts.

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Mani, V. S., "Six Decades of the United Nations: An Indian Perception", *Indian Journal of International Law*, vol. 44, 2004, pp. 1-73, at pp. 58-70.

The overriding problem with NATO's involvement in Afghanistan is that the Allies have never truly agreed upon the nature of the mission. NATO's ISAF does have a mandate. It is charged with "assisting the Government of Afghanistan (GOA) with the maintenance of security throughout the country".⁷⁵⁵ This should consequently enable the GOA and the United Nations Assistance Mission in Afghanistan (UNAMA) to operate the country. But the mandate is so vague that it allows ways. Certain members feel that the primary objective was, and remains, reconstruction and development and have sold the mission to their publics as a 'peace-keeping' operation. Consequently, such countries are loath to send their troops into the more volatile south. Other members, while believing that reconstruction and development are essential to long-term security and stability in Afghanistan, believe that kinetic operations, particularly south and east of Afghanistan, are essential to support development objectives. These countries support new schools and roads but believe that infrastructure alone cannot move the country towards greater long-term stability.⁷⁵⁶

This fundamental divide about the mission's purpose and overreaching goals has now reached the point where one can effectively speak of a two-tier alliance. Some allies do the fighting, while others build schools.

An important issue is the effectiveness of counter-narcotic activities. The Taliban regime had made poppy cultivation and heroine production a lucrative activity for the Afghan farmer. To effectively prevent him from continuing to engage in this trade, one needs to educate him and win him back to traditional agriculture, or rehabilitate him into any other profitable trade or avocation. "Economic dependency on poppy cultivation, limited law enforcement resources, corruption and the lack of an effective institutional framework for drug control add to the complexity of the situation. Narcotics are becoming an increasing threat to national security, social stability and governmental effectiveness."⁷⁵⁷

The new President Barack Obama said that Islamist elements in Pakistan and Afghanistan posed a grave threat that his new administration would tackle as a single problem under a wider strategy. Announcing Richard Holbrooke as the envoy to the region, Obama further said that the situation was "deteriorating" and that the war in

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UN Security Council Resolutions 1386 (2001), 1510 (2003), and 1623 (2005).

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Smith, Julianne and Williams, Michael, *What Lies Beneath: The Future of NATO Through The ISAF Prism*, CSIS, 31st March, 2008.

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UN Doc.A/59/581-S/2004/925, 26th November 2004 p. 9.

Afghanistan could not be separated from the volatile border area with Pakistan, where Al Qaeda and Taliban elements had regrouped.⁷⁵⁸

“This is the central front in our enduring struggle against terrorism and extremism, there, as in the Middle East [West Asia], we must understand that we cannot deal with our problems in isolation”, said Obama told the employees of the State Department. “There is no answer in Afghanistan that does not confront the Al Qaeda and Taliban bases along the border, and there will be no lasting peace unless we expand spheres of opportunity for the people of Afghanistan and Pakistan”, he said. “This is truly an international challenge of the highest order”.⁷⁵⁹

Obama said, “Holbrooke would help lead our effort to forge and implement a strategic and sustainable approach to this critical region. My administration is committed to refocusing attention and resources on Afghanistan and Pakistan and to spending those resources wisely. Violence was up sharply in Afghanistan and Al Qaeda and Taliban strike from bases embedded in rugged tribal terrain along the Pakistani border. And while we have yet to see another attack on our soil since 9/11, Al Qaeda terrorists remain at large and remain plotting”.⁷⁶⁰ The U.S. diplomatic effort would include working with NATO allies and other states in the region, which could include central Asian countries and India - arch-rival to Pakistan.

The Special Conference on Afghanistan, held in Moscow on 28 March 2009 reflected the growing clout of Russia and the Shanghai Cooperation Organisation in the region. The conference was organized by the SCO, which comprises of six full members - Russia, China, Kazakhstan, Uzbekistan, Kyrgyzstan and Tajikistan - and four observers, India, Iran, Pakistan and Mongolia. It was remarkable for a broad range of participants from outside the organization. They included U.N. Secretary General Ban Ki Moon; Secretary General of the Organisation for Security and Cooperation in Europe Mark Perrin and NATO Deputy Secretary General Martin Howard. There were also representatives from the Group of Eight countries, the European Union and the Organisation of Islamic Conference. Afghanistan was represented by Foreign Minister Rangin Dagdar Spanta.⁷⁶¹

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“Pakistan, Afghanistan need wider plan: Obama; American diplomatic effort could include India”, *The Hindu*, 24/01/08, p.13.

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ibid.

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ibid.

It was for the first time that senior officials from the United States and NATO were invited to an SCO meeting. Moreover, they formally recognised the SCO as a major player in efforts to bring peace and stability in Afghanistan. A unanimously adopted joint declaration said: "The participants also noted that the SCO was one of the appropriate for a for a wide dialogue with participation of partners on the Afghanistan-related issues in the context of joint efforts of the international community and Afghanistan and for practical interaction between Afghanistan and its neighbouring states in combating terrorism, drug trafficking and organized crime".

The plan sets the stage for the SCO playing a high-profile role in Afghanistan. Russia and other SCO members have long argued that stronger role in dealing with the grave security threats emanating from that country. Afghan drug traffic has become the most serious threat to the security of Russia and countries of Central Asia. The efforts being taken to fight this evil are insufficient, Foreign Minister Sergei Lavrov told the conference, calling on the U.S.-NATO coalition forces to step up anti-narcotics efforts.

The idea of Afghanistan joining the SCO would be anathema to the United States and President Obama's proposal to create a NATO-dominated contact group with Afghanistan as a part of this new strategy for the region is seen as an attempt to dilute the influence the SCO, even as he has invited its members to the new group. However, at the Moscow conference, the U.S. envoy joined the other delegates in vowing support for the SCO-Afghanistan Action Plan. The declaration said that the participants in the Moscow conference "expressed the intent to explore the possibility of aiding [the] implementation of the Action Plan".

The Moscow Conference call for adopting a comprehensive approach to Afghanistan was consonant with Obama's new emphasis on diplomacy, economic assistance, the building of a strong Afghan army and security forces and on shutting down the Pakistani safe haven for extremists if anything, the Moscow Declaration came harder on Pakistan demanding that it find effective means to combat terrorism, including denying sanctuaries and dismantling the extremist and terrorist network and ideological centres.

The Moscow Conference was a diplomatic coup for Russia and the SCO. Coming just over a month after Kyrgyzstan decided to shut a major U.S. airbase, the Afghanistan conference reiterated the SCO's position that while it is opposed to the expansion of U.S. military interests in Central Asia, it is willing to expand cooperation with the United States and NATO in Afghanistan, even as none of the SCO members is prepared to send troops to Afghanistan. The conference reinforced the SCO as the leading regional security force.⁷⁶²

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Radyuhin, Vladimir, "SCO: Towards a high-profile role in Afghanistan", *The Hindu*, 31/03/09, p.8.

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Radyuhin, Vladimir, "SCO: Towards a high-profile role in Afghanistan", *The Hindu*, 31/03/09, p.8.

Almost 4000 U.S. Marines pushed into the Helmand River valley in southwestern Afghanistan to try to take back the region from Taliban, whose control of poppy harvests and opium smuggling in Helmand provinces major financing for the Afghan insurgency. Meanwhile, Pakistan said that it deployed troops near its 1600-mile border with Afghanistan to seal off a potential escape route for insurgents fleeing the American advance.⁷⁶³

The Marine Expeditionary Brigade leading the operation represented a large number of the 21,000 additional troops that the U.S. President Obama ordered to Afghanistan earlier this amid the Taliban's increasing domination in much of the country. The operation is the first major push in southern Afghanistan by the newly bolstered American force.⁷⁶⁴

Helmand is one of the deadliest provinces in Afghanistan where Taliban fighters had practiced sleek, hit-and-run guerilla warfare against the British forces based there. The British Defence Ministry said that two British soldiers had been killed in a roadside attack in Helmand and six foreign soldiers had been injured in the attack. The fatalities brought to 171 the number of British soldiers killed since the toppling of the Taliban Government in late 2001.⁷⁶⁵

In recent weeks in June, British troops had been setting up "blocking positions", apparently to help stop the flow of insurgents during the main military operation and to establish greater security. The Marines stated that their new mission, called 'Operation Khanjar' would include more troops and resources than ever before, as well as a commitment by the troops to live and patrol near population centres to ensure that residents are protected. More than 500 Afghan soldiers and police officers are also involved.⁷⁶⁶

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Oppel Jr., Richard, "4000 U.S. Marines push into Afghan valley to clear region of Taliban: Operation Khanjar to include more troops and resources than ever before, commitment to live and patrol near population centres", *New York Times in Indian Express*, 03/07/2009, p.14.

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Ibid.

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Ibid.

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Ibid.

“What makes ‘Operation Khanjar’ different from those that had occurred before is the massive size of the force introduced, the speed at which it would insert, and the fact that where we go we would stay, and where we stay, we would hold, build and work toward transition of all security responsibilities to Afghan forces”, Brig Commander Larry Nicholson said.⁷⁶⁷

The Marines would be pushing into areas where NATO and Afghan troops had not previously established a permanent presence. The goal of the operation is to put pressure on the Taliban “and to show our commitment to the Afghan people that when we come in we are going to stay long enough to set up their own institutions”, he said.⁷⁶⁸

The new head of NATO spoke out in favour of negotiations with the radical Islamist Taliban in Afghanistan. In an interview published in the Danish newspaper Politiken, Anders Fogh Rasmussen said that there were groups within the Taliban with whom it was possible to speak and create reconciliation in Afghanistan. He added however that it was also clear that there was a hard core within the Taliban that only respected military force and with whom there was no possibility of agreement. The former Danish Prime Minister backed calls by - among others - British Foreign minister David Miliband, who demanded direct talks with certain Taliban groups in Afghanistan following the NATO summer offensive. Rasmussen also said in the interview that another objective was the agreement between NATO and the European Union (E.U.) on cooperation between NATO-led assistance force in Afghanistan and E.U.-led police contingent there.⁷⁶⁹

3. NATO In Iraq (2003)

The disintegration of the Soviet bloc permitted American unilateralism on a scale the modern world has never seen. But with its war against Iraq, the United States for the first time openly massed its military power and then invaded another nation, justifying the war in the name of the elimination of weapons of mass destruction and “regime change”. At the same time, it staked the very future of its existing Alliances – NATO above all – but also the United Nations. NATO’s demise is a major outcome of the war against Iraq.

Washington intended to recast its European Alliance, especially after its war against Serbia in the spring of 1999 revealed that the NATO principle of unanimity among its 19-

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Ibid.

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Oppel Jr., Richard, note 438 .

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“NATO Chief Favours Talks With Taliban”, Agencies in *Hindustan Times*, 19/08/2009.

members was a major inhibition on its freedom of action, but today its European coalition is disintegrating prematurely for reasons it both failed to anticipate and deplures.

Despite its military success, the Afghan war was a political failure for the United States. The country is today ruled by 'warlords', its economy is in shambles, and even the Taliban is again attracting followers. The U.S. has never been able to translate its superior arms into political success, and that decisive failure is inherent in everything it attempts. Iraq is very likely to confirm this pattern; its regionalism and internecine ethnic strife will produce years of instability. Rational assessment of these repeated political failures would lead America to act far less frequently, and its vision consciously excludes Alliances that will inhibit its actions.

The War with Iraq was the only first step in the United States, astonishingly ambitious project to recast the world. It had identified Iraq, Iran and North Korea as members of an "Axis of Evil". There was growing and formidable pressure on the Bush Administration to destroy Iran's nuclear facilities, thereby courting an even broader regional war. But as its "Nuclear Posture Review" to the U.S. Congress made clear in January 2002, Syria and Libya were also "immediate dangers", while China and even Russia "remained a concern". The Iraq war was the beginning of a cycle.

On September 19, 2002, U.S. President Bush Jr. proclaimed that the United States' commitment to fighting "pre-emptive" wars against "rogue states" that had weapons of mass destruction or harbour "terrorists". His vision extended far beyond the constraints inherent in Alliances, much less agreeing to conform the decisions of the United Nations. This "new" era in international relations, with momentous implications for war and world peace, in fact began long before then, but it was inevitable that the unilateralists now in charge of America's foreign policy bring it to its logical conclusion.

Washington decided that its Allies need to accept its objectives and work solely on its terms, and it has no intention whatsoever of discussing the merits of its actions in NATO conferences. This applied, above all, to the war against Iraq – a war of choice.

The United States submitted the Iraq issue to the U.N. Security Council only because of a vain effort by the Secretary of State Colin Powell to stem the unilateralism of the dominant entourage around President Bush Jr., but the entire crisis revealed the impotence of traditionalists in the State Department. The Americans based their case for military action on the alleged existence of Iraqi weapons of mass destruction (WMD) as well as Hussein's purported links with Al Qaeda terrorists. But Israeli intelligence reported to the United States that Hussein had no ties whatsoever to Osama Bin Laden. The CIA concurred, and many of its analysts complained publicly that the White House was forcing them to lie on this issue.

As for WMD, the U.N. inspectors did not find any and the CIA was convinced that by 1995 Hussein had few, if any, left. Much more important, he did not use them against the invading American army, which so far had not found any. The single most important

U.S. public justification for the Iraq war proved to be an utter falsehood. This catastrophic lie would haunt the United States for years to come, because although it proved in Iraq that it militarily could quickly defeat what was, at best, a second-rate army, it had no political credibility whatsoever. To this extent, the Iraq crisis was broader and impinged directly on NATO's future. The French and German refusal to support what was an obvious American obsession to eliminate a regime that it (and Israel) deplored was vindicated, although the Security Council could not constrain arbitrary and dangerous American action.

As the U.N. Security Council neared approval of a resolution on Iraq, it appeared that Council resistance was giving way to rising U.S. pressure. The final resolution was likely to provide Washington with language it would use as tacit approval for a unilateral attack on Iraq if Baghdad's compliance with inspections were deemed inadequate. It was also likely to include agreement that there should be further Council discussions before any action was taken. But that qualifier would be largely a fig leaf for those governments opposed to a unilateral U.S. attack, giving them deniability at home. In Secretary of State Colin Powell's words, "Independent of the outcome of negotiations in the Council, in the end there will be a resolution that leaves the authority and the right to the U.S. President to act in self-defence for the American people and our neighbours".⁷⁷⁰

The crisis in NATO was both overdue and inevitable, the result of a decisive American reorientation, and the time and apparent reason for it was far less important than the underlying reason it occurred: the United States' growing realization after the early 1990s that while NATO was militarily a growing liability, it still remained a political asset. The U.N. Security Council was strained in ways that proved decisive but the United States never assigned the UN the same crucial role as it did its Alliance in Europe. The Iraq war was the final step in NATO's demise.

4. NATO's UN Mission in Africa

NATO has long had interest in Africa. NATO's 50 years of intermittent aggression and intervention policies in Africa have killed millions of Africans. Beginning in 1954, NATO helped the French to kill Africans by agreeing to let France transfer NATO divisions, and deploy in Africa as it saw fit. NATO also compelled Western corporations to halt weapons sales to the Algerian National Liberation Army during the Algerian war for independence.

In 1958, Morocco, Libya and Tunisia turned down a NATO proposal to set up the "West Mediterranean Defence Community" (WMDC). The WMDC would have provided staging bases for a full scale NATO invasion of Sub-Saharan Africa. In 1959, NATO considered a plan to set up SATO (South Atlantic Treaty Organisation) to include "friendly" African regimes. According to this plan, SATO would be the structure with

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Bennis, Phyllis, "The U.N., the U.S. and Iraq", *The Nation*, October 24th, 2002.

which NATO could organise military intervention in any part of Africa. The SATO plan failed.

Involvement in the Congo crisis of 1960 illustrates dramatically an American dilemma in foreign policy: the apparent incompatibility between the nation's emotional rejection of colonialism and the burdens of world leadership, which include the consequences of anti-colonialism. In 1960, the United States joined the Soviet Union in expediting the removal of the NATO partner Belgium, from Congo at the expense of Belgian interests, and used its influence to destroy the Western-oriented regime of Moise Tshombe's government of secessionist Katanga. But in 1964, the United States was largely responsible for replacing the United Nations' force in Congo with Belgian troops; in 1965, the United States supported Tshombe's government in Leopoldville; and in 1966-67, the United States joined Belgium in an uneasy vigil over the government of General Joseph Mobutu. It is not surprising that its efforts should have been interpreted by the Communists as American imperialism, by Africans as neo-colonialism, and by many allies either as incorrigible naiveté or as hypocrisy.⁷⁷¹

The Congo policies of the United States appear to be confirmation of a failure of reconcile with traditions of its history with the imperatives of the struggle with the Soviet Union in the newly emerging nations of Africa and Asia, at the very time that the United States had painfully turned its back on isolationism and fashioned a series of permanent commitments to Western Europe, it tried without success to dissociate itself from the colonial histories of the new Allies.⁷⁷²

To paraphrase the famous quip during the 1992 US Presidential debates, when an unknown William Jefferson Clinton told then-President George Herbert Walker Bush, "It's the economy, stupid", the present concern of the current Washington Administration over Darfur in Southern Sudan, genuine concern over genocide against the peoples in that poorest of poor part of a forsaken section of Africa.⁷⁷³

No. It's oil. Hereby hangs a tale of cynical dimension appropriate to a Washington Administration that has shown no regard for its own genocide in Iraq, when its control

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Kaplan, Lawrence, "The United States, Belgium and the Congo Crisis of 1960", *Review of Politics*, University of Notre Dame Du Lac, Volume No. 29, No. 2, April 1967, pp.239-256.

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Ibid.

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Engdahl, William, "*China and USA in New Cold War Over Africa's Oil Riches Darfur? It's the Oil*", Centre for Research on Globalisation, Montreal, May 20, 2007.

over major oil reserves is involved. What's at stake in the battle for Darfur? Control over oil, lots and lots of oil.⁷⁷⁴

The case of Darfur, a forbidding piece of sun-parched real estate in the southern part of Sudan, illustrates the new Hot-and-Cold War over oil, where the dramatic rise in China's oil demand to fuel its booming growth has led Beijing to embark on an aggressive policy of – ironically – the dollar diplomacy. Africa is a major focus, and in Africa, the central region between Sudan and Chad is priority. This is defining a major new front in what, since the U.S. invasion of Iraq in 2003, is a new Cold War between Washington and Beijing over control of major oil sources. Darfur is a major battleground in this high-stakes contest for oil control.

With Darfur facing large human displacements and human misery due to civil war between central government of President Omar Al Bashir and the Sudan Liberation Army, it opened the possibility for drastic “regime change” intervention by NATO and de facto by Washington into Sudan's sovereign affairs.

The United States and the former colonial powers of Europe, under the auspices of NATO and the European Union, had been taking steps to deepen their direct military intervention in Africa. President George Bush, on March 29, called for NATO military intervention in Sudan. As justification, he repeated charges of government-sponsored genocide in the Darfur region, without mentioning the long-time interests of the United States in the country's vast oil wealth or the U.S. sponsorship of separatist forces.⁷⁷⁵

The U.S. President George Bush signalled a new American commitment to address the crisis in Darfur saying that he would support an expanded role by NATO to shore up a failing African peacekeeping mission. Bush said he also favoured doubling the number of peacekeepers operating in Darfur under United Nations control, as proposed by the Security Council.⁷⁷⁶

The Pentagon had been busy training African military officers in the United States. Its International Military Education and Training programme had provided training to military officers from Chad, Ethiopia, Eritrea, Cameroon and the Central American Republic, in effect every country on Sudan's border. Much of the arms had fuelled the killing in Darfur.

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Ibid.

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Butterfield, Greg, “Africa: Threat of U.S./NATO Military Intervention Grows”, *New York Times*, 24/03/04.

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Sanger, David, “Bush Sees Need To Expand Role of NATO in Sudan”, *New York Times*, 18/02/2006.

NATO Supreme Commander James Jones, a four-star U.S. General, said that the United States planned to boost its troop presence in the African Union, where there were allegedly “large ungoverned areas...that were clearly the new routes of narco-trafficking, terrorists’ training and hotbeds of instability”.⁷⁷⁷ NATO would debut a prototype quick-reaction force of about 2000-3000 fighters – encompassing ground, sea and air forces – October 2003. The largest U.S. troops presence in Africa is located in Djibouti – close to 2000 troops – as part of an anti-terrorist effort in the Red Sea region and the Horn of Africa.⁷⁷⁸

Because of the resistance by Africans concerned at NATO’s intervention in Africa, NATO had dramatically de-escalated its plans to interfere in Africa’s internal affairs.⁷⁷⁹ NATO leaders had been at pains to show that they did not mean to intervene militarily, but only to provide training and airlift to AU troops. It had been under pressure by the AUF and other Pan Africanist organisations, to stop trying to dominate the African Mission in Sudan.

African Union General Secretary Dan Kashagama stated that any other foreign troops in Africa can only be in Africa as part of a UN peacekeepers mission, and must be under the command of the African troops. Attempts by foreign powers to intervene militarily and politically, undermines democratic governance in Africa. When the intervention is done without proper permission, it diminishes the prestige and authority of the Pan African Parliament and undermines unity, stability and security in Africa.⁷⁸⁰

Because of oil reserves and its strategic importance in Africa, Nigeria has long been a temptation for NATO. An unwarranted and ignorant report by the CIA made claims that Nigeria would suffer state collapse in 15 years’ time and it was necessary to have NATO to deploy in Nigeria in order to prevent this state collapse and disorder.⁷⁸¹

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“NATO is planning to occupy the African Union”, africanfront.com

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Ibid.

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“NATO backs down deploying troops in Africa” by Dan Kashagama, AUF Secretary General. Africanfront.com

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Ibid.

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Ibid.

In early October, 2008, NATO was reported to have sent seven warships to Somalia's coast, where pirates held the arms-laden Ukrainian ship *Faina* – already surrounded by six U.S. warships from the Bahrain-based Sixth Fleet. The Russian Baltic Fleet's frigate *Neustrashimy* (The Fearless) was also hurrying to the scene.⁷⁸² Would this lead to another dimension of NATO's changing mandate – combating piracy?