

Final Report -- Manfred Wörner Fellowship, 2003/2004

**Regional Alliance, Global Threat:
NATO and Weapons of Mass Destruction, 1994-2004**

by

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To Deborah and Chiara

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LIST OF ABBREVIATIONS

ACT	Allied Command Transformation
AG	Australia Group
BTWC	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and their Destruction
BW	Biological Weapons
CBRN	Chemical, Biological, Radiological and Nuclear
CBW	Chemical and Biological Weapons
CCMS	Committee on the Challenges of Modern Society
CD	UN Conference on Disarmament
CEP	Civil Emergency Planning
CFE	Conventional Forces in Europe Treaty
CMX	Crisis Management Exercise
CNAD	Conference of National Armaments Directors
CPC	Civil Protection Committee
CTBT	Comprehensive Test Ban Treaty
CWC	Chemical Weapons Convention
CW	Chemical Weapons
DCI	Defence Capabilities Initiative
DGP	Senior Defence Group on Proliferation
EADRCC	Euro-Atlantic Disaster Response Coordination Center
EADRU	Euro-Atlantic Disaster Response Unit

EAPC	Euro-Atlantic Partnership Council
FMCT	Fissile Material Cut-Off Treaty
HLG	High-Level Group
IAEA	International Atomic Energy Agency
IFOR	Implementation Force (Bosnia)
JCP	Joint Committee on Proliferation
MD	Mediterranean Dialogue
MTCR	Missile Technology Control Regime
NAC	North Atlantic Council
NACC	North Atlantic Cooperation Council
NADC	NATO Air Defence Committee
NMD	National Missile Defense
NPT	Nuclear Non-proliferation Treaty
NSG	Nuclear Suppliers Group
OCHA	UN Office for the Coordination of Humanitarian Assistance
OPCW	Organization for the Prohibition of Chemical Weapons
PCC	Prague Capabilities Commitment
PfP	Partnership for Peace
PNIs	Presidential Nuclear Initiatives
SACEUR	Supreme Allied Commander Europe
SCEPC	Senior Civil Emergency Planning Committee
SFOR	Stabilization Force (Bosnia – successor to IFOR)
SGP	Senior Politico-Military Group on Proliferation
SHAPE	Supreme Headquarters Allied Powers Europe
SORT	Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions

START I	Treaty Between the United States of American and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms
START II	Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms
TMD	Theater Missile Defense
WMD	Weapons of Mass Destruction

ABSTRACT

To maintain its standing as a security organization, NATO must address -- and be seen as addressing -- the security challenges of greatest concern to global civil society, including the proliferation of weapons of mass destruction (WMD) and the partially related challenge of terrorism. Three NATO summit meetings -- in Brussels (1994), Washington (1999), and Prague (2002) -- have focused particular attention on improving the alliance's ability to address WMD threats.

The record of the past ten years includes some important successes, but also demonstrates the limits on NATO's capabilities as an anti-proliferation organization. Some of these limits are intrinsic to the alliance and its structure. Others depend on the policies and political will of the member states at any given moment. Both the political and defense sides of NATO have grappled with the WMD challenge, and related issues have figured prominently in the alliance's outreach to the Russian Federation, Ukraine, the other partner countries in the Euro-Atlantic region, and the participants in the Mediterranean Dialogue. The results have varied.

NATO's most concrete and visible WMD-related actions have come from the defense side, notably the Senior Defence Group on Proliferation (DGP). It has promoted creative, multinational solutions to the challenge of making NATO forces better able to operate in the face of chemical, biological, radiological or nuclear (CBRN) threats. (The Multinational CBRN Defence Battalion, which became fully operational just before the June 2004 NATO Summit in Istanbul, is an example.) NATO is still the one *established multilateral organization* with a realistic capability for military intervention in high-risk situations, and it has unique experience with military aspects of post-conflict stabilization

in situations of serious residual risk. Defenses against WMD threats are increasingly necessary for the conduct of such missions. But attention to CBRN protective equipment, training, and readiness in the individual NATO countries still is neither uniformly nor sufficiently strong.

How NATO can reinforce political and diplomatic efforts to prevent and combat proliferation remains a difficult question to answer. In general terms, the alliance has helped strengthen expectations of responsible behavior, especially by countries seeking closer ties or actual NATO membership. Improved mechanisms for internal coordination, consultation, and analysis have emerged, notably the Senior Politico-Military Group on Proliferation (SGP) and the NATO WMD Centre. Interfacing, however, with multilateral nonproliferation treaty mechanisms, export control regimes, and other relevant international bodies, such as the European Union and United Nations, is not simple in practice. Institutional rivalries remain significant. WMD and terrorism are still new challenges for some organizations.

The profile of WMD issues in NATO's various outreach efforts is far from uniform. Nuclear weapons safety and assessments of proliferation-related threats figure prominently in the NATO-Russia partnership. Improving export controls is an important focus of cooperation with Ukraine. In the Euro-Atlantic Partnership Council/Partnership for Peace context, civil emergency planning -- which helps build habits of cooperation -- and scientific programs have been bright spots, integrating significant WMD dimensions. Political factors have made it difficult to address proliferation issues in the Mediterranean Dialogue.

Since 2001, dramatic terrorist attacks in New York, Washington and Madrid, plus the military interventions in Afghanistan and Iraq, have focused the international community's particular attention on how to counter terrorism and WMD proliferation.

NATO survived a bruising public debate in 2003 regarding Iraq, but still faces serious, unresolved questions about its role in the evolving security context, while the international institutional architecture for dealing with proliferation threats becomes increasingly complex. NATO's continuing internal evolution, now specifically entrusted to Allied Command Transformation, and efforts to define the alliance's geographical focus will help shape NATO's future role in addressing WMD threats. But the challenges of constructing new collective security rules for dealing with non-state actors, of redefining deterrence, and of establishing grounds for preemptive or preventive use of force are also relevant.

INTRODUCTION

Weapons of mass destruction, the nuclear ones in particular, have preoccupied NATO since its earliest days. Only a few months after the signing of the alliance's founding treaty in April 1949, the Soviet Union successfully tested its first nuclear weapon, raising the prospect of nuclear confrontation. U.S. strategic nuclear commitments to the defense of Western Europe immediately came to be seen as a "decisively important element of deterrence."¹

The cooperation in nuclear matters that developed between the United States and the other allies helped address European anxieties that the U.S., protected from sub-strategic attack by two oceans, might hesitate to expose itself to strategic nuclear attack in order to defend Western Europe. A consensus evolved that the credibility of U.S. "extended deterrence" depended, among other things, on the transatlantic security linkage coming from having U.S. nuclear weapons stationed in Europe.²

The overwhelming conventional superiority of the Soviet Union and its allies was a basic postulate of NATO defense planning. This encouraged reliance on nuclear weapons as a way of compensating, and of containing costs. In Washington, for example, the Eisenhower Administration's "New Look" policy emphasized strategic and tactical nuclear weapons over conventional forces. An April 1953 test in Nevada convinced the U.S. military that nuclear weapons could be exploded in the presence of ground troops, and in September of that year the U.S. stationed heavy guns capable of

¹ David S. Yost, *NATO Transformed: The Alliance's New Roles in International Security* (Washington, DC: United States Institute of Peace Press, 1998), 32.

² *Ibid.*, 33.

firing nuclear shells in Germany. NATO's five-year plan of 1957 (MC-70) would call for thirty combat-ready divisions equipped with both conventional and nuclear weapons.³

The Sputnik launch in October 1957 caused concern in NATO capitals regarding the U.S. deterrent, calling into question U.S. technological superiority and apparently confirming earlier indications that the Soviet Union had developed an intercontinental ballistic missile (ICBM). The U.S. sought to reassure nervous European allies by offering several squadrons of Jupiter intermediate range ballistic missiles (IRBMs), capable of striking targets in the USSR, for deployment in NATO countries. Great Britain and Turkey quickly accepted the offer, and in February 1958 the Italian Chamber of Deputies also approved the IRBM deployment.⁴

NATO governments varied in their views on nuclear weapons. West German leaders, for example, worried that their territory would become the battleground in any conflict with the Soviet Union and its allies. They emphasized the importance of "forward defense" and argued at various points that a credible threat of almost immediate use of nuclear weapons was the best deterrent. In 1954, as it was preparing to enter NATO, the Federal Republic of Germany renounced the manufacture of nuclear, biological and chemical weapons and means for their delivery. It did not, however, renounce either possession or use of nuclear weapons. The Federal Republic agreed in 1958 to equip its army with the means of delivering tactical nuclear weapons. German leaders then

³ Carl H. Amme, *NATO Strategy and Nuclear Defense*, Contributions in Military Studies, Number 69 (New York: Greenwood Press, 1988), 26-27, 21.

⁴ The U.S. in fact offered the Jupiter squadrons to the Supreme Allied Commander Europe (SACEUR), who was to reach agreements on Jupiter deployments with interested allied governments. An American officer has always held the SACEUR position, serving concurrently as the Commander-in-Chief of U.S. Forces in Europe. See Lawrence S. Kaplan, *The Long Entanglement: NATO's First Fifty Years* (Westport, CT and London: Praeger, 1999), 69-71.

insisted that German units dedicated to NATO be equipped with tactical nuclear weapons, as was the case for forces of other allies stationed in West Germany.⁵

Germany strongly supported the U.S. plan for a Multilateral Force (MLF) of naval vessels armed with nuclear weapons, with crews from participating NATO countries and under NATO command, an idea that originated during the Eisenhower Administration. (It did not win French or British support, however.) Ultimately, in the negotiations resulting in the 1968 Nuclear Nonproliferation Treaty (NPT) the United States abandoned the MLF, to help convince the Soviets to drop their insistence on prohibiting deployment of U.S. nuclear weapons in other NATO countries. (The Soviets agreed that such deployments were acceptable, as long as the weapons remained under sole control of U.S. personnel.)⁶

Over the long haul, the presence of U.S. nuclear weapons in Europe provided security guarantees sufficient to dissuade Germany from embarking on any effort to acquire nuclear weapons of its own. Another NATO ally that some believe could have gone down the nuclear road, absent the U.S. deterrent, was Turkey.⁷

Two other NATO countries – the United Kingdom and France – did acquire their own nuclear capabilities. The British nuclear weapons program actually had antedated the better-known Manhattan Project in the U.S., and the decision to make a British bomb came in January 1947, well before NATO's creation. In 1962, however, the U.K.

⁵ Amme, *NATO Strategy and Nuclear Defense*, 20-23.

⁶ George Bunn, "The Nuclear Nonproliferation Treaty: History and Current Problems," *Arms Control Today* (December 2003): 5, available from <http://www.armscontrol.org>. Note that, even under the MLF, the actual nuclear warheads would have remained under U.S. control.

⁷ David S. Yost, *The U.S. and Nuclear Deterrence in Europe*, Adelphi Paper 326 (Oxford: Oxford University Press for the International Institute for Strategic Studies, 1999), 25-27; id., *NATO Transformed*, 55-57.

committed its nuclear forces to NATO planning, though retaining national command and the option of independent use in defense of supreme national interests.⁸

The French government decided to develop nuclear weapons in 1958, under the parliamentary Fourth Republic. But it was under the presidential Fifth Republic, specifically the presidency of Charles de Gaulle, that the specificities of French nuclear strategy emerged. De Gaulle's confirmation of France's withdrawal from NATO's integrated military structure did not come until March 1966, but already in 1959 the French government had advised NATO that nuclear weapons no longer could be stationed in France unless French authorities were associated with their control. Nine U.S. fighter and fighter-bomber squadrons subsequently left France. De Gaulle established an independent French policy strategic deterrence policy that has remained largely intact.⁹

French withdrawal from the NATO integrated military structure was at least in part a response to U.S. efforts to move the alliance away from the doctrine of massive nuclear retaliation to the doctrine termed "flexible response," which entailed a spectrum of conventional and nuclear options for responding to a Warsaw Pact attack. The U.S. already had adopted flexible response as national policy during the Kennedy Administration, and the NATO Military Committee's proposal for alliance adoption of the new strategy (MC 14/3) went through five years of debate prior to ministerial-level approval in December 1967. The European allies were concerned that flexible response implied a costly build-up of NATO conventional forces and increased the prospects for

⁸ See *id.*, *NATO Transformed*, 55, 35.

⁹ Amme, *NATO Strategy and Nuclear Defense*, 26-31

conventional warfare that would destroy Western Europe, but leave the superpowers intact. They were hesitant to raise the threshold for use of nuclear weapons.¹⁰

What greatly facilitated political approval of flexible response, on the other hand, was the establishment, in 1966-67, of NATO's Nuclear Planning Group (NPG). It provided a mechanism for the allies (except for France) to consult and take decisions at the defense minister level on the types of issues that had been troublesome for NATO in the 50's and early 60's. The non-nuclear NATO countries gained more of a voice on nuclear policy issues, which promoted cohesion and fostered confidence in the genuineness of U.S. commitments.¹¹

That is not to say, however, that concerns about decoupling of U.S. and European security disappeared. European allies, for example, became concerned that the U.S.-Soviet Strategic Arms Limitation Talks (SALT II), that took place from November 1972 to June 1979, did not limit two Soviet systems that threatened Europe: the Backfire bomber and the SS-20 intermediate-range ballistic missile. The result of those concerns was the December 1979 NATO decision to deploy Pershing II missiles and ground-launched cruise missiles in Europe.

The U.S.-Soviet Intermediate-Range Nuclear Forces (INF) Treaty, signed at the end of 1987, later eliminated the entire category of ground-launched missiles with ranges between 500 and 5500 kilometers, and was a significant success for arms control.¹² Significant reductions of U.S. nuclear weapons in Europe, however, had begun well before then. At its October 1983 meeting, for example, the NATO Nuclear

¹⁰ Kaplan, *The Long Entanglement*, 173-74.

¹¹ Yost, *NATO Transformed*, 34; Jeffrey Larsen, *NATO Counterproliferation Policy: A Case Study in Alliance Politics*, United States Air Force Academy Institute for National Security Studies On-Line Occasional Paper No. 17, 5-6, available from <http://www.usafa.af.mil/inss/occasion.htm>.

¹² Avis Bohlen, "The Rise and Fall of Arms Control," *Survival* 45, no. 3 (Autumn 2003): 18, 24. Bohlen adds that the treaty was "innocent of strategic purpose."

Planning Group noted that the withdrawal of 1,000 warheads agreed in December 1979, alongside the decision to deploy Pershing II's and ground-launched cruise missiles, had been completed. The NPG also agreed to withdraw a further 1,400 warheads over the next few years.¹³ After 1985, weapons such as Lance missiles, artillery-fired atomic projectiles and nuclear depth bombs were removed from Europe.¹⁴ The reduction in overseas storage sites for U.S. nuclear weapons was dramatic. Between 1985 and 1992 the number went from 125 to 16,¹⁵ with the end of the Cold War not surprisingly accelerating the process.

* * *

The overarching category of “weapons of mass destruction” did not figure heavily in the policy formulations of the Cold War era, although the term was used at times in reference to nuclear weapons. In the United States, it was the Clinton Administration, in September 1993, that formally laid out a nonproliferation agenda uniting nuclear, biological, and chemical weapons, plus the ballistic and cruise missiles that could deliver them, under the broader rubric of “weapons of mass destruction.”¹⁶ Some understanding of chemical and biological weapons (CBW) developments during the Cold War era is necessary, however, to understand the subsequent formulation of NATO WMD policy.

¹³ “The Montebello Decision,” annex to the final communiqué of the Nuclear Planning Group ministerial meeting, Montebello, Canada, 27 October 1983, available from <http://www.nato.int/docu/comm/49-95/c831027a.htm>.

¹⁴ Walter Slocombe, “Is there still a role for nuclear deterrence?” *NATO Review* 45, no. 6 (November-December 1997): 23-26, available from <http://www.nato.int/docu/review/1997/9706-07.htm>.

¹⁵ Joshua Handler, “The September 1991 Presidential Nuclear Initiatives and the Elimination, Storing and Security Aspects of T[heater] N[uclear] W[eapon]s,” in *Tactical Nuclear Weapons: Time for Control*, ed. Taina Susiluoto, UNIDIR/2002/11 (Geneva: UNIDIR – United Nations Institute for Disarmament Research, 2002), 112. Admittedly, these dates take into account the Presidential Nuclear Initiatives (PNI's) of 1991-92, which included commitments by U.S. President George H. W. Bush to make very significant reductions in U.S. theater nuclear weapons, but the process of closing storage sites was underway long before then.

¹⁶ Robert S. Litwak, “The New Calculus of Pre-emption,” *Survival* 44, no. 4 (Winter 2002-03): 54-55.

Briefly stated, NATO CBW policy was almost purely defensive. It recognized that the armed forces of NATO countries needed protection in the event of CBW use by enemy forces. NATO doctrine did not foresee "first use" of chemical or biological weapons, relying instead on the alliance's flexible response capabilities, conventional and nuclear, to deter CBW use by Warsaw Pact forces. All NATO members ultimately adhered to the Geneva Protocol of 1925, banning the use in war of chemical or biological weapons. National policies regarding the Protocol varied, however, before the April 1997 entry into force of the Chemical Weapons Convention (CWC), which all NATO countries joined. In pre-CWC days, some NATO countries reserved the right to retaliate in kind against a chemical attack, while others renounced this option or put stringent legal conditions on retaliation. Postwar treaties prohibited the Federal Republic of Germany and Italy outright from producing or possessing chemical weapons, and in 1982, the Dutch government foreswore use of chemical weapons by its own forces and the storage of such weapons in The Netherlands. Under such conditions, NATO could not evolve formal procedures with respect to use of chemical weapons in warfare.

But even Germany was not averse to its allies retaining some retaliatory capability, even if it meant storing chemical weapons on German soil. "NATO's" offensive deterrent came to rest on an aging U.S. stockpile, not assigned to NATO, and with only about 10 percent of the stockpile deployed in West Germany as of the early 1980's. When the Chemical Weapons Convention entered into force, the United States declared possession of roughly 30,000 metric tons of nerve and blister agent, a stockpile second only to the one the Russian Federation inherited from the Soviet Union. However, the U.S. had ceased production of chemical (and biological) weapons in 1969, and a significant share had been stored in bulk containers that could not easily be converted into filled munitions. There had been serious grounds to question the utility of

this CW stockpile as a deterrent.¹⁷ In the mid-1980s, the Reagan Administration had begun production of binary chemical weapons, considered safer to store and more useable, but production stopped for good in the early 1990s.

NATO did have a common approach in setting standards for chemical defense, including protective equipment, equipment, training, organization and procedures, formalized in NATO Standardization Agreements (STANAGS). But provision of defensive equipment was the province of national governments, and historically had difficulty competing for scarce defense resources. Defensive measures thus varied considerably from one country to another.¹⁸

The situation with respect to NATO and biological weapons was substantially analogous. What took place within NATO was primarily the coordination of defensive measures and standards. The alliance rejected first use of biological weapons, in accordance with the Geneva Protocol, and later the Biological and Toxin Weapons Convention (BTWC). There was never a biological retaliatory capability under NATO responsibility.

A number of future NATO countries – the United States, Great Britain, Canada, France, and Germany – had conducted research on potential biological weapons during World War II. In the U.S., Cold War tensions and justified concerns about Soviet BW encouraged work on a retaliatory capability. By the late 1960's, the U.S. had, among other things, developed two lethal microbial agents (anthrax and tularemia bacteria), produced limited quantities of biological and toxin agents, and loaded them into munitions and spray tanks. But outcry within the U.S. and abroad regarding chemical agents, stimulated by a 1968 sheep kill near Dugway Proving Ground in Utah and use of

¹⁷ Edward M. Spiers, *Chemical Warfare* (Urbana, IL and Chicago: University of Illinois Press, 1986): 142-43, 162-63.

¹⁸ *Ibid.*, 146.

defoliants and tear gas in Vietnam, had a political impact with respect to both chemical and biological weapons. In November 1969, U.S. President Richard Nixon renounced possession and use of biological weapons even for retaliatory purposes, and ordered the entire U.S. stockpile of such weapons destroyed. The biological research program henceforth would be confined to defensive measures.¹⁹

The U.S. decision opened the way for negotiation of the Biological and Toxin Weapons Convention (BTWC), completed in 1972. (It entered into force in March 1975.) The BTWC did not include, however, effective mechanisms for monitoring and enforcing compliance. States parties did have the option to bring alleged violations to the UN Security Council, requesting an investigation, but the five permanent members of the UNSC had the right of veto. Even suspicions regarding a 1979 outbreak of human anthrax in the Soviet city of Sverdlovsk (later confirmed to have been caused by a nearby biological weapons facility) did not result in a request to the UNSC to launch an investigation.²⁰

In sum, NATO's attention to weapons of mass destruction during the Cold War era focused heavily on nuclear weapons. There was genuine cooperation within NATO on nuclear policy, and the alliance did see first use of nuclear weapons as an option, to counter presumed Warsaw Pact conventional superiority. NATO policy regarding chemical and biological weapons was strictly defensive, with retaliation in kind left strictly to national assets and national decision-making, basically that of the United States. Whatever the weapon, it was viewed strictly in the optic of an East-West military

¹⁹ For a detailed discussion of this decision, and the process leading to it, see Jonathan B. Tucker, "A Farewell to Germs: The U.S. Renunciation of Biological and Toxin Warfare, 1969-70," *International Security* 27, no. 1 (Summer 2002): 107-48.

²⁰ *Ibid.*, 143. Views differ on the responsibility for leaving monitoring and enforcement provisions out of the BTWC, with some authors blaming the Soviet military and others pointing fingers at the United States. Tucker argues that the U.S. having unilaterally renounced biological warfare, had little incentive to demand inclusion of extensive verification provisions in the BTWC.

confrontation, with the presumption that nuclear, biological, or chemical assets were the strict preserve of national governments. Proliferation to states outside of Europe and to non-state actors did not figure significantly in NATO's hierarchy of threats for the first forty-plus years of its history. But the end of the Cold War, in particular the disintegration of the Soviet Union at the end of 1991, necessitated a major reassessment of risks and NATO's potential responses.

* * *

Weapons of mass destruction were not, admittedly, NATO's top priority in the heady days following the collapse of Soviet control and of communist regimes in Eastern Europe in the fall of 1989. Building relations with the newly democratic states and with a changing USSR understandably topped the agenda. At NATO's London Summit in July 1990, the heads of state and government confirmed that sub-strategic nuclear systems would have a reduced role in the new European strategic context and committed themselves to negotiations with the Soviet Union on reductions. At Germany's request, and over British and French objections, the United States also pushed through summit language stating that, following withdrawal of Soviet forces stationed in other countries and the implementation of a treaty on conventional force reductions, NATO would be able to adopt a new strategy "making nuclear forces truly weapons of last resort."²¹

There was no reference in the summit document, however, to "weapons of mass destruction" and proliferation-related threats. NATO's focus was entirely on the consequences of a drastically diminishing Soviet and Warsaw Pact threat. The first official, public recognition that proliferation of weapons of mass destruction constituted a new security threat to the alliance came in December 1990, when NATO foreign

²¹ "London Declaration On A Transformed North Atlantic Alliance," 5-6 July 1990, par. 16, 18, available from <http://www.nato.int/docu/comm/49-95/c900706a.htm>; Stephen F. Szabo, "NATO's nuclear doctrine," 33, in Miguel Marin Bosch et al., *Symposium on nuclear doctrines*, DDA Occasional Papers, no. 3, December 1999, UN Department of Disarmament Affairs.

ministers, meeting as the North Atlantic Council (NAC), declared that “proliferation of weapons of mass destruction and the spread of destabilizing military technology have implications for Allies’ security and illustrate that in an ever more interdependent world, we face new security risks and challenges of a global nature.”²²

The Gulf War of 1990-91 and its aftermath would prove a watershed for the international security policy community, as far as attention to proliferation threats was concerned. A review of five leading foreign policy journals in the U.S., for example, found only seven articles on proliferation matters between 1985 and 1989, nine articles between 1989 and the Gulf War, but fully fifty-six articles in the three years following the Gulf War.²³

Though not a NATO operation as such, the expulsion of invading Iraqi troops from Kuwait in 1991 involved forces from many NATO countries. Operation Desert Storm was devastatingly effective, but Iraq was able to use ballistic missiles against coalition forces and against cities in Israel and Saudi Arabia, and it threatened use of chemical and biological weapons. This focused attention in NATO capitals on WMD risks. The work of UN inspectors in Iraq following the war revealed the unexpectedly great extent of Saddam Hussein’s program to develop NBC weapons and means of delivery, and that a nuclear capability was much closer than Western intelligence agencies had believed.

²² Quoted in Iliana P. Bravo, “NATO’s Weapons of Mass Destruction Initiative: Achievement and Challenges” (M.A. diss., Naval Postgraduate School, September 2003), 6. Original document available from <http://www.nato.int/docu/49-95/c901218a.htm>. Interestingly, the NAC foreign ministers meeting at Turnberry, UK in June 1990, had reaffirmed NATO’s “determination to work to prevent the proliferation of nuclear and chemical weapons and missiles capable of carrying such weapons,” but the biological part of the WMD triad was still missing, as was any reference to these weapons as a new or emerging threat. See par. 6 of the final communiqué, available from <http://www.nato.int/docu/comm/49-95/c900608a.htm>.

²³ David Mutimer, “Reimagining Security: The Metaphors of Proliferation,” in *Critical Security Studies: Concepts and Cases*, ed. Keith Krause and Michael C. Williams (London: UCL Press, 1997), 191-92.

Experience with Iraq helped shape preparations for NATO's November 1991 Rome Summit. Following the summit, alliance intelligence groups devoted greater attention to proliferation threats and NATO began conceptual work on extended air defense and theater missile defense (TMD) requirements. The allies stepped up consultations regarding potential proliferant countries and possible preventive measures. The work of NATO technical committees on passive defense, especially protection of soldiers against chemical agents, continued.²⁴

The new alliance "Strategic Concept" approved at the Rome Summit gave WMD and ballistic missile threats a clearer and more visible place in NATO strategy. It underlined that the remaining risks to allied security were "multi-faceted in nature and multi-directional." It explicitly stated that stability and peace on the "southern periphery of Europe" were important for alliance security, "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." WMD proliferation was included among "risks of a wider nature" to alliance security interests, on a par with "disruption of the flow of vital resources and actions of terrorism and sabotage." In discussing the future requirements for NATO conventional forces, the Strategic Concept argued for giving "special consideration" to WMD and ballistic missile proliferation, in light of the potential risks it posed.²⁵

That said, the 1991 Strategic Concept still saw the most likely risk for allied security as coming from instability in Central and Eastern Europe, e.g. ethnic tensions

²⁴ Robert Joseph, "Proliferation, Counter-Proliferation and NATO," *Survival* 38, no. 1 (Spring 1996): 112-14, 119. This is the best and most comprehensive article that reviews the origins and early results of the NATO WMD initiative of 1994.

²⁵ See par. 8, 11, 12, 49. The document, dated 8 November 1991, is available from <http://www.nato.int/docu/basicxt/b911108a.htm>.

and territorial disputes. It also stated clearly that “Soviet military capability and build-up potential, including its nuclear dimension” were still the “most significant factor” for NATO when it came to “maintaining the strategic balance in Europe.”²⁶

It took more than two years before NATO leaders, at the highest level, mandated development of a comprehensive alliance policy framework to address the growing proliferation threat. After the revelations regarding Iraq came International Atomic Emergency Agency (IAEA) suspicions that North Korea had reprocessed plutonium from fuel rods for a nuclear weapons program. In March 1993, the Pyongyang government announced its intention to withdraw from the Nonproliferation Treaty (NPT). Although it did not follow through on withdrawal, by the end of 1993 IAEA Director General Hans Blix formally declared that the IAEA nuclear safeguards system did not provide any meaningful assurances that North Korea’s nuclear program was pursuing only peaceful purposes.

Concerns in the early 1990s also focused on Iran, thought to be producing chemical weapons, to be capable of producing biological agents, in search of assistance in acquiring nuclear capabilities, and in possession of enhanced missile capabilities. Libyan investments in chemical weapons production and ballistic missiles also were increasing. The dissolution of the Soviet Union raised the prospects of leakage of sensitive materials.²⁷ By 1993, more than 25 countries, including many in proximity to NATO territory, were seriously suspected of having nuclear, biological, or chemical capabilities. At least half of these had operational ballistic missiles, while additional countries were seeking to acquire them.²⁸

²⁶ Ibid., par. 9, 13.

²⁷ Joseph, “Proliferation, Counter-Proliferation and NATO,” 114-16.

²⁸ Ashton B. Carter and David B. Omand, “Countering the proliferation risks: Adapting the Alliance to the new security environment,” *NATO Review* 44, no. 5 (September 1966): 10-15. Web edition available from <http://www.nato.int/docu/review/1996/9605-3.htm>.

Among the NATO allies, the United States was the most concerned about WMD. Experience in the Gulf War had demonstrated gaps in U.S. capabilities to find and destroy mobile missile launchers and to attack biological weapons facilities while minimizing collateral damage. The 1993 *Bottom-Up Review* of post-Cold War U.S. security requirements had identified the need to fight and win two regional conflicts simultaneously. U.S. analysts considered that, in regional conflicts, the risk was high of NBC weapon use, or at least of NBC threats.

This is not to say that European allies were insensitive to proliferation-related risks. France and the United Kingdom were perhaps most attuned to such threats. The French official *White Paper* published in spring 1994, for example, considered NBC weapons from the former Soviet Union and (in the future) from the Mediterranean area as direct threats to French territory and to future interventions by French forces in strategic areas outside Europe. British officials as well were concerned about NBC threats to their deployed expeditionary forces. They looked toward a comprehensive political and military approach, to address underlying causes of proliferation and provide military defenses and deterrents. Italy and Spain were quick to focus on proliferation risks in the southern Mediterranean, and the Netherlands also was attentive to such threats. Germany was grappling with the issue of military participation in peacekeeping activities outside the NATO area, leading to the Constitutional Court's favorable ruling in July 1994. This led German military leaders to focus increasingly on potential NBC and missile risks to deployed forces. In sum, in the two years following the Rome Summit, a consensus was growing in allied capitals that protective measures would be vital in

meeting the NBC threat, and that established nonproliferation measures were not enough.²⁹

A significant push came from the U.S. in the form of the Defense Counterproliferation Initiative (CPI), which Secretary of Defense Les Aspin announced in December 1993. U.S. President Clinton had “quietly” adopted the principle of counterproliferation as U.S. policy in June 1993,³⁰ and the CPI’s intellectual origins can be traced to a summer 1992 U.S. Defense Science Board study on ways to counter WMD proliferation.³¹ The main thrust was on developing military capabilities, both material and conceptual, to protect U.S. forces from NBC threats and ensure they could defeat an adversary equipped with such weapons.

The CPI, or at least its public presentation, caused considerable confusion and some acrimony between the U.S. and its NATO allies. Specifically, there was concern, notably in Germany, that counterproliferation was intended to supplant traditional nonproliferation policy, transferring the lead from diplomatic to military hands. Similar concerns were manifest within the U.S. government, especially at the Department of State and the Arms Control and Disarmament Agency (ACDA). The National Security Council sought to resolve the matter through a memorandum of “Agreed Definitions,” issued in February 1994, defining counterproliferation as

the activities of the *Department of Defense* across the full range of US efforts to combat proliferation, including diplomacy, arms control, export controls, and intelligence collection and analysis, with particular responsibility for assuring that US forces can be protected should they confront an adversary armed with weapons of mass destruction or missiles.³²

²⁹ Joseph, “Proliferation, Counter-Proliferation and NATO,” 117-18; Ian O. Lesser and Ashley J. Tellis, *Strategic Exposure: Proliferation Around the Mediterranean* (Santa Monica, CA: RAND, 1996), 20-21.

³⁰ Leonard S. Spector, “Neo-Nonproliferation,” *Survival* 37, no. 1 (Spring 1995): 67

³¹ Larsen, “NATO Counterproliferation Policy,” 14. This study provides an extensive account of the internal U.S. process of integrating counterproliferation into defense programs.

³² Quoted in Litwak, “New Calculus of Pre-emption,” 55; Larsen, “NATO Counterproliferation Policy,” 20. Emphasis added.

This wording effectively placed counterproliferation within broader U.S. nonproliferation policy, and officially resolved the matter within the U.S. government context. It addressed internal U.S. differences by establishing an *institutional* definition of counterproliferation, rather than a conceptual one. Counterproliferation was what DoD did. But this hardly could be expected to resolve matters with the European allies and Canada, who would remain concerned that the U.S. was seeking to accentuate military measures and de-emphasize political and diplomatic measures in the alliance approach to proliferation matters.

The timing was also problematic. Rhetoric abounded in Washington regarding the U.S. role as the sole remaining superpower, and calls by some to seize the “unipolar moment.” This prompted concern in other countries about U.S. temptation to act unilaterally and preemptively against suspected possessors or proliferators of WMD. The situation with respect to North Korea remained particularly tense, until conclusion of the US-North Korean framework agreement in October 1994 appeared to move Pyongyang off the track toward nuclear weapons.³³

In sum, as 1993 was ending and 1994 was beginning, NATO faced a complex situation. Fear of massive conventional war on the European continent was gone. Among the remaining threats to the populations and armed forces of NATO countries, nuclear, biological, and chemical weapons had a comparatively high profile, albeit a profile that was not very crisply defined. The fate of former Soviet weapons, plus the related research and production capabilities, was far from clear. In the cases of Iraq and North Korea, most notably, the limits of traditional nonproliferation regimes had been demonstrated. At the same time, there was little political will to simply discard arms

³³ Litwak, “New Calculus of Pre-emption,” 56; Joseph, “Proliferation, Counter-Proliferation and NATO,” 115.

control and nonproliferation as tools of international relations. A heightened consciousness of WMD threats and the need to do more was becoming visible in European allied capitals. But the perception of threat and of the requirement for action was by far strongest in Washington. As the U.S. pressed to make a WMD initiative part of NATO's January 1994 Brussels Summit, some differences of approach, emphasis, and presentation among allies already were starting to emerge. NATO's subsequent policy on WMD proliferation would reflect a careful balancing of the political and defense dimensions, which begged the question as to where the alliance's greatest "added value" could lie in addressing WMD threats.

CHAPTER 1

A NEW COGNIZANCE OF THE WMD THREAT, 1994-99

At the 11 January 1994 summit in Brussels, NATO heads of state and government signaled their significantly heightened attention to WMD proliferation threats:

Proliferation of weapons of mass destruction and their delivery means constitutes a threat to international security and is a matter of concern to NATO. We have decided to intensify and expand NATO's political and defence efforts against proliferation, taking into account the work already underway in other international fora and institutions. In this regard, we direct that work begin immediately in appropriate fora of the Alliance to develop an overall policy framework to consider how to reinforce ongoing prevention efforts and how to reduce the proliferation threat and protect against it.¹

Proliferation took its place firmly among the new "causes of instability, tension and conflict" that had emerged following the end of the Cold War.²

Viewed as a whole, admittedly, the Brussels Summit document focused primarily on NATO's role in bringing Europe back together after the Cold War, and on starting to define a new relationship between the alliance and the European Union. (It was no surprise that U.S. President Clinton departed Brussels for Prague, where he met with counterparts from several Central European states that at one time had been members of the Warsaw Pact.)

In its opening paragraph, the Brussels "Declaration of the Heads of State and Government" highlighted four main decisions, with the decision to intensify alliance efforts against WMD proliferation coming in fourth. The other three were, in order:

to adapt further the alliance's political and military structures to reflect both the full spectrum of its roles and the development of the emerging European Security and Defense Identity, and endorse the concept of Combined Joint Task Forces;

¹ "Declaration of the Heads of State and Government," Brussels, 11 January 1994, press communiqué M-1(94)3, par. 17, available from <http://www.nato.int/docu/comm/49-95/c940111a.htm>.

² *Ibid.*, par. 1.

to reaffirm that the Alliance remains open to the membership of other European countries;

to launch a major initiative through a Partnership for Peace, in which we invite Partners to join us in new political and military efforts to work alongside the Alliance [...].³

NATO's WMD initiatives should always be kept in context. They have been an important part of the broader process of adaptation to post-Cold War realities, but only one part.

The New Policy and Institutional Framework

Five months after the Brussels Summit, NATO foreign ministers, meeting in Istanbul, approved the "Alliance Policy Framework on Proliferation of Weapons of Mass Destruction," NATO's first comprehensive strategy document on this emerging challenge. Though short by NATO standards (four pages), the Alliance Policy Framework laid out a series of principles that would guide the alliance's approach to WMD proliferation over the coming decade.

The Alliance Policy Framework treated the "possibility of increased WMD proliferation" as a given in the new, evolving security environment, adding that "WMD and their delivery means can pose a direct military risk to the member States of the Alliance and to their [armed] forces." Among the indicators of growing risk, the document cited the failure of some states, e.g. Iraq and North Korea, to respect their international nonproliferation commitments, in particular those stemming from the Nuclear Non-Proliferation Treaty (NPT). The potential proliferation ramifications of the break-up of the Soviet Union, efforts by states "on the periphery of the Alliance" to obtain WMD and delivery systems and/or the capability to produce them, growing concerns

³ Ibid.

about non-state actors, increasing transfers of dual-use technology, and growth of indigenously developed WMD technology also figured in the list of concerns.

The Alliance Policy Framework expressed support for international treaties and regimes intended to prevent proliferation of WMD and missile delivery systems. In addition to the NPT, the Chemical Weapons Convention (CWC) and Biological and Toxin Weapons Convention (BTWC) received specific mention, as did the regimes intended to help control trade in sensitive technologies: the Nuclear Suppliers Group (NSG) and the Zangger Committee (nuclear), the Australia Group (AG – chemical and biological technologies), and the Missile Technology Control Regime (MTCR). NATO also expressed support for efforts to negotiate a Comprehensive Test Ban Treaty (CTBT) and a convention banning production of fissile materials for nuclear explosions (Fissile Material Cut-Off Treaty – FMCT).⁴

The Alliance Policy Framework stated the fundamental principle that it was not NATO policy to duplicate or replace the aforementioned treaties and regimes. In trying to define what roles NATO could and should play in addressing the proliferation challenge, foreign ministers recalled NATO's role as a transatlantic forum for consultation and coordination of efforts regarding security threats facing its members

The alliance took as its principal nonproliferation goal “to prevent proliferation from occurring or, should it occur, to reverse it through diplomatic means.” This would remain the central pillar of NATO policy. In support of this political objective, the allies committed themselves to: assess the proliferation risk from states on NATO's periphery, as well as developments in areas beyond NATO's periphery⁵; consult regularly on WMD

⁴ Negotiations on a CTBT concluded successfully in September 1996, though the treaty had not yet entered into force as of mid-2004, while a FMCT seemed as distant as ever, no significant progress having been registered at the UN Conference on Disarmament (CD) in Geneva.

⁵ The issue of what constitutes NATO's “periphery” and exactly how far one has to go to get beyond that periphery does not have one clear and simple answer. Consensus on where NATO countries are prepared

proliferation threats and coordinate related alliance activities; “examine whether there are ways to contribute, through diplomatic or technical measures, to the implementation and strengthening of international arms control, disarmament, and non-proliferation norms and agreements,” including efforts to broaden participation in international nonproliferation fora; continue to share information on efforts to support safe and secure dismantling of former Soviet nuclear weapons; consider possible alliance initiatives to support nonproliferation; consult within the framework of the North Atlantic Cooperation Council (NACC) with partner countries “with the aim of fostering a common understanding of, and approach to the WMD proliferation problem.”⁶

Turning to the defense dimension, the Alliance Policy Framework stated that recent events in Iraq and North Korea had demonstrated that international nonproliferation norms and agreements offered no guarantee against proliferation. Consequently, NATO had to “address the military capabilities needed to discourage WMD proliferation and use, and if necessary, to protect NATO territory, populations and forces.” The alliance undertook to: examine the threat to allies, both current and potential, stemming from WMD proliferation; examine the implications of proliferation for NATO’s defense planning and capabilities, including what new measures might be needed; seek “if necessary” to improve the defense capabilities of NATO and its members, including against threats from non-state actors; consider the relationship

to send their forces and other military assets is evolving, with the alliance’s reach ever lengthening. In August 2003, for example, NATO took over command of international security forces in Afghanistan.

⁶ The NACC was created in December 1991, initially as a mechanism for NATO consultation with nine countries of Central and Eastern Europe. In March 1992, membership was extended to all the countries of the Commonwealth of Independent States, the umbrella organization of post-Soviet republics. By June 1992, Georgia and Albania also had become members. The current Euro-Atlantic Partnership Council (EAPC) succeeded the NACC in 1997, with membership extended to all participants in Partnership for Peace (PfP). Both the NACC and EAPC have served as fora for issues related to PfP.

between NATO's defense posture and diplomatic efforts to prevent or reverse proliferation.⁷

Some have argued that the most striking element of the Alliance Policy Framework was precisely its straightforward recognition that traditional nonproliferation norms and regimes were not sufficient to guarantee that proliferation would not occur, and that enhanced defensive efforts were therefore necessary.⁸ This was certainly significant, but the Alliance Policy Framework was also a good example of the difficult balancing act between political and defense dimensions that would continue to complicate NATO policy formulation on proliferation issues.

The first half of 1994 saw creation of the institutional structure for alliance work on the two dimensions of the proliferation challenge. The Senior Politico-Military Group on Proliferation (SGP) "considers a range of factors in the political, security and economic fields that may cause or influence proliferation and discusses political and economic means to prevent or respond to proliferation." The Senior Defence Group on Proliferation (DGP) "addresses the military capabilities needed to discourage WMD proliferation, to deter threats and use of such weapons, and to protect NATO populations, territory and forces." The Joint Committee on Proliferation (JCP) "coordinates and brings together" the work of the SGP and DGP.⁹ In the JCP, the two senior groups meet together as needed, under the chairmanship of the Deputy Secretary General of NATO.

⁷ "Alliance Policy Framework on Proliferation of Weapons of Mass Destruction," North Atlantic Council ministerial, Istanbul, 9 June 1994, NATO press communiqué M-NAC-1(94)45, available from <http://www.nato.int/docu/comm/49-95/c940609a.htm>.

⁸ See for example Joseph, "Proliferation, Counter-Proliferation and NATO," 120.

⁹ These descriptions are drawn from the section entitled "Alliance Policy on WMD Proliferation" (updated 15 October 2002) from Chapter 6 in the *NATO Handbook*, available from <http://www.nato.int/docu/handbook/2001/hb0603.htm>. Note that official NATO documents use British rather than American spelling. References herein to alliance bodies, programs, or formal titles of documents will retain British usage. Otherwise spelling conforms to American conventions.

It was the SGP that produced the Alliance Policy Framework on Proliferation of Weapons of Mass Destruction, working with the DGP, which had its first meeting in May 1994.¹⁰ The JCP seemingly has steered clear of substance, leaving that to its two component groups, though reporting to the senior policy-making bodies of the alliance.

The SGP and DGP were different not only in focus, but in structure. The former was essentially a standard NATO committee, chaired by a NATO International Staff official (in this case the Assistant Secretary General for Political Affairs), with nations represented by their missions to NATO. The DGP, however, had two national co-chairs, senior officials from capitals, one European and one North American. This novel arrangement, emphasizing the direct involvement of senior officials from capitals, would give the DGP a degree of influence and ability to shape decisions that its political counterpart lacked. The first DGP co-chairs were U.S. Assistant Secretary of Defense for International Security Policy Ashton B. Carter and his French counterpart Jean-Claude Mallet, Director for Strategic Affairs at the French Ministry of Defense.¹¹

The Initial Work Programs, 1994-1996

After having produced the Alliance Policy Framework, the SGP took on a comparatively low profile. An official NATO document of November 1995 characterized its activities in rather general terms, noting that the SGP had considered factors that could cause or promote proliferation and identified political and economic instruments for preventing or responding to proliferation. As of late 1995, the group was assessing proliferation problems in specific geographical areas, especially on the periphery of NATO's territory. The SGP was working "with a view to contributing to the

¹⁰ Joseph, "Proliferation, Counter-Proliferation and NATO," 119-21.

¹¹ See Carter and Omand, "Countering the proliferation risks." Although one of the co-chairs is officially North American, by agreement with Canada it is always de facto the United States that holds the position.

implementation of international arms control, disarmament and non-proliferation norms and agreements.” It had emphasized the “need to make clear to potential proliferants the grave consequences of efforts to acquire WMD” and the “importance of creating a climate of confidence and security” that would reduce incentives for would-be proliferants to acquire such weapons. The SGP had consulted with Russia and other countries “to engage them in a dialogue and eventual common effort to prevent proliferation.”¹²

“Essentially descriptive” has been one assessment of the SGP’s work on the political dimension of NATO’s response to proliferation.¹³ The level of political attention and support to the SGP did not compare to what the DGP received. Given concerns among the European allies that the U.S. was pushing to replace nonproliferation with counter-proliferation, the creation of the SGP was a political necessity, to demonstrate continued attention to political means of addressing the proliferation challenge. But the work of the DGP has been, by the very nature of things, more concrete and more visible.

The DGP rapidly established and embarked upon a three-phase program of work that would culminate by June 1996 in a comprehensive assessment of required improvements in NATO WMD defense capabilities. The first phase, conducted entirely under U.S.-French co-chairmanship and completed by December 1994, produced a comprehensive, classified Risk Assessment, the first such analysis of the WMD risk the alliance had ever produced. (Such assessments would acquire institutional standing as part of NATO’s capstone intelligence threat assessment process.) The DGP examined potential NBC and missile proliferation threats to NATO out to 2010. The geographic focus was on the Mediterranean and the Middle East, and on Eastern Europe, the

¹² “NATO’s Response to Proliferation of Weapons of Mass Destruction: Facts and Way Ahead,” NATO press release (95)124, 29 November 1995, available from <http://www.nato.int/docu/pr/1995/p95-124.htm>.

¹³ Joseph, “Proliferation, Counter-Proliferation and NATO,” 120.

former Soviet Union, North Korea, and China as possible sources of illicit materials and expertise. The Risk Assessment noted that many relationships between suppliers and clients already were in place, allowing rapid technology transfers, which made it all the more important to monitor closely the activities of proliferants.

The DGP concluded that proliferant states prized nuclear weapons above other forms of WMD. Inter alia, nuclear weapons seemed to offer the possibility of deterring non-regional states, e.g. NATO countries, from intervening against acts of aggression at the regional level. Biological weapons also emerged in the DGP's analysis as a key threat. Technical advances facilitating production of more stable agents and the spread of relevant dual-use technologies appeared to make BW a relatively inexpensive weapon of mass destruction. The Risk Assessment concluded that the strategic personalities of regional proliferators were very different from, and more dangerous than, those of the former Warsaw Pact states: more inclined toward risk, less inclined to respect "rules" of deterrence. These countries' concepts of how to employ NBC weapons also were thought to differ from those of NATO's old Cold War enemies, with the possibility of WMD becoming a "first choice" rather than a "last resort." In light of this assessment, the DGP concluded that NBC proliferation could be a direct military threat to NATO and had to be incorporated into alliance defense planning.¹⁴ The assessment became the basis for the WMD proliferation annex to document M [ilitary] C[ommittee] 161, NATO's annual military intelligence estimates.

Central to the DGP's early success was the close collaboration between the U.S. and French co-chairs. In contrast to the standard image of the United States and France constantly at loggerheads over virtually every alliance issue, Carter and Mallet reportedly had significant common ground in their perceptions of the challenges facing the alliance, plus a mutual esteem and trust that allowed them to work together very effectively. A

¹⁴ Ibid., 121-22; Carter and Omand, "Countering the proliferation risks."

personal link that allowed them to resolve issues in comparatively informal fashion, e.g. over a meal in a restaurant rather than on opposite sides of a conference table, made a major contribution to the DGP's effectiveness.

The DGP, in fact, should be seen in the context of a broader reaching and reciprocal effort to strengthen France's participation in the defense side of NATO, albeit short of a return to the integrated military structure. For example, meetings of the North Atlantic Council in defense ministers session, beginning in June 1996, would allow for participation of French defense ministers, without involving them in the Defence Planning Committee or Nuclear Planning Group, which continued to meet separately at the ministerial level.

Some thought evidently was given to establishing France as the permanent European co-chair of the DGP. As it turned out, however, the rotation of the co-chair position among the European allies would have significant benefits for NATO. Notably, for a year at a time, a series of member countries has had to focus intensively on the defense-related aspects of addressing WMD proliferation challenges.

The Joint Committee on Proliferation delivered its first progress reports on the work of the DGP and SGP at the 1 December 1994 NATO foreign ministers meeting, and when defense ministers met on 14-15 December as the Defence Planning Committee and the Nuclear Planning Group. The North Atlantic Council (i.e. foreign ministers) was quite circumspect, identifying proliferation as "one of" the greatest concerns of the alliance and reiterating that the SGP and DGP should move forward "without replacing or duplicating efforts underway in other fora." The NAC expressed support for indefinite and unconditional extension of the NPT, which was coming up for review in 1995, urged other NPT states parties to support unconditional extension, and called on non-members to adhere to the treaty. NATO foreign ministers also undertook

to work to strengthen the NPT verification regime, and termed the recent “Agreed Framework” between the United States and North Korea a “step toward bringing the Democratic People’s Republic of Korea into full compliance with its NPT commitments.” The NAC document then rapidly surveyed a series of other disarmament and arms control issues, e.g. expressing support for negotiation of a Comprehensive Test Ban Treaty, and terming “essential tasks” the entry into force of the Chemical Weapons Convention (ultimately achieved in April 1997) and elaboration of measures to strengthen the Biological and Toxin Weapons Convention.¹⁵

Such expressions of support for arms control and disarmament agreements were standard elements of alliance policy statements, even though NATO *qua* NATO did not have a role in these treaties. Despite language in the Alliance Policy Framework on Proliferation of Weapons of Mass Destruction about examining diplomatic or other measures to strengthen existing treaties and regimes, the December 1994 NAC communiqué, like those to follow, did not hint at any pro-active alliance measures to promote the objectives listed.

When NATO defense ministers met later in December 1994 as the Defence Planning Group and Nuclear Planning Group, they underlined the importance of the work of the SGP and DGP “as part of NATO’s continuing adaptation to the new security environment.” They also formally tasked the DGP to initiate Phase 2 of its Work Programme, to “determine the range of capabilities needed” to discourage WMD proliferation and use, and “if necessary” to improve protection of NATO populations, territory and forces. They identified “future technological trends related to WMD” among

¹⁵ Final communiqué, North Atlantic Council ministerial meeting, Brussels, 1 December 1994, M-NAC-2(94)116, par. 16-18, available from <http://www.nato.int/docu/comm/49-95/c941201a.htm>.

factors that NATO's collective defense planning process would have to address, and noted the growing proliferation risk with respect to countries on NATO's periphery.¹⁶

Phase 2 of the DGP's initial program of work began under U.S.-French co-chairmanship, and was completed after the European co-chair had passed to David Omand, Deputy Under Secretary of State (Policy) at the British Ministry of Defence. This part of the DGP effort had three "sub-phases." The first was an examination of how NBC and missile proliferation could threaten NATO territories and populations, hamper the ability of NATO countries to intervene militarily in regions of vital interest against an NBC-armed adversary, or could threaten peacekeeping or humanitarian missions in which NATO forces were involved. In the second sub-phase, the DGP derived a series of main principles to guide NATO's defense response to proliferation. In the third sub-phase, the group identified the military capabilities needed to respond to proliferation risks, without yet turning to a detailed examination of the capabilities allies already possessed.

In assessing threats under different scenarios, the DGP concluded that the behavior of proliferants was less predictable than that of the old Warsaw Pact adversaries. Command, control, communications, release procedures, security arrangements and operational doctrines related to WMD were likely to be less effective. The DGP agreed that the main threat, for the foreseeable future, would be to deployed NATO forces, rather than to NATO country territory or populations. While proliferant states could not defeat NATO militarily, they were likely to see possession of NBC weapons, especially combined with missile capabilities, as a means to overcome NATO's conventional superiority by holding key targets at risk. NBC weapons could threaten coalition cohesion, in part because different countries had different levels of

¹⁶ Final communiqué, Brussels, 15 December 1994, M-DPC/NPG-2(94)126, par. 11, available from <http://www.nato.int/docu/comm/49-95/c941215a.htm>.

equipment and training for operations in NBC environments. NBC threats could inhibit NATO's ability to deploy forces, e.g. through loss of access to staging areas.

Concentration of forces at a small number of ports and airfields in the early stages of an operation would facilitate use of NBC weapons to disrupt operations. By degrading the capabilities of NATO forces, e.g. requiring them to wear protective equipment for extended periods, NBC threats could affect the military balance in a given situation.

Reactions to NBC threats by civilian populations in an area of operations also could have an impact on NATO forces.

Based on the foregoing analysis, the DGP developed a set of overarching principles for NATO's defense response to proliferation:

- Ensure Alliance cohesion through continued widespread participation in Allied Defence preparations for operations in the NBC proliferation risk environment.
- Maintain freedom of action and demonstrate to any potential adversary that the Alliance will not be coerced by the threat or use of NBC weapons.
- Reassure both Allies and coalition partners of the Alliance's ability effectively to respond to, or protect against, NBC threats or attacks.
- Ensure responsive and effective consultation procedures to resolve crises which have a potential NBC dimension at the earliest possible stage.
- Complement non-proliferation efforts with a mix of military capabilities that devalue NBC weapons, by reducing the incentives for, and raising the costs of, acquisition.
- Complement nuclear deterrence with a mix of defensive and responsive conventional capabilities, coupled with effective intelligence and surveillance means, that together would reinforce the Alliance's overall deterrence posture against the threats posed by proliferation by increasing the options available to Alliance decision-makers during crises and conflicts.
- Balance a mix of capabilities including nuclear forces and conventional response capabilities to devalue a proliferant's NBC weapons by denying the military advantages they would confer and through the prospect of an overwhelming response to their use.
- Prioritize needed capabilities in terms of their contribution to Alliance objectives.
- Conflict control, including the tempo and direction of military operations, and the ability to prevail in all phases of any conflict.
- Evolve capabilities as the threat evolves while focusing on existing conditions and expected near term trends, with their regional emphases, and maintaining options for deploying more capable systems if necessary in the future.

- Emphasize system mobility, given that NBC proliferation risks are expected to be primarily regional in character and that NATO forces may be called on to operate beyond NATO's borders.
- Integrate NBC-related concepts into the Alliance's defence planning and standardization processes.¹⁷

Based on this policy foundation, the DGP moved on to determine what military capabilities were necessary, identifying from scratch the most effective force posture to address NBC risks. It agreed on a first tier of highest-priority capabilities: strategic and operational intelligence; automated and deployable command, control and communications; wide-area ground surveillance; standoff and point biological and chemical agent detection, identification and warning; extended air defense, including tactical ballistic missile defense for deployed forces; NBC individual protective equipment for deployed forces. The group also identified a second tier of significant capabilities: advanced computer applications, layered missile defenses, reconnaissance platforms and sensors, medical countermeasures and special munitions for countering NBC weapons.¹⁸ A third tier included capabilities that would be required in the longer term.

In many cases, the capabilities the DGP identified as being especially relevant to addressing WMD-related threats already had been receiving significant alliance attention, but needed added stimulus to go further. Use of shorter-range ballistic missiles in the Iran-Iraq war, in Afghanistan from 1988 to 1991, by Iraq in the first Gulf War, and during the 1994 civil war in Yemen had underlined the need for extended air defense and defense against shorter-range ballistic missile threats, especially for NATO deployed forces. In June 1992, in fact, the North Atlantic Council had initiated a study by the NATO Air Defence Committee (NADC), which resulted in a conceptual framework for providing extended air defense for NATO and its forces, specifically with regard to

¹⁷ Carter and Omand, "Countering the proliferation risks." Joseph, "Proliferation, Counter-Proliferation and NATO," 122-24 is also a crucial reference.

¹⁸ Carter and Omand, "Countering the proliferation risks."

ballistic missile threats. This framework included a multinational structure for sharing surveillance and sharing of information on threats, including active and passive countermeasures, and received NAC approval in August 1993.

Supreme Headquarters Allied Powers Europe (SHAPE) began work on a Military Operational Requirement (MOR) for theater missile defense, completing a first draft in October 1994. The MOR suggested the need for multiple defensive tiers or layers. SHAPE also was working on a concept of operations for sharing among allies of ballistic missile early warning information, something the U.S. had offered to provide. Meanwhile, the NATO Conference of National Armaments Directors (CNAD) had established in October 1993 an Ad Hoc Working Group on extended air defense and theater missile defense to address prospects for multinational collaboration in developing the required systems. The group presented the results of its study in April 1995. A follow-on group was established to go into greater detail, including cost projections. The work of the DGP complemented and stimulated all these efforts on extended air defense and missile defense, which had originated well before the DGP's creation.¹⁹

Phase 2 of the DGP's Work Programme concluded in spring 1995, and the Joint Committee on Proliferation reported to defense ministers on 8 June.²⁰ Meeting 29 November 1995 in Defence Planning Committee/Nuclear Planning Group format, defense ministers endorsed the DGP's recommendations on military capabilities

¹⁹ David Martin, "Towards an Alliance framework for extended air defence/theatre missile defence," *NATO Review* 44, no. 3 (May 1996): 32-35. Web edition available from <http://www.nato.int/docu/review/1996/9603-7.htm>.

²⁰ Final communiqué, Defence Planning Committee and Nuclear Planning Group ministerial, Brussels, 8 June 1995, M-DPC/NPG-1(95)57, par. 15, available from <http://www.nato.int/docu/comm/59-95/c950608a.htm>.

necessary to address WMD proliferation.²¹ An unusually detailed public fact sheet issued at this time specified the types of military capabilities most important for NATO's response to proliferation (essentially the first-tier capabilities indicated above). The fact sheet stated clearly that the DGP would begin the third phase of its work, identifying "areas in NATO's current military posture where progress has to be made to better counter the risks posed by proliferation." It also stressed that NATO's military capabilities reinforced and complemented international, i.e. political and diplomatic, efforts against proliferation: "Robust military capabilities signal to potential proliferants the utmost seriousness with which NATO approaches proliferation risks, Alliance resolve and its refusal to be intimidated by NBC threats.... All of the Alliance's military capabilities have a role in devaluing NBC weapons, by reducing the incentives and raising the costs of acquiring them."²² In this way, alliance authorities sought to draw a clear link between efforts on the political and defense sides.

The final communiqué from the November 1995 DPC/NPG briefly summarized emerging alliance policy on deterring WMD threats:

We agreed that an appropriate mix of conventional response capabilities and passive and active defenses, coupled with effective intelligence and surveillance means, would complement Alliance nuclear forces and would reinforce the Alliance's overall deterrence posture against threats posed by proliferation.²³

Nuclear weapons had played a central role in NATO's plans for deterring Warsaw Pact WMD use during the Cold War era. They retained their place in the post-Cold War calculus of deterrence, even as important parameters of the WMD threat changed. It remained alliance policy to confront a potential adversary with the possibility

²¹ Brussels, 29 November 1995, M-DPC/NPG-2(95)117, par. 16, available from <http://www.nato.int/docu/comm/49-95/c951129a.htm>.

²² "NATO's Response to Proliferation of Weapons of Mass Destruction: Facts and Way Ahead" NATO press release (95)124, 29 November 1995, available from <http://www.nato.int/docu/pr/1995/p95-124.htm>.

²³ See note 21.

that WMD use – chemical or biological, as well as nuclear – could trigger a response with nuclear weapons.

In the United States, this doctrine has become known as “calculated ambiguity.” In March 1996, for example, U.S. Secretary of Defense William Perry stated: “For obvious reasons, we choose not to specify in detail what responses we would make to a chemical attack. However, as we stated during the Gulf War, if any country were foolish enough to use chemical weapons against the United States, the response will be ‘absolutely overwhelming’ and ‘devastating.’” In November 1998, Perry’s successor, William Cohen, indicated somewhat more explicitly that nuclear weapons were a possible means of responding to chemical or biological weapons attack.²⁴ A U.S. Joint Chiefs of Staff document of February 1996 reportedly described even non-state actors as potential targets for U.S. nuclear weapons.²⁵

Efforts by countries such as Canada, and especially Germany to promote adoption of a NATO “no-first-use” pledge met with strong and consistent U.S. resistance. In November 1998, for example, the new German Foreign Minister Joschka Fischer tried to open up discussion of no-first-use in meetings with U.S. Secretary of State Madeleine Albright and NATO Secretary General Javier Solana, and met an especially heated reaction in Washington. A no-first-use doctrine “would encourage rather than dissuade other countries from going after nuclear weapons” was the reported reaction of one U.S. official.²⁶ It is also true, however, that, NATO continued to reduce its nuclear forces.

²⁴ See Scott D. Sagan, “The Commitment Trap: Why the United States Should Not Use Nuclear Threats to Deter Biological and Chemical Weapons Attacks,” *International Security* 24, no. 4 (Spring 2000): 85.

²⁵ See Karl-Heinz Kamp, “Nuclear Terrorism is Not the Core Problem,” in “WMD Terrorism: An Exchange,” *Survival* 40, n. 4 (Winter 1998-99): 169.

²⁶ Szabo, “NATO’s nuclear doctrine,” 37; Henning Rieke, “NATO’s Non-Proliferation and Deterrence Policies: Mixed Signals and the Norm of WMD Non-Use,” *Journal of Strategic Studies* 23, no. 1 (March 2000): 40.

The Senior Defence Group on Proliferation completed Phase 3 of its Work Programme in June 1996. Assessing the capabilities that NATO countries already possessed or had planned for, the group “recognised a number of areas where corrective action was required, particularly to enhance NATO’s ability to perform its new roles and missions.”²⁷ (By this time, the alliance was undertaking the precedent-setting peacekeeping mission in Bosnia, following an airpower intervention that had been crucial to ending the conflict.) The DGP reportedly identified shortfalls in areas including standoff biological agent detection equipment, personal protective gear, medicines, and protection of important sites.

To ensure it could factor in the views of member countries regarding shortfalls, the DGP had asked for the advice of the NATO Military Committee, the alliance’s senior military policy body, and the major NATO military commands. In September 1995, NATO’s International Military Staff sent a questionnaire to national military authorities, asking whether there were genuine shortfalls in the capabilities the DGP had identified in Phase 2 of its study, whether new capabilities were needed, and how best to proceed in acquiring needed capabilities. The DGP’s Steering Committee, created to handle operational matters at a less senior level, pulled together the national responses and sent them to the NATO Military Committee for its assessment. That assessment went back to national authorities for a final review. Although the process was not simple, it moved with remarkable speed by NATO standards.²⁸

Incorporating the DGP’s conclusions regarding existing and already planned NATO capabilities into the alliance’s joint defense planning process was an important objective, and required extraordinary action. When defense ministers met 13 June 1996 in DPC/NPG format, they adopted a new set of Force Goals as planning targets for

²⁷ Carter and Omand, “Countering the proliferation risks.”

²⁸ Larsen, *NATO Counterproliferation Policy*, 36-39.

NATO forces. The new Force Goals emphasized “enhancements to the Alliance’s ability to move its forces within and between theaters and to sustain them once they are deployed.”

Such capabilities are essential both for the Alliance’s collective defense and for new missions which require the capability for flexible deployments for defence, peacekeeping and crisis management and the *capability to counter the risks of the proliferation of weapons of mass destruction and their means of delivery.*

But these Force Goals were the fruit of work during the preceding two years, and ministers concluded that it was not possible to wait out another two-year cycle. They directed the preparation of new Force Goals, for approval in December 1996, to deal more effectively with WMD-related risks, using an accelerated process for force planning that had not been employed for some twelve years. Of special note was also the fact that all allies, including France, were invited to participate. (France normally did not participate in the force planning process.)²⁹

Indeed, alliance defense ministers also met 19 June 1996 in North Atlantic Council session for the first time in thirty years, i.e. since France’s withdrawal from the military side of NATO in 1966. Ministers underlined in particular the need for increased emphasis on the protection of deployed forces. They referred specifically to adoption of the “accelerated plan for action,” including definition of new Force Goals. The DGP and other relevant NATO bodies would make progress reports to defense ministers, including on “prospects for common funding/procurement or multinational efforts.”³⁰ This was the first direct reference in a ministerial document to the defense economics aspects of improving NATO’s WMD defense capabilities.

²⁹ Final communiqué, DPC/NPG ministerial, Brussels, 13 June 1996, M-DPC/NPG-1(96)88, par. 5-6, available from <http://www.nato.int/docu/pr/1996/p96-088e.htm>; Carter and Omand, “Countering the proliferation risks.” For an overview of NATO force planning, see Frank Boland, “Force planning in the new NATO,” *NATO Review* 46, no. 3 (Autumn 1998): 32-35. Web edition available from <http://www.nato.int/docu/review/1998/9803-09.htm>.

³⁰ Final communiqué, Brussels, 13 June 1996, M-NAC(DM)-2(96)89, par. 20-21, available from <http://www.nato.int/docu/pr/p96-089e.htm>.

Allied policy-makers had concluded that the DGP was the best mechanism to follow up on its own recommendations, and thus extended its mandate.³¹ To ensure implementation of its conclusions, which touched on the work of a very broad spectrum of NATO bodies, e.g. the many committees and subcommittees dealing with procurement of different types of equipment, the DGP had developed thirty-nine distinct action plans. Taking into account the maturity of current technologies, adequacy of existing plans, and resource implications, the group had defined milestones that would allow it to assess progress and report to ministers. In completing its original Programme of Work, the DGP had identified further actions that would be required to improve policies guiding NATO efforts against proliferation, planning and operational concepts, and doctrine. It also recognized the importance of training and exercises.³²

Mid-1996 was an important moment for the alliance not only with respect to WMD defense, but more generally. In the two and a half years following the Brussels Summit, NATO had grappled with its adaptation to post-Cold War challenges. The process leading to invitations for the Czech Republic, Hungary and Poland to join the alliance was well underway. The 3 June 1996 meeting of NATO foreign ministers in Berlin is remembered as a landmark in developing the European Security and Defense Identity (ESDI), through agreement on a political framework allowing for cooperation between NATO and the Western European Union (WEU) in crisis management operations, including the possibility of European-led operations drawing on NATO assets.

This particularly important ministerial meeting also gave important political validation to alliance efforts to address WMD proliferation. It welcomed completion of the original SGP and DGP work plans, terming the efforts of the two groups an “essential

³¹ See Larsen, *NATO Counterproliferation Policy*, 56-57.

³² Carter and Omand, “Countering the proliferation risks.”

element of maintaining Alliance security and an integral aspect of NATO's adaptation to the new security environment facing Europe." Foreign ministers underlined that WMD efforts were part of addressing the main, overarching challenge the alliance was facing. They endorsed the DGP's recommendations for improvements to allied military capabilities, and also stated they were "satisfied" with progress of the SGP's efforts.³³ It was seemingly not until the very eve of the Madrid Summit in July 1997, however, that the SGP came out with its document entitled "Recommendations for Possible Political and/or Diplomatic Initiatives Aimed at Preventing or Reversing Proliferation."³⁴

The actual decision to extend the SGP's mandate had come in May 1996, along with instructions for the SGP to discuss proliferation issues with Partnership for Peace countries and to assess and discuss the disposition of weapons of mass destruction in Russia. Also in spring 1996, the SGP incorporated the Group on Nuclear Weapons, a political body examining the control of nuclear weapons and fissile materials in the former Soviet republics.³⁵

There was not at this point, and would not be for quite some time, any linkage in NATO's main policy documents between WMD and terrorism. The Berlin communiqué, for example, termed terrorism a "universal scourge which remains of concern to all of us," and welcomed "the growing international awareness and cooperation as regards terrorism." But NATO foreign ministers limited themselves to noting "with satisfaction" the conclusions of the anti-terrorism summit in Sharm el Sheik, as well as the "work advanced by the international community in the relevant fora."³⁶

³³ Final communiqué, North Atlantic Council ministerial, Berlin, 3 June 1996, M-NAC-1(96)63, par. 6 and 11, available from <http://www.nato.int/docu/pr/1996/p96-063e.htm>.

³⁴ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 12 June 1997, NATO press release M-NAC-D-1(97)71, par. 21, available from <http://www.nato.int/docu/pr/1997/p97-071e.htm>.

³⁵ Larsen, *NATO Counterproliferation Policy*, 26-27.

³⁶ Full reference note 33. See par. 25.

The Madrid Summit and its Aftermath

NATO's Madrid Summit of 8 July 1997 would focus on alliance enlargement, specifically the invitation to the Czech Republic, Hungary and Poland to join NATO. WMD issues were not a particular focal point. "Further enhancing [NATO's] political and defense efforts against the proliferation of nuclear, biological, and chemical weapons and their delivery systems" did make it onto the foreign ministers' proposed agenda for Madrid, though it was the last item in a list that ran 2/3 of a page.³⁷ Still, the invitations to new members required careful preparation, touching inter alia on WMD matters. Making enlargement somehow acceptable to Russia was a major challenge, and nuclear issues played a central role.

The most important WMD-related language from the December 1996 NAC foreign ministers' communiqué was in fact the following:

NATO countries have no intention, no plan, and no reason to deploy nuclear weapons on the territory of new members nor any need to change any aspect of NATO's nuclear posture or nuclear policy – and we do not foresee any future need to do so.³⁸

This language accomplished two objectives: helping reassure the Russians that NATO enlargement was not directed against them, while ensuring that new NATO members would still commit themselves to the same nuclear policy as the then-current members, i.e. a policy that treated nuclear deterrence as an essential element of allied security.

Foreign ministers also floated the idea of a NATO-Russia Charter, as a reflection of the alliance's commitment to a "strong, stable, and enduring security partnership" with Russia. The fact that NATO and Russian forces were participating together in the

³⁷ Final communiqué, North Atlantic Council ministerial, Brussels, 10 December 1996, M-NAC-2 (96)165, par. 2, available from <http://www.nato.int/docu/pr/1996/p96-165e.htm>.

³⁸ Ibid., par. 5.

Bosnian peacekeeping effort provided something of a launching pad, but it was also politically expedient to offer Russia something in the way of a “special relationship,” just as the alliance was preparing to expand eastward. Among the areas of practical cooperation the NATO foreign ministers proposed in December 1996 were nonproliferation, arms control, and civil emergency planning.³⁹

The December 1996 NATO defense ministers meetings gave a sense of continued momentum on the WMD front. The Defence Planning Committee approved the additional Force Goals to address NBC risks tasked in June, underlining strongly that these risks could be addressed within NATO’s established force planning process. The ministers also gave instructions for further related work.⁴⁰ In NAC session, defense ministers added “improving our defences against biological weapons” as a particular objective, alongside enhanced protection for deployed forces. Looking ahead to preparation of the 1998 Force Goals, NATO Military Authorities received instruction to continue focusing on capabilities to address proliferation risks, and ministers underlined the importance of armaments planning and cooperative initiatives in the areas that already had been identified in late 1995: strategic and operational intelligence; deployable command, control and communications; wide-area ground surveillance; theater missile defense; biological agent detection; and NBC individual protective equipment for deployed forces.

Ministers did make a bow to the importance of improving policy, as well as capabilities, underlining that the DGP’s Guiding Principles for NATO’s defense response to proliferation, agreed during Phase 2 of the original DGP Work Programme (see

³⁹ Ibid., par. 10. Emergency planning for scenarios involving WMD use ultimately would become a significant area of Russian cooperation with NATO and other partner countries,

⁴⁰ Final communiqué, DPC/NPG ministerial, Brussels, 17 December 1996, M-DPC/NPG-2(96)173, par. 6, <http://www.nato.int/docu/pr/1996/p-96-173e.htm>.

above), could serve as a basis. They also welcomed further consultations and cooperation with partner countries on proliferation risks⁴¹, although the record up to that point had been modest, and remained so.

On the eve of the July 1997 Madrid Summit, the Defense Planning Committee met to approve the 1997 Ministerial Guidance, providing political direction for defense planning activities, at the individual national and NATO levels, for the period up to 2004, including development of the 1998 Force Goals. This included guidance on capabilities to deter and, if needed, respond to use of NBC weapons “in future contingencies involving proliferants.” Defense ministers “agreed that these capabilities were among the key areas for longer term planning and that a high priority should be given to these capabilities in the 1998 force proposals.”⁴²

In North Atlantic Council session, defense ministers went on to endorse the DGP’s “Alliance Policy Guidelines for Military Operations in an NBC Weapons Environment,” arguing that their implementation would contribute to NATO’s political and operational flexibility, reduce vulnerabilities, and enable NATO forces “to accomplish their required missions despite the presence, threat, or use of NBC weapons.”⁴³ (The Alliance Policy Guidelines were intended to address “software” changes in the alliance policy approach to WMD, complementing the “hardware” recommendations on needed capabilities.) Interestingly, the final document of the NAC defense ministerial also noted

⁴¹ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 18 December 1996, M-NAC(DM)-3(96)172, par. 23-26, available from <http://www.nato.int/docu/pr/p-96-172e.htm>.

⁴² Final communiqué, Defense Planning Committee/Nuclear Planning Group ministerial, Brussels, 12 June 1997, NATO press release M-DPC/NPG-1(97)70, par. 4,6, available from <http://www.nato.int/docu/pr/1997/p997-070e.htm>.

⁴³ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 12 June 1997, M-NAC-D-1(97)71, par. 21, available from <http://www.nato.int/docu/pr/1997/p97-071e.htm>.

the emphasis in alliance defense planning on enhanced protection for NATO deployed forces “at *or beyond* NATO’s periphery.”⁴⁴

The Madrid Summit Declaration did not itself discuss arms control, disarmament, and nonproliferation at length, beyond stressing the “utmost importance” of the alliance’s efforts, welcoming its “substantial achievements” since the Brussels Summit, and directing that work continue. Very significantly, however, the Madrid Summit agreed on the need to examine the alliance’s Strategic Concept, adopted in Rome in 1991, in light of Europe’s new security situation. This set in train the process that led to the new Strategic Concept of 1999, which focused additional attention on unconventional and asymmetrical threats such as WMD, among other changes.

Also of note in the Madrid Declaration was the “reaffirmation” of the “importance of arrangements in the Alliance for consultation on threats of a wider nature, including those linked to illegal arms trade and acts of terrorism, which affect Allied security interests.” The NATO heads of state and government strongly condemned all acts of international terrorism, adding the following: “In accordance with our national legislation, we stress the need for the most effective cooperation possible to prevent and suppress this scourge.”⁴⁵ (The caveat regarding national legislation reflected the particular insistence of some within the alliance, notably France, that counterterrorism was the province of national law enforcement authorities, as opposed to a multilateral organization like NATO.)

Previous NATO communiqué language had limited itself to excoriating terrorism, without any reference to “arrangements in the Alliance for consultation.” Such

⁴⁴ Ibid. Emphasis added. The 1994 Alliance Policy Framework on Proliferation of Weapons of Mass Destruction had limited the range of concern to the periphery of the alliance.

⁴⁵ “Madrid Declaration on Euro-Atlantic Security and Cooperation,” 8 July 1997, M-1(97)81, par. 19, 23, 25, available from <http://www.nato.int/docu/pr/p-97-081e.htm>.

arrangements, however, were hardly new. NATO's Special Committee (AC/46), the body representing chiefs of national counterintelligence services, had been created in 1952 to combat intelligence threats to the alliance. It had begun exchanging information on international terrorism as early as 1970. An effort was made in 1997-98 to revise and broaden the mandate of the Special Committee.

In their meetings leading up to the April 1999 Washington Summit, NATO foreign ministers moved forward along the lines set out in Madrid. In December 1997, they endorsed the terms of reference for examination and, "as necessary," updating of the Strategic Concept, which the NAC in permanent session, i.e. at the level of permanent representatives and national delegations, had worked out following Madrid.⁴⁶ The following NAC, 28 May 1998 in Luxembourg, focused heavily on the deteriorating situation in Kosovo and on Bosnia, but proliferation matters also were prominent. Foreign ministers were meeting in the near aftermath of nuclear tests by India, which NATO had condemned in a separate statement on 20 May 1998. The communiqué from the NAC meeting only referred to the Indian test, and limited itself to urging that all countries accede to and fully implement the NPT and Comprehensive Test Ban Treaty.⁴⁷ During preparations for the NAC, U.S. representatives reportedly had sought a more pro-active approach, intended to help pressure Pakistan to refrain from responding to India's action with nuclear tests of its own, but had encountered hesitation on the part of part of several European allies. As it turned out, Pakistan announced on May 28 that it had conducted its own tests, resulting in a joint NATO/Russia statement of

⁴⁶ Final communiqué, North Atlantic Council ministerial, Brussels, 16 December 1997, M-NAC-2(97)155, par. 15, available from <http://www.nato.int/docu/pr/1997/p-97-155e.htm>.

⁴⁷ Final communiqué, North Atlantic Council ministerial, Luxembourg, 28 May 1998, NATO press release M-NAC(98)59, par. 14, available from <http://www.nato.int/docu/pr/1998/p98-059e.htm>.

condemnation, when allied foreign ministers met with their Russian counterpart that day.⁴⁸

On 8 December 1998, at their last meeting before the April 1999 Washington Summit, NATO foreign ministers decided to expand the alliance's efforts to address the "evolving" proliferation threat. They instructed the Council in permanent session to prepare proposals for an initiative, to be approved at the Washington Summit, which would cover both the military and political capabilities the alliance needed.⁴⁹ To some extent, this implied recognition that the alliance was having difficulty in addressing WMD proliferation, particularly in a way visible and comprehensible to increasingly anxious publics in the member and partner countries.

The work of the defense side of the alliance following the Madrid Summit largely continued and built on what had come before. In December 1997, the Defence Planning Committee at ministerial level reviewed national defense plans for 1998-2003, adopted a 5-year force plan "to match the requirements of a changing security situation," and underlined adaptation to the proliferation threat as an area where work would continue.⁵⁰ When they met in North Atlantic Council session, the defense ministers "noted with concern recent and ongoing proliferation developments" that underlined the need to address the evolving proliferation threat. Ministers welcomed the progress of NATO Military Authorities in implementing the Alliance Policy Guidelines for Military Operations in an NBC Weapons Environment, noting the role of those guidelines for adaptation of NATO operational doctrine, concepts, and plans, and in focusing training and exercises

⁴⁸ "Statement on the Nuclear Tests of Pakistan and India," NATO-Russia Permanent Joint Council ministerial, Luxembourg, 28 May 1998, available from <http://www.nato.int/docu/pr/p980529e.htm>.

⁴⁹ Final communiqué, North Atlantic Council ministerial, Brussels, 8 December 1998, NATO press release M-NAC-2(98)140, par. 14, available from <http://www.nato.int/docu/pr/1998/p981208e.htm>.

⁵⁰ Final communiqué, Defense Planning Committee/Nuclear Planning Group ministerial, Brussels, 2 December 1997, NATO press release M-DPC/NPG-2(97)150, par. 5, available from <http://www.nato.int/docu/pr/1997/p97-150e.htm>.

on NBC weapon risks. The DGP was also undertaking a comprehensive analysis of progress in NATO's defense efforts against proliferation risks since the 1994 Brussels Summit.⁵¹

The new set of Force Goals adopted in June 1998 continued to emphasize three elements: "the need for deployable, readily available assets; enhanced command and control capabilities to support [Combined Joint Task Force] operations; and capabilities to deal with the risks arising from nuclear, biological, and chemical weapons and their means of delivery." All were key elements in preparing NATO country forces and the alliance itself to meet new challenges, and allied defense ministers pledged that they would "continue to ensure that high priority [was] given to these planning targets in ... national force plans."⁵²

In NAC session, defense ministers recalled that proliferation could pose "a direct military threat" and that use or threat of use of chemical or biological weapons "could be a characteristic of future operations in which Allied forces become involved." They received the aforementioned DGP report on NATO's efforts since the Brussels Summit to address proliferation concerns, and endorsed the report's recommendations on areas requiring further work. Specifically, ministers agreed to "intensify ... efforts to better understand proliferant intentions and doctrine; to enhance biological detection, protection and decontamination and to improve other capabilities that support deployable force; and to explore opportunities for dealing with the implications of terrorist

⁵¹ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 2 December 1997, NATO press release M-NAC-D-2(97)149, par. 27-29, available from <http://www.nato.int/docu/pr/1997/p97-149e.htm>.

⁵² Final communiqué, Defense Planning Committee/Nuclear Planning Group ministerial, Brussels, 11 June 1998, NATO press release M-DPC/NPG-1(98)72, par. 3, available from <http://www.nato.int/docu/pr/1998/p98-072e.htm>.

and coercive CBW attacks.”⁵³ Broadly speaking, the report had found that the pace of improvements was slow at best. It stressed the need for nations to step up their efforts and increase investment in WMD defense programs.

In the U.S., for example, the General Accounting Office (GAO), an agency of the Congress, carried out a number of studies between 1996 and 1999 on the U.S. military's preparations for chemical and biological agent attacks. The GAO found persistent problems in equipment, training, medical care and other areas. Many doctrinal and planning aspects of CBW defense remained unaddressed and vaccine supplies were insufficient. The GAO also was critical of the Defense Department's coordination of chemical and biological defense programs.⁵⁴

At their December 1998 meeting, NATO defense ministers largely reaffirmed the continued importance of measures to adapt the alliance's capabilities to the evolving proliferation threat, and approved the 1998 Ministerial Guidance, which reflected this priority. This guidance provided policy direction to NATO Military Authorities and to nations up to and beyond 2006, including for development of NATO Force Goals in 2000.

Meeting in NAC session, defense ministers indicated that they were prepared to expand NATO's proliferation-related efforts. They joined with foreign ministers in tasking the Council in permanent session to prepare proposals for the April 1999 Washington Summit to bolster NATO's relevant political and military capabilities.⁵⁵ But with allied

⁵³ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 11 June 1998, NATO press release M-NAC-D-1(98)71, par. 25-26, available from <http://www.nato.int/docu/pr/p98-071.htm>.

⁵⁴ United States General Accounting Office, Testimony Before the Subcommittees on Military Procurement and on Military Research and Development, Committee on Armed Services, House of Representatives, *Chemical and Biological Defense: Observations on Actions Taken to Protect Military Forces*, 20 October 1999, GAO/T-NSIAD-00-49, 1.

⁵⁵ Final communiqué, Defense Planning Committee/Nuclear Planning Group ministerial, Brussels, 17 December 1998, NATO press release M-DPC/NPG-2(98)151, par. 4-5, available from <http://www.nato.int/docu/pr/1998/p98-151e.htm>; final communiqué, North Atlantic Council in defense

governments facing many competing challenges, and publics still hoping for a post-Cold War “peace dividend,” focusing additional resources on NBC-related capabilities would prove difficult. “Enhanced capabilities” and “capabilities initiatives” would become a major refrain within NATO.

NATO Outreach and WMD Issues

Proliferation issues figured prominently on the agendas of NATO’s core political and defense bodies in the years following the Brussels Summit. They also played an important role in the alliance’s growing partnerships and dialogue with Russia, Ukraine, and other countries. The Brussels Summit not only initiated efforts to develop a more comprehensive WMD strategy for the alliance, but also inaugurated the Partnership for Peace (PfP), a major step forward in cooperation with the states emerging from the former Soviet Union and Warsaw Pact, as well as the Mediterranean Dialogue, a program directed for the first time at strategically important countries outside the Euro-Atlantic area. The alliance’s adaptation to new realities had both “functional” and geographical dimensions, which were inter-related.

Russia. NATO’s relationship with Russia has been particularly important, coming to be enshrined in special bodies such as the Permanent Joint Council (inaugurated in 1997) and the NATO-Russia Council, which succeeded it in 2002. The Russian Federation inherited some part of the superpower mantle of the former Soviet Union, and very importantly, was the only post-Soviet state to retain nuclear weapons over the long term. Russia’s large stockpile of nuclear weapons, and worries about their safety, would be the focus of NATO’s WMD-related dialogue with Russia, although chemical and biological weapons matters, including CBW defense, were by no means off the alliance’s screen, and would gain in importance.

The U.S. had been working closely with Russia on nuclear safety issues since the 1991 Nunn/Lugar bill had provided funds for cooperative threat reduction activities. The U.S.-Russian bilateral relationship on nuclear weapons safety would retain its particular importance. At the same time, however, U.S. leaders pushed for strengthening NATO-Russia ties, e.g. to engage Russia in Partnership for Peace.

In May 1995, in fact, NATO foreign ministers approved the first Russian Partnership Program and the document on “Areas for Pursuance of a Broad, Enhanced NATO/Russia Dialogue and Cooperation,” which included both WMD proliferation and nuclear safety, e.g. safe dismantlement of nuclear weapons and prevention of illicit traffic in nuclear materials, among issues of common concern that could be the subjects of NATO-Russia political consultations.⁵⁶ By the end of the year, what were termed “important consultations” on WMD proliferation, including on the work of the DGP and on safe and secure dismantlement of nuclear weapons had taken place in the “16+1” format, i.e. representatives of all NATO countries plus Russia,⁵⁷

In addition to the alliance’s “bilateral” relations with the Russian Federation, it is worth underlining the existence of what might be called the “triangular” relationship, in which NATO was a highly interested observer of U.S.-Russian dealings on key security issues, and the non-U.S. allies could seek to influence the bilateral process. U.S.-Russian efforts in fields such as strategic arms reductions or discussions relevant to the ABM Treaty were of great interest to the allies, as they related to the strategic umbrella the U.S. provided for NATO as a whole. Given also NATO’s efforts, beginning in 1992,

⁵⁶ See Russian Foreign Minister Kozyrev’s “Statement at the Acceptance of the Russian Partnership Program, and the Broad, Enhanced NATO-Russia Dialogue and Cooperation beyond PfP,” following the NAC meeting at Noordwijk (Netherlands), 31 May 1995, available from <http://www.nato.int/docu/comm/49-95/c950531b.htm>, and “Areas for Pursuance of a Broad, Enhanced NATO/Russia Dialogue and Cooperation,” Noordwijk, 31 May 1995, available from <http://www.nato.int/docu/comm/49-95/c950531a.htm>.

⁵⁷ Final communiqué, North Atlantic Council ministerial, Brussels, 5 December 1995, M-NAC-2(95)118, par. 4, available from <http://www.nato.int/docu/comm/49-95/c951205a.htm>; Carter and Omand, “Countering the proliferation risks.”

on theater defense against ballistic missiles, U.S./Russian discussions on demarcation between theater missile defense and defenses against strategic missiles (the latter strictly limited by the ABM Treaty) were important to the other allies, who agreed on the need for an accord in this area.⁵⁸

In addition, several NATO countries were active in providing support for safe dismantlement of nuclear weapons in Russia, as well as their removal from Ukraine, Kazakhstan, and Belarus. The alliance as a whole constantly would express support for these efforts.⁵⁹ That said, by far the largest share of assistance to Russia came from the United States via the Nunn-Lugar program. Washington authorities lamented a limited focus in other allied capitals on the threat of "loose nukes" and the need to devote resources to the problem.

One should underline that NATO has never played a role in coordinating the cooperative threat reduction efforts that member states have conducted bilaterally with Russia or any other countries. The members have not wished to subject decisions on assistance to any sort of collective decision-making, as occurs in NATO, and have been conservative even in providing information to alliance bodies regarding cooperative threat reduction assistance.

Russia's national nuclear policies, especially with respect to sub-strategic or tactical nuclear weapons, have been a sticking point in relations with NATO. At the December 1996 Nuclear Planning Group meeting, for example, allied defense ministers underlined that Russia still retained "a large number of tactical nuclear weapons of all

⁵⁸ See for example the final communiqué, Defense Planning Committee/Nuclear Planning Group ministerial, Brussels, 8 June 1995, M-DPC/NPG-1(95)57, par. 22, available from <http://www.nato.int/docu/comm/49-95/c950608a.htm>.

⁵⁹ The example in *ibid.*, par. 26 is typical: "We continue to attach great importance to the cooperative efforts of a number of NATO nations to provide assistance to partner countries concerned in the area of nuclear safety and security, including dismantlement and destruction of nuclear arms and the safe and secure transport and storage of nuclear materials related to dismantlement. We look forward to continued progress in this crucial area."

types.” Ministers called upon Russia to implement the reductions in holdings of such weapons announced in the 1991-1992 Bush-Gorbachev-Yeltsin Presidential Nuclear Initiatives, and to consider further reductions.⁶⁰ This expression of concern came not because of a specific, triggering incident. Rather, consciousness and concern had developed over time in NATO circles that the Russian Federation was not implementing the Presidential Nuclear Initiatives. Calls for Russia to do so became a standard element of NATO policy statements, but sub-strategic nuclear weapons retained an important role in Russian strategic thinking. The alliance by this time already had implemented and was continuing to implement very drastic reductions in its stockpiles of tactical nuclear weapons, as well as lowering the readiness status of its nuclear forces.⁶¹

The divergence in NATO and Russia nuclear policies, however, was not a decisive obstacle to building a better overall relationship. In fact, the day after the Nuclear Planning Group underlined its concerns, defense ministers, meeting in NAC format, did not mention the matter, and communiqué language emphasized the upcoming meeting with Russian Defense Minister Rodionov and NATO’s commitment to the security partnership with Russia.⁶²

On 27 May 1997, in Paris, the Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation was signed, at the level of heads of state and government. The Founding Act created the NATO-Russia Permanent Joint Council (PJC) as a special forum for consultation and cooperation.

⁶⁰ Final communiqué, Defense Planning Committee and Nuclear Planning Group ministerial, Brussels, 17 December 1996, M-DPC/NPG-2(96)173, par. 9, available from <http://www.nato.int/docu/pr/1996/p96-173e.htm>.

⁶¹ See for example *ibid.*, par. 7. NATO reductions, however, did not alter the fundamental alliance tenet that the presence of U.S. nuclear forces in Europe, committed to the alliance, was an essential link between the European and North American members of NATO.

⁶² Final communiqué, North Atlantic Council in defense ministers session, Brussels 18 December 1996, M-NAC(DM)-3(96)172, par. 37, available from <http://www.nato.int/docu/pr/1996/p96-172e.htm>.

Nuclear weapons issues, including doctrine and strategy, plus safety of nuclear weapons, were among the issues NATO expected to address in the PJC. Other areas for consultation and potential cooperation identified in the Founding Act included theater missile defense and “preventing the proliferation of nuclear, biological and chemical weapons and their delivery means, combatting nuclear trafficking and strengthening cooperation in specific arms control areas, including the political and defence aspects of proliferation.” NATO welcomed Russian President Yeltsin’s declaration on 27 May that Russia would not longer target allied countries with its nuclear weapons, reiterating that alliance nuclear forces also were not targeted at any country, and characterizing their fundamental purpose as political: “to preserve peace and prevent coercion.”⁶³

In June 1998, defense ministers meeting as the Nuclear Planning Group “welcomed the initiation of consultations between NATO and Russia on nuclear weapons issues under the auspices of the Permanent Joint Council,” adding that they looked forward to “a more in-depth exchange.”⁶⁴ The 1998 Work Plan for the NATO-Russia Permanent Joint Council in fact had included work on “disarmament and arms control, efforts against proliferation, defense policy and strategy, and nuclear weapons issues,” and nuclear issues figured again in the 1999 Work Plan.⁶⁵ But progress was limited. Among other things, beginning in 1997, Russia saw an intense internal struggle over nuclear policy. The Chief of the General Staff, General Anatoly Kvashnin, argued

⁶³ Final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 12 June 1997, NATO press release M-DPC/NPG-1(97)70, par. 8,10, available from <http://www.nato.int/docu/pr/1997/p97-070e.htm>; text of the Founding Act available from <http://www.nato.int/docu/basicxt/fndact-1.htm>.

⁶⁴ Final communiqué, Defense Planning Committee/Nuclear Planning Group ministerial, Brussels, 11 June 1998, NATO press release M-DPC/NPG-1(98)72, par. 8. This did not mean, however, that the NPG dropped its attention to Russian shortcomings in implementing promised reductions in tactical nuclear weapon stockpiles.

⁶⁵ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 11 June 1998, NATO press release M-NAC-D-1(98)71, par. 20; final communiqué, Defense Planning Committee/Nuclear Planning Group ministerial, Brussels, 17 December 1998, NATO press release M-DPC/NPG-2(98)151, par. 11.

for continued reliance on non-strategic nuclear weapons and for modernization of conventional forces, while Marshal Igor Sergeyev, Minister of Defense until March 2001, championed strategic nuclear forces.⁶⁶ The outcome certainly did not diminish the role of non-strategic nuclear weapons in Russian strategy.

Ukraine. Following the dissolution of the Soviet Union in December 1991 and until removal of the last nuclear warheads from its soil in June 1996, Ukraine was a major nuclear weapon state.⁶⁷ In May 1992, the Lisbon Protocol modified the U.S.-Soviet START I treaty,⁶⁸ making Ukraine, Belarus and Kazakhstan parties to the treaty, along with the Russian Federation. The Lisbon Protocol also obligated Ukraine, Belarus and Kazakhstan to accede to the Nuclear Non-Proliferation Treaty (NPT) as non-nuclear weapon states.

Ukraine's nuclear status attracted considerable attention from NATO. The January 1994 Brussels Summit, for example, underlined specifically that an "independent, democratic, stable and *nuclear-weapons-free* Ukraine" would contribute to stability and security.⁶⁹ The North Atlantic Cooperation Council (NACC) welcomed the start in March 1994 of the transfer from Ukraine to Russia of nuclear warheads from strategic systems, as well as the U.S.-Ukraine memorandum of understanding on missile nonproliferation, in accordance with the Missile Technology Control Regime. The NACC also looked forward to Ukrainian accession to the Nonproliferation Treaty as a non-

⁶⁶David S. Yost, "Russia's non-strategic nuclear forces," *International Affairs* 77, no. 3 (July 2001): 532.

⁶⁷ An excellent starting point for those seeking additional details on Ukraine and WMD is the country overview available from the Nuclear Threat Initiative (NTI) at http://www.nti.org/e_research/e1_ukraine_1.html. The research materials on the NTI Website are prepared by the Center for Nonproliferation Studies, Monterey Institute of International Affairs.

⁶⁸ Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms, signed 31 July 1991, in the waning days of the Soviet Union.

⁶⁹ "Declaration of the Heads of State and Government," Brussels, 11 January 1994, NATO press release M-1(94)3, par. 20, available from <http://www.nato.int/docu/comm/49-95/c940111a.htm>.

nuclear weapon state,⁷⁰ which took place 5 December 1994. It is worth underlining that the denuclearization of Ukraine – like that of Belarus and Kazakhstan – did not proceed without significant and difficult internal debates.⁷¹ The NATO countries sought to provide political support to those who were striving to implement the Lisbon Protocol requirements.

NATO-Ukraine relations got off on a good foot in June 1992 with a visit to NATO Headquarters by Ukraine's first president, Leonid Kravchuk, and the prospect of NATO enlargement was not a sticking point in the alliance's relations with Ukraine, as it was in relations with Russia. Ukraine was the first post-Soviet republic to sign the Partnership for Peace framework document in February 1994.⁷² President Kravchuk visited NATO again on 1 June 1995, and on 14 September 1995 Ukrainian Foreign Minister Udovenko met in special session with the North Atlantic Council. The minister formally accepted the NATO-Ukraine Individual Partnership Program (IPP) in the context of the Partnership for Peace. Among the issues to be addressed in consultations were nuclear security, WMD nonproliferation, arms control and disarmament. At this point, there were still nuclear warheads on Ukrainian territory, and on 15 September Ukrainian representatives met with NATO experts on safe and secure dismantlement of nuclear weapons.⁷³

⁷⁰ Press communiqué M-NAC-1(94)48, issued at the ministerial meeting of the North Atlantic Cooperation Council held in Istanbul, Turkey, 10 June 1994, par. 23-25 available from <http://www.nato.int/docu/comm/49-95/c940610b.htm>.

⁷¹ The domestic politics of denuclearization in the three republics, up to the end of 1994, are well covered in Mitchell Reiss, *Bridled Ambition: Why Countries Restrain Their Nuclear Capabilities* Washington, DC: Woodrow Wilson Center Press; distributed by Johns Hopkins University Press, 1995) 89-182. See also the comments of Victor Batiouk, former Permanent Representative of Ukraine to the United Nations, in *Ukraine's Non-Nuclear Option*, Research Paper No. 14, UNIDIR -- United Nations Institute for Disarmament Research, UNIDIR/92/71 (New York: United Nations, 1992), 6-7.

⁷² Sergiy Tolstov, "Dimension, Opportunities and Benefits of Ukraine-NATO Relations. Impact of NATO Enlargement on Ukraine's Foreign Policy Process," Report, NATO-EAPC Research Fellowship Programme, 1999-2001, 37, available from <http://www.nato.int/acad/fellow/99-01/f9901.htm>.

⁷³ "NATO-Ukraine Joint Press Statement," 14 September 1995, NATO press release (95)83, available from <http://www.nato.int/docu/pr/1995/p95-083.htm>.

Within the Partnership Planning and Review Process, Ukraine adopted a set of “interoperability objectives,” to ensure that its forces would be able to cooperate effectively with NATO in joint activities. At the December 1995 NAC, NATO foreign ministers spoke of a “new impetus.” “Reflecting Ukraine’s importance and role in European security and stability,” they continued, “we are developing an enhanced relationship.”⁷⁴ In June 1996, NATO welcomed that announcement that all nuclear weapons had been transferred from the territory of Ukraine for dismantlement.⁷⁵ WMD proliferation also was clearly on the NATO-Ukraine agenda, with a meeting on this subject taking place in the second half of 1996.⁷⁶

An upgrading of NATO’s partnership with Ukraine, paralleling the enhanced partnership with Russia, was an important aspect of smoothing the political way toward the invitation to new member states at the July 1997 Madrid Summit. The Charter on a Distinctive Partnership between NATO and Ukraine was initialed at the NATO foreign ministers meeting in Sintra, Portugal on 29 May 1997, for signature at Madrid Summit.⁷⁷ Earlier that month, NATO had opened an Information Office in Kyiv. The Charter established the NATO-Ukraine Commission, a body for enhanced consultation, analogous to the NATO-Russian Permanent Joint Council. It specified several areas of focus, including the “political and defense aspects of nuclear, biological and chemical non-proliferation,” arms control and disarmament, arms exports and related technology

⁷⁴ Final communiqué, Defense Planning Committee/Nuclear Planning Group ministerial, 29 November 1995, M-DPC/NPG-2(95)117, par. 12, available from <http://www.nato.int/docu/comm/49-95/c951129a.htm> ; final communiqué, North Atlantic Council ministerial, Brussels, 5 December 1995, M-NAC-2(95)118, par. 5, available from <http://www.nato.int/docu/comm/49-95/c951205a.htm>.

⁷⁵ Final communiqué, North Atlantic Council ministerial, Berlin, 3 June 1996, M-NAC-1(96)63, par.17, available from <http://www.nato.int/docu/pr/1996/p96-063e.htm>.

⁷⁶ Final communiqué, North Atlantic Council ministerial, Brussels, 10 December 1996, M-NAC-2(96)165, par. 11, available from <http://www.nato.int/docu/pr/p96-165e.htm>.

⁷⁷ Final communiqué, North Atlantic Council ministerial, Sintra, Portugal , 29 May 1997, NATO press release M-NAC-1(97)65, par. 5, available from <http://www.nato.int/docu/pr/p97-065e.htm>.

transfers, and combating terrorism and drug trafficking. Among areas for consultation *and cooperation* were “environmental security issues, including nuclear safety,” but the emphasis was primarily on issues such as civil emergency planning and disaster preparedness, defense reform and democratic control of the armed forces, defense planning, budgeting and conversion, as well as NATO-Ukraine military cooperation and interoperability.⁷⁸

Though analogous, the NATO-Ukraine relationship could not compare in political profile with the NATO-Russia tie. Still, NATO’s recognition of Ukraine’s strategic importance and enhanced cooperation would have practical benefits further down the road. The Distinctive Partnership also would provide a forum in which to address certain proliferation-related issues. (See below,)

Euro-Atlantic Partnership. NATO’s relationships with Russian and Ukraine were by definition “special,” given the size and strategic importance of the two countries and the political imperative of maintaining a certain balance. The partnership with the other countries of the Euro-Atlantic region was in some ways more complex. The participants in Partnership for Peace (PfP), and in the North Atlantic Cooperation Council (NACC) and its successor the Euro-Atlantic Partnership Council (EAPC), were a very mixed group. They included: former Warsaw Pact countries vigorously pursuing internal reform and membership in NATO; wealthy neutral countries like Austria, Finland, Sweden and Switzerland, which made important contributions – human, financial, and intellectual – to the Partnership, but could only go so far in their relations with NATO; distant, resource-poor countries in regions like the Caucasus or Central Asia, with seemingly limited abilities to participate and contribute. This diversity was both a strength and a limiting factor.

⁷⁸ “Charter on a Distinctive Partnership between the North Atlantic Treaty Organization and Ukraine,” Madrid, 9 July 1997, par. 6, available from <http://www.nato.int/docu/basicxt/ukrchrt.htm>.

The fact that both Partnership for Peace and increased alliance attention to WMD proliferation risks came out of the January 1994 NATO Summit in Brussels should not lead one to draw too close a connection between the two. PfP had definite practical benefits in promoting transition of former Warsaw Pact or former Soviet republic militaries to more “Western” ways of doing business. But a certain caution would remain, especially vis a vis the countries that seemed farthest away from making a realistic claim to alliance membership. Sensitive WMD proliferation issues in fact did not feature prominently in the broad context of Euro-Atlantic partnership.

When North Atlantic Cooperation Council (NACC) foreign ministers met in Istanbul in June 1994, following approval of the Alliance Policy Framework on Proliferation of Weapons of Mass Destruction, the final document largely reprised the standard NATO foreign ministers’ reviews of developments in the arms control, disarmament and nonproliferation sectors.⁷⁹ The “Work Plan for Dialogue, Partnership and Cooperation 1994/1995” approved in December 1994 foresaw modest attention to arms control, disarmament, and nonproliferation. The list of matters for consultation in the NACC context, e.g. via consultations at the ambassadorial level or ad hoc meetings of partner countries with the NATO Political Committee, did include “conceptual approaches” to arms control, disarmament, and nonproliferation, and specifically “the security of new non-nuclear weapons states and the general problems of security related to nuclear issues.” The list of Partnership for Peace (PfP) topics and activities included cooperation in the field of arms control and disarmament, but a footnote carefully specified that “only conceptual issues referring to conventional arms control” were to be considered. Economic and ecological consequences of disarmament, including specifically nuclear disarmament, also figured as topics for consultations and workshops,

⁷⁹ See NATO press communiqué M-NAC-1(94)48, issued at the ministerial meeting of the North Atlantic Cooperation Council held in Istanbul, Turkey, 10 June 1994, par. 27.

with the involvement of NATO's Economic Committee and/or the Committee on the Challenges of Modern Society.⁸⁰

Generally speaking, activities that would facilitate participation of Partners in peacekeeping, search and rescue, and humanitarian missions received greater attention⁸¹. (The practical benefits became obvious when numerous partner countries participated alongside NATO forces as peacekeepers in Bosnia following the NATO military intervention and conclusion of the Dayton Accords in November 1995.)

NATO foreign ministers, meeting in December 1995, welcomed "consultations with Cooperation Partners on proliferation issues,"⁸² which were largely informative and educational in nature. The "Work Plan for Dialogue, Partnership and Cooperation 1996/1997" only cautiously expanded the program of work related to arms control, disarmament, and nonproliferation. As compared with the preceding plan, this one added "transparency" under the rubric of "conceptual approaches to arms control, disarmament, and nonproliferation" that could be subjects of consultation. More concrete was the addition of a reference to cooperation of partner country scientists in NATO science programs dealing with disarmament technologies, including for the disposal of nuclear, biological, and chemical weapons, and defense industry conversion.⁸³

⁸⁰ Issued at the ministerial meeting of the North Atlantic Cooperation Council, Brussels, 2 December 1994, M-NACC-2(94)121, available from <http://www.nato.int/docu/comm/49-95/c941202e.htm>.

⁸¹ See for example the chairman's summary, North Atlantic Cooperation Council meeting, Noordwijk an Zee, The Netherlands, 31 May 1995, M-NACC-1(95)49, available from <http://www.nato.int/docu/comm/49-95/c950531e.htm>.

⁸² Final communiqué, NAC ministerial, Brussels, 5 December 1995, M-NAC-2(95)118, par. 13, available from <http://www.nato.int/docu/comm/49-95/c951205a.htm>.

⁸³ Issued at the meeting of the North Atlantic Cooperation Council, Brussels, 6 December 1995, M-NACC-2(95)121, available from <http://www.nato.int/docu/comm/49-95/c951206c.htm>. The reference to cooperation in scientific cooperation may have been primarily a matter of incorporating into the Partnership Work Plan efforts that in fact had been underway for some time. See below.

A cautious approach to cooperation with partner countries also was evident when NATO defense ministers characterized the work of the Senior Defense Group on Proliferation (DGP) as a “solid basis for continued cooperation among all Allies, and *where appropriate, with Partners* on relevant defense issues related to proliferation.⁸⁴ At the end of 1996, NAC foreign ministers “welcome[d] further consultation and cooperation with partner countries to address the common security risks posed by proliferation.” But the December 1996 document updating the Partnership Work Plan for 1997 included nothing further related to nonproliferation.⁸⁵

Laying the political groundwork for inviting new members into NATO included a very significant upgrading of cooperation with partner countries. Meeting in Sintra, Portugal on 30 May 1997, the North Atlantic Cooperation Council agreed to transform itself into the Euro-Atlantic Partnership Council (EAPC). The stated objective was to enhance the political dimension of partnership, e.g. via increased opportunities for political consultations between partners and NATO, using more flexible formats and covering a greater range of issues.⁸⁶ The unstated objective of creating the EAPC was to offer something more to the partner countries that would not receive invitations to join the alliance at the Madrid Summit. Only the Czech Republic, Hungary, and Poland would be invited, although other countries, notably Slovenia, Romania, and Bulgaria, had their advocates within the alliance.

⁸⁴ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 13 June 1996, M-NAC(DM)-2(96)89, par. 21 available from <http://www.nato.int/docu/pr/1996/p96-089e.htm>.

⁸⁵ Final communiqué, North Atlantic Council ministerial, Brussels, 10 December 1996, M-NAC-2(96)165, par.23, available from <http://www.nato.int/docu/pr/1996/p96-165e.htm>; “Work Plan for Dialogue, Partnership and Cooperation 1996-1997: Annex on Specific Activities Update for 1997,” issued at the meeting of the North Atlantic Cooperation Council, Brussels, 11 December 1996, M-NACC-2(96)170, available from <http://www.nato.int/docu/pr/1996/p96-170e.htm>.

⁸⁶ Chairman’s summary, meetings of the NACC and EAPC, Sintra, Portugal, 30 May 1997, M-NACC-EAPC-1(97)67, par. 3, available from <http://www.nato.int/docu/pr/1997/p97-067e.htm>.

The Basic Document of the Euro-Atlantic Partnership Council, dated 30 May 1997, focused heavily on structure and process, but did include a generic list of areas on which allies and partners “might” consult in the EAPC context. Arms control, nuclear, biological and chemical proliferation and defense, and international terrorism were included. Among areas for potential “consultations and cooperation” were civil emergency and disaster preparedness, nuclear safety, and scientific cooperation.⁸⁷

NAC defense ministers stated 2 December 1997 that the Senior Defense Group on Proliferation would “undertake further consultations and cooperation with partner nations to address defense efforts against the risks posed by NBC weapons and their means of delivery and to examine probable areas for future cooperation.”⁸⁸ Euro-Atlantic Partnership Council defense ministers received a briefing the following day on alliance counter-proliferation efforts from the Chairmen of the JCP, SGP, and DGP. International terrorism and related issues also were on the agenda for that meeting, indicating the expanded scope of EAPC consultations.⁸⁹ Two weeks later, NAC foreign ministers would note that allies and partners shared “many of the risks” arising from WMD proliferation, and committed themselves to pursuing a dialogue within the EAPC and with Russia and Ukraine aimed at enhancing cooperation against these risks.⁹⁰

The EAPC Action Plan for 1998-2000 did include political and defense efforts against WMD proliferation as a subject area for consultations. The specific activities listed were once-yearly meetings of the EAPC Political Committee with disarmament

⁸⁷ Available from <http://www.nato.int/docu/basicxt/b970530a.htm>.

⁸⁸ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 2 December 1997, NATO press release M-NAC-D-2(97)149, par. 28 available from <http://www.nato.int/docu/pr/1997/p97-149e.htm>.

⁸⁹ Chairman’s summary, EAPC in defense ministers session, Brussels, 3 December 1997, NATO press release M-EAPC-2(97)151, par. 5, 3, available from <http://www.nato.int/docu/pr/1997/p97-151e.htm>.

⁹⁰ Final communiqué, NAC ministerial, Brussels, 16 December 1997, NATO press release M-NAC-2(97)155, par. 19, available from <http://www.nato.int/docu/pr/1997/p97-155e.htm>.

experts and ad hoc consultations. There was little that suggested a dynamic leading to actual pro-active cooperation in this sector, while the activities involving conventional arms control, implementation and verification were more varied and concrete, including arms control courses at the NATO School at Oberammergau, training courses and other efforts related to inspections under the Conventional Forces in Europe (CFE) treaty, operation and development of a CFE-related database, and regionally-focused seminars on implementation of conventional arms control agreements.⁹¹

At their first anniversary meeting on 29 May 1998, EAPC Foreign Ministers devoted considerable attention to nonproliferation issues, but primarily to express “deep concern and dismay” regarding the nuclear tests in South Asia. The EAPC urged the two countries to refrain from further tests or deployment of nuclear weapons and their delivery means, adhere unconditionally to the NPT and CTBT, and enter into negotiations for a Fissile Material Cut-Off Treaty (FMCT) and into a constructive bilateral dialogue. EAPC consultations on WMD proliferation and international terrorism were mentioned, but the chief topics of discussion were peacekeeping in Bosnia-Herzegovina and the deteriorating situation in Kosovo.⁹² Given the central importance of Balkan instability for European security, and the proximity to the former Yugoslavia of active partners such as Bulgaria and Romania, such a focus was hardly surprising.

The EAPC’s Updated Action Plan for 1998-2000 included NBC defense and protection in its list of generic agreed areas of cooperation under Partnership for Peace,

⁹¹ "Action Plan of the Euro-Atlantic Partnership Council for 1998-2000," 14 January 1998, NATO press release (98)2, available from <http://www.nato.int/docu/pr/1998/p98-002e.htm>. Another subject area in which the activity was largely informational and consultative was international terrorism, where the EAPC Action Plan provided only for a meeting or meetings with NATO’s Special Committee. It is also interesting that the list of generic agreed areas for cooperation under Partnership for Peace in the 1998-2000 EAPC Action Plan did not include any reference at all to arms control., disarmament, or nonproliferation, even one with careful caveats.

⁹² “EAPC One-Year Anniversary: Press Statement by the Chairman,” Luxembourg, 29 May 1998, NATO press release M-EAPC-1(98)63, available from <http://www.nato.int/docu/pr/1998/p98-063e.htm>.

which was a change. But the main change under the arms control, disarmament, and nonproliferation rubric for the EAPC itself was the addition of a topic on “arms trafficking, control of small arms transfers, and means of encouraging de-mining.”⁹³ This hardly seemed to signal increased attention to NBC weapons proliferation, especially since the events planned for 1999 under the updated plan were exactly the same as had been planned for 1998: a meeting of the EAPC Political Committee with disarmament experts and ad hoc consultations on proliferation.

There is no question that conventional weapons issues, from implementation of the CFE treaty to addressing stockpiles of small arms and light weapons to humanitarian de-mining have received much greater attention than weapons of mass destruction in the Euro-Atlantic Partnership context. The conventional weapons challenges are objectively very important and lend themselves better to concrete, operational cooperation between NATO and partners. It is also worth noting that NATO has been a direct participant in conventional arms control, given that the CFE Treaty was de facto a NATO-Warsaw Pact agreement and that implementation of the treaty has entailed extensive coordination and cooperation within NATO.⁹⁴ The adaptation of the treaty to post-Cold War strategic realities has remained an important challenge for all the alliance countries and for those that emerged from the dissolution of the Warsaw Pact and the Soviet Union, with direct operational and political implications for all concerned. NATO's involvement with the international nonproliferation treaties and control regimes is not comparably direct.

It is also worth noting that, in some of the EAPC countries, the political power structures and the military and intelligence hierarchies did not change all that

⁹³ "Updated Euro-Atlantic Partnership Council (EAPC) Action Plan 1998-2000," Brussels, 8 December 1998, NATO press release M-2-EAPC(98)145, available from <http://www.nato.int/docu/pr/1998/p98-145e.htm>.

⁹⁴ The member states of NATO and the Warsaw Pact initiated the mandate for the CFE negotiations on 10 January 1989. Negotiations began 9 March 1989 and the treaty was signed on 19 November 1990.

significantly following the end of the Cold War. This did much to explain the hesitation of authorities in NATO countries to share the type of sensitive information and analyses necessary to underpin more action-oriented deliberations with the partners.

Civil emergency planning and scientific cooperation. Two fields where NATO's cooperation with partners (including notably Russia and Ukraine) and attention to WMD threats did intersect quite effectively were those coming under Senior Civil Emergency Planning Committee (SCEPC) and the Science Committee. NATO was involved in transportation of humanitarian assistance to the Soviet Union and its successor states beginning in December 1991, and then developed a solid relationship with the Russian Federation's Ministry for Civil Defense, Emergencies and Elimination of Consequences of Natural Disasters (EMERCOM). NATO and EMERCOM signed a Memorandum of Understanding on Civil Emergency Planning and Disaster Preparedness in March 1996, and this became an area of focus for the NATO-Russia Permanent Joint Council, established in May 1997.

Ukraine began participating in civil emergency planning (CEP) cooperation activities in 1992, and the relationship strengthened further in 1995, inter alia when NATO's Civil Emergency Planning Directorate coordinated assistance from NATO and partner countries to restore clean water supplies to the Ukrainian city of Kharkov, after floods had partially destroyed its sewage treatment plant. Civil emergency planning and disaster preparedness figured as an area for focus in the 1997 NATO-Ukraine Charter on a Distinctive Partnership, and a memorandum of understanding was signed in December 1997.⁹⁵

⁹⁵ *NATO Handbook* (Brussels: NATO Office of Information and Press, 2001), 190-92; Valentin Kalchenko, "Ukraine-NATO cooperation in civil emergency planning," *NATO Review* 46, no. 3 (Autumn 1998): 13-15, Web edition available from <http://www.nato.int/docu/review/1998/9803-04.htm>.

The North Atlantic Cooperation Council also included disaster relief among its areas of interest, and included CEP cooperation in its 1994 Work Plan. A disaster exercise involving a nuclear power plant in Slovakia took place in 1994, and 1996 saw an exercise based on a Chernobyl-type scenario, involving a number of partner countries. Other activities included a NACC seminar for radiological and medical experts responsible for civil protection and nuclear disaster response (Romania, 1994) and numerous crisis management training courses and seminars geared for partner countries. In October 1995, NATO conducted the first crisis management exercise with partners (PCM 95).⁹⁶

The creation of the Euro-Atlantic Partnership Council in May 1997 was a boost to cooperation in the civil emergency field. Most meetings on such matters have since taken place in EAPC format, i.e. allies plus partners. The Netherlands Ministry of Interior hosted, in cooperation with the NATO Civil Protection Committee (CPC), a seminar on pre-disaster planning, which had as part of its focus “the vulnerability of the population to various chemical and nuclear risks and the means for warning and protection of the population inter alia through programmes of public information and education. “ Participants were expected from 32 NATO and partner countries, along with observers from three Mediterranean Dialogue countries – Israel, Jordan, and Mauritania. Following the seminar, the CPC met with partner countries, as it was doing on a semiannual basis at that time.⁹⁷ Sweden, always an active participant in Partnership for Peace, then

⁹⁶ Francesco P. Palmeri, “Civil emergency planning: a valuable form of cooperation emerges from the shadows,” *NATO Review* 44, no. 2 (March 1996): 29-33, Web edition available from <http://www.nato.int/docu/review/1996/9602-7.htm>; “Austrian exercise of the use of Military and Civil Defence Assets (MCDA) in disaster relief ‘Viribus Unitis’ 23-27 September,” NATO press release (96)130, 18 September 1996, available from <http://www.nato.int/docu/pr/1996/p96-130e.htm>; “Seminar of North Atlantic Cooperation Council (NACC) Experts on Civil Defence,” NATO press release 94(84), 19 September 1994, available from <http://www.nato.int/docu/pr/1994/p94-084.htm>; “Crisis Management Exercise with NACC and PfP Partners (PCM 95),” NATO press release (95)99, 24 October 1995, available from <http://www.nato.int/docu/pr/1995/p95-099.htm>.

⁹⁷ “1997 Civil Protection Committee Seminar and Meeting with Cooperation Partners, Noordwijk aan Zee, The Netherlands, 24th-26th September 1997,” NATO press release (97)112, 19 September 1997, available

hosted a seminar 29 September – 2 October 1997 on “Civil Aspects of Crisis Management” which discussed a series of non-military risks, including terrorism, likely to exert an increasing impact on the international security environment.⁹⁸

The NATO-wide Crisis Management Exercise (CMX) of 12-18 February 1998 was the first opportunity for partners to participate in all aspects of a CMX. This command post exercise involved staffs in national capitals, at NATO Headquarters, and at the NATO commands for Europe and the Atlantic. In part, it exercised NATO involvement in responding to natural disasters. (This had been part of the exercise in 1997, and partners already had been able to participate in that segment.) The primary scenario in 1998 was one in which partner involvement was feasible, indeed probable: NATO preparations to implement a UN-mandated peace support operation.⁹⁹ An event under Partnership for Peace and Belgian auspices later in 1998 could not help but recall the terrorist attack with sarin gas in the Tokyo subway in 1995. SUBCAT (Subway Catastrophe) 98 focused on different aspects of emergencies in subways or underground railways, including a workshop and emergency response practice in a Brussels subway station.¹⁰⁰

At its first anniversary meeting in May 1998, the EAPC in foreign ministers session approved a policy on “Enhanced Practical Cooperation in the Field of International Disaster Relief.” The specific proposal for enhanced cooperation had come

from <http://www.nato.int/docu/pr/1997/p97-112e.htm>. The Civil Protection Committee is one of the more specifically focused bodies that comes under the aegis of NATO's Senior Civil Emergency Planning Committee.

⁹⁸ “Civil Aspects of Crisis Management – International Cooperation and Good Neighborly Relations,” NATO press release (97)111, 19 September 1997, available from <http://www.nato.int/docu/pr/1997/p97-111e.htm>. Note that the seminar was intended for senior civilian and military officials of NATO and PFP countries.

⁹⁹ “Partners to Participate in Crisis management exercise 1998,” NATO press release (98)13, 5 February 1998 available from <http://www.nato.int/docu/pr/1998/p98-013e.htm>.

¹⁰⁰ “Partnership for Peace Workshop and Exercise on the Theme of a Catastrophe in the Underground Railway System of a Large Town,” Brussels, 23-24 November 1998, NATO press release(98)129, 20 November 1998, available from <http://www.nato.int/docu/pr/1998/p98-129e.htm>.

from the Russian Federation in November 1997. The EAPC decision created the Euro-Atlantic Disaster Response Coordination Center (EADRCC), headed by the NATO Director of Civil Emergency Planning, with staff from NATO and partner countries, open also to representatives from NATO Military Authorities and United Nations representatives. The EADRCC was intended to coordinate the response of EAPC countries to a disaster within the Euro-Atlantic area, in coordination with the UN Office for the Coordination of Humanitarian Affairs (OCHA).

The Euro-Atlantic Disaster Response Unit (EADRU) was created as a non-standing, multinational mix of national civilian and military elements, e.g. rescue personnel, medical units, equipment, and transport, volunteered by EAPC countries for deployment in EAPC countries. (Intervention in a non-EAPC country was also possible, but would require a political-level decision.) The EADRU could respond to a request from a stricken country or in support of an international organization. National elements would remain under national control while deployed as assets of local emergency management agencies. For both the EADRCC and EADRU, training, exercises, and familiarization with UN procedures, programs, and projects were foreseen.¹⁰¹

These new structures were not specifically or exclusively focused on reacting to scenarios involving WMD use. But the types of coordination and response skills addressed in EAPC civil emergency cooperation were broadly applicable. The EADRCC and EADRU laid the foundations for major exercises such as “Bogorodsk 2002” in Russia and “Dacia 2003” in Romania, which would address chemical and radiological attack scenarios respectively. The EADRCC also proved useful for building informal but effective ties to the UN's Office for the Coordination of Humanitarian Assistance (OCHA). Since 1998, there has been an OCHA representative at the EADRCC, and many

¹⁰¹ “Enhanced Practical Cooperation in the Field of International Disaster Relief,” Fact Sheet, EADRCC – Euro-Atlantic Disaster Response Coordination Center, updated 24 July 2002, available from www.nato.int/eadrcc/fact.htm.

members of the military component of OCHA have cycled through. The resulting personal ties have been helpful in cases requiring concrete coordination.

The number and scope of activities in the civil emergency planning/disaster relief field involving EAPC partners would prove quite striking and continue as a bright spot in active NATO-partner cooperation in preparing to address new threats. There have been some “theological” complications within the alliance over CEP issues, however. The alliance does have a definition of “civil-military cooperation” (CIMIC) in emergency response, but it is strictly a military definition, enshrined in document M [ilitary] C[ommittee] 411/1. There is not a civilian definition. The French government historically has been sensitive to the concept of civil emergency *planning* within NATO, seeing this as undercutting national primacy, and prefers the concept of CEP *preparedness*. There is also French concern regarding the relative roles of NATO’s EADRCC and UN bodies. That said, at a practical level, important work has been able to proceed, e.g. with the EADRCC having coordinated responses to some 11 natural disasters by early 2004

Another area in which NATO’s outreach efforts and its attention to weapons of mass destruction would come to coincide ever more closely was the Science Programme. Even during the Cold War, this was the one program that did not rule out a *priori* involvement of individual scientists from the Warsaw Pact countries in the projects it funded, and the Science Programme opened its grant program to applications from scientists in the emerging democracies in 1992.¹⁰² Already before the Brussels Summit, the Alliance Policy Framework on Proliferation of Weapons of Mass Destruction and the Partnership for Peace, the NATO Science Committee had established (in 1993) its Programme on Disarmament Technologies. This involved NATO country scientists and, increasingly, counterparts from the partner countries. By November 1994, the first

¹⁰² Nancy T. Schulte, “NATO Science Programme intensifies interactions with Partners,” *NATO Review* 47, no. 4 (Winter 1999): 29-32, Web edition available from <http://www.nato.int/docu/review/1999/9904-07.htm>.

volume in the Program on Disarmament Technologies publication series had appeared, on options for managing surplus plutonium. Works covering a wide range of additional issues related to nuclear, biological, chemical, radiological, and conventional threats and how to mitigate them would follow.¹⁰³

In August 1994, NATO's Division of Scientific and Environmental Affairs convened a meeting at Erice in Sicily to explore how science and technology could support disarmament and help prevent WMD proliferation. Scientists from the United States, United Kingdom, Netherlands, Germany, France, and Belgium participated, representing laboratories such as Los Alamos and Lawrence Livermore in the U.S., alongside representatives from the Russian Ministry of Atomic Energy and Academy of Sciences, the Ministry of Defense of Ukraine, and representatives from numerous other cooperation partner countries.¹⁰⁴

Other events focused on nuclear, biological, or chemical weapons included:

- a September 1994 NATO Advanced Research Workshop (ARW) in Barnaul, Siberia, on long-term health and environmental consequences for Russia's Altai region of nuclear tests conducted at Semipalatinsk (Kazakhstan);
- an Advanced Research Workshop in Obninsk, Russia on implications of and techniques for using mixed oxide (MOX) fuel, fabricated from ex-weapons plutonium, in existing or future advanced nuclear power reactors (October 1994);
- an Advanced Research Workshop at the 1995 Annual Meeting of the American Association for the Advancement of Science in Atlanta, Georgia, co-directed by the Socio-Ecological Union of Moscow, regarding the consequences of pollution

¹⁰³ Listing is available from the publisher, Kluwer, at www.wkap.nl/prod/s/ASDT.

¹⁰⁴ "Meeting of NATO and Eastern European Scientists in Sicily on 20-22 August 1994," NATO press release (94)65, 17 August 1994, available from <http://www.nato.int/docu/pr/1994/p94-065.htm>. Among the countries whose representatives had confirmed their participation were Albania, Armenia, Azerbaijan, Belarus, Bulgaria, Czech Republic, Estonia, Georgia, Hungary, Kazakhstan, Latvia, Lithuania, Poland, Romania, Slovak Republic, and Uzbekistan.

- from nuclear and chemical weapon production, nuclear accidents, and heavy industrial development in the countries of the former Soviet Union;
- a Workshop in May 1995 in St. Petersburg, Russia, on vitrification as a potential means of disposing of ex-weapons plutonium, complementing the MOX workshop from the preceding October;
 - a May 1996 meeting in Bonn, under joint NATO/German Foreign Ministry/North Rhine – Westphalia *Land* sponsorship, on dismantlement and destruction of chemical, nuclear, and conventional weapons;
 - a meeting in Moscow, hosted by the Nuclear Safety Institute of the Russian Academy of Sciences, to consider advanced nuclear reactor systems with the potential for consuming large amounts of weapons plutonium (October 1996);
 - a March 1997 NATO-Russian Advanced Research Workshop in Amarillo, Texas on handling, safety, and disposal of nuclear materials.¹⁰⁵

In 1997, an independent group of well-known scientists reviewed the Science Programme, and concluded that it was in a unique position to strengthen non-military links between NATO and the partner countries. Shortly after the Madrid Summit, NATO inaugurated the Science for Peace Program, to promote direct cooperation in research and development projects between scientists in partner countries and allied countries. “Security related problems” were specifically within the purview of Science for Peace,

¹⁰⁵ See respectively NATO press releases (94) 72, 31 August 1994, available from <http://www.nato.int/docu/pr/1994/p94-072.htm>; (94)96, 6 October 1994, available from <http://www.nato.int/docu/pr/1994/p94-096.htm>; (95)11, 9 February 1995, available from <http://www.nato.int/docu/pr/1995/p95-011.htm>; (95)40, 8 May 1995, available from <http://www.nato.int/docu/pr/1995/p95-040.htm>; (96)78, 15 May 1996, available from <http://www.nato.int/docu/pr/1996/p96-078.htm>; (96)144, 10 October 1996, available from <http://www.nato.int/docu/pr/1996/p96-144.htm>; (97)26, 14 March 1997, available from <http://www.nato.int/docu/pr/1997/p97-026.htm>. NATO country participation in these events was generally fairly broad. Technologies for consumption of weapons plutonium were of interest to Russia, of course, but also to other countries that had hosted nuclear weapons when part of the Soviet Union: Belarus, Kazakhstan, and Ukraine. Japan was also an important participant. Chinese scientists participated in the meeting on the impacts of nuclear tests, with papers on fallout and its effects in China. Nuclear material safety management, as opposed to technological and scientific issues, was more of a NATO-Russia matter.

although most of the projects were primarily of industrial or environmental interest. A distinct NATO-Russia Memorandum of Understanding on Scientific and Technological Cooperation was signed in May 1998.

By January 1999, the Science Programme had come to focus almost entirely on promoting cooperation between NATO and partner country scientists. Interaction with partners took place through four sub-programs, including one for Security-Related Civil Science and Technology, which addressed nuclear, biological, chemical and conventional disarmament challenges, hazardous waste storage and disposal, risk assessment, detection, and nuclear power plant security.¹⁰⁶

Mediterranean Dialogue. Like the Alliance Policy Framework on Proliferation of Weapons of Mass Destruction, the Mediterranean Dialogue (MD) had its roots in the January 1994 Brussels Summit, which had noted positive developments in the Middle East peace process and encouraged efforts to strengthen regional stability. NATO foreign ministers, meeting that December, declared their readiness "to establish contacts, on a case-by-case, between the alliance and Mediterranean non-member countries with a view to contributing to the strengthening of regional stability." They instructed the NAC in permanent session to take the required actions. In February 1995, in fact, NATO invited Egypt, Israel, Mauritania, Morocco, and Tunisia to participate in a dialogue. (Jordan received an invitation in November 1995,)¹⁰⁷

The dialogue was slow in developing, for a number of reasons. The political impetus within the alliance was not strong, coming essentially from the Mediterranean NATO countries. Coming to a clear consensus within NATO and within the MD

¹⁰⁶ Schulte, "NATO Science Programme intensifies interactions with Partners;" "Science for Peace: A New Cooperative Program with Partners," NATO press release (79)94, 8 August 1997, available from <http://www.nato.int/docu/pr/1997/p97-094e.htm>.

¹⁰⁷ *NATO Handbook*, 91-92, also available from <http://www.nato.int/docu/handbook/2001/hb030501.htm>, updated 9 October 2002. The on-line version of the *Handbook* receives constant updates, while the latest published version dates from 2001.

countries on the content and ultimate aim of the Dialogue was not simple. The MD countries tended to be suspicious of NATO's motivations. Except in Israel, there was a tendency to see NATO as an instrument for Western military intervention and dominance, and most of the MD countries were concerned that the alliance might be searching for a new enemy to fight, following the collapse of the Soviet Union and the Warsaw Pact.¹⁰⁸ A dialogue including both Israel and Arab countries also was bound to have limited potential for collective activities, and, for that matter, Egypt, Morocco, Tunisia, Jordan and Mauritania were a far from homogeneous group. Initially it was the NATO International Staff that carried out discussions and information exchanges individually with the MD countries.

The first such contacts in 1995 were intended to explain NATO's nature and purpose, identify the interests and concerns of the Mediterranean partners, and to discuss next steps. In 1996, also on a bilateral basis, the dialogue addressed political, social, and economic developments in the Mediterranean, peacekeeping, and opportunities for regional cooperation. The Mediterranean partners were able to participate in activities such as meetings organized by the NATO Science Committee, peacekeeping courses at the NATO School in Oberammergau, briefings by the NATO

¹⁰⁸ See Ronald D. Asmus, F. Stephen Larrabee and Ian O. Lesser, "Mediterranean security: new challenges, new tasks," *NATO Review* 44, no. 3 (May 1996): 25-31, Web edition available from <http://www.nao.int/docu/review/1996/9603-6.htm>, Also F. Stephen Larrabee and Carla Thorson, *Mediterranean Security, New Issues and Challenges: Conference Proceedings*, Document CF-122-NATO (Santa Monica, CA: RAND, 1996), abstract available from <http://www.rand.org/cgi-bin/Abstracts/e-getabbydoc.pl?CF-122-NATO>. The latter volume represents the proceedings of an October 1995 RAND/NATO Office of Information and Press meeting that brought together government officials, academics, and specialists from NATO countries, international organizations, and non-NATO Mediterranean countries, including the five that had at that point received invitations for the Dialogue. Mediterranean NATO countries, notably Italy, hoped that this conference, and subsequent conferences held at roughly two-year intervals, would focus greater alliance attention on the MD and Mediterranean security issues generally. The effect, however, has been limited.

International Staff, and conferences and seminars organized by the NATO Office of Information and Press.¹⁰⁹

In the run-up to the Madrid Summit, the NATO countries agreed on the need to energize the Mediterranean Dialogue and give it more structure. At their 29 May 1997 meeting in Sintra, allied foreign ministers recommended the creation of a new committee with overall responsibility for the MD. The Mediterranean Cooperation Group (MCG), approved at Madrid, was intended to involve member countries more directly in guiding the dialogue, and was a mechanism for conducting political discussions with the MD countries in a “16 plus 1” format, i.e. allies and representatives of each dialogue country individually. This was a step up politically from dialogue conducted via the NATO International Staff.¹¹⁰

Integrating arms control, disarmament, and nonproliferation issues into the Mediterranean Dialogue would prove extremely difficult. The perception of risk from WMD and ballistic missile proliferation in the Mediterranean varied among NATO allies, with something of a North/South divide.¹¹¹ In November 1997, the Italian Ministry of Defense hosted a conference to present the results of a study it had commissioned from the RAND Corporation on the future of NATO’s efforts in the Mediterranean. Supreme Allied Commander Europe General Wesley Clark gave a dramatic and well-illustrated briefing on the threat that increasingly capable and longer-range ballistic missile delivery

¹⁰⁹ F. Stephen Larrabee, Jerrold Greer, Ian O. Lesser, and Michele Zanini, *NATO’s Mediterranean Initiative: Policy Issues and Dilemmas*, MR-957-IMD (Santa Monica, CA: RAND, 1998), 45-48, available from <http://www.rand.org/publications/MR/MR957/>. This study was an outgrowth of the second RAND/NATO Office of Information and Press ambassadorial conference, held in Rome in November 1997.

¹¹⁰ See Jette Nordam, “The Mediterranean dialogue: Dispelling misconceptions and building confidence,” *NATO Review* 45, no. 4 (July-August 1997): 26-29, Web edition available from <http://www.nato.int/docu/review/1997/9704-6.htm>.

¹¹¹ Ian O. Lesser and Ashley J. Tellis, *Strategic Exposure: Proliferation Around the Mediterranean*, MR-742-A (Santa Monica, CA: RAND, 1996), 24-25.

systems, carrying weapons of mass destruction, could pose to allied countries. But variations in threat perception among allies would remain.

Many of the Mediterranean countries, in turn, preferred to focus on “soft security” and economic issues, as opposed to “hard security.”¹¹² In meetings with NATO, Arab country representatives tended to act as if they were on a short lead, and worried about getting into trouble back home if they discussed delicate security issues. Proliferation issues also were difficult to discuss because of the risk of that the dialogue could become a vehicle for an “all-out assault on Israel over the Nonproliferation Treaty” (to which Israel does not adhere).¹¹³ Furthermore, hesitation by alliance countries in sharing sensitive information on proliferation issues, already evident with Euro-Atlantic Partners, was presumably even greater with respect to all or most of the MD countries.

In the aftermath of the Madrid Summit, therefore, it remained appropriate to speak of “a common interest ... in *eventual* cooperation in [the proliferation] field” between NATO and the Mediterranean Dialogue countries.¹¹⁴ Given a number of other initiatives in the Mediterranean region, notably the European Union’s Barcelona Process, there was a case to be made for NATO concentrating on the defense and security fields, where it had a comparative advantage. The main MD activities in those fields, taking 1998 as a case in point, involved: courses at the NATO School in Oberammergau, covering environmental protection, peacekeeping, multinational forces, *conventional arms control implementation*, European security cooperation, and civil-military cooperation in civil emergency management; events at the NATO Defence College in

¹¹² Larrabee et al., *NATO’s Mediterranean Initiative*, argued in 1998 that the MD was in fact divorced from NATO’s broader security and defense agenda in the Mediterranean region, including counter-proliferation and counter-terrorism. (See p. 80.)

¹¹³ *Ibid.*, 89.

¹¹⁴ Nicola de Santis, “The future of NATO’s Mediterranean initiative,” *NATO Review* 46, no. 1 (Spring 1998): 32-35, Wed edition available from <http://www.nato.int/docu/review/1998/9801-10.htm>. Note that this cautious wording came from a NATO official with a strong personal involvement in the Dialogue.

Rome, including the first course for general and flag rank officers from MD countries: the chance to observe NATO and PfP military activities related to search and rescue, maritime safety, medical evacuation, peace support and humanitarian relief. (Three of the Mediterranean Dialogue countries – Egypt, Jordan and Morocco – had participated directly in NATO-led peacekeeping in Bosnia-Herzegovina.)¹¹⁵ As NATO's Washington Summit (April 1999) approached, incorporation into the Mediterranean Dialogue agenda of *non-conventional* weapons and their means of delivery remained a distant prospect.

The Broader Arms Control and Nonproliferation Context

NATO's efforts in 1994-99 to address the proliferation of nuclear, chemical, and biological weapons and systems for their delivery were taking place within an overall arms control and nonproliferation context that was exceptionally dynamic. As NATO was adapting to the new post-Cold War strategic context, an analogous and partially inter-related process of adaptation was taking place in arms control and nonproliferation.

Arms control was "historically a central component of NATO strategy ... critically important in maintaining public support in the West for a strong defense program in NATO." Pursuit of arms control agreements "reassured Western publics that their governments were working to defuse confrontation with the Warsaw Pact."¹¹⁶ An excellent example of this approach was the so-called "Dual-Track Decision," whereby NATO responded to Soviet SS-20 deployments that threatened Western Europe by agreeing to deploy U.S. intermediate-range nuclear forces (INF) and, at the same time, supporting U.S.-Soviet negotiations to eliminate INF systems.

¹¹⁵ Alberto Bin, "Strengthening cooperation in the Mediterranean: NATO's contribution," *NATO Review* 46, no. 4 (Winter 1998): 24-27, Web edition available from <http://www.nato.int/docu/review/1998/9804-07.htm>.

¹¹⁶ Kori Schake, "Arms Control after the Cold War: The Challenge of Diverging Security Agendas," 191, in *NATO After Fifty Years*, ed. S. Victor Papacosma, Sean Kay, Mark R. Rubin (Wilmington, DE: Scholarly Resources, 2001).

In fact, the mutual distrust of the Cold War era did not prevent negotiation of treaties and conventions to limit numbers of strategic nuclear weapons, control proliferation of nuclear technologies and materials, strictly limit deployment of ballistic missile defenses, and ban development and production of biological and toxin weapons. The Treaty on Conventional Armed Forces in Europe (CFE), signed in the waning days of the Cold War (November 1990) imposed limits on major equipment and established a series of transparency and verification mechanisms. But, whether bilateral or multilateral, all these documents seemed to require new negotiations, updating, strengthening, widening or other forms of adaptation as the Cold War ended and a new set of threats moved to center stage. Groupings created by the West during the Cold War era to control dissemination of potentially dangerous materials and technologies, had to adapt. In the post-Cold war context, it also was possible to complete negotiation of new agreements, such as the innovative Chemical Weapons Convention (CWC) and the Comprehensive Test Ban Treaty (CTBT).

The Alliance Policy Framework on Proliferation of Weapons of Mass Destruction (June 1994) had underlined the central and irreplaceable role of these treaties and regimes in the political and diplomatic effort to prevent proliferation. And no NATO ministerial communiqué was complete without abundant reference to the allies' support for said treaties and regimes. At the same time, in the key nonproliferation treaty settings, NATO as such did not have the proverbial "seat at the table." Western coordination took place within the "Western Group" format, characteristic of broad international organizations, e.g. those within the UN system. In this format, which included not just NATO countries, but also non-NATO European Union members and neutral countries, intra-NATO coordination had no special weight, and the U.S.-EU dynamic generally was the key to achieving consensus.

CFE was the one arms control setting in which NATO as such was an important player. Bringing new members into the alliance would pose continuing CFE adaptation challenges, especially following the November 2002 Prague Summit invitations to four countries which were not covered by CFE obligations – the three Baltic republics and Slovenia.

Negotiations with the Soviet Union and its successors on strategic systems directly involved only the United States, not the other NATO allies. NATO's role with respect to these negotiations was as the key forum in which the United States could brief and consult with its allies. Nuclear issues, especially the quantity and disposition of former Soviet nuclear weapons, both strategic and non-strategic, were obviously of key concern to all NATO member countries.

The START I treaty, signed by the United States and USSR in July 1991, entered into force in December 1994, having been modified to impose obligations on four post-Soviet republics: Russia, Ukraine, Belarus and Kazakhstan. NATO followed closely the process whereby Ukraine, Kazakhstan and Belarus worked with Russian authorities to transfer former Soviet weapons from their territories for dismantlement, as well as the efforts of those countries to join the Nuclear Non-proliferation Treaty. NATO policy-making bodies and the North Atlantic Cooperation Council (NACC) made a point of highlighting key achievements, notably the complete removal of all warheads from Kazakhstan by April 1995, from Ukraine by June 1996 and from Belarus by November 1996.¹¹⁷

¹¹⁷ Final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, 8 June 1995, M-DPC/NPG-1(95)57, par. 24, available from <http://www.nato.int/docu/comm/49-95/c950608a.htm>; final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 13 June 1996, M-DPC/NPG1(96)88, par. 9, available from <http://www.nato.int/docu/pr/1996/p96-088e.htm>; final communiqué, Defence Planning Committee/Nuclear Planning ministerial, Brussels, 17 December 1996, M-DPC/NPG-2(96)173, par. 10, available from <http://www.nato.int/docu/pr/1996/p96-173e.htm>. See also the overviews on Belarus, Kazakhstan, and Ukraine available from http://www.nti.org/e_research/profiles/Belarus/index.html, http://www.nti.org/e_research/profiles/Kazakhstan/index.html, and http://www.nti.org/e_research/e1_Ukraine_1.html.

The difficult story of START II (Treaty Between the United States of America and the Russian Federation on *Further* Reduction and Limitation of Strategic Offensive Arms) had begun even before START I entered into force. The new treaty, focused on increasing the survivability of systems and reducing the concentration of warheads on individual strategic delivery vehicles, was signed on 3 January 1993, and intended to complement START I. Ratification would be the hard part.

It was not until January 1996 that the U.S. Senate voted to ratify START II. Despite repeated promises by Russian President Yeltsin to press for speedy ratification, opposition and criticism from Russian legislators ensured that ratification by the two houses of the Russian parliament did not come until April 2000. But the conditions imposed in the Russian ratification law helped ensure that START II never entered into force. One also can argue that the treaty had been superseded, at least conceptually, by the agreement at the Clinton--Yeltsin summit in Helsinki (March 1997) to negotiate on further reductions of strategic nuclear warheads, to a level of 2000 - 2500 per side. Bilateral discussions began in summer 1997, and in 2000 the sides even exchanged draft START III treaties. But U.S. insistence on ratification of START II as a prerequisite for detailed START III negotiations, and Russian insistence on making such negotiations contingent on continued U.S. support for preserving the ABM Treaty, at a time when the U.S. already was seriously considering a National Missile Defense (NMD) system, conspired to ensure that START III never reached completion.¹¹⁸

NATO followed this entire process closely, and the member countries collectively and repeatedly expressed support for implementation of START I, for early ratification

¹¹⁸ See the fact sheet on START II (also START III) in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>. See also the fact sheets available from the Website of the Arms Control Association, www.armscontrol.org/factsheets/.

and entry into force of START II, and for successful negotiation of a START III treaty. The examples from documents issued by heads of state and government, foreign ministers, and defense ministers are too numerous to cite. A milestone such as U.S. Senate ratification of START II would provide an opportunity to urge the Russian Federation to follow suit.¹¹⁹ One among many examples of the alliance's role as a consultative forum came at the spring 1998 meeting of the Nuclear Planning Group, where U.S. Secretary of Defense Cohen made a presentation on START II and III. Defense ministers yet again urged Russian ratification of START II.¹²⁰

NATO had a somewhat greater role when it came to the ABM Treaty, a subject of intensive and often difficult allied consultations. Definitive U.S. withdrawal from the treaty would come in 2002, but the issue of the treaty's future and continued relevance was on the table for alliance discussion long before that. The overwhelming majority of allies supported preservation of the treaty until the very end, or at least until it was clear that Russia would be able to accept the treaty's demise.

Allied leaders supported U.S.-Russian efforts to negotiate an agreement on demarcation between strategic defenses against intercontinental missiles, strictly limited by the ABM treaty, and theater defenses against shorter-range threats, which were permitted.¹²¹ After the United States reached demarcation agreements with Russia, as

¹¹⁹ Final communiqué, North Atlantic Council ministerial, Berlin, 3 June 1996, M-NAC-1(96)63, par. 23, available from <http://www.nato.int/docu/pr/1996/p96-063e.htm>; final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 13 June 1996, M-DPC/NPG-1(96)88, par. 9, available from <http://www.nato.int/docu/pr/1996/p96-088>.

¹²⁰ Final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 11 June 1998, NATO press release M-DPC/NPG-1(98)72, par. 7, available from <http://www.nato.int/docu/pr/1998/p98-072e.htm>.

¹²¹ Final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 15 December 1994, M-DPC/NPG-2(94)126, par. 20, available from <http://www.nato.int/docu/comm./49-95/c941215a.htm>; final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 8 June 1995, M-DPC/NPG-1(95)57, par. 22, available from <http://www.nato.int/docu/comm./49-95/c950608a.htm>. See also the 17 December 1996 DPC/NPG meeting, M-DPC/NPG-2(96)173, par. 8, available from <http://www.nato.int/docu/pr/p96-173e.htm>.

well as Ukraine, Kazakhstan, and Belarus, on 26 September 1997, NATO defense ministers welcomed the agreements, stating that they would “ensure the continued viability of the ABM Treaty, which [had] been an important element of strategic stability for over 25 years.”¹²²

In fact, demarcation was in the interest of the alliance as a whole. As scenarios of strategic-level confrontation faded into the background, it was increasingly clear that missile defenses at the theater level were relevant to the future missions NATO was most likely to undertake. In June 1997, the NATO Conference of National Armaments Directors (CNAD) reported to defense ministers on “program options for the Alliance to pursue a layered defense against theater ballistic missiles.”¹²³ A year later, defense ministers welcomed the CNAD’s approval of a program plan for a layered theater ballistic missile defense capability, beginning with a feasibility study to be conducted in 1998-2000.¹²⁴

Alongside very significant developments in bilateral arms control, the 1990’s saw a series of important, innovative steps in multilateral fora, involving both arms control and nonproliferation. NATO remained true to its policy of not seeking to duplicate work ongoing in other bodies. At the same time, it gave vocal political support to efforts to strengthen the multilateral treaties and regimes, with particular attention to improving verification provisions and mechanisms, and to broadening membership.

¹²² Final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 2 December 1997, NATO press release M-DPC/NPG-2(97)150, par. 7, available from <http://www.nato.int/docu/pr/1997/p97-150e.htm>. The Russian Parliament’s insistence that the U.S. Senate ratify the demarcation agreements, something the Senate was loathe to do, was one of the sticking points in the Russian law of 2000 ratifying START II.

¹²³ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 12 June 1997, NATO press release M-NAC-D-1(97)71, par. 30, available from <http://www.nato.int/docu/pr/1997/p97-071e.htm>.

¹²⁴ *Ibid*, par. 31.

The strengthening of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was especially noteworthy. The end of the Cold War ushered in significant reductions in nuclear arsenals. A number of long-time holdouts joined the treaty: in 1991, South Africa, which had built nuclear devices in the 1980's; declared nuclear weapon states France and China in 1992; Argentina and Algeria in 1995; Brazil in 1998.¹²⁵ Revelations about prohibited activities in Iraq and North Korea also focused attention on the importance of the treaty.

The NPT Extension and Review Conference, held in New York 17 April to 12 May 1995, extended the treaty indefinitely, established a stronger system for preparing future review conferences, and established a program of action, to include completion of a Comprehensive Test Ban Treaty (CTBT) by 1996, early conclusion of a Fissile Material Cut-Off Treaty (FMCT), and determined efforts by nuclear weapons states to reduce and ultimately eliminate nuclear weapons.¹²⁶ NATO foreign ministers, meeting at Noordwijk in May 1995, welcomed the results of the NPT Review Conference, underlining in particular the indefinite extension of the treaty and the "great importance" of concluding a CTBT and an FMCT. Alliance bodies had long been on record in support of all efforts to strengthen the NPT and its verification, including by bringing in new members.¹²⁷

When NATO members the United States, United Kingdom, and France jointly decided to support a treaty prohibiting nuclear weapons test explosions and all other nuclear explosions, NAC foreign ministers welcomed the decision as facilitating adoption

¹²⁵ See Charles F. Parker, *Controlling Weapons of Mass Destruction: An Evaluation of International Security Regime Significance*, Acta Universitatis Upsaliensis, Skrifter utgivna av Statsvetenskapliga foereningen Uppsala 147, (Uppsala: Uppsala University Library, 2001), 48-50.

¹²⁶ See "Treaty on the Non-Proliferation of Nuclear Weapons (NPT)" in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies. Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹²⁷ Final communiqué, North Atlantic Council ministerial, Noordwijk, 30 May 1995, M-NAC-1(95)48, par. 12-13, available from <http://www.nato.int/docu/comm./49-95/c950530b.htm>.

of a complete and total test ban.¹²⁸ In June 1996, the Nuclear Planning Group heard U.S. and U.K. presentations on plans for ensuring the safety and reliability of their nuclear weapons under a comprehensive test ban.¹²⁹

Negotiations on the CTBT finished in September 1996, and the treaty opened for signature on 24 September. All five nuclear weapons states, plus 66 other countries, signed that same day. NATO bodies welcomed these steps and urged all countries to join.¹³⁰ But the CTBT did not have easy sledding. India and Pakistan, both of which needed to sign and ratify for the treaty to enter into force, conducted nuclear weapon test explosions in May 1998. On 13 October 1999, the U.S. Senate voted against ratification.¹³¹ Throughout this period, and even after U.S. Senate action,¹³² NATO government leaders collectively expressed support for early entry into force of the CTBT and called upon all countries to accede to the treaty.

The allies also consistently called for an early start to FMCT negotiations, but the fissile material cut-off remained, and would remain, a bridge too far, given the insistence of countries such as China on linking FMCT negotiations and talks on demilitarization of outer space. Indeed, as of mid-2004, the UN Conference on Disarmament (CD) still had not achieved consensus on starting FMCT talks.

¹²⁸ Final communiqué, North Atlantic Council ministerial, Brussels, 5 December 1995, M-NAC-2(95)118, par. 13, available from <http://www.nato.int/docu/comm./49-95/c951205a.htm>.

¹²⁹ Final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 13 June 1996, M-DPC/NPG-1(96)88, par. 10, available from <http://www.nato.int/docu/pr/1996/p96-088e.htm>.

¹³⁰ Final communiqué, North Atlantic Council ministerial, Brussels, 10 December 1996, M-NAC-2(96)165, par. 22, available from <http://www.nato.int/docu/pr/1996/p96-165e.htm>; final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 17 December 1996, M-DPC/NPG-2(96)173, par. 11, available from <http://www.nato.int/docu/pr/1996/p96-173e.htm>.

¹³¹ See the CTBT fact sheet in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies. Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹³² See for example the final communiqué, North Atlantic Council ministerial, Brussels, 15 December 1999, NATO press release M-NAC- 2(99)166, par. 43, available from <http://www.nato.int/docu/pr/1999/p99-166e.htm>.

An unqualified success on the multilateral front did come with entry into force of the Chemical Weapons Convention (CWC) in April 1997. Opened for signature in January 1993, after a lengthy negotiation stretching back into the Cold War years, the CWC was a complex document, codifying an innovative and intrusive verification system. The United States had the second largest declared stockpile of chemical warfare agents, after the Russian Federation. A number of other NATO countries also declared former CW production facilities (United Kingdom, France) or old and/or abandoned chemical weapons on their territory (United Kingdom, France, Germany, Italy, Canada, Belgium). As chemical industry facilities also were subject to inspection under the CWC, the burden on NATO's industrially advanced members was considerable.

Despite the implementation demands, the NATO countries were uniformly enthusiastic supporters of the convention. "Early entry into force" of the CWC was a recurring theme in NATO policy documents, and foreign ministers, meeting in Sintra a month after entry into force, expressed their pleasure, strongly advocated full and effective implementation of the CWC, and called on all states to sign and ratify. Later, foreign ministers would "particularly welcome" Russia's November 1997 ratification.¹³³

The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BTWC) was very much a product of the Cold War era. It entered into force in March 1975. The BTWC itself did not provide any verification measures, but its Second Review Conference (September 1986) and the Third Review Conference (September 1991)

¹³³ Final communiqué, NAC ministerial, Sintra, 29 May 1997, NATO press release M-NAC-1(97)65, par. 15, available from <http://www.nato.int/docu/pr/1997/p97-065e.htm>; final communiqué, NAC ministerial, Brussels, 16 December 1997, NATO press release M-NAC-2(97)155, par. 20, available from <http://www.nato.int/docu/pr/1997/p97-155e.htm>. The Chemical Weapons Convention established the Organization for the Prohibition of Chemical Weapons (OPCW), headquartered in The Hague, as the body responsible for implementation. The OPCW included both policy-making organs and a Technical Secretariat responsible for implementing their decisions.

adopted a series of transparency and confidence-building measures and initiated study of potential verification measures.

In September 1994 the Special Conference to consider verification measures for the BTWC met in Geneva. It decided to establish an Ad Hoc Group (AHG) open to all states parties, to draft proposals to strengthen the convention, with the objective of developing a legally binding instrument. Delegates to the Fourth Review Conference (November - December 1996) hoped that the work on an additional protocol on verification and compliance would be completed before the next Review Conference planned for November – December 2001, and work continued in the Ad Hoc Group.¹³⁴

Strengthening the BTWC was one of the objectives set out at the January 1994 NATO Summit in Brussels, and the Alliance Policy Framework on Proliferation of Weapons of Mass Destruction stated that both transparency and verification efforts could strengthen the convention. This theme consistently ran through the documents of NATO bodies, including some of those from meetings with partner countries,¹³⁵ and alliance leaders were ready to speak in terms of an actual BTWC “compliance regime.”¹³⁶ At the Madrid Summit in July 1997, heads of state and government reaffirmed their “determination to complete as soon as possible, through negotiation, a legally binding and effective verification mechanism.”¹³⁷ NATO foreign ministers,

¹³⁴ See the BTWC fact sheet in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹³⁵ See for example par. 22 of the statement from the Istanbul meeting of the North Atlantic Cooperation Council (NACC), 10 June 1994, M-NAC-1(94)48, available from <http://www.nato.int/comm/49-95/c940609b.htm>.

¹³⁶ Final communiqué, North Atlantic Council ministerial, Berlin, 3 June 1996, M-NAC-1(96)63, par. 23, available from <http://www.nato.int/docu/pr/1996/p96-063e.htm>.

¹³⁷ "Madrid Declaration on Euro-Atlantic Security and Cooperation," 8 July 1997, NATO press release M-1(97)81, par. 23, available from <http://www.nato.int/docu/pr/1997/p97-081e.htm>.

meeting in Luxembourg in May 1998, underlined their determination to achieve progress by the end of that year.¹³⁸

It was the United States that ultimately nixed the "Additional Protocol" approach in 2001, but, until that point, NATO support for achieving a legally binding document on BTWC verification reflected U.S. policy. That said, the U.S. showed little inclination to employ NATO as a forum for coordinating efforts to force progress on the matter. Some claim this reflected concerns within the U.S. government that the Department of Defense was more hesitant than other parts of the government with respect to stepped-up BTWC verification. In the NATO context, full involvement of the defense side in any coordination effort would have been absolutely necessary. As noted above, however, the mechanism of choice for Western coordination on BTWC matters, as for the CWC and NPT, was in any case not the alliance, but the broader and more diverse "Western Group." Tibor Toth, the Chairman of the Ad Hoc Group, did keep NATO briefed on his group's activities, but evidently got little concrete return.

Alongside the main arms control and nonproliferation treaties, a number of control regimes and other bodies play a role in countering proliferation. The 1990s were a watershed period for these bodies. The Missile Technology Control Regime (MTCR), for example, was a Western initiative, coming out of a 1987 agreement among the United States, the United Kingdom, France, Germany, Italy, Canada, and Japan to control proliferation of nuclear-capable ballistic missiles, including dual-use missile items. The focus obviously was not on the Warsaw Pact, which already had such capabilities, but on making it more difficult for developing countries (broadly defined) to acquire delivery systems for WMD they might obtain or develop. The 1990s brought a

¹³⁸ NATO press release M-NAC(98) 59, 28 May 1998, par. 14, available from <http://www.nato.int/docu/pr/1998/p98-059e.htm>. Defense ministers, meeting as the NAC two weeks later, would echo this sentiment. See NATO press release M-NAC-D-1(98)71, Brussels, 11 June 1998, par. 27, available from <http://www.nato.int/docu/pr/1998/p98-071e.htm>.

major expansion of MTCR membership: Russia and South Africa participated for the first time in the October 1995 Plenary, where Brazil's membership also was approved. The previous year, China had agreed to abide by MTCR guidelines. At the 1998 Plenary in Budapest, the Czech Republic and Poland, which had been invited to join NATO, and Ukraine, seeking to reinforce its partnership with the alliance, participated for the first time as members.¹³⁹

The Australia Group (AG) was born in 1985. Its initial purpose was to ensure uniform scope and application of the controls on the export of certain chemicals used in producing chemical weapons. A number of countries had introduced such controls following the UN determination that Iraq had obtained much of the materiel for preparing the CW it used against Iran from the international chemical industry. In 1990 the AG established guidelines on biological weapons (BW), spurred by increasing evidence that dual-use items had been diverted to BW production in some countries. The AG also staged an outreach seminar for Soviet and East European representatives in 1990. By 1992, Hungary had joined the group, with the Czech Republic following suit in 1994. Outreach continued, and all the former non-Soviet Warsaw Pact states joined. (All the NATO countries were members.)¹⁴⁰

Bodies involved in implementation of the NPT also were stepping up their activism and expanding their membership during this period. The IAEA sought to make its safeguards program more effective and efficient, primarily through "Program 93+2," inspired by discovery of undeclared nuclear materials and facilities in Iraq and the problems of verifying the nuclear inventory in North Korea. The main proposals were

¹³⁹ See under MTCR in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹⁴⁰ See "Australia Group" in *ibid.*

intended to secure broader information on the nuclear activities of member states, improve IAEA access to relevant sites, and make use of environmental sampling techniques. Some proposals required an “Additional Protocol” to provide complementary legal authority. Negotiations on the model Additional Protocol continued until May 1997. The demanding, lengthy process of negotiating individual Additional Protocols on a state-by-state basis then began.¹⁴¹

In 1971, a group of concerned NPT states had formed the so-called Zangger Committee, named after its first chairman, Claude Zangger of Switzerland. The purpose was to draft a “trigger list” of materials that, if supplied by an NPT State Party to a non-nuclear weapon state that was *not* party to the NPT, would have to be placed under IAEA safeguards. The list was to include source or special fissionable materials, as well as equipment or materials specifically designed for their processing. The committee reached consensus on the Trigger List by August 1974, and the IAEA formally published it in September of that year. The Committee revised the list on several occasions, including in 1990, 1994, and 1996. In November 1999, 32 of the 34 Zangger Committee states (excluding Russia and China) informed the IAEA of measures they would apply in the event that source or special fissionable material was exported to a non-nuclear weapon state that was not party to the NPT.¹⁴²

Both the Zangger Committee and the Nuclear Suppliers Group (NSG), which began in 1975 under stimulus from India’s May 1974 nuclear test, bridged the Cold War divide in the interest of nonproliferation. The 15 NSG members that agreed in September 1977 to the “Guidelines on Nuclear Transfers,” included the Soviet Union,

¹⁴¹ Parker, *Controlling Weapons of Mass Destruction*, pp. 74-84.

¹⁴² See “Zangger Committee” in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm> and Fritz W. Schmidt, “The Zangger Committee: Its History and Future Role,” *The Nonproliferation Review* (Fall 1994): 38-40.

Czechoslovakia, the German Democratic Republic and Poland. The NSG guidelines went beyond the Zangger Committee documents in a number of respects: a somewhat expanded list of controlled items, more stringent conditions for nuclear exports, and addressing nuclear transfers to *all* non-nuclear weapons states, not just those that remained outside the NPT.

Having established its guidelines, the Nuclear Suppliers Group did not meet as such from 1978 to 1990. Unwillingness of some supplier countries to move beyond the already agreed controls seemingly outweighed East/West issues as a limiting factor. The end of the Cold War, however, brought a new spirit of cooperation, transparency, and a strengthened sense of purpose to the NSG. Also, revelations following the 1991 Gulf War focused attention on Iraq's exploitation of gaps and inconsistencies in national export controls on dual-use items. The NSG plenary in Warsaw (31 March – 3 April 1992) agreed on a new dual-use arrangement, and further strengthened the regime by agreeing that suppliers should demand “full-scope” safeguards as a condition for any significant export to a non-nuclear weapons state.¹⁴³

The 1991 NSG plenary in The Hague had initiated a process of enlarging the group to include the “new supplier states.” Subsequent NSG Chairs would continue the effort. The challenge was not with the former non-Soviet Warsaw Pact states: Bulgaria, Hungary, and Romania, for example, had joined during the NSG's period of dormancy (1978-90). Of the former Yugoslav republics, Slovenia, an aspiring NATO member, would join, though not before 2000. As with START I and the NPT, the situation of Ukraine, Kazakhstan, and Belarus was especially significant. All three of those countries

¹⁴³ Tadeusz Strulak, “The Nuclear Suppliers Group,” *The Nonproliferation Review* (Fall 1993): 2-5. “Full-scope” safeguards, also referred to as “NPT safeguards,” meant that a state accepted safeguards on all nuclear materials in *all* its peaceful nuclear activities. The “old” safeguards (pre-NPT), applied only to materials or items actually specified in a safeguards agreement between the IAEA and the country in question. (Schmidt, “The Zangger Committee,” 44, footnote 1.)

went through considerable debate about the NSG before ultimately joining. Russia continued in the NSG as successor to the USSR, and aspiring NATO member Latvia joined in 1998.¹⁴⁴

NATO's support for all these groups was part of its overall nonproliferation policy.

The June 1994 Alliance Policy Framework on Proliferation of Weapons of Mass

Destruction stated:

ever-increasing trade in today's world economy, including transfers of dual-use commodities, is leading to greater diffusion of technology, which complicates efforts to detect and prevent transfers of materials and technology for the purpose of developing WMD and their delivery means.

The document further underlined that the NSG, Zangger Committee, Australia Group, and Missile Technology Control Regime complemented the main nonproliferation treaties: "These regimes should be reinforced through the broadest possible adherence to them and enhancement of their effectiveness." Consultations with NACC and PFP partners, aimed at fostering a common understanding of/approach to WMD proliferation, needed to take into account, inter alia, the efforts of the various export control regimes.¹⁴⁵

In the post-Cold War period, NATO's outreach efforts, including enlargement, were important as part of a complex of factors pushing the countries emerging from the Warsaw Pact to adopt responsible, cooperative approaches to proliferation challenges. For countries truly seeking to become members of "the NATO club," or, more broadly speaking, "the Western club," participation in treaties and export control regimes was an obvious *sine qua non*. These were things that even post-communist parties that returned

¹⁴⁴ Strulak, 3 and footnote 1, 6-7; see also under NSG in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹⁴⁵ NATO press release M-NAC-1(94)45, par. 2, 4, 11, available from <http://www.nato.int/docu/comm./49-95/c940609a.htm>.

to power after the end of the Cold War, for example the Bulgarian Socialist Party in 1994-97, could understand.

The September 1995 "Study on NATO Enlargement" recognized that NATO as such was not a signatory to any arms control agreements, and that enlargement in and of itself did not have an impact on the agreements. At the same time, the alliance stated:

existing confidence building, disarmament and arms control agreements are fundamental underpinnings for security and stability in the whole of Europe. NATO must contribute to their continuing validity and relevance in the course of its enlargement process. Enlargement could strengthen the Alliance's ability to promote further arms control and disarmament measures and ways to control proliferation of WMD.¹⁴⁶

Broadly speaking, no aspect of the post-Cold War adaptation of the arms control and nonproliferation system could escape NATO's attention and there is no denying the relationship with the alliance's own process of adapting to new realities.

Conclusions

Between the January 1994 Brussels Summit and the Washington Summit in April 1999, NATO's attention to the risks of WMD proliferation increased substantially. The problem was not a new one for the alliance: the 1991 Strategic Concept, for example, already had underlined the emerging proliferation risk. But developments both within the Euro-Atlantic region and outside it helped focus allied attention on the problem. The end of the Cold War and ethnic conflict in Southeastern Europe, the first war on European soil since 1945, underlined dramatically that NATO and its member states had to adapt to a new set of security challenges. Events in Iraq and North Korea pointed unequivocally to the increasing international salience of WMD proliferation.

¹⁴⁶ Par. 22, available from <http://www.nato.int/docu/basicxt/enl-9503.htm>.

If any single theme dominated NATO's activities between the Brussels and Washington summits, however, it was enlargement, and more broadly the campaign to heal the Cold War-era division of Europe. Efforts to deal more effectively with the WMD threat were necessary, but their political profile simply could not compare to that of the effort to build "a Europe whole and free." The complex challenge of building a European Security and Defense Identity and a cooperative relationship with the European Union was also labor-intensive and politically burdensome. All of this had significant implications for the degree of senior-level political attention WMD issues realistically could receive, and for the human and material resources NATO could devote to them.

The proliferation-related agenda NATO set for itself in 1994 was very broad. The most concrete, delimited and manageable WMD challenge facing the alliance was to ensure that its forces were prepared to intervene, survive and operate in potential NBC (nuclear, biological and chemical) environments. This was essential for the alliance to carry out its emerging "new missions." NATO's defense side, including the planners, fastened onto this concrete, focused challenge with vigor. Progress was comparatively rapid, both in developing a better conceptual framework regarding the WMD threat and in identifying new or enhanced military capabilities that were needed. The Senior Defence Group on Proliferation (DGP), thanks in part to its unusual system of senior European and North American chairs from capitals and close U.S.-French cooperation in its key early days, was a success story in many respects, although securing sufficient national resources for NBC defense would remain difficult. Also, even seemingly obvious objectives, like an alliance-wide agreement on vaccination of military personnel against biological weapon agents, could remain elusive.¹⁴⁷

¹⁴⁷ Gilles Andréani, "The Disarray of US Non-Proliferation Policy," *Survival* 41, no. 4 (Winter 1999-2000): 57.

The task facing NATO's political side was harder to grapple with. Coming to a shared analysis of the political roots of the proliferation threat and the motivations and intentions of proliferators, plus identifying political and diplomatic measures to help prevent or reverse proliferation, was no simple matter. NATO consensus in 1994 on a program for addressing WMD challenges did not simply expunge differences among allies in several areas: threat awareness, generally lower in Europe than in the U.S.; the characterization of the threat, e.g. as one requiring diplomatic or military approaches; views on regional questions relevant to proliferation challenges (notably in the Middle East); the means, particularly intelligence means, that different allies could devote to proliferation threats. (The disparity in the intelligence sector, for example, created a situation in which U.S. information and analysis tended to shape initial debate on a given instance of proliferation.)¹⁴⁸

The fact that NATO as such did not participate in the already established and growing network of treaties and control regimes addressing weapons of mass destruction also did not make matters easier on the political side. The alliance could and did, in its political statements, lend support to positive initiatives and sharply criticize actions that tended to undermine international nonproliferation norms, e.g. the Indian and Pakistani nuclear tests of May 1998. NATO's outreach programs and particularly the prospect of membership for some former enemies did contribute to establishing expectations of responsible arms control and nonproliferation policies for countries in the post-Cold War transition. But the question of where the alliance's added value lay in political efforts to combat WMD proliferation would remain difficult to answer.

The degree to which WMD and proliferation issues figured in NATO's outreach, i.e. the partnerships with Russia, Ukraine, the other Euro-Atlantic Partners, and the Mediterranean Dialogue countries, varied considerably. The "educational" as opposed

¹⁴⁸ Ibid., 56-57.

to "operational" dimension was dominant. Dialogue with Russia regarding safety and security of its nuclear weapons was important, but Russia's insistence on retaining a large arsenal of sub-strategic nuclear weapons, while NATO was dramatically cutting back on nuclear forces, remained a problem. NATO's Science Programme was a bright spot, providing opportunities for numerous partner countries to participate in programs focused on WMD-related technologies. Increasing participation of NATO's partners in civil emergency planning would open the way for exercises focused on responding to WMD incidents. For political reasons, however, it proved difficult to introduce WMD matters into the growing dialogue with the Mediterranean countries.

The end of the Cold War helped further stimulate the already ongoing process of globalization, including what some term the growth of a "global civil society." Weapons of mass destruction and terrorism, along with environmental threats, organized crime, migration, HIV-AIDS and inequality, came to be seen increasingly as problems the entire international community was responsible for addressing.¹⁴⁹ Whether self-consciously or not, NATO participated in shouldering responsibility for dealing with the transnational threats that increasingly figured in the concerns of citizens across the globe, ever better informed thanks to the Internet and other global media. The degree of alliance success in this respect at any given time could be seen as one public and political measure of its continued relevance. While long-standing organizations such as NATO have had, and continue to have, difficulty in adapting to the challenges of globalization, NATO certainly could not (and cannot) be seen as standing aside from the major global risks of our time.

¹⁴⁹ See the fascinating discussion in Christopher Coker, *Globalisation and Insecurity in the Twenty-first Century: NATO and the Management of Risk*, Adelphi Paper 345 (Oxford and New York: Oxford University Press, 2002), chapters 3 and 3. On the globalization of risk, with particular reference to terrorism, see also the articles by Ulrich Beck, "The Silence of Words: On Terror and War," *Security Dialogue* 34, no. 3 (September 2003): 255-67 and "La société du risque globalise' revue sous l'angle de la menace terroriste," *Cahiers internationaux de Sociologie* 114 (2003): 27-33.

The growing attention within NATO to the risks of WMD proliferation was no small accomplishment, given the alliance's 40+ years of concentrating on deterring a conventional attack in Central Europe. It was part of a general broadening of the alliance's horizons, and in a sense part of NATO's preparation for engagement later on in far-flung places like Afghanistan, as part of the effort to combat terrorism, WMD proliferation and the problem of failed states.

Given the other challenges NATO was facing, the amount of effort and political attention devoted to WMD threats was thoroughly reasonable, if limited. As the 50th anniversary of the Treaty of Washington and the celebratory summit approached, however, it became clear within the alliance, to the U.S. in particular, that it was time for an enhanced and more concerted effort on the WMD front.

CHAPTER 2

THE WASHINGTON SUMMIT INITIATIVES ON WMD, 1999-2001

The Washington Summit on 24 April 1999, which welcomed the Czech Republic, Hungary and Poland into the alliance, was predestined to be a watershed for NATO. The year 1999 was triply symbolic: 50 years since the Treaty of Washington; 10 years since the fall of the Berlin Wall; and the eve of the new millennium. In and of itself, this would have led to a serious reflection on the lessons of the past and on the way forward. In addition, exactly one month earlier, NATO had initiated Operation Allied Force, the intervention in Kosovo, which dramatically eclipsed in scale the alliance's military actions in 1995 to help end the Bosnian conflict. This put NATO at the center of a still unresolved international debate over the legitimacy of the use of force. It highlighted dramatic discrepancies between the military capabilities of the United States and those of the other allies. The Kosovo intervention also brought to a sudden, though temporary, standstill the rapprochement between NATO and the Russian Federation that had been underway for some time. The moment was genuinely dramatic.

Upgrading NATO's efforts to address the proliferation of weapons of mass destruction was also a major element of the Washington Summit. The Washington WMD Initiative established the alliance's proliferation agenda for the next two-plus years, i.e. until the tragic events of 11 September 2001 would rivet NATO's attention on potential terrorist use of WMD.

The New Alliance Strategic Concept

The Washington Summit WMD Initiative reflected a major revision of NATO's Strategic Concept, the alliance's consensus analysis of the strategic situation and the

policies and tools that situation required. The 1991 Strategic Concept, approved at the Rome Summit on 8 November 1991, already had underlined the importance of emerging threats, such as WMD proliferation. But it had appeared before the actual dissolution of the Soviet Union, and was still in significant respects a Cold War document.

The 1999 Strategic Concept approved at the Washington Summit drew on NATO's experience in addressing regional conflicts, instability, and other challenges that had followed the end of the Cold War. With respect to WMD proliferation, NATO analysts and policymakers were able to factor in the North Korean case and concerns that had surfaced regarding possible Libyan chemical weapons production, Iranian nuclear activities, and Iraq's continuing resistance to full disclosure of its WMD programs to UN inspectors. The revised Strategic Concept provided a stronger and more detailed justification than its predecessor for an alliance focus on the challenges of proliferation.

The 1999 Strategic Concept listed WMD proliferation among the "complex new risks to Euro-Atlantic peace and stability" that had emerged over the preceding ten years:

The proliferation of NBC weapons and their means of delivery remains a matter of serious concern. In spite of welcome progress in strengthening international non-proliferation regimes, major challenges with respect to proliferation remain. The Alliance recognises that proliferation can occur despite efforts to prevent it and can pose a direct military threat to the Allies' population, territory, and forces. Some states, including on NATO's periphery and in other regions, sell or acquire or try to acquire NBC weapons and delivery means. Commodities and technology that could be used to build these weapons of mass destruction and their delivery means are becoming more common, while detection and prevention of illicit trade in these materials and know-how continues to be difficult. Non-state actors have shown the potential to create and use some of these weapons.¹

¹ "The Alliance's Strategic Concept, Approved by the Heads of State and Government Participating in the Meeting of the North Atlantic Council in Washington, D.C. on the 23rd and 24th April 1999," NATO press release NAC-S(99)65, 24 April 1999, par. 2 and 22, available from <http://www.nato.int/docu/pr/1999/p99-065e.htm>.

The language was not particularly new to those familiar with the June 1994 Alliance Policy Framework on Proliferation of Weapons of Mass Destruction and other important NATO statements on the WMD threat from the years following approval of the preceding Strategic Concept. The reference to the threat of non-state actors, however, was notably stronger and more urgent than in the Alliance Policy Framework. Notably, the Aum Shinrikyo sect's sarin nerve agent attack in the Tokyo subway had taken place during the intervening period. How to address WMD in the new Strategic Concept evidently had been the subject of some controversy, with the U.S. pushing to raise the profile of the WMD threat in the face of significant French reservations.

The Strategic Concept did not make an explicit linkage between WMD and terrorism, but a reference to the risk of terrorism came close on the heels of the paragraph on WMD:

Alliance security must also take account of the global context. Alliance security interests can be affected by other threats of a wider nature, including acts of terrorism, sabotage and organised crime, and by the disruption of the flow of vital resources.²

In the 1991 Strategic Concept, WMD proliferation had figured in the list of risks of a wider nature, which had put it on the same, somewhat distant plane, with terrorism. The treatment of the two issues in the 1999 Strategic Concept clearly indicated that the alliance gave a higher priority, at that point, to the WMD threat.

The 1999 document's guidelines for addressing the proliferation threat were consistent with the alliance's "broad approach to security," taking into account political, economic, social, and environmental factors, in addition to defense. The NATO commitment to arms control figured prominently in the opening part of the document, which also underlined that defense objectives and arms control, disarmament and

² Ibid., par. 24.

nonproliferation objectives would need to remain “in harmony.”³ (Perhaps “in balance” would have rendered the point more clearly.)

The Strategic Concept used firmly established language to describe the alliance’s principal nonproliferation goal: “to prevent proliferation from occurring or, should it occur, to reverse it through diplomatic means.” It pledged enhanced political efforts to reduce proliferation dangers, as well as a continued, active NATO contribution to the development of arms control, disarmament, and nonproliferation agreements, and of confidence and security building measures (CSBMs). Without defining it further, the document also referred to the “distinctive role” of the allies in promoting the international arms control and disarmament process, and noted that arms control and disarmament figured in the alliance’s partnership and dialogue with other countries.⁴

The extensive “Guidelines for the Alliance’s Forces” that formed part of the Strategic Concept document stressed the need to safeguard the military effectiveness and “freedom of action” of the alliance. In slightly cryptic fashion, it stated that, “by deterring the use of NBC weapons, [NATO forces] contribute to alliance efforts aimed at preventing the proliferation of these weapons and their delivery means.” In part, the objective was to point out a synergy between the defense and political sides of the alliance in addressing proliferation-related threats. The point was also that, by having forces able to operate effectively in the face of NBC threats, NATO reduced the incentive for potential proliferants to acquire and use such weapons.

The Strategic Concept called for a “balanced mix of forces, response capabilities, and strengthened defences” to address the NBC risk, and for improving the alliance’s NBC defense posture, including through work on missile defenses. It also reaffirmed

³ Ibid., par. 3 and 40.

⁴ Ibid., par 40 and 26.

that nuclear weapons continued to make a unique and essential contribution to ensuring credible deterrence.⁵

Because NATO forces could be called upon to operate outside NATO's borders, capabilities for dealing with proliferation had to be "flexible, mobile, rapidly deployable, and sustainable." The Strategic Concept noted the requirement for doctrines, planning, and training and exercise policies that would prepare alliance forces for NBC contingencies. The objective was to "further reduce operational vulnerabilities of NATO military forces while maintaining their flexibility and effectiveness, despite the presence, threat, or use of NBC weapons." Underlining that NATO strategy did not include use of chemical or biological weapons, the document stressed that defensive precautions would remain essential, even if there were further progress in banning CBW. Protection of alliance forces and infrastructure from terrorist attack was similarly essential.⁶

The WMD Initiative

The new Strategic Concept consolidated the conceptual framework for further NATO efforts to address proliferation challenges. In itself, though, it lacked a certain element of "newness." The Washington Summit also launched the WMD Initiative, to build upon "work since the Brussels Summit to improve overall Alliance political and military efforts in this area." The WMD Initiative was intended to

ensure a more vigorous, structured debate at NATO leading to strengthened common understanding among Allies on WMD issues and how to respond to them; improve the quality and quantity of intelligence and information-sharing among Allies on proliferation issues; support the development of a public information strategy by Allies to increase awareness of proliferation issues and Allies' efforts to support non-proliferation efforts; enhance existing Allied programmes which increase military readiness in a WMD environment and to counter WMD threats; strengthen the process of information exchange about

⁵ Ibid., par. 41, 53h, 56, 46.

⁶ Ibid., par. 56-57, 53i.

Allies' national programmes of bilateral WMD destruction and assistance; enhance the possibilities for Allies to assist one another in the protection of their civil populations against WMD risks; and create a WMD Centre within the International Staff at NATO to support these efforts. The WMD Initiative will integrate political and military aspects of Alliance work in responding to proliferation.⁷

In addition to the WMD Initiative as such, the Washington Summit also agreed on other significant matters relevant to proliferation. Reiterating the alliance's commitment to existing arms control, disarmament, and nonproliferation treaties and regimes, and to their full implementation, the Washington Summit agreed to "consider options for confidence and security building measures, verification, non-proliferation and arms control and disarmament," in light of "overall strategic developments and the reduced salience of nuclear weapons." This would result in a major policy paper with significant recommendations on the way ahead, especially with respect to nuclear issues. (See below.) NATO heads of state and government also expressed support for deepening consultations on WMD matters with Russia, Ukraine, and the other partners in the EAPC.⁸ (Given the difficult state of NATO/Russia relations as a result of the Kosovo intervention, the reference to deepening consultations was, for the moment, an expression of hope.)

The summit communiqué reference to terrorism, though not lengthy, did flesh out the language from the Strategic Concept:

Terrorism constitutes a serious threat to peace, security and stability that can threaten the territorial integrity of States. We reiterate our condemnation of terrorism and reaffirm our determination to combat it in accordance with our international commitments and national legislation. The terrorist threat against deployed NATO forces and installations requires the consideration and development of appropriate measures for their continued protection, taking full account of host nation responsibilities.⁹

⁷ "Washington Summit Communiqué, Issued by the Heads of State and Government Participating in the Meeting of the North Atlantic Council in Washington, D.C. on 24th April 1999," NAC-S(99)64, 24 April 1999, par. 30-31, available from <http://www.nato.int/docu/pr/1999/p99-064e.htm>.

⁸ Ibid., par.32. The resulting policy review was often referred to as the "paragraph 32 exercise."

⁹ Ibid., par.42.

Compared with the language on terrorism from the 1997 Madrid Summit, the most notable change was the increased emphasis on protection of NATO forces and installations.

One could read the Washington Summit communiqué language on the WMD Initiative in a critical light, as a list of what had been lacking or insufficient in alliance efforts to address the WMD proliferation threat:

- vigorous structured debate
- a strong common understanding on WMD issues
- high-quality and high-volume information and intelligence sharing
- a public information strategy
- strong programs to enhance military readiness for operations in WMD environments or against WMD threats
- information exchange about national programs of bilateral WMD destruction and assistance
- strong cooperation in civil protection against WMD threats
- an institutional focal point for alliance WMD efforts.

This would be too much of a “glass half-empty” approach, neglecting the alliance’s significantly increased attention to WMD proliferation risks during 1994-1999, and important policy decisions on how to deal with those risks, most visibly on NATO’s defense side. But the 1999 WMD Initiative did repeat, in largely similar language, a number of objectives already included in the 1994 Alliance Policy Framework on Proliferation of Weapons of Mass Destruction. Consultation and coordination, sharing of information on national efforts to support dismantlement of former Soviet nuclear weapons, and improvement “if necessary” of defense capabilities against WMD all had figured in the list of activities approved in June 1994.

A decidedly new element in the 1999 initiative was the decision to establish the WMD Centre. This was intended, borrowing bureaucratic language, as a “deliverable”

for the Washington Summit, i.e. a specific, concrete action that would illustrate progress in addressing an important issue. (Among other things, a “deliverable” should sound good in statements and communiqués for the media, but that need not imply that substantive value is lacking.) The U.S. government was particularly keen to include a WMD-related deliverable in the summit decisions and lobbied hard for the WMD Centre.

While the summit took the decision to create the Centre, its actual establishment required significant additional work.¹⁰ The instruction from the summit needed to work its way down and back up through the chain of relevant NATO committees, including the North Atlantic Council, Senior Political Committee (Reinforced), and Senior Politico-Military Group on Proliferation (SGP). (The SGP is credited with an especially important role in the genesis and establishment of the WMD Centre.) By the nature of things, this process took some time. In addition, the alliance’s focus on Kosovo, first the military intervention and then the challenges of building peace and stability, in the face of continued heavy commitments in Bosnia, limited the attention it could devote to other matters.

At their December 1999 meetings, NATO ministers looked forward to establishment of the WMD Centre in early 2000 and indicated what the Centre *would* do: improve coordination of WMD-related activities at NATO Headquarters; strengthen nonproliferation-related political consultations and make them more regular; strengthen defense efforts to promote preparedness to face WMD threats. Meanwhile, specifications for a WMD intelligence and information database were under active consideration, to improve information sharing both qualitatively and quantitatively.¹¹ In

¹⁰ Kori Schake, “NATO’s ‘Fundamental Divergence’ over Proliferation,” *Journal of Strategic Studies* 23, no. 3 (September 2000): 119 noted that that Centre had not yet been established, and that agreement on its functions had not yet been reached.

¹¹ See final communiqué, North Atlantic Council in defense ministers session, Brussels, 2 December 1999, NATO press release M-NAC-D(99)156, par. 20, available from <http://www.nato.int/docu/pr/1999/p99->

summer 1999, the head of the Disarmament, Arms Control and Cooperative Security Section of the NATO International Staff had specified a number of other responsibilities for the WMD Centre:

- Maintain the Matrix of Bilateral WMD Destruction and Management Assistance Programmes, a database designed to expand information-sharing among member states on national contributions to WMD withdrawal and dismantlement in the former Soviet Union;
- Serve as a repository for information on WMD-related civil response programmes in Allied nations;
- Support the Alliance Groups dealing with WMD proliferation and through them, the North Atlantic Council;
- Develop briefings, fact sheets and other information documents on WMD issues for a wider public audience.¹²

Reviewing implementation of the Washington Summit WMD Initiative after one year, the May 2000 meeting of NAC foreign ministers in Florence welcomed establishment of the WMD Centre, stating that consultations among allies on disarmament and nonproliferation issues already had been enhanced.¹³ But the Centre was not really operational until autumn 2000. At their May 2001 meeting in Budapest, allied foreign ministers credited the Centre with improving coordination and strengthening the alliance commitment to arms control and nonproliferation. The Centre's support to the Senior Politico-Military Group and the Senior Defense Group on Proliferation (SGP and DGP) received recognition, as did its efforts to provide information on proliferation issues to partner countries, notably Russia.¹⁴

156e.htm; final communiqué, North Atlantic Council ministerial, Brussels, 15 December 1999, NATO press release M-NAC2(99)166, par. 45, available from <http://www.nato.int/docu/pr/1999/p99-166e.htm>.

¹²Crispin Hain-Cole, "The Summit Initiative on Weapons of Mass Destruction: Rationale and aims," *NATO Review* 47, no. 2 (Summer 1999): 33-34, available from <http://www.nato.int/docu/review/1999/9902-08.htm>.

¹³ Final Communiqué, North Atlantic Council ministerial, Florence, 24 May 2000, NATO press release M-NAC-1(2000)52, par. 32, available from <http://www.nato.int/docu/pr/2000/p00-052e.htm>. Note that there are problems with the numbering of paragraphs in this document, at least in the on-line version. Number starts again at par. 6 following par. 14, and at par.3 after par. 20. There is only one par. 32, however.

¹⁴ Final communiqué, North Atlantic Council ministerial, Budapest, 29 May 2001, NATO press release M-NAC-1(2001)77, par.38, available from <http://www.nato.int/docu/pr/2001/p01-077e.htm>.

It is important to underline that the WMD Centre was intended as a staff resource, providing inputs to the alliance policy process, and as a tool for coordination, in no way intended to supplant the 27 alliance bodies responsible for various elements of NATO policy on WMD-related matters. Roughly a year after it became operational, the staff included three members of the NATO International Staff, along with seven national experts, and the combination of international and national staff would remain a characteristic of the Centre. (The number of national experts, i.e. those seconded by NATO member governments, increased somewhat, but not dramatically.) Director Ted Whiteside listed the following areas of expertise among the staff: chemical and biological weapons, ballistic missiles, force protection, intelligence, and political aspects of arms control and nonproliferation regimes. The Centre was originally part of the Political Affairs Division of the NATO International Staff,¹⁵ but in NATO's 2003 restructuring it became part of the Defence Policy & Planning Division, under the authority of the newly established Deputy Assistant Secretary General for WMD Policy, who was also responsible for the Nuclear Policy Section.

Inter alia, the WMD Centre was structured to serve as a bridge between the International Staff and the International Military Staff, making sure that WMD-related information and intelligence available to military authorities was brought to bear in analyses for the alliance's civilian side. The alliance did need a focal point for information related to WMD, which was not the special focus of any other NATO bodies dealing with information and intelligence. The role would remain a delicate one, however. Even commentators quite positive regarding the Centre's potential as a

¹⁵ "Ted Whiteside: Head of NATO's WMD Centre," *NATO Review* 49, no. 4 (Winter 2001): 22-23, available from <http://www.nato.int/docu/review/2001/0104-06.htm>.

clearinghouse for information noted the limits on the willingness and ability of allies with good intelligence to share it broadly.¹⁶

The WMD Centre's analyses often take as their starting point the wide variety of materials made available by member states through the Intelligence Division of the International Military Staff. These range from lengthy, detailed analyses of proliferation issues to brief pieces of what is sometimes called "raw" intelligence. The Centre's added value derives from its extensive in-house expertise, which gives it the ability to evaluate and build on the analyses it receives. It also factors in inputs received from national delegations outside of International Military Staff channels. Operating in support of policy deliberations, the Centre works under tight deadlines.

The Centre's activities also include ongoing assessments of proliferation issues. Those assessments have concentrated on geographical areas of particular concern to NATO, especially on the periphery on NATO territory, and on development of chemical and biological weapons and of ballistic missiles and other delivery systems.¹⁷ Obviously, the simple fact that NATO has focused attention on a particular country is in itself a sensitive matter. But it seems fair to say that, in its deliberations on proliferation threats, NATO has focused on countries and phenomena that are widely held to be of concern.

The WMD Centre's database went into full operation in 2001, and is regularly updated. The structure for organizing the information was developed by the Senior Defence Group on Proliferation (DGP). The WMD Centre database is a genuine alliance asset. Appropriate authorities from NATO member governments can access it directly.

¹⁶ See for example Philip H. Gordon, "NATO After 11 September," *Survival* 43, no. 4 (Winter 2001-02): 101. French official Gilles Andréani, writing in 1999, was much more skeptical: "Short ... of a resolute high-level effort by political leaders to overcome the obstacles which have plagued intelligence exchanges within NATO, it seems unlikely that a qualitatively new level of cooperation could be achieved as a result" of the Washington Summit WMD Initiative. Andréani, "The Disarray of US Non-Proliferation Policy," 57.

¹⁷ NATO International Staff presentation on the WMD Centre, April 2003, cited by Bravo, "NATO's Weapons of Mass Destruction Initiative: Achievement and Challenges," 23.

Two elements of the Washington Summit WMD Initiative would remain difficult to implement: a public information strategy and the sharing of information regarding national programs of assistance for the elimination of WMD. The WMD Initiative called not so much for a NATO *qua* NATO public information strategy on WMD as for strengthening the efforts of the individual allies to develop such strategies. This reflected the philosophical and sovereignty concerns of some NATO countries in particular about supranational public information strategies. Significant differences would remain among allied governments in the extent to which they sought to raise the consciousness of their national publics regarding WMD threats.

Efforts to collect information about national assistance programs for WMD destruction also encountered difficulties, in part due to a lack of human resources to carry out a significantly labor intensive task. Convincing member country authorities to provide the requested information also was not entirely easy. Generally speaking, the national authorities responsible for the assistance programs were not the same as those responsible for relations with NATO, and did not have a particular vested interest in cooperating with the alliance in this effort. Not all the significant donor countries for cooperative threat reduction were NATO members, and ad hoc assistance coordination mechanisms involving interested parties already existed outside NATO. The meetings of the Organization for the Prohibition of Chemical Weapons, for example, provided opportunities for countries involved in supporting chemical weapons destruction in Russia to meet on the margins for information exchange.

The “Options” Paper

The document on options for confidence and security-building measures, verification, nonproliferation, arms control and disarmament tasked in paragraph 32 of the Washington Summit final document did not have an easy gestation. The December

1999 NATO foreign ministers meeting provided a mandate for the Senior Political Committee, reinforced by political and defense experts – SPC(R) -- to begin work on the report, for presentation to ministers in December 2000. The instruction was to ensure a “comprehensive and integrated approach.”¹⁸ Concern remained alive among allies that traditional arms control, disarmament and nonproliferation measures could be pushed aside by a greater U.S.-promoted focus on the defense dimensions of addressing WMD proliferation.

It was Canada that pressed most energetically during the summit preparations for a new comprehensive alliance policy review. At the December 1998 North Atlantic Council ministerial, for example, Canadian Foreign Minister Lloyd Axworthy had welcomed the U.S. proposal for a WMD Initiative for the Washington Summit, including the U.S. proposal for enhanced allied efforts to share information. He also had stressed the need for a “policy framework” and urged that the allies “discuss thoroughly the changing realities we face ... and the most sensible and effective responses to them.” With the end of the Warsaw Pact conventional threat, Axworthy argued, “now more than ever, any discussion of using alliance nuclear capabilities – even in retaliation – raises very difficult questions of means, proportionality, and effectiveness.” In the new Strategic Concept, then still in the works, Axworthy hoped for a “commitment to doing more” in disarmament and for emphasis on the dramatically reduced role for nuclear weapons in alliance strategy.¹⁹

The issues at stake were delicate, and over the course of a year the “Options” paper reportedly went through as many as 12 different versions before its release on 14 December 2000. In a sense, the paper did reflect the more vigorous and structured

¹⁸ Final communiqué, North Atlantic Council ministerial, Brussels, 15 December 1999, NATO press release M-NAC2(99)166, par.46, available from <http://www.nato.int/docu/pr/1999/p99-166e.htm>.

¹⁹ “Address by the honourable Lloyd Axworthy minister of foreign affairs to the North Atlantic Council Meeting,” 8 December 1998, available from <http://www.nato.int/docu/speech/1998/s981208i.htm>.

debate within the alliance that the WMD Initiative had been intended to promote. The document covered the full range of WMD – nuclear, biological, and chemical – as well as conventional arms control, including landmines and small arms and light weapons. But nuclear weapons, and how to deal with Russia on nuclear weapons issues, took center stage.

The “Report on Options for Confidence and Security Building Measures (CSBMs), Verification, Non-Proliferation, Arms Control and Disarmament” underlined that NATO had greatly reduced its nuclear forces over the preceding decade. Paragraph 32 of the Washington Summit Communiqué had stated clearly that NATO was “a defensive Alliance seeking to enhance security and stability at the minimum level of forces consistent with the requirements for the full range of Alliance missions.” The U.S.-chaired High Level Group (HLG), created as an advisory body to NATO’s Nuclear Planning Group in the Cold War years, took over nuclear weapon safety, security and survivability issues in 1998-99, and would continue to review NATO’s nuclear force requirements in the changing security context.

The “Options” report also stressed, however, that “the existence of powerful nuclear forces outside the Alliance constitutes a significant factor which the Alliance has to take into account if security and stability in the Euro-Atlantic area are to be maintained. Russia still retains a large number of nuclear weapons of all types.”²⁰

In the prescriptive part of the paper, the section entitled “Confidence and security building measures with Russia” was by far the most concrete and detailed. It outlined four CSBM proposals to enhance mutual trust and promote transparency on nuclear weapon and safety issues:

²⁰ NATO press release M-NAC-2(2000)121, par.7, available from <http://www.nato.int/docu/pr/2000/p00-121e/home.htm>. With respect to the NATO nuclear posture, the report noted that the number of land-based nuclear warheads in Europe had been reduced by over 85 percent. (See par.75.)

- A. Enhance and deepen dialogue on matters related to nuclear forces,
- B. Exchange information regarding the readiness status of nuclear forces,
- C. Exchange information on safety provisions and safety features of nuclear weapons,
- D. Exchange data on U.S. and Russian sub-strategic nuclear forces.

With respect to information exchanges on readiness status of nuclear forces, for example, the NATO proposal called for discussion of unilateral measures by NATO countries and Russia to reduce the alert status and readiness of their nuclear forces. As part of the Bush/Gorbachev/Yeltsin Presidential Nuclear Initiatives (PNIs) of 1991-92, the United States had taken measures such as removing all tactical nuclear weapons from ships in peacetime and removing strategic bombers from alert. As a result of its Strategic Defence Review, the U.K. had determined it would keep only one Trident submarine on deterrent patrol at reduced readiness. NATO had taken steps to “de-alert” dual-capable aircraft. Russia, in turn, would be expected to present the measures it had taken as a result of the PNIs. A second part of the proposed discussions would be a “generic description” of the current state of alert for NATO country and Russian nuclear weapons. Exchanges on nuclear weapons safety issues, according to the NATO proposal, could include sharing of information on programs to ensure reliability of persons responsible for nuclear weapons, mutual observation of exercises, a joint NATO-Russia accident exercise, or an officer exchange program.²¹

The paper also devoted significant attention to WMD proliferation matters, especially nuclear proliferation. It assessed the motivations of nations seeking to acquire nuclear weapons and concluded, not surprisingly, that there was “no evidence ... that proliferant nations acquire nuclear capabilities based on the fact that NATO maintains nuclear weapons in Europe for ensuring the security of the Alliance.” Local threat perceptions, regional ambitions, and global prestige all figured at the top of

²¹ Ibid., par. 90-95.

proliferants' motivations, according to the NATO analysis.²² The paper underlined the support of alliance members for the NPT, specifically its indefinite extension at the 1995 Review Conference and the decisions of both the 1995 and 2000 NPT Review Conferences on strengthening the treaty and its implementation. (See below.)²³

Not only did the paper discuss at length the role of various nonproliferation treaties and regimes, but also it addressed specifically NATO's relationship to them. It stressed that NATO's activities in the nonproliferation, arms control and disarmament fields complemented those of other relevant international organizations, without duplicating them. Referring back to the WMD Initiative's call for a more vigorous, structured debate among NATO allies on WMD issues, the paper stated that such a debate could

very usefully draw upon a clear understanding of the objectives and ongoing activities of other international organizations involved in arms control, disarmament and non-proliferation. It is therefore quite important for NATO Allies to maintain and reinvigorate the flow of information with and about relevant international bodies in the field.²⁴

In effect, the alliance recognized that its interaction and the interaction of individual member states with other organizations and regimes relevant to WMD issues was not everything it could be. Generally speaking, the policy of avoiding duplication of the efforts of other organizations translated into a policy of carefully limited interaction, even at informal levels.

Proliferation of chemical and biological weapons was identified as a "growing international security problem, both for interstate conflict *and as a potential dimension of*

²² Ibid., par.100. Developing country nonproliferation advocates, on the other hand, stress that the continued reliance of the nuclear weapon states on their nuclear forces encourages non-nuclear weapons states to acquire analogous capabilities, in order to deter threats. See for example Miguel Marin Bosch, "The non-aligned nuclear posture," in *Symposium on nuclear doctrines*, DDA Occasional Papers No. 3, December 1999 (New York: United Nations Department for Disarmament Affairs, 1999), p. 16.

²³ Ibid., par. 103-106.

²⁴ Ibid, par.115.

terrorism.”²⁵ (The paper cited the general risk that non-state actors had shown the potential to create and use some types of NBC weapons – see paragraph 6 -- but did not make a direct reference to potential terrorist use of *nuclear* weapons.) NATO authorities underlined that “relatively inexpensive missiles,” were widely available as potential delivery means for NBC warheads, and noted that all 19 NATO countries were members of the Missile Technology Control Regime.²⁶

The “Options” paper, which was unclassified, did not address directly the sensitive issue of how NATO would act in the face of threats from states armed with chemical or biological weapons. Reportedly, however, the revised NATO military doctrine (MC 400/2) agreed by the alliance’s Military Committee in February 2000, and adopted by the North Atlantic Council on 16 May 2000, retained the possibility of nuclear weapon use against states possessing CBW. One account quoted a NATO official to the effect that nuclear weapons were the alliance’s only deterrent against WMD use by others.²⁷

The Defense Dimension

In addition to the WMD Initiative, the Washington Summit had launched the Defense Capabilities Initiative (DCI), stressing: “It is important that all nations are able to make a fair contribution to the full spectrum of Alliance missions.” NATO operations in the Balkans, and most visibly the Kosovo intervention, had demonstrated the dramatic, and seemingly growing, “capability gap” between the United States and the other allies.

²⁵ Ibid., par. 42, emphasis added.

²⁶ Ibid., par. 46-47.

²⁷ Karel Koster, “An Uneasy Alliance: NATO Nuclear Doctrine & The NPT,” *Disarmament Diplomacy*, no. 49 (August 2000), available from <http://www.acronym.org.uk/dd/49/dd49/49npt.htm>. In the context of preparations for the 1995 NPT Review Conference, the nuclear weapons states had provided “negative security assurances” to the non-nuclear NPT countries, a commitment not to use nuclear weapons against those states, except in cases of aggression in collaboration with a nuclear weapons state. On numerous occasions, however, U.S. officials made it clear that the option of a nuclear response to chemical or biological attacks remained open (see also Chapter 1 above).

The issue of “burdensharing” within NATO had been around for many years, but the changing strategic context and the need for NATO to carry out missions very different from those foreseen during the Cold War made the challenges even more complex.

Proliferation of weapons of mass destruction and their means of delivery figured explicitly in the Washington Summit document on DCI as one of the more likely potential threats to allied security, given the new circumstances. The DCI stressed the importance of interoperability, i.e. the ability of forces from different countries to fight together, thanks to compatibility of equipment, military doctrine, and training. It identified a number of broad sectors requiring progress: deployability and mobility of alliance forces; sustainability and logistics; survivability and effective engagement capability; command and control and information systems.²⁸

Improving the ability of NATO country forces to fight and survive in an NBC environment, or under threat of NBC use, was an important element for the DCI. The Initiative called on allies to make improvements in 58 areas of their defense capabilities. Six of those areas had to do with NBC defense:

- nations were to pursue and accelerate efforts to field capabilities to address WMD and their delivery means;
- NATO and nations were to explore improving air defense systems, with more effective capability against theater ballistic missiles, cruise missiles and other air-breathing air vehicles;
- nations were to complete development of NBC protective equipment and have stocks to equip deployed forces;
- nations were to pursue, cooperatively, stand-off detection equipment to ensure collective protection of headquarters and facilities;
- nations were to develop means to share experience and lessons learned with respect to NBC capabilities, training, and development of concepts;

²⁸ “Defence Capabilities Initiative,” NATO press release NAC-S(99)69, 25 April 1999, available from <http://www.nato.int/docu/pr/1999/p99s069e.htm>.

- NATO was to work on developing upper layer capabilities and explore extending “Extended Integrated Air Defense” to the upper layer/boost phase.

The hope was that the DCI would bring higher-level political influence to bear on the problem of securing the resources needed for capabilities. But the initiative was not a success, despite very considerable alliance effort in the Conference of National Armaments Directors (CNAD), supported by the NATO International Staff Division of Defence Support. The DCI never acquired real political visibility, and many projects became bogged down at the bureaucratic level.²⁹ The program was so vast that even its advocates had difficulty remembering what was in it, a definite political disadvantage.

The main problem was weak implementation by national governments. U.S. Department of Defense assessments as of early 2000 (almost a year after the Washington Summit) pointed to numerous allied shortfalls in meeting DCI commitments, and a senior Pentagon official stated: “While allies acknowledge their capability shortfalls, few have made concrete efforts ... by increasing their defense budgets and reallocating funds.”³⁰ NATO defense ministers in June 2000 stated: “There is still much to be done, and a greater and prolonged commitment will be essential if substantial capability improvements are to be ensured.”³¹

The DCI clearly had over-reached, and the generalized problem of weak implementation affected the NBC defense-related capabilities. The Senior Defense Group on Proliferation (DGP) had been grappling with capabilities issues for years already, and continued to monitor efforts. Working with the WMD Centre, in fact, the

²⁹ Gordon, “NATO After 11 September,” 101.

³⁰ See David S. Yost, “The NATO Capabilities Gap and the European Union,” *Survival* 42, no. 4 (Winter 2000-01): 118-19. The quote is from Frank Kramer, Assistant Secretary of Defense for International Security Affairs.

³¹ “Statement on the Defence Capabilities Initiative,” North Atlantic Council in defense ministers session, Brussels, 8 June 2000, NATO press release NATO press release M-NAC-D-1(2000)64, par.4, available from <http://www.nato.int/docu/pr/2000/p00-064e.htm>.

DGP produced a WMD Initiative Stocktaking Report, concluding that Force Goals and DCI objectives were not being met.

In June 2001, NATO defense ministers specifically pointed to “a number of long-standing deficiencies ... in the areas of effective engagement and survivability of Alliance forces.” Among the problem areas were “air defence in all its aspects, including against theatre ballistic missiles and cruise missiles; *capabilities against nuclear, biological, and chemical (NBC) weapons and their means of delivery, and NBC detection and protection.*” Ministers underlined the importance of “accelerating work in all these areas, including where necessary to resolve resource difficulties” and pledged to increase their personal involvement to ensure a “substantially improved level of DCI implementation.”³²

Separately, work within NATO to “adapt defensive preparedness and to improve NATO training and exercises” related to WMD had received the specific endorsement of defense ministers.³³ A number of NATO groups focused on standardizing doctrine and practices: the NBC Defense Interservice Working Party, under the Military Agency for Standardization; Land Group 7 – NBC Equipment, under the NATO Army Armaments Group; Working Group 2 of Land Group 7 – Low Level Radiation in Military Environments; Challenge Subgroup 2 of Land Group 7 – Chemical/Biological Toxicity Challenge Levels; Technical Subgroup – Nuclear Weapons Defense, under Land Group 7; ATP 45 – NBC Warning/Reporting, under the NBC Defense Interservice Working Party; and ATP 59 (B) – Doctrine for the NBC Defense of NATO Forces.³⁴

³² “Statement on the Defense Capabilities Initiative,” North Atlantic Council in defense ministers session, Brussels, 7 June 2001, NATO press release M-NAC-D-1(2001)89, par. 2 and 4, available from <http://www.nato.int/docu/pr/2001/p01-089e.htm>. Emphasis added.

³³ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 5 December 2000, NATO press release M-NAC-D-2(2000)114, par. 45, available from <http://www.nato.int/docu/pr/2000/p00-114e.htm>.

³⁴ U.S. Department of Defense, Chemical and Biological Defense Program, *Volume I: Annual Report to Congress*, April 2002, 96, available from <http://www.acq.osd.mil/cp>.

Readiness, however, would remain a troublesome area. Training and most exercises were the responsibility of the individual member states, and there was no mechanism for NATO authorities to check that alliance-wide training objectives were in fact being implemented on the national level. Even in the United States, a November 2000 report by the General Accounting Office, an agency of the Congress, pointed to a disconnect between improvements in the supply of CBW protective and medical equipment and continued shortfalls in CBW training and readiness of units. The report highlighted the failure of commanders to integrate chemical and biological defense into exercises. The CBW defense training that did take place was not always realistic. The report also underlined shortages of chemical and biological defense specialists. April 2000 directives from the Joint Chiefs of Staff had mandated improvements in unit reporting on CBW defense readiness, but did not require units to report on the actual condition of their defense equipment.³⁵

NATO defense ministers endorsed in June 2001 a report on “special considerations for biological weapons defense.”³⁶ This was an important document, reflecting growing attention, especially in Washington and London, to the fact that biological agents presented distinctive and important challenges. There had been a long-standing tendency at NATO and in capitals to conflate the nuclear, chemical and biological threats, and to treat defenses against one as a defense against all. In the U.S. case, the U.S. Army Chemical Corps had been responsible for both chemical and biological defense, and had privileged the former. The new North American co-chair of the DGP, Lisa Bronson, U.S. Deputy Undersecretary of Defense for Technology Security and Counter Proliferation, and others stressed that defense against biological weapons

³⁵ United States General Accounting Office, *Chemical and Biological Defense: Units Better Equipped, but Training and Readiness Reporting Problems Remain*, Report to the Chairman, Committee on Armed Services, House of Representatives, November 2000, GAO-01-27, 5-7.

³⁶ See reference in note 32, par. 2.

in fact had very different requirements as compared to chemical defense. The “Special Considerations” paper was important in laying out what it meant to have a distinctive approach to BW, and included recommendations intended to provide the basis for guidance by military authorities to commanders in the field.

Defense against ballistic missiles was an increasingly high profile issue within the alliance in 1999-2001. 1998 has been described as the *annus horribilis* for proliferation, given nuclear tests in South Asia, missile tests by Iran and North Korea, and the end of the UNSCOM presence in Iraq due to Iraqi failure to cooperate. In spring 1998, India and then Pakistan conducted major new missile tests. Pressure was building in the United States for deployment of a National Missile Defense (NMD) system, especially after a panel chaired by then-former Secretary of Defense Donald Rumsfeld predicted in July 1998 that emerging missile powers could build intercontinental missiles capable of reaching U.S. territory within five years of deciding to do so. A consequent Senate resolution instructing the administration to move ahead in planning for NMD deployment passed with only four dissenting votes.³⁷

It is important to keep in mind the distinction between national missile defense and theater missile defense (TMD), highly relevant in NATO circles at this point. TMD was not a controversial issue in the alliance, although it faced competition for attention and resources. TMD was seen as necessary to guarantee the willingness of all allies to participate in deployments, and thus not create separate categories of countries that could and could not deploy for NATO’s new missions in the face of WMD threats. The NATO Conference of National Armaments Directors (CNAD) had approved a program

³⁷ Andréani, “Disarray of US Non-Proliferation Policy,” 45, 49; Avis Bohlen, “The Rise and Fall of Arms Control,” *Survival* 45, no. 3 (Autumn 2003): 29; Ben Sheppard, “Ballistic Missiles: Complicating the Nuclear Quagmire,” in *Nuclear India in the Twenty-First Century*, ed. D.R. SarDesai and Raju G.C. Thomas (New York and Houndmills, England: Palgrave-Macmillan, 2002), 189, contends that Indian and Pakistani missile development was arguably a greater threat to stability in the region than the 1998 nuclear tests.

plan for a layered theater ballistic missile defense capability in 1998. January 2000 saw the decision to begin the related feasibility study. NATO's Consultation, Command and Control Agency (NC3A) announced the actual award of two feasibility study contracts in June 2001.³⁸

National missile defense was a much more controversial issue within NATO. European allies worried that a U.S. NMD system, by reducing U.S. exposure to the ballistic missile threat, would undermine the principle of shared risk that long had been at the basis of transatlantic solidarity. The Europeans also were concerned about Russian and Chinese initiatives to compensate for the presumed strategic advantage the U.S. would gain. Finally, they worried that NMD deployment threatened the ABM Treaty and consequently the entire edifice of arms control, and were never sanguine about the Clinton Administration's attempts to negotiate changes to the treaty, to make it compatible with NMD deployment.

Intensive U.S. consultation efforts, bilateral and at NATO, did not allay European concerns, and Russian efforts to fan the flames were quite successful. Russia used the July 2000 G8 Summit in Okinawa, for example, to seek support for its opposition to a U.S. NMD deployment. Canada stated that it attached great importance to Russia's position, though it had not formulated a position on US NMD plans. France indicated doubts about the need for such a system, and claimed that the majority of European Union countries shared its views.³⁹

³⁸ NATO press release M-NAC-1(2000)52, 24 May 2000, par. 31, available from <http://www.nato.int/docu/pr/2000/p00-052e.htm>. For details of the process leading to award of the two feasibility study contracts, see "NATO's Theatre Missile Defence Programme reaches new milestone," NATO press release (2001) 085, 5 June 2001, available from <http://www.nato.int/docu/pr/2001/p01-085e.htm>. Work on the NATO Staff Target for Active Layered Theatre Missile Defence had begun in autumn 1998.

³⁹ See ABM Treaty in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

The European allies breathed a temporary sigh of relief when outgoing U.S. President Clinton decided not to take steps to begin NMD deployment. NATO foreign ministers in December 2000 underlined Clinton's statement that the views of the allies had been a critical consideration in his decision, and agreed to continue consultations on NMD within NATO.⁴⁰ A former senior State Department official responsible for arms control would summarize the situation as follows:

The Clinton Administration faced immense pressure to do something, but remained only half convinced that national missile defense made sense. It consequently fudged the issue, coming up with a deployment plan that responded to congressional pressures, but sought to preserve the ABM Treaty by renegotiating some of its provisions. The Clinton Administration never faced up squarely to the fact that missile defense could not really be squared with the ABM Treaty. Still less did it question the treaty's continued rationale or question whether the whole US-Soviet strategic arms control structure, of which the ABM Treaty was the centrepiece, did not need to be rethought in the post-Cold War period. The ... proposal to amend the ABM Treaty provoked a diplomatic furor from the Russians, Chinese and Europeans. The Russians threatened dire if unspecified countermeasures. Unable to obtain Russian agreement to amend the treaty and aided by the continuing technical difficulties of the missile-defence testing program, Clinton ended by kicking the decision down the road into the next administration.⁴¹

As is well known, the new Bush Administration in Washington shared none of its predecessor's hesitancy regarding NMD. The new administration quickly reversed the Clinton Administration decision to drop the term "rogue states," and cited the threat of rogue state acquisition of weapons of mass destruction to help mobilize political support for missile defense.⁴² Speaking at Washington's National Defense University on 1 May 2001, the U.S. president underlined the need for a new policy of active nonproliferation, counterproliferation, and new concepts of defense involving both offensive and *defensive* forces. He called for moving beyond the ABM Treaty, toward missile defenses

⁴⁰ Final communiqué, North Atlantic Council ministerial, Brussels, 15 December 2000, NATO press release M-NAC-2(2000)124, par.65, available from <http://www.nato.int/docu/pr/2000/p00-124e.htm>.

⁴¹ Bohlen, "The Rise and Fall of Arms Control," 29-30.

⁴² Litwak, "The New Calculus of Pre-emption," 57.

to counter emerging threats.⁴³ (On 13 December 2001, in fact, Bush would announce U.S. withdrawal from the ABM Treaty.) Following the 1 May speech, senior U.S. officials traveled to 19 countries, including Russia and China, and briefed NATO, with reactions subsequently characterized as “mixed.”⁴⁴

The communiqué from the May 2001 NATO foreign ministers meeting in Budapest still underlined the U.S. commitment to consult within the alliance, and to address all strategic issues affecting the allies, taking into account deterrence and offensive and defensive means, as well as arms control, disarmament, nonproliferation and other diplomatic approaches.⁴⁵ At the June defense ministers meeting, the new U.S. Secretary of Defense Donald Rumsfeld, in the context of discussing missile defense, briefed his counterparts on the U.S. assessment of current and evolving threats from proliferation of NBC weapons and their means of delivery. Some found Rumsfeld’s tone more conciliatory than expected, and ministers did agree on the importance of continuing to consult closely on their assessment of the threat and the means, *not only military*, to address it.⁴⁶ But the Bush Administration’s resolve to move ahead with deployment of an NMD system, as a response to proliferation of WMD and their means of delivery, without concern for preserving the ABM Treaty, was clearly manifest to the other allies.

In June 2001, the U.S. president visited NATO headquarters for a special meeting of heads of state and government and went to several other capitals. The

⁴³ Available from <http://www.whitehouse.gov/news/releases/2001/05/20000501-10/html>.

⁴⁴ See “ABM Treaty” in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

⁴⁵ Final communiqué, North Atlantic Council ministerial, Budapest, 29 May 2001, NATO press release M-NAC-1(2001)77, par.34, available from <http://www.nato.int/docu/pr/2001/p01-077e.htm>.

⁴⁶ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 7 June 2001, NATO press release M-NAC-D-1(2001)86, par.4, available from <http://www.nato.int/docu/pr/2001/p01-086e.htm>; Laurent Zecchini, “A l’OTAN, Washington multiplie les gestes d’ouverture,” *Le Monde*, 9 June 2001.

meetings did not result in significant new support for U.S. NMD policy. The U.K. reserved judgment until it knew more of the program's specificities; Germany emphasized the need for further consultation and clarification; France indicated concern about NMD's potential to trigger an arms race. On 17 June, National Security Advisor Condoleeza Rice listed the Czech Republic, Italy, Poland, Spain, Turkey, and the U.K. as countries where the U.S. initiative had received positive reactions,⁴⁷ though "positive" seems to have been somewhat broadly defined. The European allies could not claim, however, that the new U.S. administration had neglected the importance of trying to lay the diplomatic groundwork for a decision to withdraw from the ABM Treaty to allow deployment of missile defenses.

As the U.S. moved ahead with planning and preparations for a missile defense system, it was clear that radars located in several other NATO countries would have to be part of the system. Although the alliance as a whole agreed in 2002 to examine options for missile defense (Chapter 3), the U.S. continued to deal with radar cooperation via bilateral channels. There were indications, however, that some of the other allies involved might prefer to put their missile defense cooperation into more of a NATO context.

With respect to terrorism, the deadly attack on the USS Cole in Aden harbor on 12 October 2000 dramatically raised the level of Pentagon attention to force protection issues, and it clearly focused NATO-wide concern. At their first meeting after the USS Cole bombing, alliance foreign ministers signaled their heightened attention:

Terrorism constitutes a threat to internal and international security, to peaceful relations between States and to their territorial integrity, to the development and

⁴⁷ "ABM Treaty" in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>; Laurent Zecchini, "George Bush et les Européens s'efforcent de nouer le dialogue," *Le Monde*, 15 June 2001 quotes French President Chirac's expression of concern that NMD could become a "fantastic incitement to proliferation"; *NATO Update*, Week of 11-17 June 2001, available from <http://www.nato.int/docu/update/2001/0611/e0613a.htm>.

functioning of democratic institutions throughout the world and to the enjoyment of human rights and civil liberties.

The communiqué language went on to state, as always, that the allies were determined to combat this phenomenon in accordance with national legislation,⁴⁸ reflecting the long-standing insistence of some European allies, with France in the lead, that terrorism was an issue for the law enforcement organs of national governments. But the strong reference to peaceful relations among states, territorial integrity, democracy, human rights and civil liberties – exactly the principles that NATO had gone to war in the Balkans to defend – seemed to define much more clearly why the alliance **had to be** concerned with terrorism.

Allied leaders later would add their appreciation and support for the counter-terrorism efforts of the United Nations.⁴⁹ Following the harsh debate over the legitimacy of the NATO intervention in Kosovo without a specific mandate from the UN, NATO Secretary General Lord Robertson devoted significant attention to mending fences with the UN. UN Secretary General Kofi Annan, for example, visited NATO in October 2000 and Robertson returned the visit in March of 2001.⁵⁰ Despite these efforts, however, tensions and unease would remain at the headquarters of the two organizations.

NATO Outreach and WMD Issues

The section in the Options paper on NATO's future role had put considerable emphasis on dialogue regarding WMD issues with Russia and Ukraine, and secondarily with the Euro-Atlantic Partnership Council (EAPC) countries and the participants in the

⁴⁸ Final communiqué, North Atlantic Council ministerial, Brussels, 15 December 2000, NATO press release M-NAC-2(2000)124, par.68, available from <http://www.nato.int/docu/pr/2000/p00-124e.htm>.

⁴⁹ Final communiqué, North Atlantic Council ministerial, Budapest, 29 May 2001, NATO press release M-NAC-1(2001)77, par.39, available from <http://www.nato.int/docu/pr/2001/p01-077e.htm>.

⁵⁰ NATO press releases (2000) 089, 3 October 2000, and (2001) 030, 28 February 2001, available from <http://www.nato.int/docu/pr/2000/p00-089e.htm>, and [-/2001/p01-030e.htm](http://www.nato.int/docu/pr/2001/p01-030e.htm) respectively.

Mediterranean Dialogue. The stated objective was to promote openness and transparency, essential for progress in arms control and nonproliferation.⁵¹

Russia. The large Russian nuclear arsenal ensured that nuclear issues would continue to have pride of place in NATO-Russia discussions on WMD. But there was also agreement in the Permanent Joint Council to address chemical and biological weapons and delivery means. Issues such as threat perceptions, developing common language and terminology on WMD proliferation topics, and defense responses to WMD proliferation threats were also on the agenda. The Options paper noted that NATO-Russia expert consultations on proliferation had included “very productive discussions on defense issues related to proliferation, as well as more in-depth discussion on specific proliferation risks.” A longer-term work program was under development at that point (December 2000), expected to cover the nuclear, biological, and chemical weapons and their delivery means.⁵²

NATO-Russia relations had recovered substantially in 2000, after the previous year’s falling-out over NATO’s intervention in Kosovo. In February, NATO Secretary General Lord Robertson made a successful visit to Moscow, and at their Florence meeting in May, NATO foreign ministers welcomed “recent steps towards the resumption of consultation and co-operation in the PJC on a broader range of issues.” PJC meetings at ambassadorial level in spring 2000 had discussed arms control and WMD proliferation issues, with an eye toward the NPT Review Conference beginning 24 April, as well as exchanging views on military strategy and doctrine.⁵³ The Permanent Joint Council met in ministerial session in Florence, taking note of the recent NATO-Russia consultations

⁵¹ See reference in note 20, par.108-9.

⁵² Ibid., par. 110-111.

⁵³ See NATO press releases of 15 March, 12 April, and 17 May 2000, available from <http://www.nato.int/docu/pr/2000/p000315e.htm>, [-/2000/p000412e.htm](http://www.nato.int/docu/pr/2000/p000412e.htm), and [-/2000/000517e.htm](http://www.nato.int/docu/pr/2000/p000517e.htm) respectively.

on nonproliferation, arms control, and disarmament, as well as on scientific cooperation. They were able to agree on a PJC Work Programme for the rest of the year.⁵⁴

Relations gathered momentum after the Florence meetings. At the June 2000 Defence Planning Committee/Nuclear Planning Group session, NATO defense ministers welcomed the prospect of renewed exchanges with Russia on nuclear weapons issues, as well as Russian ratification of START II and the CTBT. By the time of the December ministerials, discussions with Russia on nuclear weapons had in fact resumed, and defense ministers looked forward to further exchanges “in the spirit of improved transparency and full reciprocity.”⁵⁵ The PJC ministerial in December expressed satisfaction with NATO-Russia discussions on a broad range of issues of direct interest to both sides, including arms control, proliferation, and nuclear weapons.⁵⁶ Russia also was moving toward enhanced participation in the EAPC during this period, something NATO authorities registered favorably.⁵⁷

As the NATO-Russia relationship recovered, theater missile defense also returned to the agenda for consultation and cooperation.⁵⁸ But conversations on missile issues

⁵⁴ Final communiqué, NAC ministerial, Florence, 24 May 2000, NATO press release M-NAC-1(2000)52, par. 32, available from <http://www.nato.int/docu/pr2000/p00-052e.htm>; press statement, NATO-Russia Permanent Joint Council ministerial, Florence, 24 May 2000, available from <http://www.nato.int/docu/pr/2000/p000524e.htm>. The PJC had met in Brussels at the ambassadorial level on several occasions before the ministers met in Florence.

⁵⁵ Final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 8 June 2000, NATO press release M-DPC/NPG-1(2000)59, par. 11, 9, available from <http://www.nato.int/docu/pr/2000/p00-059e.htm>; final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 5 December 2000, NATO press release M-DPC/NPG-2(2000)115, par.11 available from <http://www.nato.int/docu/pr/2000/p00-115e.htm>.

⁵⁶ Press statement, Brussels, 15 December 2000 available from <http://www.nato.int/docu/pr/2000/p001215e.htm>.

⁵⁷ See Final communiqué, North Atlantic Council ministerial, Brussels, 14-15 December 2000, NATO press release M-NAC-2(2000)124, par.44, available from <http://www.nato.int/docu/pr/2000/p00-124e.htm>; final communiqué, North Atlantic Council ministerial, Budapest, 29 May 2001, NATO press release M-NAC-1(2001)77, par.14, available from <http://www.nato.int/docu/pr/2001/p01-077e.htm>.

⁵⁸ See for example the final communiqué, North Atlantic Council ministerial, Brussels, 14-15 December 2000, NATO press release M-NAC-2(2000)124 (dated 15 December), par.44, available from <http://www.nato.int/docu/pr/2000/p00-124e.htm>. At the same session, alliance foreign ministers also stressed that consultations within NATO on TMD issues would continue (par. 61).

were not always easy. Following NATO-Russia expert consultations on WMD proliferation in Moscow, 23 April 2001, the PJC met in Brussels in ambassadorial session. Marshall I. Sergeyev, Assistant to the Russian President, explained a Russian proposal on Pan-European Non-Strategic Missile Defense.⁵⁹ The proposal, which came as European allies were assessing the likely missile defense policies of the new U.S. administration, caught NATO somewhat off-guard. The Russian objective was clearly to help preserve the ABM Treaty.

The allies devoted considerable effort to convincing Russia that they were not interested in cooperating on the proposed system. Among other things, they hit the ball back into the Russian court, raising numerous questions and requests for clarification, which the Russian government took considerable time to answer. The two sides agreed to exchange information, but the Russian proposal was in a sense “overtaken by events” following the 11 September 2001 terrorist attacks.

Russian insistence on retaining large numbers of tactical nuclear weapons remained a major sticking point in relations with NATO, and was an obstacle to Russian engagement in the confidence and security building measures proposed in the alliance’s Options paper. Differences over Kosovo reinforced Russia’s already growing attachment to its nuclear weapons. In April 1999, in fact, the Russian Security Council discussed withdrawing from the informal 1991/1992 Presidential Nuclear Initiatives on non-strategic nuclear weapons. The decline of overt NATO-Russia tensions regarding Kosovo did not have a major impact on Moscow’s nuclear policy. The new Russian Military Doctrine, circulated in draft in October 1999, approved by the Security Council on 4 February 2000, portrayed nuclear weapons as the only reliable means of dissuading NATO from using force against Russia. (The doctrine remained in effect as

⁵⁹ NATO press statement, Permanent Joint Council at ambassadorial level, 26 April 2001, available from <http://www.nato.int/docu/pr/2001/p010426e.htm>.

of mid-2004, although in October 2003 Russian Defense Minister Ivanov presented a paper adding considerable detail on nuclear use matters.)

The “Zapad-99” Russian maneuvers were based on scenarios of a Kosovo-type operation and a NATO attack against Kaliningrad. With the conventional fighting going badly for their forces, the Russians opted for two nuclear strikes: one against a target in the U.S., one against NATO assets in Europe. The second strike was intended to de-escalate, by avoiding defeat in a conventional war, consistent with the emerging view of many Russian military experts that limited use of nuclear weapons in regional wars could help contain conflict and avoid passage to the strategic level.⁶⁰ Developments in Russian doctrine that appeared to make use of tactical nuclear weapons more likely did not bode well for Russian implementation of the 1991/1992 Presidential Nuclear Initiatives, as did suspicions in early 2001 that Russia was re-introducing nuclear warheads into its military enclave in Kaliningrad.⁶¹

In sum, though their dialogue on nuclear issues continued, Russian and NATO each retained significant doubts about the other’s true intentions and trustworthiness. Assessing the situation in mid-2001, a leading scholar of NATO affairs underlined that Russia saw significant incentives for retaining and even improving its non-strategic nuclear forces (NSNF), and saw little incentive to pursue further reductions or engage in negotiations related to NSNF: “NATO has adopted the most practical objective currently

⁶⁰ Nikolai Sokov, “Russia’s nuclear doctrine: the end of the period of transition?” in *Symposium on nuclear doctrines*, pp. 23, 28; idem., “Russian Ministry of Defense’s New Policy Paper: The Nuclear Angle,” available from Center for Nonproliferation Studies, Monterey Institute of International Studies Website, www.cns.miis.edu/pubs/reports/sok1003.htm.

⁶¹ Rose Gottemoeller, “Advantages and Disadvantages of Unilateral Arms Control Policy,” in *Tactical Nuclear Weapons: Time for Control*, ed. Taina Susiluoto, UNIDIR/2002/11 (Geneva: United Nations Institute for Disarmament Research, 2002), 4.

available: pursuing greater transparency regarding NSNF in the NATO-Russia Permanent Joint Council.”⁶²

Ukraine. Unlike NATO’s relationship with Russia, that with Ukraine did not suffer as a result of the Kosovo intervention. Indeed Ukraine sent a delegation to the 1999 Washington Summit (at the height of the Kosovo intervention) and its contribution to the KFOR peacekeeping mission in Kosovo earned it significant credit with the allies. In June 1999 Ukraine even briefly closed its airspace to Russia, which was seeking to reinforce its military presence at Pristina airport.⁶³

NATO continued to validate the Ukrainian decision to give up nuclear weapons, terming it in the Washington Summit communiqué one of the “key factors of stability and security in Europe.” The NATO-Ukraine Commission Summit in Washington the same day also underlined the “historic importance” of removal of nuclear weapons from Ukrainian territory.⁶⁴

At its November 1999 meeting in Brussels in ambassadorial session, the NATO-Ukraine Commission held what was characterized as “an in-depth discussion concerning Ukraine and NATO contributions in the field of non-proliferation of weapons of mass destruction and prospects for future cooperation in the context of the Alliance’s WMD Initiative.”⁶⁵ A NATO-Ukraine expert meeting on WMD proliferation took place in the first

⁶² “Russia’s non-strategic nuclear forces,” *International Affairs* 77, no. 3 (July 2001): 551.

⁶³ See Jennifer P. Moroney, “Ukraine’s ‘European Choice’ in the East-West Frontier,” NATO Fellow Report, 1999-2001, 19-20, available from <http://www.nato.int/acad/fellow/99-01/f99-021.htm>.

⁶⁴ Summit communiqué, 24 April 1999, NAC-S(99)64, par.28, available from <http://www.nato.int/docu/pr/1999/p99-064e.htm>; “Declaration of the Heads of State and Government Participating in the NATO-Ukraine Commission Summit,” Washington, 24 April 1999, NATO press release NUC-S(99)68, par.2 available from <http://www.nato.int/docu/pr/1999/p99-068e.htm>.

⁶⁵ Statement, NATO-Ukraine Commission in ambassadorial session, NATO press release, 29 November 1999, available from <http://www.nato.int/docu/pr/1999/p991129e.htm>. See also final communiqué, North Atlantic Council in defense ministers session, Brussels, 2 December 1999, NATO press release M-NAC-D(99)156, par.20, available from <http://www.nato.int/docu/pr/1999/p99-156e.htm>.

months of 2000.⁶⁶ These issues remained consistently part of the developing relationship. When Ukrainian Deputy Foreign Minister Ihor Kharchenko went to Brussels in May 2001 to chair the Ukrainian side in another meeting of the Commission, the Ukrainians indicated their willingness to develop practical modalities of cooperation with the Senior Defence Group on Proliferation (DGP) and the NATO WMD Centre. Further consultations on WMD were planned for that month.⁶⁷

It is important, however, to keep this cooperation in perspective. The fact that Ukraine had gone non-nuclear gave less urgency and weight to WMD issues in the NATO-Ukraine relationship than was the case in the NATO-Russia relationship. Ukraine's participation in Balkan peacekeeping, its cooperation with NATO in domestic defense reform and retraining of Ukrainian military personnel for civilian jobs, as well as joint efforts in civil emergency planning (including also a pilot project on flood prevention with the participation of Moldova, Romania, and Slovakia) were among the other important elements on the NATO-Ukraine agenda.⁶⁸

Euro-Atlantic Partnership. The day after the Washington Summit, the Euro-Atlantic Partnership Council (EAPC) also met at the level of heads of state and government. It put a political seal of approval on efforts since the 1997 Madrid Summit to enhance Partnership for Peace (PfP), including greater partner involvement in political consultations, decision-making, operational planning, and command arrangements for NATO-led operations in which partners might choose to participate. The EAPC Summit approved a report entitled "Towards Partnership for the 21st Century – The Enhanced and more Operational Partnership," which covered a series of planning, policy, training

⁶⁶ Statement, NATO-Ukraine Commission in ambassadorial session, Kyiv, NATO press release (2000) 020, 1 March 2000, available from <http://www.nato.int/docu/pr/2000/p00-020e.htm>.

⁶⁷ Statement, NATO-Ukraine Commission in ambassadorial session, Brussels, NATO press release (2001) 057, 4 May 2001, available from <http://www.nato.int/docu/pr/2001/p01-057e.htm>.

⁶⁸ See *ibid.*

and education efforts. With respect to arms control and disarmament, the summit noted EAPC efforts on humanitarian mine action, as well as creation of an open-ended ad hoc working group to examine how the EAPC might contribute to controlling transfers of small arms. But WMD and proliferation were not mentioned, despite the previous day's announcement of the NATO WMD Initiative.⁶⁹

The EAPC Action Plan 2000-2002 similarly did not signal enhanced attention to WMD issues. It cited the EAPC Basic Document, which included NBC proliferation, arms control, and terrorism as potential subjects for consultation, and did include "political and defence efforts against NBC proliferation" as an area of cooperation under PfP and as a topic for EAPC consultations and expert meetings. The only event planned for 2000, however, was one meeting of the EAPC in Political Committee format with disarmament experts. On the other hand, the Action Plan noted the convening during 1999 of the Ad Hoc Working Groups on global humanitarian mine action and on small arms and light weapons, as well as similar groups dealing with regional cooperation in Southeastern Europe and the Caucasus.⁷⁰ Conventional weapons remained much more prominent than WMD in the EAPC's work

Allied defense ministers in December 2000 noted that NATO was "continuing to prepare for discussions with Partners" on proliferation-related matters, and with Mediterranean Dialogue countries as well.⁷¹ But WMD issues seemingly did not come up in EAPC meetings at the ministerial level, and the revised 2000-2002 EAPC Action Plan issued in December 2000 did not visibly step up EAPC attention to such matters.

⁶⁹ Chairman's summary, Euro-Atlantic Partnership Council at summit level, Washington, DC, NATO press release EAPC-S(99)67, 25 April 1999, available from <http://www.nato.int/docu/pr/1999/p99-067>.

⁷⁰ See NATO press release M-2-EAPC(99)169, Brussels, 16 December 1999, available from <http://www.nato.int/docu/pr/p99-169e.htm>.

⁷¹ Final communiqué, North Atlantic Council in defense ministers session, Brussels, 5 December 2000, NATO press release M-NAC-D-2(2000)114, par.46, available from <http://www.nato.int/docu/pr/2000/p00-114e.htm>.

The events planned for 2001 under the “Arms Control, disarmament, and non-proliferation issues” rubric had to do with small arms, light weapons and landmines.

Terrorism did not provide a hook for bringing in WMD matters. Under “International terrorism” the topic for EAPC meetings with NATO’s Special Committee, responsible for intelligence and security matters, remained crystallized as: “Identifying threats from and responses to international terrorism.”⁷²

Civil emergency planning and scientific cooperation. Civil emergency planning remained a bright spot in the alliance’s engagement with partners on WMD-related matters. The Washington Summit had included among NATO’s fundamental security tasks the ability to engage in crisis management, “including crisis response operations.”⁷³ Defense ministers, meeting as the North Atlantic Council in December 2000, underlined that the ongoing review of the role of civil emergency planning in NATO would include “support for national authorities in the protection of populations against the effects of WMD.”

As agreed at the Washington Summit, there is scope for the sharing of national information on capabilities that might be available on request to help stricken nations to cope with the consequences of a weapons of mass destruction attack. This exchange will include information volunteered by nations on consequence management preparedness measures.⁷⁴

⁷² See NATO press release M-EAPC-2(2000)120, 15 December 2000, available from <http://www.nato.int/docu/pr/2000/p00-120e.htm>. It is not the author’s intention to minimize the importance of efforts in the EAPC/PfP context to address proliferation of small arms/light weapons or landmines. In Albania, for example, the NATO Maintenance and Supply Agency (NAMSA) provided vital assistance for the destruction of the anti-personnel landmine stockpile, with Canada serving as the lead country for raising funds. NATO fact-finding teams first visited Albania in 1997-98. Construction of processing facilities and extensive training of Albanian unexploded ordnance (UXO) experts took some time. Actual destruction of the stockpiled mines was completed between September 2001 and April 2002, though the Albanian armed forces would continue UXO clearance throughout the country. See the recent NATO brochure *The Disposal of Albania’s Anti-personnel Mine Stockpiles*, available from <http://www.nato.int/docu/home.htm>. In June 2001, NAMSA signed a memorandum of understanding with Moldova for a second project to be funded by the PfP Trust Fund, for safe destruction of anti-personnel mines, surplus munitions, and liquid propellant oxidizer. The Netherlands was the lead country.

⁷³ Washington Summit communiqué, 24 April 1999, NATO press release NAC-S(99)64, par.6, available from <http://www.nato.int/docu/pr/1999/p99-064e.htm>.

⁷⁴ Final communiqué, NATO press release M-NAC-D-2(2000)114, 5 December 2000, par.51, available from <http://www.nato.int/docu/pr/2000/p00-114e.htm>.

The need for increasing NATO coordination with other organizations involved in civil emergency planning, including the United Nations, was another emerging theme at this time.⁷⁵

On 18 March 2000, in the context of Partnership for Peace, the NATO Group of Experts on Warning and Detection Systems (GOEWDS), a technical body of the Civil Protection Committee, staged a warning and detection exercise. Scenarios for INTEX 2000 included a number of fictitious nuclear, chemical, and satellite incidents. The purpose was firstly to test, exercise, evaluate, and develop procedures for timely international exchange of warning, detection, and monitoring information on radioactive, chemical, and other hazards. Other objectives included promotion of interoperability and increased understanding of agreed international procedures and arrangements. Five partner countries participated, and new NATO members Hungary and Poland provided, respectively, the operations center and a training workshop in advance of the exercise.⁷⁶

With respect to civil emergency planning more generally, NATO continued an active program of regional training courses in partner countries, covering inter alia the basic principles of Civil Military Co-operation (CIMIC) within NATO's Strategic Concept and in the framework of Euro-Atlantic Partnership.⁷⁷ Exercise Trans-Carpathia in September 2000, a flood response exercise in Western Ukraine involving 10 other EAPC countries and UN disaster assistance authorities, proved an act of prescience, in light of the dramatic floods that struck the area in March 2001. Partner countries participated in

⁷⁵ Final communiqué, North Atlantic Council ministerial, Brussels, 14-15 December 2000, NATO press release M-NAC-2(2000)124 (issued 15 December 2000), par.69, available from <http://www.nato.int/docu/pr/p00-124e.htm>.

⁷⁶ "NATO International Warning and Detection Exercise INTEX 2000," NATO press release (2000) 028, 14 March 2000, available from <http://www.nato.int/docu/pr/2000/p00-028e.htm>.

⁷⁷ Courses took place, for example, in Baku (April 2000), Sofia (December 2000) and Almaty (May-June 2001). See NATO press releases (2000) 032, 29 March 2000; (2000) 113, 1 December 2000; (2001) 079, 28 May 2001, available from <http://www.nato.int/docu/pr/2000/p00-032e.htm>, [-/2000/p00-113e.htm](http://www.nato.int/docu/pr/2000/p00-113e.htm), and [-/2001/p01-079e.htm](http://www.nato.int/docu/pr/2001/p01-079e.htm) respectively.

NATO's annual Crisis Management Exercise (CMX) in February 2001. (The scenario was not explicitly one involving WMD.)⁷⁸

Partnership efforts also continued to intersect with WMD concerns in NATO's scientific cooperation program. By January 1999, the Science Programme's transition to almost exclusively partner-alliance cooperation was complete. The sub-program on Cooperative Science and Technology was aimed at promoting research cooperation and personal links between scientists in countries that previously had been divided by political barriers, and included an area entitled Security-Related Civil Science and Technology. A June 1999 workshop, for example, evaluated existing methods for measuring radioactive contaminants, based on investigations at the nuclear test site in Semipalatinsk, Kazakhstan.⁷⁹

The eleven Collaborative Linkage Grants awarded in the Security-Related Civil Science and Technology area in 2000 funded, among other things, investigations regarding tularemia (a potential biological warfare agent), reactivation of inhibited acetylcholinesterase (relevant to the effects of nerve agents), security culture and training at nuclear facilities in Russia, safety problems of spent nuclear fuel storage, and effects of exposure to heavy metals and radiation. The six projects funded in 2001 involved explosive detection methods, a method for detecting and estimating the yield of nuclear explosions, secure and efficient management of radioactive materials, laser detection and deactivation of bioaerosols, and antidotes and treatment for exposure to nerve agents. Partner country participants in these studies came from Bulgaria, Croatia, Kazakhstan, Russia, the Slovak Republic, and Russia. One principal investigator was from Kosovo, and scientists from the new NATO member countries – Czech Republic,

⁷⁸ "NATO conducts Crisis Management Exercise (CMX 2001) with Partner countries," NATO press release (2001) 015, 7 February 2001, available from <http://www.nato.int/docu/pr/2001/p01-015e.htm>.

⁷⁹ Nancy T. Schulte, "NATO Science Programme intensifies interactions with Partners."

Hungary, and Poland – also participated in several projects. The program was open to researchers from Mediterranean Dialogue countries as well, and it is worth noting that one of the principal investigators on the bioaerosol project was from Egypt.⁸⁰

The NATO Science Series also continued publishing volumes on disarmament technologies, covering topics such as protection against NBC risks, safety of nuclear materials, rapid methods for analysis of biological materials in the environment, verification of the Biological and Toxin Weapons Convention, the role of biotechnology in countering biological and toxin weapons, and means of distinguishing between natural and other outbreaks of disease.⁸¹

Mediterranean Dialogue. The 1999 Strategic Concept did not “name names” when it discussed the heightened WMD proliferation threat facing the alliance. But the fact that many suspected or potential proliferators were located on or near the Mediterranean littoral led to expectations of a greater southern focus for NATO. Dialogue on security issues with countries in the southern Mediterranean, many themselves threatened by WMD proliferation, concomitantly seemed to grow in importance.⁸²

There were some positive developments in NATO’s Mediterranean Dialogue in the two years following the Washington Summit. In March 2000, for example, Algeria accepted NATO’s invitation to join the Dialogue. The following month, King Abdullah II of Jordan visited NATO. In April 2001 Israel became the first of the seven Mediterranean Dialogue countries to sign a security agreement with NATO, covering protection of classified information and conditions for sharing it. (As of mid-2004,

⁸⁰See <http://www.nato.int/science/e/cig-funded200004.htm> and www.nato.int/science/e/clg-funded4.htm.

⁸¹ See the Website of Kluwer publishers, www.wkap.nl/prod/s/NAII.

⁸² See Ian Lesser, Jerrold Green, F. Stephen Larrabee and Michele Zanini, *The Future of NATO’s Mediterranean Initiative: Evolution and Next Steps* (Santa Monica, CA: RAND, 2000), 18, available from <http://www.rand.org/publications/MR/MR1164/>. This book was the outgrowth of another NATO/RAND conference, held in Valencia in 1999.

however, by no means all of the MD countries had signed such agreements.) The allies noted with favor the interest of some Dialogue countries in tailored military and defense-related activities and worked to respond positively to that interest. Senior NATO officials carried out a round of visits to all the MD capitals.⁸³

While Israel seemed quite ready to share information with NATO, engaging with most of the MD countries on WMD matters remained very difficult. The Washington Summit had expressed the alliance's commitment to strengthening cooperation in areas where NATO could "add value, especially in the military field." But the summit had not specifically indicated support for deepening consultations with the MD countries on options for confidence and security building measures, verification, nonproliferation, arms control and disarmament.⁸⁴ Deepened consultations in such areas implicitly were reserved for Russia, Ukraine, and other partners in the EAPC.

Later in 1999, the Mediterranean Dialogue countries would make it onto the list for deepened consultations,⁸⁵ but the "Options" paper of December 2000 reflected NATO's continued hesitation and concern. The paper actually put EAPC partners and Mediterranean Dialogue countries on the same plane when it came to discussing WMD proliferation issues. Allies recognized the importance of consultations "at an appropriate stage." The paper recommended that NATO proceed first with defining the nature and scope of consultations with the EAPC and MD countries, and then undertake the

⁸³ See "Algeria's participation in NATO's Mediterranean Dialogue," NATO press release (2000) 027, 14 March 2000, available from <http://www.nato.int/docu/pr/2000/p00-027e.htm>; *NATO Update*, week of 12-18 April 2000 and week of 23-29 April 2001, available from <http://www.nato.int/docu/update/2000/0412/eng.htm#0412b> and [-2001/0423/e0424b.htm](http://www.nato.int/docu/update/2001/0423/e0424b.htm); Final communiqué, North Atlantic Council in defense ministers session, Brussels, 5 December 2000, NATO press release M-NAC-D-2(2000)114, par.42, available from <http://www.nato.int/docu/pr/2000/p00-114e.htm>; Final communiqué, North Atlantic Council ministerial, Budapest, 29 May 2001, NATO press release M-NAC-1(2001)77, par. 21, available from <http://www.nato.int/docu/pr/2001/p01-077e.htm>.

⁸⁴ Washington Summit communiqué, 24 April 1999, NATO press release NAC-S(99)64, par.29, 32, available from <http://www.nato.int/docu/pr/1999/p99-064e.htm>.

⁸⁵ Final communiqué, North Atlantic Council ministerial, Brussels, 15 December 1999, NATO press release M-NAC2(99)166, par. 45, available from <http://www.nato.int/docu/pr/1999/p99-166e.htm>.

consultations “with a view to increasing common understanding and information-sharing on proliferation-related activities.” This would contribute to confidence building.⁸⁶ Such wording indicated both a fundamental caution about initiating the dialogue, and the clear sense that pro-active cooperation was far from being on the agenda.

In turn, many Dialogue countries, especially those in the Maghreb, were concerned that NATO’s increasing emphasis on WMD was part of an effort to depict the Mediterranean as the new center of threats to alliance countries, and hence justify military intervention in the region.⁸⁷ The dialogue also retained a built-in limit, given the participation of Israel and Arab countries, which made joint activities difficult. On WMD, the battle lines were clearly drawn, given Israel’s status as a de facto nuclear weapon state outside the NPT. Even discussions of WMD issues in 19+1 format, i.e. NATO and one Dialogue country at a time, always ran the risk of degenerating into diatribes or entreaties, e.g. that the United States “solve the Israel problem.” In sum, the matter of how to establish meaningful and constructive dialogue on WMD issues with the full range of MD countries remained unresolved.

The Broader Arms Control and Nonproliferation Context

Support for arms control, disarmament, and nonproliferation agreements remained a constant theme in NATO’s policy documents. The 1999 Strategic Concept had underlined that such agreements contributed to NATO political and defense objectives by providing stability, transparency, predictability, verification, and lower

⁸⁶ NATO press release M-NAC-2(2000)121, par. 114, available from <http://www.nato.int/docu/pr/2000/p00-121e/home.htm>.

⁸⁷ Lesser et al., *Future of NATO’s Mediterranean Initiative*, 23.

armament levels.⁸⁸ The December 2000 “Options” paper characterized these regimes, along with confidence and security building measures, as “important components of conflict prevention.”⁸⁹

Bilateral U.S./Russian strategic arms reduction efforts had not lost any of their interest for the alliance as a whole. Until the Duma and the Russian Federation Council ratified START II in April 2000, no NATO ministerial communiqué was complete without a call for Russian ratification. The alliance welcomed the ratification when it did come, even though the Duma’s attached conditions created an insurmountable obstacle to entry into force. The Duma established requirements that the U.S. Senate was not prepared to meet, including a reaffirmation of the ABM Treaty, before instruments of ratification could be exchanged. Presidents Clinton and Yeltsin had outlined a START III treaty in 1997, though the U.S. government had taken the position that negotiations on START III could not begin before ratification of START II. As long as the Clinton Administration remained in office, alliance policy statements continued to underline the desirability of negotiations on START III.⁹⁰

Already for Clinton and Yeltsin, however, strategic arms control had ceased being a burning issue, though it remained an obligatory part of the U.S.-Russian agenda. Among other factors, a sort of “verification fatigue” had set in, a result of the heavy inspection and notification requirements of the START I treaty. And there was no effort

⁸⁸ “The Alliance’s Strategic Concept, Approved by the Heads of State and Government Participating in the Meeting of the North Atlantic Council in Washington, D.C. on the 23rd and 24th April 1999,” NATO press release NAC-S(99)65, 24 April 1999, par. 3, available from <http://www.nato.int/docu/pr/1999/p99-065e.htm>.

⁸⁹ NATO press release M-NAC-2(2000)121, par.3, available from <http://www.nato.int/docu/pr/2000/p00-121e/home.htm>.

⁹⁰ See May 2000 Florence foreign ministers communiqué (para. 29), plus the documents from the June and December 2000 meetings of defense ministers as the Defence Planning Committee/Nuclear Planning Group (par. 9 and 10 respectively), available from <http://www.nato.int/docu/pr/2000/p00-052e.htm>, -2000/p00-059e.htm, and -2000/p00-115e.htm.

in the later Clinton era to rethink how to deal with Russia on strategic issues. The START III negotiations were a reprise of START II – only the numbers had changed.⁹¹

The approach to strategic arms control did change with the new administration in Washington. The next U.S./Russian treaty on strategic reductions (SORT, signed 24 May 2002) departed dramatically from the “START model” of extensive, detailed verification and compliance provisions. One can see reflections of a new approach already in the document of the North Atlantic Council ministerial in May 2001, expressing strong support for “the ongoing process of achieving further reduction of the number of strategic nuclear weapons deployed by the United States and Russia.”⁹² The START approach was already a thing of the past, although the objective of further strategic reductions remained.

As adumbrated in the earlier discussion of national missile defense, the arrival in Washington of the Bush Administration ushered in a dramatic change in U.S. policy regarding the ABM Treaty. Viewed in retrospect, the insistent invocation of that treaty’s fundamental importance in NATO documents is striking. The Clinton Administration evidently was quite happy to have the allies help hold down one corner – the pro-ABM Treaty corner -- of the loosely flapping tent that was its national missile defense/ABM policy. NATO foreign ministers in Florence (May 2000) expressed trust that the outcome of U.S./Russian discussions on strategic issues would “preserve and strengthen the role of the ABM treaty.”⁹³ A “cornerstone of strategic stability and a basis for further

⁹¹ Bohlen, “Rise and Fall of Arms Control,” 28.

⁹² See the communiqué from the Budapest foreign ministers meeting, 29 May 2001, par.35, available from <http://www.nato.int/docu/pr/2001/p01-077e.htm>.

⁹³ Final communiqué, North Atlantic Council ministerial, Florence, 24 May 2002, NATO press release M-NAC-1(2000)52, par.33, available from <http://www.nato.int/docu/pr/2000/p00-052e.htm>.

reductions of strategic offensive weapons” was how foreign ministers described the ABM treaty at their December 2000 meeting.⁹⁴

Of course, bilateral strategic issues were ultimately the preserve of NATO’s largest member. Following the change of administrations in Washington, the agreed language from NATO meetings dropped any outspoken support for the ABM Treaty as such. Consensus remained possible on language noting the importance of consultations within the alliance regarding threats and how to address them, the stated U.S. willingness to take allied views into account, and the need not to forget arms control, disarmament, and nonproliferation as useful instruments.⁹⁵

Generally speaking, NATO documents from mid-2001 on had less of a “laundry list” quality when it came to arms control and nonproliferation issues. There was not the same sense of having to mention specifically every single treaty or control regime. The communiqué from the May 2001 Budapest NAC, for example, did not include hortatory language on the importance of CTBT entry into force. Rather, it urged states to maintain existing testing moratoria as long as the treaty did not take effect.⁹⁶ This certainly reflected the more openly selective view on the part of a U.S. administration strongly disinclined to view arms control and nonproliferation agreements as a good thing in and of themselves, and very attentive to weaknesses in existing treaty regimes. But a more focused approach by NATO was desirable in any case.

Turning to multilateral treaties and regimes, the most significant event during the 1999-2001 period was probably the Nuclear Non-Proliferation Treaty (NPT) Review

⁹⁴ Final communiqué, North Atlantic Council ministerial, Brussels, 14-15 December 2000 (communiqué dated 15 December), NATO press release M-NAC-2(2000)124, par. 63, available from <http://www.nato.int/docu/pr/2000/p00-124e.htm>.

⁹⁵ See for example the final communiqués of the 29 May 2001 foreign ministers meeting in Budapest (par. 34) and of the 7 June 2001 meeting of defense ministers in North Atlantic Council session (par. 4), available from <http://www.nato.int/docu/pr/2001/p01-077e.htm> and [/2001/p01-086e.htm](http://www.nato.int/docu/pr/2001/p01-086e.htm) respectively.

⁹⁶ See reference in note 92.

Conference, held 24 April-19 May 2000 at UN Headquarters in New York. It was the first such conference prepared on the basis of the strengthened review process agreed at the 1995 Review Conference, and the results were better than the Western countries had expected. The final document recognized, for example, the importance of export controls for nuclear-related dual-use items. It called on all NPT states parties to conclude comprehensive safeguards agreements with the IAEA and referred to concerns regarding the compliance of Iraq and North Korea. In fact, strengthening of safeguards and controls on nuclear-related items and materials was a major theme. The nuclear weapons states unequivocally undertook to eliminate their nuclear arsenals completely, in accordance with Article VI of the NPT, and affirmed that they did not target their nuclear weapons against other states.⁹⁷

NATO collectively and repeatedly reaffirmed the commitment of its member states to implement the conclusions of the 2000 NPT Review Conference, highlighting also the already very significant reductions in alliance nuclear weapons since the end of the Cold War. But the picture was more complicated. Canadian Foreign Minister Axworthy's speech at NATO in December 1998 had captured a potential contradiction between NATO's own policy on nuclear weapons and its commitment to nonproliferation. An excessive emphasis on the political value of NATO's nuclear forces could provide arguments to proliferators seeking to justify their own nuclear programs, Axworthy had argued. Although he did not specifically refer to the renewed disarmament commitment by the nuclear weapons states, already part of the 1995 NPT Review Conference outcomes, it was part of the sub-text of his speech.⁹⁸

⁹⁷ Detailed summary of the 2000 Review Conference outcome under NPT in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>. See also Parker, *Controlling Weapons of Mass Destruction*, 52-3.

⁹⁸ Axworthy address to North Atlantic Council, 8 December 1998, available from <http://www.nato.int/docu/speech/1998/s981208i.htm>.

Sixteen of NATO's nineteen members⁹⁹ belonged to the NPT as non-nuclear weapons states. But NATO nuclear policy foresaw delivery of U.S. weapons by aircraft belonging to some of those non-nuclear states. In multilateral contexts, such as the 1997, 1998 and 1999 Preparatory Committee meetings for the 2000 NPT Review Conference, countries of the Nonaligned Movement painted NATO's nuclear sharing arrangements as violations of the NPT. Responses to these concerns varied among allies. The so-called "NATO Five" (Belgium, Germany, Italy, Netherlands and Norway) tabled a proposal in February 1999 at the UN Conference on Disarmament (CD) in Geneva "to set up an ad hoc working group committee to study ways and means of establishing an exchange of information and views within the Conference on endeavours toward nuclear disarmament." This resonated favorably with nonaligned countries, as an opening at least to dialogue, although Dutch support for the initiative would flag. (Indeed, Dutch diplomats at the 2000 NPT Review Conference would take the firm position that NATO wartime use of nuclear weapons would not involve any transfer of weapons in violation of the NPT, since the pilot, aircraft, and weapon all would be under control of the Supreme Allied Commander Europe, who was always from the United States.)

Differences among allies had also surfaced in 1999 at the UN vote on a resolution calling for more definite steps toward nuclear disarmament and stressing the binding nature of all articles of the NPT, including those that some alleged NATO was violating with its nuclear sharing arrangements. In this case, the alliance's three nuclear members – the United States, United Kingdom and France – voted against the

⁹⁹ After many years at sixteen members, NATO officially grew to nineteen nations on 12 March 1999, when the Czech Republic, Hungary and Poland deposited instruments of accession to the Treaty of Washington. The April 1999 Washington Summit welcomed them into the alliance, but they were already members before the summit.

resolution, along with Poland and Hungary. Other NATO countries abstained.¹⁰⁰ In effect, the alliance had a built-in division between the nuclear members and the non-nuclear members, which continued to manifest itself consistently in UN voting on disarmament matters.

However, these differences of approach at the UN did not signify a groundswell of opinion in European allied capitals for removal of the gravity bombs that were a component of NATO's remaining nuclear deterrent. At least among those officially charged with the conduct of defense and security policy, concerns to avoid de-coupling of U.S. and European security remained strong, and the argument about the political role of nuclear cooperation in binding the alliance together continued to resonate.

Returning to the broader nonproliferation context of 1999-2001, it is worth recalling that the IAEA, with its responsibilities related to NPT implementation, was heavily engaged in efforts to negotiate individual "Additional Protocols" on nuclear safeguards with member states. The Iraq and North Korea cases added to the demands on the Agency. In January 2000 and again in January 2001, IAEA was able to inspect nuclear materials subject to safeguards still in Iraq, but was not able to carry out the full range of activities required by UN Security Council Resolution 687 and related resolutions. It thus was unable to provide any assurance that Iraq was in compliance with said resolutions. The agency also had to keep reporting that North Korea was not in compliance with its Safeguards Agreement.¹⁰¹

¹⁰⁰ Koster, "Uneasy Alliance," It is worth noting though that NATO's December 2000 "Report on Options for Confidence and Security Building Measures (CSBMs), Verification, Non-Proliferation, Arms Control and Disarmament" actually accepted the "necessity" of establishing "an appropriate subsidiary body with a mandate to deal with nuclear disarmament" within the Conference on Disarmament in Geneva.

¹⁰¹ See IAEA in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

The Nuclear Suppliers Group (NSG) continued to enlarge: Cyprus and Turkey joined in June 2000, along with Belarus; aspiring NATO member Slovenia joined that October. The June plenary also endorsed the provisions of the IAEA 1997 model Additional Protocol for more intrusive safeguards. The May 2001 NSG Plenary mandated the Chair to continue contacts with China, Egypt, India, Iran, Kazakhstan (a member of Partnership for Peace), and Pakistan, and to open a dialogue with Indonesia, Malaysia and Mexico. It also established a new procedural arrangement, including a standing intersessional body, the Consultative Group.¹⁰²

As for the Zangger Committee, the procedures that most members (except Russia and China) had told the IAEA they would adopt in cases of export of source or special fissionable materials to non-nuclear weapons states not party to the NPT were the basis for an IAEA circular in March 2000. In October of that year, the Committee reviewed the results of the recent NPT Review Conference and agreed to create two “Friends of the Chair” groups to help prepare the 2005 Review Conference.¹⁰³

The Missile Technology Control Regime (MTCR) was particularly active in 1999-2001. The Florence meeting of NATO foreign ministers in May 2000 signaled heightened attention to the MTCR, which ministers committed themselves to strengthen. The December NAC that year made a commitment to encourage countries outside the MTCR to subscribe to and adopt its principles, commitments, confidence building measures, and incentives, and expressed support for ongoing efforts to achieve a code of conduct against ballistic missile proliferation.¹⁰⁴

¹⁰² See NSG in *ibid.*

¹⁰³ See Zangger Committee in *ibid.*

¹⁰⁴ Final communiqué, North Atlantic Council ministerial, Brussels, 14-15 December 2000 (communiqué dated 15 December), NATO press release M-NAC-2(2000)124, par.64, available from <http://www.nato.int/docu/pr/2000/p00-124e.htm>.

At their plenary session in Helsinki in October 2000, in fact, the MTCR partners had issued a draft International Code of Conduct Against Ballistic Missile Proliferation (ICOC). Subscribing states would commit themselves to maximum restraint in development, testing, and deployment ballistic missiles capable of carrying WMD. The document included among other things a series of confidence-building and transparency measures. (An international conference in The Hague on 25-26 November 2002 ultimately adopted the ICOC.)¹⁰⁵

The Australia Group (AG) continued its enlargement, with Cyprus and Turkey joining at the October 2000 meeting. (Aspiring NATO member Bulgaria joined a year later.) In response to a changing technical environment for combating CBW, the AG in 2000 and again in 2001 adjusted its Common Control Lists.¹⁰⁶

At their Budapest meeting in May 2001, NATO foreign ministers reiterated long-standing policy, terming the Australia Group, the Zangger Committee and the Nuclear Suppliers Group, along with MTCR, “important elements in our efforts to counter the proliferation of weapons of mass destruction and the means for their delivery.” Ministers also encouraged all countries to adhere to and unilaterally implement the guidelines and control lists of all these regimes, which was new as an explicit element of NATO policy.¹⁰⁷

The Chemical Weapons Convention (CWC) had entered into force at the end of April 1997, and the NATO countries were actively engaged in national implementation. Several had old or abandoned chemical weapons on their territories, or former CW

¹⁰⁵ See under ICOC in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹⁰⁶ See Australia Group in *ibid.*

¹⁰⁷ NATO press release M-NAC-1(2001)77, 29 May 2001, par.33, available from <http://www.nato.int/docu/pr/2001/p01-077e.htm>. The on-line version goes up to par. 51 and then begins the numbering of paragraphs again from par. 5. The reference here is to the second par. 33.

production facilities requiring destruction. The United States was one of the four declared possessor states, with roughly 30,000 metric tons of chemical warfare agent to eliminate. The real implementation challenge, however, lay in Russia, with a stockpile of 40,000 metric tons of agent and serious economic difficulties. NATO regularly expressed its support for the efforts of individual allied countries to assist Russia in meeting its commitments to destroy, and foreign ministers in May 2001 confirmed their “support to Russia in the area of chemical weapons destruction,” though noting that Russia itself was *responsible* for destruction of its CW.¹⁰⁸ Calls for universal adherence to the CWC and full implementation by the states parties were a staple of NATO documents.

While the CWC provided for a verification regime and an implementing body – the Organization for the Prohibition of Chemical Weapons – the lack of verification provisions for the Biological and Toxin Weapons Convention (BTWC) remained of real concern to the NATO member countries. Between the 4th BTWC Review Conference in late 1996 and the 5th Review Conference, which convened on 19 December 2001, the BTWC Verification Protocol Ad Hoc Group (generally referred to simply as the “Ad Hoc Group”) continued its negotiations. The Chairman, Tibor Toth of Hungary, produced a composite text of a verification protocol with almost 1200 square brackets around disputed text or areas of disagreement. The main dividing line ran between developed and developing countries. The former, for example, supported continuation of existing export control arrangements, notably the Australia Group, while the latter wanted the AG eliminated after the Verification Protocol’s entry into force. Protection of intellectual property rights was another important issue for the developed countries. Developing

¹⁰⁸ Ibid., par.36. It is important to bear in mind, however, that NATO as an organization was not involved in assisting Russia. The efforts remained purely national and bilateral, with mechanisms of informal coordination outside NATO.

countries in turn stressed the importance of being able to benefit from the fullest possible exchange of information, equipment, and materials.¹⁰⁹

Over a period of years, NATO had reiterated strong support for a protocol to strengthen verification of the BTWC, often underlining that said protocol needed to be legally binding. In December 1999, for example, NATO foreign ministers had urged “that additional efforts be made to complete the remaining work as soon as possible before the Fifth Review Conference ... in 2001.”¹¹⁰ Meeting in Florence in May 2000, foreign ministers noted the 25th anniversary of the BTWC’s entry into force, termed the conclusion of negotiations on measures to strengthen the convention “a matter of priority” and underlined their commitment to the effort.¹¹¹ Defense ministers also stated that they were “determined to actively promote” conclusion of the negotiations.¹¹²

On this issue as well, the change of administrations in Washington brought a major policy shift, with consequences for NATO. On 25 July 2001, the United States representative to the Ad Hoc Group announced that the U.S. would not support either the existing draft Verification Protocol or further efforts to negotiate such an agreement. The U.S. position was that the approach reflected in the draft would not significantly increase real transparency or the prospects for detecting illicit activity, e.g. at facilities that were not declared. It would increase, however, the risk of compromising national

¹⁰⁹ See BTWC in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹¹⁰ Final communiqué, North Atlantic Council ministerial, Brussels, 15 December 1999, NATO press release M-NAC2(99)166, par. 44, available from <http://www.nato.int/docu/pr/1999/p99-166e.htm>.

¹¹¹ See full reference in note 101. Para 26.

¹¹² Final communiqué, North Atlantic Council in defense ministers session, Brussels, 5 December 2000, NATO press release M-NAC-D-2(2000)114, par.44, available from <http://www.nato.int/docu/pr/2000/p00-114e.htm>.

security or confidential business information at innocent facilities.¹¹³ The 5th Review Conference went ahead as scheduled, 19 November – 7 December 2001, but decided to adjourn for a year after the U.S. proposal to terminate the AD Hoc Group's work made it impossible to agree on a final document.

U.S. rejection of the draft Verification Protocol was a great disappointment to all the other states parties, including the other NATO allies, but it was not unexpected.¹¹⁴ At their May 2001 meeting, in fact, NATO foreign ministers agreed to the following language:

We welcome the efforts in the Ad Hoc Group of the BTWC to agree on measures, including possible enforcement and compliance measures, to strengthen the Convention. We remain fully committed to pursue efforts to ensure that the BTWC is an effective weapon to counter the growing threat of biological weapons.¹¹⁵

There was no longer any direct reference to a negotiated instrument, legally binding or not, and certainly not to achieving such an instrument before the 5th BTWC Review Conference. In turn, the reference to a *growing* biological weapon threat had not been customary in communiqué language on the BTWC. In the NATO context, at least, the U.S. had been able to convince other allies such as Germany that the lessons of chemical weapons verification were not easily transferred to the biological sector, where the technologies were very different. In other settings, more specifically focused on nonproliferation, allied country representatives continued to express reservations about the turn in U.S. policy.

¹¹³ See remarks at the 25 July Ad Hoc Group meeting by U.S. Special Negotiator for Chemical and Biological Arms Control Issues Donald Mahley, available from <http://www.state.gov/t/ac/rls/rm/2001/5497.htm>.

¹¹⁴ See BTWC in *Inventory of International Nonproliferation Organizations and Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹¹⁵ Final communiqué, North Atlantic Council ministerial, Budapest, 29 May 2001, NATO press release M-NAC-1(2001)77, par. 36, available from <http://www.nato.int/docu/pr/2001/p01-077e.htm>.

Overall, during the period 1999-2001, NATO remained an important forum for consultation on arms control and nonproliferation issues. The U.S. tone in these consultations may have become more direct with the arrival in Washington of the Bush Administration. But the change of administrations was not the entire story. In U.S. policy since the end of the Cold War, the priority given to combating proliferation had risen at the expense of the priority attached to arms control, and this was already visible during the Clinton Administration (1993-2001).¹¹⁶

Even with respect to aspiring NATO member countries and the EAPC Partners generally, there was some caution about pressing the arms control/nonproliferation agenda too overtly. The Membership Action Plan (MAP) approved at the 1999 Washington Summit, for example, set the following main goals for aspiring NATO members in the political and economic areas: “settling any international, ethnic or external territorial disputes by peaceful means; demonstrating a commitment to the rule of law and human rights; establishing democratic control of their armed forces; and promoting stability and well-being through economic liberty, social justice and environmental responsibility.”¹¹⁷ True, support for arms control and nonproliferation objectives were understood to be a *sine qua non* for alliance membership, and related steps would find their place in MAPs for individual countries. But the fact that such objectives did not figure in the main Washington Summit policy statement on expectations for future NATO members was interesting, especially in light of the significant attention to WMD proliferation threats that marked other parts of the summit. It also seems difficult to argue that the alliance systematically and fully employed its

¹¹⁶ See for example the insightful analysis by Phillip C. Saunders, “New Approaches to Nonproliferation: Supplementing or Supplanting the Regime?” *The Nonproliferation Review* (Fall-Winter 2001): 124-5.

¹¹⁷ “Membership Action Plan (MAP),” NATO press release, 24 April 1999, NATO press release M-NAC-S(99)66, available from <http://www.nato.int/docu/1999/p99-066e.htm>.

leverage with partners to ensure their full and effective implementation of obligations and responsibilities under nonproliferation regimes.

Countries working toward NATO membership or at least seeking to strengthen their ties to the alliance have tended to focus attention and resources on the sorts of military capabilities and defense institutional changes required for effective military cooperation in or alongside NATO. Particularly with many countries grappling simultaneously with the requirements for NATO **and** European Union membership, money and personnel have been stretched very thin. National security strategy documents and Membership Action Plans have tended to contain only limited and quite generic references to steps required for full participation in international efforts to control WMD proliferation.¹¹⁸

Conclusions

The April 1999 Washington Summit's WMD Initiative was an attempt to give the alliance a more coordinated and incisive approach to the risks of WMD proliferation. It was successful in part, primarily by creating a sort of internal advocate for attention to such matters – the WMD Centre – and by continuing to heighten awareness of the problem. Substantially greater policy attention and operational effort was focused on nuclear matters, as compared to CBW. NATO had a long-standing mechanism for dealing with nuclear policy matters and a clear partner for dialogue: the Russian Federation. Despite a rough patch in relations due to differences over Kosovo, the NATO-Russia relationship was substantially back on track before the requirements of the global war against terrorism further cemented the ties.

¹¹⁸ The author wishes to thank his Manfred Woerner Fellowship research partners at the Institute of International Relations (IMO) in Zagreb – Dr. Mladen Stanicic and Dr. Vlatko Cvrtila – for their contribution entitled “NATO and Weapons of Mass Destruction (WMD): The Defense Economics Aspect.” (Unpublished manuscript, 20-23.)

It was no surprise, however, that in May 2001 in Budapest, NATO Foreign Ministers “decided to intensify [...] discussion on security challenges of the 21st century, including the proliferation of Weapons of Mass Destruction and their means of delivery, and how best to address them.” They also decided that the alliance would “continue to enhance its efforts to reduce dangers” stemming from proliferation.¹¹⁹ Implementation of the Washington Summit’s WMD Initiative had encountered no mean series of obstacles. Competition for resources and for attention was tough, given the large number of challenges the alliance had set for itself at the summit. Peacekeeping was becoming an ever more central and resource-intensive activity for the alliance. The difficult effort to construct a defense and security relationship with the European Union absorbed a huge amount of effort at the policy-making and staff levels.

Enlargement remained a major and demanding element on the NATO agenda, along with efforts to enhance partnership cooperation with countries that seemed further away from actual NATO membership. The extent and depth of dialogue with the partner countries on WMD issues remained quite limited: the group of partners was large and diverse, including numerous countries with limited resources and capabilities, and comfort in sharing sensitive proliferation-related information was still an issue. (The obstacles to WMD dialogue in the Mediterranean Dialogue were even greater.) Civil emergency planning and scientific research remained two bright spots when partnership cooperation and attention to WMD issues intersected.

The Defence Capabilities Initiative, though it addressed enhanced capabilities required for NBC environments, covered a great deal more, and its full implementation looked daunting, and very expensive, to many member countries. A different approach would be needed.

¹¹⁹ Final communiqué, North Atlantic Council ministerial, Budapest, 29 May 2001, NATO press release M-NAC-1(2001)77, par. 1 and 33, available from <http://www.nato.int/docu/pr/2001/p01-077e.htm>.

Bureaucratic obstacles also remained significant. NATO's structure had developed in the Cold War era with a very different strategic task in mind. Some responsibility or potential responsibility for meeting part of the WMD challenge was found to lie among 27 different committees or other bodies. Trying to bring this together in some fashion was a major challenge, and the resources devoted to meeting the challenge were frankly rather modest. The WMD Centre had to focus inward, trying to energize and coordinate the complex alliance system.

The Washington Summit WMD Initiative was intended in part as a public demonstration of enhanced alliance attention to one of the new risks of the post-Cold War era, and of allied resolve. At the same time, the public pressures that had led to the NATO intervention in Kosovo provided a compelling illustration that NATO found itself in the new "Information Age."¹²⁰ How to deal with a global, diffuse issue like WMD proliferation, when the international public perceptions of risk were in themselves an essential component of the challenge, was a difficult question. NATO, like other institutions, continued to have difficulties in grappling with risk society, in which the rules of the Cold War era no longer held. The post-Cold War security environment presented not only a different set of challenges, but the challenges were qualitatively and conceptually different, more difficult to seize firmly.

Whether or not NATO foreign ministers had highlighted the need for enhanced WMD efforts at their spring 2001 meeting, events later that year would have forced a major reflection on the alliance role in combating both WMD proliferation and terrorism. When, on 11 September 2001, Al Qaeda terrorists flew loaded passenger aircraft into the World Trade Center and the Pentagon, NATO had to respond.

¹²⁰ See for example Joseph S. Nye, Jr., "Redefining NATO's mission in the Information Age," NATO Review 47, no. 4 (Winter 1999): 12-15, Web edition available from <http://www.nato.int/docu/review/1999/9904-03.htm>.

CHAPTER 3

FROM 11 SEPTEMBER TO THE PRAGUE SUMMIT

The 11 September attacks illustrated dramatically just how much NATO's world had changed. Article V of the Treaty of Washington – making an attack against one member of the alliance an attack against all – had been intended to deter massive conventional aggression in Central Europe by the Soviet Union and its allies, by committing the United States to the defense of Western Europe. But when the NATO countries finally invoked Article V, after more than 52 years, it was in response to an attack against the United States, by terrorists using very unconventional weapons and tactics.

Secretary General Lord Robertson and the North Atlantic Council (NAC) immediately condemned the attacks as “barbaric,” an “intolerable aggression against democracy,” “mindless slaughter,” and an “unacceptable act of violence without precedent in the modern era.” They underscored the need for the NATO countries and the international community as a whole to unite and to intensify their efforts against terrorism.¹

On 12 September, at Lord Robertson's initiative, the NAC agreed that, if it were determined the attacks had been directed from abroad, they would be regarded as covered under Article V.² The United States quickly demonstrated that the attacks indeed had been directed from abroad. U.S. Deputy Secretary of State Richard Armitage, Deputy Secretary of Defense Paul Wolfowitz, and State Department Coordinator for Counterterrorism Francis X. Taylor all briefed the allies, and on 4

¹ Statement by Lord Robertson, 11 September 2001, NATO press release PR/CP(2001)121, available from <http://www.nato.int/docu/pr/2001/p01-121e.htm>; statement by the North Atlantic Council, 11 September 2001, NATO press release PR/CP(2001)122, available from <http://www.nato.int/docu/pr/2001/p01-122e.htm>.

² Statement by the North Atlantic Council, 12 September 2001, NATO press release (2001)124, available from <http://www.nato.int/docu/pr/2001/p01-124e.htm>. See also Gordon, “NATO After 11 September,” 92.

October NATO approved measures of assistance specifically requested by the United States. Alliance members undertook to:

- enhance intelligence and information sharing;
- assist allies and other states coming under increased terrorist threat as a result of their support for the anti-terrorism campaign;
- increase security for facilities of the U.S. and other allies on their territories;
- fill in for allied assets that were needed for the struggle against terrorism;
- provide blanket clearances for allied military flights related to antiterrorist operations;
- provide mutual access to ports and airfields.

The NAC also agreed that NATO was ready to deploy part of its Airborne Early Warning (AWACS) force to support antiterrorist operations and to deploy elements of its Standing Naval Forces to the Eastern Mediterranean, to provide a presence and demonstrate resolve.³

Military operations against Taliban and Al Qaeda installations in Afghanistan began on 7 October 2001. Secretary General Lord Robertson received advance notification from U.S. Vice President Cheney, but these were not NATO operations. Most allies, and NATO itself, would come to play significant roles in Afghanistan. The United States and United Kingdom, however, were the ones to initiate military operations, and Operation Enduring Freedom was, during its first weeks, almost entirely an American campaign.⁴

On 8 October, acting on a request from the United States, the North Atlantic Council agreed to deploy 5 NATO AWACS aircraft to the United States to fill national air defense roles, allowing U.S. AWACS to be released for anti-terrorism operations

³ Statement by Lord Robertson, Brussels, 4 October 2001, available from <http://www.nato.int/docu/speech/2001/s011004b.htm>.

⁴ See Andrew J. Pierre, *Coalitions: Building and Maintenance. The Gulf War, Kosovo, Afghanistan, and the War on Terrorism*. A Working Group Project. Institute for the Study of Diplomacy, Georgetown University, and the American Academy of Diplomacy. (Washington, DC: Institute for the Study of Diplomacy, 2002), 42.

elsewhere. The French government said it would increase AWACS support in Bosnia-Herzegovina, in order to facilitate redeployment of the NATO aircraft. In January 2002, NATO agreed to deploy two additional AWACS aircraft to the U.S.⁵

On 26 October 2001, elements of NATO's Standing Naval Forces went to patrol the Eastern Mediterranean and monitor shipping in an operation entitled Active Endeavour. On 10 March 2003, NATO would expand the operation to include escorting civilian shipping through the Straits of Gibraltar. A year later, the area of operations for Active Endeavour was extended to cover the entire Mediterranean.⁶

NATO's actions, most notably the invocation of Article V, were unprecedented. And yet, given the enormity of the attack on the United States and the intense effort that the initially very small U.S.-led "coalition of the willing" was undertaking in Afghanistan, the NATO role struck many observers as very modest. In European allied capitals, experts concluded that the still quite new U.S. Administration was signaling that NATO would not be its instrument of choice for dealing with the new threats of the third millennium. When briefing allied defense ministers following 11 September, Deputy Secretary of Defense Wolfowitz reportedly had made it clear that the U.S. was not interested in using NATO structures or European forces. NATO itself, and more broadly the habits of cooperation it had fostered, would make crucial contributions in Afghanistan

⁵ Statement by Lord Robertson, 8 October 2001, NATO press release (2001) 138, available from <http://www.nato.int/docu/pr/2001/p01-138e.htm>; "NATO sends extra AWACS to help guard skies of America," NATO press release (2002) 003, 16 January 2002, available from <http://www.nato.int/docu/pr/2002/p02-003e.htm>.

⁶ "Deployment of NATO Forces," 9 October 2001, available from <http://www.nato.int/terrorism/deployment.htm>; "September 11 – One year on: NATO's contribution to the fight against terrorism," updated 20 January 2004, <http://www.nato.int/terrorism/index.htm>; "NATO begins escorting Allied shipping through Gibraltar," *NATO Update*, March 2003, <http://www.nato.int/docu/update/2003/03-march/e0310a.htm>. A very comprehensive fact sheet prepared by Allied Forces Southern Europe (AFSOUTH) and updated as of 17 March 2004, noted that Active Endeavour had monitored roughly 41,000 merchant vessels and escorted over 400 through the narrow Straits of Gibraltar. See <http://www.afsouth.nato.int/operations/Endeavour/Endeavour.htm>.

over time. But that was far from visible during the early weeks, even months, of military operations there.⁷

Speaking in Brussels on 18 January 2002, U.S. Senator Richard Lugar (Republican of Indiana), who later would take on the chairmanship of the Senate Foreign Relations Committee, expressed deep concern. Though a strong supporter of NATO, Lugar stressed that the Kosovo intervention had bred a conviction in the U.S. that NATO as such was not up to fighting a modern war, given that U.S. forces had had to carry out the overwhelming majority of operations. The “fact that some military leaders of NATO’s leading power didn’t want to use the alliance it has led for half a century is a worrying sign,” he underlined. The Senator identified the intersection of terrorism with weapons of mass destruction as the major security challenge of the day, and stressed that the U.S. needed a military alliance with Europe to fight such threats. He argued that NATO should be prepared to act against countries that supported or harbored terrorists or pursued weapons of mass destruction.⁸

NATO and the “WMD Terrorism” Threat

Concern about terrorist use of WMD was by no means new. There had been a vigorous debate on the issue among defense and security experts in the 1990s, stimulated by the Aum Shinrikyo 1995 attack in the Tokyo subway using the nerve agent Sarin. That debate had indicated considerable ambivalence as to whether terrorist

⁷ Gordon, “NATO After 11 September,” 89, 92; Pierre, *Coalitions: Building and Maintenance*, 46; Joseph S. Nye, Jr., “U.S. Power and Strategy After Iraq,” *Foreign Affairs* 82, no. 4 (July/August 2003): 64; Klaus Naumann, “Crunch time for the Alliance,” *NATO Review* (Summer 2002), Web only, available from <http://www.nato.int/docu/review/2002/issue2/english/art3.html>; Massimo de Leonardis, “Dopo l’11 settembre 2001: una nuova fase nella storia delle relazioni internazionali?” *Novahistorica* 1, no. 1 (2002): 126; Nicole Gnesotto, “Reacting to America,” *Survival* 44, no. 4 (Winter 2002-03): 100.

⁸ Greg Seigle, “International Response: Lugar Calls for NATO to Fight Terrorism,” *Global Security Newswire*, 18 January 2002, available from www.nti.org/d_newswire/issues/2002/1/18/2s.html. See also Lugar’s article “Redefining NATO’s Mission: Preventing WMD Terrorism,” *Washington Quarterly* 25, no. 3 (Summer 2002): 7-13. For many military and civilian officials in the United States, bad memories of the NATO intervention in Kosovo as a clumsy “war by committee” would continue to breed hesitation about using the alliance to address security challenges.

groups would go to the trouble of obtaining WMD technologies, when they could achieve their objectives using more easily obtainable conventional means.⁹

Skepticism about the WMD/terrorism link seemed to evaporate, at least in the official policy statements of allied governments, following the 11 September attacks. Conflation of the WMD and terrorism threats became a characteristic of NATO policy documents. A stocktaking statement from the December 2001 foreign ministers meeting, entitled “NATO’s Response to Terrorism,” stated that the allies were “working together closely to meet the threat posed by possible terrorist use of Weapons of Mass Destruction.”¹⁰ Later documents, e.g. those from the spring 2002 meetings of foreign and defense ministers, also would stress the tandem threat.¹¹ There is little question that U.S. representatives were most forceful in insisting on the WMD/terrorism nexus, and there may have been some European hesitation to refocus NATO’s mission too strictly on that challenge.¹² But any differences in emphasis do not appear to have a decisive impact on alliance policy.

This was not really surprising. Strictly speaking, the 11 September attacks had not involved WMD, in the sense of nuclear, chemical, radiological or nuclear weapons. But they were an extreme case of terrorist use of “spectacular” events to gain publicity and assert their causes. The 11 September attacks significantly raised the threshold of

⁹ See for example Richard A. Falkenrath, “Confronting Nuclear, Biological and Chemical Terrorism,” *Survival* 40, no. 3 (Autumn 1998): 43-65 and the subsequent published debate, “WMD Terrorism: An Exchange,” *Survival* 40, no. 4 (Winter 1998-99): 163-83, with contributions by Karl-Heinz Kamp, Joseph F. Pilat, and Jessica Stern, plus Falkenrath’s response.

¹⁰ NATO press release M-NAC-2 (2001)159, 6 December 2001, par. 6, available from <http://www.nato.int/docu/pr/2001/p01-159e.htm>.

¹¹ Final communiqué, North Atlantic Council ministerial, Reykjavik, 14 May 2002, NATO press release M-NAC-1(2002)59, par. 4, available from <http://www.nato.int/docu/pr/2002/p02-059e.htm>; “Statement on Capabilities,” NAC defense ministers meeting, Brussels, 6 June 2002, NATO press release (2002)074, par. 3 and 5, available from <http://www.nato.int/docu/pr/2002/p02-074e.htm>.

¹² See for example David S. Yost, “Transatlantic relations and peace in Europe,” *International Affairs* 78, no. 2 (2002): 298.

violence for terrorist activity, and they were not expected to be a one-off event.¹³ It was natural for the international community to ask: “What *more* can the terrorists do?” And the natural answer was: “Use WMD next time to increase the number of victims.”

Religiously motivated terrorists seemed especially ready to raise their level of violence, by whatever means. The 1993 World Trade Center bombing already could be seen as an attempt to “use conventional weaponry for a mass destructive act of terrorism,” and the 1993 bombers allegedly had planned to use sodium cyanide in conjunction with conventional explosives, to kill those who survived the blast.¹⁴

The anthrax attacks through the U.S. mails which began one week after 11 September, though they were unrelated, focused more attention on possible terrorist use of WMD. Biological agents have characteristics of what have been termed “dreaded risks.” They are mysterious, unfamiliar, indiscriminate, uncontrollable, inequitable and invisible, and for these reasons elicit disproportionate public fear.¹⁵ In fact, it was the anthrax attacks that truly focused the minds of those responsible for WMD defense. With respect to NATO, for example, the post-11 September period saw a “different emphasis on the risks associated with biological weapons.”¹⁶ The alliance had been prescient with its June 2001 paper on special considerations for biological weapons defense.

Definition of the new threat of WMD terrorism did not lead the alliance to seek an entirely new paradigm or model for its WMD efforts. It may be better to think of NATO

¹³ Royal Institute of International Affairs, *Living with the Megapower: Implications of the War on Terrorism. Report of Part II – Military and Security Dimensions*, Chatham House, 15 October 2002, par. 3, available from <http://www.riia.org/index.php>.

¹⁴ Gavin Cameron, *Nuclear Terrorism: A Threat Assessment for the 21st Century* (Houndmills and London/New York: MacMillan/St. Martin's, 1999), 155-161.

¹⁵ Jessica Stern, “Dreaded Risks and the Control of Biological Weapons,” *International Security* 27, no. 3 (Winter 2000/03): 121.

¹⁶ “Ted Whiteside: Head of NATO's WMD Center,” *NATO Review* 49, no. 4 (Winter 2001): 22-23, Web edition available from <http://www.nato.int/docu/review/2001/0104-06.htm>

as having intensified both its efforts to address terrorism and its efforts to deal with WMD challenges. At some points these two processes intersected, at others they did not. With respect to WMD, NATO had undertaken significant and multi-faceted initiatives well before 11 September. They would remain the basis of alliance efforts in the subsequent period, although the approach to enhancing NBC defense capabilities also saw significant innovations.

Defense efforts. Taking stock of alliance efforts at the end of 2001, defense ministers underlined the need to ensure that NATO's military concepts for defense against terrorism continued to evolve. Though recognizing the need for political and diplomatic measures, they stressed that defense and military tools could be essential for a number of tasks, such as gathering intelligence, acting against terrorists and those who harbored them, protecting populations, infrastructure and forces, and dealing with the consequences of any attack that did occur. A new assessment of the terrorist threat was under preparation, proposals for enhancing alliance preparedness for terrorist use of NBC and radiological weapons were on the table, and, within the context of NATO's force planning system, allies were examining the implications of terrorism for their national defense plans. Ministers also stressed that NATO was vigorously pursuing efforts to prevent proliferation of WMD and their delivery means.

They approved a list of action items, both conceptual and practical, and agreed to keep their implementation under review:

further consideration ... of the way in which the Alliance can contribute in the defence field to the struggle against terrorism;

preparation by the NATO Military Authorities ... of a military concept for defence against terrorism, following the development of the new threat assessment, for approval by the Council in Permanent Session;

a review of the effectiveness of the Alliance's defence and military policies, structures, and capabilities for the full range of its missions against the background of the threat posed by terrorism;

further efforts by the Senior Defence Group on Proliferation, in consultation with other relevant NATO bodies, to improve the Alliance's capability to cope with the possible use by terrorists of chemical, biological, radiological and nuclear materials;

further efforts by nations and by relevant Alliance bodies to identify possible measures in all relevant DCI capability areas ... that would enhance the Alliance's defense posture against terrorist attacks;

enhanced sharing of information among the Allies on threat warnings and intelligence assessments, concepts, structures, equipment, training, and exercising of military forces designed to combat terrorist threats, and on other measures that could improve the Alliance's defence posture against such threats.

Full implementation of the Defence Capabilities Initiative (DCI) was deemed crucial, and defense ministers underlined "persistent long-standing deficiencies" in areas such as survivability and deployability of forces, combat identification, intelligence, surveillance, and target acquisition.¹⁷

Willingness of allied governments to invest in national capabilities for addressing new threats had remained highly variable. Even in the U.S., attention to chemical and biological defense was not everything it could have been. An October 2002 report by the General Accounting Office noted progress, but also continuing concerns regarding equipment, training, reporting, and program coordination. It underlined, for example, the risk of shortages in protective clothing.¹⁸

Among the European allies, the United Kingdom was especially attentive to CBW defense, and would prove well equipped for the 2003 coalition military intervention in Iraq. In 1998, the U.K. Strategic Defence Review (SDR) had called for a more sustainable, deployable and flexible force. In light of 11 September, the U.K. produced a "New Chapter" for the SDR, focusing on concepts, forces, and capabilities needed to

¹⁷ "Statement on combating terrorism: Adapting the Alliance's Defence Capabilities," NAC defense ministers meeting, Brussels, 18 December 2001, NATO press release (2001) 173, par. 7, available from <http://www.nato.int/docu/pr/2001/p01-173e.htm>.

¹⁸ U.S. General Accounting Office, *Chemical and Biological Defense: Observations on DOD's Risk Assessment of Defense Capabilities*, 1 October 2002, GAO-03-137T.

confront international terrorism and other asymmetric threats. Published in July 2002, the "New Chapter" also called for the most sustained increase in defense spending in 20 years.¹⁹

Within the NATO context, the June 2002 defense ministers meeting agreed to go beyond the Defence Capabilities Initiative (DCI) with a new capabilities initiative:

This should focus on a small number of capabilities essential to the full range of Alliance missions. *It will also strengthen our capabilities for defence against terrorism. The capabilities should contribute to the Alliance's ability to: defend against chemical, biological, radiological and nuclear attacks; ensure secure command communications and information superiority; improve interoperability of deployed forces and key aspects of combat effectiveness; and ensure rapid deployment and sustainment of combat forces.*²⁰

Defense ministers also endorsed, for approval at the November summit in Prague, a further package of initiatives specifically to enhance NATO defenses against WMD.

The Senior Defense Group on Proliferation (DGP), with particular leadership from the North American co-chair, Lisa Bronson of the U.S. Department of Defense, had been making a special effort to draw lessons from the poor results of the Defense Capabilities Initiative. The problem had not been with the objectives, but rather that the DCI had been entirely too far ranging, a clear case of the alliance biting off more than it could chew. The DGP developed a different approach to NBC defense improvements, stressing what one member termed "bite-sized pieces." It also borrowed a concept from the European Union's Capabilities Commitment Conference, in which individual states had made specific pledges to provide certain assets and capabilities to fulfill the EU's Headline Goal of a European rapid reaction force.

¹⁹ Speech by U.S. Deputy Secretary of Defense Paul Wolfowitz to National Defense University Conference on Counterproliferation, Washington, DC, 13 May 2003, available from <http://www.defenselink.mil/sppeches/2003/sp20030513-depsecdeff0203.html>; U.S. Department of Defense, *Allied Contributions to the Common Defense 2003*, available from http://www.defenselink.mil/pubs/allied_contrib2003/index.html.

²⁰ "Statement on Capabilities," NAC defense ministers meeting, Brussels, 6 June 2002, NATO press release (2002)074, par. 3 and 5, emphasis added, available from <http://www.nato.int/docu/pr/2002/p02-074e.htm>.

The concept of using pledges to develop *multinational* NBC defense capabilities for the alliance was an additional innovation. (The Defense Capabilities Initiative and its successor – the Prague Capabilities Commitment – focused on enhancing *national* capabilities.) The U.S. in particular promoted the concept of *prototype* teams, to allow for joint experimentation and testing of NBC defense concepts. The ability to field new capabilities quickly and at low cost was also essential. Getting as many countries as possible to contribute, and making it easy to participate, even with contributions of modest size, would be a basic principle of the DGP's new approach.

In early 2002, the DGP began exploring this approach with the permanent representatives of the NATO member countries, and received strong encouragement. The DGP then refined its proposals and worked with NATO Military Authorities and with nations. The stimulus of the 11 September attacks, and even more so the anthrax attacks in the U.S., coupled with the strong support of Secretary General Lord Robertson and of the energetic U.S. Permanent Representative Nicholas Burns, helped create an environment favorable to new steps on NBC defense. Indeed, the initial inclination of the permanent representatives reportedly was to establish numerous prototype teams, but the DGP insisted on keeping the number limited, to ensure adequate attention, resources, and success. In fact, the Prague Summit in November 2002 endorsed two prototype teams: the NBC Event Response Team and the Deployable NBC Analytical Laboratory, along with initiatives focused on NBC defense and training, medical countermeasures and disease surveillance. (See below.)

Defense against ballistic missiles remained another important focus of alliance activity in the aftermath of the 11 September attacks, but one should be careful of drawing too close a connection. The Theatre Ballistic Missile Defence Feasibility Study had begun well before 11 September, and was the result of an alliance consensus that

had formed over a number of years regarding the need to protect deployed NATO forces from missile attack. Assessing NATO's military capabilities in the run-up to the Prague Summit, defense ministers noted that the study was still underway, but called on NATO governments to consider options for building up TMD once the study was finished. (In fact, the study was completed in January 2003 and provided to the NATO Consultation, Command and Control Agency – NC3A – for further work.)

Significantly, defense ministers in June 2002 also noted that alliance territory and population centers could be facing an increased missile threat. NATO “needs to examine options for addressing this increasing threat,” the ministerial statement continued.²¹ Although it did not use the politically charged terms “missile defense” or “national missile defense,” the statement did mark a significant turn in alliance policy. It was not a direct reaction to the 11 September attacks, however. Use of ballistic missiles by *non-state* actors was never a significant concern. Indirectly, however, 11 September had been of great significance. Russia's contributions to the anti-terrorism struggle in Afghanistan had created a qualitatively new situation in Russia's relations with the U.S. and with NATO. The U.S. decision to withdraw from the ABM Treaty – announced in December 2001, effective in June 2002 – did not elicit the dramatic Russian reaction the European allies had long feared. This removed the political obstacles within NATO to consideration of a system focused on protecting population centers in allied countries, as opposed to deployed forces. (Note that the NATO focus has been exclusively on ballistic missiles, despite the significant potential of cruise missiles as vectors for nuclear, biological or chemical weapons.²²)

²¹ Ibid., par. 9.

²² See for example Dennis M. Gormley, “Enriching Expectations: 11 September's Lessons for Missile Defence,” *Survival* 44, no. 2 (Summer 2002): 26. Cruise missiles in fact present very different challenges from ballistic ones, and considering the two together is problematic.

In contrast to the indirect role of the 11 September attacks in promoting work on missile defense, NATO's dramatically enhanced efforts on cooperative airspace control were a direct response to the attacks. NATO began working closely with EUROCONTROL, the European air traffic safety organization, and with the ICAO (International Civil Aviation Organization) to develop new guidelines for civil-military cooperation in air traffic control. NATO and EUROCONTROL created a working group on air security measures. Its projects included a network to promote rapid exchange of information among parties that would be involved in any 11 September-like aviation scenarios, work on a common definition of "communication loss" with aircraft (helping to determine the point for activation of defensive measures), and an effort to address the problem of "false activation" of air defense assets.²³

Increasing focus on the terrorist threat did not immediately bring any quantum leap in NATO's nuclear policy. It did not, for example, reverse the long-standing trend of reductions in alliance nuclear forces. True, in December 2001 the Nuclear Planning Group (NPG) at ministerial level concluded:

Given new security challenges of an unprecedented nature, we have particular reason to reaffirm our complete trust in, and steadfast commitment to, the strength and validity of the transatlantic link in our Alliance, which guarantees equal security and stability in the Euro-Atlantic area. We emphasised again that nuclear forces based in Europe and committed to NATO continue to provide an essential political and military link between the European and North American members of the Alliance.²⁴

The following June, however, the NPG reiterated that NATO's sub-strategic nuclear forces were "maintained at the minimum level sufficient to preserve peace and stability," adding that it had "provided guidance to further adapt NATO's dual-capable

²³ The 11 September attacks demonstrated that the ICAO time criterion for communication loss – 20 minutes – was clearly too long.

²⁴ Final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 18 December 2001, NATO press release (2001)170, par. 6, available from <http://www.nato.int/docu/pr/2001/p01-170e.htm>.

aircraft posture.”²⁵ This guidance entailed a further relaxation of readiness requirements for the dual-capable aircraft, implemented over the following year. NATO’s High Level Group (HLG) continued to discuss nuclear deterrence requirements in the new security environment.²⁶

Maintaining deterrence in a new security environment, with growing risks from non-state actors and proliferation of WMD, was a complex challenge that NATO clearly recognized. As Secretary General Lord Robertson put it in October 2002:

The spread of weapons of mass destruction will be a defining security challenge of this new century. It will lead to more fingers on more triggers. And not all of those triggers may be operated by rational minds. In such a situation, deterrence may not always deter.”²⁷

In fact, it was clear to many minds well before 11 September that the Cold War-era strategic concepts of nuclear deterrence, based on the idea of states acting as unified rational actors, with clearly identified territory, were not applicable to deterring non-state actors.²⁸

How to define the role of nuclear weapons in the new strategic context was far from easy. U.S. nuclear policy was of course extremely relevant to alliance policy, and the Bush Administration’s Nuclear Posture Review (NPR), announced in January 2002, appeared to offer a new approach to deterring use of chemical and biological weapons by states. It established a triad of capabilities: offensive strike systems (nuclear and

²⁵ Final communiqué, Defense Planning Committee/Nuclear Planning Group ministerial, Brussels, 6 June 2002, NATO press release (2002)071, par. 7, available from <http://www.nato.int/docu/pr/2002/p02-071e.htm>.

²⁶ See Final communiqué, Defense Planning Committee/Nuclear Planning Group ministerial, Brussels, 12 June 2003, NATO press release (2003) 64, par. 14, available from <http://www.nato.int/docu/pr/2003/p03-064e.htm>; see also the DPC/NPG communiqué of 1 December 2003, NATO press release (2003)147, par. 8, available from <http://www.nato.int/docu/pr/2003/p03-147e.htm>.

²⁷ “The World in 2015 – Predicting the Unpredictable,” keynote speech at the Defence Industry Conference, London, 14 October 2002, in *Jane’s Defence Weekly*, 14 October 2002.

²⁸ See for example Jean-Marie Guéhenno, “The Impact of Globalisation on Strategy,” *Survival* 40, no. 4 (Winter 1998-99): 11-12. Marten van Heuven, *Where will NATO be ten years from now?* Discussion Paper C67, 2000, ZEI – Zentrum für Europäische Integrationsforschung, Rheinische Friedrich-Wilhelms-Universität, Bonn, 14, underlined in 2000 the problems for deterrence arising from the fact that even the *identity* of groups threatening NATO in the future, e.g. via cyberthreats, could be unclear.

conventional), defenses (both passive and active), and revitalized defense infrastructure, inter alia to assist in managing the consequences of an attack. The NPR spoke more clearly about the option of using nuclear weapons to deter chemical or biological attacks, triggering a flurry of criticism, but in essence the new U.S. document did not go beyond the doctrine of maintaining “calculated ambiguity” that the Clinton Administration had pursued. Critics also exaggerated the extent to which the NPR enshrined the idea of preventive nuclear strikes against the WMD programs of hostile states. It was not a “transformational nuclear strategy,”²⁹ and does not seem to have had major transformational consequences for NATO nuclear policy, which continued on its long-standing trend.

Policy adaptation. The 11 September attacks did not produce a visible paradigm shift in the efforts of NATO’s political side to assess and address proliferation-related threats. The May 2002 NAC in Reykjavik, for example, underlined the importance of “reinforcing the role of the NATO WMD Centre within the International Staff,” but otherwise had little new to say regarding NATO’s political efforts to address WMD proliferation.³⁰ (Rumors had been circulating that the Centre might be disbanded or downgraded.³¹)

More importantly, the post-11 September period saw significant developments for the alliance’s overall policy. The long-running debate about NATO “out of area” operations was put to rest at the Reykjavik NAC. Foreign ministers underlined clearly that Article V of the Treaty of Washington covered any armed attack, including terrorist

²⁹ Richard Sokolsky, “Demystifying the U.S. Nuclear Posture Review,” *Survival* 44, no. 3 (Autumn 2002): 135-36, 144.

³⁰ NATO press release NATO press release M-NAC-1(2002)59, par. 4, available from <http://www.nato.int/docu/pr/2002/p02-059e.htm>.

³¹ Annalisa Monaco, “NATO Braces itself for change,” *NATO Notes (Interim Report)* 4, no. 5a, 17 May 2002, available from <http://www.isis-europe.org/>.

attack, against any NATO ally “from whatever direction.”³² In part, this made explicit something implicit in NATO’s invocation of Article V on 12 September 2001, but the point was not an obvious one. Past questions about the application of Article V had tended to center around Turkey. At the time of the First Gulf War, some European allies had questioned whether the commitment would apply to an Iraqi attack against Turkey in retaliation for coalition air strikes from Turkish territory. When Turkey in 1991 requested deployment of part of the Allied Command Europe (ACE) Mobile Force, in response to threats on its eastern border, NATO agreed. But there was a vigorous debate in the German *Bundestag* as to whether Turkey had brought the threat upon itself.³³

The events of 11 September also underlined the salience of NATO’s relations with other international bodies. In December 2001, for example, alliance foreign ministers stated: “We will deepen our relations with other states and international organisations, so that information is shared and appropriate collective action is taken more effectively.” Specifically, NATO recognized the efforts and the central role of the United Nations in combating terrorism, and expressed support for the efforts of the European Union (see Chapter 4), the OSCE, the G8, and international financial institutions. The response to terrorism required a “multi-faceted campaign,” taking into account the respective responsibilities of the organizations involved.³⁴

Cooperation with the United Nations. UN Security Council Resolution 1373 of 28 September 2001 included terrorist possession of weapons of mass destruction as a matter for enhanced information exchange among member states, highlighting also the

³² NATO press release M-NAC-1(2002)59, par. 3, available from <http://www.nato.int/docu/pr/2002/p02-059e.htm>.

³³ Gordon, “NATO After 11 September,” 91; van Heuven, *Where will NATO be ten years from now?* 14.

³⁴ “NATO’s Response to Terrorism,” North Atlantic Council ministerial, Brussels, 6 December 2001, NATO press release M-NAC-2(2001)159, par. available from <http://www.nato.int/docu/pr/2001/p01-159e.htm>.

importance of global cooperation against trafficking of WMD-related materials.³⁵ The UN Security Council established the Counter-Terrorism Committee (CTC), whose Chairman, Sir Jeremy Greenstock, the U.K. Permanent Representative to the UN, visited NATO Headquarters in June 2002 and addressed the North Atlantic Council.³⁶ NATO representatives later participated in a CTC conference for regional organizations (March 2003), but the relationship would remain complementary, rather than one of direct collaboration.

The CTC's initial focus was on promoting adherence of states to the 12 international counter-terrorism conventions, and coordinating assistance for those states that desired it in establishing implementing laws and regulations. (NATO's capabilities did not mesh particularly well with these objectives.) Although its mandate did include WMD, and there was an understanding that the Counter-Terrorism Committee would increase its focus on WMD terrorism, the body had not moved substantially in that direction as of early 2004.

The UN Secretariat in the interim had created the Policy Working Group (PWG) on the United Nations and Terrorism, in essence a senior-level think tank that operated independently of the CTC (an outgrowth of the Security Council). The PWG issued a report with a number of recommendations related to WMD: to prepare a biennial public report on potential terrorist use of WMD; to develop the abilities of the IAEA, OPCW and the World Health Organization (WHO) to provide assistance to states in the event of WMD use or threats; to assist states in developing civil defense capabilities; preparation by relevant UN offices of ethical norms and codes of conduct for scientists. These recommendations were directed primarily to the UN Department of Disarmament Affairs

³⁵ Text available from <http://www.un.org/News/Press/2001/sc7158.doc.htm>.

³⁶ Speech by NATO Secretary General Lord Robertson to conference on "International Security and the Fight Against Terrorism," 14 June 2002, available from <http://www.nato.int/docu/speech/2002/s020614a.htm>.

and other UN agencies and international organizations.³⁷ There was no visible plug-in to NATO. In any case, unresolved issues of institutional competence and resources in the PWG's recommendations made implementation difficult and limited.

Turning to NATO's direct relations with the UN Secretariat, it is worth noting that NATO had had a liaison officer at UN Headquarters since November 1999, located in the UN Department for Peace Keeping Operations (DPKO). The need for liaison and information exchange was clear, given the roles of both organizations in Balkan peacekeeping. But the NATO intervention in Kosovo in 1999, without UN authorization, plus difficulties in cooperating on the ground following the military intervention, created tensions and distrust at UN Headquarters. These would persist, despite Lord Robertson's notable personal investment in improving relations with UN Secretary General Annan, including exchanges of visits.

There were some additional positive steps in the aftermath of 11 September 2001. UN Under Secretary General Jean-Marie Guéhenno met with Lord Robertson at NATO Headquarters in October 2001. UN Deputy Secretary General Louise Frechette also visited NATO Headquarters for a round table meeting in April 2002, with another round table at Deputy Secretary General level scheduled for March 2004. NATO Assistant Secretary General for Defence Planning and Operations Edgar Buckley met in New York with counterparts from the UN Department of Peace Keeping Operations and Department of Political Affairs in October 2002.

The fifth in a series of senior-level meetings between the UN and regional organizations took place in July 2003, with Lord Robertson representing NATO. International terrorism and WMD proliferation were on the agenda for the first time. Nonetheless, the focus of exchanges between the top officials of NATO and the UN Secretariat remained heavily on peacekeeping issues. At the working level as well,

³⁷ Available from <http://disarmament.un.org:8080/docs/pwg-exrpts.htm>.

weapons of mass destruction did not figure prominently in contacts between NATO Headquarters and the UN Secretariat.

NATO and the nonproliferation regimes. Support for established arms control, disarmament, and nonproliferation instruments remained a fundamental element of NATO's WMD policy after 11 September. Alliance documents highlighted the ability of such instruments to make "an essential contribution to the fight against terrorism."³⁸ In NATO's internal balancing act, the political trinity of "disarmament, arms control and nonproliferation" continued as a sort of counterweight to the military pairing of "deterrence and defense." The Reykjavik NAC in May 2002, for example, underlined that both sets of elements made an "essential contribution to preventing the use of WMD," and stressed that both were necessary in responding to new threats and challenges.³⁹

It is worth underlining, however, that, after signature in May 2002 of the Strategic Offensive Reductions Treaty (SORT) between the United States and the Russian Federation, strategic arms control of the sort practiced during the Cold War effectively came to an end. For the United States, and by implication for the other allies, halting or reversing proliferation was unquestionably at the top of the agenda. In the view of a former senior U.S. arms control official, the anti-proliferation process had "only a modest arms-control dimension, rooted in the three multilateral treaties" (the NPT, BTWC and CWC), which were supplemented by the various export control and suppliers' groups.⁴⁰

³⁸ "NATO's Response to Terrorism," 6 December 2001, NATO press release M-NAC-2(2001)159, par. 6, available from <http://www.nato.int/docu/pr/2001/p01-159e.htm>.

³⁹ Final communiqué, NATO press release M-NAC-1(2002)59, 14 May 2002, par. 4 and 23, available from <http://www.nato.int/docu/pr/2002/p02-059e.htm>.

⁴⁰ Bohlen, "The Rise and Fall of Arms Control, 30-32.

But the old differences among NATO countries over the relative priority of nonproliferation and counterproliferation did not just vanish.⁴¹

In line with the global trend following the 11 September attacks, nonproliferation organizations and regimes all sought to focus more incisively on preventing terrorist access to WMD. The Australia Group (AG), for example, had its 2001 annual meeting shortly after 11 September (1-4 October, to be exact). It condemned the attacks against the United States, and recalled that in other cases terrorist groups had used or attempted to use chemical and biological agents. The AG agreed it had an important role in reducing the threat of terrorist use of CBW and reaffirmed its commitment to strengthen national efforts to prevent CBW proliferation. The group also continued its enlargement process, welcoming Bulgaria, then still an aspiring NATO member. At its next plenary, in June 2002, the Australia Group adopted formal guidelines on licensing of sensitive chemical and biological items, including a "catch-all" provision. It added 8 new toxins to its biological control list, agreed to control export of fermenters more rigidly, and also decided to control the transfer of information and knowledge that could be used for CBW purposes.⁴²

The Missile Technology Control Regime (MTCR) reacted to 11 September in roughly comparable fashion. The Ottawa Plenary of 25-28 September 2001 noted that the attacks underlined the importance of enhanced MTCR efforts. It addressed the challenges that technological development posed for implementation and adaptation of

⁴¹ See for example Daniel Byrne and Isabelle Williams, *International Cooperation in Fighting Chemical and Biological Terrorism: A Report of a German-American Workshop*, Occasional Paper 4, October 2003, Chemical and Biological Arms Control Institute, Washington, DC, 12-15, available from <http://www.cbaci.org>. Paul Cornish, "UK Policy for Preventing the Proliferation of Chemical, Biological, Radiological and Nuclear Weapons, Materials and Associated Technology" in *Conference on Nuclear Proliferation, Athens, 30 and 31 May 2003*, 142 (Athens: Centre for Policy Analysis and Planning, Ministry of Foreign Affairs) underlined continued British government concern about such divisions.

⁴² See Australia Group in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://cns.miis.edu/pubs/inven/index.htm>.

export controls and adopted the draft International Code of Conduct Against Ballistic Missile Proliferation. Countering the risk of terrorist access to controlled items and technologies was a major focus of the September 2002 MTCR Plenary in Warsaw. It decided to study potential changes to MTCR guidelines and to make a number of changes to the regime's control list, known as the Annex.⁴³

The participants in the May 2002 Nuclear Suppliers Group (NSG) Plenary in Prague agreed to continue efforts to prevent and counter nuclear terrorism. They put particular emphasis on the requirement for full-scope IAEA safeguards as a condition for supplying nuclear-related materials. The Plenary also agreed to find ways of improving information sharing. Expansion and outreach continued, with Kazakhstan, a NATO partner, joining the NSG, and the Chair receiving a mandate to continue contacts with potential nuclear suppliers including China, Egypt, India, Indonesia, Iran, Israel, Malaysia, Mexico, and Pakistan.⁴⁴ The Zangger Committee met twice in 2002, discussing implementation of the 2000 NPT Review Conference recommendations, which had emphasized safeguards.⁴⁵

The IAEA's efforts to upgrade worldwide protection against nuclear or radiological terrorism were reflected in the action plan its Board of Governors approved in principle in March 2002. The action plan covered eight areas, intended to complement the implementation measures of the individual states: physical protection of

⁴³ See Missile Technology Control Regime in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://cns.miis.edu/pubs/inven/index.htm>.

⁴⁴ See Nuclear Suppliers Group in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://cns.miis.edu/pubs/inven/index.htm>; "The Nuclear Suppliers Group," Fact Sheet, Bureau of Nonproliferation, U.S. Department of State, 10 September 2003, available from www.state.gov/t/np/rls/fs/3053/htm.

⁴⁵ See Zangger Committee in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://cns.miis.edu/pubs/inven/index.htm>; "Zangger Committee," Fact Sheet, Bureau of Nonproliferation, U.S. Department of State, 10 September 2003, available from www.state.gov/t/np/rls/fs/3054pf.htm.

nuclear materials and facilities; detection of malicious activities involving nuclear and other radioactive materials; strengthening state systems for accounting for and controlling nuclear materials; assessment of vulnerabilities at nuclear facilities; response to malicious acts or threats thereof; promoting adherence to international agreements and guidelines; enhancement of program coordination and information management for nuclear security. The IAEA also continued to address suspected safeguards violations by a number of states. Notably, in October 2002, North Korea admitted that it had been conducting a clandestine nuclear weapons program for several years. In December, it cut most of the IAEA seals at its nuclear facilities and impeded the functioning of monitoring equipment. It also instructed the IAEA inspectors to depart. On 10 January 2003, the DPRK announced its withdrawal from the NPT, generally considered to have taken effect three months later.⁴⁶

Turning to the nonproliferation treaties, it is worth noting that the post-11 September period saw the start of preparations for the 2005 NPT Review Conference. Strengthening physical protection of nuclear materials and export controls, as well as the threat of nuclear terrorism, figured prominently. The first NPT Preparatory Committee (PrepCom) meeting took place in spring 2002, with the second session in April–May 2003, and the final PrepCom scheduled for April–May 2004.⁴⁷

The situation with respect to the chemical and biological weapons conventions was in a sense more complex. Heightened concerns about potential terrorist use of CBW did not soften U.S. opposition to the BW verification approach that had been

⁴⁶ See International Atomic Energy Agency in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://cns.miis.edu/pubs/inven/index.htm>.

⁴⁷ See Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://cns.miis.edu/pubs/inven/index.htm>.

enshrined in the Ad Hoc Group's draft Verification Protocol. The U.S. had announced its rejection of this approach in July 2001, and reiterated that position in its opening statement at the Fifth BTWC Review Conference, which ran from 19 November to 7 December 2001. The Review Conference adjourned for a one-year cooling off period after the U.S. proposal to terminate the Ad Hoc Group made it impossible to reach agreement on any final declaration or document. This was another case where the NATO countries did not have uniform policy *preferences*, although in practical terms the firm position of the U.S. blocked consensus on any approach other than one it favored. There was no mention of the BTWC in the December 2001 NATO foreign ministers' communiqué.

When the Fifth BTWC Review Conference reconvened, 11-22 November 2002, it approved a compromise proposal, calling for yearly meetings of the states parties to prepare the next Review Conference. These meetings would address: in 2003, national measures to implement the BTWC, e.g. national legislation and mechanisms for security and oversight of pathogenic micro-organisms and toxins; in 2004, how to enhance international capabilities for responding to alleged use of biological weapons or suspicious outbreaks of disease; in 2005, the roles and responsibilities of the scientific community, including possible codes of conduct for scientists. U.S. Assistant Secretary of State for Arms Control Stephen Rademaker termed the Review Conference decision "a realist judgment about what can successfully be achieved in [that] forum over the next few years."⁴⁸

⁴⁸ Rademaker quote in Eric Terzuolo, "Chemical and Biological Weapons: Coming Challenges for the International Community," *Transition Studies Review*, vol. X, no. 33, 1/2003, New Series, 82; "Biological Weapons Convention Annual Meeting of States Parties," press statement, U.S. Department of State, 17 November 2003, available from <http://www.state.gov/r/prs/ps/2003/26297.htm>; Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BTWC) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://cns.mii.edu/pubs/inven/index.htm>. See also Kathleen C. Bailey, "The Biological & Toxin Weapons

Among the continuing challenges in the biological weapons sector was the markedly “asymmetrical” process of dismantling the infrastructure connected with the former Soviet offensive BW program. A number of highly secret Russian Ministry of Defense facilities remained “locked in a historical timewarp,” impervious to international access, collaboration or monitoring. This created unease among all the NATO allies. On 13 November 2001, Presidents Bush and Putin had issued a joint statement on U.S.-Russian cooperation against bioterrorism. But the following April, the U.S. government refused to certify Russian compliance with biological (and chemical) arms control accords, citing a lack of Russian transparency. Russian refusal to share with the U.S., for study, a genetically modified strain of anthrax that could defeat the Russian anthrax vaccine also fostered suspicion.⁴⁹

Adherence to the Biological and Toxin Weapons Convention posed difficulties for some of NATO’s partners in Central Asia. Only Turkmenistan and Uzbekistan had joined the BTWC as of November 2003. The others cited lack of information regarding former Soviet BW programs and facilities on their territories as an impediment. Concerns were rife regarding poor security at research facilities in the region and a brain drain of biological scientists.⁵⁰

In the Organization for the Prohibition of Chemical Weapons, the United States and some other developed countries argued for caution in addressing the implications of the 11 September attacks. The OPCW already was experiencing significant organizational problems, and implementation of the extensive and intrusive requirements

Convention” Recapping Events of 2002,” *Comparative Strategy* 22 (2003): 29-44, which inter alia points to NATO as a potential forum for transferring BW-related information and organizing initiatives.

⁴⁹ Anthony Rimmington, “From Offence to Defence? Russia’s Reform of its Biological Weapons Complex and the Implications for Western Security,” *Journal of Slavic Military Studies* 16, no. 1 (March 2003): 27, 4-5.

⁵⁰ Mike Nartker, “Central Asian Countries Poses (sic) Proliferation Risks, Have Helped Strengthen Nonproliferation Agreements, Experts Say,” *Global Security Newswire*, 6 October 2003, available from <http://www.nti.org>, reports on an October 2003 panel at Harvard University on proliferation in Central Asia.

of the Chemical Weapons Convention was proving difficult for many of the states parties. A proposal launched by OPCW Technical Secretariat Director-General José Bustani in the aftermath of 11 September raised the prospect of taking on new terrorism-related tasks while the missions established in the CWC were not being fully implemented. The December 2001 meeting of the OPCW Executive Council did adopt a decision, however, stressing that full implementation of the Convention's requirements for destruction of chemical weapons stockpiles and for national legislation and enforcement measures was the most important contribution the OPCW could make to global anti-terrorism efforts, and establishing a mechanism to consider additional initiatives.⁵¹

In addition to the established treaties and control regimes discussed above, a new actor emerged on the nonproliferation scene in the period following 11 September – the G8. The June 2002 summit in Kananaskis (Canada) agreed on a new initiative, the “Global Partnership Against the Spread of Weapons and Materials of Mass Destruction,” and committed the seven major industrialized countries to raising up to 20 billion dollars to fund nonproliferation projects, primarily in Russia. Although nuclear threat reduction was the primary focus, the initiative covered CBW as well. The U.S. would provide half of the funding, with the other six providing the rest.⁵²

Broadly speaking, the heightened focus of the nonproliferation treaties and regimes on potential terrorist use of WMD was part of an adaptation process that ran parallel to NATO's own efforts. Most, though not all of the time, the NATO allies agreed on supporting efforts underway in the multilateral settings. (The European allies would continue, unofficially, to lament “conservative” U.S. policy on BTWC verification, as well

⁵¹ Terzuolo, “Chemical and Biological Weapons,” pp. 82-83.

⁵² See Global Partnership Against the Spread of Weapons and Materials of Mass Destruction (“10 Plus 10 Over 10” Program) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://cns.miis.edu/pubs/inven/index.htm>.

as the U.S. failure to ratify the Comprehensive Test Ban Treaty, but in practical terms there was little to be done.) The institutional architecture of the nonproliferation treaties and regimes, however, remained such that NATO was not the appropriate forum for policy coordination among the Western countries. U.S.–EU coordination was much more important in steering the actions of the broad and diverse “Western Group” in the nonproliferation fora, and something like the Australia Group was already in and of itself a policy coordination body among like-minded countries, making internal “caucuses” unnecessary.

NATO Outreach and WMD Issues

The global campaign against terrorism gave added importance to NATO’s partnerships. The NAC in December 2001 underlined Russia’s “substantial and significant cooperation,” illustrating “the new quality in NATO-Russia relations.” The Euro-Atlantic Partnership Council, NATO-Ukraine Commission, and the NATO-Russia Permanent Joint Council all received credit for helping build the international coalition. The NAC specifically commended the countries of Central Asia and the Caucasus for their “courageous support,” and applauded the Mediterranean Dialogue countries for their unreserved condemnation of the 11 September attacks. The NAC called on Euro-Atlantic partners to be more active on security matters, and on the Mediterranean Dialogue countries to intensify their security-related dialogue with the alliance. Strengthening engagement with partners was part of a package of enhanced measures promised for the November 2002 Prague Summit.⁵³

Russia. The months following the 11 September attacks were especially important for the NATO-Russia relationship. Russian President Putin saw an opportunity to strengthen relations with the United States and the allies, adopting an approach

⁵³ “NATO’s Response to Terrorism,” NAC ministerial, Brussels, 6 December 2001, NATO press release M-NAC-2(2001)159, par. 7-8, available from <http://www.nato.int/pr/2001/p01-159e.htm>.

visibly in marked contrast to Russian policy during the NATO intervention in Kosovo. Putin was the first national leader to call U.S. President Bush following the attacks, and gave his blessing to the stationing of U.S. forces in Uzbekistan and Kyrgyzstan, essential for the success of Operation Enduring Freedom in Afghanistan. The new U.S.-Russian partnership was reflected in a significantly enhanced NATO-Russia relationship.⁵⁴

NATO Secretary General Lord Robertson visited Volgograd and Moscow in November 2001, meeting with the Russian president, foreign minister, defense minister and the president of the Russian Security Council. The Secretary General's speech at the Diplomatic Academy in Moscow was tellingly entitled "A New Quality in the NATO-Russia Relationship."⁵⁵ (Russian Foreign Minister Igor Ivanov returned the visit on 15 April 2002.)⁵⁶

Soon after 11 September, NATO and Russian experts had consulted on terrorism, discussing potential cooperation.⁵⁷ A number of initiatives were launched, including "regular exchange of information and in-depth consultation on ... terrorist threats, the prevention of the use by terrorists of ballistic missile technology and nuclear, biological and chemical agents, civil emergency planning, and the exploration of the role of the military in combating terrorism."⁵⁸ How to address WMD proliferation, including current threats, how to manage the consequences of use or threat of use of NBC

⁵⁴ Pierre, *Coalitions: Building and Maintenance*, 50.

⁵⁵ "NATO Secretary General, Lord Robertson, to Visit Russia, 21-23 November," NATO press release (2001) 155, 21 November 2001, available from <http://www.nato.int/docu/pr/2001/p01-155e.htm>.

⁵⁶ See NATO press release (2002) 046, 15 April 2002, available from <http://www.nato.int/docu/pr/2002/p02-046e.htm>

⁵⁷ "NATO-Russia Consultations on Combatting Terrorism," Press Statement, 2 October 2001, available from <http://www.nato.int/docu/pr/2001/p011002e.htm>.

⁵⁸ "Press Statement on NATO-Russia Co-operation in Combating Terrorism," 28 January 2002, available from <http://www.nato.int/docu/pr/2002/p020128e.htm>.

weapons, and TMD cooperation figured, for example, in the February 2002 meeting of the NATO-Russia Permanent Joint Council in ambassadorial session.⁵⁹

Nuclear issues were also an element of NATO's enhanced cooperation with Russia following 11 September. On 24 October 2001, NATO and Russian nuclear experts met in Brussels. The Nuclear Planning Group in December expressed "great satisfaction with the encouraging progress" in exchanges with Russia, notably on the confidence and security building measures that NATO had proposed (see Chapter 2), and underlined the benefits of focusing on nuclear weapons safety and security.⁶⁰ In April 2002, in fact, NATO and Russian nuclear experts participated in a Joint Seminar in The Hague, addressing nuclear safety and security issues.⁶¹

Terrorism and weapons of mass destruction both figured prominently on the agenda of the new NATO-Russia Council (NRC), established at the 28 May 2002 NATO-Russia Summit in Rome. The NRC replaced the Permanent Joint Council (PJC), and was based on the principle that the NATO member states and Russia would work as equal partners in areas of common interest. (The PJC had been based on the "19 plus 1" approach, with NATO in effect sitting one side of the table, Russia on the other.)

The "cooperative efforts" listed in the NRC's founding document included:

- **Struggle Against Terrorism:** strengthen cooperation through a multi-faceted approach, including joint assessments of the terrorist threat to the Euro-Atlantic area, focused on specific threats, for example, to Russian and NATO forces, to civilian aircraft, or to critical infrastructure; an initial step will be a joint assessment of the terrorist threat to NATO, Russia and Partner peacekeeping forces in the Balkans.
- **Non-Proliferation:** broaden and strength cooperation against the proliferation of weapons of mass destruction (WMD) and the means of their delivery, and

⁵⁹ "Meeting of the NATO-Russia Permanent Joint Council," Press Statement. Press Statement, 27 February 2002, available from <http://www.nato.int/docu/pr/2002/p020227e.htm>.

⁶⁰ Final communiqué, DPC/NPG ministerial, Brussels, 18 December 2001, NATO press release (2001)170, par. 10. available from <http://www.nato.int/docu/pr/2001/p01-170e.htm>.

⁶¹ Final communiqué, DPC/NPG ministerial, Brussels, 6 June 2002, NATO press release (2002)071, par. 9, available from <http://www.nato.int/docu/pr/2002/p02-071e.htm>.

- contribute to strengthening existing non-proliferation arrangements through: a structured exchange of views, leading to a joint assessment of global trends in proliferation of nuclear, biological and chemical agents; and exchange of experience with the goals of exploring opportunities for intensified practical cooperation on protection from nuclear, biological and chemical agents.
- **Arms Control and Confidence-Building Measures:** ... continue the NATO-Russia nuclear experts consultations.
 - **Theatre Missile Defence:** enhance consultations on theatre missile defence (TMD), in particular on TMD concepts, terminology, systems and system capabilities, to analyse and evaluate possible levels of interoperability among respective TMD systems, and explore opportunities for intensified practical cooperation, including joint training and exercises.
 -
 - **Civil Emergencies:** pursue enhanced mechanisms for future NATO-Russia cooperation in responding to civil emergencies. Initial steps will include the exchange of information on recent disasters and exchange of WMD consequence management information.
 - **New Threats and Challenges:** ... initiate cooperation in the field of civil and military airspace controls; and pursue enhanced scientific cooperation.⁶²

NRC working groups were established to pursue work on these and other sectors of cooperation highlighted at the Rome Summit.⁶³

The NATO-Russia Nuclear Experts Group remained more loosely structured, without formal terms of reference. In the aftermath of the Rome Summit, however, it was possible to agree in the NRC on a formal Consultation Work Plan for the group, something that had existed for years in draft form in the old NATO-Russia Permanent Joint Council. The Rome Summit was in many ways a genuine turning point in NATO-Russia relations.⁶⁴

The NATO-Russia Council met for the first time at the defense minister level shortly after the Rome Summit.⁶⁵ It provided more specific instructions to the NRC at

⁶² "NATO-Russia Relations: A New Quality," NATO-Russia Summit, Rome, 28 May 2002, available from <http://www.nato.int/docu/basicxt/b020528e.htm>.

⁶³ See for example *NATO Handbook*, Chapter 13, updated 19 November 2002, available from <http://www.nato.int/docu/handbook/2001/hb130202.htm>.

⁶⁴ For additional examples see Paul Fritch, "Building hope on experience," *NATO Review* (Autumn 2003), Web-only, available from <http://www.nato.int/docu/review/2003/issue3/english/art3.html>.

⁶⁵ As the Prague Summit approached, Russian Defense Minister Sergei Ivanov also had a session with his NATO counterparts following the 24 September 2002 informal meeting of NATO defense ministers in Warsaw. Solidarity in combating terrorism and "the increasing danger we all face from the proliferation of

ambassadorial level on a number of terrorism- and WMD-related areas of work.

Notably, it identified as priority matters a more structured exchange of views on missile proliferation and exchanges of experience on protection against NBC agents, with an eye toward intensified practical cooperation. Defense ministers underlined the urgency of creating an ad hoc working group on proliferation to develop the aforementioned joint assessment of global proliferation trends. They also agreed to consider holding a second conference on the military role in combating terrorism in February 2003, to focus on “concrete possibilities for enhanced cooperation.”⁶⁶

The first such conference, held at the NATO Defense College in Rome, 3-4 February 2002, had featured NATO Secretary General Lord Robertson and Russian Defense Minister Sergey Ivanov as keynote speakers. The panels, involving senior civilian and military officials from Russia, NATO, and individual NATO member countries, had addressed the “Military Role in Defending Against And Combating Terrorist Operations;” the “Military Role in Preventing And Managing The Consequences of Terrorism;” and “Adapting Armed Forces For Terrorist Threats.”⁶⁷

The first NRC defense ministerial also stressed the need to develop concrete plans and timetables for NATO-Russia consultation and cooperation on theater missile defense. A few days later, on 11 June 2002, the NRC at ambassadorial level established the TMD Ad-Hoc Working Group (AHWG) to explore possibilities for enhanced cooperation. The AHWG met for the first time in The Hague in July 2002, and divided its work into five sectors or objectives: developing agreed terminology, experimental concepts, joint concept of operations, training and exercises, and TMD

weapons of mass destruction” were important themes. See “Press Statement by NATO Secretary General Lord Robertson following the meeting of NATO Defence Ministers with the Russian Minister Sergei Ivanov,” Warsaw,” 25 September 2002, available from <http://www.nato.int/docu/speech/2002/s020925b.htm>.

⁶⁶ Statement, Brussels, 6 June 2002, par. 2, available from <http://www.nato.int/docu/pr/2002/p020606e.htm>.

⁶⁷ Conference program available at www.nato.int/docu/conf/2002/c020203a.htm.

systems and system capabilities.⁶⁸ The group would prove highly effective, working with discipline and speed.

NATO-Russia TMD cooperation would be a necessity for any joint operations under threat of attack by ballistic missiles carrying WMD, at a minimum to ensure complete coverage and no gaps. But WMD concerns were not the driving force. Rather, TMD seemed to NATO authorities like a natural area for cooperation, given extensive Russian capabilities and experience. In other words, it looked like a potential success story for the rapidly improving relationship.

Ukraine. The struggle against terrorism provided a stimulus to NATO's relations with Ukraine as well. When the NATO-Ukraine Commission met at foreign ministers level in December 2001, the NATO side expressed appreciation for Ukraine's support, notably its decision to open its airspace for overflights by U.S. aircraft. Ministers commended the experts' consultations on money laundering, illegal migration, and proliferation of NBC weapons that had taken place in October, and they expressed readiness to enhance exchanges of information, especially on terrorism and other security concerns.⁶⁹ When the Commission met again at the ministerial level in May 2002, NATO ministers commended the active involvement of Ukraine's military transport aircraft in deployment of NATO country troops to Afghanistan, and underlined their commitment to take the Distinctive Partnership with Ukraine to a "qualitatively new level," at the Prague Summit.⁷⁰

⁶⁸ For further details see Robert Bell, "Ballistic Missile Threats: A NATO-Russia Strategic Challenge," article first published in *Krasnaya Zvezda*, 27 February 2003, available from <http://www.nato.int/docu/articles/2003/a030227a.htm>.

⁶⁹ Statement, Brussels, 6 December 2001, NATO press release (2001)164, available from <http://www.nato.int/docu/pr/2001/p01-164e.htm>.

⁷⁰ NATO press release (2002) 062, 15 May 2002, available from <http://www.nato.int/docu/pr/2002/p02-062e.htm>.

The burgeoning ties included a 1 March 2002 visit to NATO by Ukrainian Prime Minister Anatoliy Kinakh and an 8-10 July 2002 visit to Ukraine by the North Atlantic Council, which marked the fifth anniversary of the NATO-Ukraine Charter. The NAC's program in Ukraine included Foreign Minister Zlenko's participation in a session of the NATO-Ukraine Commission, and a meeting with Ukrainian President Leonid Kuchma.⁷¹

WMD issues, however, visibly did not have the same weight in NATO-Ukraine relations that they did in the alliance's relationship with Russia. The role of the partnership with NATO in stimulating domestic reform in Ukraine, cooperation in other fields such as civil emergency planning, and Ukraine's sustained contributions to peacekeeping efforts in the Balkans were visibly higher on the agenda.

A proliferation matter did come between NATO and Ukraine, however, as the Prague Summit approached. Based on tapes provided by a former Ukrainian presidential security guard, the U.S. government concluded that Ukrainian President Kuchma had personally approved, in July 2000, the sale of *Kolchuga* air defense radars to Iraq. The U.S. shared its findings with other NATO members. Despite Ukrainian denials, the NATO-Ukraine Commission summit planned for Prague was downgraded to a meeting of foreign ministers. Though not invited, Kuchma showed up for the Euro-Atlantic Partnership Council Summit. Under the planned seating arrangements, Kuchma would have been seated next to British Prime Minister Blair and only one seat away from U.S. President Bush. NATO officials quickly reverted to a seating order based on French, rather than English spelling, which separated Kuchma from Bush and Blair by a

⁷¹ "Statement: Meeting of the NATO-Ukraine Commission with Mr. A Kinakh, Prime Minister of Ukraine," NATO press release (2002) 027, 1 March 2002, available from <http://www.nato.int/docu/pr/2002/p02-027e.htm>; "The North Atlantic Council to visit Ukraine on 8-10 July, 2002," NATO press release (2002) 090, 8 July 2002, available from <http://www.nato.int/docu/pr/2002/p02-090e.htm>; "Statement: Meeting of the NATO-Ukraine Commission with the participation of H.E. Mr. A. Zlenko, Minister for Foreign Affairs of Ukraine, Kyiv, 9 July 2002," NATO press release (2002) 092, 9 July 2002, available from <http://www.nato.int/docu/pr/2002/p02-092e.htm>.

considerable distance.⁷² Significantly, improving the Ukrainian export control system would feature prominently in NATO-Ukraine cooperation following the summit.

Euro-Atlantic Partnership. The Euro-Atlantic Partnership Council (EAPC) included a number of states, formerly republics of the Soviet Union, that were, in part for reasons of geography, important to the military operations that began in response to the 11 September attacks. Praise for the contributions of the Central Asian and Caucasus countries, plus the need to do more for them in the EAPC/PfP framework, became important themes for NATO. On 20 February 2002, for example, Tajikistan became the last of the five Central Asia countries to join PfP. The NATO press release underlined “Tajikistan’s courageous decision to support the international coalition against terrorism” and stressed the key importance of support from the Central Asian partners.⁷³ The Caucasian republic of Georgia benefited from a Partnership for Peace Trust Fund Project, led by Luxembourg, to demilitarize and dispose of missile stockpiles and remediate a 10,000 hectare former military site near Tbilisi. Former military engineers from the Georgian Army were engaged to clear the site of unexploded ordnance.⁷⁴

More generally, at their meeting in December 2001, the EAPC foreign ministers agreed that the EAPC “represented a vital pillar of the international coalition against terrorism and underlined their resolve to make full use of the EAPC/PfP framework to share information, to coordinate practical activities, and to help protect their populations against terrorism.” They also endorsed the EAPC Action Plan for 2002-2004,

⁷² Michael Wines, “U.S. Suspects Ukraine of Selling Radar to Iraq,” *New York Times*, 24 September 2003; Peter S. Green, “Ukraine’s Leader Loses NATO Alphabet Shuffle,” *New York Times*, 23 November 2002. English and French are the two official NATO languages.

⁷³ “Tajikistan signs the Partnership for Peace Framework Document,” NATO press release(2002) 022, 20 February 2002, available from <http://www.nato.int/docu/pr/2002/p02-022.htm>.

⁷⁴ “Signature of a memorandum on Logistic Cooperation between Georgia and the NATO Maintenance and Supply Organization (NAMSO) on Demilitarisation and Disposal of Missile Stockpiles and Remediation of Georgian Military Sites,” NATO press release (2002) 113, 2 October 2002, available from <http://www.nato.int/docu/pr/2002/p02-113e.htm>.

underlining that it included “new cooperative approaches in the international fight against terrorism.”⁷⁵

The previous Action Plan had included one topic in its section on international terrorism: “Identifying threats from and responses to international terrorism.” Based on a Finnish-Swedish initiative, the new plan added five more action-oriented topics: “developing the EAPC’s role in the international fight against terrorism;” “sustaining high-level political commitment [...]”; “tangible support, as appropriate, to Central Asia and the Caucasus partner countries;” “cooperation in civil emergency planning (CEP);” “Other practical cooperation including PfP activities.” The list of activities, which previously had included only meetings with the NATO Special Committee, now read as follows:

1. Meetings of the Special Committee in the EAPC format
2. Have terrorism figure prominently on agendas for EAPC Ambassadorial meetings and other committees meeting in EAPC format
3. Progress reports prepared for EAPC Ministerials as appropriate
4. Exploring, inter alia, the use of the Trust Fund Mechanism in order to facilitate participation of the Central Asian and Caucasus partner countries in relevant EAPC/PfP activities
5. Partners’ participation in implementing, as appropriate, CEP Action Plan for the improvement of civil preparedness against possible attacks against the civilian population with chemical, biological and radiological agents
6. Partners’ participation in the [Weapons of Mass Destruction Centre’s] inventory of national capabilities which Allies and Partners might be willing to make available on a voluntary basis to assist a country stricken by a CBR terrorist attack
7. As appropriate, explore modalities for cooperation in non-Article 5 activities related to the WMD Centre
8. Seminars/workshops on the EAPC’s role in the fight against terrorism.

Events planned included a seminar on the EAPC’s role in combating terrorism, to be hosted by Poland in February 2002; a seminar proposed for the second half of 2002 on prospects for regional cooperation in the Caucasus in the fight against terrorism; and a

⁷⁵ “Chairman’s Summary of the Meeting of the Euro-Atlantic Partnership Council in Foreign Ministers Session,” Brussels, 7 December 2001, NATO press release M-EAPC-2(2001)166, par. 4, available from <http://www.nato.int/docu/pr/2001/p01-166e.htm>.

seminar to be hosted by Azerbaijan in early 2003 on links among terrorism, narcotics trafficking, organized crime and other illegal activities.

It is worth noting that the additional elements related to WMD were incorporated in the section on combating terrorism, not in the section of the Action Plan dealing with arms control, disarmament and nonproliferation. The latter had changed little over the years. Political and defense efforts against proliferation remained one of the topics, but the activities remained strictly consultative in nature, and the specific events listed for 2002-2004 focused on small arms and light weapons.⁷⁶

The 22-23 February 2002 seminar in Warsaw on “The role of the EAPC in combating terrorism” aimed at identifying potential new tasks for the EAPC, complementing but not duplicating work in other relevant fora. Among the issues identified for discussion were the EAPC’s comparative advantage relative to other international organizations and institutions; possible creation of a task force to continue work after the seminar: data exchange on possible threats; possible education and research programs; exchanges of experience in training anti-terrorist units and rescue teams; consultations on political issues related to proliferation; defense-related preparedness for WMD contingencies; visits and exchanges of experts on technical, proliferation-related issues; and cooperation in civil emergency planning, including its WMD aspects.

Chaired by NATO Deputy Assistant Secretary General for Political Affairs Daniel Speckhard and by undersecretaries from the Polish foreign and defense ministries, the seminar included remarks and presentations by senior officials from Finland, Sweden, Spain, and the NATO International Staff, providing a general overview of the EAPC’s role in the fight against terrorism, as well as country-specific presentations by

⁷⁶ NATO press release M-2-EAPC(2001)165, 7 December 2001, available from <http://www.nato.int/docu/pr/2001/p01-165e.htm>.

representatives from Romania and Croatia. Separate “working tables” then addressed the following areas: exchanges of information, education, and training; WMD proliferation and WMD-related terrorist threats; cooperation in civil emergency planning.⁷⁷

In his opening remarks, Speckhard recognized an image problem facing the EAPC: a perception that it was a forum for discussion, rather than a framework for action. He stated that, “if and when the Alliance should consider to mount an actual counter-terrorist operation,” it would want to involve the EAPC Partners. He also noted that efforts were underway “to optimise the availability – to Allies and Partners alike – of NATO’s Centre for Weapons of Mass Destruction as a clearinghouse for information.”⁷⁸ In closing the proceedings, Polish Undersecretary of State for Foreign Affairs Adam Rotfeld provided a balanced overview of the results. With respect to WMD, he noted that the discussions had underlined a number of cases in which “common action on the part of the EAPC” was necessary. Rotfeld underlined that strengthening nonproliferation regimes required an approach that was both national and international. There was scope within the EAPC, he continued, “for issues covering threat assessment and interoperability, common sense approach and common terminology, common policies and practices, common system of sampling and identification, vaccination policy, post exposure treatment, early detection of biological weapon usage disaster, radiological safeguard, control over radiological materials etc.” Rotfeld also pointed to some areas of difficulty:

We noted that we face many problems, to name *heritage of the past*, lack of proper information and experience what to do in the situation of disaster. Lack of international co-operation and monitoring add to this.

⁷⁷ Seminar concept and program available at <http://www.nato.int/docu/conf/2002/c020222a.htm> and - [c020222b.htm](http://www.nato.int/docu/conf/2002/c020222b.htm).

⁷⁸ Speckhard’s remarks, dated 22 February 2002, available from <http://www.nato.int/docu/speech/2002/s020222b.htm>.

Additional requests for transparency, information and knowledge sharing within the EAPC on WMD were raised. We were all encouraged to establish and to use civilian and military emergency links to communicate and share information on potential threats.

Finally, we must be sure, that our objectives against international terrorism are the same. If we need co-operation we need to speak the same language.

The reticence that seemed to have characterized the WMD discussions, at least at some points, also apparently surfaced in the working table on information exchange. Rotfeld recalled a statement the previous day by that working table's chairman, George Smith of NATO's Special Committee, responsible for intelligence matters, to the effect that "before we start to run, we should start to walk." The undersecretary noted that the working table had come out with some proposals for further work, but himself stated: "We have to think about new ways of future work in Brussels."⁷⁹

The Warsaw Seminar seemingly did help stimulate work on arms control and nonproliferation issues in the EAPC context. For the first time, in June 2002, disarmament experts from partner countries joined NATO experts in a meeting to review developments and discuss ongoing work in the nonproliferation field. The topics included new steps to support WMD nonproliferation, and devoted specific attention to nuclear and biological weapons, the Comprehensive Test Ban Treaty, and outer space arms control.⁸⁰ Twice-yearly meetings of NATO arms control experts, usually in advance of major UN or other international arms control gatherings, were a long-standing alliance practice. (It had taken eight years from approval of the Alliance Policy

⁷⁹"Closing remarks by Mr. Adam D. Rotfeld, Undersecretary of State, Ministry of Foreign Affairs of Poland," Warsaw, 23 February 2002, available at www.nato.int/docu/speech/2002/s020223a.htm. Emphasis added.

⁸⁰ "Meeting of disarmament experts at NATO Headquarters," *NATO Update*, 17-23 June 2002, available from <http://www.nato.int/docu/update/2002/06-june/e0621a.htm>.

Framework on Proliferation of Weapons of Mass Destruction to reach the point of bringing in experts from the partner countries.)

The November 2002 Prague Summit, like the two previous summits, became an occasion to strengthen (“re-launch” perhaps) NATO’s cooperation with the Euro-Atlantic Partners. At the May 2002 NAC session in Reykjavik, NATO foreign ministers said they looked forward to “a new, more substantive relationship with Partners, which intensifies our cooperation in responding to new security challenges, including terrorism.” They tasked the NAC in permanent session to continue reviewing NATO’s partnerships, with an eye to presenting concrete proposals in Prague for further developing the EAPC and PfP.⁸¹ At the subsequent meeting of the EAPC, NATO and partner foreign ministers identified, albeit obliquely, perceived shortcomings of the process, including the need to “address effectively and flexibly the different needs and particular circumstances of all Partners, including those in Central Asia and the Caucasus.” Ministers underscored the need for “enriched mechanisms of inclusive consultation and co-operation” and discussed ways of making the “fullest possible use of the instruments for consultation and co-operation” that the EAPC and PfP provided. They discussed how the partnership could respond more effectively to terrorism-related concerns of both allies and partners, and how it could better support NATO’s efforts in this area. They also considered the EAPC “Chairman’s Report on the Role of the Euro-Atlantic Partnership in the response to Terrorism.”⁸² This became the basis for the “Partnership Action Plan Against Terrorism,” launched at the Prague Summit.

⁸¹ Final communiqué, NATO press release M-NAC-1(2002)59, 14 May 2002, par. 14, available from <http://www.nato.int/docu/pr/2002/p02-059e.htm>.

⁸² “Chairman’s Summary,” NATO press release M-EAPC-1(2002)61, 15 May 2002, par. 4-5, available from <http://www.nato.int/docu/pr/2002/p02-061e.htm>.

Civil emergency planning and scientific cooperation. The victims of 11 September had been overwhelmingly civilian, and all non-combatants. It was no surprise that the attacks focused greater alliance attention on protection of civilian populations. At their December 2001 meeting, foreign ministers agreed on enhancing the ability “to provide support, *when requested*, to national authorities for the protection of civil populations against the effects of any terrorist attack.” They also made a commitment to enhance cooperation with partner countries in this field.⁸³ By the end of the year, in fact, a Civil Emergency Action Plan regarding possible chemical, biological or radiological attacks had been approved.⁸⁴ (The Senior Civil Emergency Planning Committee/EAPC had endorsed the plan in November.)

In October 2001, the NAC at ambassadorial level had agreed to establish an inventory of national resources that might be available to respond to a chemical, biological or radiological incident. It was agreed at the ministerial level that the initiative would be open to partner countries. (See discussion above of the 2002-04 EAPC Action Plan.) The Euro-Atlantic Disaster Response Coordination Center (EADRCC) would act as the clearinghouse for the information about national capabilities, using its already established procedures. This guaranteed automaticity in responding to any requests for assistance, as the EADRCC would automatically circulate requests to all the states that had offered capabilities, without subjecting the request to potentially tricky political decision-making processes. Some 32 countries – 16 NATO members, 16 partners -- provided information to the EADRCC on national CBR response capabilities. The

⁸³ “NATO’s Response to Terrorism,” NAC ministerial, Brussels, 6 December 2001, NATO press release M-NAC-2 (2001)159, par. 6, available from <http://www.nato.int/docu/pr/2001/p01-159e.htm>. Emphasis added. The strong view in some capitals, most notably Paris, that national, civilian agencies were responsible for dealing with civil emergencies necessitated continued caution in communiqué language.

⁸⁴ See Chairman’s Summary, EAPC in defense ministers session, Brussels, 19 December 2001, NATO press release M-EAPC-2(2001)175, par. 2, available from <http://www.nato.int/docu/pr/2001/p01-175e.htm>.

covered areas included search and rescue, decontamination, CBR specialists, protective equipment, and medical capabilities.

Despite some continued theological arguments, stemming primarily from French concern about anything that seemed to weaken the prerogatives on national, civilian authorities in responding to civil emergencies, CEP cooperation was definitely a “good news story” for allies and partners. Chances to help address difficult situations – and not insignificantly, to earn favorable publicity -- did arise.⁸⁵

CEP was also an area in which NATO’s efforts to focus increased attention on the WMD threat and on the republics of Central Asia and the Caucasus intersected very neatly. A NATO seminar on civil emergency planning took place in Ashgabat, Turkmenistan, 10-14 September 2002, including participants from neighboring countries such as Armenia, Azerbaijan and Uzbekistan. Protection of populations against the consequences of chemical, biological and radiological weapons use was very much on the program. The same had been true of a similar course hosted by the Slovenian Defense Ministry in June 2002, in which Armenia, Azerbaijan and Uzbekistan also had participated.⁸⁶

In September 2002, Russia made a notable contribution on both the civil emergency planning and WMD/terrorism fronts by hosting the “Bogorodsk 2002” exercise, at a Russian Federation Ministry for Civil Defense training facility in Noginsk, 70 kilometers from Moscow. The scenario involved a terrorist attack on a chemical production facility,

⁸⁵ When major floods struck the Czech Republic in August 2002, for example, the EADRCC used its network of points of contact in capitals to seek assistance the Czechs had requested. At least 13 NATO and partner countries provided or offered assistance. See “Statement by NATO Secretary General, Lord Robertson,” NATO press release (2002)099, 16 August 2002, available from <http://www.nato.int/docu/pr/2002/p02-099e.htm>.

⁸⁶ “Seminar on civil emergency planning in Turkmenistan,” *NATO Update*, 10-14 September 2002, available from <http://www.nato.int/docu/update/2002/09-september/e0910a.htm>; “Regional CEP/CIMIC Course, Poljce, Slovenia,” NATO press release (2002)070, 31 May 2002, available from <http://www.nato.int/docu/pr/2002/p02-070e.htm>.

resulting in mass casualties, contamination, collapsed structures, evacuation, and a request for international assistance. It was designed to exercise the procedures of the Euro-Atlantic Disaster Response Coordination Center and the capabilities of the Euro-Atlantic Disaster Response Unit (EADRU), in order to improve response to chemical, biological and radiological incidents. In addition to Russia, nine neighboring EAPC countries participated (Armenia, Azerbaijan, Belarus, Finland, Moldova, Norway, Poland, Sweden and Ukraine), along with Austria, Iceland and Italy.⁸⁷

Also notable was the involvement of two other international organizations: the UN, through its Office for the Coordination of Humanitarian Affairs (UN-OCHA) and the Organization for the Prohibition of Chemical Weapons (OPCW). The OPCW was very active in Russia and had a mandate in the Chemical Weapons Convention to facilitate assistance to member states in the event of chemical incidents. It was able to participate in some of the planning for the exercise and to offer expertise, but was present at Bogorodsk 2002 essentially in an observer capacity. Earlier in September, in fact, the OPCW had held an assistance delivery exercise of its own (ASSISTEX 1) in Croatia, at the Zadar airport. The government of Croatia, an aspiring NATO member, was the co-organizer, as well as host.⁸⁸ A number of NATO and PfP countries participated in the exercise on a national basis, but there was no NATO coordination role in this exercise, which was focused on exercising the OPCW's own mechanism for coordinating assistance in the event of a chemical incident or threat.

The NATO Science Programme also remained a context for active partnership attention to WMD issues, and now terrorism. For example, experts from the United

⁸⁷ "Exercise 'Bogorodsk 2002'," NATO press release (2002) 108, 17 September 2002, available from <http://www.nato.int/docu/pr/2002/p02-108e.htm>; "Exercise 'Bogorodsk 2002' 25-27 September 2002," available from <http://www.nato.int/eadrcc/bogorodsk/index.htm>, updated 23 January 2004.

⁸⁸ See "The First OPCW Exercise on Delivery of Assistance (ASSISTEX 1), 10-14 September 2002, Zadar, Croatia," available from http://www.opcw.org/html/db/assistprot_assistex1_end.html; Stanicic et al., "NATO and Weapons of Mass Destruction," 26.

Kingdom and Russia co-directed a workshop at NATO Headquarters in March 2002 on “Social and Psychological Consequences of Chemical, Biological and Radiological Terrorism.” This was the first NATO-Russia scientific cooperation activity specifically aimed at mitigating the impact of terrorism, and NATO countries, EAPC partners, and other countries participated.⁸⁹ The NATO Science Committee also held its first meeting in Central Asia, visiting Tashkent, Uzbekistan, 13-14 June 2002. The main topic was not WMD or terrorism, but rather the Virtual Silk Highway, a Science Programme project intended to deliver fast Internet connectivity to the research community in Central Asia and the Caucasus. Still, Uzbekistan, whose scientists were scheduled to be the first to benefit from the Virtual Silk Highway,⁹⁰ not coincidentally was playing a crucial role in assisting the anti-terrorist campaign.

Mediterranean Dialogue. The Islamist matrix of the 11 September attacks understandably focused additional attention on NATO’s Mediterranean Dialogue. In October 2001, the North Atlantic Council met in ambassadorial session with the ambassadors of each of the 7 Dialogue countries (the so-called “19 plus 1” format) to discuss the implications of 11 September and the ongoing fight against terrorism. The NAC also met with all the Dialogue country ambassadors together (“19 plus 7” format) to explain NATO’s role in the anti-terrorist campaign.⁹¹ (The periodic meetings in this format would continue.⁹²) Alliance foreign ministers at their December meeting invited

⁸⁹ “A Workshop on Social and Psychological Consequences of Chemical, Biological, and Radiological Terrorism, Brussels, 25-27 March 2002,” NATO press release (2002) 041, 25 March 2002, available from <http://www.nato.int/docu/pr/2002/p02-041e.htm>.

⁹⁰ “NATO Science Committee to meet in Tashkent on 13 and 14 June 2002,” NATO press release (2002) 080, 12 June 2002, available from <http://www.nato.int/docu/pr/2002/p02-080e.htm>.

⁹¹ “NATO and the Mediterranean,” speech by NATO Deputy Secretary General Alessandro Minuto Rizzo, Mediterranean Dialogue International Research Seminar, NATO Defense College, Rome, 24 November 2001, at www.nato.int/docu/speech/2001/s011124a.htm.

⁹² Nicola de Santis, “NATO’s Agenda and the Mediterranean Dialogue,” in *Security and Environment in the Mediterranean: Conceptualising Security and Environmental*, Hans Günter Brauch et al., eds. (Berlin/Heidelberg: Springer, 2003), 180.

the Dialogue countries to intensify their dialogue with NATO on security matters of mutual concern. The potential there was still "largely untapped," in the view of NATO Deputy Secretary General Alessandro Minuto Rizzo.⁹³

Further evidence of strengthening ties included Algerian President Bouteflika's visit to NATO on 20 December 2001 for a meeting with the Secretary General, touching on international security and terrorism issues, as well as Algeria's relations with the alliance. (Bouteflika would return a year later, inter alia for a briefing from Lord Robertson on the outcome of the Prague Summit.) The January 2002 meeting of the ambassadors of the 7 Mediterranean Dialogue countries with the North Atlantic Council in ambassadorial session reviewed future prospects for the Dialogue and received a briefing from the Secretary General on NATO's adaptation to the new security environment, its support to the U.S. in fighting terrorism, and efforts to develop defense capabilities for new missions. In March, a joint Israeli-Palestinian group visited NATO Headquarters for the first time. In June 2002 King Abdullah of Jordan was at NATO for a meeting with the Secretary General.⁹⁴

As in the case of the EAPC/PfP countries, civil emergency planning and science proved attractive and politically uncontroversial areas for consultation, training, and cooperation between NATO and the Mediterranean Dialogue countries. By late 2001,

⁹³ Final communiqué, NATO press release M-NAC-2(2001)158, 6 December 2001, par. 11, available from <http://www.nato.int/docu/pr/2001/p01-158e.htm>; see also Minuto Rizzo's 24 November 2001 presentation to the Mediterranean Dialogue International Research Seminar, NATO Defense College, referenced in note 90.

⁹⁴ "First visit of an Algerian Head of State to NATO HQ," *NATO Update*, week of 17-23 December 2001, available from <http://www.nato.int/docu/update/2001/e1220b.htm>; "President of Algeria visits NATO," *NATO Update*, 10 December 2002, updated 8 February 2003, available from <http://www.nato.int/docu/update/2002/12-december/e1210a.htm>; "NAC meets with Mediterranean Dialogue Partners at Ambassadorial level," *NATO Review*, week of 8-14 January 2002, updated 19 March 2002, available from <http://www.nato.int/docu/update/2002/01-january/e0109a.htm>; "Joint Israeli and Palestinian group at NATO HQ," *NATO Review*, week of 18-24 March 2002, updated 22 March 2002, available from <http://www.nato.int/docu/update/2002/03-march/e0320a.htm>; "H.M King Abdullah of Jordan to Visit NATO," NATO press release (2002)078, 10 June 2002, available from <http://www.nato.int/docu/pr/2002/p02-078e.htm>

the latter had received invitations to the NATO School in Oberammergau and to specially designed CEP seminars in Greece and Turkey. Jordan had offered to sponsor a CEP seminar in 2002, the first to be organized by a Dialogue country. A NATO CEP team had visited all the MD countries for meetings with the relevant agencies.⁹⁵

Conferences continued to play an especially prominent role in the Mediterranean Dialogue, in part because they provided relatively informal settings that could facilitate contacts among representatives of *all* the Dialogue countries, and help avoid an “Arabs vs. Israelis” atmosphere. Weapons of mass destruction remained difficult to address, however, in any forum involving representatives of all the Mediterranean Dialogue countries.

The Fourth Mediterranean Dialogue International Research Seminar, which took place in November 2001 at the NATO Defense College in Rome, co-sponsored by Center for Strategic Studies of the Mohamed V University in Rabat, focused on “Shaping a new security agenda for the future of regional co-operation in the Mediterranean region.” It did address concerns arising from proliferation of WMD and means of delivery. In his keynote address, NATO Deputy Secretary General Alessandro Minuto Rizzo underlined proliferation as one of the challenges facing NATO in its relations with the Mediterranean countries. He noted *inter alia* Iraq’s determined efforts to acquire weapons of mass destruction, and pointed out that Iraq was only a short-range missile shot away from the Eastern Mediterranean area.⁹⁶

Scholars from Egypt and Israel presented papers on “Weapons of Mass Destruction and Regional Security in the Middle East.” The papers illustrated very clearly the

⁹⁵ See Minuto Rizzo presentation, full reference in note 90.

⁹⁶ *Ibid.* See also “International seminar on security in the Mediterranean,” *NATO Update*, week of 19-25 November 2001, updated 6 December 2001, available from <http://www.nato.int/docu/update/2001/1119/e1121b.htm>

conceptual division over WMD issues in the Mediterranean Dialogue context. Mark Heller, of the Jaffee Center for Strategic Studies at Tel Aviv University noted that the incentive for serious escalation by terrorists clearly existed, and underlined the threat of leakage of WMD-related materials and expertise. He identified the former Soviet Union as the main source of anxiety about leakage, but identified other potential sources, inadvertent or deliberate, in or near the Middle East, notably Pakistan and, at the top of the list, Iraq. Heller argued that the benefits of global arms control treaties were limited, and recommended focusing attention and resources instead on terrorists and states suspected of supporting them. Preemptive intelligence, tighter security in facilities, and more controls on sharing of potentially sensitive information were among the measures he recommended. Finally, he stressed the importance of enhanced multilateral cooperation, including with authoritarian Middle Eastern governments that were in fact the biggest obstacles to the creation of open, democratic societies that could neutralize radical Islamism.⁹⁷ Worth noting was the absence of any reference to the Middle East peace process, and of any suggestion that progress on security and confidence building should be linked to progress in the peace process.

The corresponding paper by Ahmed Abdel Halim, of the National Center for Middle East Studies in Cairo, a retired major general, underlined Egypt's strong support for arms control measures, and its efforts to create a nuclear weapons free zone in the Middle East. The core of the arms control problem in the region lay in the "tense situation" in the Middle East generally, "the asymmetry of weapons systems" and the "need to create a reasonable strategic and military balance." The peace process, in Abdel Halim's view, needed to remain the "vehicle for exchanging views on the major developments facing the region." He blamed the existence of an "unsupervised nuclear

⁹⁷ Texts of the conference papers available from the NATO Defense College, <http://www.ndc.nato.int/research/seminar/html>.

programme” (i.e. Israel’s) for putting the Middle East in a “precarious situation, “ and expressed the bottom line as follows: “Confidence and security-building measures cannot be implemented without a permanent, comprehensive, and just peace in the Middle East based on the principle of land for peace.” He noted the importance of cooperation against terrorism, but also characterized as a “great danger” the “growing tendency to interfere in the internal affairs of other states for humanitarian reasons.” Abdel Halim was prepared to include nonproliferation of WMD on an agenda for addressing future security in the Middle East, but only alongside elements such as promoting peace in the region and preventing interference in internal affairs.

The 30 September 2002 conference entitled “From Dialogue to Partnership. Mediterranean Security and NATO: Future Prospects,” hosted in Rome by the Italian Delegation to the NATO Parliamentary Assembly, similarly illustrated the limits as well as the potential of the Mediterranean Dialogue. In his discussion paper, Roberto Aliboni of Italy’s International Affairs Institute (IAI) offered a number of proposals for strengthening the Dialogue, to make it somewhat more akin to the Partnership for Peace, including through creation of a Mediterranean Cooperation Council. In analogy to PfP, he included “conceptual approaches to international terrorism, arms control, disarmament and nonproliferation, including transparency” in a lengthy list of matters that a “Mediterranean Dialogue Partnership” might address. At the same time, he underlined that any sort of cooperation against terrorism would have “a very narrow path to walk,” requiring “very precise and limited objectives and guidelines.” Cooperation against global, Islamist terrorism offered some possibilities, but Aliboni argued that any attempt to foster cooperation against “national and religious movements in historical

Palestine would not be accepted by Arab countries and would immediately bring cooperation to an end.”⁹⁸

In their discussion paper, Abdel Monem Said Aly and Mohamed Kadry Said of the Al-Ahram Center for Political & Strategic Studies in Cairo offered a detailed and positive summary of the Mediterranean Dialogue’s accomplishments up to that time and a series of insightful comments on the impact of 11 September. They underlined inter alia the potential for even more dramatic and destructive terrorism in the future, making use of chemical, biological and radiological materials. On the other hand, they also underlined “the need to resolve the Arab-Israeli conflict as a key for the advancement of the Dialogue.” Among the problems with the Middle East peace process, they underlined a “structural imbalance in the negotiations,” stemming from Israeli superiority in conventional and “non-conventional” weapons. Although the authors dissociated themselves from the suspicions of NATO motivations that “conservative” analysts in the Middle East had expressed, they clearly implied that the bottom line in evaluating the Mediterranean Dialogue should be its ability to promote solution of the Arab-Israeli conflict.⁹⁹ In sum, the Mediterranean Dialogue conferences did allow for airing of diverse views on addressing both terrorism and WMD proliferation. But the division was so marked within the Mediterranean Dialogue community that any hopes for strengthening WMD-related cooperation would have to lie in “bilateral” NATO activities with individual states (the “19 plus 1” format).

The 2002 work program of the Mediterranean Cooperation Group, responsible for coordinating the Dialogue, listed consultations, including at expert level, as the only item

⁹⁸ “Strengthening NATO-Mediterranean Relations: A Transition to Partnership,” available from www.nato.int/docu/conf/2002/c020930/c020930a.htm.

⁹⁹ “NATO & South Mediterranean in Search of a Concert for Moderation, Cooperation and Peace,” available in .pdf format from <http://www.nato.int/docu/conf/2002/c020929a.htm>. Quotes from pp. 3 and 15.

under the “Proliferation” heading. Under “Terrorism,” the program noted only that NATO was “considering possibilities for consultation” with interested Dialogue countries.¹⁰⁰

The May 2002 Reykjavik NAC, however, decided to “upgrade the political and practical dimensions of [the] Mediterranean Dialogue, including by consulting with Mediterranean partners on security matters of common concern, including terrorism-related issues, as appropriate.” The objective was to bring the “Mediterranean *partners*” closer to NATO, and impart new momentum to the Dialogue by the time of the Prague Summit.¹⁰¹ In July 2002, in fact, the NAC agreed to designate the strengthening of the Mediterranean Dialogue as one of the NATO’s highest priorities.¹⁰²

The Prague Summit

The 21-22 November 2002 NATO Summit in Prague is best remembered for inviting seven new countries to join the alliance: Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia. But terrorism and WMD threats, and the need for enhanced military capabilities to help deal with those threats, were major themes as well. “In order to carry out the full range of its missions,” the NATO heads of state and government underlined, “NATO must be able to field forces that can move quickly to wherever they are needed, upon decision by the North Atlantic Council, to sustain operations over distance and time, including in an environment where they might be faced with nuclear, biological and chemical threats, and to achieve their objectives.”

¹⁰⁰ Available from <http://www.nato.int/med-dial/>.

¹⁰¹ Final communiqué, North Atlantic Council ministerial, Reykjavik, 14 May 2002, NATO press release M-NAC-1(2002)59, par. 15, available from <http://www.nato.int/docu/pr/2002/p02-059e.htm>. Emphasis added.

¹⁰² De Santis, “NATO’s Agenda and the Mediterranean Dialogue,” 180.

The summit approved 7 actions or clusters of actions related to transformation and adaptation of NATO's military forces.¹⁰³

The first was creation of a NATO Response Force (NRF), a flexible and technologically advanced land, air and sea force, able to deploy quickly upon decision by the North Atlantic Council. The NRF was explicitly created also to serve as a catalyst for efforts to improve allied military capabilities. The deadline for initial operational capability was October 2004, with full operational capability by October 2006. The NRF and related work under the EU Headline Goal, the summit declaration stated, were to be mutually reinforcing, without impacting on the autonomy of NATO and the EU.

The second point was a streamlining of NATO military command arrangements, significantly reducing the number of headquarters. Of NATO's two strategic-level commands, the one in Belgium would be responsible for operations, while the Atlantic Command, headquartered in Norfolk, Virginia, would become Allied Command Transformation (ACT), responsible for continued transformation of alliance military capabilities and for promoting interoperability of NATO country forces. The strategic command for operations had two Joint Force Commands (for Northern and Southern Europe) capable of generating land-based Combined Joint Task Force (CJTF) headquarters, which would in fact carry out any operations, working with a separate sea-based CJTF, as needed.

Third, heads of state and government approved the Prague Capabilities Commitment (PCC), to continue improving NATO's capabilities "for modern warfare in a high threat environment." They pledged implementation of the PCC as quickly possible, noting that additional national financial resources would be required in many cases,

¹⁰³ "Prague Summit Declaration, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Prague on 21 November 2002," NATO press release (2002)127, 21 November 2002, par. 4, available from <http://www.nato.int/docu/pr/2002/p02-127e.htm>.

subject to parliamentary approval. As compared to the 58 capability areas identified as needing improvements in the 1999 Defense Capabilities Initiative, the Prague Capabilities Commitment focused on only 8 areas, one of which was chemical, biological, radiological and nuclear defense. The Prague Summit document noted that individual allied countries already had made firm and specific political commitments to improve their capabilities in CBRN defense. The declaration also made reference to commitments in a series of other areas that would be crucial for the success of operations in a CBRN environment, or against a potential CBRN threat, e.g. intelligence, surveillance, command, control and communications, deployable combat support, strategic airlift, and precision guided munitions.

Fourth, the summit endorsed a cluster of initiatives related to combating and responding to terrorism, some of which could not be discussed in any detail in an unclassified document. The agreed military concept for defense against terrorism made it clear that NATO had to be equipped and ready to move anywhere at anytime. It distinguished four categories of possible NATO military activity: anti-terrorism; consequence management; counter terrorism; military cooperation. As a well-informed observer would note:

In this context, anti-terrorism means defensive measures to reduce vulnerability, including limited response and containment actions by military forces and such activities as assuring threat warnings, maintaining the effectiveness of the integrated air defence system and providing missile defence. Consequence management means post-attack recuperation and involves such elements as contributing planning and force generation, providing capabilities for immediate assistance, providing coordination centres, and establishing training capabilities. Counter-terrorism means the use of offensive measures, including counter-force activities, both with NATO in the lead and with NATO in support of other organisations or coalitions involving Allies. And military cooperation covers among other things cooperation with Russia, Ukraine, Partners, Mediterranean Dialogue countries and other countries, as well as with other organisations, including the European Union, the Organisation for Security and Cooperation in Europe, and the United Nations.¹⁰⁴

¹⁰⁴ Christopher Bennett, "Combating terrorism," *NATO Review* (Spring 2003), Web version only, available from <http://www.nato.int/docu/review/2003/issue1/english/art2.html>. See also the 12 January 2004 video

The terrorism-related decisions included improved intelligence sharing and crisis response arrangements. Heads of state and government committed to full implementation, in cooperation with partners, of the Civil Emergency Action Plan, intended to improve civil preparedness for attacks with chemical, biological or radiological (CBR) agents. Assistance to national authorities in responding to terrorist attacks against critical infrastructure was an element of the plan.

The summit initiative to improve intelligence sharing would lead over time to establishment of the Terrorist Threat Intelligence Unit, a new analytical capability of NATO's own, staffed by NATO personnel. In the nearer term, an Ad Hoc Analytical Cell, formed of personnel contributed for limited periods by the member states, worked to enhance alliance assessments of terrorist threats. The NATO Special Committee had been examining terrorist threats for years, but operated primarily on the basis of twice-yearly meetings of the heads of national counterintelligence services, with two intervening preparatory meetings at less senior level. The Special Committee's assets remained stationed in capitals, and NATO Headquarters thus had lacked an in-house group assessing terrorist threats on a frequent basis.

The fifth element in transforming NATO's military capabilities was the summit's endorsement of five multinational initiatives (distinct from the national efforts reflected in the Prague Capabilities Commitment) to enhance NATO's defenses against nuclear, biological or chemical (NBC) weapons: the Prototype Deployable NBC Analytical Laboratory; the Prototype NBC Event Response Team; the virtual Centre of Excellence for NBC Weapons Defence; the NATO Biological and Chemical Defence Stockpile; and

the Disease Surveillance System. The five proposals were the most noteworthy fruit of the Senior Defense Group on Proliferation (DGP)'s efforts since the beginning of 2002.

The NBC Event Response Team, made up to 10-15 people, was intended to advise and assist commanders in the field, including by providing medical advice on how to deal with casualties. The main task of the Deployable Analytical Laboratory would be to carry out analyses on-scene and provide information to the response team, saving lives by saving time. The Disease Surveillance System would work by inputting disease symptoms into a database for satellite transmission to a central system for rapid assessment. The NATO Biological and Chemical Defence Stockpile was in essence a list of vaccines, drugs and treatments that nations pledged to make available to others on a reimbursable basis. The Virtual Centre of Excellence was a website for the allies listing all available NBC training events.¹⁰⁵

An exhibit of NBC defense equipment was set up at the summit venue.¹⁰⁶ The intention was to capture the attention of allied defense ministers and illustrate that much of the equipment was not expensive and that others had it, thus helping equip ministers to argue in capitals for the funding needed to participate in the initiatives. Briefers from a range of NATO countries, including Germany, Turkey, and Italy, were present to help underline the multinational nature of the enterprise. This bit of public relations proved quite effective, and endorsement by the summit triggered a vigorous, yearlong exercise program to validate the basic concepts. (See Chapter 4.)

The CBRN defense initiatives were an important "deliverable" for the summit. The approach was a bit ad hoc, reflecting the need to move quickly, given that the

¹⁰⁵ Annalisa Monaco and Timothy Baines, "A Closer Look at NATO's New NBC Initiatives," *NATO Notes*, 4, no. 10, 19 December 2002, available from <http://www.isis-europe.org/>.

¹⁰⁶ Photos available from <http://www.nato.int/multi/photos/2002/m021119b.htm>.

summit was a forcing event. Within the time available, the established NATO process for developing new concepts and capabilities would not have given the same results.

The sixth element of NATO force adaptation and transformation agreed in Prague had to do with another new threat, specifically the need to strengthen defenses against cyber attacks.

The seventh element was the confirmation of the decision to “examine options for addressing the increasing missile threat to Alliance territory, forces and population centers [...] through an appropriate mix of political and defence efforts, along with deterrence.” The summit initiated a new NATO Missile Defence Feasibility Study, and in September 2003, a consortium led by Science Applications International Corporation of McLean, Virginia secured the 18-month contract. (In the meantime, feasibility studies for the Active Layered Theatre Ballistic Missile Defence had been completed.)¹⁰⁷

Enhancement of the NATO WMD Centre’s role within the International staff also found its way into the Prague Summit declaration, though not as a distinct subparagraph. It also was not surprising that the declaration sought to balance the lengthy list of military capabilities to be enhanced with the standard reaffirmation of the role of arms control, disarmament, and nonproliferation in preventing spread and use of WMD and their means of delivery.

NATO’s partnerships and their roles in helping combat terrorism and WMD proliferation were an additional important focus of the summit. It decided to upgrade the political dialogue with the EAPC/PfP countries and increase the involvement of partners in the planning, conduct, and oversight of the activities in which they participated. The NATO heads of state and government urged the Caucasus and Central Asian countries

¹⁰⁷ “NATO Missile Defence Feasibility Study Transatlantic Industry Study Team selected,” NATO press release (2003)109, 26 September 2003, available from <http://www.nato.int/docu/pr/2003/p03-109e.htm>; “Statement on Capabilities,” NAC defense ministers meeting, Brussels, 12 June 2003, par. 7, available from <http://www.nato.int/docu/pr/2003/p03-066e.htm>

in particular to take advantage of new mechanisms such as the more tailored Individual Partnership Action Plans. The resolve of partners to combat terrorism, including through the new Partnership Action Plan against Terrorism, received particular mention.

The Action Plan was the first issue-specific mechanism for practical cooperation between allies and interested partners.¹⁰⁸ It included five main categories: “Intensify Consultations and Information Sharing;” “Enhance Preparedness for Combating Terrorism;” “Impede Support for Terrorist Groups;” “Enhance Capabilities to Contribute to Consequence Management;” and “Assistance to Partners’ efforts against terrorism.” The effort to prevent or respond to terrorist use of WMD was an important theme running through the plan. Among the specifically WMD-related elements was the agreement that EAPC states would continue their cooperation in arms control and consult on measures for control of WMD devices and safe disposal of related substances and materials. They also agreed to support conclusion of an International Code of Conduct Against Ballistic Missile Proliferation. (In fact, the International Code of Conduct was signed in The Hague about one week after the NATO Summit in Prague.)

Under the rubric of enhancing consequence-management capabilities, the EAPC agreed that partner countries would be invited to “support and participate in NATO-led activities to enhance capabilities against WMD-related terrorism, and to share appropriate information and experience in this field according to procedures to be agreed.” Tying in to the main summit document, the EAPC Action Plan gave detailed attention to enhancing cooperation in civil emergency planning for possible terrorist attacks with WMD. States agreed to continue implementation of the related Civil Emergency Planning Action Plan, which had been updated in June 2002.

¹⁰⁸ See “Partnership Action Plan against Terrorism” Prague, 22 November 2002, par. 11 and “Report on the Comprehensive Review of the Euro-Atlantic Partnership Council and Partnership for Peace,” Prague, 21 November 2002, par. 5.4 A, available from <http://www.nato.int/docu/basicxt/b021122e.htm> and <http://www.nato.int/docu/basicxt/b021121a.htm> respectively.

The terrorism plan document noted that work was ongoing within the SCEPC and its various allied bodies on a series of options for providing support to national authorities in the event of terrorist attack. These included such things as improving the inventory of national capabilities, support to national authorities in improving detection capabilities and population warning in case of WMD threats, possible establishment of a network of permanent laboratories and deployable facilities, and enhancing the EADRCC's ability to coordinate assistance in event of a terrorist attack with WMD through provision of national experts. EAPC countries agreed to consider providing NATO Military Authorities with information about national military assets that could be available to assist civilian authorities, especially in case of attacks with CBR weapons. The plan included enhanced scientific cooperation and exchanges of scientific information relevant to the fight against terrorism. EAPC countries also agreed to use groups under the NATO Conference of National Armaments Directors (CNAD) to identify requirements for equipment for use in consequence management following a terrorist attack, and potentially cooperate in the development or procurement of such equipment.

To promote information sharing about terrorist threats, an EAPC/PfP Intelligence Liaison Unit was established. The EAPC also agreed to share information on development and procurement of equipment for use in combating terrorism, within the context of the Conference of National Armaments Directors and subordinate groups. Indeed, the plan foresaw active collaboration in developing common or at least interoperable counter-terrorist equipment. Force planning, information exchange, and training and exercises related to counter-terrorism forces also figured in the plan. Of note too was the fact that Mediterranean Dialogue and other countries could be considered for participation in activities under the plan, on a case-by-case basis.¹⁰⁹

¹⁰⁹ See "Partnership Action Plan against Terrorism," esp. par. 15, 16.1 – 16.4.

NATO heads of state and government underlined in Prague the importance of Mediterranean security and stability for security in Europe as a whole. They decided to upgrade the Mediterranean Dialogue and encouraged intensified practical cooperation on security matters, including terrorism, where NATO could provide added value.¹¹⁰ The document they endorsed on “Upgrading the Mediterranean Dialogue, Including an Inventory of Possible Areas of Cooperation,” did make some reference to terrorism and to WMD, although they were limited and cautious. The possible areas for enhancing existing cooperation included “NBC-related preventive measures” under the military medicine rubric, expert-level consultations on political and defense efforts against WMD proliferation, civil emergency planning, and scientific activities.

Among potential new areas for cooperation, the document included “consultations on terrorism, including intelligence-sharing, and expert-level meetings on the terrorist threat and measures taken, individually or together with others, to counter it.” Involvement of Mediterranean Dialogue partners in activities under the Partnership Action Plan against Terrorism, on a case-by-case basis, also figured, as did “security-related economic aspects of the international fight against terrorism.” Consultations and cooperation on border security, especially in connection with terrorism and organized crime, safety of transportation and storage of military ammunition and explosives, air traffic management and safety, and disaster management were other areas identified for potential expansion.¹¹¹

The 2003 Mediterranean Dialogue Work Programme took the Prague document into account and built upon it. It included, for example, a preliminary list of potential topics for scientific cooperation relevant to terrorism: detection and sensors, CBRN

¹¹⁰ Prague Summit Declaration, par. 13. Full reference note 103.

¹¹¹ Document available from <http://www.nato.int/med-dial/upgrading.htm>.

protection, decontamination, medical countermeasures, agro-terrorism and information security. Seminars and expert visits on border security also figured for consideration. The Work Programme outlined steps to enhance Dialogue country ability to handle and protect classified information, so as to facilitate dialogue on military issues and on terrorism. It also noted that the NATO Special Committee would continue trying to establish relations with the security services of the MD countries. With respect to WMD specifically, the 2003 program included a commitment to organize expert-level consultations.¹¹²

The NATO-Russia Council also met in Prague following the NATO Summit. NATO SYG Lord Robertson noted after the meeting that he would be visiting Russia again in December, and highlighted a number of areas of intensifying cooperation. Work was underway on a joint NATO-Russia assessment of global trends in the proliferation of NBC agents and their means of delivery. In theater missile defense, NATO and Russia had “set forth a road to interoperability” of their systems. On the terrorism front, the Secretary General stated that work was progressing on a number of joint assessments of specific terrorist threats in the Euro-Atlantic area, and he welcomed the upcoming second NATO-Russia conference on the role of the military in combating terrorism (9 December 2002). He also noted that the Bogorodsk 2002 exercise in Russia had provided an impetus for increased cooperation in the civil protection field.¹¹³

Despite differences over the apparent Ukrainian sale to Iraq of the Kolchuga radar system (see above), the Prague Summit adopted the NATO-Ukraine Action Plan,¹¹⁴ intended to lay out clearly Ukraine’s strategic objectives and priorities for

¹¹² Available from <http://www.nato.int/med-dial/>.

¹¹³ “Statement by NATO Secretary General, Lord Robertson, in his capacity as Chairman of the NATO-Russia Council at the NATO-Russia Council Meeting at the Level of Foreign Ministers,” NATO press release, Prague, 22 November 2002, available from <http://www.nato.int/docu/pr/2002/p021122e.htm>.

¹¹⁴ Available from <http://www.nato.int/docu/bascitxt/b021122a.htm>.

integrating into Euro-Atlantic security structures. The NATO Summit Declaration had specifically mentioned the importance of Ukrainian enforcement of export controls,¹¹⁵ but the NATO-Ukraine Action Plan included a series of other objectives related to combating WMD proliferation and terrorism. Strengthening border controls (as well as export controls) and other internal measures to combat terrorism figured in the plan, along with reform of security forces, including the Border Guards. Improving national systems of coordination and response to emergencies, including terrorist attacks, was another prominent element. Ukraine committed itself to full implementation of UN resolutions on terrorism and participation in measures under the Partnership Action Plan against Terrorism, and to observing fully its international arms control obligations.

The Action Plan provided for implementation by means of annual Target Plans, essentially detailed checklists of measures to be carried out over the given year. The first such Target Plan (for 2003) included items such as adoption of a law governing international transfers of military and dual-use items, amendments of legal and administrative codes with respect to criminal responsibility for illicit transfers of military goods, provision of information to export control regimes regarding Ukraine's international obligations and shipments. Actions for 2003 in the category of enhancing participation in the fight against terrorism included: a report on allegations of Ukrainian arms transfers to Iraq; consultations with NATO on WMD proliferation and protection against terrorist attacks on nuclear, biological, chemical and radiological sites; continued discussion of Ukrainian proposals to establish a multinational operational unit in the EAPC context to combat terrorism and to create a joint NATO-Ukraine working group on terrorism; continued development of contacts with NATO and member country

¹¹⁵ Par. 12. Full reference note 103.

intelligence and law enforcement bodies; establishing a radiation detection monitoring system at key border crossing points

The importance of continued progress in NATO-EU cooperation was also a theme at the Prague Summit. Alliance heads of state and government underlined that the two organizations shared “common strategic interests.” “Events on and since 11 September 2001,” the summit declaration added, “have underlined further the importance of greater transparency and cooperation between our two organisations on questions of common interest relating to security, defence, and crisis management, so that crises can be met with the most appropriate military response and effective crisis management ensured.”

In sum, NATO’s Prague Summit in November 2002 was a multifaceted effort to enhance NATO’s political and military efforts to address the terrorist challenge, including the threat of WMD proliferation. Coming slightly more than a year after the World Trade Center/Pentagon attacks, it was an opportunity to approve, at the highest level, a considered series of initiatives, covering the full range of NATO’s activities, including very importantly its multiple partnerships with non-members. The terrorism/WMD linkage in alliance policy was very strong, and in this sense the 11 September attacks tended to strengthen the sense of political urgency to address the WMD threat as well as terrorism. Concerns regarding national sovereignty and not undermining other international treaties and regimes historically had limited NATO engagement on both terrorism and WMD issues, but greater international cohesion seemed to be on the horizon. The Prague Summit was a success for the alliance, which seemed to have reinvented itself yet again as a body appropriate to address the risks that were uppermost in the mind of the international public. But events rapidly would shift the focus of attention, and lead to unprecedented, open differences within the alliance.

Clouds Gather

The Prague Summit, in fact, had taken place in the context of greatly heightened international attention to the situation in Iraq. NATO heads of state and government issued a statement underlining their concern about terrorism and WMD proliferation, pledging full support for UN Security Council Resolution 1441 and calling on Iraq to comply fully and immediately. The statement pointed out that UNSCR 1441 provided Iraq a final opportunity to comply with disarmament obligations embodied in that and previous resolutions. In closing, the NATO leaders recalled the Security Council's warning to Iraq that continued violations of its obligations would lead to "serious consequences," and underlined that NATO allies were "united in their commitment to take effective action to assist and support the efforts of the UN to ensure full and immediate compliance by Iraq."¹¹⁶

This was not the first NATO statement on Iraq. In 1998, as diplomatic efforts were underway to pressure Saddam Hussein into providing full access to UN and IAEA inspectors, then NATO Secretary General Javier Solana had put out a statement underlining North Atlantic Council support for UN Security Council Resolution 1154, which had called for Iraqi compliance.¹¹⁷ In December of that year, Solana spoke again, regretting that diplomacy had not been successful.

Saddam Hussein has continued to violate the UN Security Council Resolutions and has broken his commitments to resume his co-operation with UNSCOM. He alone is responsible for the grave situation and for the consequences that his defiance of the will of the international community has entailed. Iraq must co-operate with the United Nations and take immediate and concrete steps to comply fully with all its obligations.¹¹⁸

¹¹⁶ "Prague Summit Statement on Iraq," NATO press release (2002)133, 21 November 2002, available from <http://www.nato.int/docu/pr/2002/p02-133e.htm>.

¹¹⁷ "Statement by the Secretary General of NATO on Iraq," NATO press release (98)27, 4 March 1998, at www.nato.int/docu/pr/1998/p98-027e.htm.

¹¹⁸ "Statement by the Secretary General of NATO, Dr. Javier Solana, on Iraq," NATO press release (98)153, 17 December 1998, at www.nato.int/docu/pr/1998/p98-153e.htm.

Four years later, as they again contemplated the situation in Iraq, the NATO allies found themselves in a much more complex situation. A harbinger of divisions had come in early 2002 in CMX (Crisis Management Exercise) 2002, conducted at NATO Headquarters, 31 January – 6 February. In an exercise scenario that was perhaps too close for comfort, Amberland, a nation somewhere in the Middle East, was on the brink of war with Turkey over an oil-rich pocket of territory in southeastern Turkey, which had belonged to Amberland in the past. Amberland was known to possess several missiles, tipped with biological and chemical warheads, and threatened to use them against Turkey. It also was suspected of sponsoring the hijacking of a Turkish ferry and of carrying out terrorist acts in several NATO countries, e.g. a biological agent attack in The Netherlands. All the allies agreed they were facing a potential Article V crisis, i.e. an attack against a NATO member country, and decided to dispatch forces to Turkey to provide support.

As part of the exercise, the NATO WMD Centre reportedly briefed the allies on Amberland's known WMD capabilities and shared information on responding to WMD attacks on civilian populations. A public information strategy, to help control information and shape public opinion, reportedly also was tested.

Serious disagreements came to the fore in the course of the exercise. The NATO Military Committee was unable to come up with a list of recommended military options for dealing with Amberland's threat to use missiles and WMD. Capitals did not agree on priorities and demanded that political considerations be taken into account. Two options reportedly emerged: a preemptive strike against Amberland with conventional weapons or a policy of threatening Amberland with a swift and forceful response if it attacked Turkey. The U.S. and Turkey argued for preemption. France, Germany and Spain argued for defusing the situation through political means. Many

allies believed that preemptive action could trigger an escalation, and there were reports of concerns regarding action without a United Nations mandate. By the end of the exercise, no attack had been carried out and Article V had not been officially invoked. The U.S. and Turkey, however, had declared themselves ready for preemptive air strikes.

CMX 2002 raised serious question regarding NATO's ability to deal with WMD threat situation. It highlighted doubts about the effectiveness of NATO decision-making mechanisms, but also fundamental differences among allies over how to approach military crises.¹¹⁹

Conclusions

NATO's response to the 11 September 2001 terrorist attacks in the United States was by no means unique. International organizations and nation states across the globe treated 11 September as a watershed, requiring a new focus on the terrorist threat, first and foremost, but also on the weapons of mass destruction – nuclear, chemical, biological and radiological – that terrorist groups already had used and seemed tempted to use again. True, one must be wary of a facile equation between the terrorist and WMD threats, of forgetting that they have their specificities and that by addressing one, you do not necessarily address the other. On the other hand, 11 September unquestionably gave an added impetus to NATO efforts on the WMD front, as it did for anti-terrorism efforts. The wide-ranging initiatives approved at the Prague Summit incorporated a very significant WMD focus.

In a sense, NATO's response to 11 September was quantitative, more than qualitative. The allies focused on doing more of certain things they already had been doing, or expanding the scope of existing programs and initiatives. They worked, for

¹¹⁹ Annalisa Monaco and Sharon Riggle, "NATO Squares Off with Middle East Foe: Threat of WMD challenges Alliance," *NATO Notes*, 4, no. 2, 1 March 2002, available from <http://www.isis-europe.org/>.

example, to broaden the terrorism and WMD elements of the outreach and cooperation programs with Russia, Ukraine, the other Euro-Atlantic partners, and the Mediterranean Dialogue countries. Results varied. Russia, a single country with a strong national security culture and very high perception of the terrorist threat, posed challenges and *possibilities* different from those of the large and diverse group of Euro-Atlantic partners or the Mediterranean countries.

The defense side of the alliance had a specific objective – to improve the ability of NATO forces to operate in NBC environments or under threat of NBC attack. The Senior Defense Group on Proliferation, thanks notably to the personal efforts of the U.S. co-chair, showed considerable creativity and willingness to think outside the box in developing the WMD-focused projects for the Prague Summit. Not surprisingly, the work on the defense side was more concrete than on the political side, although most NATO capitals continued to face obstacles in meeting the funding implications of NATO's various capability initiatives.

A political role for the alliance as such in combating terrorism and WMD proliferation remained elusive, although the member countries continued their individual efforts to strengthen the multilateral treaties and regimes in which they were key participants. For NATO qua NATO, the basic principle of not duplicating the work of other international organizations or regimes remained firmly in place. There were signs of general progress in relations with other organizations such as the EU, UN or the OSCE, but attention to WMD challenges was modest at best. Agreement still seemed distant on how to cooperate substantively, and on what the specific added value of NATO and other organizations in a global effort to address the threats could be.

Differences among allies over WMD policy went back at least to the counter-proliferation/nonproliferation debate beginning in 1993-94. Views in capitals were never

homogeneous on all issues. But it was only in the post-11 September period that the allies began to focus seriously, it seemed, on the political as well as military complexities of using force in a CBRN threat environment. The early phases of the military engagement in Afghanistan and subsequent U.S. actions highlighted a conviction in the U.S. administration that NATO's consensus decision procedures made it ill adapted to rapid action against threats that did not provide a long warning period.

Initiatives from the Prague Summit, e.g. creation of a strategic-level command specifically focused on alliance transformation, provided a way of beginning to address these limitations. But events in early 2003 underlined the persistence, indeed, the sharper emergence, of policy and philosophical differences among the allies with respect to using force to address new threats. The swing from exceptional unity of spirit after 11 September to unusually open dissension in allied ranks over Iraq was an abrupt one.

CHAPTER 4 FROM BAGHDAD TO ISTANBUL

Just a few days after NATO's Prague Summit, United Nations and IAEA weapons inspectors deployed once again to Iraq in search of chemical, biological or nuclear weapons and the means for their delivery. The allied governments that were taking the hardest line on Iraq -- the United States and United Kingdom -- stressed their conviction that, despite the work of UN weapons inspectors following the 1991 Gulf War, Saddam Hussein still possessed weapons of mass destruction, the capability to produce more, and the will to use them again. The European allies were divided, with France, Germany, Belgium and Luxembourg the most overtly skeptical about the need for military intervention to address the problem of Iraqi WMD. They pressed inter alia for giving the UN inspectors as much time as possible to locate any Iraqi WMD. Italy, Spain, and the new and aspiring NATO and EU member countries were more thoroughly convinced of the Iraqi threat and the grounds for intervention. The highly visible split among the EU countries, demonstrating the inability of France and Germany to exercise firm policy leadership over the Continental members of the Union, seemed to exacerbate, rather than mitigate transatlantic tensions, as U.S. officials spoke of a divide between the old and new Europe.

Activities under UNSCR 1441 did not seem to change many minds. Iraq submitted a 12,000-page declaration of past activities and facilities, which Hans Blix, Chairman of UNMOVIC, the UN inspection body, and IAEA Director General Mohamed ElBaradei said fell short of full disclosure. The U.S. declared that Iraq was in material breach of UNSCR 1441. But subsequent reports by El Baradei and Blix suggested that concerns regarding actual Iraqi possession to WMD were exaggerated.

U.S.-led efforts to secure a further UN Security Council Resolution specifically authorizing use of force failed. As the early weeks of 2003 passed, it became increasingly obvious that the United States would take military action, along with the United Kingdom, regardless of UN decisions and the attitudes of other allies. In fact, U.S. and U.K. forces initiated military operations against Iraq without a UN mandate on 20 March 2003.¹ In some allied quarters, this recalled the perceived U.S. rejection of NATO multilateralism in the early phases of the 2001 intervention in Afghanistan against Al Qaeda and the Taliban. The enormous wave of international sympathy for the United States that had followed the 11 September 2001 attacks seemed to dissipate among publics in most allied countries.

Transatlantic Ties at Risk?

The prospect of an intervention in Iraq raised especially serious security concerns for the one NATO ally whose territory bordered Iraq, i.e. Turkey.² On 10 February 2003, in fact, Turkey requested consultations under Article IV of the Treaty of Washington, which provides for consultations in the event of perceived threats against the territorial integrity, political independence or security of any ally. Following a decision by NATO's Defence Planning Committee on 19 February, NATO did undertake Operation Display Deterrence, a set of defensive measures in support of Turkey, such as deployment of AWACS and air defense missiles. On 26 February 2 NATO AWACS deployed to Konya airbase and began patrolling Turkish airspace. On 6 March, NATO took command of three batteries of Patriot air defense missiles, sent from The Netherlands. After the start of U.S./British military operations in Iraq, NATO

¹ See International Atomic Energy Agency (IAEA) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>. Operations began on the early morning of March 20, Iraq time. U.S. sources frequently refer to operations as beginning on March 19.

² Though widely expected to provide access to northern Iraq for U.S. forces, Turkish authorities ultimately did not authorize use of Turkish territory as a staging area for offensive operations.

strengthened the rules of engagement for its forces in Turkey, primarily with an eye toward possible incursions by Iraqi aircraft into Turkish airspace.³

In addition, NATO's Euro-Atlantic Disaster Response Coordination Center (EADRCC) responded to a 3 March request from Turkey for assistance in preparing for potential humanitarian emergencies, including chemical or biological attacks against civilians. (Protective equipment and vaccines against anthrax and smallpox figured in the Turkish requests.) The EADRCC forwarded the Turkish request to the 46 NATO and partner countries, coordinating the response and delivery of items to Turkey. Chemical and biological defense equipment, provided on a bilateral basis, did form part of the allies' assistance to Turkey. Offers of aid reportedly came from Bulgaria, Canada, Croatia, the Czech Republic, Denmark (smallpox vaccines), Hungary, The Netherlands, Norway (decontamination units), Poland, Slovakia, Spain (transportation assistance), and Switzerland.⁴

The provision of assistance to Turkey was, however, the last act of an unprecedented drama for the alliance, played out in very public fashion. U.S. Deputy Secretary of Defense Paul Wolfowitz had first raised the issue of alliance assistance in a

³ "Decision Sheet of the Defence Planning Committee: NATO Support to Turkey within the Framework of Article 4 of the North Atlantic Treaty," NATO press release, 16 February 2002, available from <http://www.nato.int/docu/pr/2003/p030216e.htm>; "Statement from the Spokesman," NATO press release (2003)013, 19 February 2003, available from <http://www.nato.int/docu/pr/2003/p-03-013e.htm>; "Statement by NATO Secretary General, Lord Robertson," NATO press release (2003) 027, 20 March 2003, available from <http://www.nato.int/docu/pr/2003/p-03-027e.htm>; Annalisa Monaco, "NATO Beefs Up its Support of Turkey to Deter Iraqi attack," *NATO Notes* 5, no. 3 (2 April 2003): 1, available from <http://www.isis-europe.org/>. On 16 April, after the successful campaign by coalition forces had dramatically reduced Iraq's ability to generate any military threat against Turkey and consolidated control over northern Iraq, the NAC, taking into account Turkish views, decided to end Operation Display Deterrence. See "Conclusion of Operation Display Deterrence and Article 4 security consultations," NATO press release (2003) 040, 16 April 2003, available from <http://www.nato.int/docu/pr/2003/p-03-040e.htm>.

⁴ "NATO supporting Turkey in civil emergency planning," *NATO Update*, March 2003, available from <http://www.nato.int/docu/update/2003/03-march/c0303b.htm>; Monaco, "NATO Beefs Up Its Support of Turkey," 1; idem, "A closer look at the Euro Atlantic Disaster Response Co-ordination Centre," *NATO Notes* 5, no. 3 (2 April 2003): 3, available from <http://www.isis-europe.org/>. The response apparently illustrated the limitations of the EADRCC effort to collect information regarding national WMD response capabilities: some countries sent items they had declared they had, others sent different items, some had not reported capabilities, but came through with assistance. Norway had legal authorization to provide assistance only *after an event*, a problem that required some time and the intervention of the prime minister to solve. Hungary hoped to commit certain items in a joint effort with Russia, with an opt-out clause in the event of national need, but there was hesitation in Moscow to commit without a corresponding U.S. commitment.

war against in Iraq, including support for Turkey's defense, in December 2002. The U.S. circulated a proposal at NATO that reportedly foresaw deployment of AWACs and Patriot missiles to Turkey, as well as deployment of patrol ships and minesweepers in the Mediterranean and backfilling troop deployments in the Balkans to free up U.S. troops. Differences came to a head on 22 January 2003, when France and Germany, with support from Belgium and Luxembourg, declared they were not ready to approve the U.S. request, arguing that a decision was premature, since UN weapons inspectors were still at work in Iraq. NATO Secretary General Lord Robertson characterized the disagreement as one over timing, not substance, and as involving a "small number of nations," but acrimony within the alliance was clearly genuine.⁵

On 6 February, the North Atlantic Council met to discuss planning for Turkey's defense, as well as measures to free up U.S. troops and to protect bases in Europe used for NATO purposes. Lord Robertson invoked the silence procedure, whereby the proposals would be approved if no ally "broke silence" by 10 February. France, Germany and Belgium broke silence, arguing that going ahead with planning would mean entering the "logic of war" and prejudging the work of UN inspectors in Iraq, which was continuing.

Turkey's 10 February invocation of Article IV was an unprecedented move, which forced the issue. (On the whole, however, Turkey maintained a low profile during the controversy.) It took several days and a series of difficult NAC meetings to find a solution. France reportedly did not see the merits of consultations under Article IV and, along with German and Belgium, rejected a proposal by the Secretary General to focus strictly on Turkey's defensive needs. Lord Robertson even floated the idea of himself

⁵ Annalisa Monaco, "Iraq: Another test for NATO?" *NATO Notes* 5, no. 1 (31 January 2003): 1-2, available from <http://www.isis-europe.org/>.

instructing the Supreme Allied Commander Europe (SACEUR) to start military planning without instructions from the NAC.

The solution was to remand the issue to the Defence Planning Committee (DPC), in which France was not represented. Even in the DPC, however, matters were not entirely easy. Delegates reportedly exchanged harsh words at the DPC meeting on 16 February, before deciding to task the NATO Military Authorities to provide advice to the DPC on defensive measures for Turkey. (The DPC decision to initiate Operation Display Deterrence came three days later.) As a gesture toward Germany and Belgium, which did participate in the DPC, the body declared that it would continue to support efforts within the UN to find a peaceful solution in Iraq. Even after this diplomatic solution had been found, France, German and Belgium reiterated their opposition to military action against Iraq without UNSC authorization. The reaction in the U.S. to the divisions within NATO was harsh, e.g. when members of the U.S. Congress from both parties joined in accusing France, Germany and Belgium of abandoning their moral obligations to NATO. Perhaps hoping to demonstrate some concern for Turkey's situation, France proposed tasking NATO's Senior Civil Emergency Planning Committee to advise on civil protection support for Turkey, a proposal that was accepted.⁶

The plainspoken NATO Secretary General, appearing for the last time before the North Atlantic Council in December 2003, chose to recall events earlier in the year:

The drama of last February was not a pretty sight for the world. When NATO is in internal crisis the rest of the world is rightly nervous and concerned. We survived after we had tested cohesion to near breaking point, and yes we healed

⁶ Annalisa Monaco, "16-to-3: The Allies at loggerheads over Iraq," *NATO Notes* 5, no. 2 (28 February 2003): 1-2, available from <http://www.isis-europe.org/>; Thom Shanker, "Rumsfeld Rebukes the U.N. and NATO on Iraq Approach," *New York Times* 9 February 2003; Craig S. Smith with Richard Bernstein, "Members of NATO and Russia Resist U.S. on Iraq Plans," *New York Times*, 11 February 2003; Richard Bernstein, "NATO Talks Fail to Mend Rift Over Iraq and Defense of Turkey," *New York Times*, 12 February 2003; Richard Bernstein, "NATO Talks Over Turkey in Deadlock," *New York Times*, 13 February 2003; David Firestone, "3 Countries' U.S. Criticism Brings Anger in Congress," *New York Times*, 13 February 2003; Richard Bernstein with Steven R. Weisman, "NATO Settles Rift over Aid to Turks in Case of a War," *New York Times*, 17 February 2003.

quicker than others and we did defend Turkey after 11 days of dithering – but it was all an unnecessary indulgence which must never be repeated.⁷

Divisions over Iraq unquestionably shook U.S.-European relations and the foundations of NATO, perhaps to an unprecedented degree. Committed Atlanticists felt driven to speak outright of "the collapse of the Atlantic alliance," the "end of Atlanticism," and the necessity of "striking a new transatlantic bargain" or "salvaging transatlantic relations."⁸ From a somewhat different perspective, it was possible to paint the Iraq controversy as just another sign that NATO and the other post-Cold War alliances central to U.S. foreign and security policy had seen their day and were headed inevitably toward extinction, precisely because they had been successful in their original intent.⁹ This line of argument could take a very harsh turn, e.g. in the case of the scholar who argued that "for both the United States and Europe, NATO is at best an irrelevant distraction and at worst toxic to their respective contemporary security needs."¹⁰

Following the defeat of Saddam Hussein's forces, the international media and critics of the Iraq intervention would continue to emphasize the failure of troops and inspectors to locate actual WMD warfare agents. There was ample evidence that Iraq had sought to retain the capability to re-launch its WMD and delivery system programs,¹¹

⁷ "Farewell Speech to the Council by NATO Secretary General, Lord Robertson," NATO Headquarters, 17 December 2003, available from <http://www.nato.int/docu/speech/2003/s031217a.htm>.

⁸ Ronald D. Asmus, "Rebuilding the Atlantic Alliance," *Foreign Affairs* 82, no. 5 (September/October 2003): 20-31; Ivo H. Daalder, "The End of Atlanticism," *Survival* 45, no.2 (Summer 2003): 147-166; Andrew Moravcsik, "Striking a New Transatlantic Bargain," *Foreign Affairs* 82, no. 4 (July/August 2003): 74-89; James B. Steinberg, "An Elective Partnership: Salvaging Transatlantic Relations," *Survival* 45, no. 2 (Summer 2003): 113-146.

⁹ Rajan Menon, "The End of Alliances," *World Policy Journal* 20, no.2 (Summer 2003): 1-20. Note that Menon was very serene about this prospect, stressing that the end of NATO would by no means automatically imply a deeper divide between the United States and Europe, although diplomats on both sides of the Atlantic would need to work hard to identify and build on convergent interests.

¹⁰ Steven E. Meyer, "Carcass of Dead Policies: The Irrelevance of NATO," *Parameters* (Winter 2003-04): 83-97.

¹¹ From 1999 to 2002, for example, Iraq imported German and Russian missile parts in an effort to improve the al-Samoud missile. Iraqi weapons designers also had plans for a long-range missile, to be built once

but the argument that pursuit of weapons programs was not significantly different from actual possession of weapons¹² did not win the public diplomacy battle.

Domestic controversy roiled the U.S. and U.K., where governments had justified the intervention by arguing that Saddam Hussein had retained the capability to launch WMD attacks on short notice, posing threats to allied forces and friendly countries within a significant radius. Two main conclusions seemed possible, both unflattering: that governments had actively manipulated intelligence information to magnify the Iraqi WMD threat and win support for intervention; and that even the technologically most sophisticated governments were unable to gather sufficient intelligence of the right kind to assess accurately the WMD threat that a country like Iraq might pose.¹³ The highly publicized U.S. investigation into the 11 September 2001 attacks focused additional attention on intelligence failures. Future claims about WMD possession were certain to receive more intense scrutiny than in the past.

Looking specifically at the NATO context, however, one of the major questions for the European allies, even those who ultimately sent forces to Iraq, was to what extent the United States would continue on what many perceived as a unilateralist path, specifically tailoring “coalitions of the willing” if necessary, but avoiding the long-

sanctions were lifted. See “\$700 Million Iraqi Weapons Hunt Winding Down,” *Global Security Newswire*, 2 January 2004, available from http://www.nti.org/d_newswire/issues/2002_1_2.html.

¹² Richard W. Stevenson, “Bush Revises Rationale for Iraq War,” *International Herald Tribune*, 18 December 2003.

¹³ Kenneth M. Pollack, a Persian Gulf military analyst for the CIA who served twice at the National Security Council (1995-96 and 1999-2001) and wrote the influential 2001 book *The Threatening Storm: The Case for Invading Iraq*, makes a compelling case that the U.S. intelligence community's belief that Saddam was aggressively pursuing weapons of mass destruction pre-dated George W. Bush's inauguration, and thus could not be attributed to political pressure. He argues that everyone outside Iraq missed Saddam's 1995-96 decision to scale back his WMD programs to reduce the risk of discovery, and highlights structural factors in the intelligence community that contributed to the analytical problem. See “Spies, Lies, and Weapons: What Went Wrong,” *The Atlantic* (January-February 2004): 78-92. John Hamre, who served as Deputy Secretary of Defense in the Clinton Administration, underlined the existence of a herd mentality in the intelligence and defense communities, with general propositions, once accepted, “repeated without question in subsequent analyses.” Hamre noted that he personally had been convinced that major WMD stocks would be found in Iraq. See “Herd Mentality Led to Iraqi WMD Conclusions, Former Official Says,” *Global Security Newswire*, 24 September 2003, available from http://www.nti.org/d_newswire/issues/newswires/2003_9_24.html#2.

established – and potentially constraining – collective decision-making mechanisms of an organization like NATO. Given the historic centrality of the United States within the alliance, a perception that the U.S. had given up on NATO would be deadly.

It also was easy to present the intra-alliance differences over Iraq as reflecting the absence of an agreed threat assessment. There was certainly disagreement over issues such as the extent of Saddam Hussein's connection to Al Qaeda, and more broadly on the linking of the terrorism and rogue state threats.¹⁴ But there was wide agreement among intelligence services in the United States, U.K., France, Germany, as well as Russia, China and Israel, that Iraq had weapons of mass destruction. In a 24 February 2003 interview in *Time* magazine, even French President Chirac had spoken of the "probable possession of weapons of mass destruction by an uncontrollable country, Iraq."¹⁵

One can make the argument that the real disagreement in early 2003 was not over what Saddam Hussein had, or the threat that his presumed WMD stockpiles and delivery system could pose, but over how to act and when, and how to construct some form of international legitimacy for an action. In a farewell article in *NATO Review* at the end of the year, Lord Robertson tried to delimit the controversy that had rocked the alliance:

Of course there were – and still are – differences inside Europe and across the Atlantic on Iraq. *But the differences were about how to handle Saddam Hussein in 2003. They were not on the big picture of the global and continuing threats from apocalyptic mass terrorism, weapons of mass destruction and failed or rogue states.*¹⁶

¹⁴ On the importance of deconflating the threats, see for example Jeffrey Record, *Bounding the Global War on Terrorism*, Strategic Studies Institute, U.S. Army War College, Carlisle, PA, December 2003, 41, available from <http://www.carlisle.army.mil/ssi/pubs/2003/bounding/bounding.htm>.

¹⁵ Quoted in Pollack, "Spies, Lies, and Weapons," 80.

¹⁶ "Change and continuity," *NATO Review* (Winter 2003), Web edition only, available from <http://www.nato.int/docu/review/2003/issue4/english/art1.htm>. Emphasis added.

Getting Back to Business

For all the dissension over the Iraq intervention, NATO was by no means ready to disappear. In fact, Lord Robertson's assertion that the alliance had gotten back to business quickly, following the controversy over assistance to Turkey had a sound basis. An unspoken "gentlemen's agreement" to focus on concrete challenges and not mull over the past seemed to prevail, and 2003 saw a series of actions with major implications for NATO's future.

The so-called "Berlin-Plus" agreements, which provided ready EU access to NATO collective capabilities and assets for EU-led operations, were finalized on 17 March 2003, through an exchange of letters between the NATO Secretary General and EU Secretary General/High Representative Javier Solana, also referred to as the "Framework Agreement." Berlin-Plus included the NATO-EU Agreement on the Security of Information, signed 14 March, along with agreements on assured access to NATO planning capabilities and assets for an EU-led crisis management operation, procedures for release, monitoring, return and recall of NATO assets, terms of reference for command, consultation arrangements, and arrangements for mutually reinforcing capability requirements. The Berlin-Plus agreements paved the way for the first EU operational military deployment, Operation Concordia, a peacekeeping operation in the Former Yugoslav Republic of Macedonia, which succeeded NATO's Operation Allied Harmony on 31 March.¹⁷

¹⁷ "Joint Press Statement by the NATO Secretary General and the EU Presidency at the NATO-EU Ministerial Meeting," NATO press release (2003)056, 3 June 2003, available from <http://www.nato.int/docu/pr/2003/p-03-056e.htm>; "NATO-EU security of information agreement signed today," NATO press release (2003)022, 14 March 2003, at www.nato.int/docu/pr/2003/p03-022e.htm; "Berlin Plus agreement," Supreme Headquarters Allied Powers Europe Info, updated 22 August 2003, available from http://nato.int/shape/news/2003/shape_eu/se030822a.htm. "Berlin-Plus" indicates that the arrangements built upon the principles for cooperation with the EU that NATO foreign ministers had approved at their June 1996 meeting in Berlin.

Berlin-Plus was the culmination of years of labor-intensive political efforts, going back to the January 1994 NATO Summit in Brussels. The first meeting of the North Atlantic Council in ambassadorial session with the Political and Security Committee of the European Union had taken place in February 2001. In May 2002, NATO and European Union foreign ministers had met in Reykjavik, discussing NATO support for EU-led military operations. They also underlined the importance of cooperation in fighting terrorism, and expressed support for continued NATO-EU consultations in this regard.¹⁸

Not long after NATO's Prague Summit, on 13 December 2002, NATO Secretary General Lord Robertson declared that EU access to NATO planning capabilities relevant to planning for EU-led military operations was assured, with immediate effect, and termed this the opening of a new chapter in relations between the two organizations.¹⁹ A few days later, NATO and the EU issued a joint declaration laying out the principles of their strategic partnership in crisis management.²⁰ The "Framework Agreement" of March 2003 implemented the political decision reached in December 2002.

Turning to Afghanistan, on 16 April 2003 the North Atlantic Council agreed that NATO would assume strategic command, control, and coordination of the UN-mandated International Security Assistance Force (ISAF). In fact, NATO countries had always provided the overwhelming majority of forces for ISAF, which was under German/Dutch

¹⁸ "First NATO-EU meeting under new permanent arrangements," *NATO Review*, week of 5-11 February 2001 (updated 19 April 2001), available from <http://www.nato.int/docu/update/2001/0205/index-e.htm>; "Joint Press Statement by the NATO Secretary General and the EU Presidency: NATO-EU Ministerial Meeting," NATO press release (2002)060, 14 May 2002 available from <http://www.nato.int/docu/pr/2002/p-02-060e.htm>.

¹⁹ "Statement by the Secretary General," NATO press release (2002)140, 13 December 2002, available from <http://www.nato.int/docu/pr/2002/p-02-140e.htm>.

²⁰ "EU-NATO Declaration on ESDP," NATO press release (2002) 142, 16 December 2002, available from <http://www.nato.int/docu/pr/2002/p-02-142e.htm>.

leadership before NATO took over on 11 August 2003. But the involvement of NATO as such was an important new element.²¹

When Poland assumed command of a multinational division in Iraq on 3 September 2003 as part of the international stabilization force, it did so with support from NATO, as well as the participation of many NATO and partner countries. Ukraine was the second largest force contributor, and Spain provided a substantial contingent and the deputy division commander.²² Bulgaria, Denmark, Hungary, Kazakhstan, Latvia, Lithuania, The Netherlands, Norway, Romania, Slovakia and the United States also contributed. The NAC had agreed on 2 June to the Polish request for assistance, and the alliance provided intelligence, logistical expertise, movement coordination, force generation and secure communications support. Supreme Headquarters Allied Powers Europe participated in orientation and force generation conferences; the NATO School at Oberammergau conducted training for the multinational division staff; experts from NATO's Southern Region headquarters (AFSOUTH) assisted the Polish planning staff with logistics issues, including standardization; a NATO team helped establish a secure satellite link between the multinational division and a base station in Europe; NATO provided assistance to the division with intelligence sharing and information management. Lord Robertson characterized NATO's support for Poland as an important contribution to the fight against terrorism, as well as to stability and crisis management."²³

²¹ "NATO to assume command of the International Security Assistance Force (ISAF) in Kabul on Monday, 11 August 2003," NATO press release (2003)091, 8 August 2003, available from <http://www.nato.int/docu/pr/2003/p03-091e.htm>.

²² Spain withdrew its forces after the March 2004 terrorist bombings in Madrid and the election of a new government.

²³ "Poland assumes command of multi-national division in Iraq with NATO support," NATO press release (2003)93, 3 September 2003, available from <http://www.nato.int/docu/pr/2003/p-03-093e.htm>.

NATO WMD efforts. Controversy over Iraqi WMD did not hinder progress on the WMD initiatives endorsed at the Prague Summit. The NBC Event Response Team and the Deployable NBC Analytical Laboratory were intended to provide solid information to operational commanders on the ground. A yearlong program of seven exercises for the two prototype teams involved over 100 specialized troops from 17 countries, which participated through voluntary national contributions. (Reliance on modest and manageable national contributions made it possible to avoid the bureaucratic and political complications of NATO's common funding mechanism.) The exercises took place in a wide range of countries, beginning at Liberec in the Czech Republic and ending in Istanbul. (The other hosts were Spain, Canada, Italy, the U.S. and the U.K.)²⁴ The exercise at Dugway Proving Ground in the United States was intentionally one of the last, and provided an excellent example of multinationality, ironically involving allies that had been especially skeptical regarding the military intervention in Iraq. French experts traveled to the U.S. on Belgian military aircraft, with partial funding from Luxembourg.

Exercise "Prototype Response" took place in the Canadian Rockies, 25 April - 11 May 2003, with the participation of 70 trainees from 13 NATO countries, with 30 visitors, including members of the NATO/SHAPE NBC Core Planning Team and an evaluation team. According to the Canadian Department of National Defence, the exercise (scenario classified) addressed command and control, and included laboratory and sampling exercises using live nerve and mustard gas, a number of radioisotopes, and a biological weapon simulant, *Bacillus Globigii*. The Event Response Team assessed the effect of NBC agents and advised NATO commanders on how to mitigate those effects. The Analytical Laboratory collected and analyzed samples. The SHAPE Core Planning

²⁴ Annalisa Monaco, "NATO prepares to fight in a chemical, biological, radiological and nuclear environment," *NATO Notes* 5, no. 8 (December 2003), footnote 2, available from <http://www.isis-europe.org/>.

Team reportedly was very happy with the results of the exercise. Developing standard operational procedures and a concept of operations was deemed the main challenge at this point.²⁵ (Sampling procedures, for example, were one area where national practices differed significantly and required a coordinated approach.)

The exercise program validated the basic concepts for the teams, and codification of operating procedures was moving ahead as 2003 came to a close. At their June 2003 meeting, NATO defense ministers welcomed progress on the five NBC defense projects agreed at the Prague Summit, noting the field trials of the two prototype teams. Progress on the other three initiatives – the NATO Biological and Chemical Defence Stockpile, the Disease Surveillance system, and the Centre of Excellence for NBC Weapons Defence – was deemed considerable.²⁶ By the time of the June ministerial, the Defence Stockpile (the list of items that nations had pledged to make available to each other) reportedly had been updated, and the website on training opportunities for the Centre of Excellence was up and running. As for disease surveillance, a NATO official characterized the objective as agreement on a list of criteria, i.e. NATO standards, for the disease surveillance systems that member countries would be acquiring nationally.

The key "lesson learned" from the exercise program was the need to integrate the teams into a larger military structure. The instrument to accomplish this would be the NATO Multinational CBRN Battalion. By the time of the June 2003 defense ministerial, in fact, the decision had been made to instruct NATO Military Authorities to develop a concept for such a unit. The detailed proposal for the CBRN Battalion did come from

²⁵ Idem, "NATO Prepares to Defend Against NBC Attacks," *NATO Notes* 5, no. 5 (28 May 2003): 2 available from <http://www.isis-europe.org/>.

²⁶ "Statement on Capabilities Issued at the Meeting of the North Atlantic Council in Defence Ministers Session held in Brussels," NATO press release (2003) 066, 12 June 2003, par 6. Available from <http://www.nato.int/docu/pr/2003/p03-066e.htm>.

SHAPE, but reportedly under considerable pressure from the policy-making bodies of the alliance to make haste. A widely felt sense of urgency to produce concrete results on the WMD front allowed for some circumvention of established alliance procedures for developing new military concepts. At the same time, SHAPE earned praise from the Senior Defence Group on Proliferation (DGP) for its energy and ingenuity in creating a new capability for the alliance, using focused planning conferences and continually incorporating lessons learned from the prototype team exercises.

By 1 December, in fact, the Multinational Chemical, Biological, Radiological and Nuclear Defence Battalion achieved initial operational capability, with final operational capability expected for 1 July 2004. For the core of the unit, it had been possible to draw on the experienced and respected Czech CBRN defense unit, and the new battalion was under Czech command, based in the Northern Bohemian city of Liberec. Twelve other countries participated in forming the battalion: Belgium, Canada, Hungary, Italy, Norway, Poland, Portugal, Romania, Spain, Turkey, the U.K. and the U.S. NBC reconnaissance, identification of NBC substances, biological detection and monitoring, decontamination, assessing situations and providing advice to NATO commanders were identified as its responsibilities.²⁷ The battalion was structured in fact with distinct companies for biological detection, nuclear and chemical reconnaissance, NBC decontamination (light), NBC decontamination (heavy), the Multinational Key Response Unit and the Deployable NBC Analytical Laboratory, as well as a battalion headquarters and a headquarters support company, plus the Joint Assessment Team.

²⁷ "Launch of the NATO Multinational CBRN Defence Battalion: Media Events on 1 and 3 December 2003," NATO press release 26 November 2003, available from <http://www.nato.int/docu/pr/2003/p031126e.htm>; see also "NATO's Multinational Chemical Biological Radiological Nuclear Defence Battalion," available from <http://www.nato.int/shape/issues/cbrndb/index.html>, updated 10 December 2003.

NATO adopted the principal of rotation among lead nations for the CBRN Battalion, rather than having a permanent lead nation, as for some other multinational capabilities.²⁸ But having the Czech Republic, one of the first new post-Cold War members of the alliance, as the first lead nation sent an important political signal regarding the added value of the new members, as the seven additional invitees from the Prague Summit were preparing for entry.²⁹ In April 2004, the Czechs opened a chemical weapons training center in the town of Vyskov, with the intention it would serve as NATO's CW training site and develop CW-related operating procedures for NATO forces. During preparations for the 2004 Summer Olympics in Athens, the Czechs provided training in responding to CW attacks to teams of Greek military specialists.³⁰

To some extent, having the Czechs in the lead for the Multinational CBRN Battalion validated the notion of role specialization or niche capabilities. This concept had long been taboo within NATO, which had emphasized the need for members to have the full gamut of military capabilities. But the fact that both the seven invitees from Prague and EAPC partners in the Caucasus and Central Asian regions had offered specialized capabilities highly relevant to the military efforts in Afghanistan and Iraq,

²⁸ Germany, Spain, the United Kingdom, the Eurocorps, and Turkey were expected to follow the Czech Republic as lead nations, on a six month rotation, once the unit reached final operational capacity and then had been under Czech command until December 2004.

²⁹ During the 1991 Gulf War, the Czech and Slovak Federal Republic had deployed its NBC unit to the Persian Gulf. This put an international spotlight on Czech and Slovak capabilities in this sector. A recent article, however, underlines the multiple stresses the Czechoslovak NBC unit experienced in the Gulf and claims that the physical and psychological problems of the unit veterans were neglected following their return. See Jiri Hodny and Cestmir Blazek, "Stresses Influencing the Psychological Condition of the Czechoslovak NBC Unit in the Persian Gulf Region, 1999-1991," *Journal of Slavic Military Studies* 15, no. 4 (December 2002)" 42-57.

³⁰ "NATO Opens Chemical Weapons Training in Czech Republic," *Global Security Newswire*, 6 April 2004, available from http://www.nti.org/d_newswire/issues/2004_4_6.html; "Greek Soldiers Complete Chemical Attack Training," *Global Security Newswire*, 14 June 2004, available from http://www.nti.org/d_newswire/issues/2004_6_14.html.

including NBC defense and special forces, led to some reappraisal of niche capabilities, notably in Washington.³¹

The Prague Summit approved both the initiatives for enhancing NBC defenses and creation of the NATO Response Force (NRF). Work proceeded along parallel tracks, but, as the concept of the CBRN battalion emerged, it became clear that it would have to be able to operate as part of the NRF. The policy-making authorities at NATO instructed Supreme Headquarters Allied Powers Europe (SHAPE) to create a CBRN battalion *compatible* with the NRF. (Joint training and exercises were planned.³²) At the same time, the battalion would need to be able to carry out autonomous activities, e.g. consequence management.

The NBC defense initiatives from the Prague Summit had a high and distinct profile, but it is important to keep in mind also the continuous work within the alliance to create and improve standard agreements to govern NATO operations in an NBC environment. Such agreements govern matters like standards for disease surveillance and rules for restricting troop movements after an attack using biological weapons. They combine with national force goals regarding protective and detection equipment, in the interest of ensuring interoperability of allied forces.³³

NATO's progress in the CBRN defense sector was considerable, but important issues remained. The Prague Capabilities Commitment did not automatically resolve the problem of insufficient investment by most of the NATO allies. Despite its high

³¹ Jennifer D.P. Moroney, "A Framework for Developing Niche Capabilities Using Security Cooperation: Case Study of the "Prague 7" and South Caucasus/Central Asia Partners," 5-7, unpublished paper prepared for the 2004 European Symposium: NATO and the Challenges of Global Security, National Defense University, Washington, DC, 28-29 January 2004. Used by kind permission of the author.

³² Monaco, "NATO prepares to fight in a chemical, biological, radiological and nuclear environment," 5.

³³ "The threat of Weapons of Mass Destruction," updated 28 November 2003, available from <http://www.nato.int/issues/wmd/index.htm>.

priority under the PCC, NBC defense still had tough going in battles over national spending priorities.

Issues of training and readiness standards at the individual national level also were pressing. NATO's reliance on individual member countries to self-report regarding training and readiness levels was clearly a problem. The idea of more careful and intrusive alliance scrutiny of national performance, however, raised politically sensitive issues, and it was difficult for the DGP to work its way into such questions.

As of early 2004, the DGP had begun reflecting on how to move ahead, what work to do, and what type of structure to adopt. Its success in developing and implementing the Prague Initiatives seemed to conclude another cycle of the DGP's activity and open a new one.

Defense against missiles capable of delivering NBC weapons also remained high on the NATO agenda. Official notification came on 26 September 2003 that a consortium led by Science Applications International Corporation (SAIC) of McLean, Virginia had secured the contract for the new NATO missile defense feasibility study, mandated at the Prague Summit. (The consortium included Dutch, French, German, and Italian, as well as U.S. firms.)³⁴

Work on Active Layered Theatre Ballistic Missile Defence also continued. The NATO Command, Control and Consultation Agency received the reports of the two feasibility studies in January 2003 and began what some described as a "consolidation phase." A NATO Staff Requirement on TMD was expected for the May 2004 meeting of the Conference of National Armaments Directors (CNAD),³⁵ with the aim of securing

³⁴ "NATO Missile Defence feasibility Study Transatlantic Industry Study Team selected," NATO press release (2003)109, 26 September 2003, at www.nato.int/docu/pr/2003/p03-109e.htm.

³⁵ "NATO to enhance defense against terrorism," *NATO Update*, 6-7 May 2004, available from <http://www.nato.int/docu/update/2004/05-may/e0506a.htm> confirmed progress on theater missile defense at the CNAD meeting.

ministerial approval for a program that would give NATO a layered TMD capability by 2010. (It was not clear whether the system ultimately would rely on NATO-owned assets or on national assets with an overarching command and control capability.)

During preparations for the December 2003 ministerials, it was agreed to treat missile defense, progress on TMD implementation, and completion of threat assessments at both the NATO and NATO-Russia levels as a package, reflecting WMD-related priorities for the alliance. As of the Istanbul Summit in June 2004, work on assessing missile threats was still ongoing, but heads of state and government noted approval in principle to establish the NATO layered TMD program. A "deliverable" for the summit was U.S./German/Dutch agreement to make their Extended Air Defence Task Force, essentially a tracking station for missile defense, available for integration into a NATO missile defense system.³⁶

"Transformation". The Prague Summit had approved the creation of a new NATO strategic-level command -- Allied Command Transformation (ACT) -- to replace the former Atlantic Command. The new command was inaugurated on 19 June 2003, under U.S. Admiral Edmund Giambastiani, who would prove a bold and assertive leader. NATO Military Committee Chairman General Harald Kujat (German Air Force) described the objectives as follows:

Transformation, in simple terms, is the incorporation of advanced information management systems as well as other technological advances into military structures. Technological improvement is only one aspect of the transformation, though: doctrinal, cultural and structural changes must also be introduced with the new systems and, in many instances, even precede technology.³⁷

³⁶ Istanbul Summit communiqué, 28 June 2004, NATO press release (2004)096, available from <http://www.nato.int/docu/pr/2004/p04-096e.htm>. Note that the communiqué text, at least as available on the NATO Web site, presented serious numbering problems as of 29 June 2004. Reference here is to the second paragraph 12 and the first paragraph 7.

³⁷ "The Future of Conflict - Here and Now!" remarks at 11th Annual Conference of European Armies, Heidelberg, 21 October 2003, available from <http://www.nato.int/ims/2003/s031021e.htm>.

Allied Command Transformation, in fact, would devote great attention to NATO's intellectual and decision-making "software," including for responding to WMD threats.

The highlight of the 8-9 October 2003 informal meeting of NATO defense ministers in Colorado Springs was a crisis management "study seminar," entitled "Dynamic Response '07." The purpose was to confront defense ministers (including those from the 7 invitee countries), chiefs of defense, ambassadors and other senior officials with realistic scenarios depicting future threats and challenges, including WMD, and to stimulate discussion of further transformation that the alliance might require. Demonstrating the ability of the NATO Response Force to operate within the new security environment was also a stated objective.³⁸

The exercise scenario was set in 2007, a year after the NATO Response Force was due to become fully operational. The primary location was a fictitious state named "Corona," located somewhere in the Middle East (an island in the Red Sea, according to some accounts). Faced with terrorist occupation, the friendly government-in-exile of Corona asked NATO for help with extraction of non-combatants, and NATO responded with a rapid-reaction force. Meanwhile, terrorists on a cargo ship launched a missile with a chemical or biological warhead against a NATO country in the Mediterranean, reportedly Italy. The missile was intercepted and destroyed. The exercise stopped when the participants were faced with deciding whether to launch a strike against a second ship captured by terrorists that was about to fire another missile. Options reportedly changed rapidly as the exercise unfolded.

Secretary General Lord Robertson declared himself pleased with the high quality of the ministerial discussion following the seminar, which had highlighted potential problems for the alliance in responding to fast-moving crises. The main lesson was that

³⁸ "Dynamic response '07: The 2003 Informal NATO Defense Ministerial Crisis Management Study Seminar," *NATO Update*, 7 October 2003, available from <http://www.nato.int/docu/update/2003/10-october/e1007b.htm>.

existing NATO decision-making procedures simply were not rapid enough. Insiders lamented that decisions had been consistently late throughout the exercise. In the case of Germany, for example, the requirement for parliamentary approval would slow down deployment of German troops assigned to the NATO Reaction Force. Defense Minister Peter Struck was reported as saying he would work to speed up the decision-making process in Berlin. (Other countries with stringent requirements for parliamentary approval of deployments included Hungary and Turkey.)

The exercise also pointed out the difficulties the allies, other than the U.S., had with force generation, given the small proportion of their forces that were in fact deployable. “We need real deployable soldiers, not paper armies,” was Lord Robertson’s comment. In addition, the seminar underlined the importance of improving intelligence gathering and sharing within the alliance, and of developing rules of engagement better able to deal with the unexpected.³⁹

The NATO Response Force was officially launched a few days later, on 15 October 2003, and held its first troop exercise in Turkey on 20 November. The scenario involved a threat to UN staff and civilians from terrorists and hostile soldiers in a country outside the Euro-Atlantic area. Troops from 11 NATO countries were deployed by land, sea, and air. They rescued and evacuated the UN staff and civilians, established an embargo, engaged in counter-terrorism operations and made a “show of force.” Czech NBC defense troops reportedly were ready to step into the exercise to address a WMD threat.⁴⁰

³⁹ Annalisa Monaco, “NATO Response Force: More than a ‘paper army’?” *NATO Notes* 5, no. 7 (October 2003): 1-3; Thom Shanker, “NATO Officials Play Out Terrorism Scenario at Colorado Talks,” *New York Times*, 9 October 2003; “NATO Conducts Terrorist WMD Attack Simulation,” *Global Security Newswire*, 9 October 2003, available from http://www.nti.org/d_newswire/issues/2003_10_9.html; Laurent Zecchini, “Les Américains révèlent à leurs alliés leur base anticrise des Rocheuses,” *Le Monde*, 10 October 2003.

⁴⁰ “Response Force demonstrates capability in first exercise,” information sheet from Supreme Headquarters Allied Powers Europe, 21 November 2003, available from <http://www.nato.int/>

Allied Command Transformation continued its efforts to improve the alliance's intellectual and policy software for using the NRF in future crisis situations. A seminar entitled "Allied Reach 04" in January 2004 was based on a crisis scenario requiring rapid deployment of the NRF to a fictitious country. Participants came from both the civilian and military sides of NATO, although the most senior figures were from the military: the Chairman of the Military Committee and the Supreme Allied Commanders for Transformation and for Europe. Gaining an enhanced appreciation of asymmetric security threats was one of the specific objectives.⁴¹ In April 2004, Allied Command Transformation hosted a seminar, with the participation of the new NATO Secretary General Jaap de Hoop Scheffer and U.S. Defense Secretary Donald Rumsfeld, focused on force transformation and how to secure resources to implement NATO's increasingly numerous and far-flung commitments.⁴²

Significantly, despite the divisions over Iraq that had surfaced early in 2003, France made a major contribution to the NATO Response Force (the second-largest contingent). By year's end, French President Chirac was seeking a role for France in the command structures at both Allied Command Transformation and Allied Command Operations.⁴³

shape/news/2003/11/i031121a.htm; "NATO Exercises New Rapid Response Force," *Global Security Newswire*, 20 November 2003, available from http://www.nti.org/d_newswire/issues/2003_11_20.html. Note that the NRF was not yet at initial operational capability (scheduled for 2004), and was scheduled to reach full operational capacity by fall 2006.

⁴¹ "Top commanders rehearse deployment of Response Force," *NATO Update*, 22 January 2004 (updated 29 January), available from <http://www.nato.int/docu/update/2004/01-january/e0122a.htm>; Christine Mahoney, "Allied Reach 2004 Kicks off with Press Conference," Allied Command Transformation Multimedia Library, 22 January 2004, available from <http://www.act.nato.int/multimedia/articles/2004/012204ar04kickoff.htm>. Note that, while the NATO strategic command headquartered in Mons, Belgium had become Allied Command Operations, the commander retained the long-standing title of Supreme Commander Allied Forces Europe (SACEUR).

⁴² Text of de Hoop Scheffer/Rumsfeld press conference, 6 April 2004, available from Allied Command Transformation Multimedia Library, <http://www.act.nato.int/multimedia/speeches/2004/040604actsemnewsconf.htm>.

⁴³ Elaine Sciolino, "AT NATO, allies try a return to diplomacy," *International Herald Tribune*, 8 December 2003. See also Jacques Isnard, "A l'OTAN, des responsables américain louent le savoir-faire de l'armée

On another level, Allied Command Transformation also took charge of a project dating from the Prague Summit, to create a strategic forum in which senior military officers from NATO countries could gain familiarity with nuclear, chemical, and biological issues. The resulting Senior Officer Study Period convened in December 2003 for briefings focused on the history of NATO NBC-related efforts and on the roles of the Senior Politico-Military Group on Proliferation (SGP) and the Senior Defence Group on Proliferation (DGP). Participation by flag-rank officers (generals and admirals) reportedly was somewhat disappointing, but another, hopefully expanded, Senior Officer Study Period was planned for November 2004.

Although it was not specifically a “transformation” project, and deployment of the Response Force reportedly was not considered, NATO’s 4-10 March 2004 Crisis Management Exercise (CMX 04) certainly addressed asymmetric threats crucial to NATO’s future. Suspected state-sponsored terrorist attacks against several NATO countries were at the core of the scenario. (Ironically, given that planning for the exercise had begun more than a year before, dramatic terrorist attacks took place in Madrid the day after CMX 04 ended.) In the exercise scenario, the first attack came against a chemical plant near Maastricht in the Netherlands, releasing toxic gases into the air and leaving hundreds of victims with severe lung damage, in need of evacuation. The press reported that the perpetrator of this attack was a Saudi wing of Al Qaeda. Terrorist actions in several other NATO countries, including Greece and Canada, causing thousands of deaths, followed. These included the use of a radiological dispersion device, a so-called “dirty bomb.”

Particular attention reportedly focused on the question of whether to declare an Article V situation. Dutch authorities initially did not rule out an accident at the chemical

française,” *Le Monde*, 9 October 2003, which reported on positive comments regarding French military capabilities from the Supreme Allied Commander Operations General James Jones and U.S. Ambassador to NATO Nicholas Burns.

plant, and saw the need to investigate the terrorist claim of responsibility when it did come in. Another NATO country was prepared to invoke Article V before the Dutch government had reached a decision to do so.

The allies did not invoke Article V during the exercise, although that may have occurred had the exercise lasted a few more days. (The Dutch "investigation" revealed that the terrorist claim of responsibility was indeed credible.) Participants reportedly considered a number of options, including diplomatic contacts with the state suspected of sponsoring the terrorist group and the deployment of a naval force off the coast of that country.

The exercise involved civilian and military staffs in national capitals, at NATO Headquarters, and at the two NATO strategic commands. The WMD Centre and the Euro-Atlantic Disaster Response Co-ordination Centre (EADRCC) participated. The seven invitee countries, which would formally join the alliance a few weeks later, were observers, as were the EU and OSCE. Secretary General de Hoop Scheffer chaired three of the meetings of the North Atlantic Council that were part of the exercise and kept the UN and EU informed. NATO set up a Media Operations Centre (MOC) to test its public information strategy to help address fears and concerns among allied publics. Among other activities, the MOC responded to press queries.⁴⁴

CMX 02 already had included the risk of an attack on Turkey with missiles carrying biological or chemical weapons and terrorist actions in several NATO countries, including a biological weapons attack in the Netherlands. CMX 04 seems to have focused even greater attention on managing the impact of WMD use against civilian populations. Securing such a prominent role for WMD in the scenario was a significant accomplishment. In the view of some observers, the political process tends to whittle

⁴⁴ Annalisa Monaco, "CMX 04: Terrorists attack NATO," *NATO Notes* 6, no. 2 (April 2004): 7-8, available from <http://www.isis-europe.org/>.

down the extent of WMD-related play in exercises, given the potential for highlighting national shortfalls in protective equipment and training/readiness levels.

An area that may require further attention is the integration of medical expertise into exercise planning and play. There is the risk, for example, of underestimating the complexity and resource requirements of evacuating hundreds of seriously lung-damaged victims who are hooked up to respirators. Careful assessment of the impact of individual biological agents, and the potential for symptoms of one agent to mask incubating infections with other agents is also essential. (This last issue seems to have come to the fore in the CMX 02 exercise, for example.)

Political dimension. Much of 2003 was devoted to patching up relations within NATO following the Iraq controversy. The December meetings of foreign and defense ministers in particular seemed to mark a quieter, more conciliatory and cooperative tone.⁴⁵ But the Madrid NAC on 3 June already had provided an opportunity to take stock and to underline that the proverbial glass was half full or more, rather than half empty. On proliferation issues, foreign ministers stuck to familiar themes, noting once again that the role of the WMD Centre within the International Staff was being enhanced. They also underlined their commitment to reinforce the Non-Proliferation Treaty, ensure full compliance by all states parties, and to strengthen safeguards on nuclear and radiological materials. This was understandable in the context of concerns regarding North Korea and Iran, theft of nuclear materials following coalition military intervention in Iraq, and ongoing efforts to strengthen the Convention on Physical Protection of Nuclear Materials. On the related issue of terrorism, foreign ministers recalled a series of ongoing initiatives. They underlined the need for enhancement of military capabilities

⁴⁵ Sciolino, "At NATO, allies try a return to diplomacy."

and for a multi-faceted and comprehensive approach, in particular “continued close cooperation” with other international organizations.⁴⁶

During his farewell visit to Madrid and Lisbon on 21 November 2003, Lord Robertson stressed how the previous day’s terrorist attacks in Istanbul underlined that “organizations like NATO must work to the maximum with other organizations and on their own to defeat the scourge of terrorism and other threats to our security that will come this century.”⁴⁷ NATO Assistant General Günther Altenburg had struck a similar note in his remarks a few days earlier to the conference in New York on “The United Nations and European Security Organizations: Evolving Approaches to Crisis Management.” He admitted that there had been considerable confusion and even competition among NATO, the United Nations, the EU and the OSCE in the early 1990s, but argued that the organizations had learned to cooperate much better and play to their respective strengths. He discussed NATO’s growing institutional links to the EU and OSCE, as well as enhanced contacts with the United Nations, e.g. an upcoming briefing by the UN Counter-Terrorism Committee Chairman to the Euro-Atlantic Partnership Council.

In a May 2003 video interview, WMD Centre Director Ted Whiteside referred to discussions with the Organization for the Prohibition of Chemical Weapons, with an eye to having joint exercises “at some stage,” and to informational contacts with bodies such as Interpol and the World Health Organization.⁴⁸ By autumn 2003 there were working level exchanges of information on WMD with the OSCE as well. The idea of cooperation

⁴⁶ Final communiqué, North Atlantic Council ministerial, Madrid, 3 June 2002, NATO press release (2003)059, available from <http://www.nato.int/docu/pr/2003/p-03-059e.htm>.

⁴⁷ “Organizations must work together to defeat terror says Robertson,” *NATO Update*, 21 November 2003 (updated 26 November 2003), available from <http://www.nato.int/docu/update/2003/11-november/e1121b.htm>.

⁴⁸ Available from <http://www.nato.int/docu/speeches/2003/x030522b.htm>.

among international organizations concerned with WMD remained difficult to implement, however, and contacts remained primarily educational and informational in scope.

The state of NATO's internal attention to political and diplomatic measures for dealing with WMD remained difficult to gauge. The SGP did not, by its very nature, have a high public profile. It did prepare a classified document on WMD priorities for the alliance for the December 2003 ministerials, highlighting missile defense and threat assessments. In this process, and in the rest of its work, the SGP interacted continuously with the North Atlantic Council in permanent session, sending summaries of its deliberations for noting, approval or discussion. Such documents can lead to requests from the NAC for additional information or further efforts. Both the WMD Centre, in its role of providing staff support to the SGP, and individual national delegations can prepare draft documents for SGP approval and submission to the NAC.

In March 2004, the SGP also adopted the DGP's long-standing practice of organizing seminars to inform national delegations regarding important proliferation-related developments. A three-day conference hosted by the NATO Defence College in Rome addressed future challenges for nonproliferation. The extensive program included presentations by a senior U.S. representative and a European diplomatic expert on how to enhance cooperation among NATO members on nonproliferation issues. Other topics included WMD interdiction, intelligence sharing, and NBC defense measures.

The SGP develops common positions among the NATO member countries on matters such as the policies of specific third countries. These common positions are available to the NATO Secretary General for use in his meetings, and individual member countries, in their bilateral diplomacy, have the option of citing a shared NATO view. The SGP also conducts more in-depth analytical work, drawing among other things, on

briefings from experts from member state capitals. It has developed a system of “rolling assessments”, living documents, reviewed and updated periodically.

Arriving at common positions or analytical views does not appear to be a simple process, and the results reportedly sometimes resemble the “least common denominator.” Some shaping of national views may take place in the process. One would expect the countries having the most extensive information and analytical capabilities to see the SGP process as a chance to influence the views of others, more than as a setting in which to reassess their own analyses. There are unquestionably large differences in the amount and type of information on proliferation issues that individual countries can bring to bear, if they so choose. But the extent of information sharing, the quality of the information, and timeliness seem to vary. It is also worth bearing in mind that representation from missions and capitals at the SGP is not at extremely senior levels. (On the U.S. side, for example, representatives from Washington tend to be at the “office director” level.)

Some observers also continue to lament the lack of a “creative tension” between the senior political and defense groups dealing with proliferation issues. The agendas generally do not mirror each other.

The ability to share information and develop joint analyses regarding new threats was prominent on the NATO agenda following the Prague Summit. In December 2003, alliance foreign ministers noted the establishment of the Permanent Terrorist Threat Intelligence Unit (TTIU).⁴⁹ (In fact, the TTIU was not yet then in its definitive form as a group of NATO staff analysts, and continued to rely on experts provided temporarily by member countries.) Interestingly, despite frequent references to the risk of “WMD terrorism”, analysis of terrorism and WMD within the alliance continued on rather

⁴⁹ Final communiqué, North Atlantic Council ministerial, Brussels, 4 December 2003, NATO press release (2003)152, par. 3, available from <http://www.nato.int/docu/pr/2003/p03-152e>.

separate tracks. The WMD Centre remained the focal point for coordinated analysis of WMD-related information, thanks in part to Centre members who were part of the International Military Staff and able to liaise with military sources of information. As of early 2004, NATO was assessing whether it should consolidate some of its bodies dealing with information and intelligence to ensure more effective coordination and more comprehensive analyses. A "review of current intelligence structures at NATO Headquarters" was in fact among the terrorism-related measures approved at the Istanbul Summit.⁵⁰

NATO, the European Union and WMD

Cooperation against terrorism and WMD proliferation was an important theme in NATO-EU relations during 2003. For example, when the NATO and EU foreign ministers met in Madrid in June, they reaffirmed their willingness to develop closer cooperation against terrorism. NATO and the EU had exchanged information on civil protection against WMD terrorist attacks, they noted, and were looking at other areas of potential cooperation.⁵¹ As they closed out 2003 and looked toward the 28-29 June 2004 NATO Summit in Istanbul, NATO foreign ministers tasked the North Atlantic Council in permanent session to consider ways of reinforcing the "strategic partnership" between NATO and the EU.⁵² In a separate meeting, NATO and EU foreign ministers discussed terrorism and agreed to co-sponsor a seminar as a first step in enhancing

⁵⁰ Istanbul Summit communiqué, 28 June 2004, NATO Press Release (2004)096, available from <http://www.nato.int/docu/pr/2004/p04-096e.htm>. First par. 20 in version available as of 29 June 2004.

⁵¹ "Joint Press Statement by the NATO Secretary General and the EU Presidency at the NATO-EU Ministerial Meeting," Madrid, 3 June 2003, NATO press release (2003)056, available from <http://www.nato.int/docu/pr/2003/p03-056e.htm>.

⁵² Final communiqué, North Atlantic Council ministerial, Brussels, 4 December 2003, NATO press release (2003)152, par. 15, available from <http://www.nato.int/docu/pr/2003/p03-152e.htm>.

cooperation. They also agreed to examine ways to improve coordination in addressing WMD proliferation.⁵³

From 19 to 25 November 2003, NATO and the EU held their first joint crisis management exercise, CMX/CME 03, focused on how the EU would plan for leading an operation using NATO assets and capabilities if NATO as a whole were not engaged. The scenario involved a fictitious island named "Atlantia," located somewhere in the Indian Ocean. Two ethnic groups were in conflict over a disputed territory. After a cease-fire, the EU considered intervening to prevent a renewal of fighting and to guarantee implementation of a framework agreement. Although NATO did not wish to be directly involved, the EU determined it would require certain military capabilities from NATO, and reportedly the allies agreed immediately to provide even more than had been requested. Much of the exercise play involved discussions of how to transfer NATO assets to the EU, with joint meetings at various levels. The EU Political and Security Committee approved the launching of the operation and the Deputy Supreme Allied Commander Europe (a European) was appointed operational commander, but the exercise stopped before operational planning and force generation had begun. Things ran smoothly on the whole, and the exercise reportedly had been planned to reduce the chances of friction. Unlike NATO's CMX exercises in 2002 and 2004, the joint exercise with the EU did not address counterterrorism and WMD threats.⁵⁴

Still, 2003 was a year in which the EU grappled seriously with operational approaches to combating WMD proliferation. On 16 June the EU General Affairs Council (foreign ministers) endorsed the Union's first true strategy document on WMD

⁵³ "Joint Press Statement by the NATO Secretary General and the EU Presidency: NATO-EU Ministerial Meeting," Brussels, 4 December 2003, NATO press release (2003)153, available from <http://www.nato.int/docu/pr/2003/p03-153e.htm>.

⁵⁴ Annalisa Monaco, "'A Crisis in Atlantia' Puts Berlin Plus to the Test," *NATO Notes* 5, no. 8 (December 2003): 9-11, available from <http://www.isis-europe.org/>.

proliferation, the “Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction,” along with an “Action Plan” which laid out immediate, plus medium- and long-term implementation measures. (Formal adoption of the EU strategy came at the meeting of the European Council – EU Heads of State and Government – in Brussels, 12-13 December, at the end of the Italian Presidency.)

The “Basic Principles” document⁵⁵ identified the following key elements:

- Pursuing universalisation of disarmament and non-proliferation agreements while stressing the importance of effective national implementation thereof;
- Ensuring compliance with non-proliferation commitments by making best use of, and, when appropriate, strengthening international inspection/verification mechanisms;
- Strengthening export control policies;
- Introducing a stronger non-proliferation element in relationships with some partners;
- Having a focused dialogue both with countries suspected of proliferation activities and with those whose co-operation is vital to effective policies against proliferation;
- Expanding co-operative threat reduction initiatives and assistance programs;
- Ensuring that appropriate resources and support are allocated to international organisations and arrangements active in non-proliferation such as the IAEA, the OPCW, the CTBTO PrepCom and the [Hague Code of Conduct];
- Promoting close co-ordination with the United States;
- Pursuing an international agreement on the prohibition of fissile material for nuclear weapons;
- Considering, in case political and diplomatic measures have failed, coercive measures, including as a last resort the use of force in accordance with the United Nations Charter.

The Action Plan⁵⁶ actually had been the starting point of the exercise, and the basis for the strategy document. It included among immediate priorities the preparation of a detailed plan of diplomatic action, to include a program of diplomatic demarches on key issues of concern. Other measures for immediate action were the adoption of a firm

⁵⁵ Council of the European Union Doc. 10352/03, 10 June 2003, available from <http://register.consilium.eu.int>.

⁵⁶ Council of the European Union Doc. 10354/03, 10 June 2003, available from <http://register.consilium.eu.int>. The following list of medium- and longer-term items in the Action Plan is paraphrased and condensed.

EU commitment to promote universal adherence to the relevant multilateral agreements, an extension of the EU program to support Russian disarmament and nonproliferation, rapid ratification by all EU member states and incoming new members of IAEA Additional Protocols, a budget increase for IAEA, promotion of challenge inspections under the Chemical Weapons Convention, and an enhanced EU role in export regimes.

Over the medium and longer terms, the EU Action Plan called for the following:

- mainstreaming nonproliferation policies into the EU's wider relations with third countries;
- increasing EU funding for cooperative threat reduction, including possibly creation of a specific European Community budget line for nonproliferation and WMD disarmament;
- special focus on WMD proliferation in the Mediterranean, including a focused threat assessment and incorporation of specific nonproliferation issues in the EU dialogue with Mediterranean countries;
- adoption by EU countries of common policies on criminal sanctions for illegal export or brokering of WMD and related materials;
- preserving and using the expertise of UNMOVIC, the UN body for inspections in Iraq;
- support for a stronger UN Security Council role in addressing WMD threats, including possibly a UNSCR identifying proliferation of WMD as a threat to international security and a resolution requiring countries, when needed, to prevent shipments and overflights of WMD materials;
- establishing an EU monitoring center at the European Council Secretariat, to ensure implementation of the Action Plan, collect information and intelligence, and ensure necessary interaction with other international bodies;
- improved controls on highly radioactive sources;
- adopting a policy against exporting nuclear-related materials and equipment to countries that had not ratified the IAEA Additional Protocol;
- reinforcing the Biological Weapons Convention and the Chemical Weapons Convention, e.g. by strengthening BTWC verification and compliance and potentially assisting states that were having financial or other difficulties in implementing the CWC;
- strengthening national legislation and controls over pathogenic micro-organisms;
- dialogue between biotech industries in the EU countries and the U.S.;
- reinforcing the effectiveness of export controls as the EU enlarged;
- peer review of export control systems in both EU member states and the acceding states
- assisting states in need of technical expertise regarding export controls.⁵⁷

⁵⁷ Note also that, when the European Council met in Thessaloniki 19-20 June 2003, it approved a "Declaration on Non Proliferation of Weapons of Mass Destruction," which stated inter alia that the WMD and missile proliferation challenge "must be a central element in the EU external action," referred to the newly-completed Basic Principles document and the Action Plan, and committed the Union to further work

It is fair to view the new EU strategy as a compromise, accommodating both the attachment of the EU countries to an approach based on legally-binding multilateral agreements and a realistic assessment that new geometries – national, regional, “coalitions of the willing,” etc. – have become a fact of life.⁵⁸ Also worth underlining is the fact that the US-EU Summit, a few days after endorsement of the EU strategy, issued a detailed statement on WMD proliferation. The document highlighted shared concerns about North Korea, Iran, and the efforts of other states as well to acquire NBC weapons and delivery systems. The U.S. President, European Council President Costas Simitis of Greece, and European Commission President Romano Prodi also pledged wide-ranging, concrete cooperation against WMD proliferation, ranging from combined diplomatic efforts to interdiction.⁵⁹ An article in a Dutch journal would even speak of the EU as having adopted an “American strategy” against weapons of mass destruction,⁶⁰ although this was something of an exaggeration for effect.

The endorsement of an EU strategy, representing a consensus of all 15 member states, was an important condition for cooperation with other organizations.⁶¹ Expert-level NATO-EU consultations on proliferation, with the WMD Centre representing NATO, began in October 2003. The discussions did not take off rapidly, however. The initial

and to implementation of the Action Plan as a priority matter. Final document of the European Council meeting available from <http://www.eu2003.gr/articles/2003/6/20/3121/>.

⁵⁸ See for example Jez Littlewood, “The EU Strategy against Proliferation of Weapons of Mass Destruction,” *EPN – EU Policy Network*, available from <http://www.europolicynetwork.org.uk/research/defence.htm>.

⁵⁹ “Joint Statement by European Council president Costas Simitis, European Commission President Romano Prodi and U.S. President George W. Bush on the Proliferation of Weapons of Mass Destruction, Washington, 25 June 2003,” available from <http://www.eu2003.gr/en/articles/2003/6/25/3156/print.asp>.

⁶⁰ Tom Sauer, “Naar een ‘Amerikaanse’ strategie tegen massavernietigingswapens,” *Internationale Spectator* 57, no. 9 (September 2003): 425-29.

⁶¹ Despite some involvement of the European Commission, the “federal” organ of the Union, core responsibility for its WMD policy remained with the Council, i.e. at the intergovernmental level. In practical terms, this required agreement among all the EU countries. The Union has been notoriously wary of entering into discussions with outside authorities in the absence of full internal agreement.

focus seemingly was less on the substance of proliferation than on modalities for interaction between the two sides.

As referred to in the Action Plan, the EU Council did establish a distinct unit focused on WMD, under the leadership of EU High Representative Solana's personal representative for proliferation matters, Annalisa Giannella. The new EU unit was in some respects similar to the NATO WMD Centre, but this did not translate immediately into enhanced EU-NATO cooperation. Initially, the EU proliferation unit focused on getting its own house in order, rather than on outreach.

With respect to NBC defense capabilities, the EU and NATO also were proceeding on parallel tracks, with some coordination. One of the EU's fifteen project groups on enhancing defense capabilities was the Italian-led NBC Project Group. One initiative, rather reminiscent of efforts within NATO, was the creation of a multinational joint NBC capability, under French leadership, with the participation of two other EU member states. Work was in progress on sampling teams, deployable analytical laboratories, and capabilities for explosive ordnance disposal (EOD). Italy had reproduced at a training center in Rieti a series of infrastructures, e.g. train and subway stations, which could be targets of an NBC attack. The EU group maintained contacts with its NATO counterpart, the Prague Capabilities Commitment (PCC) working group on NBC defense (known as "Land Seven"). The two groups would meet in the same city on consecutive days, allowing officials of countries belonging to both NATO and the EU to attend both meetings with ease. The matter of whether NATO and the EU were duplicating capabilities, however, would remain a sensitive one.⁶²

The EU proliferation strategy and creation of a body to implement it were certainly positive signs. But, as of mid-2004, the degree of EU commitment to the project

⁶² Annalisa Monaco, "NATO prepares to fight in a chemical, biological, radiological and nuclear environment," *NATO Notes* 5, no. 8 (December 2003) 5-6, available from <http://www.isis-europe.org/>.

remained open to question. The fact that the first draft of the new EU budget for 2007-2013 did not contain a line item for proliferation-related efforts perhaps signaled tough fights over resources in the future.

The new EU policy on WMD proliferation should be seen in the context of a broader evolution of EU security policy. The new European Security Strategy (ESS) adopted in December 2003 addressed the issue of how to create “effective multilateralism,” intended to help address, among other threats, terrorism and WMD proliferation. In promoting the ESS, Secretary General/High Representative Javier Solana had stressed that the first line of defense in addressing threats, old or new, lay beyond EU borders, that inaction was not an option, and that military responses might have to form one element of a combined approach.⁶³

This evolution by the EU facilitated improved relations and cooperation with NATO. Proposals for creation of a separate EU military headquarters in Brussels circulating in autumn 2003 seemed to presage new transatlantic differences. But NATO Secretary General Lord Robertson welcomed the document on “European defence: NATO/EU consultation, planning and operations” circulated by the Italian EU Presidency for the 12 December European Council meeting. The document, he underlined, was consistent with Berlin-Plus arrangements, confirmed NATO’s position as the natural choice for operations involving European and North American allies, made clear there would be no permanent EU operational planning staff, and offered guarantees of transparency.⁶⁴ It was possible to see the EU’s decisions of December 2003 as a “new dawn” in relations

⁶³ Gerrard Quille, “Making multilateralism matter: the EU Security Strategy,” *European Security Review*, Number 18, July 2003, available from <http://www.isis-europe.org/>.

⁶⁴ “Press Statement from NATO Secretary General,” NATO press release (2003)154, 11 December 2003, available from <http://www.nato.int/docu/pr/2003/p03-154e.htm>. The European Council formally welcomed the document and invited Secretary General/High Representative Solana to propose measures for its implementation. (Presidency Conclusions – Brussels, 12 December 2003, par. 89 – available from http://www.ueitalia2003.it/EN/LaPresidenzaInforma/Calendario/12/12/doc_ev_12dicce_1.htm.)

with NATO,⁶⁵ although observers also underlined that the notion of “preemptive” engagement had been replaced with the term “preventive” engagement, implicitly distancing the EU from the U.S.⁶⁶ It remained unclear whether the new European security strategy marked the emergence of a European “strategic personality” in significant opposition to U.S. policies,⁶⁷ or would help promote transition to a new, updated transatlantic bargain “less automatic than in the past but equally fundamental.”⁶⁸

NATO Outreach and WMD Issues

Russia. NATO’s other partnerships did not drop off the screen as the importance and extent of cooperation with the EU increased. The NATO-Russia Council seemed particularly dynamic in the aftermath of the Iraq intervention, despite the fact that Russia had opposed use of force without a specific UN Security Council mandate. In May 2003, the NATO-Russia Council met for the first time in Moscow.⁶⁹ The NRC ministerial meetings in June 2003 noted the completion of agreed detailed assessments of the terrorist threat in the Euro-Atlantic area and looked forward to completion of a joint assessment of global proliferation threats by the end of the year.

The assessment of proliferation threats, however, proved difficult to complete. It was a massive undertaking, close to completion by November 2003. But as the year came to a close, proliferation-related developments in Iraq, Iran, and Libya all had an impact on

⁶⁵ See for example Gerrard Quille, “What does the EU agreement on Operational Planning mean for NATO?” *NATO Notes* 5, no. 8 (December 2003): 9, available from <http://www.isis-europe.org/>.

⁶⁶ Steven Everts, “Two cheers for the EU’s new security strategy,” *International Herald Tribune*, 9 December 2003.

⁶⁷ Joanna Spear, “The Emergence of a European ‘Strategic Personality,’” *Arms Control Today* (November 2003), available from <http://www.armscontrol.org>.

⁶⁸ Roberto Menotti, “European Security Strategy – Is it for real?”, 13, in CEPS/IISS European Security Forum, *European Security Strategy: Is It for Real?*, ESF Working Paper No. 14, October 2003, available from <http://shop.ceps.be>.

⁶⁹ Paul Fritch, “Building hope on experience,” *NATO Review* (Autumn 2003), available from <http://www.nato.int/docu/review/2003/issue3/english/art3.html>.

the assessment. (The June 2004 NATO Summit in Istanbul became the deadline for completing it, though even that deadline proved impossible to meet.)

The December 2003 NRC ministerials nonetheless registered progress on a number of fronts, including a decision to establish a direct and secure hotline between the NATO Secretary General and Russian Minister of Defense, inaugurated on 12 January 2004.⁷⁰ Russia's offer to provide support for the NATO-led International Security Assistance Force in Afghanistan promoted a positive atmosphere. With respect to WMD proliferation, NATO-Russia foreign and defense ministers agreed to continue broadening the NATO-Russia dialogue and to explore further possibilities for practical cooperation.⁷¹

A few days after the ministerials, in fact, NATO country and Russian experts met in Poland to explore possibilities for practical cooperation in protection against chemical and biological weapons. Topics included disease surveillance, biosafety, medical countermeasures, and NBC defense training. It was the first discussion of such issues in the NATO-Russia Council context. The longer-term objective was to arrive at a list of practical cooperation options for presentation to the NRC.⁷²

Nuclear weapons remained an important focus of NATO-Russia dialogue and cooperation. The June 2003 NPG had welcomed agreement on a work plan for nuclear experts' consultations, focusing on nuclear weapons safety and security, though it also expressed the strong view that the confidence and security-building measures (CSBMs)

⁷⁰ "First call on NATO-Russia hotline," *NATO Update*, 12 January 2004 (updated 14 January 2004), available from <http://www.nato.int/docu/update/2004/01-january/e0112a.htm>.

⁷¹ Statement, NATO-Russia Council foreign ministers meeting, 4 December 2003, available from <http://www.nato.int/docu/pr/2003/p031204e.htm>; statement, NATO-Russia Council defense ministers meeting, 1 December 2003, par. 3, available from <http://www.nato.int/docu/pr/2003/p031201e.htm>.

⁷² "Joint Russia-NATO workshop on proliferation held in Poland," *NATO Update*, 11-13 December 2003 (updated 7 January 2004), available from <http://www.nato.int/docu/update/2003/12-december/e1211a.htm>.

NATO had proposed in December 2000 had to be addressed.⁷³ By early December, Russia had invited the NATO countries to observe a field exercise in 2004 on safe handling procedures for nuclear weapons.⁷⁴ (The exercise was planned for August 2004 in Murmansk.) The two sides also agreed on a Russian-English-French glossary of nuclear terminology. Broadly speaking, there was a sense that NATO-Russia nuclear-related cooperation was taking off in 2004.

Progress on CSBMs, however, remained dependent, at least in part, on resolution of Conventional Forces in Europe (CFE) issues stemming from NATO enlargement. For example, four of the Prague invitees – the Baltic Republics plus Slovenia – were not parties to CFE, not having been independent at the time the treaty was signed. (The Baltics, as former republics of the Soviet Union, were a particular focus of Russian attention.) The first meeting of the NATO-Russia Council at 27, i.e. including the new NATO members, took place on 2 April 2004, the day of their accession to NATO. NRC foreign ministers agreed on the importance of ratifying the Adapted CFE Treaty (amended in 1999 to factor in post-Cold War realities) and of securing its entry into force. The four new non-CFE members of the alliance stated their intention to request accession to the adapted treaty following its entry into force.⁷⁵

Even after this, however, Russian Defense Minister Sergei Ivanov publicly criticized NATO enlargement, adding criticism of U.S. plans to research small “bunker-busting” nuclear weapons, which Ivanov argued could “let the [nuclear] genie out of the bottle.” On the eve of the new members’ accession, Ivanov had warned about a

⁷³ Final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 12 June 2003, NATO press release (2003)64, par. 12 and 15, available from <http://www.nato.int/docu/pr/2003/p03-064e.htm>.

⁷⁴ See for example 1 December 2003 NRC defense ministers statement, para 4. Full reference in note 71.

⁷⁵ Chairman’s statement, informal meeting of NRC foreign ministers, Brussels, 2 April 2004, available from <http://www.nato.int/docu/pr/2004/p040402-nrc-e.htm>. The NATO countries had not yet ratified the Adapted CFE Treaty, due to Russia’s failure to abide by commitments regarding Georgia and Moldova.

possible revision of Russian nuclear doctrine if NATO maintained its “current offensive military doctrine.” Already in October 2003, Ivanov had traveled to Colorado Springs for a gathering on margins of the informal meeting of NATO defense ministers, to explain recent developments in Russian military doctrine that seemed to presage greater reliance on nuclear weapons to address purported risks of NATO aggression.⁷⁶ In sum, nuclear doctrine issues seemed likely to remain a challenge for NATO-Russia relations.

At the same time, cooperation on theater missile defense moved forward. At their December 2003 meeting, the NATO and Russian defense ministers welcomed development of an experimental TMD concept and an experimental concept of operations, along with agreement to conduct a joint TMD command post exercise in early 2004. They also stressed the importance of a joint study that had been launched to analyze and evaluate possible levels of interoperability between Russian and NATO systems.⁷⁷ (The NATO Command, Control and Consultation Agency – NC3A – had initiated the first, information-collection phase of the study, with an eye toward simulating combined operations in the second phase.) The two sides also reached agreement on common terminology related to TMD.

The NATO-Russia Council’s Theatre Missile Defence Ad Hoc Working Group conducted the joint command post exercise in March 2004 at the U.S. Joint National Integration Center (JNIC) in Colorado Springs. It was a computer-assisted, real-time

⁷⁶ Mike Nartker, “Russian Defense Minister Criticizes NATO Expansion, Warns of Moscow Taking ‘Self-Defense’ Actions,” *Global Security Newswire*, 7 April 2004, available from http://www.nti.org/d_newswire/issues/2003_4_7.html; “Russia Warns NATO of Possible Nuclear Doctrine Revision Ahead of Alliance Expansion,” *Global Security Newswire*, 26 March 2004, available from http://www.nti.org/d_newswire/issues/2004_3_26.html; “Russia Tries to Ease NATO Concerns Over Nuclear Weapons Policy,” *Global Security Newswire*, 10 October 2003, available from http://www.nti.org/d_newswire/issues/2003_10_10.html. In February 2004, the first deputy chief of the Russian General Staff said that an ongoing Russian strategic military exercise reflected concern over U.S. plans to research new nuclear weapons. See “Russian Exercises Spurred by U.S. Nuclear Weapons Research, Russian General Says,” *Global Security Newswire*, 11 February 2004, available from http://www.nti.org/d_newswire/issues/2004_2_11.html.

⁷⁷ Statement, NATO-Russia Council at defense ministers level, Brussels, 1 December 2003, par. 6, available from <http://www.nato.int/docu/pr/2003/p031201e.htm>.

event, focused on command and control of forces, intended inter alia to provide the basis for a more robust exercise in 2005. Following the exercise, NATO Secretary General de Hoop Scheffer said he foresaw “no major hiccups” in efforts to increase NATO-Russia cooperation on TMD.⁷⁸

The NATO-Russia Council met in Istanbul on 28 June 2004 at the level of foreign ministers. They noted the successful conclusion of the first phase of the joint TMD interoperability study, and agreed to initiate the second phase.⁷⁹ Whether relying on cooperation with Russia might allow NATO to reduce its own investment in TMD, however, remained an open question.

Terrorism was another important focus of NATO-Russia cooperation. To help combat terrorist threats to civil aviation, NRC defense ministers approved in December 2003 the Cooperative Airspace Initiative (CAI) Project Plan, aimed at developing new approaches to exchanging information on civil and military air traffic pictures.⁸⁰ They agreed that “future work should concentrate increasingly on practical aspects, including in facilitating rapid co-operation as necessary in response to future terrorist incidents,” and called for a further NATO-Russia conference on the role of the military in combating terrorism, which Allied Command Transformation later agreed to host in Norfolk, Virginia.

The second in this series of conferences had taken place in Moscow, shortly after the Prague Summit. In his speech, then Secretary General Lord Robertson underlined the basic concepts from the alliance’s new military concept for combating

⁷⁸ “NATO-Russia Council Theatre Missile Defence Command Post Exercise (TMD CPX),” NATO press release (2004)031, 5 March 2004, available from <http://www.nato.int/docu/pr/p04-031e.htm>; “Few Significant Problems Anticipated in NATO-Russia Missile Defense Cooperation, Alliance Head Says,” *Global Security Newswire*, 30 March 2004, available from http://www.nti.org/d_newswire/issues/2004_3_30.html.

⁷⁹ Chairman's statement, NATO Press Release, 28 June 2004, available from <http://www.nato.int/docu/pr/2004/p040628e.htm>.

⁸⁰ Statement, NATO-Russia Council at defense minister level, Brussels, 1 December 2003, par. 7, available from <http://www.nato.int/docu/pr/2003/p031201e.htm>.

terrorism. He noted in this context the importance of having protective and detection equipment, to ensure that forces could operate under threat of WMD use, and that the alliance had to be ready to assist national authorities in responding to chemical, biological, radiological, or nuclear attacks. De Hoop Scheffer struck similar themes in his keynote address to the 5 April 2004 conference, speaking in the aftermath of devastating terrorist attacks in Madrid. NATO-Russia practical cooperation in combating terrorism, rapid response to terrorist incidents, and research and technology for monitoring/interdicting cross-border terrorist activities were among the items on the agenda.⁸¹

By the time of the Istanbul Summit, Russia had offered to participate in NATO's maritime anti-terrorism operations in the Mediterranean (Operation Active Endeavour). The allies welcomed the offer and agreed to begin discussion of the modalities for Russian support to the operation. (Ukraine made a similar offer, which NATO also accepted.)⁸²

Ukraine. The profile of WMD and proliferation issues in NATO's Distinctive Partnership with Ukraine remained more modest than in the NATO-Russia relationship. A February 2003 roundtable, jointly organized by the Razumkov Center in Kyiv and the NATO Information and Documentation Center, focused on the state of and prospects for

⁸¹ Statement, NATO-Russia Council at defense minister level, Brussels, 13 June 2003, available from <http://www.nato.int/docu/pr/2003/p030613e.htm>; "Transforming the military to fight terrorism," *NATO Update*, December 2002 (updated 11 December 2002), available from <http://www.nato.int/docu/update/2002/12-december/e1209a.htm>; "The Role of the Military in Combating Terrorism," speech by Lord Robertson, Moscow, 9 December 2002, available from <http://www.nato.int/docu/speech/2002/s021209b.htm>; speech by de Hoop Scheffer, Norfolk, Virginia, 5 April 2004, available from <http://www.nato.int/docu/speech/2004/s040405a.htm>; "NATO-Russia conference on the military role in combating terrorism," NATO press release (2004)058, 31 March 2004, available from <http://www.nato.int/docu/pr/2004/p-04-058e.htm>. available from <http://www.nato.int/docu/speech/2002/s021209b.htm>.

⁸² Istanbul Summit communiqué, 28 June 2004, NATO press release (2004)096, available from <http://www.nato.int/docu/pr/2004/p04-096e.htm>, Consulted 29 June 2004. See first par. 17.

NATO-Ukraine cooperation on WMD issues.⁸³ But NATO consultations with Ukrainian arms control experts were still in incipient stages as of early 2004, along with a joint assessment of global proliferation trends, somewhat analogous to the joint assessment underway out with Russia.

The need for Ukraine to improve its arms export control system remained a significant issue. Despite the ample advice and attention of NATO countries, it was clear that Ukraine had a long way to go.

When NATO-Ukraine foreign ministers met in December 2003, they noted that the 2004 Annual Target Plan for Ukraine was not yet ready, and instructed ambassadors to work on finalizing the plan.⁸⁴ The process was not complete until the end of March 2004, due to delays in the inter-agency approval process in Kyiv. Overall, the Annual Target Plan process had been a mixed success, proving bureaucratically onerous for both sides, with progress difficult to measure, despite the milestones set out in the plans.

More generally, NATO continued to focus heavily on the internal situation in Ukraine, and the need for reform. Ukraine's important contributions to the "global war on terror" led to ambivalence in some capitals on how strongly to emphasize the internal reform agenda. But NATO heads of state and government in Istanbul stated very firmly that further strengthening of the relationship with Ukraine would "require stronger evidence of Ukraine's commitment to comprehensive reform," in particular with a view to the Ukrainian presidential elections in autumn 2004.⁸⁵

Euro-Atlantic Partnership and the Mediterranean Dialogue. The Prague Summit had called for upgrading cooperation with the EAPC partners, endorsing the

⁸³ "The threat of weapons of mass destruction," *NATO Update*, February 2003 (updated 13 March 2003), available from <http://www.nato.int/docu/update/2003/02-february/e0226b.htm>.

⁸⁴ "Meeting of the NATO-Ukraine Commission at the level of Foreign Ministers," NATO press release (2003)155, 5 December 2003, available from <http://www.nato.int/docu/pr/2003/p03-155e.htm>.

⁸⁵ Istanbul Summit communiqué, par. 24.

Partnership Action Plan Against Terrorism and the Individual Partnership Action Plan mechanism, intended to help the Caucasus and Central Asian countries in particular. But some close to the EAPC process lamented the lack of a “driving force” for the EAPC following the summit and a shortage of incisive action. This was perhaps inevitable, given the fact that seven of the EAPC’s most active members were now entirely focused on preparing for actual accession to the alliance. Indeed, once the new invitees actually joined, the majority of EAPC and Partnership for Peace members were for the first time actual allies (26 out of 46.) In addition, NATO’s focus on transformation and on Afghanistan and Iraq tended to push PfP into the background.⁸⁶ The EAPC/PfP Intelligence Liaison Unit mandated in the Partnership Action Plan Against Terrorism made some progress in building familiarity with approaches to threat assessment, but was expected to merge into the broader Terrorist Threat Intelligence Unit that was taking shape as a NATO staff capability.

By the end of 2003, allied leaders saw once more the need to develop proposals for enhancing the Partnership, in this case for the 28-29 June 2004 Istanbul Summit. Foreign ministers in December 2003 tasked the NAC in permanent session *inter alia* to propose ways to refocus PfP in line with NATO’s attention to new threats. They instructed the Council to examine whether and how some partnership activities might be opened on a case by case basis to other interested countries, and underlined once more the need to focus on the strategically important Caucasus and Central Asian regions. (The Istanbul Summit did take some important steps, such as offering the partner

⁸⁶ See for example Annalisa Monaco, “NATO Shores Up Support North, East and Now South,” *NATO Notes* 5, no. 1 (31 January 2003): 3; *idem*, “Ten years on – Is there a future for the Partnership after NATO enlargement?” *NATO Notes* 6, no. 1 (February 2004): 5-6, available from <http://www.isis-europe.org/>.

countries the chance for representation in Allied Command Transformation and improving liaison arrangements with the Caucasus and Central Asian countries.)⁸⁷

With respect to WMD proliferation, the December 2003 NAC noted that one way of strengthening existing international arms control accords and control regimes would be through early admission to existing nonproliferation regimes of all the countries invited to join NATO.⁸⁸ There were some significant proliferation-related initiatives by partner countries. Sweden, always attentive to proliferation issues, hosted a major seminar 18-19 September 2003 entitled “Non-proliferation of WMD – New approaches needed for protection of forces and civilians,” within the framework of the EAPC. The experts who attended agreed that the risk of large-scale CBRN attacks was increasing, that environmental industrial hazards required attention when assessing possible force deployments, and that efforts should focus on developing capabilities in medical surveillance, deployable analytical laboratories, medical treatment and equipment for dealing with chemical and biological agents, and simulation technologies for training purposes. Participants traced the lines of a more focused EAPC work program on WMD, including:

- progressive involvement by Partners in Alliance CBRN defence initiatives,
- increased information exchange and potential Partner participation in the Alliance’s CBRN Defence Battalion,
- continued EAPC expert-level cooperation within working groups,
- more frequent EAPC Disarmament Expert meetings, to address the underlying political issues of proliferation,
- identification of specific partnership activities to assist some EAPC nations’ development of export control measures and legislation,
- greater use of EAPC Ministerial statements to take common positions on proliferation trends,
- preparation of a major EAPC bio simulation exercise,

⁸⁷ See the summit communiqué, second par. 13, second par. 15.

⁸⁸ Final communiqué, North Atlantic Council ministerial, Brussels, 4 December 2003, NATO press release (2003)152, paras. 3, 21-22, available from <http://www.nato.int/docu/pr/2003/p03-152e.htm>.

- progressive understanding within the EAPC of the risks associated with ballistic missile proliferation, and the role that could be played by missile defence systems.⁸⁹

Also in September 2003, aspiring NATO member Croatia hosted the third “Chemical and Biological Medical Treatment Symposium” (CBMTS – Industry III), focusing on the threat of chemical, biological and radiological terrorism. Some 210 scientists and other experts from 35 countries attended, addressing issues such as pharmaceutical stockpiling for emergencies, medical responses to terrorism attacks, development of new vaccines and next-generation treatments, national regulations for stockpiling drugs, vaccines and medical equipment, and the U.S. Centers for Disease Control Strategic National Stockpile. The preceding conference in the series, in April 2001, also had focused on chemical and biological terrorism, and had included an exercise based on the scenario of a terrorist attack on a warehouse containing old chemical weapons. Because of its experiences in the war following its declaration of independence, Croatia was especially sensitive to potential threats stemming from attacks on chemical industrial facilities. The first Chemical and Biological Medical Treatment Symposium in 1998, in fact, had featured an exhibit of a simulated attack with conventional weapons on a petrochemical plant.⁹⁰

Such efforts aside, however, it remained clear that partner countries in the Balkans, Caucasus and Central Asian regions needed to focus additional attention on implementation of nonproliferation commitments. An autumn 2003 report for the Conference of the States Parties to the Chemical Weapons Convention, for example, outlined shortfalls with respect to national implementing legislation in member countries,

⁸⁹ “Non-proliferation of WMD – New approaches needed for protection of forces and civilians,” *NATO Update*, September 2003 (updated 13 November 2003), available from <http://www.nato.int/docu/update/2003/09-september/e0918aa.htm>.

⁹⁰ Stanicic and Cvrtila, “NATO and Weapons of Mass Destruction,” 24-26.

and the picture for NATO partners was not entirely encouraging. The report noted several requests for assistance in preparing implementing legislation.⁹¹

The situation of the Mediterranean Dialogue was in some ways analogous to that of the Euro-Atlantic Partnership. Here too, the December 2003 NAC mandated preparation of proposals for enhanced cooperation, for approval at the Istanbul Summit. Possible measures suggested by foreign ministers included creation of PfP-like instruments to improve cooperation in fields such as defense reform and interoperability. Additional Euro-Atlantic Partnership activities would be opened to Mediterranean Dialogue partners on a case-by-case basis.⁹²

At a June 2003 conference at the Royal United Services Institute (RUSI) in London, Lord Robertson had stressed the fight against terrorism as a priority area, and urged consideration of how to involve MD countries in activities under the Partnership Action Plan Against Terrorism, e.g. in areas such as information sharing, border security, and controls on small arms and light weapons. "Countering weapons of mass destruction is the second area where we could, and I believe should, do better," the NATO Secretary General continued. In January 2003, he noted, the Mediterranean partners had received a "general briefing" on NATO's efforts in the WMD field. Expert-level consultations on both the political and defense-related aspects of WMD proliferation were scheduled for later in the year.⁹³ The fact that not all seven MD countries had signed security agreements with NATO continued to hamper discussions and to keep them rather generic, focused on matters such as national systems and measures for dealing with proliferation.

⁹¹ See the related decision by the October 2003 Conference of the States Parties, C-8/DEC. 16 "Plan of Action Regarding the Implementation of Article VII Obligations," available from http://www.opcw.org/html/global/docs_frameset.html.

⁹² Final communiqué, North Atlantic Council ministerial, Brussels, 4 December 2003, NATO press release (2003)152, par. 16-17, available from <http://www.nato.int/docu/pr/2003/p03-152e.htm>.

⁹³ Text of the 30 June 2003 address available from <http://www.nato.int/docu/speech/2003/s030630a.htm>.

Civil emergency planning and scientific cooperation. The Civil Emergency Planning Action Plan for the improvement of civil preparedness against possible terrorist attacks against civilian populations with chemical, biological and radiological weapons remained the focus of intensive efforts by allies and partners. In his opening remarks to the November 2003 plenary of NATO's Senior Civil Emergency Planning Committee (SCEPC) in Euro-Atlantic Partnership Council format, Deputy Secretary General Alessandro Minuto Rizzo underlined how the new challenges of terrorism, WMD and failed states had made the civilian aspects of security, including civil protection, crucially important. He noted that the Civil Emergency Planning Action Plan was truly an "action" plan, and that the NAC had just approved a document on procedures for partner involvement in decision-making and leadership in civil emergency planning activities. Among the agenda items for the plenary session were an inventory of national capabilities, a project on non-binding guidelines and minimum standards, critical infrastructure protection, and a framework border-crossing agreement.⁹⁴

Specific activities with civil protection and or medical dimensions included a September 2003 conference in Slovenia organized by NATO's Joint Medical Committee, focusing on integration of civil and military medical response capabilities. WMD threats and disaster medicine were among the agenda items for joint discussion by the civilian and military medical communities.⁹⁵ Experts gathered in Trondheim, Norway, 28-30 January 2004 to discuss new minimum standards and non-binding guidelines for protection of civilian populations against WMD. At NATO's request, Norwegian civil emergency authorities, in cooperation with counterparts from Finland and Sweden, had

⁹⁴ Speech, delivered 6 November 2003, available from <http://www.nato.int/docu/speech/2003/s031106d.htm>.

⁹⁵ "NATO medical conference to focus on civil and military cooperation," *NATO Update*, September 2003 (updated 10 September 2003), available from <http://www.nato.int/update/2003/09-september/e0901a.htm>.

prepared new guidelines for discussion at the meeting.⁹⁶ New risks and challenges, including terrorism and chemical, biological and radiological weapons, figured on the agenda of an EADRCC “lessons learned” seminar planned for Dubrovnik, Croatia in May 2004. Participants proposed establishing a multi-year exercise program and underlined the need to improve the public information component of CEP exercises.⁹⁷

A major event in the civil protection field was “Dacia 2003”, a four-day exercise, hosted by Romania from 7 to 10 October. It was intended to exercise the Euro-Atlantic Disaster Response Coordination Center (EADRCC) and the Euro-Atlantic Disaster Response Unit (EADRU), as well as the host nation’s ability to coordinate international response operations. The exercise scenario involved radiological weapons, specifically a “dirty bomb” detonated by terrorists at a soccer match, killing 20 people instantly and affecting an additional 20,000. The terrorist group then threatened the use of additional radiological weapons. With national resources entirely engaged, the Romanian authorities launched an appeal for international assistance through the EADRCC. The crisis worsened, e.g. a radioactive cloud began to spread and another “dirty bomb” exploded on the ground floor of an apartment block. Assistance teams from EAPC countries, reportedly 16 of them, carried out research and rescue operations, measured radioactivity levels, established decontamination centers and prepared a camp for victims requiring evacuation. Seminars operated in parallel with the exercise, sharing information on topics such as risk assessment and medical treatment after radiological attacks. The public information dimension of the exercise included establishment of a

⁹⁶ “Protecting populations against weapons of mass destruction,” *NATO Update*, 28 January 2004, available from <http://www.nato.int/docu/update/2004/01-january/e0128a.htm>.

⁹⁷ “Improving responses to disasters,” *NATO Update*, 24-26 May 2004 (last update 2 June 2004), available from <http://www.nato.int/docu/update/2004/05-may/e0524a.htm>.

simulated press center, with the involvement of professors and students from a Romanian school of journalism.⁹⁸

The International Atomic Energy Agency (IAEA) was an observer at the exercise and made presentations on medical aspects of dealing with radiological attacks. Actual radiological material was used, but there was no contamination. The Romanian authorities reportedly had wanted to use an earthquake scenario, and had required some convincing from NATO civil emergency planning authorities regarding the dirty bomb scenario. In the end, however, they were satisfied with the results. Integration of WMD threats into NATO exercise scenarios was significant, but proceeded on a largely ad hoc basis.

Russia invited the NATO countries to participate in the "Kaliningrad 2004" exercise, which took place 22-25 June 2004. The focal point of the scenario was the terrorist takeover of an oil-drilling platform near a sensitive nature site.⁹⁹ Reportedly, the terrorists were expected to introduce a WMD dimension by claiming to have such weapons inside Kaliningrad.

Civil emergency planning figured in the emerging NATO relationship with the European Union, at least according to ministerial communiqués, but actual cooperation had difficulty taking off. EU representatives visited the EADRCC and were invited to planning meetings for NATO exercises, but things tended to remain one-sided. EU representatives reportedly had agreed to participate in Dacia 2003, but did not turn up. (They later said they had not received final notification of the exercise.) The EU's Monitoring and Information Center, established in 2001 and similar in structure to the

⁹⁸ "Exercise scenario available from <http://www.nato.int/eadrcc/2003/dacia/scenario.htm>. See also "Dacia 2003: Managing the aftermath of a 'dirty bomb' attack," *NATO Update*, October 2003, available from <http://www.nato.int/docu/update/2003/10-october/e1007a.htm> and Annalisa Monaco, "NATO responds to a 'dirty bomb'," *NATO Notes* 5, no. 7 (October 2003) 6-8, available from <http://www.isis-europe.org/>.

⁹⁹ "Exercise 'Kaliningrad 2004'," NATO press release (2004)090, 15 June 2004, available from <http://www.nato.int/docu/pr/2004/p04-090e.htm>.

EADRCC, was having difficulty achieving operational effectiveness, and the EU's Civil Protection Mechanism as a whole was in its infancy compared to its NATO counterpart. Indeed, the EADRCC and EADRU amassed a significant record of assistance in actual disaster situations (15 as of mid-2004), before the EU even began building the relevant organizational structure.

Views varied among EU countries on engaging in civil protection and on cooperation with NATO. The Scandinavian countries were very enthusiastic, and fingers as usual pointed at France as the main obstacle.¹⁰⁰ In fact, NATO as well faced some obstacles in responding to a modest British-French-German initiative for cooperation. Reciprocal participation in exercises was not a problem, but NATO as such could not simply share the proprietary data on national protection and response capabilities that individual EAPC countries had provided to the EADRCC. The Civil Emergency Planning Action Plan was an EAPC classified document ("EAPC Restricted"), and thus not easily shareable with the European Union. The idea of working jointly on minimum standards was also problematic. The EAPC's diverse membership and the very basis of its activity made it important to make standards and guidelines voluntary. In the EU context, standards were legally binding. In other words, what looked like a natural area for cooperation between NATO and the EU held many obstacles when it came to actual implementation.

The increasing focus of NATO's scientific cooperation programs on new threats was evident in 2003. In January, Polish and Romanian institutes held a NATO Advanced Research Workshop in Warsaw entitled "Preparedness against bio-terrorism and re-emerging infectious diseases – regional capabilities, needs and expectations in Central and Eastern Europe." The objective was for countries with advanced bio-defense systems to share their expertise with those who were just starting to develop them.

¹⁰⁰ Monaco, "NATO responds to a 'dirty bomb'," 8.

Structure and organization of bio-defense systems, epidemiological surveillance, biological warfare detection, response infrastructure and teams, plus training and education figured prominently in the discussions. Genetic engineering of biological warfare agents, multiple agent attacks and modes of transmission, as well as multiple drug resistance also figured in the program. At roughly the same time, a NATO workshop in Germany was addressing the vulnerability of civilian populations to radiological contamination, working with a scenario involving the re-entry of a satellite carrying radioactive material that was going to break up and disperse.¹⁰¹

Means of addressing WMD and terrorism figured prominently among the projects approved for funding by the NATO Science Programme in 2003. Topics included infection risks, security and oversight of pathogenic microorganisms and toxins, detection of bio-terrorism agents, ways to inactivate such agents, and vaccines.¹⁰²

At its meeting in Kyiv in June 2003, NATO's Science Committee agreed on the need to revise its terms of reference, to focus NATO scientific cooperation more intensively on countering security threats and to enhance possibilities for cooperation with the Mediterranean Dialogue countries in particular. The NAC approved this change in October, and on 12 November 2003 the Science Programme became instead the "Programme for Security Through Science." The NAC established two Priority Research Topics, the only ones for which financial support would be available: "Defence Against Terrorism" and "Countering Other Threats to Security." Those priorities applied to all the various sub-programs and support mechanisms under Security Through Science.

Funding opportunities for the Mediterranean Dialogue countries also expanded, while

¹⁰¹ "Workshop on Bio-terrorism preparedness in Central and Eastern Europe," *NATO Update*. January 2003 (updated 22 January 2003), available from <http://www.nato.int/docu/update/2003/01-january/e0115d.htm>; "Workshop on vulnerability to radiological risks," *NATO Update*. January 2003 (updated 22 January 2003), available from <http://www.nato.int/docu/update/2003/01-january/e0115c.htm>.

¹⁰² The author wishes to thank Ms. Deniz Beten, Coordinator of the Threats and Challenges Section, Public Diplomacy Division, NATO Headquarters, for her assistance.

the Euro-Atlantic Partnership countries retained their eligibility for funding.¹⁰³ Among the meetings planned for 2004 under Security Through Science was one in Budapest on radioactive inactivation of biological agents, and one in Tbilisi to assess the preparedness of the Caucasus countries for bio-terrorism attacks and contribute to planning of countermeasures.¹⁰⁴ A joint Croatian-Italian project, aimed at using "tagged neutrons" to detect explosives, chemical agents, fissile materials or drugs in shipping containers, was scheduled to begin in 2004. The Croatian Customs Service was the end user.¹⁰⁵

A New Approach to Proliferation?

The Iraq crisis, among other events, raised far-reaching questions of how best to address WMD proliferation risks. These had implications for NATO, but really could not be addressed fully in a NATO context. In December 2002, just as UN weapons inspectors had returned to Iraq, the U.S. government issued the new *National Strategy to Combat Weapons of Mass Destruction*. This rather brief document laid out three pillars of U.S. policy: "Counterproliferation to Combat WMD Use," "Strengthened Nonproliferation to Combat WMD Proliferation," and "Consequence Management to Respond to WMD Use." The first pillar received the most attention. It included an emphasis on interdicting flow of know-how, materials and technologies to hostile states and terrorist organizations. But critics, or worried friends, focused primarily on one sentence:

¹⁰³"NATO Science Programme Changes Course: New Priority research Topics and Support Criteria," updated 14 November 2003, available from <http://www.nato.int/science.news/2003/n031111a.htm>; *NATO Science and Society Newsletter*, No. 64, September 2003, pp. 9-11, at <http://www.nato.int/science>; "NATO Science Programme changes course and name," *NATO Update*, 12 November 2003, available from <http://www.nato.int/docu/update/2003/11-november/e1112a.htm>.

¹⁰⁴ *NATO Science and Society Newsletter*, no. 65, December 2003, available from <http://www.nato.int/science/index.html>.

¹⁰⁵ *Science. Society, Security News*, published by the NATO Science Committee and the Committee on the Challenges of Modern Society, issue 01, 2004. (This is the successor to the *NATO Science and Society Newsletter*.)

Because deterrence may not succeed, and because of the potentially devastating consequences of WMD use against our forces and civilian population, U.S. military forces and appropriate civilian agencies must have the capability to defend against WMD-armed adversaries, *including in appropriate cases through preemptive measures.*¹⁰⁶

Sharp reactions were not uncommon, though it is important to bear in mind the context of the time. (The conviction was already widespread that the United States would act militarily against Saddam Hussein's regime regardless of the precise findings of the UN weapons inspectors.)

Too many words would be spent on the subject of preemption. Interviewed near the end of his term as NATO Secretary General, Lord Robertson argued that NATO was and remained a defensive organization, but had "had to use pre-emptive action in the past, and pre-emption is anyway part of deterrence." He characterized a series of NATO efforts in the Balkans – Bosnia, Kosovo and Macedonia – as preemptive. "You've got to be able to act when it's necessary to act," he underlined.¹⁰⁷

In fact, the principle that "a state will be justified in striking with focused and proportionate force if that is necessary to forestall an attack on it from elsewhere" is firmly grounded in international law: "No state should be required to wait until an attack has in fact been launched and only then try to parry the blow. There are good reasons for that: some blows and attacks simply cannot be parried."¹⁰⁸ As one expert commentator broadly critical of Bush Administration policies for addressing WMD proliferation would note, preemption "is not the crazy idea it is often portrayed to be. To enforce a robust nonproliferation regime, preemption might actually make sense in

¹⁰⁶ See page 3. Document available from <http://www.whitehouse.gov/news/releases/2002/12/WMDStrategy.pdf>. Emphasis added.

¹⁰⁷ Video interview, NATO Headquarters, 16 December 2003, text available from <http://www.nato.int/docu/speech/2003/s031216a.htm>.

¹⁰⁸ Lord Mayhew of Twysden, *Official Report Lords*, 14 September 2001, col. 32, quoted in Hugh Beach, "The Legality of Intervention in Iraq," *ISIS Policy Brief*, no. 1, April 2002, available from <http://www.isisuk.demon.co.uk/0811/isis/uk/regpapers/contents.html>.

certain cases.”¹⁰⁹ The French military program law for 2003-2008, a basic document for defense and strategy, certainly leaves the door open to preemptive action, “when a situation of explicit and confirmed threat is recognized.”¹¹⁰

Some commentators point out that the military intervention in Iraq raised the issue not of preemptive war, but of *preventive* war, which can be defined as “military operations undertaken to avert a plausible but hypothetical future risk, such as an unacceptable imbalance of power, a situation of increased vulnerability, or even potential subjugation – or the possibility of a transfer of WMD to a terrorist group.”¹¹¹ Critics of the Iraq intervention would argue that a different and less stringent standard of proof was being applied to preventive action, as compared to preemptive action.¹¹²

Whether intentionally or not, UN Secretary General Annan avoided defining what was preemptive and what was preventive in his 23 September 2003 speech to the UN General Assembly on the future of the Security Council. He underlined the need for the Security Council to demonstrate its ability to deal with “the most difficult issues” and the “geopolitical realities of today, including the “possibility that individual States may use force ‘pre-emptively’ against perceived threats.” The members of the Security Council, he argued “may need to begin a discussion on the *criteria for an early authorization of coercive measures to address certain types of threats* – for instance, terrorist groups armed with weapons of mass destruction.” Annan named a high-level “Panel on

¹⁰⁹ George Perkovich, “Bush’s Nuclear Revolution: A Regime Change in Nonproliferation,” *Foreign Affairs* 82, no. 2 (March/April 2003): 3-4.

¹¹⁰ Jacques Isnard, “Frappes préventives ou frappes préemptives?” *Le Monde*, 14 October 2003; David S. Yost, “Debating security strategies,” *NATO Review* (Winter 2003), available from <http://www.nato.int/docu/review/2003/issue4/english/art4.html>.

¹¹¹ Yost, “Debating security strategies.”

¹¹² Isnard, “Frappes préventives ou frappes préemptives?”

Threats, Challenges and Change” to report before the 2004 UNGA session, with the following mandate:

- a) Examine today’s global threats and provide an analysis of future challenges to international peace and security. Whilst there may continue to exist a diversity of perception on the relative importance of the various threats facing particular Member States on an individual basis, it is important to find an appropriate balance at the global level. It is also important to understand the connections between different threats.
- b) Identify clearly the contribution that collective action can make to addressing these challenges.
- c) Recommend the changes necessary to ensure effective collective action, including but not limited to a review of the principal organs of the United Nations.

The panel’s mandate focused on “the field of peace and security, broadly interpreted.”¹¹³

The NATO action in Kosovo in 1999, without a specific Security Council authorization, had underlined the need for a doctrine on humanitarian intervention in cases where the Security Council was unable to agree on action. Annan himself had spoken of an emerging international norm against repression of minorities that would take precedence over sovereignty concerns.¹¹⁴ In the aftermath of the Iraq intervention, and of 11 September, it was natural that WMD and terrorism would figure in a re-examination of the UN’s role in providing grounds for forcible intervention.

The debate over preemption and/or prevention touched of course on the issue of deterrence, as Lord Robertson mentioned. One can argue that, for dealing with “rogue state” efforts to acquire WMD, the preferable alternative to preventive war is “credible deterrence.” Deterring rogue state acquisition of WMD is difficult, and a policy of preventive war even risks encouraging states to acquire WMD. On the other hand, this

¹¹³ For text of Annan’s speech see UN press release SG/SM/8891, GA/10157, 23 September 2003, available from <http://www.un.org/News/Press/docs/2003/sgm8891.doc.htm>. (Emphasis added.) See also “Secretary-General Names High-Level Panel to Study Global Security Threats and Recommend Necessary Changes,” UN press release SG/A/857, available from <http://www.un.org/News/Press/docs/2003/sga857.doc.htm>.

¹¹⁴ Ove Bring, “Should NATO take the lead in formulating a doctrine on humanitarian intervention?” *NATO Review* 47, no. 3 (Autumn 1999): 24-27. Web edition available from <http://www.nato.int/docu/review/1999/9903-07.htm>.

school of thought argues, there is “no evidence that rogue state *use* of WMD is undeterrable via credible threats of unacceptable retaliation or that rogue states seek WMD solely for purposes of blackmail and aggression.”¹¹⁵

NATO’s long-running reflection on requirements for deterrence in a changing security environment continued. At its December 2003 ministerial meeting, the Nuclear Planning Group noted that it was continuing “to consider deterrence requirements for the 21st century.” It reiterated the “long-standing goal of the Alliance to enhance security and stability at the lowest possible level of [nuclear] forces consistent with its requirements for collective defence and the full range of its missions.” The NPG reaffirmed the basic principles in the 1999 Strategic Concept, and the continued role of nuclear forces based in Europe and committed to NATO as an “essential political and military link between the European and North American members of the Alliance.” Readiness levels were “consistent with the prevailing security environment.”¹¹⁶

Clearly, however, further quantitative changes were in the offing. Appearing before the Belgian Senate in March 2004, Supreme Allied Commander Operations Gen. James Jones reported that the U.S. planned to reduce its nuclear weapons holdings in Europe: “The reduction will be significant. Good news is on the way.”¹¹⁷

The French 2003-2008 military spending plan had in the meanwhile underlined that country’s continued heavy reliance on nuclear deterrence. Interviewed in May 2003, French Armed Forces Chief of Staff Gen. Henri Bentegeat spoke frankly: “The only true response to an emerging nuclear threat from ‘rogue states’ is the nuclear deterrent.” Bentegeat specified that this extended to chemical and biological weapons threats as

¹¹⁵ Record, *Bounding the Global War on Terrorism*, 41-42.

¹¹⁶ NATO press release (2003)147, Brussels, 1 December 2003, par. 8-9, available from <http://www.nato.int/docu/pr/2003/p03-147e.htm>.

¹¹⁷ “U.S. to Reduce Nuclear Presence in Europe, Top NATO Commander Says,” *Global Security Newswire*, 12 March 2004, available from http://www.nti.org/d_newswire/issues/2004_3_12.html.

well: "If a dictator in a 'rogue state' understands that any attack on a French city with chemical or biological weapons would lead instantly to the destruction of his power centres and military capacity, he will desist."¹¹⁸

Critics of documents such as the U.S. strategy for combating WMD proliferation would sometimes allege an excessive focus on state actors, at a time when threats from non-state actors are increasingly evident. The limited applicability of traditional approaches to nonproliferation and to deterrence in addressing non-state threats continues to emerge as a matter of concern.

NATO Secretary General de Hoop Scheffer helped convene a 3 May 2004 tabletop exercise, simulating responses to an Al Qaeda nuclear attack in Brussels, killing 40,000 people and injuring 300,000. An intelligence report that IAEA inspectors had discovered a significant quantity of uranium missing from Belarus also figured in the scenario. Participants in the exercise included EU foreign and security policy chief Javier Solana and numerous other current or former officials. Following the exercise, participants called publicly for a series of measures: a global cleanout of highly enriched uranium at research sites, accelerated efforts to consolidate and secure nuclear materials and stockpiled Russian weapons, greater transparency and faster destruction of non-strategic nuclear weapons, more funds for chemical weapons destruction, improved international cooperation against bio-terrorism, better export controls, strengthening of the international nonproliferation regime, and better information sharing among countries and international organizations.¹¹⁹

¹¹⁸ J.A.C. Lewis, "Gen. Henri Bentegeat: French Armed Forces Chief of Staff," *Jane's Defence Weekly*, 4 June 2003.

¹¹⁹ Joe Fiorill, "International Officials Conduct Al-Qaeda Nuclear Attack Simulation," *Global Security Newswire*, 4 May 2004, available from http://www.nti.org/d_newswire/issues/2004_5_4.html.

A new mechanism for combating proliferation that emerged in the aftermath of the Iraq intervention was the U.S.-inspired Proliferation Security Initiative (PSI). Announced in June 2003 with seemingly little forewarning, PSI involved a number of NATO member countries, plus non-member countries such as Australia and Japan, in efforts to interdict shipments of WMD-related equipment and materials at sea. There was no effort to involve NATO as such, despite the fact that, following 11 September, alliance naval forces had been conducting monitoring and escort missions in the Eastern Mediterranean and more recently the Straits of Gibraltar. There was concern on the U.S. side in particular about subjecting PSI to NATO's potentially slow-moving, consensus-based process for making decisions, given the need to move quickly in interdicting shipments. U.S. representatives stressed that PSI was an *activity*, not an agreement or an organization. Reports varied as to the degree of interest that European allies showed in having an actual NATO role in PSI, but it was a moot point.

When NATO foreign ministers did express a formal position on PSI at their December 2003 meeting, it was carefully worded:

The Alliance *supports the aims* of the Proliferation Security Initiative to establish a more co-ordinated and effective basis through which to impede and stop shipments of WMD, delivery systems, and related materials flowing to and from states and non-state actors of proliferation concern, *consistent with national legal authorities and relevant international law and frameworks, including the United Nations Security Council.*¹²⁰

This was not quite a ringing, unqualified endorsement, emphasizing as it did the difficult issue of national and international legal authority for interdiction. The Istanbul Summit adopted similar language, though expressing *strong* support for the aims of the PSI.¹²¹

¹²⁰ Final communiqué, North Atlantic Council ministerial, Brussels, 4 December 2003, NATO press release (2003)152, available from <http://www.nato.int/docu/pr/2003/p03-152e.htm>. Emphasis added.

¹²¹ See Istanbul Summit communiqué, second par. 8. Asked about legal constraints on PSI, U.S. Under Secretary of State for Arms Control and International Security John Bolton said he thought there was "general agreement [among the PSI countries] that seeking additional authority might be useful at some point and that we would consider it when it became appropriate." He also noted that the participation of three UNSC Permanent Members was important in assessing the UN dimension. See "The New Proliferation

The relationship between PSI and organizations such as NATO and the EU remained problematic. When the Polish government hosted a gathering to mark the one-year anniversary of the initiative, it invited NATO and EU representatives. This reportedly caused some displeasure, or at least discomfort, on the part of the senior U.S. representative, Under Secretary of State for Arms Control and International Security John Bolton.

In June 2004, the U.S. ultimately did propose in the NAC a broadening of the mandate for NATO's own naval operations, so as to focus on WMD as well as terrorism. The distinction was probably always artificial in practical terms, but France initially opposed the U.S. proposal, arguing that the attempt to involve NATO in WMD interdiction had come too late. Allies did reach some measure of compromise by the time of the Istanbul Summit, but the language was quite weak:

In reviewing Operation Active Endeavour's mission, NATO may consider addressing, in accordance with international law, the risk of terrorism-related trafficking in, or use of, nuclear, chemical and biological weapons, their means of delivery and related materials.¹²²

The main point about PSI was that it had quickly demonstrated its practical value. On 19 December 2003, Libyan President Qaddafi announced that Libya would dismantle its chemical and biological weapons capabilities, stop nuclear weapons-related activities, and destroy its Scud missile force, all subject to international verification. The Libyan decision came after a German freighter bound for Tripoli with illicit materials had been intercepted and rerouted to a port in Southern Italy, and after intensive U.S. and British secret diplomacy with Libyan authorities.

Security Initiative, an interview with John Bolton," *ACT News Update*, 14 November 2003, available on the Arms Control Association Website, <http://www.armscontrol.org>., A more recent review of PSI issues, which includes some proposals on how to strengthen the initiative, is Jofi Joseph, "The Proliferation Security Initiative: Can Interdiction Stop Proliferation?" *Arms Control Today* (June 2004). The original countries participating in PSI were the United States, United Kingdom, France, Germany, Spain, Portugal, Italy, the Netherlands, Poland, Japan and Australia. Canada, Norway and Singapore later joined, as did Russia. Liberia and Panama signed boarding agreements allowing searches of vessels flying their flags.

¹²¹ Istanbul Summit communiqué, first par. 17.

Though the Libyan decision was broadly welcomed, it also fueled the ongoing debate over the continued relevance of traditional, treaty-based nonproliferation regimes in combating new and evolving proliferation risks. Advocates of a tough line saw the turn in Libyan policy as validating their approach. U.S. officials argued that the Libyan decision was linked directly to the war against Iraq, adding that the Proliferation Security Initiative had played a crucial role. Libyan Prime Minister Shukri Ghanim took a different tack, stressing that Libya was hoping the U.S. would drop bilateral sanctions as a result of Libya's new WMD policy.¹²³ This still suggested that the stick, not just the carrot, nor international norms for that matter, had played the crucial role in bringing about a policy shift. At the same time, it also illustrated that it was possible to make significant progress on proliferation issues short of actual resort to force, and that the Bush Administration was capable of using diplomatic approaches.

In fact, as 2003 came to a close, the United States began seeking a UN Security Council Resolution that would address the issue of transfers to non-state entities seeking to acquire WMD and urge all governments to establish domestic controls to help curb export and financing of such weapons. The enforcement dimension, in the Bush Administration's thinking, would not fall to the UN, but would be handled bilaterally and regionally.¹²⁴ On 28 April 2004, the UN Security Council unanimously approved Resolution 1540, requiring states to "adopt and enforce appropriate laws" to deny WMD, their components or means of delivery to non-state actors. But enforcement measures would have to be imposed by the UNSC.¹²⁵

¹²³ Patrick E. Tyler and James Risen, "Libya Arms Talks Lasted Months," *International Herald Tribune*, 22 December 2003; "Libyan Prime Minister Wants Prompt WMD Destruction," *Global Security Newswire*, 2 January 2004 available from http://www.nti.org/d_newswire/issues/2004_1_2.html.

¹²⁴ Colum Lynch, "Targeting Spread of Deadliest Arms: U.S. Proposes U.N. Resolution Curbing Transfer of Weapons," *Washington Post*, 17 December 2003.

¹²⁵ Jim Wurst, "U.N. Security Council Approves WMD Resolution," *Global Security Newswire*, 29 April 2004, available from http://www.nti.org/d_newswire/issues/2004_4_29.html

International norms and mechanisms relative to nuclear proliferation had come under particular stress in 2003, with issues still unresolved as of mid-2004. Actions by Iran and North Korea, long at the center of the international community's proliferation concerns, suggested that they had seen the increasing focus on Iraq as providing them a window of opportunity.

In October 2002, the DPRK admitted that it had been conducting a clandestine nuclear weapons program for several years. Its withdrawal from the NPT is generally considered to have taken effect in April 2003. As of mid-2004, inconclusive, six-nation talks addressing the North Korean nuclear program were continuing, and unconfirmed reports circulated that U.S. experts estimated the DPRK might have as many as eight nuclear weapons.¹²⁶ NATO joined in the international chorus of condemnation. The Nuclear Planning Group in June and December 2003, for example, expressed concern over acts of noncompliance with the NPT. The NPG specifically urged North Korea to dismantle any nuclear weapons program it had, in a verifiable, transparent and irreversible way.¹²⁷

Iran revealed a new plan in February 2003 to develop a nuclear energy program based solely on domestic resources. This heightened long-standing concerns, especially in the U.S., that Iran was seeking to develop a clandestine nuclear weapons program. Repeated discussions with IAEA representatives and visits by inspectors highlighted a very significant lack of transparency on Iran's part, including failures to report imports of material and components, discrepancies in Iran's statements to the

¹²⁶ "U.S. Denies Reassessing North Korea's Nuclear Weapons; Six-Nation Working Group Set for May 12," *Global Security Newswire*, 29 April 2004, available from http://www.nti.org/d_newswire/issues/2004_4_29.html.

¹²⁷ Final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 12 June 2003, NATO press release (2003)64, par. 12, available from <http://www.nato.int/docu/pr/2003/p03-064e.htm>; final communiqué, Defence Planning Committee/Nuclear Planning Group ministerial, Brussels, 1 December 2003, NATO press release (2003)147, par. 10, available from <http://www.nato.int/docu/pr/2003/p03-147e.htm>.

IAEA, undeclared reprocessing experiments leading to separation of gram quantities of plutonium, and undeclared uranium conversion experiments using imported nuclear material, some of which went missing. On 18 December 2003, Iran finally signed the Additional Protocol to its IAEA Safeguards Agreement,¹²⁸ but problems remained. IAEA Director General Mohamed El Baradei was careful in stating that his inspectors had not confirmed U.S. allegations that Iran was developing a covert nuclear weapons program. But the IAEA Board of Governors resolution of 13 March 2004 suggested that Iran had failed to fulfill its promises and had hidden important aspects of its nuclear program that could betray intentions to develop nuclear weapon capabilities. The Board of Governors resolution of 18 June 2004 deplored Iran's continued lack of full cooperation, but did not impose a firm deadline for improved transparency, nor did it contain a "trigger clause" for referring the Iranian case to the U.N. Security Council as a violation of the NPT.¹²⁹ The question of how an international organization such as the IAEA could influence the behavior of a proliferant state remained unanswered.

In NATO circles, at least, the Iranian situation, like that of North Korea, seemingly was not a source of particular controversy. The allies evidently agreed that the case made by the strongest critics was in fact solid.

Export control regimes moved ahead with the post-11 September effort to focus more heavily on potential terrorist use of WMD. The June 2003 Australia Group Plenary, for example, expanded the group's Biological Control List, adding 14 human pathogens,

¹²⁸ See International Atomic Energy Agency (IAEA) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹²⁹ "International Inspectors Cannot Confirm U.S. Allegations of Iranian Weapons Program, ElBaradei Says," *Global Security Newswire*, 29 April 2004, available from http://www.nti.org/d_newswire/issues/2004_4_29.html; George Perkovich and Silvia Manzanero, "Plan B: Using Sanctions to End Iran's Nuclear Program," *Arms Control Today* (May 2004), Web edition available from <http://www.armscontrol.org>; "IAEA Board Criticizes Iran; New Evidence Raises Cover-Up Suspicions," *Global Security Newswire*, 18 June 2004, available from http://www.nti.org/d_newswire/issues/2004_6_18.html.

and focused on informational measures that would help enforcement officers in participating countries implement AG guidelines. They also agreed to engage countries in the Asia-Pacific region on CBW-related export issues.¹³⁰

The September MTCR 2003 Plenary in Buenos Aires added a “catch-all” provision to the MTCR Guidelines, to ensure that relevant items not specifically listed in the Annex would still be controlled. The member countries also agreed to subject intangible information and knowledge to export controls, in accordance with national legislation, and mandated contacts with non-regime countries to promote adherence to MTCR principles.¹³¹

The NSG held an Extraordinary Plenary in December 2002, adopting anti-terrorism amendments to the NSG Guidelines proposed by the United States, publicly alerting supplier states to concerns about the North Korean nuclear weapons program, and instructing the chairing country to alert non-member supplier and transit states concerning risks that items could be diverted to North Korea. Concerns regarding North Korea and Iran dominated the plenary at Pusan (South Korea), 19-23 May 2003. It strengthened the NSG Dual-Use Guidelines by adding a catch-all provision and making the IAEA Additional Protocol a condition of supply.¹³²

¹³⁰ See Australia Group (AG) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹³¹ See Missile Technology Control Regime (MTCR) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>; “Plenary Meeting of the Missile Technology Control Regime, Buenos Aires, Argentina, 19-26 September 2003,” press statement issued by the Ministry of Foreign Affairs of Argentina, 26 September 2003, available from <http://www.mtcr.info/english/press/buenosaires.html>.

¹³² See Nuclear Suppliers Group (NSG) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>; “The Nuclear Suppliers Group,” fact sheet, Bureau of Nonproliferation, U.S. Department of State, 10 September 2003, available from <http://www.state.gov/np/rls/fs/3053/htm>.

At its April 2003 meeting, the Zangger Committee considered updating its “common understandings” regarding requirements for exports to non-nuclear weapons states and continued discussion of possible outreach activities with non-member NPT states, particularly members of the Non-Aligned Movement. The United States blocked consensus for Belarus membership in the Committee, questioning the Minsk government’s commitment to nonproliferation.¹³³

The International Conference on Security of Radioactive Sources, 10-13 March 2003, with the participation of 123 member states and 12 international organizations, recommended an international initiative to locate, recover, and secure high-risk radioactive sources that were not under secure and regulated control. It also sought to promote national adherence to the Code of Conduct on the Safety and Security of Radioactive Sources and the International Basic Safety Standards for Protection Against Ionizing Radiation and for the Safety of Radiation Sources. In July 2003, an experts group completed a report with recommended amendments to extend the scope of the Convention on the Physical Protection of Nuclear Material, so that it would cover protection of materials in domestic use, storage or transport.

The IAEA Annual Report for 2002, which the Board of Governors addressed at their June 2003 meeting, emphasized the need for integrated safeguards as the basis for a more effective IAEA verification system. Prevention of nuclear terrorism was also a high-profile issue in the Annual Report, and in the deliberations of the Board of

¹³³ Zangger Committee (ZAC) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.; “Zangger Committee,” fact sheet, Bureau of Nonproliferation, U.S. Department of State, 10 September 2003, available from <http://www.state.gov/np/rls/fs/3054pf.htm>.

Governors. In September 2003, the General Conference approved a budget that marked the first significant increase in IAEA funding since the late 1980s.¹³⁴

The 2003 annual meeting of the states parties to the Biological and Toxin Weapons Convention focused on national measures to implement the BTWC, e.g. national legislation and mechanisms for security and oversight of pathogenic micro-organisms and toxins.¹³⁵ The First Review Conference of the Chemical Weapons Convention in April-May 2003 reconfirmed the basic approach that full implementation of the convention's requirements would be the most important contribution to combating terrorist access to and use of chemical weapons, and launched enhanced efforts to promote national implementation of the convention's requirements and seek universal adherence.¹³⁶

NATO allies understandably took a positive view of efforts by other elements of the international community to focus more closely on possible terrorist use of WMD. At their 3 June 2003 meeting in Madrid, for example, NATO foreign ministers made a specific pledge to strengthen common efforts to safeguard nuclear and radiological material.¹³⁷ Urging broad international cooperation against nuclear weapon proliferation,

¹³⁴ International Atomic Energy Agency (IAEA) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹³⁵ "Biological Weapons Convention Annual Meeting of States Parties," Press Statement, U.S. Department of State, 17 November 2003, available from <http://www.state.gov/r/pa/prs/ps/2003/26297.htm>; Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BTWC) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

¹³⁶ Terzuolo, "Chemical and Biological Weapons," pp. 82-83.

¹³⁷ See final communiqué in NATO press release (2003)059, 3 June 2003, par.14, available from <http://www.nato.int/docu/pr/2003/p03-059e.htm>.

the June NPG ministerial also welcomed the accession of Cuba (and East Timor) to the Non-Proliferation Treaty.¹³⁸

The G8 as well continued to enhance its nonproliferation focus. At the June 2003 Summit in Evian (France), the G8 endorsed an Action Plan for the Global Partnership, along with plans on preventing terrorism with radiological weapons and on capacity-building against terrorism.¹³⁹ The growing G8 role posed a challenge and a possible opportunity for NATO. The alliance for some time had been collecting information for a comprehensive matrix of threat reduction assistance. Efforts to secure all the desired information from national authorities and other organizations encountered their share of bureaucratic obstacles and political sensitivities, but alliance circles continued to consider the initiative worthwhile. While the G8 “Global Partnership” did establish a mechanism for policy coordination by senior officials, it did not have a secretariat or clearinghouse to collect and systematize information and help prevent duplication of effort among the 7 donor countries. To some at NATO Headquarters, the fact that six of the donor countries were NATO members, and that the International Staff already had cataloged significant information on threat reduction assistance suggested that NATO/Global Partnership cooperation could be beneficial. The idea really did not take off, however. The key role of non-NATO countries in supporting threat reduction was an important consideration, and the idea of having a neutral state active in the

¹³⁸ Final communiqué in NATO press release (2003)64, 12 June 2003, par. 12, available from <http://www.nato.int/docu/pr/2003/p03-064e.htm>.

¹³⁹ Global Partnership Against the Spread of Weapons and Materials of Mass Destruction (“10 Plus 10 Over 10” Program) in *Inventory of International Nonproliferation Organizations & Regimes*, Center for Nonproliferation Studies, Monterey Institute of International Studies, available from <http://www.cns.miis.edu/pubs/inven/index.htm>.

nonproliferation field, such as Switzerland (also a donor country under the Global Partnership), take on the clearinghouse function found considerable support.¹⁴⁰

In sum, the coalition intervention in Iraq and numerous other developments underlined the wide range of approaches available to address WMD proliferation and other new threats. How to adapt existing treaties, regimes, and organizations was part of the puzzle, but entirely new approaches, notably the Proliferation Security Initiative, also appeared on the scene. It remained difficult to define NATO's role in this dynamic and shifting context.

One obstacle to wider-ranging discussion in NATO was a lack of enthusiasm in Washington for using the alliance as a forum to address the more political and diplomatic dimensions of addressing proliferation risks. Some other allies reportedly would have been open to broader discussions. The conservative approach of the U.S. administration could be seen even its views regarding the integration of the NATO invitee countries into existing nonproliferation regimes. In the interest of not diluting the export control groups, the U.S. was hesitant about participation of invitees, at least until they actually had actually achieved NATO membership. NATO agreement at the December 2003 ministerials to urge early admission of all invitees into existing nonproliferation regimes reflected pressure from the other allies on the U.S. The continuing absence of a U.S. national staff contribution to the WMD Centre was also something of a sore point, since the Centre had been a U.S. initiative in the first place.

On the positive side, it did seem that some of the old subjects of disagreement, such as the relative weight of counterproliferation and arms control/nonproliferation tools, had been put aside, at least at NATO, if not always in other settings. Useful

¹⁴⁰ This specific matter was not addressed in the "G8 Action Plan on Nonproliferation" approved at the June 2004 summit in the U.S., available from http://www.g8usa.gov/d_060904.htm.

decisions did emerge from the alliance's political side. But some lamented a sort of bureaucratic plodding, and the limited breadth of proliferation-related discussions.

The Road to Istanbul

As preparations for the Istanbul Summit entered the home stretch, NATO leaders remained visibly at pains to put the Iraq controversy behind them. During his first visit to the United States as the new Secretary General of NATO in January 2004, Jaap de Hoop Scheffer recognized publicly that NATO had had "a bruising year," and had not escaped the fallout of the "very strong debate amongst even the closest friends and allies." He stressed that it was "time to get back to business" and that there was "no alternative to open security dialogue, and profound security cooperation between the NATO allies."

The Atlantic Alliance today is, as it has always been, a unique and invaluable organization. It is the place where North America and Europe come together to discuss the most serious political issues on our agenda. It is where the countries that share most profoundly our common values agree on common action. And it is the platform for the most effective militaries in the world to defend our security, our values and our interests, wherever required, together.¹⁴¹

U.S. Secretary of Defense Rumsfeld also struck a conciliatory and forward-looking tone in his press conference following the 6 February 2004 informal meeting of NATO

Defense Ministers in Munich:

My impression, and everyone obviously can have their own impression, is that the health of the Alliance is good; that the relationship between the United States and North America and the European countries is good; that the relationships within Europe seem to be pretty good -- some tensions, but for the most part pretty good. It seems to me that a lot of progress has been made, and that the contributions that have been made by the European countries both in Afghanistan and Iraq are valued, they're appreciated, and they're contributing to

¹⁴¹ Speech by NATO Secretary General, Jaap de Hoop Scheffer at the National Defense University, Washington, DC, 29 January 2004, available from <http://www.nato.int/docu/speech/2004/s040129a.htm>.

the success of some 50 million people who have been liberated in those two countries.¹⁴²

From the standpoint of the member governments, the issue was not at all whether NATO should continue to exist, but rather, what the alliance should be doing. A new initiative focused specifically on WMD was never on the horizon for Istanbul. The summit did declare, however, that the Multinational CBRN Defence Battalion had reached full operational capability. It also expressed support for a series of long-standing and more recent agreements and initiatives to combat proliferation.¹⁴³

Terrorism was a major focus, as a result of the March 2004 terrorist attacks in Madrid, a NATO capital. At their 2 April informal meeting to welcome the seven new alliance members -- Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, Slovenia -- NATO foreign ministers promised a new package of anti-terrorism measures for the Istanbul Summit. Those measures were to include:

- Improved intelligence sharing between Allies, including through the recently established Terrorist Threat Intelligence Unit, which should be fully operational by the time of the Istanbul Summit; we must also intensify exchanges of information and intelligence with other international organisations and with the Partners;
- Enhanced response to national requests for NATO support (e.g. through the Euro-Atlantic Disaster Response Coordination Centre and use of NATO chemical, biological, radiological and nuclear defence assets) to help protect against and following a terrorist incident;
- Providing NATO assistance with security for selected major events, such as Euro 2004 in Portugal, and the Athens Olympics;
- Developing further the contribution of Operation Active Endeavour to the fight against terrorism and examining possible ways of support between Operation Active Endeavour and the Proliferation Security Initiative;
- Supporting the continued determination of Allies to address the threat posed by terrorist use of civil aircraft;
- Enhancing capabilities to defend against terrorist attacks.

¹⁴² Press conference by U.S. Secretary of Defence Donald Rumsfeld following the Informal defense ministers meeting, Munich, Germany, 6 Feb. 2004, available from <http://www.nato.int/docu/speech/2004/s040206c.htm>

¹⁴³ Communiqué, second par. 12, first par. 8.

Foreign ministers also directed work to enhance cooperation with the Euro-Atlantic Partnership and Mediterranean Dialogue countries, with Russia, the UN and other international organizations, and the European Union.¹⁴⁴

Improving defenses against terrorism was also the main theme of the 6-7 May meeting of the Conference of National Armaments Directors, who announced an eight-point program of work, covering matters such as protection of wide-body aircraft, of helicopters, harbors and vessels, and improved disposal of explosives and consequence management. Protection against and defeat of CBRN weapons figured as part of the program. Reminiscent of the CBRN defense equipment display at the Prague Summit, equipment and technologies useful for defense against terrorism were on display in the framework of the CNAD meeting. NATO Assistant Secretary General for Defence Investment Marshall Billingsley confirmed that the fight against terrorism would be the main objective of his division in coming years.¹⁴⁵

At Istanbul, heads of state and government approved an anti-terrorism package that followed the lines laid out earlier by foreign ministers and the CNAD. The specific measure with the most direct WMD connection was

a greater ability to respond rapidly to national requests for assistance in protecting against and dealing with the consequences of terrorist attacks, including attacks involving chemical, biological, radiological and nuclear (CBRN) weapons and, in this regard, continued robust support for the NATO Multinational CBRN Defence Battalion.

¹⁴⁴ "Declaration on Terrorism," NAC foreign ministers informal session, Brussels, 2 April 2004, NATO press release (2004)057, available from <http://www.nato.int/docu/pr/2004/p04-057e.htm>.

¹⁴⁵ "NATO to enhance defense against terrorism," *NATO Update*, 6-7 May 2004 (updated 12 May 2004), available from <http://www.nato.int/docu/update/2004/05-may/e0506a.htm>; "CNAD exhibition on equipment and technologies for Defence against Terrorism," NATO press release (2004)068, 27 April 2004, available from <http://www.nato.int/docu/pr/2004/p04-068e.htm>; text of a 12 May 2004 video interview with Billingsley available from <http://www.nato.int/docu/speech/2004/s040512a.htm>.

Increased cooperation with partner countries and other regional and international organizations, "including the *active pursuit* of consultations and exchanges of information with the European Union," was another important theme.¹⁴⁶

The most difficult issues for Istanbul were in fact geographical: Where should the alliance focus its activity in the future? The United States in particular pushed for decisions at the summit to expand NATO's roles in Afghanistan and Iraq.¹⁴⁷ In a 23 January 2004 speech at the U.S. Mission to NATO's annual security studies conference, U.S. Senator Chuck Hagel (Republican member of the Foreign Relations Committee) proposed that NATO eventually assume responsibility for all military and reconstruction operations in Afghanistan, and start discussions on taking over the Polish sector in Iraq or providing a division for northern Iraq. In his speech at the Munich Conference on Security in February, Senate Foreign Relations Committee Chairman Lugar called for a greater NATO role in combating development of WMD capabilities in the "Greater Middle East" and urged the NATO countries to commit themselves to the Proliferation Security Initiative with contributions of warships, intelligence and surveillance capabilities.¹⁴⁸ Among the proposals circulating in Washington was the creation of a NATO "Partnership for Cooperation" to pursue cooperation with friendly militaries in the Greater Middle East, modeled at least in part on the Partnership for Peace.¹⁴⁹

¹⁴⁶ Summit communiqué, first par. 20, emphasis added.

¹⁴⁷ [U.S. Ambassador to NATO] R. Nicholas Burns, "Europe and beyond: A broader mission for NATO," *International Herald Tribune*, 19 December 2003. The U.S. National Defense University's 2004 European Symposium (28-29 January) focused on NATO military operations over the preceding decade and "the implications of this record for NATO's suitability to address a broad range of emerging security problems outside the transatlantic region." See <http://www.ndu.edu/info/whatsnew/nato.cfm>.

¹⁴⁸ Nick Fiorenza, "A Greater Role for NATO in the Middle East?" *NATO Notes* 6, no. 1 (February 2004): 1-2, available from <http://www.isis-europe.org/>.

¹⁴⁹ Hans Binnendijk and Richard L. Kugler, "Dual-Track Transformation for the Atlantic Alliance," *Defense Horizons*, no. 35 (November 2003): 14-15, available from <http://www.ndu.edu/inss/press/nduphp.html>.

Even some critics of the Bush Administration agreed on the need to focus on the Greater Middle East. In this view, the long-term health of NATO required the U.S. and Europe to "again define a common strategic purpose," and the two main challenges lay in a set of former Soviet republics (Ukraine, Belarus, the Caucasus, Central Asia) and in the zone stretching from the Maghreb to the Levant, and from the Persian Gulf to Afghanistan.¹⁵⁰ At the same time, others voiced concern about overstretching the alliance. NATO Secretary General de Hoop Scheffer himself persistently underlined that NATO's first challenge was to get things right in Afghanistan. As an objective for the Istanbul Summit, he highlighted the importance of resources for additional Provincial Reconstruction Teams (PRTs) under command of the NATO-led International Security Assistance Force (ISAF) in Afghanistan.¹⁵¹

Expansion of ISAF did not prove an especially controversial issue within the alliance. The Istanbul Summit agreed to bring the number of PRTs to five, authorize establishment of a logistics hub and temporary satellite presences, and continue preparations for election support.¹⁵²

The issues of a direct NATO role in Iraq, and of expanding efforts in the Greater Middle East, were more controversial. Controversy over abuse of Iraqi prisoners by U.S. forces in Iraq may have reinforced doubts in some allied capitals, e.g. Paris and Berlin, about a NATO role.¹⁵³ The Iraqi interim government, which assumed sovereignty on the day of the NATO heads of state and government meeting in Istanbul, requested alliance assistance in training its security forces. NATO agreed, with the modalities to be

¹⁵⁰ Asmus, "Rebuilding the Atlantic Alliance," 23-26.

¹⁵¹ Annalisa Monaco, "Beyond Kabul: Big words, small cautious steps," *NATO Notes* 6, no. 1 (February 2004): 4-5, available from <http://www.isis-europe.org/>.

¹⁵² Statement by the Secretary General, NATO press release (2004)106, 28 June 2004, available from <http://www.nato.int/docu/pr/2004/p04-106e.htm>.

¹⁵³ John Vinocur, "Concerned, NATO is not gloating on Iraq," *International Herald Tribune*, 12 May 2004.

determined.¹⁵⁴ This fell far short of what the U.S. had hoped for, but was nonetheless a significant result.

An Istanbul Summit initiative to transform the Mediterranean Dialogue into some form of full partnership, analogous to Partnership for Peace, seemed like a given at the end of 2003, but was then pushed into the background for a time. The U.S. promoted a more comprehensive initiative that looked to other allies like a spin-off from the Greater Middle East Initiative under preparation for the June 2004 G8 Summit at Sea Island in the United States. In the end, however, consensus on a NATO Greater Middle East initiative proved impossible. The upgrading of the Mediterranean Dialogue re-emerged as an important deliverable for the Istanbul Summit, although it was not formally renamed the "Mediterranean Partnership" or anything along those lines. The main objective was stronger practical cooperation, including an enhanced political dialogue and work on interoperability, defense reform, and "contributing to the fight against terrorism."¹⁵⁵

The allies did agree to expand -- cautiously -- their outreach to the "broader Middle East region," starting with the Gulf Cooperation Council countries, via the "Istanbul Cooperation Initiative." The anodyne title was indicative, reflecting the need to avoid any language that interested countries might regard as "loaded." The Istanbul Cooperation Initiative appeared to offer something reminiscent of the early stages of the Mediterranean Dialogue. It was explicitly limited to "bilateral" activities, i.e. between NATO and individual participant countries.¹⁵⁶

¹⁵⁴ "Statement on Iraq," issued by NATO heads of state and government, 28 June 2004, NATO press release (2004)098, available from <http://www.nato.int/docu/pr/2004/p04-098e.htm>.

¹⁵⁵ Istanbul Summit communiqué, second par. 20.

¹⁵⁶ *Ibid.*, par. 21. Secretary General de Hoop Scheffer was extremely careful in describing the Istanbul Cooperation Initiative: "This is an offer, and only an offer, for a 2-way dialogue, on issues of mutual interest. For this bridge of communication to be strong, it must be built together." See his opening statement at the press conference following the meeting of NATO heads of state and government, available from <http://www.nato.int/docu/speech/2004/s040628f.htm>.

Istanbul illustrated that consensus among the NATO countries remained limited on key issues highlighted by the coalition intervention in Iraq. It was clearly possible to do significant things, but only by setting aside certain controversial questions. From a tactical point of view, the U.S. effort to push NATO firmly into the "Greater Middle East" had been too much, too soon. It also was not self-evident in all capitals that the main questions about NATO's future were to be answered in geographical terms. A broad consensus existed that terrorism, WMD, and failed states were the major threat of the early 21st century, but this did not in itself provide strategic direction. This was especially true when skepticism remained strong regarding U.S. commitment to genuinely multilateral approaches.

Almost exactly ten years before the Istanbul Summit, NATO foreign ministers had met on the shores of the Bosphorus to approve the Alliance Policy Framework on Proliferation of Weapons of Mass Destruction. The summit did not provide, however, any sense of closure when it came to NATO's efforts to address WMD or other new threats. Nor should anyone have expected it to. In a complex and still rapidly changing security environment, there were simply too many unanswered questions.

CHAPTER 5

NATO AND WMD: LESSONS FOR THE FUTURE?

In light of everything NATO is doing, in the Euro-Atlantic region and increasingly beyond, calling the alliance a "carcass of dead policies," though catchy, is unfair and inaccurate.¹ Looking to the future, a more appropriate assessment is that NATO, despite some recognized shortcomings, remains the key mechanism for transatlantic cooperation. In the words of one scholar and former policy-maker, "the weight of argument would appear to favor retaining a core role for NATO, suitably rebalanced to meet the new missions and the new political realities of European integration."²

The history of NATO's proliferation-related initiatives is one of considerable effort and mixed results. Some things simply have worked better than others, or at least have had more concrete outcomes. Some issues require new or greater attention. This is not a condemnation. A NATO approach to WMD proliferation threats that is well targeted, action oriented, non-theological, and addresses the points of both similarity and divergence on the two sides of the Atlantic will be healthy for the U.S. and the European allies. Indeed, it is a continuing necessity.

NATO has no choice. WMD must remain visibly on its agenda. It is not the alliance's fault that weapons of mass destruction are one of the major current risks in the eyes of "global civil society." Al Qaeda, Aum Shinrikyo, the anthrax perpetrator in the U.S. and others have seen to that. Despite some successes, notably bringing Libya into the nonproliferation fold, the situation is not going to improve without sustained international effort, coupled with creativity, something nations and institutions can have

¹ See Meyer, "Carcass of Dead Policies: The Irrelevance of NATO."

² Steinberg, "An Elective Partnership," 126.

difficulty expressing. As NATO Military Committee Chairman Kujat has stressed, proliferation of WMD

will continue to accelerate over time because there is no reason a developing country would want to compete in the traditional military way with developed countries when WMDs provide inexpensive force equalisers. Simply put, possession of these weapons allows nations to project greater national power than would otherwise be the case.

Non-state actors as well recognize the potential of weapons of mass destruction as force multipliers.³

Like proliferation, terrorism will not easily or quickly disappear from the list of threats shaping the current epoch. It draws strength from "causes that are *enduring*: the weak against the strong, the disenfranchised against the establishment, and the revolutionary against the status quo." Rising political and material expectations as a result of the information revolution, coupled with globalization processes that are leaving behind many people in many nations, have given new ammunition to terrorist groups.⁴

To retain its credibility as a security organization, NATO has to address these challenges and be seen as addressing them. After all, NATO's own documents and statements by the leaders of every member country have played a part in setting WMD and terrorism at the top of the agenda of security challenges of our time.

Three NATO summits -- Brussels in 1994, Washington in 1999, and Prague in 2002 -- have launched major WMD-related initiatives. A specific WMD initiative at every alliance summit is not a necessity. Indeed, there may be a degree of "initiative fatigue" within NATO, which has developed a remarkable series of new programs since the end of the Cold War. There also remains more one could do in implementing existing WMD-

³ "The Future of Conflict -- Here and Now!" Remarks by General Harald Kujat, Chairman of the NATO Military Committee, at the 11th Annual Conference of European Armies, Headquarters, U.S. Army Europe, Heidelberg, 21 October 2003. Available from <http://www.nato.int/ims/2003/s031021e.htm>.

⁴ Audrey Kurth Cronin, "Behind the Curve: Globalization and International Terrorism," *International Security* 27, no. 3 (Winter 2002/03): 54-55. Emphasis added.

related initiatives. Perhaps the public diplomacy challenge for NATO could be phrased as follows: to preserve a view among global civil society that the alliance is acting in the most appropriate, effective, and sustained fashion to help address the risks stemming from proliferation of weapons of mass destruction and their potential use by state and non-state actors. Has NATO achieved this? In all fairness, the answer cannot yet be an unqualified "yes."

NATO's adaptation to the WMD threat remains a work in progress. The alliance has moved in steps, adapting to external and internal circumstances. The 1994 summit in Brussels underlined the need for a NATO policy framework to address the visibly heightened WMD proliferation threat. The Washington Summit five years later recognized the need for a mechanism to ensure that all relevant elements of NATO's structure focused on WMD concerns. It also sought to address, through the Defense Capabilities Initiative (DCI), the shortfall in financial resources dedicated to meeting the new security challenges. At the Prague Summit in 2002, allied leaders had to factor in the many lessons of 11 September 2001. They also approved a different approach to mobilizing assets and capabilities for WMD-related missions, the DCI having visibly failed.

The long-term effects on NATO generally -- and on the alliance's approach to WMD challenges -- of the 2003 coalition military intervention in Iraq remain difficult to gauge. For the first time, NATO assisted a member country (Turkey) that was facing a WMD threat, but only after an unprecedentedly divisive and public debate. The alliance has made significant progress in building military capabilities for rapid intervention in crisis situations, including under threat of chemical, biological, radiological or nuclear (CBRN) weapons use. But how to develop, recover, or rapidly manifest a common political will for cooperative action remains a difficult question.

To some degree, dealing with new threats will always be a work in progress. Trying to stay "ahead of the curve" is a worthy goal, but difficult to achieve for individual governments, and even more so for intergovernmental organizations. Forging consensus to recognize and act against emerging threats is more difficult than responding to overt hostile moves. At the same time, technology moves forward. In the biological and chemical fields especially, the accelerating creation of new agents and compounds, some with potential use as weapons, already is sorely testing the Chemical Weapons Convention, the Biological and Toxin Weapons Convention, and the international bodies and groups engaged in preventing CBW proliferation.⁵

In many respects, our intellectual "software" has not kept up with the "hardware" of technology and capabilities. The matter, for example, of how to deter use of biological weapons or respond to their use, whether by state or non-state actors, has not yet received the amount of careful thought it requires. The current situation is in some respects reminiscent of the 1950s, when nuclear weapons were new, and we had yet to develop a solid school of thought on how to deal with them.⁶

NATO is not, first and foremost, an anti-proliferation organization. This is true whether one wishes to take the counterproliferation or nonproliferation side of the debate. It is important to keep the alliance's WMD efforts in context. They should be seen as a very important element, but only one element, of a much broader adaptation to a dramatically changed international situation. Also, though their limits are manifest, the multilateral nonproliferation treaties, related international organizations,⁵ and export control regimes perform functions NATO cannot perform, something the alliance always has recognized.

⁵ See for example Terzuolo, "Chemical and Biological Weapons: coming challenges," 83-85.

⁶ The author wishes to thank Dr. Bruce Bennett of the RAND Corporation for this insightful and engaging parallel.

Two central questions for NATO over the last decade have been: What can it do to help secure peace and stability in Europe and beyond? What can it do to heal the rift in Europe created by the Cold War? So far, NATO has been the major established international body (as opposed to “coalitions of the willing” or the action of individual countries) able to apply sufficient force to end to armed conflicts and bring about negotiated settlements. The alliance also has a unique body of experience in the military aspects of stabilizing societies emerging from conflict, and of operating where security is still very much in the making. This capability may be even more relevant over the long haul than NATO's ability to apply force. In facing these types of challenges, efforts to address WMD proliferation threats can have significant roles.

Nor is NATO an anti-terrorism organization. Striking at the roots of terrorism requires law enforcement and intelligence assets that NATO, by its very nature, cannot have. Nor does it have resources to devote to economic and social development.

Alliance efforts to improve force protection against terrorist threats, whether with conventional or unconventional weapons, are important both within the member countries and with an eye toward deployments elsewhere. Work to promote a better collective understanding of threats is certainly important. Involvement of partners and finding better ways to share information should be a high priority.

But, as in the case of WMD, care is needed in discussing NATO's anti-terrorism role. The tendency to paint with a broad brush is natural, but there is a risk of coloring NATO as more of an anti-terrorism organization than it really can be. That is an invitation to disappointment.

Geography matters. NATO's geographical reach has expanded enormously since the end of the Cold War. Former Warsaw Pact states and former republics of the Soviet Union have joined the alliance. Partnerships extend out to the Pacific coast of

Russia, Central Asia, the Black Sea and Caucasus regions, and the Balkans. The Istanbul Summit decided to enhance the Mediterranean Dialogue and begin outreach to the "broader Middle East region." NATO's role in Afghanistan, and its support to the Polish-led multinational division in Iraq, has expanded the alliance's sphere of action. But NATO has retained a distinct Euro-Atlantic quality, even, to use an old-fashioned term, a "Western" quality. This has been a source of strength, of cohesion and shared sense of purpose at many points. But in addressing global threats, such as WMD proliferation, this regional character imposes limits.

North Korea's nuclear efforts, for example, are beyond NATO's ability to influence, despite numerous statements of condemnation by the most senior political bodies of the alliance. An ad hoc group of states with more direct interests has become the mechanism of choice to address the North Korean challenge. The Proliferation Security Initiative also is an ad hoc grouping, involving from the outset Asian countries like Japan and Australia, along with numerous NATO member countries, precisely because of the focus on North Korea.

In the international treaty mechanisms and organizations dealing with nonproliferation, NATO qua NATO is not a participant. The architecture of "regional groups" prevails, and NATO does not fit. Its membership and partnership ties cross various regional group boundaries. Meanwhile, the European Union, which seeks an increasing role in countering proliferation, includes non-NATO countries.

The Istanbul Summit decisions do bring the alliance's range of action geographically closer to the main intersection of WMD, terrorism, and failed state threats. This will help keep such threats high on the alliance agenda. But the view of NATO as a fundamentally Western organization, as part of the "North" in a North/South

logic, is not likely to disappear easily or quickly. Legitimacy as a global rather than a regional institution is not easily acquired.

In terms of concrete action to address WMD concerns, the defense side of NATO has been more visible than the political side. In the June 1994 Alliance Policy Framework on Proliferation of Weapons of Mass Destruction, NATO leaders set a long and ambitious agenda on both the political and defense sides. Implementation of defense-related initiatives has benefited from having a politically effective mechanism (the Senior Defence Group on Proliferation – DGP). The defense side also has a clearly defined central mission, thoroughly within the alliance purview, i.e. enhancing protection of NATO country populations, territory and armed forces from WMD threats and helping ensure the ability of NATO forces to operate in the face of nuclear, chemical, biological and radiological threats.

The DGP demonstrated nimbleness, for example, in developing NATO's first comprehensive assessment of WMD risks and required responses. It later drew important lessons from the shortcomings of the Washington Summit Defense Capabilities Initiative, devising a pragmatic, piece-by-piece approach to building multinational NBC defense capabilities. (The Multinational CBRN Defence Battalion, fully operational in time for the Istanbul Summit, was a landmark in this effort.) This work also benefited in 1999-2003 from the keen interest and strong support of NATO Secretary General Lord Robertson, a former U.K. defense minister. NATO's contribution to security for the 2004 Summer Olympics in Athens was expected to include defense against chemical, biological and nuclear attacks,⁷ and the enhanced capabilities coming out of the DGP's efforts seemed destined to have an important field test.

⁷ Clifford J. Levy, "Uneasy Greeks Focus on Olympic Safety," *New York Times*, 7 April 2004.

NATO efforts on theater missile defense, including the growing partnership with Russia in this area, have been another success story on the defense side. Though alliance acquisition of its own TMD capability is still years away, this will greatly enhance NATO's ability to operate under conditions of NBC threat.

That said, the picture is not entirely rosy. Military adaptation to the post-Cold War strategic context has been and will remain expensive, and public support for increasing defense expenditure is sorely lacking in most NATO countries. This has impacted on national fulfillment of the commitments to enhance NBC defense capabilities from both the Washington and Prague summits. New and incoming NATO member states in particular have had to juggle the financial implications of joining NATO with the complex and demanding requirements for EU membership. WMD-related military capabilities face stiff competition for funding.

Variations from one NATO country to another in training and readiness for operations in chemical and biological warfare environments are another issue of concern. Having alliance bodies look into actions at the national level is always politically delicate, but it may be necessary to put aside such reservations. Some have suggested extending the process of "tactical evaluations," already used in the nuclear field, into the chemical and biological sectors.

NATO action on the political front has been more difficult. It is frankly not uncommon to hear the Senior Politico-Military Group on Proliferation (SGP) characterized as a mere "talk shop." Its activity does not produce the same sort of concrete, resource- and capability-focused initiatives as its counterpart on the defense side, the DGP. A low public profile is also natural for a body deliberating on sensitive proliferation issues, based on classified information. The SGP is a more standard NATO committee than the DGP, lacking the same sort of direct, senior-level plug-in to capitals.

The SGP was handed a primary goal that was objectively difficult for NATO to implement. Preventing proliferation or reversing it through diplomatic means if it does occur is not something to which the alliance has a direct connection, lacking the proverbial "seat at the table" in the international fora addressing nuclear, chemical, and biological weapon proliferation. Furthermore, the policy preferences that NATO member countries have expressed in such fora have not always been uniform.

Seeking to build common views among the NATO countries, and very secondarily with partner countries, has seemed to represent the limit of the possible. But the process has not been simple. SGP assessments of proliferation threats and possible political and diplomatic measures to address them are sometimes said to suffer from a "least common denominator" quality. Efforts in the last few years to achieve leaner, better-prioritized communiqué language have had some results, and new initiatives such as the March 2004 SGP seminar have been possible. But in many respects, the question regarding NATO's added value in political and diplomatic efforts against WMD proliferation remains unanswered.

Much NATO debate on political measures to address proliferation has been dominated by the concerns of some allies that the counterproliferation approach identified with the U.S. Department of Defense could monopolize NATO attention and political support, and by implication weaken the established international arms control and nonproliferation treaties and regimes. To manage such differences, inclusiveness, rather than a sharp focus on action and priorities, has been an evident feature of NATO policy statements on arms control and nonproliferation issues. Despite conceptual attempts to integrate the political and defense dimensions of NATO's WMD efforts, a sense of opposition between the two sides, or of having to defend one or the other, has

featured prominently in alliance psychology. This seems to have become less overt, but the problem has not simply gone away.

A strong dialogue within the alliance on preventing proliferation, which did not treat concepts such as nonproliferation, counterproliferation, or preemption as either slogans or red flags, would be desirable. But this is likely to be difficult, especially with a U.S. government overtly skeptical about the virtues of established multilateral mechanisms.

Attention to WMD matters in NATO's outreach efforts has been important, but spotty. WMD issues have been especially prominent in NATO's "special relationship" with Russia, with nuclear weapons safety issues occupying center stage. This is quite natural, given that Russia has retained large numbers of sub-strategic nuclear weapons and a military doctrine that continues to foresee use of nuclear weapons against NATO countries. Confidence building in the nuclear sector has not been simple.

Russia's policies following the 11 September 2001 terrorist attacks opened the way to enhanced cooperation on several fronts. Under the auspices of the new NATO-Russia Council, inaugurated at the May 2002 NATO-Russia Summit in Rome, work has moved ahead on a joint assessment of global proliferation threats and sharing of information on NBC protective measures. Efforts toward transparency on nuclear matters seemed to enter a new positive phase in 2004.

NATO as such has had no role, however, in support to Russia for cooperative threat reduction. Various NATO member countries, the United States in particular, have assisted the Russians, but those efforts have remained strictly national, with only a modicum of informal coordination, and political impetus coming increasingly from the G8 process.

Although NATO's Distinctive Partnership with Ukraine was created to mirror the partnership with Russia, WMD issues have had a lower profile. NATO welcomed the denuclearization of Ukraine and has made nonproliferation, notably export control, an element in the Distinctive Partnership. But other issues, notably defense reform and encouraging democratization in Ukraine, have received much greater emphasis.

WMD issues frankly have not figured all that prominently in NATO enlargement and outreach to other countries via the Euro-Atlantic Partnership Council and Partnership for Peace. Aspiring NATO countries have realized that being members of the major multilateral nonproliferation treaties – the NPT, CWC and BTWC - is de facto a requirement for membership in NATO. This has in a sense helped reinforce international norms, but has been largely non-controversial in most cases. Participation in control regimes has been a more complicated process, but there is a general understanding that this too is part of being “in the club.” In a broad sense, the prospect of membership, or even of enhanced cooperation with NATO, has been a stimulus for countries to address problems with WMD, delivery systems and export controls. (Bulgaria, for example, destroyed its SS-23 missiles and Croatia included passage of a new export control law as an objective in its plan to prepare for eventual NATO membership.) Of course, the prospect for many countries of joining the European Union also has been a potent stimulus.

WMD-focused efforts within the EAPC/PfP context have remained largely educational. At the more practical, operational level, conventional weapons, landmines and stockpiles of other hazardous military materiel have received much more attention in the EAPC/PfP context than WMD have. Through the PfP Trust Fund mechanism, NATO countries have funded significant projects. Political sensitivities are lower, lack of expertise in the target countries is not a major problem, and allied sensitivity regarding

sharing of delicate information is not a problem, as it can be when discussing proliferation matters.

At a certain point, it will be necessary to make more operational use of NATO's outreach mechanisms to promote nonproliferation objectives, moving beyond the "educational" phase. The 1994 Alliance Policy Framework on Proliferation of Weapons of Mass Destruction set out for the North Atlantic Cooperation Council and Partnership for Peace the "aim of fostering a common understanding of, and approach to the WMD proliferation problem."⁸ If that has not progressed significantly or sufficiently, a reflection on the reasons why is in order.

It is worth noting, for example, that many NATO partners, e.g. in the Caucasus and Central Asian regions, are lagging behind in implementing the Chemical Weapons Convention. Whether they declare themselves CW possessors or not, the states parties are required under the convention to enact legislation and regulations to implement the convention, and establish a national authority to ensure implementation. Exercising moral and political suasion to help close implementation gaps, and potentially helping mobilize resources to assist countries needing help, would seem to be within NATO's grasp, and would not engage sensitivities regarding sharing of classified information. It is the sort of step that could objectively strengthen the existing arms control and nonproliferation regime, while helping build the common understanding set out as an objective in 1994.

NATO's Senior Defence Group on Proliferation has worked recently to focus the EAPC/PfP countries on enhancing disease surveillance capabilities. While not politically sensitive, this is a sector with potentially important benefits in both the military and

⁸ Alliance Policy Framework on Proliferation of Weapons of Mass Destruction," North Atlantic Council ministerial, Istanbul, 9 June 1994, NATO press communiqué M-NAC-1(94)45, par. 11, available from <http://www.nato.int/docu/comm/49-95/c940609a.htm>.

civilian sectors. Civil emergency planning and scientific programs also have offered a fertile field, with an increasing WMD dimension, for cooperation with the EAPC partners (and the Mediterranean Dialogue countries). The benefits are obvious, even quantifiable in some cases, and the politics are relatively uncontroversial.

Addressing WMD issues in the Mediterranean Dialogue context has always been difficult. In any setting with all 7 Dialogue countries, the Arab countries focus on Israel's status as a nuclear weapon state outside the Non-Proliferation Treaty, making any real dialogue impossible. It is not clear that things have been much better in the Dialogue's bilateral dimension. It remains to be seen whether enhancements to the Mediterranean Dialogue, agreed at the Istanbul Summit, can improve dialogue/cooperation on WMD matters.

Habits of cooperation. There is no one "magic bullet" the responsible international community can use to slay the WMD proliferation beast. Rather than arguing, for example, over the relative virtues of military vs. diplomatic measures, we would be well advised to focus carefully, and with realistic expectations, on what a wide variety of measures can contribute. As a former U.S. official who devoted many years to arms control efforts would note:

Arms control by itself will never be -- and has never been -- the whole answer, but we would be ill-advised to neglect the modest contribution it can make. This seems an obvious point except perhaps in the artificial Hobbesian construct where some would take us. But, in the real world, the habits of cooperation still matter.⁹

This is an important observation, not only as it relates to the arms control and nonproliferation component of the fight against spread and use of WMD.

One thing that NATO historically has done very well, first among the allied countries themselves, and after the Cold War with its numerous new partners as well, is

⁹ Bohlen, "The Rise and Fall of Arms Control," 33.

to build habits of cooperation. The standardization and interoperability that NATO promotes have been essential to the success of a long series of operations involving alliance countries and partners.¹⁰ Habits of cooperation also do not have to be focused specifically on WMD to be beneficial if the concrete challenge that turns up in fact has a WMD dimension. Civil emergency planning (CEP) is an excellent example. Allies have made a special effort to incorporate attacks with chemical, biological or radiological weapons into the scenarios for recent major CEP exercises. But most of the management, leadership and coordination skills involved are by no means specific to responding to WMD threats. Conversely, an exercise devoted to flood relief can still develop skills that would be needed in responding in responding to a terrorist attack using WMD. This is especially true if one considers the potential use of chemical or biological materials not so much for destruction, but as "weapons of mass disruption," intended to strike societies as a whole, absorbing critical resources for long periods of time.¹¹

Broadly speaking, NATO has helped partner countries build skills in civil-military cooperation and has shared ideas and practical experience in planning and efficient intra-governmental and intergovernmental coordination. It has promoted a series of basic skills that will be broadly useful in addressing WMD-related challenges, among many others. It also has been able to press for specific institutional reforms or innovations that can help partner countries in combating proliferation. In sum, NATO

¹⁰ Joseph S. Nye, Jr., "U.S. Power and Strategy After Iraq," *Foreign Affairs* 82, no. 4 (July/August 2003): 68.

¹¹ See Jean Pascal Zanders, "Essay 5. Weapons of mass disruption?" in *SIPRI Yearbook 2003*, ed. Stockholm International Peace Research Institute (Oxford: Oxford University Press/SIPRI, 2003), 683-90.

has been a significant contributor to the emerging institutional software for dealing with new threats.¹²

Viewed from outside, however, some of NATO's WMD efforts can look rather bureaucratic. Very often, initiatives that require a great deal of effort within a given institutional context, and which make genuinely important contributions within that specific setting, do not look impressive when seen from outside. This is to some extent the case for NATO's WMD efforts. Anyone familiar with the organization's complex structure and how different projects must compete for the time and attention of staff can appreciate the importance of having a built-in internal lobby and coordination point for attention to an issue like WMD, which cuts across virtually all aspects of alliance activity. The WMD Centre has played, and continues to play, a crucial role in this respect. But the focus of its activity is primarily internal.

A broader international public, increasingly concerned about WMD threats and asking what NATO is doing about it, is unlikely to find much comfort in the answer that NATO has created an office to focus the organization's attention on it. Similarly, the establishment of "committees" such as the SGP and DGP, though absolutely necessary in the alliance context, is unlikely to capture the public's imagination or inspire confidence.

It is easy in many organizations to treat the "means of production" as a product in and of themselves. This may be particularly true of consensus-based bodies, where forging consensus is sometimes so challenging and time-consuming that successful completion of negotiations feels like a major success in and of itself. But establishing a tool always begs the question as to the concrete outcome of using the tool.

¹² The author wishes to thank Chris Wright, Royal Institute of International Affairs, London for his observations in this connection.

There are certainly concrete outcomes of NATO's enhanced attention to the WMD threat. Establishment of the Multinational CBRN Battalion is perhaps the outstanding recent example, and that experience offers useful guidance for future work. The establishment of a concrete new military capability, a civil emergency response capability, or a scientific program that adds to our knowledge for combating terrorism and WMD are examples of outward-looking actions that can register positively with the public. Diverging views regarding public diplomacy among the allied countries need to be weighed against the importance of ensuring that the concrete contributions of a security organization like NATO to addressing a top-priority threat be visible to an increasingly global civil society, in an increasingly interconnected world. At the same time, the message should not be that NATO can do it all.

Where is NATO's "added value" in addressing proliferation threats? The alliance has not visibly put the question to itself in quite this fashion. Inclusiveness, rather than selectiveness or prioritization, has been a hallmark of NATO's overall WMD agenda. This is no surprise in a consensus-based organization, one moreover that has prized from the outset both its political and military dimensions. But the program set out in 1994 in the Alliance Policy Framework on Proliferation of Weapons of Mass Destruction was extremely broad.

If one uses operational significance as a criterion for evaluation, it is clear that NATO has been able to do some things better than others. It is difficult to argue, for example, that NATO has made a genuinely major contribution to strengthening arms control, disarmament and nonproliferation norms and regimes relevant to WMD, though it has strengthened the interest in such norms for countries seeking membership or closer cooperation with the alliance. Should we have expected more, when there were objective constraints on NATO interaction and synergy with the treaty regimes?

Inclusion of broad arms control, disarmament, and nonproliferation objectives in NATO's WMD agenda may have been a political necessity in 1994, given concerns about balancing political and defense ("counterproliferation") dimensions in alliance policy. But inclusiveness runs the risk of assuming, or appearing to assume, responsibilities for which the alliance is not well-suited.

The actual record of the last ten years points to areas where NATO initiatives have made a concrete difference – notably on the defense side and in the civil emergency planning and scientific fields, and more generally in building habits of cooperation. Making progress in these areas is not always simple and could benefit from even more focused political-level attention. Especially if the alliance's future strategic priority lies in the broader Middle East region, where WMD, terrorism and other sources of instability intersect, a clear set of WMD-related priorities will be important.

Perhaps NATO's unique asset *among established organizations* is the capability to conduct and sustain multilateral military operations under conditions of significant nuclear, biological, or chemical weapons threat, and then follow up with the military dimensions of peace building in situations of considerable residual risk. The latter capability is important in reducing space for non-state actors as countries or regions emerge from crises. Fostering and preserving such unique capabilities is a worthy objective in and of itself. It does not require or imply *a priori* adoption of preventive war or preemption policies, which pose difficult political questions.

NATO's place within the international institutional architecture for addressing WMD threats is important. Indeed, this issue cannot really be separated from that of NATO's added value in the anti-proliferation effort generally. Writing in 1998, an officer from NATO's Political Affairs Division stated:

the question that should be posed is not "What is NATO's one single purpose in the post-Cold War era?"; rather, the question that goes to the heart of the matter

is "What is NATO's contribution to the emerging Euro-Atlantic security architecture?"¹³

In subsequent years, events have underlined even more starkly the significance of new threats like WMD proliferation and terrorism, which go beyond the Euro-Atlantic context. The question today in addressing proliferation-related threats should be phrased as "What is NATO's contribution to the global architecture for preventing, containing, and responding to the proliferation of weapons of mass destruction?"

NATO has accepted the principle of cooperation with other international groups in addressing new threats. But translating the principle into concrete practice is not simple. Dialogue with organizations such as the United Nations (including the Counter-Terrorism Committee) the European Union, the Organization for Security and Cooperation in Europe and the Organization for the Prohibition of Chemical Weapons on WMD-related matters is still in its early stages. The G8 has focused increasing attention on reducing proliferation threats, but its relationship with other interested organizations, including NATO, remains unclear. Organizational mandates and capabilities differ. In some cases, institutional rivalry is a significant factor. The NATO policy of not duplicating the capabilities of other organizations is sound, but quasi duplication of capabilities remains a risk, especially between NATO and the EU. Maximizing healthy complementarity requires a pro-active approach, and the search for complementarity implies efforts to define more clearly the added value that each international body can bring to anti-proliferation efforts,

Some have argued for creating and developing regional or sub-regional arms control structures, in the hope that proximity and greater mutual awareness of cultural strategic, and political factors could enhance cooperation and offer stability.¹⁴ Given,

¹³ Michael Rühle, "Taking another look at NATO's role in European security," *NATO Review* 46, no. 4 (Winter 1998). Web edition available from <http://www.nato.int/docu/review/1998/9804-06.htm>.

¹⁴ Byrne and Williams, *International Cooperation in Fighting Chemical and Biological Terrorism*, 15.

however, the demonstrated difficulty of resolving "architectural" issues in an already complex anti-proliferation environment, it seems best to treat such proposals carefully.

Developing NATO-EU cooperation in addressing proliferation threats is especially important – and especially challenging -- given inter alia the regrettable persistence of feelings that the two organizations are in competition. The EU certainly has leverage and capabilities, especially in economics and trade that NATO does not and cannot have, and plugs into law enforcement issues as well. Yet it is reductive to restrict NATO's contribution solely to "military-technical" aspects when it comes to addressing asymmetrical threats on European soil.¹⁵ NATO has established outreach and cooperation, for example, with far-flung, but strategically important countries in the Euro-Atlantic area where EU relations are limited, especially, but not exclusively, as they relate to security issues.

It is true that "formulation of a broad [Western] response to the challenges posed by transnational terrorism is beyond NATO's capabilities or its appropriate functions."¹⁶ The same can be said regarding the challenges of WMD proliferation. But it is still NATO that gives the United States a key position in the European security system, and moreover does so in a mechanism that is multilateral, and designed to develop habits of multilateral cooperation.¹⁷ U.S.-EU bilateral relations are significant, including on the anti-proliferation front, but are qualitatively different from what occurs in NATO. Neither can supplant the other.

The EU's 2003 strategy for addressing WMD proliferation is an important step forward, with significant long-term implications, provided it is fully implemented. It can

¹⁵ Alyson K. Bailes, "Euro-Atlantic Cooperation: Where Do We Go from Here? An Academic Overview," unpublished speaking notes, George C. Marshall Center, 15 September 2003, 5.

¹⁶ Anthony Forster and William Wallace, "What is NATO for?" *Survival* 43, no. 4 (Winter 2001-02): 118.

¹⁷ *Ibid.*, 118-19.

serve as a basis for broader international cooperation. Consultations with NATO could be a mechanism to broaden support for some of the initiatives foreseen in the EU nonproliferation action plan, such as using the challenge inspection provision of the Chemical Weapons Convention.

It is also worth noting that, for all the effort devoted to establishing ways for NATO to support European-led military operations, it seems inconceivable that a military intervention in a situation of significant WMD threat would be an EU operation. NATO is the only viable institutional option in such cases, although one cannot rule out new coalitions of the willing.

We are at a turning point in defining security challenges and how to deal with them. A year after the terrorist attacks of 11 September 2001, a noted French student of strategic issues commented that "the only thing ... systematic about the international system is its disorder." Terrorist networks with "no territory or nationality and no rule or objective other than mindless destruction" had demolished the principle of an international system composed primarily of states, with rules drawn up by those same states. At the same time, transatlantic relations were being pummeled by U.S.-European cultural cleavage and by a combination of a U.S. "obsession" with self-protection and a European impulse to promote good global governance.¹⁸

One need not share fully share this view to agree that the rules governing international security have come under enormous stress as a result of the new threats that globalization has facilitated. The "war" against trafficking in WMD bears some similarities to the "wars" on drugs, alien smuggling, trafficking in intellectual property, and money laundering. It challenges national governments to reconsider the institutions, legal frameworks, military doctrines, weapons systems and law enforcement techniques

¹⁸ Gnesotto, "Reacting to America," 104.

on which they have relied for years. Strengthening existing multilateral institutions is part of facing the challenge.¹⁹

While the Iraq war presented some new challenges to NATO and the rest of the international community, it also aggravated pre-existing tensions or divisions over how to deal with a globalizing, post-Cold War world. The debate regarding use of force in Iraq was similar in important respects to the debate four years earlier about military intervention in Kosovo. One can argue that both debates focused on "appropriate implementation of [the] fledgling collective security rules" of the post-Cold War era.²⁰ A more dire view is that the new collective security rules are not even fledglings yet.

Such rules need not be restricted to what is usually meant by "international law." The Cold War era was replete with rules that served admirably to deter or limit confrontation, but operated in the realm of policy, not of law. A reflection is certainly appropriate on whether the current international security context requires or perhaps is even creating new international laws, norms, or standards that relate to the use of force. Already in the aftermath of 11 September, there were many calls for a new international legal basis to address the terrorism threat and keep pace with changing historical and political contexts.²¹

Codification of updated rules on the use of force may well be premature, but interim steps could be useful. One former member of the U.S. National Security Council staff, for example, has suggested a "security dialogue" involving the U.S. and other countries, aimed at giving "greater analytical and political clarity to the concept of

¹⁹ Moisés Naím, "The Five Wars of Globalization," *Foreign Policy* (January/February 2003): 30-36.

²⁰ Brian Frederking, "Constructing Post-Cold War Collective Security," *American Political Science Review* 97, no. 3 (August 2003): 363.

²¹ See for example Ulrich Beck, "The Silence of Words: On Terror and War," *Security Dialogue* 34, no. 3 (2003): 266-67. The October 2002 discussion at the Royal Institute of International Affairs (London), *Living with the Megapower*, also underlined that "international law had not yet taken on board the implications of violent non-state actors."

imminence" (as in "imminent threat"). The concept of imminence underlies the legitimacy of preemptive action.²²

Addressing proliferation threats in a context of changing rules is tricky. A former U.S. official argues that, despite intelligence failures in Iraq, "standard critiques of the non-proliferation regime remain valid." If Saddam Hussein put his WMD into dormancy and kept it there, it was due to extraordinary pressure from the international community from the 1991 Gulf War on, not to the normal operations of the nonproliferation regimes.

The conclusion is that the non-proliferation regime needs teeth and the teeth need legitimacy. What is needed is a mechanism that would apply a higher level of pressure to states of concern and thus establish a bias in international law towards action against flagrant proliferators.²³

Others similarly stress that international nonproliferation norms are necessary, but ultimately rely for effectiveness on the political will of the international community to take action when there are violations.²⁴

Another factor complicating action is the conflation of threats. Potential terrorist use of WMD receives special prominence, although there are good reasons to look at terrorism and WMD separately, and the means for addressing them do not entirely overlap. Despite efforts to spotlight the specificities of the biological weapon threat, and the existence of a specific NATO mechanism focused on nuclear policy, the tendency to lump together disparate chemical, biological, nuclear, and radiological threats under the WMD rubric remains very much a feature of NATO policy statements, as of international discourse more broadly. It is important not to lose track of the specific challenges that different types of weapons present, in terms of prevention, deterrence and response.

²² Litwak, "The New Calculus of Pre-emption," 73.

²³ Michael Friend, *After Non-Detection, What? What Iraq's Unfound WMD Mean for the Future of Non-Proliferation*, UNIDIR/2003/38 (Geneva: UNIDIR - United Nations Institute for Disarmament Research, 2003), 9, 16.

²⁴ Bohlen, "Rise and Fall of Arms Control," 32.

The international situation is more complex in 2004 than it was a decade earlier, when NATO began to grapple seriously and visibly with one of the "emerging" threats: WMD proliferation. The terrorism threat has emerged even more dramatically in the intervening period. These challenges will not soon disappear, despite intensive efforts and some successes. Even without looking to an updated version of the Thirty Years Year and the consequent birth of the Westphalian international order, it is not unreasonable to argue that "it will probably take decades to tease out the rules governing the respective roles of state and non-state actors."²⁵

NATO must share in writing the international community's software for dealing with new threats. As one commentator put it, "in an era of great geopolitical uncertainty and disagreement, there has never been a greater need for a transatlantic talking shop."²⁶ The June 1994 Alliance Policy Framework on Proliferation of Weapons of Mass Destruction already underlined NATO's role as "a transatlantic forum for Allied consultation on any issues that affect ... vital interests ... and for appropriate coordination of ... efforts in fields of common concern."²⁷

But that function is more challenging in 2004 than it was ten years earlier. The alliance is larger and more diverse. In 1994 it had not yet taken decisive action in the Balkans, much less in far-flung places like Afghanistan. Threats from non-state actors had a much less distinct profile. In the aftermath of 11 September 2001, it was not unfair to claim that "NATO needed to decide urgently what it wanted to be."²⁸ The coalition

²⁵ François Heisbourg, "How the West Could Be Won," in "One Year After: A Grand Strategy for the West?" *Survival* 44, no. 4 (Winter 2002-03): 153.

²⁶ Tom Donnelly, "Rethinking NATO," *NATO Review* (Summer 2003), available from <http://www.nato.int/docu/review/2003/issue2/english/art2.html>. Note that Donnelly was a resident fellow at the American Enterprise Institute in Washington, a center of "neo-conservative" thinking, when he wrote these words.

²⁷ Par. 7. See note 8 for full reference.

²⁸ Royal Institute of International Affairs, *Living with the Megapower*, par. 20.

intervention in Iraq and the March 2004 terrorist bombings in Madrid have caused further reflection on what new risks mean for the future of the alliance.

A leading scholar of NATO affairs has argued forcefully that the alliance needs more "wide-ranging and thorough debate about strategy, including strategic concepts and their practical requirements and political implications." It should tackle the sorts of issues regarding collective security rules indicated above, including grounds for preemptive or preventive use of force, what constitutes an "imminent" threat, and what the consequences could be for international law and the United Nations, as well as assessing which are the most dangerous threats to allied security. At the same time, the author wisely underlines that, even if there emerges a better collective understanding of such issues, decisions on use of force ultimately will be made on a case-by-case basis.²⁹

It is hard to argue with any of this. Given however the number of international bodies that are wrestling with aspects of security, it is also clear that NATO itself cannot make new rules, and cannot consider such issues in isolation. The outcome of the reflection on use of force inaugurated by UN Secretary General Annan in September 2003 may provide useful material for NATO and other organizations, such as the European Union, to consider.

The United States has an interest in avoiding a perception that its efforts to address new threats are unilateral or biased.³⁰ Observers of the U.S.-European relationship, however, have lamented

the lack of any systematic and close dialogue on ... strategic issues comparable to what was created during the Cold War to deal with the Soviet Union. Rather than being expanded to include ... new issues, consultations across the Atlantic actually have been cut back.³¹

²⁹ Yost, "Debating security strategies."

³⁰ Joseph S. Nye, Jr., "The American national interest and global public goods," *International Affairs* 78, no. 2 (2002): 242.

³¹ Asmus, "Rebuilding the Atlantic Alliance," 30.

Some argue that limited U.S. advance consultation and diplomatic preparation, especially with important NATO member countries that ended up opposing the intervention in Iraq, contributed to the political divisions of 2003.

Enhanced NATO deliberation on new risks and how to address them could form part of a broader-ranging discussion on the future of the alliance. Looking to history for inspiration, some have argued that NATO needs a new Harmel Report, “to bring together different impulses in an overarching framework.”³² (It was the Harmel Report of 1967, in the difficult period following France’s withdrawal from NATO’s integrated military structure, that ushered in a grand strategy combining elements of offense and defense.) A high-level political effort, conducted outside NATO’s usual consensus-focused committee structure, has many attractions. Wariness about seeking to develop a new Strategic Concept seems fully justified. That would put the issue into the standard NATO policy mechanisms, and risk raising the political costs in time, effort, and acrimony relative to the benefits of the final result.

Examples of questions that could help frame an alliance agenda for more political and less bureaucratic discussion of WMD might include:

- Where is NATO’s true added value when it comes to addressing the threats stemming from proliferation of WMD and their means of delivery?
- Have our efforts to balance the political and defense dimensions of dealing with WMD contributed to the alliance’s effectiveness, or distracted us from areas where NATO truly can make a difference?
- Would a shorter and more focused alliance WMD agenda make sense?
- Is our view of WMD and terrorism as today’s major threats too generic? Is the conflation of WMD and terrorism and of different types of WMD threats a hindrance to action?
- Have our approaches to concepts such as preemption and preventive action been too emotional or theological, obscuring practical realities?

³² Ibid., 26.

- Have events since the end of the Cold War, including the salience of new threats, created new, de facto norms about the use of force that update, in a sense, the norms of the UN Charter?

Another subject that requires further reflection is the changing nature of deterrence, at a time when failed states, states outside the “international community,” and non-state actors are the main sources of instability and threats. The use of unconventional, “asymmetrical” weapons and tactics is an increasing source of concern. One can make good arguments for retaining NATO’s now very small sub-strategic nuclear capability. Concerns about further de-coupling of European and North American security, and about the wisdom of eliminating the capability when the Russian Federation remains resolutely attached to its large stockpiles of tactical nuclear weapons, are certainly justified. Strong U.S. insistence on retaining a nuclear option, as a deterrent to use of WMD, including chemical and biological weapons, also influences NATO policy.³³

But how much of a concrete military contribution do NATO nuclear gravity bombs and dual-capable aircraft really make to deterring the threats that concern us most today? The reductions in NATO sub-strategic nuclear capabilities since the end of the Cold War have been nothing less than dramatic, but have represented *quantitative* changes. If *qualitative* change in NATO nuclear policy is not the subject of serious reflection, it should be. Also, while for obvious reasons discussions on such matters have been classified, the issue of contemporary deterrence is one that needs to be addressed with the broader public in mind.³⁴

³³ Doubts abound as to the utility, feasibility or wisdom of responding to CBW attacks with nuclear weapons, and the debate is lively. See for example Scott D. Sagan, “The Commitment Trap: Why the United States Should Not Use Nuclear Threats to Deter Biological and Chemical Weapons Attacks,” *International Security* 24, no. 4 (Spring 2000): 28-115 and Susan B. Martin and Scott D. Sagan, “Correspondence: Responding to Chemical and Biological Threats,” *International Security* 25, no. 4 (Spring 2001): 193-8.

³⁴ Karl-Heinz Kamp. “NATO’s Nuclear Future: A Rationale for NATO’s Deterrence Capabilities,” 149, in *NATO and European Security: Alliance Politics from the End of the Cold War to the Age of Terrorism*, ed. Alexander Moens, Lenard J. Cohen, and Allen G. Sens, 135-51. (Westport CT and London: Praeger,

A revised NATO WMD agenda? The June 1994 Alliance Policy Framework on Proliferation of Weapons of Mass Destruction (APF) has survived for a decade as NATO's fundamental document on WMD policy. On the whole, subsequent WMD initiatives have added specific new concrete elements to the implementation of established policy. There has been significant innovation, but no paradigm busting. With caveats, it is possible to say that existing policy has served the alliance well. There is no need to throw it out and replace it entirely with some new policy construct.

At the same time, the history of NATO WMD efforts over the past ten years, including events that have raised and changed the profile of new risks, indicates the need for continuing alliance adaptation. Further, even stronger efforts to integrate WMD-related scenarios and concepts into alliance planning, training and exercises are essential, as is political will in many capitals to focus additional human and material resources on this area.

The absence of a specific Istanbul Summit initiative on WMD is not a cause for particular concern. Enhanced attention to WMD risks figured appropriately as part of an initiative focused on combating terrorism. Establishing a new set of WMD-related objectives was not necessary, perhaps not even desirable, in light of the need for continued efforts along some already established lines.

A major issue for Istanbul was the future geographical focus of NATO's action. The implications of the strengthened Mediterranean Dialogue and the Istanbul Cooperation Initiative for NATO's ability to address new threats will emerge over time. Increased attention to the "broader Middle East region" or the "Greater Middle East," whatever one chooses to call it, presumably will bring increased attention to WMD

2003)), underlines the change in the rationale for nuclear weapons in the last few years, and the fact that "the nuclear rationale is not self-explanatory." This necessitates reflection on the public diplomacy dimension of nuclear deterrence.

issues, given the intersection of new risks and underlying social, economic, and political factors in that region.

There is no need to haggle over explicitly defining a “global” role for NATO. The benefits would not justify the political costs. Requirements and facts on the ground will shape the alliance’s actions. This is not a process with a visible end. Upon reflection, the formulation “regional alliance, global threat” seems too stark, and does not convey the reality that the boundaries between the regional and the global, though still significant, are increasingly unclear. For NATO and other elements of the international community, that fact will continue to complicate efforts to address the new risks of our time.

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