NATO and Transnational Terrorism

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Abstract

For a long time, NATO paid no attention to the phenomenon of terrorism. The attacks on September 11, 2001 spurred the Alliance to speedily adopt a number of remedial measures. Due to its restricted membership, legal limitations, institutional features, mode of decision-making and almost exclusively military capabilities, NATO is not well-suited to effectively counter the threat of transnational terrorism. The Alliance's contribution may however be increased through internal improvements, enhanced consensus among allies and closer cooperation with other international organisations and regional bodies including UN, EU and OSCE. The nature of terrorism demands a global coalition, radically different designs for security structures and the use of predominantly non-military instruments. The global "war on terrorism" has not been won and its intermediary results look inconclusive at best. The Alliance cannot play a central role but could constructively contribute to this endeavor.

Introduction

Terrorism and related forms of violence have been known for centuries before the term la térreur (terror) was coined to describe one of the most notorious features of the Great French Revolution. It took however almost 180 years before the world community started dealing collectively with one of its varieties, namely transnational terrorism. The world community was prompted then by a number of spectacular terrorist acts perpetrated in the late 1960s and 1970s and mostly related to the Arab-Israeli conflict over Palestine, and to the outbursts of leftist revolutionary activities in Latin America, Japan, Germany and Italy.

Among prominent international organisations the Organisation of United Nations (UN) and its specialised agency the International Civil Aviation Organisation (ICAO) were the first to react. The UN has thus the longest record in

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treating transnational terrorism, followed chronologically by the Council of Europe (CoE)[1] and by Organisation for Security and Cooperation (OSCE). The most important results of these activities have been 19 international conventions and a score of other documents covering various legal and political aspects of the struggle against terrorism. A conference of interior ministers from 46 countries - members of the Council of Europe - called in March 2005 for the adoption of three additional conventions.

However there is still no single consolidated international anti-terrorism convention. One of the main reasons for this void and the major obstacle to overcoming it is the lack of agreement on a commonly acceptable definition of terrorism. The most recent report of the High-level panel on UN reform contains the following definition: "Terrorism is any action, in addition to actions already specified by the existing conventions on aspects of terrorism, the Geneva Conventions and Security Council resolution 1566 (2004), that is intended to cause death or serious bodily harm to civilians or non-combatants, when the purpose of such an act, by its nature or context, is to intimidate a population, or to compel a Government or an international organisation to do or to abstain from doing any act".[2] An official US document, on the other hand, defined terrorism as "premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience. " For the purpose of this paper transnational terrorism is defined as terrorism involving citizens and/or the territory of more than one country.[3]

The endeavours to combat collectively the scourge of transnational terrorism picked up greatly following the terrorist attacks on September 11, 2001 in USA. The unusually strong political impact of these acts elicited almost immediate responses from all major international organisations. On September 12, 2001, the UN Security Council called on all states to redouble their efforts in order to prevent and suppress terrorist acts and authorised punitive financial measures against organisations connected with terrorism. This call was soon followed by similar declarations issued by the Organisation of American States (OAS), by the European Union and by Australia as party to the ANZUS Treaty. The OSCE soon came out with an Action Plan on Combating Terrorism which was officially adopted at its 2001 summit in Bucharest. This Action Plan was followed by several other documents, including the OSCE Secretariat's "Road Map on Terrorism". The

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[1]The fight against terrorism. Council of Europe standards, Council of Europe Publishing, Strasbourg: December 2003, pp. 3-187.

[2]A More Secure World: Our Shared Responsibility, UN General Assembly, A/59/565, December 2, 2004, p. 49.

[3]Patterns of Global Terrorism 2002, Washington, US State Department, April 2003. This definition is debatable on a number of accounts, i.a., because it excludes state or state-sponsored terrorism and combatant targets of attacks.

latter stressed as principal tools, social prevention, good governance, suppression of money laundering and of financing terrorism. In December 2001 OSCE established its "Action against Terrorism Unit" (ATU) and in 2002 appointed a Representative for Preventing and Combating Terrorism.[4] In March 2005, at an international conference in Madrid, UN Secretary General Kofi Annan proposed a global strategy to fight terrorism which put particular stress on its social and political prevention.[5]

Our attention in this paper will however be centred on NATO. Having served for 56 years as the primary vehicle for transatlantic cooperation in defence and defence-related matters, the Alliance became an instrument for collective anti-terrorist activities less than four years ago. Although a late-comer, NATO has been the only international organisation so far to apply military power to this end. By mid - 2004 the number of NATO member states specifically targeted by transnational terrorists since 2001 rose to three (USA, Turkey, Spain). These attacks confirmed the gravity of the problem.

1. The historical background of NATO's attitude towards terrorism

The relationship between the North Atlantic Treaty Organisation and terrorism cannot be described as simple and straightforward. Since it was founded, NATO had for a very long time paid no collective attention to the phenomenon of terrorism, including its transnational variety.

Yet this phenomenon has been present in the North Atlantic Treaty area from before 1949 and has continued to exist subsequently. Since the end of the Second World War, terrorism has been mostly related to, and appeared in conjunction with, nationalism in its various forms such as separatism, secessionism, endeavors for national, cultural and/or religious emancipation and anti-colonialism. Although the grievances of most terrorists were national/regional and thus limited in geographic scope many terrorist operations were conducted across state borders and were in this sense transnational. During the period between 1949 and 2001 the total number of deaths in the North Atlantic Treaty area caused by armed violence with recognisable elements of terrorism was in several tens of thousands, many times more than the number of victims in the USA on September 11, 2001. The tally included the victims of violence in France (in the metropoly and particularly in the

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[4]Alexander Lambert, The Contribution of the OSCE to International Fight against Terrorism, in Daniel Warner and Victor – Yves Ghebali, New Security Threats and Challenges within the OSCE Region, PSIO Occasional Paper 1/2003, Geneva: 2003, pp. 111-124.
[5]UN Secretary-General Offers Global Strategy for Fighting Terrorism. Press Release SG/SM/9757, March 10, 2005. http://www.un-org/News/Press/docs/2005/sgsm9757.doc.htm (March 18, 2005).

Algerian departments up to 1962 as well as in Corsica), in Turkey (related to the Kurdish and Armenian questions), in the UK (in and related to Ulster), in Spain (related mostly to Basque separatism), in Germany, Italy and Greece (mostly of leftist revolutionary and anti-Anglo-Saxon varieties) etc.

However prior to September 11, 2001 NATO had not reacted militarily, and most often not at all, when terrorist attacks with considerable consequences occurred on the territory of these states or when military and civilian personnel of NATO member states, including peace-keepers, civilian citizens, tourists, diplomats etc. were taken hostage, became targets of terrorist attacks and were killed outside the North Atlantic Treaty area (in the Near East, Africa and the Balkans). Only Turkey, on a number of occasions, raised in the North Atlantic Council the question of transnational terrorism in conjunction with outside interference (from Iraq). Let me mention the historical circumstances in which the Alliance was born and has developed and which largely explain NATO's attitude towards terrorism:

1. NATO's creation came about because of the fears of possible massive military threats to its members.[6] The geopolitical situation in Europe in late 1940s strongly influenced this understanding from which stemmed the formulation of the key Articles 5 and 6 of the North Atlantic Treaty. It was assumed that massive threats could be posed exclusively by the armed forces of hostile states. This supposition excluded other hostile actions (e. g. sabotage, terrorist acts etc.) below the level of a massive military attack. It was furthermore assumed that such a massive attack would be launched from outside the NATO treaty area, across state borders from the territory of an identifiable state(s). The attacker would be thus clearly marked and could not claim a non-state identity. The practice of using fake quaisi-civilian volunteers as proxies was known then but deemed improbable on a massive scale, at least, in Europe. Terrorist actions as casus belli were discounted, probably because their destructive potency was regarded as incomparable to a massive armed attack by regular military forces, particularly if WMD were to be employed.

2. The governments of influential member states have for decades displayed ambivalent attitudes toward terrorism. These attitudes and corresponding policies spanned from tolerating domestic anti-communist, racist and religious extremists who regularly or occasionally used terror (e. g. White supremacists and Christian fundamentalist sects in USA); silently condoning state or state-sponsored

[6]Alexander Rendel, Secret explorations, in André de Staercke et al, NATO's Anxious Birth: The Prophetic Vision of the 1940s. London: C. Hurst & Company, 1985, pp. 11–18.

rightist terror in other member states (during the periods of dictatorships in Portugal, Greece and Turkey) and in states friendly to the West (in Latin America, Africa, Near East and Asia) - all the way to authorising their own security services to occasionally employ methods not dissimilar from terrorist acts (e. g. France blowing up a "Greenpeace" vessel in New Zealand, illegal arrests, kidnappings, assassinations etc.). Moreover, some governments are said to have secretly provided funds, logistical support, facilitated arming and probably allowed transfers of potent arms to organisations and movements which were struggling against leftist regimes in Latin America, Africa and Asia even though these movements carried out assassinations and bombing. One of the most notorious recipients of such Western assistance was Osama bin Laden and his group of Islamic zealots in Afghanistan.

3. Logically, following on from its original strategic mission and posture, NATO's institutional structure, mode of decision-making, nature and distribution of capabilities etc. have not been geared from the outset nor adapted in the following decades to effective protection against, let alone to prevent or combat terrorism. This applies to domestic and transnational terrorism both within and outside the NATO treaty area.

2. NATO's posture after the end of the "Cold War" and the sudden turnabout in September 2001

The end of the Cold War created the need to reform and partly reorient NATO. Its strategic posture had to be adjusted to the increased volatility in the international security environment. The demise of NATO's former chief adversary was accompanied by new challenges on the world security scene. The end of the East-West military confrontation has unfortunately even contributed to the proliferation of local wars and of dispersed low-scale armed violence. Moreover some aspects of globalisation, such as the greatly increased movements of persons, information and funds, have opened new possibilities to transnational terrorists. While the credible danger of a global nuclear disaster has apparently faded away, the creeping spread of technologies allowing the relatively cheap production of weapons of mass destruction (WMD) has not made the world a safer place. If armed with WMD, even very weak adversaries in conventional military terms could pose a serious threat to the mightiest military power on the globe - the USA. The tectonic geopolitical shift around 1990-91 called for reducing the scope of military preparations for a major war and increasing the Alliance's political and other non-military activities, as well as for developing its role as a regional security organisation in the wider Euro-Atlantic area. Transnational terrorism had however

continued to be absent from NATO's documents and decisions as an important threat to be dealt with by the Alliance collectively. This attitude contrasted with the attention paid to this growing international phenomenon since 1970s by several other international organisations mentioned above.

In 1995 Secretary General Willy Claes was the first among high NATO officials to publicly mention "Islamic terrorism" as a major threat to the West and the Alliance. He however very soon retracted this statement following a diplomatic scandal which erupted then in relations with Arab countries.

In April 1999 the NATO Strategic Concept (adopted at the Washington Summit) mentioned terrorism for the first time but omitted the struggle against terrorism from the list of the Alliance's major tasks.[7] The phenomenon of terrorism was placed then in the subchapter dealing with current security challenges and was classified as secondary risk together with sabotage, organised crime, uncontrolled movements of large numbers of people etc. In preceding and more important paragraphs the Strategic Concept treated the proliferation of NBC weapons, the vulnerability of information systems. In these two contexts it mentioned also non-state adversaries but did not link these phenomena to terrorism.

Why had NATO been so slow in recognising a major international security threat to its members and so late in undertaking a collective anti-terrorist action? The main reason seemed to be in the general understanding, according to which Article 5 was applicable only if a massive military attack occurred from outside the North Atlantic Treaty area. Consequently terrorism and anti-terrorist activities had been considered as internal matters and not subjects for discussion in the North Atlantic Council, let alone as matters warranting collective punitive actions. Furthermore the governments of some influential NATO member-states, with the notable exception of Turkey, did not wish to raise, and even actively resisted raising these matters in international fora. Thirdly, non-state terrorism which since 1949 has caused the largest number of victims in NATO member states has often been closely associated with movements struggling for, or at least, claiming to struggle for, such lofty goals as freedom, justice, national liberation from colonial rule, social emancipation, democracy and human rights. Suppressing these movements by force has in many cases provoked strong leftist and liberal criticism and protest, as well as loud opposition both internally and internationally. Fourthly, public attitudes toward these movements have varied greatly in NATO member states, with double and even triple standards applied to various brands of

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[7]The Reader's Guide to the NATO Summit in Washington., NATO Office of Information and Press, Brussels 1999, pp. 50–51.

domestic and foreign terrorism. Fifthly, these differences and the understanding of terrorism as a matter falling outside NATO's purview had diminished the level of anti-terrorist cooperation and, if at all, channeled it outside the alliance. It had been asserted that some political organisations and illegal armed groups had for decades collected contributions, used hideouts, even trained and equiped small groups of terrorists on the territory of another NATO member state. There have been allegations on this score related to the IRA, ETA and PKK activities in the USA, France, Germany and Greece. The end result of these factors has been the prevailing position according to which terrorism has sat outside the purview of NATO as a collective defence organisation.

As a consequence of these attitudes and self-imposed limitations, the terrorist attacks on September 11, 2001 caught NATO unprepared. On September 12, 2001 in an unprecedented move, the North Atlantic Council (NAC) - the highest body of the Alliance, invoked Article 5 of the North Atlantic Treaty. For NATO the invocation was the first act of this kind in its entire history. However, contrary to its original purpose, the invocation called for the defence of the continental United States of America and not of its European allies. It was unusual also because the invocation of Article 5 was prompted by attacks perpetrated within the territory of a member state by a small group of civilians and not by a massive military invasion across state borders from outside the North Atlantic Treaty area. The uniqueness of the event was strengthened by the fact that the invocation was not followed by a NATO military counterattack against the attackers. Moreover for the first time in the NATO institutional history the "war on terrorism"[8] was proclaimed to be a major mission for the alliance. The Alliance showed its vitality by speedily correcting its strategic posture and adapting to the perceived potent threat to its members. NATO has since developed an additional capability and partly adjusted its internal structure and relations with other actors to deal with the new challenges. The degree of this adaptation has not however measured up to the gravity of the challenge.

The sudden change in NATO's strategic posture in September 2001 was largely due to the unusually strong psychological and political impact of three unprecedented, brutal and visibly spectacular attacks, which caused the horrible and instantaneous death of several thousand innocent civilian victims. Secondly, the attacks dealt a very painful blow to the pride of the only remaining global superpower whose state territory had not been attacked since 1812. The shift in NATO's policies could thus be largely explained by the uniqueness of the event. Its

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[8]"The war on terrorism" has become a widely used but still partly controversial metaphoric expression describing various activities aimed at suppressing and eradicating the phenomenon of terrorism.

psychological impact was greatly magnified by television and by the very special and contradictory position of the USA as the strongest member of the alliance and at the same time, a powerless victim. In unanimously supporting the unprecedented decisions by the North Atlantic Council on September 12, 2001 the other members of the alliance were motivated by the common feeling of deep compassion with the victims (numerous among them were their citizens) and by solidarity with the USA. It was an extraordinary occasion, when the allies were asked for, and this time could offer, assistance and help to the USA.

The dramatic events and the ensuing reaction however raised the question of a sound and legally correct interpretation of Articles 5 and 6 of the North Atlantic Treaty under contemporary circumstances, taking into account their original meaning and the underlying assumptions prevailing in 1948-1949. Namely, the September 11 acts could not be properly called an "armed attack" in a conventional meaning of the words since the attackers did not use firearms, let alone heavy fire arms. These acts were not massive attacks, as the terrorists operated in small groups totalling only about two dozen persons, most of them, or all having perished together with the victims. Moreover the attacks were launched from within US metropolitan territory and were not clearly and incontrovertibly linked to any single foreign state or a group of states. These circumstances explain to a large extent the hesitation of the US government to demand an invocation of Article 5 and the reason why the invocation was not followed by a NATO military counterattack against the perpetrators.

3. NATO's anti-terrorism activities since September 11, 2001 and their impact on the Alliance itself

The terrorist attacks spurred NATO to speedily adopt a number of measures aimed at countering more effectively the new threats to security in the Euroatlantic area. Most notably, anti-terrorism activities were added to numerous already developed functions of the Alliance. A new military concept for the defence against terrorism and the Prague Capabilities Commitments (PCC) were adopted.[9] On the military side these activities included: sending NATO's AWACs to patrol US skies; deploying groups of naval vessels in the Eastern Mediterranean and in the Gibraltar Straits, with the task of escorting civilian ships, monitoring, stopping and searching suspect vessels on the high seas; training senior officers of the Iraqi security forces; assuring external security at the Olympic games in Athens, of a mass event in Portugal, etc. Preventive security measures at the NATO Headquarters and at other NATO installations were stepped up and sharpened. Cooperation between security

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[9]The Prague Summit and NATO's Transformation. NATO Public Diplomacy Division, Brussel: 2003, pp. 29-32.

services of member states has been enhanced and the special Terrorist Threat Intelligence Unit was set up. The member states' security cooperation with the PfP countries has been also strengthened in accordance with the "Partnership Action Plan against Terrorism". It was related i.a. to anti-terrorism activities in Afghanistan and in the Near East and applied notably to cooperation with the Russian Federation. Two ships of the Russian Navy joined the NATO operation "Active Endeavour" in the Eastern Mediterranean.

The most important organisational change in the NATO military structure specifically geared to fighting terrorism was the creation of the NATO Response Force (NRF) in 2003.[10] By late 2004 this formation reached the operational level of about 9.000 personnel. NRF', size, posture, mode of operation, rules of engagement etc. are however still in the process of evolution. After considerable internal debates, NATO has assumed the responsibility for the International Security and Assistance Force (ISAF) in Afganistan. This was NATO's first military operation outside Europe. ISAF has provided the backbone of security protection in the capital city of Kabul, which has been threatened by Islamic terrorists. The missions of NATO's "out-of-area" forces in the Balkans have also been partly related to the struggle against terrorism. The Stabilisation Force (SFOR) in Bosnia and Herzegovina, had continued operating until December 2004 and was then largely replaced by a more constabulary EU force. NATO has however retained its residual presence in Bosnia and Herzegovina and, if need be, the capability to intervene in force from a distance. The latter capability has also been geared to the potential need to combat transnational terrorism.

The terrorist attacks have had a considerable impact on the Alliance itself. They almost instantaneously brought NATO members together in a moving display of transatlantic solidarity. The undeclared war in Afghanistan which soon followed was justified by the USA as a military response to transnational terrorism. Fourteen NATO member states, notably France and the UK, together with a score of non-members joined the USA in military operations against the Taliban regime and subsequently in efforts to provide security in that country and to stabilise the new regime. However, the military forces of individual NATO members operated in Afghanistan for almost two years outside the Alliance framework. This fact indicated NATO's diminished relevance in the eyes of the Bush administration and certain internal disharmony within the Alliance. The other, also undeclared, but much more controversial war, in Iraq, was at the outset declared to be a military action to stop WMD proliferation and to wage the "war on terrorism". This very tenuous and, as it turned out, unsubstantiated public justification for the US-led

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[10]Ibid, pp. 27-28.

invasion deepened disagreements among the allies, particularly between the USA, France and Germany. In fact, the Iraq war has complicated the process of gaining and maintaining broad European and international support for counterterrorism actions.[11]

4. The European Union and the struggle against terrorism

Although the members of the European Communities had been active in promoting anti-terrorism activities in other international organisations, such as the UN and the Council of Europe, the institutional predecessors of today's European Union have been as late as NATO in taking corresponding collective action. The outrage caused by the September 11 attacks moved the Council of the European Union to call for the broadest global coalition against terrorism under UN aegis. On September 21, 2001 the Council adopted a series of measures to combat terrorism by non-military means. Although these were unprecedented public steps, they had a largely concealed background. Since 1975 the members of the European Communities have in fact maintained low-profile confidential cooperation between ministries concerned with fighting terrorism, radicalism, extremism and international violence (Group TREVI). However since September 2001 the European Union has greatly strengthened its anti-terrorism activities and adopted the EU Action Plan on Terrorism. Probably the most potent were the measures to cut off the financing of suspected terrorists and of organisations supporting them through registered banks. The Union also expanded the anti-terrorism role of Europol and of Eurojust. In a landmark decision, the Council of the European Union introduced a European arrest warrant. It also enhanced intelligence cooperation among member states through the EU "third pillar" and in March 2004 appointed an EU Counter-Terrorism Coordinator. These actions have been linked to the anti-proliferation policies for weapons of mass destruction (WMD) to the programmes of economic and technical assistance conducted within the "first pillar" by the European Commission.

In December 2003 the EU Council adopted a new strategic document entitled "A Secure Europe in a Better World. European Security Strategy". It was prepared in the Office of and presented to the Council by the EU High Representative for Common Foreign and Security Policy, Javier Solana, former NATO Secretary General. As 19 members of the Alliance are simultaneously also EU members it is not surprising that the "Solana paper" expressed an assessment of terrorism and proposed a strategy very similar to that adopted by NATO. This EU

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[11]Richard A. Clarke and Barry R. McCaffrey, NATO's Role in Confronting International Terrorism, US Atlantic Council Policy Paper, Washington: June 2004, p. viii.

document envisioned i.a., a wide variety of anti- terrorism activities, including military ones, in cooperation with NATO, on the basis of the Berlin-plus arrangements. In addition the EU adopted a joint statement with the USA on combating terrorism and on June 23, 2003 signed two landmark agreements on mutual legal assistance and on extradition.

The "European Security Strategy", so far the only official document of this kind, spelled out as "key threats" to the EU members the following phenomena:

• Terrorism;
• Proliferation of weapons of mass destruction (particularly of biological, chemical and radiological weapons in conjunction with the spread of missile technology);
• Regional conflicts and failed states (citing in both categories distant Asian and African countries);
• Organised crime.[12]

It follows clearly from this document that the importance of conventional military threats and of conventional military instruments to deal with them has drastically diminished in the last decade. The proposed rank-ordering of threats could however be questioned on conceptual and empirical grounds. The latter remark applies notably to placing terrorism at the top of the list. More importantly the proposed rank-ordering has been very poorly related or unrelated to the actual priorities in security and defence policies of the EU member states as reflected, i.a., in their budgetary allocations and the use of human resources. Moreover there is no indication that this gap is likely to be reduced in the foreseeable future.

5. International community in the search for effective strategy and tools in the struggle against terrorism

Although many actors - individual states, groups of states and international organisations - have been actively engaged in combating terrorism, the global "war on terrorism" has not been won and its intermediary results look inconclusive at best. Several hundred alleged operatives and other adherents of Al-Qaeda have been reportedly killed, detained or imprisoned. It is not known however how many new activists have entered the ranks of terrorists and have been trained and equipped world-wide. Their total number in the Near East, Middle East, South and South East Asia, North Africa and in the Russian Federation has proba-

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[12] A Secure Europe in a Better World. European Security Strategy, EU Institute for Security Studies, Paris: December 2003, pp. 6-9.

bly increased, as has the frequency and volume of terrorist attacks world-wide since September 2001. The much publicised capture of Sadam Husein had no effect on the ferocity of terrorist acts in his country. And Osama bin-Laden is still at large and openly threatens the USA and her allies.

The difficulties of and the requirements for effectively fighting transnational terrorism can be gauged from what is known or alleged about the structure and the mode of operation of Al-Qaeda, one of the eighty-two groups officially listed by the US State Department as foreign terrorist organisations:

• the structure of clandestine transnational and loosely connected networks, with concealed, possibly alternate headquarters and anonymous leadership, which uses a wide variety of means of communication – from very crude to highly sophisticated;
• a secret network of highly motivated members, ready to sacrifice their lives, supported in many countries by thousands of sympathisers and providers of funds, shelter, legal cover, food, medical and technical assistance etc. Most sympathisers live in or originated from states where the majority of the population professes to be Islamic. However cells of devoted members and supporters have also been uncovered in several EU and NATO member states;
• the use of surprise, high mobility and the unconventional combination of destructive means in attacks against high-value, symbolic and mostly civilian targets;
• very uneven distribution of targets and wide geographic spread of violent acts with most numerous and destructive attacks since September 2001 having taken place in countries and regions with significant Moslem population (in the Near East, North Africa, Middle East, South and South-Eastern Asia and Russian Federation);
• the exploitation of the mass media, particularly of television, to magnify the psychological and political impact of terrorist acts.

Taking into account the characteristics of the most notorious international terrorist organisation - Al-Qaeda - it is obvious that a wide gap still persists between the requirements for effective struggle against terrorism, on the one hand, and several fundamental features of the North Atlantic Alliance, on the other. There are several important reasons for this mismatch.

One is organisational. As a large and relatively open international organisation, containing close to 300 committees and following time-consuming decision-making procedures, NATO is structurally too cumbersome and slow for

this purpose. Secondly, the Alliance has been hampered by internal political discord stemming from varying perceptions of terrorism and from the historically highly uneven exposure of the allies to major terrorist attacks.[13] In fact anti-terrorism still does not command a high priority in a number, if not in a majority of NATO member states, all declarations to the contrary notwithstanding. According to a recent RAND study, NATO has not yet been able to reorient itself from its "Cold-War mindset" to meet the challenge of terrorism.[14] In contrast with good day-to-day practical cooperation between corresponding security services and the armed forces of NATO member states considerable elements of discord in anti-terrorism matters still persist at a high political level. The corresponding strains surfaced in 2004 following the targeted assassinations of two Palestinian HAMAS leaders by the Israeli military. It became obvious that the transatlantic allies held quite different views on the political acceptability of terrorism in all its forms, including state terrorism. There are also said to have been serious disagreements concerning the authorised scope of operations and several proposed deployments of the NATO Response Force, basically for training purposes, during recent natural disasters in the Mediterranean.

The third serious handicap follows from NATO's restricted membership and from legal provisions in the North Atlantic Treaty. These features contrast sharply with the global reach of contemporary transnational terrorism which operates across state and regional boundaries. The NATO out-of-area operations in Asian or African states which do not militarily threaten any NATO member and the use of NATO military forces for fulfilling essentially internal security tasks are also questionable on doctrinal and political grounds. Such activities, have no legal foundation in Art. 5 and Art. 6 of the North Atlantic Treaty. There are also no standing provisions for pre-emptive military operations of the Alliance.

The fourth and most salient handicap stems from the limited usefulness of military power in combating terrorism. Terrorism and anti-terrorism could indeed intertwine within war. Terrorism often represents a "continuation of political intercourse by other means" (Carl von Clausewitz) but in itself it greatly differs from war. It is thus improper and counterproductive to treat anti-terrorism as warfare. Effective anti-terrorism only marginally requires the application of military power for example. Even if massively employed, all NATO's capabilities could not have prevented the September 11, 2001 attacks in USA or the subsequent

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[13]Brian Michael Jenkins, The US response to terrorism and its implications for transatlantic relations. Gustav Lindstrom, Shift or Rift: Assessing US-EU relations after Iraq, Institute for Security Studies of the European Union, Paris: 2003, pp. 231-250.

[14]Nora Bensahel, The Counterterror Coalitions: Cooperation with Europe, NATO and the European Union, Santa Monica, CA: Rand, 2003, p. 22.

terrorist acts in Turkey and Spain. The two principal operative incarnations of the North Atlantic Council - the Defence Planning Committee and the Nuclear Planning Group - deliberate and decide on the employment of NATO military capabilities of which only about one percent could be actively used against transnational terrorists, if detected in time. The largest, deadliest and costliest weapons systems maintained by NATO member states have lost most of their potency vis-a-vis a largely invisible enemy widely scattered among the civilian population in over 60 countries. In this asymmetric confrontation nuclear arms ceased to deter or dissuade stateless adversaries[15]. From a formidable security asset, nuclear arms and their vectors turned into a valuable target for terrorists and thus into a heavy securityliability. This observation applies to nuclear weapons as well as to all nuclear facilities located in NATO member states and reflects the profound geopolitical turnabout.

Although it is hard to measure the real impact of NATO's military activities against transnational terrorism it seems undeniable that the Alliance has so far played a positive role yet remained on the sidelines throughout much of the global endeavor.[16] With further adaptation NATO's contribution to containing and reducing the threat of transnational terrorism may well be enhanced. NATO's internal structure, procedures and capabilities could be better adapted to these needs and made more effective. The above –mentioned "Cold-War mindset" is still reflected in the (excessive) number and in the bureaucratic activities of the NAC auxiliary bodies. Many of them could be merged or restructured. A lean structure of bodies dealing with non-military aspects of international security could be built into the NATO structure. It has been proposed already that a new Assistant Secretary General be appointed and charged with coordinating NATO anti-terrorism efforts as a counter-part to the EU Counter-Terrorism Coordinator.[17] Moreover all NATO member states should have permanent representatives for non-military aspects of international security. These representatives would meet regularly as currently do the permanent military representatives, while the national chiefs for these matters would constitute a body functioning similarly to the NATO Military Committee. This new body would be organically linked with the NATO Response Force (NRF), Euro-Atlantic Disaster Response Coordination Centre, a research and analysis centre etc. It would be supported on a permanent basis by the NATO International Staff. On the political side, a consensus among the

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[15]David S. Yost, New approaches to deterrence in Britain, France and the United States, International Affairs, no. I 2005, pp. 83-114.

[16]Colonel Russell D. Howard, Thinking Creatively in the War on Terrorism – Leveraging NATO and the Partnership for Peace Consortium, Connections, Partnership for Peace Consortium of Defence Academies and Security Studies Institutes, Garmisch: Spring 2005, pp. 2-5.

[17]C. Richard Nelson, Expanding NATO's counter–terrorism role, NATO Review, Special issue, Spring 2005, pp. 56-59

Allies concerning a proactive strategy (with the option of anticipatory self-defence), WMD counter-proliferation as well as the geographic reach of possible military anti-terrorist actions needs to be greatly enhanced. The Alliance should also adjust accordingly the mode of decision-making in anti-terrorism matters, the division of responsibilities and burden-sharing among its members.

Given its current handicaps and limited adaptability, the Alliance cannot play a central role in the protracted global endeavour to defeat, let alone to prevent the phenomenon of transnational terrorism from occurring. It is obvious that in order to counter the threat posed by transnational terrorism a potent combination of instruments is required which fall predominantly or entirely outside NATO's purview.

An effective anti-terrorism strategy ought to be based on an objective assessment of its main target and contain realistic operational goals. By any objective criteria terrorism in all its forms has not constituted so far a serious threat to global security. The number of premature deaths caused by such phenomena as hunger, malnutrition, lack of safe water, fires, heat, cold weather, contagious diseases (notably HIV, tuberculosis and malaria), poisoning, smoking, drugs, alcohol, traffic accidents, natural disasters (such as floods and earthquakes), industrial disasters, local wars, crime and suicide has been estimated at well over ten million a year. A single natural disaster in South – East Asia, lasting several hours only (tsunami in December 2004) resulted in a quarter of a million victims. The number of individuals who died as victims of all forms of terrorism between 1991 and 2002 has been estimated by the US State Department at 6721 or about 600 annually.[18] All contemporary manifestations of terrorism constitute thus an utterly negligible threat to global security.

The effectiveness of the anti-terrorism struggle world-wide can be gauged from the comparison between its total cost and the damage caused by terrorism. So far, the purely financial burden of the "war on terrorism" and of numerous other measures justified under this heading, has by far exceeded the measurable direct damage caused by transnational terrorists themselves. This cost has included the expense of military operations (mostly in Asia and the Mediterranean), highly expanded preventive security measures, of considerably increased numbers of police and other security personnel, higher transportation and insurance charges etc. The indirect cost has been considerably higher and included, additional time wasted, particularly in air transport, additional employment of personnel,

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[18]Gustav Lindstrom, Terrorism: European myths and realities in Gustav Lindstrom, Shift or Rift Assessing US-EU relations after Iraq, Institute for Security Studies of the European Union, Paris: 2003, pp. 207-230.

modification of aircraft and airport facilities, significantly reduced volumes of traffic and income, huge business losses in air transportation and tourism etc. Liberal critics of the "war on terrorism" and human rights activists also point out its social and political cost in the form of infringements of human rights, lowered democratic standards and endangered political freedoms. The leftist and anarchist protesters claim furthermore that the "war on terrorism" has been simply (ab)used by the Bush administration as a mere pretext to strengthen US hegemony on the global scale and its control over strategic energy resources.

A really frightening aspect of transnational terrorism could however appear in its combination with the use of weapons of mass destruction. A study of several related scenarios was carried out recently by a consortium of 22 research institutes led by the Washington-based Center for Strategic and International Studies. One scenario postulated an explosion of an improvised 10 KT nuclear weapon near the NATO Headquarters in Brussels. It was estimated that such an explosion would result in 40000 persons killed outright, 300000 injured, as well as huge economic and ecological damage. The study also highlighted the potential threats represented by several hundred nuclear reactors in over 40 countries, by radiological dispersal devices, nuclear smuggling, the spread of WMD expertise and facilities for producing, chemical and biological agents etc.[19] Fortunately, these scenarios still remain conjectural. They could however become realistic if actively supported and de facto sponsored by a sufficiently strong and irresponsible state which possesses corresponding capabilities, organisation and motivation. No credible evidence has been presented so far to confirm the actual existence of such a linkage in operational terms.

The dangers of contemporary, more technologically advanced terrorism (particularly of its transnational variety), require a strategy very different from the present one, as well as far-reaching adaptation at the global level and a radical change in the design of the state security structures at the national level. The main brunt of preventive, suppressive and protective activities would have to be born by civilian agencies (domestic and foreign intelligence gathering, civil defence, rescue and health authorities, law enforcement, customs, diplomacy and private contractors.), by general and specialised police forces (including border and financial police), by paramilitary formations (Coast Guards, gendarmerie-like forces etc.). The new anti-terrorist strategy calls for much smaller, more flexible and mobile multinational expeditionary military forces capable of operating swiftly at great distances. Within the national armed forces, a very prominent place

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[19]Black Dawn Briefing. Strengthening the Global Partnership: Protecting Against the Spread of Nuclear, Biological and Chemical Weapons, http://www.sgpproject.org.

should be given to specialised anti-terrorist formations (special commando units of all arms with the attached means of high speed transportation, anti-radiation, medical support, decontamination facilities and personnel.), while peace-enforcement and peace-keeping capabilities would have to be greatly enhanced at the expense of traditional territorially-oriented forces. These three segments in the armed forces would cut across traditional arms, executing partly overlapping tasks and rotating in and out of the expeditionary forces. It would be unrealistic to expect that the NATO member states will in the foreseeable future radically modify the design and fully adapt the functioning of their security systems to the new agenda. One could foresee only gradual and partial adaptation due to institutional inertia and vested bureaucratic interests.

Most varieties of terrorism have deep social and psychological roots. Their prevention requires therefore very considerable, long-term and consistent efforts in the social, economic, legislative, judicial and other domains. The prosecution and suppression of terrorism necessitates effective law enforcement. It follows logically that attempts to eradicate terrorism by predominantly military means cannot have lasting effects. Terrorism in all its forms will never be uprooted everywhere and destroyed for good. A "war" with such a radical goal as that of completely eliminating terrorism, is thus an utterly unrealistic undertaking. Systematic prevention, disruption and wherever possible, suppression of detected terrorist groups and organisations however certainly needs to be waged. In order to make this struggle effective, a world-wide anti-terrorism coalition ought to include as active participants, in addition to NATO and EU members, the Russian Federation, China, Japan, India, Pakistan, Indonesia, and Egypt. A relatively small, specialised, low-profile international organisation similar to Interpol but with wide transcontinental membership could more effectively than the currently existing international bodies provide regular, closer and faster confidential cooperation between national security services in their anti-terrorist activities. The overarching framework of the UN linking specialised agencies and regional security organisations holds the best promise in this respect, with NATO playing a constructive and active role in this global endeavour.