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NATO and the EU
The essential partners

Edited by
Gustav Lindstrom and Thierry Tardy

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List of abbreviations

AU	African Union
BI	Building Integrity
CARD	Coordinated Annual Review on Defence
CBRN	Chemical, Biological, Radiological and Nuclear
CBSD	Capacity Building in support of Security and Development
CDM	Capability Development Mechanism
CDP	Capability Development Plan
CERT	Computer Emergency Response Team
CFSP	Common Foreign and Security Policy
CSDP	Common Security and Defence Policy
CSIRT	Computer Security Incident Response Team
DDoS	Distributed Denial of Service Attack
EAPC	Euro-Atlantic Partnership Council
EDF	European Defence Fund
EDTIB	European Defence Technological and Industrial Base
EEAS	European External Action Service
EUMC	European Union Military Committee
EUMS	European Union Military Staff
GDP	Gross Domestic Product
HR/VP	High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission
HybridCoE	The European Centre of Excellence for countering Hybrid Threats
INF	Intermediate-Range Nuclear Forces Treaty
ISAF	International Security Assistance Force
KFOR	Kosovo Force
MFF	Multiannual Financial Framework
NAC	North Atlantic Council
NATO	North Atlantic Treaty Organisation
NCIRC	NATO Computer Incident Response Capability
NDPP	NATO Defence Planning Process
NMI	NATO Misssion Iraq

NRF	NATO Response Force
OECD	Organisation for Economic Co-operation and Development
OSCE	Organisation for Security and Cooperation in Europe
PACE	Parallel and Coordinated Exercise
PESCO	Permanent Structured Cooperation
PSC	Political and Security Committee
R&D	Research and Development
RAR	Regional Acceleration for Resolution
SG	Secretary General
SHAPE	Supreme Headquarters Allied Powers Europe
SSR	Security Sector Reform
TEN-T	Trans-European Transport Network
TEU	Treaty on European Union
UN	United Nations
UNGGE	United Nations Group of Governmental Experts on Information Security
UNSCR	United Nations Security Council Resolution
VJTF	Very High Readiness Joint Task Force
WPS	Women, Peace and Security

Introduction

Gustav Lindstrom and Thierry Tardy

The state of NATO-EU relations is currently high on the political agenda. There are at least three reasons for this. First, there is a genuine expectation that both organisations should increasingly work together and complement each other in an era where threats are multifaceted. There is a recognition that tackling such threats, while having to adapt their respective positions in light of geopolitical muscle flexing in other parts of the world, requires both organisations to strengthen the partnership. In 2016, the two institutions adopted a Joint Declaration that reflected on this necessity: "In light of the common challenges we are now confronting, we have to step up our efforts: we need new ways of working together and a new level of ambition; because our security is interconnected; because together we can mobilize a broad range of tools to respond to the challenges we face; and because we have to make the most efficient use of resources. A stronger NATO and a stronger EU are mutually reinforcing. Together they can better provide security in Europe and beyond".[1]

Second, there are concerns over how NATO-EU relations are faring at a time when the transatlantic relationship is going through turbulent times. In particular, US relations with several EU member states and the EU in general are mired in disagreements on issues ranging from the future of the Joint Comprehensive Plan of Action, also known as the Iran nuclear deal, to the possibility of introducing new tariffs on specific goods traded between the two sides. Looming on the horizon there are also concerns about the implications of Brexit for NATO-EU relations – in particular, whether it may inadvertently complicate both organisations' ability to work together.

Third, as mentioned above, there is a practical roadmap for NATO-EU collaboration. The origins stem from the 2016 Joint Declaration that identifies seven areas for cooperation,

1 Joint Declaration by the President of the European Council, Donald Tusk, the President of the European Commission, Jean-Claude Juncker, and the Secretary General of NATO, Jens Stoltenberg, Warsaw, July 8, 2016, https://www.consilium.europa.eu/media/21481/nato-eu-declaration-8-july-en-final.pdf.

ranging from joint efforts to tackle hybrid threats, cybersecurity and defence capabilities, to promoting resilience among partners. The 2018 follow-on Joint Declaration called for swift progress in the areas of military mobility, counter-terrorism, and Women, Peace and Security (WPS).

In light of these developments, the EU Institute for Security Studies and the Research Division of the NATO Defense College are joining forces to examine NATO-EU cooperation from a variety of angles. Specifically, this publication analyses interaction between both organisations across the main areas of cooperation identified in the Joint Declarations. While some areas are covered in greater depth than others, the overall aim is to consider them through the prism of NATO-EU interaction to the extent possible.

To guide the research, the authors consider three key questions highlighted at the outset to facilitate the analysis within their assigned focus areas. These are:

1. What has been achieved *vis-à-vis* NATO-EU cooperation over the last 2 or 3 years in the context of the implementation of the 2016 Joint Declaration?
2. What are the challenges that hamper full cooperation between the EU and NATO in the domain under review?
3. What is the way forward (to promote NATO-EU cooperation)?

Through a focus on these questions, the intention is to facilitate comparisons across the chapters. The methodology also contributes to "self-standing" chapters, so the reader can select which area they would like to focus on.

With respect to structure, the report is composed of nine chapters. The first chapter by Thierry Tardy and Gustav Lindstrom provides an overview of NATO-EU relations – placing emphasis on how the organisations have tacitly strived to complement each other in spite of certain challenges. As this serves as an introductory chapter, it does not treat the three aforementioned guidance questions.

In the second chapter, Hanna Smith analyses how the EU and NATO have worked together to counter hybrid threats. At least twenty different action points (of the 74 identified by the two organisations) relate to hybrid threats, so there is much impetus for addressing this challenge. Chapter three by Bart Szewczyk examines EU-NATO operational cooperation, including an overview of operational activities where additional synergies might be found. Chapter four by Bruno Lété contemplates EU-NATO cooperation in cyberspace, including prospects for moving from a coordinated approach to a joint model.

Chapter five by Alexander Mattelaer covers capability development, including issues

such as the synchronisation of NATO and EU defence planning as well as new paradigms for capability planning. Chapter six by Daniel Fiott builds on the previous chapter through its examination of defence industry issues, industrial cooperation and military mobility. Besides outlining recent defence-related developments on both sides, the chapter considers how far the EU and NATO have come in enhancing defence-industrial cooperation.

Chapter seven by Simon Smith looks at EU-NATO contributions towards capacity building of partners. Besides highlighting the recognition for joint efforts to project stability in their common Eastern and Southern periphery, the chapter considers the main challenges to facilitating joint capacity building. Chapter eight by Christian Kaunert and Ori Wertman focuses on EU-NATO cooperation in the fight against terrorism. The chapter compares the counter-terrorism policies of both institutions and gauges how enhanced EU relations with the United States might affect such cooperation in the future. Lastly, chapter nine by Katharine Wright appraises EU-NATO collaboration on the promotion of the Women, Peace and Security agenda (WPS). In particular, the chapter examines how the EU and NATO have revised their approach to WPS since the adoption of the Joint Declaration in July 2018.

1

The scope of EU-NATO cooperation

Thierry Tardy and Gustav Lindstrom[1]

NATO and the EU are essential partners. NATO-EU cooperation is indispensable to facilitate an effective and multidimensional response to contemporary security threats. Neither NATO nor the EU can address the whole gamut of security challenges alone and some form of complementarity is therefore needed.

Calibrating such cooperation, however, has been challenging since the birth of the EU's Common Security and Defence Policy (CSDP). The EU's growing role in international crisis management is in principle welcome from a needs analysis perspective, yet the political context – as well as broad inter-institutional rivalry dynamics – have always limited what the two organisations can do together.

Against this backdrop, a momentum for renewed cooperation between NATO and the EU has emerged over the last few years. In 2016, the EU and NATO adopted a Joint Declaration that laid the ground for a new type of relationship.[2] The text called for a "new impetus and new substance to the NATO-EU strategic partnership", and defined seven areas of cooperation:

- Countering hybrid threats;
- Operational cooperation in the maritime domain;
- Cyber security and defence;

1 The authors are grateful to Alexandros Papaioannou and Andras Kos for their comments on an earlier draft of this chapter.

2 Joint declaration by the President of the European Council, Donald Tusk, the President of the European Commission, Jean-Claude Juncker, and the Secretary General of NATO, Jens Stoltenberg, Warsaw, July 8, 2016, https://www.consilium.europa.eu/media/21481/nato-eu-declaration-8-july-en-final.pdf.

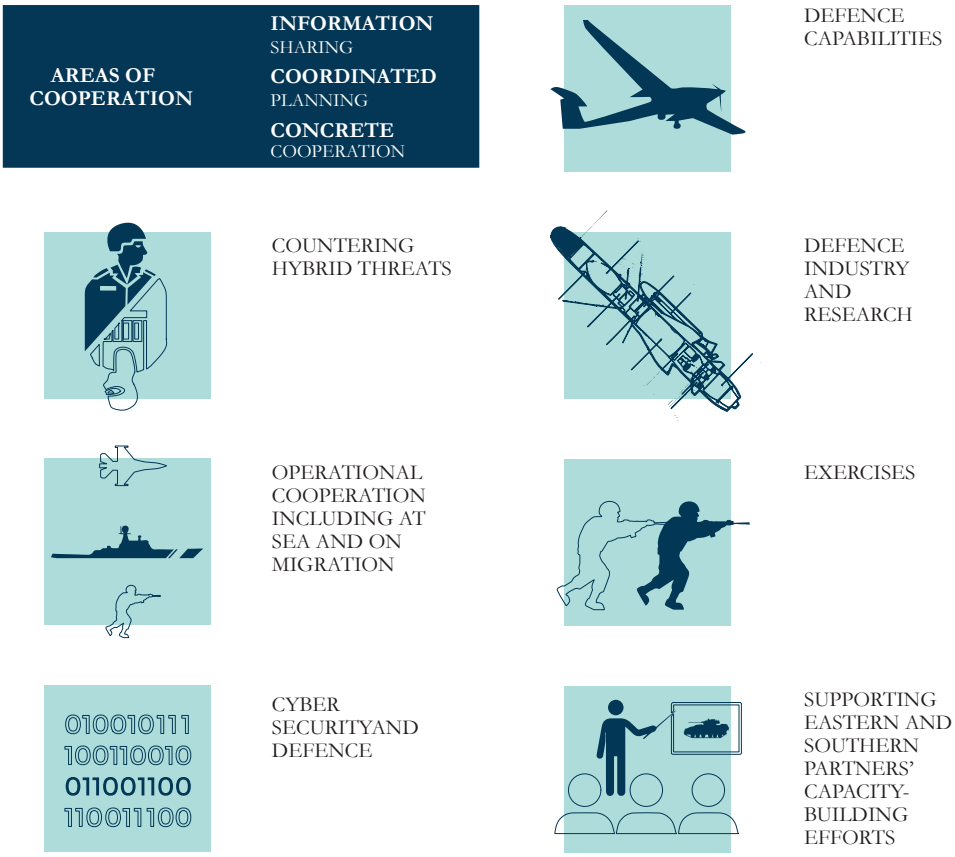
- Defence capabilities;
- Defence industry and research;
- Exercises;
- Resilience of partners.

In 2018, a second Joint Declaration was signed,[3] calling for swift progress in four key areas: military mobility; counter-terrorism; resilience to chemical, biological, radiological and nuclear-related (CBRN) risks; and Women, Peace and Security (WPS). Most importantly, member states of the two institutions endorsed the cooperative process at the institutional level, emphasising the necessity to strengthen political dialogue between the two institutions. In parallel, no less than 74 action points were identified as sub-themes for cooperation, while progress reports are issued regularly to highlight achievements and keep the momentum going.[4]

3 Joint declaration on EU-NATO cooperation by President of the European Council Donald Tusk, President of the European Commission Jean-Claude Juncker, and Secretary General of NATO Jens Stoltenberg, Brussels, July 10, 2018, https://www.consilium.europa.eu/media/36096/nato_eu_final_eng.pdf.

4 Reports issued on 14 June 2017 (First Progress Report), 29 November 2017 (Second Progress Report), 31 May 2018 (Third Progress Report), and 17 June 2019 (Fourth Progress Report).

Figure 1. Areas of EU-NATO cooperation as laid out in the EU-NATO Joint Declarations from 2016 and 2018



Source: Data: EEAS, 2019

In practical terms, the two institutions have tangibly improved their cooperation in a number of domains as a result of this process. Three levels of cooperation can be identified. First, political dialogue between the NATO Secretary General (SG) and the Deputy Secretary General on the one hand, and the High Representative for Foreign Affairs and Security Policy (HR/VP) and European Commissioners on the other hand, has become normal practice. So is the presence of the NATO SG and EU HR/VP in the other organisation's defence (or foreign) ministerial meetings. Similarly, the two institutions interact at the level

of the North Atlantic Council (NAC) and Political and Security Committee (PSC) regularly, both in formal (Berlin Plus format) and informal meetings.[5] EU Commissioners have also briefed the NAC, which in itself attests to a cultural shift taking place.[6]

Second, most if not all units dealing with the identified areas of cooperation have extensively integrated the NATO-EU dimension to their work. Specifically, points of contact have been identified, and staff-to-staff dialogue has facilitated exchanges and information-sharing. This has taken place at the expert level; intermediate level; and at principals' level. Cross-briefings on issues of mutual interest (under one of the seven areas of cooperation) take place frequently, and representatives from each institution sit in meetings of the counterpart organisation.[7]

Third, the two institutions have made progress in their operational cooperation, be it in thematic areas such as hybrid threats, cybersecurity and defence, military mobility, or on the ground when they deploy missions simultaneously – as is the case in Iraq or in the Mediterranean Sea. This cooperation has been about "de-conflicting", but also about information exchange and policy coordination.

As noted in successive Progress Reports on EU-NATO cooperation, these various steps need to be considered from a long-term perspective. While they may not deliver concrete results in the coming months, through a "process of continuous engagement" progress is facilitated over the longer term.[8]

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5 See Simon J. Smith, Nikola Tomic and Carmen Gebhard, "The Father, the Son and the Holy Ghost: a Grounded Theory Approach to the Comparative Study of Decision-Making in the NAC and PSC", European Security, Vol.26, No.3, 2017.

6 Commissioner Elżbieta Bieńkowska (Internal Market, Industry, Entrepreneurship and SMEs) and Commissioner Violeta Bulc (Transport) addressed the North Atlantic Council on 5 July 2017 and 11 June 2018 respectively.

7 In the first semester of 2018, cross-briefings covered the following topics: cyber policy issues, strategic review of Operation Atalanta, the EU Training Mission and EU Capacity-building mission in Somalia, EU military missions and operations, the Western Balkans, Iraq, energy security, NATO's role in the maritime domain and NATO operational activities. See Third Progress Report, May 31, 2018, p.9.

8 The EU and NATO, "Third Progress Report on the implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016 and 5 December 2017," May 31, 2018, p.2, https://www.nato.int/ nato_static_fl2014/assets/pdf/pdf_2018_06/20180608_180608-3rd-Joint-progress-report-EU-NATO-eng. pdf.

The EU-NATO imperative

The NATO-EU partnership has become a central component of the broad security governance architecture for a series of reasons. These pertain to the nature of the institutions and of the threats they face, as well as to some form of implicit division of labour in relation to: (i) geography; (ii) the nexus between defence and security; and (iii) the nexus between internal and external security.

To start with, the two institutions – with 22 states being members of both – are often presented as sharing the same set of values. To a large extent, they also face similar security threats, from Russia's resurgence to terrorism, cyber threats, and general instability at their southern periphery. As a result, both organisations have an objective interest to work together to draw on their respective comparative advantages, create synergies, and in the end maximise impact.

On this basis, some complementarity is at play. Theoretically, and in reference to its original mandate for collective defence of its member states against external aggression, NATO can only operate in the North Atlantic area north of the Tropic of Cancer, yet the 1990s out-of-area debate and subsequent operations in Afghanistan and Iraq have *de facto* called into question that geographical restriction. As for the EU, the focus on the periphery or the "neighbours of the neighbours" is to be balanced by the aspiration to be what the 2016 EU Global Strategy calls a "global security provider".[9] These potentially global ambitions and overlapping areas of responsibility have nonetheless led to a certain division of tasks between the two institutions that is partly geography-driven.

The most obvious examples are NATO's presence in the three Baltic States and in Poland in response to Russia's activities in Ukraine. This stands in contrast to an absence of the EU as a defence actor on the territory of its own member states, at least through the Common Security and Defence Policy (and insofar as the EU does not "do" collective defence). Conversely, there are various EU-led missions and operations deployed in Sub-Saharan Africa, whereas apart from the NATO training mission in Iraq, the Alliance is absent from the Middle East and North Africa. The EU also runs civilian missions in the Palestinian territories and Georgia, while a NATO mission in these locations would prove more challenging due to political sensitivities.

9 EU High Representative for Foreign Affairs and Security Policy, "Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the EU's Foreign and Security Policy", Brussels, June 2016, http://eeas.europa.eu/ archives/docs/top_stories/pdf/eugs_review_web.pdf.

In all these cases, geography is only part of the equation as politics, mandates, and respective comparative advantages are also relevant, yet there is a sense that "the EU or NATO goes to places where the other does not", and this *de facto* creates complementarity.

Second, NATO and the EU display comparative advantages that partly follow a defence *versus* security nexus, or in some cases a military *versus* civilian nexus. Not that NATO would not do security governance or the EU will not do defence, but by mandate NATO is *the* collective defence organisation and covers the upper end of the military spectrum while the EU is best placed to do security-development and covers the lower end of the use-of-force spectrum. Such division is to a large extent the rationale for NATO engaging in Kosovo[10] via KFOR while the EU launched EULEX; NATO leading the International Security Assistance Force (ISAF) in Afghanistan while the EU ran a civilian police mission (EUPOL Afghanistan) there; NATO undertaking Operation Unified Protector in Libya while the EU is involved in a border mission (EUBAM Libya); or NATO implementing reassurance measures in Poland and the Baltic States following the 2014 Ukraine crisis while the EU enacted sanctions against Russia. Back in 2003, this distribution of tasks between the two organisations also provided the rationale for the "Berlin Plus" arrangements, by which the EU could draw on NATO assets for EU-led operations.[11] This relationship suggests complementarity between the two institutions that only cover parts of global security governance needs and that therefore must partner with others to fill gaps.

Third, the intertwinement of internal and external security gives the EU a comparative advantage that further underlines the importance of the EU-NATO partnership. Through its regulatory role as much as its prerogatives in home affairs, the EU (including the European Commission) is a key threat management actor, in particular in the fields of counter-terrorism, hybrid threats, cyber security/defence or military mobility, all of which have an important internal security dimension. Interestingly enough, in the defence domain, NATO operates inside its member states' territories in its response to the Russian threat while the EU can only operate outside of the EU member states through its CSDP, and yet the internal-external security nexus makes NATO the "external actor" while the EU plays, through its internal Home Affairs prerogative, the role of the "internal actor".

Overall, it is the notion of a comprehensive/integrated approach (EU) or whole-of-government approach (NATO) – by which the broad range of security governance challenges calls for a multi-actor response – that makes the EU and NATO essential partners.

10 This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

11 Currently only the EU-led operation *Althea* in Bosnia-Herzegovina is a Berlin Plus operation.

The NATO-EU conundrum

While the NATO-EU partnership is simultaneously an indispensable component of, and an emerging framework for, contemporary threat management, it is also confronted with a number of difficulties that undermine its remit and impact. At least five issues come into play.

First, the above-mentioned division of tasks along geography and the two defence/security and internal/external nexuses has never been officially endorsed nor *a fortiori* conceptualised. The comparative advantage of the EU in home affairs or of NATO in hard defence is understood, yet neither institution is keen to engage in a debate about "who does what, when and where" beyond NATO's collective defence primacy as codified in the EU's Lisbon Treaty.[12] It follows that the division of tasks is *ad hoc*, under-conceptualised, and as a consequence largely lacking in any strategic direction.

Second, although the 2016-onwards momentum has been pushed by the two institutions and their senior representatives (the two Joint Declarations were issued and signed by the organisations, not by their member states), the dynamic (and degree of political will) within member states can be different. In particular, states that belong to only one of the two institutions do not always necessarily see cooperation with the other as a top priority. Twenty-two states are members of both institutions and this facilitates cooperation, yet the US and Turkey on one side, and some of the non-aligned EU non-NATO states on the other, have divergences with the idea of mutually-beneficial partnership. The way third states – a category to which the UK will soon belong – are associated with EU policies is also a key determinant of the EU-NATO relationship. Even among the 22, there are those that are lukewarm about the virtues of cooperation as one or the other organisation prevails in their own security policy, and the other one is as a consequence less of a priority.[13]

Third, the number of EU entities involved in EU-NATO relations makes the partnership a multi-level exercise rather than a two-player game. The European External Action Service (EEAS), the Commission, the General Secretariat of the Council, and the European Defence Agency (EDA) are simultaneously engaged in a dialogue with NATO. And even NATO is not necessarily homogeneous, with entities like Supreme Headquarters Allied Powers Europe (SHAPE) relating to the EU in a way that may differ from interaction

12 Article 42§7 of the Lisbon Treaty (2007) states that "Commitments and cooperation" in the area of defence "shall be consistent with commitments under the North Atlantic Treaty Organisation, which, for those States which are members of it, remains the foundation of their collective defence and the forum for its implementation".

13 See Lena Strauß and Nicolas Lux, "European Defence – Debates in and about Poland and France", *SWP Journal Review* No.1, February 2019.

at political headquarters' level. This creates different layers of dialogue that tend to alter the bilateral nature of the relationship, while the EU internal coordination challenge also complicates cooperation with any third party.

Fourth, inter-institutional cooperation is hindered by the unresolved dispute over Cyprus and the relationship of this EU member state with Turkey (which has not recognised the Republic of Cyprus). Cyprus, as a non-NATO EU member state, and Turkey as a non-EU NATO ally, have so far made any legally-grounded *rapprochement* between the two institutions impossible. Practically, this means that there can be no review or update of the existing legal arrangements between the EU and NATO outside of the implementation of the 2003 Berlin Plus agreement, which is obsolete and does not respond to today's requirements. Information-sharing suffers as a consequence, as the provisions of the March 2003 EU-NATO security agreement[14] (signed before Cyprus' accession to the EU) cannot apply to their full potential. As a result, NAC-PSC meetings can only be informal (outside the framework of Berlin Plus and Operation Althea in Bosnia and Herzegovina) and EU-NATO cooperation limited to staff-to-staff exchanges, which is arguably an obstacle to any ambitious partnership.

Finally, the EU-NATO partnership takes place within the context of the EU's renewed efforts to develop its defence policy and the debate which this generates in terms of compatibility with NATO. With the creation in 2017 of Permanent Structured Cooperation (PESCO) and the (soon to be fully operational) European Defence Fund (EDF), the EU has tangibly upgraded its defence profile, which in turn has changed the nature of the EU-NATO dialogue. In principle, the EU defence momentum must enable the EU to better tackle threats in cooperation with, and to the benefit of, NATO, yet in practice it has raised concerns on the NATO side. Issues like the alleged protectionist dimension of PESCO (fencing off non-EU companies from the European market), restrictions on third states' participation in PESCO and EDF-funded projects, and coordination between the European Capability Development Plan (CDP) and the NATO Defence Planning Process (NDPP), have in particular given rise to debate. Currently, the NDPP is feeding into the CDP; nevertheless there continues to be speculation of a decoupling of the two organisations.

In this discussion, NATO insists that three issues be given prominence: first, the priorities and outputs of EU and NATO capability development should be coherent; second, capabilities built under the EU should be made available to NATO; and third, non-EU NATO allies should be associated to EU defence activities to the extent possible. On the EU side, EU-NATO cooperation has to take place "in full respect of the decision-

14 "Agreement between the EU and NATO on the Security of Information", *OJ* L80/36-38, Brussels, March 27, 2003.

making autonomy and procedures of both organisations', and "without prejudice to the specific character of the security and defence policy of any member state".[15]

The narrative over EU strategic autonomy (which is sometimes unhelpfully linked to the question of a "European army" or "army of Europeans") has also stirred concerns about intended or unintended consequences for NATO and the transatlantic bond. From an EU perspective, an appropriate level of EU strategic autonomy contributes to more effective burden-sharing across both institutions and strengthens Europe's ability to promote peace and security within and beyond its borders. Yet the fact that the aspiration towards strategic autonomy might reflect a certain mistrust *vis-à-vis* the Alliance or the US, or that it simply takes stock of a fading US commitment to European security, has also led to some tension.[16]

The EU-NATO partnership does not develop in a political vacuum – it is to a large degree a product of political dynamics within each institution as well as at the transatlantic level. The current tensions within the EU in the context of Brexit and within NATO about its own internal cohesion can only complicate efforts to foster more synergies between the two institutions.

The EU-NATO cooperation "glass ceiling"

What the EU and NATO have achieved since 2016 should not be underestimated. There is an ongoing socialisation process across both organisations, and the level of information-sharing at the staff level has never been as high. The chapters that follow in this volume also attest to tangible improvements in the NATO-EU partnership in various areas of their respective portfolios.

This being said, a glass ceiling effect can also be observed, whereby the current level of cooperation is inherently constrained, and has in practice remained un-strategic.[17] Interaction is indeed informal and limited, and a qualitative shift towards more effective cooperation is unlikely to happen as long as some of the obstacles presented earlier remain unaddressed.

Of critical importance is the sharing of classified information. We may wonder what kind of cooperation is possible between two institutions that cannot review legally-based

15 Council Conclusions on the Implementation of the Joint Declaration, December 2016, Annex, p.2, http://www.europarl.europa.eu/cmsdata/121581/ST_15283_2016_INIT_EN.pdf.

16 See Thierry Tardy, "European Defence: What Impact for NATO?", *NDC Policy Brief* No.5, December 2018; Barbara Kunz, "The Three Dimensions of Europe's Defense Debate", *Policy Brief* No.24, GMF, June 2018.

17 Nicole Koenig, "The EU and NATO: A Partnership with a Glass Ceiling", EU Global Strategy Watch & Istituto Affari Internazionali, November 2018.

relations and cannot share information beyond an informal level. In addition, how can the EU and NATO become "strategic partners" if some of their member states are unsure about the very relevance of one or the other organisation? And even if the reality of better relations and the related momentum, from Kosovo to the Mediterranean Sea, from tackling hybrid threats to fighting terrorism, is acknowledged, what strategic effect has the *rapprochement* produced?

In the long run, a lot will depend on the extent to which states want to push the agenda further, and whether they agree on what to do. The current level of ambition and areas of cooperation represent the lowest common denominator, i.e. to a large degree what the market can bear. Looking ahead, a facilitating factor will be the level of political dialogue across both organisations. For this reason, it is an encouraging sign that political dialogue intensified across "both formal and informal settings, with a substantial increase in the number of cross-briefings at all levels" between June 2018-June 2019.[18]

Overall, these questions are invitations to some degree of prudence and realism in the assessment of the EU-NATO partnership. The two institutions are indeed essential partners; yet this, to date, still reflects an ambition rather than a reality.

18 Fourth Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016 and 5 December 2017, June 17, 2019, https://www.nato.int/nato_static_fl2014/ assets/pdf/pdf_2019_06/190617-4th-Joint-progress-report-EU-NATO-eng.pdf.

2

Countering hybrid threats

Hanna Smith

Hybrid threats have become an integral part of the European security environment. Even so the term "hybrid threat" is often perceived as unclear. As one commentator has argued, "many scholars and analysts contest the utility of the hybrid label, criticising it for conveying little that is new, for being imprecise, or outright misleading. When coupled with the term 'warfare' … there is the danger of unnecessarily militarising the language of international politics with potentially dangerous consequences".[1] In military-strategic thinking the utility of the "hybrid warfare" concept is indeed contested as a tool for analysing military capabilities.[2] However the term "hybrid threat" is of key importance when looking at the complex array of security challenges currently facing the international community. An exploration of the nuances and applications of the term can provide insights into the implications of hybrid threats for democratic states and the security challenges facing them in the twenty-first century.

This chapter examines NATO-EU cooperation in relation to hybrid threats. The first section focuses on descriptions of hybrid threats, arguing that hybrid threats are a concept that should be characterised rather than defined, even if definitions would make policy responses and common understanding easier. The next section describes various cooperation initiatives that have been undertaken since the 2016 NATO Warsaw Summit and the signing of the NATO-EU Joint Declaration. In the last section some of the challenges for EU-NATO cooperation in this area are highlighted. The conclusion provides key takeaways for the future.

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1 Mikael Wigell, "Hybrid Interference as a Wedge Strategy: A Theory of External Interference in Liberal Democracy", *International Affairs* Vol.95, No.2 (2019), pp.255-77.

2 Bettina Renz and Hanna Smith, "Russia and Hybrid Warfare – Going Beyond the Label," *Aleksanteri Papers,* No.1/2016 , Kikimora Publications, Helsinki, 2016, https://helda.helsinki.fi/bitstream/handle/10138/175291/ renz_smith_russia_and_hybrid_warfare.pdf?sequence=1&isAllowed=y.

Characterising hybrid threats – EU and NATO perspectives

Rather than attempt to define hybrid threats, it may be more useful to characterise the nature of such threats, study actors who use hybrid tactics to attain and enhance their own strategic objectives and analyse current security trends. There are almost as many definitions of hybrid threats as there are authors. Each has defined the phenomenon in their own way and according to their own perspective. In the same vein, the EU and NATO have their own definitions or characterisations. At NATO several definitions can be found, the earliest dating from 2010. At the 2016 Warsaw Summit, hybrid threats were understood as follows:

"We have taken steps to ensure our ability to effectively address the challenges posed by hybrid warfare, where a broad, complex, and adaptive combination of conventional and non-conventional means, and overt and covert military, paramilitary, and civilian measures, are employed in a highly integrated design by state and non-state actors to achieve their objectives".[3]

One of the EU's 2015 Joint Communications states that hybrid warfare "can be more easily characterised than defined as a centrally designed and controlled use of various covert and overt tactics, enacted by military and/or non-military means, ranging from intelligence and cyber operations through economic pressure to the use of conventional forces". It further elaborates: "By design, hybrid threats will continuously evolve based on the success of their application, continuing technological developments, changes in potential adversaries' vulnerabilities and developments in measures to counter them".[4]

In both organisations, the characterisation of hybrid threats has evolved. From the literature scanning different explanations and characterisations of hybrid threats, it may be concluded that the concept should be used as an umbrella term that includes interference and disinformation campaigns, malign activities and operations, and a built-in potential for escalation to conflict and warfare. All of the abovementioned activities can be viewed as posing a threat to democratic states and systems. And it is interesting how both organisations emphasise that such tactics and activities are deployed in a "highly integrated" fashion or are "centrally designed and controlled".

To facilitate a basic common understanding of the concept of hybrid threats, the European Centre of Excellence for countering hybrid threats (HybridCoE), established in

3 NATO, Warsaw Summit Communiqué, July 9, 2016, https://www.nato.int/cps/en/natohq/official_ texts_133169.htm#hybrid.

4 European External Action Service (EEAS), "Food-for-Thought Paper: Countering Hybrid Threats," *EEAS 2015(731),* 2015, http://www.statewatch.org/news/2015/may/eeas-csdp-hybrid-threats-8887-15.pdf.

Helsinki in 2017, has studied around 40 different definitions including three formulated by the EU (2015-2018) and four by NATO (2010-2018). Based on those definitions, it has extrapolated an overarching characterisation, describing hybrid threats as follows: "Coordinated and synchronised action that deliberately targets democratic states' and institutions" systemic vulnerabilities, through a wide range of means. The activities exploit the thresholds of detection and attribution as well as the different interfaces (war-peace, internal-external, local-state, national-international, friend-enemy).

The aim of the activity is to influence different forms of decision-making at the local (regional), state, or institutional level to favour and/or gain the agent's strategic goals while undermining and/or hurting the target".[5]

Two important factors need to be taken into account when analysing EU and NATO definitions: first, an analysis of hybrid threats needs to be multidisciplinary; and second, a comprehensive approach is needed when developing countering mechanisms and building resilience. One of the central factors in comprehensive security thinking is functioning civil-military cooperation as well as other cross-cutting cooperation formats, in particular public-private, political-practitioner, and social science-technology. Networks, both formal and informal, constitute another important factor. In some cases, informal networks where information flows unrestricted by formal frameworks that might hamper reaction time, detection or attribution, can make an important contribution to countering hybrid threats. In this context an important part of EU-NATO cooperation falls naturally under the category of hybrid threats.

Achievements since the 2016 Warsaw Summit

Since the 2016 EU-NATO Joint Declaration, EU-NATO collaboration has significantly intensified. The framework established by the Declaration and subsequent Council Conclusions lists 42 proposals on how to deepen cooperation between the EU and NATO. Hybrid threats, with the wide spectrum of malign activities and tactics which they encompass, represent a crucial common interest for both organisations. Under the category of hybrid threats ten concrete action proposals are mentioned.[6] The EU and

5 HybridCoE, 'Countering Hybrid Threats', https://www.hybridcoe.fi/hybrid-threats.

6 See Council conclusions on the Implementation of the Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization, 5 December 2017, pp.4-5, https://data.consilium.europa.eu/doc/document/ST-14802-2017INIT/en/pdf.

NATO possess capabilities[7] to detect and respond to a hybrid activity. They also have the tools[8] to effectively impose costs on and deny benefits to a potential adversary.[9] It is also clear that both institutions are weaker addressing hybrid threats alone than they are working together. Since hybrid threats have both civilian and military dimensions that are interlinked, enhanced cooperation between the EU and NATO reflects the changing security environment where hybrid threats are not just tomorrow's security challenge, but are already present today.

In their 2016 Joint Declaration the two organisations pledged to "boost our ability to counter hybrid threats, including by bolstering resilience, working together on analysis, prevention, and early detection, through timely information sharing and, to the extent possible, intelligence sharing between staffs; and cooperating on strategic communication and response".[10] Situational awareness, strategic communication, crisis response and bolstering resilience feature as sub-headings under which action designed to counter hybrid threats should be taken. Hybrid threats may be encountered in a wide variety of domains, since the tools used by an adversary are equally broad – cyber, social, legal, informational, political, economic, cultural, military, diplomatic etc. In the EU-NATO context, importance has been attached to exploring cooperation in the maritime security and cyber domains. Other areas where cooperation is important are capability building and exercises.

When it comes to situational awareness, cooperation between the EU Hybrid Fusion Cell and the NATO Hybrid Analysis Branch plays an important role. The two units have improved their information exchange capability by being able to communicate via the EU version of the NATO Battlefield Information Collection and Exploitation System (BICES) and fully functioning secure Video Teleconference link.[11] The way in which cooperation has evolved and moved forward is fully in line with the aim formulated in the original

7 Capabilities like rapid reaction forces, agility to react, research funds, military and law enforcement resources, intelligence, crisis management, etc.

8 Tools include: use of cyber, legal means, strategic communication, coordinated response, technological means, etc.

9 Matti Saarelainen, "Strategic Communication and Resilience," Speech, Bucharest, 28 February, 2019, https://www.hybridcoe.fi/news/strategic-communications-and-resilience-speech-by-director-mattisaarelainen/

10 Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organisation, Warsaw, 8 July 2016, https://www.consilium. europa.eu/media/21481/nato-eu-declaration-8-july-en-final.pdf.

11 The EU and NATO, "Third Progress Report on the Implementation of the Common Set of Proposals Endorsed by EU and NATO Councils on 6 December 2016 and 5 December 2017," Brussels, 8 June 2018, https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2018_06/20180608_180608-3rd-Joint-progress-report-EU-NATOeng.pdf.

Joint Framework.[12] The bolstering of technical capacities to allow systematic exchange of information shows that information-sharing does not need to be entirely about classified information.

Situational awareness about potential hybrid threats can also be enhanced with open source information-sharing. This shows that people-to-people contacts have become one of the key factors in resilience building. Discussions on topics relating to hybrid threats and where both EU and NATO staff have been present take place frequently: such topics include the terrorist threat, including aspects related to chemical, biological, radiological and nuclear (CBRN) risks and improvised explosive devices; crisis communication, including coordination of strategic communications messaging on security threats; resilience of national and energy infrastructure that extends beyond national borders and the EU Capability Development Plan (CDP) and the NATO Defence Planning Process (NDPP).

In countering hybrid threats, coherence in informal networks based on people-to-people contacts is a precondition for EU-NATO cooperation. Countries like Finland, Norway and Sweden, which all have comprehensive security models, provide examples of this. In Sweden and Norway such cooperation and synergy is based on the Total Defence concept, which foresees the mobilisation of military and civilian resources in a whole-of-society approach to national security and defence. In Finland, during the Cold War, efforts to build resilience against Soviet influence were based on internal informal networks where trust was a key element as well as having the "right phone number" – i.e. you knew whom to turn to when more information was needed to build a situational awareness picture. The same applies in countering hybrid threats: the correct situational awareness is not achieved by only knowing your "obvious" counterparts but also by interacting with actors in fields that are not part of your everyday work but "out of area", like area/country specialists or intelligence experts interacting with strategic communications people, infrastructure specialists interacting with foreign relations practitioners or financial experts with counterparts working in the realm of cultural studies, just to give a few examples.

This type of "cross-fertilisation" in EU-NATO cooperation, the importance of which is stressed in the Joint Declaration, is very much happening in the framework of The European Centre of Excellence for Countering Hybrid Threats (HybridCoE). One of the ten concrete action proposals was to "encourage participation by EU and NATO as

12 European Commission and High Representative of the Union for Foreign Affairs and Security Policy, "Joint Communication to the European Parliament and the Council: Joint Framework on Countering Hybrid Threats," *JOIN(2016) 18 final*, Brussels, 6 April, 2016, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016JC0018&from=EN.

well as EU Members States and NATO Allies in the work of the "European Centre for Countering Hybrid Threats".[13]

The establishment of HybridCoE has been described as marking a milestone in EU-NATO cooperation.[14] The Centre's role is to function as a facilitator and a neutral safe space for the EU and NATO to work towards the implementation of the Joint Framework's goals. The communities of interests as well as expert networks facilitated by the HybridCoE function as informal networks that work towards developing a strategic comprehensive security approach with operative implications. Both the EU and NATO staffs have participated in the HybridCoE's activities, attending workshops, seminars and exercises aimed at enhancing the understanding of hybrid threats in many different ways and from many different perspectives.[15]

For example in 2018 the centre organised a workshop bringing together NATO and EU experts to look at strategic communications challenges in the Western Balkans and discuss options for addressing them. HybridCoE has hosted the EU's and NATO's staffs' high-level retreats in 2018 and 2019 and a hybrid exercise attended by NATO and EU staff as well as Allies and member states. It has also facilitated a scenario-based workshop "Harbour Protection Under Hybrid Threat Conditions" in 2018 with the EDA. The HybridCoE supported a joint NAC/PSC scenario-based discussion, which was the first informal scenario-based reflection on a coordinated response to hybrid threats.[16] This demonstrates that informal networks play a key role in successfully countering hybrid threats. Substantial improvement has been registered in this area since the Warsaw summit.

The overall assessment of the implementation of the EU-NATO Joint Declaration is positive. In the situational awareness area, understanding of the nature of the threat has greatly increased and the views of the two organisations have moved closer. In the area of strategic communication, people-to-people contacts have become frequent and common approaches have been explored, for example in relation to the Western Balkans and Europe's eastern and southern flanks. Common training and exercising in the areas

13 "Common Set of Proposals for the Implementation of the Joint Declaration by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organisation," https://www.hybridcoe.fi/wp-content/uploads/2017/08/Common-set-of-proposals-for-theimplementation-of-the-Joint-Declaration-2.pdf.

14 Nicole Koenig, "The EU and NATO: A Partnership with a Glass Ceiling," Istituto Affari Internazionali, 2018, p.3, https://www.feps-europe.eu/attachments/publications/eugsw2-nicolekoenig_the%20eu%20and%20 nato-%20a%20partnership%20with%20a%20glass%20ceiling.pdf.

15 Third Progress Report, 8 June 2018.

16 *Ibid.*

of crisis response and bolstering resilience have also been developed. Inter-institutional relations are overall more robust than in the past. However, many challenges remain and will need to be addressed if EU-NATO cooperation is to tangibly move forward.

Challenges for EU-NATO cooperation

While EU-NATO cooperation has been more visible since the 2016 Joint Declaration, there is still room for improvement. Some would say three years is a long period already. Others see it only as a start. In all cooperation formats there are challenges to overcome. As some experts have pointed out, hybrid threats constitute an area where cooperation is probably less affected by "formal and political obstacles" that tend to thwart cooperation in other dimensions.[17] Inevitably the prevalence of hybrid threats has driven the EU and NATO to work more closely together. At the same time hybrid threats create challenges for cooperation and also separately for the two organisations internally. This highlights their respective structural differences. In this context some complications can result for closer EU-NATO cooperation. When both organisations are focusing on internal reorganisation, it will be difficult for them to concentrate on and develop inter-organisational cooperation.

Before the annexation of Crimea in 2014, hybrid threats did not feature prominently on the EU's agenda. In NATO they had been discussed since 2009 in the context of warfare, but the emphasis was more on non-state actors and on rogue states. This meant that in the European security architecture the EU and NATO had acknowledged that they had common interests, overlapping members and a need for institutional cooperation, but nobody saw an urgent need to deepen such cooperation. The situation then was that the two organisations largely worked independently in silos or as separate entities, and according to the civil-military divide.

Today's era of interconnectiveness and interdependencies poses a "new" challenge to all security actors. Previous working habits are ineffective and reveal vulnerabilities in the democratic state system. The interfaces between different authorities' jurisdictions,[18] between local and state actors[19] and between the civil and military domains are areas[20] that

17 Kristi Raik and Pauli Järvenpää, "A New Era of the EU-NATO Cooperation – How to Make the Best of a Marriage of Necessity", International Centre for Defence and Security, Tallinn, May 2017, https://icds.ee/wp-content/uploads/2018/ICDS_Report_A_New_Era_of_EU-NATO.pdf.

18 How national laws, international laws and alliance norms reveal incompatibilities or how the absence of a legal framework delays the decision on whose responsibility it is to lead in a crisis situation.

19 Here good examples can be found in the case of Ukraine or in the case of Catalonia.

20 Terrorism, soldiers deployed without insignia, and cyberattacks belong to this category.

adversaries are keen to exploit. The challenges that the EU and NATO face *vis-à-vis* hybrid threats are very similar to those faced by a state. This means that strategic-level discussions about a coordinated response are of paramount importance. Agility is also essential in cross-institutional response and in areas where there is always room for improvement at the national and institutional level. This is particularly the case when it comes to crisis response and political decision-making.

What therefore is the most coordinated and coherent way to use the capabilities and tools available? It is well-established that in today's security environment, where one of the biggest challenges relates to the detection and countering of hybrid threats, compartmentalised silos, blocked lines of communication and poor information flow hamper response at local, national and institutional levels. This is not only a question of cross-organisational cooperation but also an internal challenge that both the EU and NATO need to address. On the EU side this means enhancing coherence between the Commission, the European External Action Service (EEAS), the Council and the European Parliament and on the NATO side fusion across the civilian-military divide. Both organisations have advanced significantly in this respect during the three existing full years of the Joint Framework.

Also, in NATO resilience building and civilian preparedness has been at the core of internal development processes. The Readiness Action Plan which includes tripling the size of the NATO Response Force (NRF), the establishment of a Very High Readiness Joint Task Force (VJTF) able to deploy at very short notice, and enhanced Standing Naval Forces, is part of NATO's resilience-building strategy. Reorganisation is an internal process for each institution to deal with separately, and is not part of EU-NATO collaboration. This means that new inter-organisational agility will not be achieved before internal organisational coherence is in place. The challenge for EU-NATO cooperation comes from the fact that in both organisations two processes need to be undertaken simultaneously: internal reorganisation and inter-organisational collaboration. This means that it will be very difficult to agree any inter-organisational normative frameworks before the internal processes have been completed. This will inevitably make progress towards inter-organisational cooperation appear slow.

The second challenge stems from the different nature of the organisations. NATO is first and foremost a military organisation. The EU started out as an organisation for economic cooperation and has since evolved into a civilian normative power and latterly a security actor. The two organisations have developed and evolved side by side. However, a mindset that has been identified by security studies experts has too easily and simplistically

treated the civil and military components as alternative and competing polarities.[21] Within the EU and NATO member states there are different views of the nature of the relationship between political and military power.

Since World War II the understanding of security has evolved too. The end of the Cold War marked a watershed in this regard, swinging the focus towards the civilian side and a broader interpretation of security. Since the end of the Cold War, the processes of integration and globalisation have meant that the line between internal and external has started to blur, including in the domain of conflict. The EU's Global Strategy, released in 2016, states that external and internal security are increasingly converging. The Strategy points out that internal politics deals with the consequences of external events. This means that peace inside the borders of the EU is dependent on the situation outside its borders.[22] Furthermore, concepts and institutional arrangements traditionally aimed at addressing internal security challenges (law enforcement agencies, national and local information providers, administrative authorities and different social service providers), are increasingly being challenged to address matters traditionally reserved for external security professionals (military and international policy forces, foreign affairs officials, international legal agencies, diplomatic corps, etc.), while the latter are increasingly required to deal with matters that formerly fell under the exclusive remit of the former.[23]

Today's security environment, dominated by hybrid threats, shows that civil and military components need to be better integrated. The changing understanding of security has also changed the role of political power in the military and civilian spheres. Cooperation between the military and civilian sectors is central when it comes to countering hybrid threats. EU and NATO member states constitute a heterogeneous grouping with multiple political and security cultures where the understanding of the role of the military in strategy-making differs significantly. Despite the mutual differences, which naturally also lead to disagreements, their common value base and shared threat assessments mean that the EU and NATO are becoming increasingly aligned and cooperation between the two organisations is constantly deepening.

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21 Hew Strachan, "Civil-Military Relations and The Making of Strategy: The Democratic Dilemma," in *After 'Hybrid Warfare', What Next? –Understanding and Responding to Contemporary Russia*, ed. Bettina Renz and Hanna Smith, Valtioneuvoston selvitys- ja tutkimustoiminnan julkaisusarja 44/2016, p.30, https://tietokayttoon.fi/documents/10616/1266558/Understanding+and+responding+to+contemporary+Ru ssia/49bdb37f-11da-4b4a-8b0d-0e297af39abd/Understanding+and+responding+to+contemporary+Russia. pdf?version=1.0.

22 Heidi Timonen and Maarit Nikander (eds.), *Interdependence of Internal and External Security – Will the Operational Culture Change with the Operational Environment?*, Ministry of Interior of Finland, 37/2016, Helsinki, 2016.

23 Peter J. Burgess, "There is No European Security, Only European Securities," *Conflict and Cooperation*, Vol.44, No.3, pp.309-28.

Conclusion

Despite some debate about the utility of the concept of hybrid threats, hybridity has become a salient and pervasive feature of today's security landscape. It shows how internal and external security issues are intertwined and how silos and barriers need to be overcome in order to foster the emergence of a new culture of cooperation. Creative thinking is needed and old ways of doing things need to be challenged. The three years since the EU-NATO Joint Declaration have shown, through increased EU-NATO cooperation on hybrid threats, that civil-military cooperation is possible. However it is not an easy task, especially given the ambiguous, devious and treacherous character of hybrid threats. By its very nature the hybrid threat is designed to stoke disagreement and division.

EU-NATO cooperation has moved forward despite the difficulties inherent in a situation where both organisations need to undertake fundamental internal reorganisation while trying to create a flexible and coherent cooperation framework. Furthermore, the disparities between both organisations' member states' political and security cultures is a challenge for civil-military cooperation. All things considered the two organisations are doing well. Success in establishing informal networks and in initiating concrete steps is due to a common understanding that hybrid threats need comprehensive civil-military-public cooperation. There are obstacles and structural difficulties but both organisations have shown that there is strong mutual will to enhance security in the Euro-Atlantic space and fight against hybrid threats together.

For this to be fully successful both sides need to develop a better understanding of each other's internal processes and the different member states also need to learn more about each other's distinctive political and security cultures. There needs to be a concerted endeavour to seek civil-military cooperation which includes the public too. And pragmatic approaches need to be pursued when it comes to institutionalisation and interdependence. Perhaps institutionalisation and interdependence do not automatically lead to integration, and indeed perhaps this is not essential for collaboration and cooperation to work.

3

Operational cooperation

Bart M.J. Szewczyk[1]

In recent years NATO and the EU, with over twenty common member states, have been systematically engaging in closer cooperation at both the strategic and operational levels. The two institutions have coordinated their efforts to an unprece-dented degree, with initiatives ranging from joint declarations on strategic partnership in 2016 and 2018 through mutual invitations to summits and other high-level meetings to cooperation on 74 projects across seven policy areas. This underlying reality of shoulder-to-shoulder efforts and mutual reliance as partners of first resort should inform debates about transatlantic burden-sharing and European strategic autonomy: America and Europe, the EU and NATO need each other to address global challenges and manage crises.

Yet, notwithstanding the already high level of coordination, the EU and NATO should go even further, moving beyond complementarity to synergies. In particular, the new "level of ambition' for EU-NATO *operational* cooperation should include joint planning and joint action to project stability, prevent conflict, and manage crises in the future.

Moving towards further synergies will be neither automatic nor easy. The two organisations are drawn towards cooperation due to the long-term interests of their member states, but also towards competition due to broad institutional mandates, overlapping treaty obligations, and strategic self-conception. Surmounting these obstacles will require enlightened strategies on both sides.

This chapter assesses achievements in EU-NATO operational cooperation since the

1 This contribution represents a revised and extended version of a GMF blog contribution entitled "EU-NATO Coordination in Crisis Management: From Complementarity to Synergies", published by the author on November 26, 2018. The views expressed in this chapter are those of the author and do not necessarily reflect the official policy or position of the European Commission.

2016 Joint Declaration, identifies the challenges to and drivers of further cooperation, and outlines a potential way forward to increase operational synergies between the two organisations.

Achievements since the 2016 Joint Declaration

In the area of Common Security and Defence Policy (CSDP), the EU has approximately 3,000 troops deployed across six military operations[2] and around 2,000 officials across ten civilian missions.[3] EU member states have also deployed troops to various counter-terrorism operations (such as Counter-ISIS in Iraq and Syria or Operation Barkhane in the Sahel) and to peacekeeping missions (such as the UN missions in Mali or the Central African Republic).

NATO has eight military operations and missions, including troop deployments in Afghanistan (Resolute Support Mission, with about 13,000 personnel from 39 allied and partner countries), Kosovo (KFOR, with about 4,000 troops from 28 countries), Iraq (NATO Mission in Iraq (NMI), with several hundred personnel), and in the Mediterranean Sea with Operation *Sea Guardian*.[4] In addition, it has several thousand troops on its eastern and south-eastern flanks as part of the Enhanced Forward Presence and Tailored Forward Presence deterrence measures against Russia. NATO also has active defence capacity-building projects in Georgia, Iraq, Jordan, the Republic of Moldova, and Tunisia.

To date, the EU and NATO have coordinated missions and operations largely through de-confliction (i.e. not doing the same activities and avoiding duplication) rather than joint planning or joint action. The paradigmatic example was Afghanistan, where both the EU and NATO had police training missions, which were more de-conflicted than really working together so as to maximise the impact of the respective missions.

Inter-institutional cooperation has nevertheless taken place at different levels. In Bosnia-Herzegovina, the EU-led Operation *Althea* is the only so-called "Berlin Plus" operation, under which the EU can access NATO assets, with the NATO Deputy Supreme Allied

2 EUNAVFOR MED, EU NAVFOR *Atalanta*, EUFOR *Althea*, EUTM Mali, EUTM Somalia, and EUTM RCA.

3 EULEX Kosovo, EUMM Georgia, EUAM Ukraine, EUBAM Moldova and Ukraine, EUCAP Sahel Niger, EUPOL COPPS/Palestinian Territories, EUBAM Rafah, EUCAP Sahel Mali, EUAM Iraq, EUCAP Somalia, and EUBAM Libya.

4 The other missions include NATO Mission Iraq (NMI) (including several hundred trainers and starting in autumn 2018); Operation *Althea* (operational command headed by NATO Deputy Supreme Allied Commander Europe); Iceland's "Peacetime Preparedness Needs", Operation *Sea Guardian* (OSG), NATO Patriot Mission in Turkey, and NATO Air Policing.

Commander Europe acting as the Operation Commander while the force itself is under EU command. This arrangement, in place since 2004, enables the EU to serve as the operational lead, with NATO providing a supporting role.

In Kosovo, the EU and NATO have reinforced each other through the separate work of EULEX on the rule of law and KFOR in maintaining security. At the inception of EULEX in 2008, NATO foreign ministers welcomed its deployment as an "urgent priority".[5] The two missions are currently deployed in a layered security role, with the Kosovo Police in the lead, EULEX as backup, and NATO as ultimate backstop.[6] Cooperation is facilitated by a Joint Operational Procedure document, signed in 2013, and full-time liaison officers at each organisation's headquarters.

More recently, NATO launched Operation *Sea Guardian* in the Mediterranean Sea in 2016, which operates in parallel with the EU's Operation *Sophia*'s counter-smuggling networks mandate. The two sea operations have benefited from information sharing and logistical support, including refuelling, between the EU and NATO.[7] In the Aegean Sea, NATO has also provided real-time information to Greek and Turkish coastguards, as well as to the EU's Frontex, to locate smugglers.[8] Even if classified information cannot be formally exchanged between the two institutions, EU and NATO staff can advise each other and cooperate pragmatically: for example, one operation might go and intercept a smuggler boat in a particular part of the sea based on information shared by the other, but short of providing the supporting imagery.

Moreover, NATO and the EU have had several staff-level meetings on potential joint counter-terrorism efforts, which could serve as a basis for future operational coordination. There are also ongoing efforts to coordinate EU and NATO missions in Iraq (see below).

Before turning to these endeavours, the following section discusses several underlying obstacles to further collaboration, which can be surmounted only by renewed efforts with a view to safeguarding the long-term interest of each institution.

5 See NATO, KFOR History, https://jfcnaples.nato.int/kfor/about-us/history.

6 See EULEX, "EULEX Head Met With KFOR Commander", December 18, 2018, https://www.eulex-kosovo.eu/?page=2,27,909.

7 The EU and NATO, "Third Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016 and 5 December 2017", May 2018, https://www.consilium. europa.eu/media/35578/third-report-ue-nato-layout-en.pdf.

8 See Margriet Drent, "Militarising Migration? EU and NATO Involvement at the European Border", *Clingendael Spectator* 4, Vol.72 (2018), https://spectator.clingendael.org/pub/2018/4/_/pdf/CS-2018-4-drent.pdf.

Challenges to and drivers of further EU-NATO operational cooperation

The key driver of further EU-NATO cooperation is the aligned interests of the two institutions, due to overlapping membership. For instance, both the EU and NATO have an interest in defending and deterring against Russian aggression, promoting peace and stability in the Balkans, as well as projecting stability in the Middle East and North Africa to counter terrorism and prevent conflict. Since ultimate responsibility and sovereignty lies with the member states, even though power and resources can be pooled, they determine how they utilise both institutions to accomplish their foreign policy objectives.[9]

Of course, operational cooperation will remain difficult as long as the so-called Cyprus dispute will continue to confine the formal relationship to the framework of the Berlin Plus agreement – in practice it is only in the Bosnian context today that an EUled CSDP mission has recourse to NATO assets and capabilities. Informal cooperation can play a role, but is inherently limited.

In addition, there are at least three sets of challenges that impede EU-NATO operational coordination: institutional mandate maximisation, treaty overlap, and strategic self-conception.

First, competition arises from the EU and NATO wanting to be able to act everywhere and autonomously – at least in principle. The inherent tendency for any institution to maximise its mandate is exacerbated in their case because the dynamic flows not only from the officials within the organisations, but also from the representatives of member states. For instance, a country's position on a given issue might be viewed differently by its ambassador to the EU than by the ambassador to NATO, and likewise within the ministries of foreign affairs and defence back in member state capitals.

Second, another source of potential friction is the scope of, and hierarchy between, NATO's Article 5 on collective defence and the EU's Article 42(7) on mutual defence. Some argue that their text, history, and structure suggest that Article 5 takes precedence over Article 42(7), which is what Article 42(7) itself acknowledges for those countries that are members of both the EU and NATO. Conversely, others cite the precedent of France invoking the EU's solidarity clause but not NATO's after the terrorist attacks in

9 Samantha Power, citing Richard Holbrooke, once quipped in the context of the United Nations that blaming the Security Council for its failures was akin to blaming the Madison Square Garden for the way the basketball team NY Knicks play. The same principle applies to the EU and NATO.

Paris in November 2015.[10] Still others point out that the two clauses operate at different levels: Article 5 has to be collectively invoked whereas Article 42(7) can be individually invoked.[11] This debate is unlikely to be resolved soon but is partly revisited in the context of the current momentum towards a stronger EU defence identity, and the EU aspiration to strategic autonomy.

Third, problems can also arise from psychological dissonance between the EU and NATO about which organisation can claim more credit for preserving peace in Europe up to now. Both bodies have contributed to this and it is difficult to assess the respective shares, but their strategic narratives sometimes overlook this reality. Thus, the default reflex is sometimes for each institution to position itself as the primary security guarantor in Europe. However, recent crises with Russia have clarified minds as to the advantage of both the EU and NATO working together in order to provide resilience and deterrence. Such pragmatism should help overcome this particular obstacle to cooperation, but it may continue to generate background friction.

As a consequence of these factors, any quest for a full and equitable division of labour between the EU and NATO is going to be a Sisyphean task. Some overlap and duplication is inevitable – some of which can even be beneficial by covering all contingencies and providing greater security for all participants – and it should not impede coordination. The next-best alternative stems from what Jean Monnet called *solidarité de fait* – solidarity through action on the ground, or practice before principles, whereby operational cooperation can occur in practice even if not all of the theoretical issues are resolved.

In some countries (like Bosnia), it may be better for one institution to be in the lead, with the other in a supporting role. In others (like Kosovo), there may be natural synergies due to comparative advantages. Still in others, each institution's objectives may be better served by working quietly behind the scenes with other partners such as the United Nations (e.g., in Libya) or the African Union (e.g., in Somalia).

In this institutional context, coalitions of the willing within and across the EU and NATO (i.e., member states and institutional staff) will initiate action and cooperation.

As a result, certain understandings and norms can emerge through practices, leading

10 See Carmen-Cristina Cîrlig, "The EU's Mutual Assistance Clause: First Ever Activation of Article 42(7) TEU", Briefing, European Parliamentary Research Service, November 2015, http://www.europarl.europa.eu/RegData/ etudes/BRIE/2015/572799/EPRS_BRI(2015)572799_EN.pdf.

11 See, European Council on Foreign Relations (ECFR), "Article 42.7: An Explainer", November 2015, https:// www.ecfr.eu/article/commentary_article_427_an_explainer5019.

to greater trust, confidence, and solidarity. Senior officials and commanders have already developed ways to cooperate and are likely to do so in the future. Interactions in crises, rather than abstract discussions, will also reveal where duplication is unhelpful or beneficial; thus, there should be a healthy tolerance for trial and error, experimentation and course corrections. According to current senior EU and NATO officials, many of the habits developed in this way will never be codified and, in fact, any attempt in that direction might unduly restrict flexibility of action during crises and impede operational understandings. But cooperation in practice, when it works well, becomes part of the "muscle memory" and DNA of each institution, producing true synergies, namely where the whole is greater than the sum of its parts.

The way forward

In light of these dynamics, the EU and NATO could explore concerted common efforts. Where there is a separate EU and NATO presence (Iraq, Georgia, and the Republic of Moldova), they should look into what is feasible through common political messaging, policy coordination, and joint staff and resources.

Iraq may be one arena where true synergies could be achieved. Since October 2017, the EU has established a civilian advisory mission assisting the country's national security advisor and the interior ministry with security sector reform (SSR). The EU Advisory Mission in Iraq has 95 authorised civilian personnel based in Baghdad, with a mandate until April 2020. In parallel, NATO launched a defence capacity-building mission in 2018 to "train the trainers" of the Iraqi military, while also working with the national security advisor and the defence ministry "to help Iraq develop its capacity to build more sustainable, transparent, inclusive and effective national security structures and professional military education institutions".[12] The NATO mission in Iraq is expected to have several hundred military trainers, based in and around Baghdad.

The EU's and NATO's missions in Iraq clearly relate to each other, although they address different aspects of Iraq's national security process. EU and NATO planners have started coordinating their efforts and ideally will be able to institutionalise their cooperation on the ground. Synergy gains would include greater impact of capacity building due to a united message and swifter implementation due to time efficiencies. Exchange of information would also reveal remaining gaps and needs that need to be addressed to ensure the success of future efforts.

12 See NATO, "NATO Mission in Iraq (NMI)", Factsheet, December 2018, https://www.nato.int/nato_static_ fl2014/assets/pdf/pdf_2018_12/181203-factsheet-NMI-en.pdf.

Ukraine, where the EU has a rule-of-law mission and NATO has various projects involving a few dozen personnel, could be another case where their efforts could be usefully integrated. For instance, one project could be for the EU to support the various NATO Trust Funds in Ukraine, akin to its support for NATO's Building Integrity programme to reduce corruption and promote good governance in the defence and security sector, to which the EU is set to contribute €2 million. It should be noted that staff from the EUAM in Ukraine and from NATO already periodically meet jointly with Ukrainian counterparts to leverage their efforts. These practical on-the-ground habits and practices should be further institutionalised.

The EU and NATO should also explore the idea of establishing liaison teams in the European Commission, the European External Action Service (EEAS) and at NATO headquarters that could coordinate efforts across the two organisations. This proposal would build on the current respective cells that NATO and the EU have at each other's institutions (the NATO Liaison Team at the EUMS and the EU cell at SHAPE). The EU and NATO are complex institutions, with distinct decision-making processes and cultures, and there are only a few individuals who have extensive knowledge and experience of both. In particular, such teams could facilitate simultaneous, coordinated, and parallel crisis-management exercises, and potentially even joint exercises. They could also work towards facilitating timely mutual benefits of classified information, whereby classified information is not directly exchanged but can be utilised towards advising each other on a particular decision (e.g., locating a smuggler boat without sharing the underlying imagery).

On counter-terrorism, stability projection through capacity building and SSR have been NATO's and the EU's most valuable (if under-utilised) tool on their respective peripheries. Whether in Georgia, Iraq, Jordan, the Republic of Moldova, Tunisia or elsewhere, increasing assistance packages on counter-terrorism, defence and SSR and institution building can facilitate governance, help prevent conflict, and preclude safe havens for terrorist groups. Particularly now that Daesh is likely to metastasise into disparate groups scattered throughout the Middle East and North Africa, it is imperative that NATO Allies and like-minded partners can deny Daesh the territory and capability to organise and plot further terrorist attacks in Europe and North America.

Finally, it should also continue to be normal and expected that both the EU and NATO will conduct separate missions without the misperceptions that they are necessarily in competition, conflict, or duplicating each other's efforts and functions. Each institution has unique competitive advantages and mechanisms, some of which may be better suited than others in a particular operation or mission. For instance, NATO has extensive battlefield

experience in Afghanistan that it can share with the EU, which in turn has greater expertise in interior policies such as countering violent extremism and anti-radicalisation programmes, law-enforcement information-sharing, police monitoring, and criminal prosecution. Thus, a comprehensive strategy that builds on each institution's comparative advantage is necessary to maximise each institution's interests. What is imperative, nonetheless, is the political impulse to treat each other as core partners or partners of first resort, and ensure full consultation and transparency in decision-making.

Conclusion

Even in the absence of further institutionalisation (in part due to the deadlock caused by the political dispute between Turkey and Cyprus), coordination between the EU and NATO is likely to grow organically, although probably more slowly in that case as it will then still depend on personalities and circumstances. For instance, particular mid-level or senior officials are more likely to collaborate if they know and trust each other from prior interactions. Similarly, staff can develop creative or innovative policy ideas or proposals for institutional cooperation, if they have previously worked in the other institution or are familiar with its specific decision-making processes. Yet, with a bit of strategic planning, the two institutions could move towards a new level of ambition and cooperation, without depending on luck and happenstance. This would serve both their interests and that of their member states.

The test case for true operational synergies may be in Iraq, where the EUAM and NMI have sought to link efforts. The logic of the common interests of EU and NATO member states will drive both institutions towards cooperation, but officials should also be cognizant of the underlying impediments deriving from broad institutional mandates, overlapping treaty obligations, and distinctive strategic cultures. Finally, both institutions should resist the siren calls for a clear division of labour either by region or function. As noted above, it is difficult to identify *ex ante* any clear lines of demarcation, and forcing agreement on all theoretical issues may impede practical cooperation in ongoing operations, which in the end is what matters most.

4

Cooperation in cyberspace

Bruno Lété

The EU and NATO are targeted by the same cyber threat vectors that undermine all levels of society in member states, threatening civil, political, economic and military security. The vast increase in the number of cyberattacks and the emergence of cyberspace as a new battlefield has motivated the EU and NATO to launch initiatives to strengthen their cyber resilience, and to increase their mutual consultations and coordination in the cyber domain. While the recent progress in EUNATO cyber relations is commendable, this chapter nevertheless argues that the EU and NATO will eventually need to evolve from today's coordinated approach to a more ambitious and integrated joint model of cooperation if they are to respond adequately to the security threats that shape today's digital age. The first part of this chapter outlines the history of EU-NATO cooperation in cyberspace. The second part highlights the present-day challenges that prevent a more ambitious EU-NATO cooperation agenda. The third part formulates concrete recommendations on how to move from a coordinated approach to a joint model for EU-NATO cooperation in cyberspace.

EU and NATO responses to cyber insecurity

Cybersecurity and defence have long been part of the EU and NATO calculus but it is only gradually that the issue moved to the top of their policy agendas.[1] The first game-changer for Europe came in 2007, when a series of coordinated cyberattacks on Estonia forced both institutions to think more seriously about this type of threat. With the aftermath of

1 Cybersecurity first appeared on NATO's political agenda at the 2002 Prague Summit, but no policy resulted until 2008.

Estonia in mind, in 2008 NATO developed its very first Cyber Defence Policy. Five years later, in 2013, the EU followed suit by adopting its first Cybersecurity Strategy.

Another wake-up call for Europe came with the 2014 crisis in Ukraine. Russia's annexation of Crimea and semi-clandestine military actions in Donbass lent new urgency to cyber defence and readiness because Russia's hybrid aggression against Ukraine also included sophisticated cyberattacks.[2] Since then, cybersecurity has loomed increasingly large in NATO and EU priorities and both institutions' initiatives in the cyber domain have increased exponentially.

NATO endorsed an enhanced cyber defence policy and action plan in 2011, and it decided to operationalise cyberspace as a domain of defence policy and planning in 2016. That same year all Allies also made a Cyber Defence Pledge to enhance their cyber resilience as a matter of priority. At its last Brussels Summit in July 2018, the Alliance also announced the creation of a new Cyberspace Operations Centre as part of NATO's strengthened Command Structure. The EU for its part made the fight against cybercrime one of the three pillars of the European Agenda on Security, and recognised cybersecurity as a priority for the 2016 Global Strategy for the European Union's Foreign and Security Policy. The same year the EU Directive on the Security of Network and Information Systems introduced important legal measures to boost the overall level of cybersecurity in the EU. In addition, in 2017 Brussels adopted a "Cybersecurity Package" including the revised Cybersecurity Strategy and the introduction of a Cyber Diplomacy Toolbox.[3] In November 2018 the EU also updated its 2014 Cyber Defence Policy Framework to strengthen European strategic autonomy in cyberspace. Finally, in May 2019, member states adopted a list of "EU cyber sanctions" targeting individuals or groups that engage in cyberattacks against the bloc.

In this climate of urgency, the EU and NATO have started to see each other as complementary partners in the endeavour to build up their cyber resilience. In order to foster operational-level information sharing, NATO and the EU signed a Technical Arrangement on Cyber Defence in February 2016 between NATO's Computer Incident Response Capability (NCIRC) and the EU's Computer Emergency Response Team (CERT). The most significant step was made with the signing of two EU–NATO Joint Declarations, in July 2016 and in July 2018, that create a concrete framework for cooperation in the sphere of security and defence. With regard to cyber, the implementation plan of the EU–NATO

2 Attackers disabled numerous news and other websites using distributed denial-of-service attacks (DDoS).

3 Joint Communication to the European Parliament and the Council, "Resilience, Deterrence and Defence: Building Strong Cybersecurity for the EU," *JOIN(2017)450 final*, Brussels, September 13, 2017, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017JC0450&from=en.

Joint Declarations recognises four areas of cooperation: integration of cyber defence into missions and operations; training and education; exercises; and standards. A common set of new proposals was added in 2017 to foster exchange between staffs' relevant good practices concerning the cyber aspects and implications of crisis management and response, as well as operational aspects of cyber defence, with a view to improving understanding and synergies between the EU and NATO.[4]

Since neither organisation possesses the full range of capabilities to tackle contemporary security challenges, there is a serious incentive for the EU and NATO to cooperate in times of crisis. And in the field of cybersecurity and defence the past few years have indeed brought significant change. The EU and NATO share many of the same priorities in cyberspace, their policies are largely identical – based on the principles of resilience, deterrence and defence – and their tools are becoming increasingly complementary. Active interaction in the field of cyber has significantly improved with exchanges between staffs on concepts and doctrines, information on training and education courses, *ad-hoc* exchanges on threat assessments, cross-briefings, including on the cyber aspects of crisis management and regular meetings, and featuring an annual high-level EU-NATO staff-to-staff dialogue.[5] Another concrete achievement is the fact that since 2017 the EU and NATO flagship crisis management exercises – respectively called EU PACE and NATO CMX – are being coordinated and held in parallel with options for mutual participation of EU and NATO staffs. Coordinating EU PACE and NATO CMX reflects the overall desire to develop more interaction between both organisations.

Obstacles to EU-NATO cooperation in cyberspace

Even though EU-NATO relations in cyberspace can rely today on strong political support, cooperation sometimes remains difficult and the options limited. This section highlights obstacles at the institutional and member state level that prevent the EU and NATO from cooperating more and integrating their approaches.

4 Common set of new proposals on the implementation of the Joint Declaration signed by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization, December 5, 2017, https://www.nato.int/cps/en/natohq/official_texts_149522.htm.

5 The EU and NATO, "Third Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016 and 5 December 2017," May 31, 2018, https://www.consilium.europa.eu/media/35578/third-report-ue-nato-layout-en.pdf.

Obstacles at institutional level

A fully-fledged EU-NATO joint response for establishing deterrence in cyberspace is only possible if both organisations have a shared situational awareness and perception of the threats, based on joint threat indicators and assessment. This can only be achieved through regular sharing of classified and non-classified information. While interaction among staffs has improved, the EU and NATO nevertheless remain two separate bodies, and each uphold restrictive information-sharing procedures that prevent the emergence of a culture of shared situational awareness or cyber threat assessment. The problem in many cases also arises because of their different memberships. It is a case of either capitals wanting to share information only with the EU or only with NATO, but not with both, or governments simply not wanting to share their information at the supranational level. Moreover, if information manages to reach the EU or NATO despite these obstacles, cyber threat intelligence is often classified but there are no immediate channels for classified information sharing between the EU and NATO. Their standards and practices in securing information are still too different to encourage trust and an information-sharing tradition. All of this makes issues such as shared situational awareness or threat assessment much more difficult — and a joint response even more so.

Obstacles at member state level

The EU and NATO have each been given a clear mandate to assume a coordinative role and help synchronise individual member states' efforts in the field of cyber security and defence. In this light both institutions can advise and assist their member states on issues ranging from cyber policy strategy to technology development to capabilities procurement or infrastructure investment. In addition, NATO and the EU have both implemented ambitious defence integration programmes that allow member states to pool and share resources, to increase complementarity and to genuinely do more together. However, despite these ambitions the effective output of EU and NATO mandates in cyberspace remains limited. Both still depend on their members to endorse a supranational approach, but member states are often hesitant to work with the institutions because cyberspace is still considered a critical domain of national interests, and capitals are not always convinced that the EU or NATO can provide the assistance that fits their national needs. Moreover, for the EU and NATO to deliver advanced cyber solutions would also require member states to become more transparent about their threat intelligence or technical information on cyber incidents, to share their information about their national cyber vulnerabilities

and preparedness, or even to put at common disposal their technology and capabilities to attribute cyber incidents. Certainly, today there is no political appetite in capitals to do so. Moreover, it is also unclear how in the future a more robust role for the EU and NATO, or for EU-NATO cooperation in cyberspace, could be developed as long as a number of EU or NATO recommendations to member states are non-binding or member state follow-up is voluntary. This disconnect results today in a situation where member state cyber capabilities are often not interoperable, not complementary, or are not coordinated in such a way that national efforts reinforce common EU or NATO cyber objectives. It also leads to a situation where there is a growing gap across member states in terms of both civilian and military cyber capabilities.

Evolving to a joint model

The priority for the EU and NATO is to now find agreement on how to mitigate cybersecurity threats which are becoming more frequent and more sophisticated. EU-NATO cooperation is essential to allow European and transatlantic governments to become better at preventing, detecting, and deterring cyberattacks, as well as to hold those that engage in malicious cyber activities accountable. As such, both organisations must continue to seek new ways of cooperation that deepen and broaden their engagement. The following recommendations are achievable, some immediately and others in the long term. But given the scale of the threat, it is necessary to think ambitiously.

Create an EU-NATO cyber threat information hub

Joint structures that combine EU and NATO resources or expertise are nothing new. The European Centre of Excellence for Countering Hybrid Threats in Helsinki is a good example of how, with the necessary good will, the EU and NATO can work together under the same roof. The creation of an EU–NATO Cyber Threat Information Hub could be another step in this vein. The mission of such a hub would simply be to improve information sharing by building relations and networks between the EU, NATO, member states and partners. It could do so first of all by advising technical and operational level Standard Operating Procedures (SOP) for information exchange between the EU and NATO entities, and identifying how to enable secure lines of communication to share confidential cyber intelligence. In addition, it could assist the EU and NATO in defining what type of information needs to be shared, who needs to receive it, when the information needs to be shared, and making sure the information is released in a timely and appropriate manner.

In this regard, the hub could make active recommendations concerning the growing role of automated information sharing in identifying relevant information more quickly, but also in automating threat mitigation in real time. Automated sharing of security and threat information could also help the EU and NATO to standardise their threat intelligence. The hub could identify adequate information-sharing platforms or information-storage clouds that can withstand increasingly complex attacks, based on open industry specifications. Such platforms bring several benefits. They enable rapid communication and peer-based sharing, they reduce cost, and increase the speed of cyber defences by substituting manual responses for automated processes. In this regard, the hub could make active proposals on how to use the EU's Permanent Structured Cooperation (PESCO) or the European Defence Fund (EDF) to develop this type of technological capacity. The recent proposal of eight EU member states to develop a "Cyber Threats and Incident Response Information Sharing Platform" under PESCO encourages more thinking in this direction. The success of EUNATO cooperation in preventing, detecting and deterring cyberattacks will ultimately be defined by the ability of the two organisations to share information more effectively. Cautious steps in this direction have already been taken; for instance the EU was granted access to the NATO Malware Information Sharing Platform. But both organisations will need to continue to explore bold initiatives if they are to address today's information-sharing gap.

Establish an EU-NATO Taskforce for cyber crisis response coordination

To efficiently synchronise their cyber crisis response mechanisms the EU and NATO will need to create additional capacity. The existing structures that allow the EU and NATO to come together are still limited, ranging from formal and informal meetings between the North Atlantic Council (NAC) and the EU Political and Security Committee (PSC), exchanges at ministerial meetings, cross briefings to respective Committees and

Councils, and informal staff-to-staff interaction, for instance between the European External Action Service and NATO's International Staff. These interactions are valuable, but they do not represent a solid basis for guaranteeing an efficient and smooth collective response in the event of a real cyber crisis. A roadmap for collective response is therefore needed. An immediate way to achieve this would be to create a structure – like a joint taskforce – that brings together the EU Cyber Crisis Response Framework and NATO's Crisis Response System. This taskforce would be convened when a major cyber incident strikes multiple EU member states and NATO Allies or EU/NATO institutions.

To prepare this taskforce for operational duties, in a first stage, its task would be to map the full spectrum of EU and NATO competencies for cyber defence, to clarify responsibilities at national and supranational levels for issues like attribution and countermeasures, and based on this information to create a common template of cyber crisis management phases. Once such a common template is created, in a second stage, the taskforce could then be convened to respond to cyber incidents. This taskforce could also be useful in many other ways. For instance, it could make recommendations on how to synchronise joint strategic communication among EU and NATO institutions, or make proposals on how to use EU PESCO and NATO structures to support countries before, during and after crises. It could also look at creating linkages between the EU "Cyber Rapid Response Teams" currently being developed under PESCO and the existing NATO Rapid Reaction Team to Fight Cyber Attacks. Finally the taskforce could also make suggestions on how to include NATO into the EU Commission "Blueprint to respond to large-scale cybersecurity incidents and crises". The EU and NATO have a wide array of crisis management tools at their disposal, but they are disconnected. An ambitious, but much needed step, would now be to align those different instruments and to create an EU–NATO "playbook" on how to react to cyber incidents and crises.

Develop EU–NATO triggers for a collective response to cyberattacks

Talking openly about active and reactive responses in cyberspace is no longer taboo for EU or NATO member states. And the policy instruments to conduct an offensive strategy or to sanction adversaries are steadily increasing. NATO for instance has already recognised that a serious cyberattack on a member state could be a potential trigger for Article 5. At its November 2017 defence ministerial the Alliance also agreed to create a Cyber Operations Centre that will facilitate the integration of cyber capabilities with conventional military capabilities. The EU for its part created in 2017 its Cyber Diplomacy Toolbox, a framework for a joint EU diplomatic response to malicious cyber activities. In May 2019, EU countries also agreed that individuals and groups conducting cyberattacks from outside the bloc may be hit with potential sanctions, including travel bans and asset freezes.

These measures have boosted the EU's and NATO's individual capacity to hit back at cyber adversaries. But there is today no template on how to synchronise these different EU and NATO tools, nor is there agreement on the conditions that would trigger the collective use of these tools. In other words, the circumstances in which the EU and NATO would work together to adopt a responsive or offensive posture are still ambiguous. While NATO

and the EU have to an extent consciously embraced ambiguity for its strategic value, the absence of a clearer definition of an offensive posture, and of the circumstances, degree, and manner in which counter-measures can or should be taken if member states perceive a cyber threat or suffer a cyberattack, make it more difficult for the EU and NATO to respond collectively. The conditions to use the EU Cyber Diplomacy Toolbox or the trigger for NATO to launch an offensive cyber campaign may be clear if a member state faces a large-scale, devastating cyber crisis. However, most cyberattacks fall below the threshold of being perceived as a clear act of aggression. Formulating a proportionate response in this grey zone constitutes the biggest problem. Russian "active measures" in Europe are for instance clearly designed to exploit these grey zones, and the Kremlin has acquired some sophistication in avoiding red lines that would trigger a common response from EU or NATO member states. Russia is also not the only potential adversary capable of similar tactics. There is thus an acute need to define when and how the EU and NATO must respond against day-to-day cyber intrusions. The development of a set of EU–NATO basic principles, or (non-binding) guidelines that would trigger a joint response would be a good first step.

The Tallinn Manual[6] published by the NATO Cyber Defence Centre of Excellence could offer inspiration on how the EU and NATO can define these principles while respecting the application of international law. Currently the EU and NATO need to assess each individual cyber threat or cyberattack on a case-by-case basis without the support of standard measurement tools and indicators that can help them formulate a swift and proportionate response. This considerably slows down the decision-making process. However, if the EU and NATO were to dispose of a set of pre-agreed principles, it would significantly improve their joint reactiveness and resilience.

Intensify joint cyber exercises, foster a culture of mutual trust

Exercising, training and learning together is key to better understand each other's institutional processes, to develop common responses, and to cultivate a culture of trust. In their history, the EU and NATO have found it difficult to adopt such a mindset. They held only one joint crisis management exercise in 2003, which prioritised politico-military priorities and did not include cyber assets. The EU and NATO also planned, but failed, to implement more exercises in 2007, 2010, and 2014. The Joint Declarations of 2016 and

6 NATO Cooperative Cyber Defence Centre of Excellence, "Tallinn Manuel Process," https://ccdcoe.org/research/tallinn-manual/

2018 have nevertheless turned the tide and today both organisations exercise, train and learn together more than ever before. But the *rapprochement* is in many cases still cautious. A key example are the EU and NATO "coordinated and parallel" crisis management exercises – EU PACE and NATO CMX. Synchronising EU and NATO flagship exercises is a commendable step to develop more interaction but working in parallel is still a very different concept than a "joint exercise". *De facto*, EU PACE and NATO CMX remain independent initiatives, they constitute only one significant occasion per year where the EU and NATO exercise together, and they are not conducted at the same moment in time which represents an important disconnect with a joint crisis response in reality. A more realistic approach to creating a fully-fledged EU-NATO joint exercise is perhaps to think small-scale. A useful angle in this respect would be to have EU-NATO staffs exercise how to align specific technical cyber incident information (from computer security incident response teams – CSIRTs) with military intelligence threat assessments. Moreover, exercises must also go hand-inhand with joint training and education opportunities. The EU and NATO have already opened up their cyber courses to each other's staffs. As a next step, they could further explore how to integrate NATO cyber defence courses with the recently launched EU Cyber Education, Training and Exercise platform – an initiative from the European Security and Defence College to harmonise and standardise cyber defence education for EU member states. Coherent training and joint exercises will be key to create a mutual culture of trust and understanding.

Create a common Cyber Trust Fund for partner countries

Today the EU and NATO work individually with their partner nations on cybersecurity and defence programmes. But EU and NATO programmes could become more efficient if both institutions coordinate their assistance in order to create more synergy and avoid duplication. The EU and NATO could coordinate their assistance for partners around issues like technical cyber capabilities, information networks, and standards. A coordinated approach would also enable partners to more efficiently share with the EU and NATO their firsthand information, expertise, and experience. To complement or bundle the efforts of various EU or NATO assistance providers, an independent Cyber Trust Fund, supported by the EU and NATO, could be created. Access to the Trust Fund could be granted to EU Associated Countries or partner countries of the NATO EuroAtlantic Partnership, Mediterranean Dialogue, Istanbul Cooperation Initiative and Global Partnerships. The management of EU-NATO donations and screening of project proposals could be managed by an independent private law foundation – for instance based on the model of

the European Endowment for Democracy. The Trust Fund could address an important gap by focusing on the buildup of local and grassroot cyber skills and enable various stakeholders in partner nations to attend EU or NATO cyber courses, seminars, training sessions and conferences, or to organise similar types of activities in their homeland. The Trust Fund could adopt new approaches towards the development of local skills (government, corporate or civil society), for instance by requiring local partners to be involved in the project, and avoid situations where European or American contractors simply export their technology or knowhow to the partner nations. In this light, the Trust Fund could only support projects proposed by the partner nations, rather than copying the EU and NATO approach of pre-defining specifics for trust fund projects. The EU and NATO have worked together on financial assistance programmes in the past, such as the regular EU contributions to NATO trust funds for the disposal of unexploded ordnances, and anticorruption initiatives. In this light, the development of an independent EU–NATO Cyber Trust fund may not be such a farfetched idea after all.

Shape global norms around state behaviour in cyberspace

To sustain global peace and security, much capacity to prevent irresponsible state behaviour already exists in traditional domains such as nuclear, chemical or biological warfare. But the legal tools to stop governments across the world from engaging in malicious cyber activities are still limited. The lack of international agreement on rules regulating state behaviour in cyberspace or triggers for "digital self-defence" complicates efforts to manage cross-border cyberthreats. As such, the EU and NATO, as two rather like-minded bodies with overlapping memberships, have the opportunity to shape their own common vision for responsible nation state behaviour in cyberspace and project it to the world stage. Today, the most significant platform to clarify the application of legal frameworks in cyberspace probably remains the UN General Assembly's First Committee, which deals with disarmament and international security. In this context the EU and NATO should have a common dialogue on how they can assist the work done by the United Nations Group of Governmental Experts on Information Security (UNGGE) – a UN platform designed to debate the applicability of international law in cyberspace. EU-NATO cooperation could also be used to advance ideas about transparency and accountability in cyberspace in other international platforms, from the G20 to the OECD or OSCE.[7] The current volatile

7 See for example, United Nations, "Report of United Nations Group of Governmental Experts on Responsible State Behaviour in Cyberspace," UN Doc. A/70/174, July 22, 2015 and "G7 Declaration on Responsible States Behaviour in Cyber Space," Lucca, April 2017.

geopolitical relations on cybersecurity between major powers such as Russia, China, the US or the EU, means that finding global compromise around the rules of state behaviour in cyberspace remains very much an open question. The EU and NATO have an opportunity here to lead the way and use their combined political weight to promote their ideas on this issue on the global stage.

Adapting together

The accelerating change of the digital age, and the challenges it brings, is placing new pressures on the traditional structures of intergovernmental organisations like the EU or NATO. It also highlights how these traditional structures can find it difficult to coordinate with each other, even if the political will to do so is there. However, both the EU and NATO will continue to face threats emerging from cyberspace. For a long time, both found themselves ill-adapted to deal with this new reality, but change is on the horizon. And common responses are slowly but surely being developed to assert EU and NATO credibility in cyberspace in the eyes of their members, partners – and, indeed, adversaries. Clearly, bold initiatives are needed. The EU and NATO must transit from an agenda that strengthens their coordination, exchange and consultation mechanisms, to initiatives that improve their joint force-multiplying functions, their cyber capabilities, their communication and decision-making structures in cyber exercises, crises and conflicts, and their interoperability with partners in cyberspace. EU–NATO cooperation in cyberspace has taken its first small steps, but it will take a bigger leap forward to adapt to a digital age that is constantly, and rapidly, evolving.

5

Cooperation on capability development

Alexander Mattelaer

The 2016 EU-NATO Joint Declaration listed an urgent need to "develop coherent, complementary and interoperable defence capabilities of EU Member States and NATO Allies, as well as multilateral projects". This statement mirrors the ambition contained in the 2016 EU Global Strategy to play a role in deterring external threats and pursuing an autonomous ability to safeguard security both within and beyond Europe's borders. Any meaningful attempt at defence planning, however, necessitates a clear level of ambition and an associated force planning construct.[1] To date, the latter exists only in the form of NATO's successive Political Guidance documents and their translation into strategy and doctrine by the Military Committee.

This chapter discusses what has been achieved in terms of capability development over the past two years, what challenges the EU and NATO face in strengthening their cooperation, and what the way forward may look like. The argument is threefold. Firstly, in the absence of substantive agreement about the contours of a European joint force planning construct, EU-NATO capability planning efforts will remain stuck in the same muddle-through dynamics they have experienced over the past few years – that is to say: heavy on rhetoric and light on substance. Secondly, EU-NATO cooperation is ultimately predicated on a shared understanding of the instrumental value of military force. As long as EU defence efforts are only conceived of as part of a crisis-management paradigm, in which limited force is pledged in the service of an inchoate European foreign policy agenda, they remain largely irrelevant to the foundational existence of most European armed

1 Jan Joel Andersson, Daniel Fiott and Antonio Missiroli (eds.), *After the EU Global Strategy – Consulting the Experts: Security and Defence*, EU Institute for Security Studies, Paris, October 2016, pp.35-37, https://www.iss.europa.eu/sites/default/files/EUISSFiles/After_Global_Strategy_online.pdf.

forces, which is to defend the territory and way of life of European citizens, collectively if they can and individually if they must. Thirdly, all prospects for increased EU-NATO cooperation delivering greater outcomes are premised on an agenda of both organisations complementing one another in their respective areas of expertise. Apart from Europeans pulling their weight in NATO through greater defence investment, this entails fostering greater interest in various domains ranging from nuclear deterrence to competition in the informational sphere and economic statecraft.

Limited progress in synchronising NATO and EU defence planning

The third progress report on the implementation of the EU-NATO Joint Declaration lists the ongoing efforts that are made to ensure coherence between the EU Capability Development Plan (CDP), the Coordinated Annual Review on Defence (CARD) and the NATO Defence Planning Process.[2] These involve extensive staff-to-staff consultations, stimulating mutual awareness, avoiding duplication and the harmonisation of military standards. Most notably, these efforts also include significant work on enhancing trans-European military mobility. At the same time, it is hard to be impressed about the progress made in capability development in recent years. While capability development inevitably unfolds over much longer time horizons (multi-year or even multi-decade), it remains to be seen what future added value cooperation between both organisations can deliver. Such value, after all, is not measured in terms of bureaucratic parameters, but rather by increasing the return on investment from major defence acquisitions and improving the combat-readiness of European armed forces.

When it comes to the challenge of improving coherence between EU and NATO defence planning, the crux is that military planners need to know for which conflict they must plan and provide in order to build future forces.[3] The present EU-NATO division of labour makes the life of defence planners rather complicated. After all, as European Commission President-elect Ursula von der Leyen declared in her opening statement at the European Parliament, the cornerstone of collective defence will always be NATO.[4]

2 For a comparative overview of these processes, see Frédéric Mauro, *EU Defence: The White Book Implementation Process*, European Parliament (DG EXPO), Brussels, December 2018, http://www.europarl.europa.eu/RegData/etudes/STUD/2018/603871/EXPO_STU(2018)603871_EN.pdf.

3 See for example Jim Mitre, "A Eulogy for the Two-War Construct", *The Washington Quarterly*, Vol.41, No. 4, 2019, pp.7-30.

4 Opening Statement in the European Parliament Plenary Session by Ursula von der Leyen, Candidate for

The force planning construct that accompanies the existing NATO Political Guidance relies on maintaining and expanding a pool of forces at different levels of readiness that is designed to reinforce the forward presence in central and eastern Europe in case of conflict with the Russian Federation. In addition, different European states to a greater or lesser extent plan forces for crisis management operations and other contingencies either on a national or multinational basis (be it NATO, EU, UN or *ad hoc* coalitions). In turn, the EU seeks to foster defence industrial consolidation through its regulatory activities as well as the European Defence Fund, principally guided by market efficiency considerations rather than strategic analysis. This means that European defence planners need to engage in a three-dimensional game, reconciling the requirements of providing for collective defence with those pertaining to other military tasks and the evolving regulatory landscape of defence procurement.

In an ideal world, this situation could be resolved by codifying a clear political and military level of ambition for a European pillar within the NATO framework. This could theoretically provide the basis for a European force planning construct encompassing (i) the European contribution to the defence of the continent (presumably taking responsibility for much of the heavy lifting in terms of conventional deterrence and defence); (ii) the collective European appetite for expeditionary crisis management operations (if any); and (iii) those tasks and missions that individual European states deem necessary on a purely national basis (such as homeland operations or the defence of overseas territories). In order to serve as a foundational anchor, such a force planning construct would integrate the geographical position as well as specific functional expertise of individual European states. This would help cement an intra-European division of labour that reduces the current and overwhelming degree of military dependency on the US.[5]

Yet such clarity is hard to find. In practice, individual European states tend to engage in national defence planning cycles that take NATO and EU capability targets into account to a greater or lesser extent. One can therefore assume that the 2019 edition of the NATO Political Guidance will remain the principal reference framework for anticipating future capability requirements. The broad-brush overview will then come to resemble the collective (albeit haphazard) pursuit of "heavier, more high-end forces and capabilities and more forces at higher readiness", as paraphrased by Heinrich Brauss, the former NATO Assistant

President of the European Commission, Strasbourg, 16 July 2019, http://europa.eu/rapid/press-release_SPEECH-19-4230_en.htm.

5 For discussion, see Alexander Mattelaer, "Rediscovering Geography in NATO Defence Planning", *Defence Studies*, Vol.18, No.3, 2018, pp.339-56.

Secretary General for Defence Policy and Planning.[6] In turn, the EU's Coordinated Annual Review will provide an additional overlay that is bolted onto the NDPP, "while recognising the different nature of the two organisations and their respective responsibilities".[7] At the same time, the future European Defence Fund will provide substantial financial incentives for pursuing joint defence R&D activities and joint defence procurement. The critical links between a joint analysis of the security environment, the definition of a political and military level of ambition, the codification of capability targets, the fine-tuning of the regulatory environment in which the procurement process unfolds, and the fusion of systems, military personnel and training activities into actual capabilities will span across multiple institutional contexts. Coherence will likely remain suboptimal, yet the different stakeholders involved will all bring specific niche contributions to the table.

Letting go of the crisis management paradigm

The overview presented above may strike many as disappointing. After so many years of political discussions and declarations about improving EU defence cooperation, why is there so little result to show for it? The heart of the matter is that the EU's Common Security and Defence Policy (CSDP) was originally conceived and developed around the notion of expeditionary crisis management in the EU's geographical periphery, be it the Balkans, the African continent, and to some extent the Middle East and Eastern Europe. While this task has not disappeared, it has become much less relevant to defence planning than used to be the case until a few years ago. A renewed awareness of the need to plan and provide for an actual *defence* of the European continent (as opposed to expeditionary military activity in support of a foreign policy agenda) is what has made all the difference from the summer of 2014 onwards as events unfolded in Crimea and eastern Ukraine.

This comeback of collective defence as the dominant paradigm for capability planning has far-reaching consequences. For all EU member states that are part of NATO, their collective defence builds on a military strategy that seeks to deter and, if necessary, defend against territorial aggression. The deterrence mission, itself based on influencing the cost-benefit calculation of the adversary through the threat of punishment, logically comes first. It also requires the availability of high-end conventional and nuclear strike capabilities. In turn, the second leg of collective defence preparations requires sufficient numbers

6 Heinrich Brauss, *NATO Beyond 70: Renewing a Culture of Readiness*, International Centre for Defence and Security, Tallinn, November 2018, https://icds.ee/nato-beyond-70-renewing-a-culture-of-readiness/.

7 Roland Van Reybrouck, "What's in the CARDs?", *Security Policy Brief* No.103, Egmont Institute, Brussels, February 2019, p.4, http://www.egmontinstitute.be/content/uploads/2019/01/SPB103.pdf.

of combat forces spanning across the different geospatial domains and maintained at a sufficiently high degree of readiness to make the switch from peacetime to wartime operations at short notice. Given the geographical characteristics of Alliance territory and the relatively shallow pool of forces, a premium must be put on developing highly mobile and flexible forces that are able to be deployed and redeployed on different missions at short notice.

The above scenario, which is at heart about marshalling capabilities for fighting a major war, poses a fundamental problem for the EU. Given that the EU as a political project has been founded on the idea of having no more war on the European continent, it would be somewhat paradoxical if the Union were to start planning and providing for such an eventuality. In addition, the process of thinking through what a military confrontation in the Baltic region would look like in terms of kinetic intensity, for example, would make even many defence planners shudder with horror. This is arguably the main reason why NATO has remained the pre-eminent institution for debating European defence efforts: not simply because of the preponderance of military power that the US can provide, but because it absolves Europeans from thinking on their own about the frightening prospect of actual war. This also explains why the CSDP debate tends to be driven by the ministries of foreign affairs of individual member states, while only gathering limited attention from the ministries of defence of the same member states. Bluntly put, few defence planners would conceive of the EU as an organisational vehicle for waging war, because this is antithetical to its organisational DNA – even as the EU Global Strategy states that the EU will guarantee the security of its territory and must therefore obtain the means for doing so.

Capability development always needs to build on the instrumental function that military force is set to serve. In the light of the above, the institutional fragmentation described in the previous section acquires yet another dimension. Given that the collective defence debate unfolds outside of an EU setting, there exists a substantial risk that the European Defence Fund and Permanent Structured Cooperation efforts become overly influenced either by purely industrial considerations or by overly idealistic conceptions about the instrumentality of the military. It is likely to remain challenging to talk about European defence industrial consolidation without addressing the fundamental purpose served by the European defence industrial base. At heart the latter is not about supplying European militaries with the kit they need during peacetime, but all about providing the industrial capacity to allow for mobilising far greater defence efforts in times of war. This is not a question of market efficiency, but a matter of national survival.

The outlook is not entirely bleak, however. The return of collective defence as the main

paradigm for organising European defence efforts is central to maintaining European unity just as much as it is about safeguarding NATO cohesion and the transatlantic link. Should the latter continue to erode as a result of political divergences, this puts a premium on the former. If European defence is to flourish, it will need to be precisely that: a Europeanisation of collective defence commitments and responsibilities in line with US retrenchment. At the same time, it is important to remain alert to the dynamic interplay between the defence of the European continent, the increasing rivalry between the US and China, and internal European security challenges that siphon off scarce defence capabilities. All three of these factors have far-reaching implications with respect to the character of future conflict as well as the resulting military capability requirements. Collective defence in the twenty-first century may look quite different to what it was in the past.

The way forward

As the post-Cold War paradigm for conceptualising European defence is showing signs of exhaustion, the difficulties of the past are being rapidly overtaken by new challenges that impose themselves with great urgency. The erosion of the arms control regime as symbolised by the abandonment of the Intermediate-Range Nuclear Forces (INF) Treaty and the return of nuclear messaging has delivered a sudden rebirth of interest in nuclear deterrence debates.[8] Moreover, fierce competition in the cyber domain, where the strategic vulnerabilities of digital democratic societies are being exploited through increasingly sophisticated cyberattacks, means that cyberspace is arguably becoming the principal battleground of future conflict. Last but not least, the geopolitical importance of trade access and regulatory influence continues to reverberate. If international influence is about harnessing all these different dimensions of international clout, it goes without saying that both NATO and the EU continue to provide added value to their respective members. This is particularly true when EU-NATO cooperation is not just about inter-institutional contacts, but about both organisations mobilising their respective strengths in function of common objectives – most notably the security, prosperity and well-being of the European continent and the wider Euro-Atlantic community.

As long as nuclear weapons exist, NATO will remain a nuclear Alliance. This agreement effectively ensures that NATO remains the primary framework for European security as

8 Didier Audenaert, "The End of the INF-Treaty: Context and Consequences," *Security Policy Brief* No.111, Brussels, Egmont Institute, Brussels, July 2019, http://www.egmontinstitute.be/the-end-of-the-inf-treaty-context-and-consequences/.

long as Europeans find themselves under the shadow cast by the large nuclear arsenal of the Russian Federation. Given that Moscow often makes casual use of its nuclear prowess as an instrument for intimidating its neighbours, Europeans cannot escape their dependency on the US unless they were to develop their own nuclear umbrella.[9] The latter remains little more than a theoretical scenario given the state of European politics today. In the aftermath of the conflict in Ukraine, it came as no surprise that NATO's declaratory nuclear posture started to evolve considerably. In the light of the growing fragility of strategic stability, European interest in nuclear discussions has started to increase after a long period of hibernation.[10] This includes, *inter alia*, a renewed interest in assuming nuclear burden-sharing responsibilities. A recent report commissioned by the Dutch government unambiguously recommended the continuation of the nuclear mission associated with dual capable aircraft, for instance.[11] Incidentally, the existing European interest in space-based technologies dovetails well with the possibility of expanding European nuclear arsenals in case of need.

International rivalry today is as much about competition in the information domain as it is about missiles and tanks. Whether labelled as "fake news", "disinformation campaigns" or "hybrid warfare", the struggle for shaping the narrative battleground of international relations has intensified dramatically in recent years. In this regard, NATO and the EU possess complementary institutional profiles and sets of capabilities. NATO's declaratory stance tends to be sober and defensive, exercising great care to explain any changes to the Alliance's military posture. The EU, in turn, has sanctioned a more active strategy of systematically rebutting the narratives peddled by the Kremlin and other actors.[12] The East StratCom Task Force developed by the European External Action Service constitutes a good example of a twenty-first century (defensive) information operations capability. To

9 On different interpretations of Russian nuclear doctrine, see Alexey Arbatov, "Understanding the US–Russia Nuclear Schism", *Survival*, Vol.59, No.2, April-May 2017, pp.33-66.

10 See for example Karl Heinz Kamp, "Welcome to the Third Nuclear Age", *The National Interest*, May 2, 2016, https://nationalinterest.org/feature/welcome-the-third-nuclear-age-16020; Claudia Major, "Germany's Dangerous Nuclear Sleepwalking", Carnegie Europe, January 25, 2018, https://carnegieeurope.eu/strategiceurope/75351; François Heisbourg and Maximilian Terhalle, "6 Post-Cold War Taboos Europe Must Now Face", *Politico*, December 28, 2018, https://www.politico.eu/article/6-post-cold-war-taboos-europe-must-now-face-merkel-macron-trumpnato-eurozone-reform/.

11 Dutch Advisory Council on International Affairs, *Kernwapens in een nieuwe geopolitieke werkelijkheid. Hoog tijd voor nieuwe wapenbeheersingsinitiatieven*, The Hague, Adviesraad Internationale Vraagstukken, January 29, 2019, https://aiv-advies.nl/9vp.

12 For a comprehensive overview, see Jan Joel Andersson, Florence Gaub, Antonio Missiroli *et al.*, 'Strategic Communicationsas : East and South*', Report* No.30, EU Institute for Security Studies, Paris, July 2016, https://www.iss.europa.eu/sites/default/files/EUISSFiles/Report_30.pdf.

the extent that disinformation tactics target democratic processes, it is the electoral arena that needs to be safeguarded from external interference – and this is something that neither NATO nor the EU can do without the active involvement and support of their member states and civil society actors.[13]

Yet another dimension of international influence that has not ceased to gain in importance is that of trade access and regulatory influence. In this regard the EU is an undisputed superpower. The Economic Partnership Agreement between the EU and Japan constitutes a case in point. Together, these two advanced economies account for one third of the world's GDP. This joint economic clout provides the foundation for exercising wider influence: it is no coincidence that the Economic Partnership Agreement was accompanied by a Strategic Partnership Agreement that reflected a shared commitment to strengthen the rules-based global order. As explained by German foreign minister Heiko Maas, "Our countries are too small to be able to call the shots on their own on the global stage. … If we pool our strengths – and we can do so to a greater extent than we have done in the past – perhaps we can become something like "rule shapers", who design and drive an international order that the world urgently needs".[14] Of course, this does not qualify as a military capability, but European states recognise that their common economic interests can be defended more forcefully together. Collective defence in a wider sense of the word must therefore be understood to include the framework that EU trade policy provides.

Conclusion

EU-NATO cooperation on capability development has arguably progressed and stalled at the same time. Staff-to-staff consultation on the synchronisation of both organisations' defence planning processes is mature and professional. In that sense, policy coherence is actively pursued. However, these efforts cannot alter the fact that both organisations have a fundamentally different profile in the way in which they approach the instrumental value of military force. Precisely because NATO has already moved on from the post-Cold War crisis management paradigm, whereas the EU's CSDP has not, ensuring real complementarity in capability development necessarily entails some degree of institutional fragmentation. As long as the European Defence Fund and associated efforts take into account the full picture of capability targets provided by NATO's Political Guidance

13 For discussion, see for example Välisluureamet, *International Security and Estonia 2019*, Estonian Foreign Intelligence Service, Tallinn, March 2019, pp.39-42, https://www.valisluureamet.ee/pdf/raport-2019-ENGweb.pdf.

14 Speech by German Minister for Foreign Affairs Heiko Maas at the National Graduate Institute for Policy Studies, Tokyo, July 25, 2018, https://www.auswaertiges-amt.de/en/newsroom/news/maas-japan/2121846.

and additional national ambitions, it is not impossible to achieve a reasonably coherent approach overall.

In an ideal world, a genuinely European level of ambition, combined with a force planning construct that spans across the tasks of collective defence, joint crisis management and national obligations of all member states, would provide much greater clarity. While this may not be forthcoming any time soon, the obvious complementarity in the capability profiles that both organisations can mobilise – ranging from nuclear deterrence in NATO to economic statecraft in the EU – is clearly visible. The main task ahead for all EU member states and NATO allies is therefore to rebuild their conventional arsenals and complement these with the capability sets that build on the innovation offered by twenty-first century technology. The EU budget can help provide for greater synergies but cannot substitute for member states assuming responsibility for the defence of their citizens.

6

Defence industry, industrial cooperation and military mobility

Daniel Fiott

Issues pertaining to the defence industrial sector represent a perennial tension in EUNATO relations. The tension exists both between the two organisations and the constituent members of each body. In short, the possibilities for and limits to EU-NATO cooperation on defence-industrial matters are conditioned by considerations of industrial competitiveness and strategic autonomy. Whereas NATO has a well-established defence planning process and fora to stimulate allied industrial relations, the EU defence-industrial toolbox includes legislation (e.g. directives on defence equipment transfers and procurement), a political framework called Permanent Structured Cooperation (PESCO), a Coordinated Annual Review on Defence (CARD) and a European Defence Fund (EDF) that will support defence research and capability development. The introduction of EU initiatives such as the EDF and PESCO has given rise to concern in both the US and NATO that the Union is developing policy tools that may discriminate against non-EU members and duplicate military capabilities. Such claims are founded on subjective data as well as a failure to take account of how the EU has agreed to PESCO and the EDF, and wilfully gloss over the realities of market access in the US.[1] Suspicion of these EU initiatives should be seen in a context where the current US administration has pressured European allies to spend more on defence. The US president has also delivered some alarming messages on the US's commitment to collective defence under Article 5 of the Washington Treaty.[2]

Despite the current level of friction, however, the EU and NATO have pledged to work

1 Daniel Fiott, "The Poison Pill: EU Defence on US Terms?", *Brief* No.7, EU Institute for Security Studies, June 2019, https://www.iss.europa.eu/sites/default/files/EUISSFiles/7%20US-EU%20defence%20industries.pdf.

2 Julie Hirschfeld Davis, "Trump Warns NATO Allies to Spend More on Defense, or Else", *The New York Times*, July 2, 2018, https://www.nytimes.com/2018/07/02/world/europe/trump-nato.html.

closely together on defence-industrial matters. For example, the July 2016 Joint Declaration speaks about the need to "facilitate a stronger defence industry and greater defence research and industrial cooperation within Europe and across the Atlantic". The follow up declaration of July 2018 reiterated the need for EU-NATO coherence, complementarity and interoperability. However, while the 2018 declaration referred to successful instances of cooperation in maritime security, hybrid threats, capacity building and military mobility, defence-industrial cooperation was notable by its absence.

This chapter examines how far the EU and NATO have come in enhancing defence-industrial cooperation, but also outlines the challenges and indicates possible ways ahead. By additionally focusing on military mobility, this contribution also sheds light on the challenges of cooperation when various civil and military stakeholders are involved.

Somewhere between support and suspicion

Following the EU-NATO Joint Declaration of 2016, the EU and NATO pledged to cooperate with each other on 74 specific action points including the defence industry and military mobility. In terms of the defence industry, both organisations recognise the importance of Europe having a competitive defence market. To this end, following the publication of the EU Global Strategy in June 2016 the EU embarked on the development of a number of important security and defence initiatives. Specifically, a CARD was developed to ensure better synchronised defence planning among EU member states with a view to filling capability shortfalls, avoiding duplications and identifying future technology development opportunities.

At the November 2018 Foreign Affairs Council, EU member states agreed to begin the first full cycle of the CARD in 2019-2020 after a trial run that was conducted in 2018.[3] The CARD forms part of the EU's overall defence planning process along with the Capability Development Plan (CDP), which was revised in 2018. The CDP enables the EU to identify capability shortfalls, learn lessons from military missions and operations, look at future capability trends and scope out opportunities for capability collaboration between EU member states. Both the CARD and CDP can be seen as supporting mechanisms for EU-NATO cooperation on defence-industrial matters, as the results from processes such as the NATO Defence Planning Process (NDPP) are fed into the EU's own data collection and analysis processes. In particular, and as a result of the *rapprochement* between

3 Daniel Fiott, "EU Defence Capability Development: Plans, Priorities, Projects", *Brief* No.6, EU Institute for Security Studies, June 2018, https://www.iss.europa.eu/author/daniel-fiott.

the EU and NATO, the EU's Capability Development Mechanism (CDM) – which helps the EU prioritise defence capabilities – takes stock of NATO capability requirements and inventories and the results are then fed into the CDP.

Additionally, in 2017 the European Commission launched the EDF to assist with European cooperation on defence research and capability development – from 2021 the Fund will total €13 billion.[4] The EDF has perhaps roused the attention of NATO and the US like no other EU defence initiative. In particular, some non-EU allies see the EDF as a potential move by the Union to exclude NATO allies from defence research and capability development programmes. Despite public calls from some NATO allies to this effect, the EU has taken steps to ensure complementarity with NATO defence planning objectives. Here, it should be noted that capability prioritisation under the EDF is informed by the CARD and CDP processes, which already integrate NATO priorities. Furthermore, high-level representatives of the EU have engaged with NATO representatives in order to better communicate the objectives of the EDF and the processes behind it. For example, the High Representative/Vice-President of the Commission, Federica Mogherini, and the Commissioner for Internal Market, Industry, Entrepreneurship and SMEs, Elżbieta Bieńkowska, both spoke at the 9 November NATO-Industry Forum. Commissioner Bieńkowska also attended the 5 July 2017 North Atlantic Council (NAC) to update allies on the EDF.

Furthermore, in December 2017 25 EU member states formally launched PESCO as a way to pledge their adherence to 20 binding commitments on defence and to work on capability projects – an initial wave of 17 projects was agreed, and a further 17 followed in November 2018.[5] PESCO is another initiative that has received a qualified welcome from NATO. Much like the EDF, NATO concerns about duplication and complementarity have echoed US fears that PESCO could be used as a vehicle to exclude US defence firms from European capability programmes.[6] To this end, the US and other non-EU allies have spearheaded efforts to ensure that PESCO is open to third parties for participation in projects. Although the US has called for Europeans to do more on defence, suspicion

4 European Commission, "EU Budget: Stepping up the EU's Role as a Security and Defence Provider", Press Release, *IP/18/4121*, Strasbourg, June 13, 2018, http://europa.eu/rapid/press-release_IP-18-4121_en.htm.

5 Council of the EU, "Defence Cooperation: Council Launches 17 New PESCO Projects", *657/18*, Brussels, November 19, 2018, https://www.consilium.europa.eu/en/press/press-releases/2018/11/19/defencecooperation-council-launches-17-new-pesco-projects/

6 American Chamber of Commerce to the EU, "The European Defence Action Plan: Challenges and Perspectives for a Genuine Transatlantic Defence and Industrial Relationship", *Position Paper*, February 5, 2018, http://www.amchameu.eu/system/files/position_papers/final_website_edap_with_recommendations.pdf.

towards this EU initiative is currently unwarranted, especially given that PESCO is still in its infancy. It is for this reason that the EU has engaged in regular outreach initiatives to NATO to better explain the purpose behind PESCO. For example, on 24 March 2017 the NAC and the EU's Political and Security Committee (PSC) held a joint informal meeting to discuss PESCO and other initiatives. Here, it was made clear that the results of PESCO projects are developed by participating EU member states to use in any organisational format they choose.

Finally, on military mobility the EU and NATO have worked closely together to ensure that the initiative – a PESCO project – progresses. For example, NATO has invested €2 billion into military mobility projects since 2014 and the European Commission has requested €6.4 billion for dual-use infrastructure under the Multiannual Financial Framework (MFF) for the period 2021-2027. NATO's 2018 *Trident Juncture* exercise in Norway was also an opportunity to learn further lessons about transporting equipment and personnel in Europe. Even though it was not specifically geared to military mobility, as part of the 2018 Parallel and Coordinated Exercise (PACE) the EU and NATO exchanged lessons learned about conventional and hybrid attacks. In this regard, the EU has already approved the "Military Requirements for Military Mobility" within and beyond the EU, which is important for two reasons: first, they reflect NATO's generic military requirements for infrastructure; and second, they represent national input from EU member states gathered in the EU Military Committee (EUMC) and other EU bodies. On this basis, it will be easier to identify gaps between the agreed military requirements and the transportation linkages in the EU under the Trans-European Transport Network (TEN-T).

Cooperation and its challenges

Defence and industrial issues

At the heart of any discussions about the EU-NATO relationship are considerations about defence-industrial competitiveness. While it is true that there is a perennial problem associated with Cyprus-Greece-Turkey relations, which tend to touch upon information exchanges between the two organisations, it is the industrial relationship between the US and European allies that stokes misperceptions and suspicion. Despite overlapping membership in both the EU and NATO, the presence of the US in NATO and not the EU has repercussions for the extent to which the two organisations can cooperate on defence-industrial issues. As the world's largest defence market, the US can utilise NATO

to promote its defence systems and technologies with European allies and so defence-industrial cooperation inside the EU is seen as a way to ensure the competitiveness of the European Defence and Technological Industrial Base (EDTIB).

In reality, the situation is not so simple because some EU member states purposefully maintain close industrial links to the US. They either buy US equipment "off-theshelf" to bolster their bilateral defence relationship with Washington or they sell into the US defence market (albeit through US controlled subsidiary firms). For example, of the 1,800 or so fighter aircraft in European air force inventories in 2017, approximately 33 percent were purchased from the US either through direct sale or workshare programmes.[7] Currently, a number of NATO and/or EU members are looking to replace legacy aircraft with fifth generation fighters and many have already decided to purchase the American F-35 Lightning II aircraft (Belgium, Denmark, Italy, the Netherlands, Norway and the United Kingdom). The rationale for such purchases does not solely relate to the operational and technological performance of the aircraft systems, because governments also consider technology transfers and *juste retour* as important aspects of buying from the US.

Both European and American firms seek to increase their share of the global defence market, and US defence firms have seen the European market as an attractive export market. This is mainly because the US develops and produces weapon systems such as fighter aircraft nationally. As part of Washington's drive for industrial competitiveness it is necessary for the federal government to ensure a healthy level of domestic consumption and exports. Without sufficient order numbers, the costs of production for many weapon systems are likely to rise in combination with the fact that modern sophisticated weapons systems are becoming more expensive to produce and operate.[8] For instance, consider that the US government estimates that the total acquisition cost of the F35 programme presently amounts to over $400 billion.[9] Thus, ensuring that there exists economies of scale in production means that allies are to be seen as markets as well as military allies.

For European manufacturers the picture is different. European demand is still relatively low and, even though some producers do export to the US market, most European exports go to select partners in regions such as the Middle East and Asia. While most European NATO allies operate US equipment in some form or other, in key strategic capability

7 International Institute for Strategic Studies, *The Military Balance 2018* (London: Routledge, 2018).

8 David L. I. Kirkpatrick, "Trends in the Costs of Weapon Systems and the Consequences", *Defence and Peace Economics*, Vol.15, No.3 (2004), pp.259-73.

9 US Government Accountability Office, "F-35 Joint Strike Fighter", *GAO-17-690R*, August 8, 2017, https://www.gao.gov/products/GAO-17-690R.

areas a number of European states insist on either producing a national capability or system or developing a European solution. For example, France and Sweden produce their own aircraft nationally (the Rafale and the Gripen) and Germany, Italy, Spain and the UK have a common aircraft system (Eurofighter). The reason for developing national or European systems is clear: to ensure economic competitiveness, technology and industrial skills development and to enhance strategic autonomy (politically, economically and operationally). Aside from the economic advantages of producing European systems, an overriding concern is that European militaries can use weapon systems in full political freedom in line with their own strategic priorities and constitutional parameters (some EU states are neutral or have constitutional limits on the use of certain types of weapons).

Therefore, defence-industrial cooperation between the EU and NATO is hampered by considerations of economic competitiveness and strategic autonomy. This is clearly displayed during debates over the development of new EU defence initiatives such as the EDF and PESCO and third-party access for countries such as Norway, Turkey, the US and soon-to-be former EU member state the UK. The US sees these EU initiatives as potential "protectionist" vehicles designed to exclude US industry from European defence contracts, whereas EU member states see the Fund as a way to enhance Europe's defence-industrial competitiveness and invest in autonomously-owned key strategic technologies and systems. Yet the divergences are historical and not confined to new EU defence initiatives. Indeed, questions about what military capabilities the NATO alliance needs in comparison with national priorities has been a long-standing issue (see Alexander Mattelaer's chapter in this volume). This also extends to the technological priorities that NATO pursues when compared to national priorities in Europe and the priorities of the EU.

Military mobility

The challenges facing military mobility are of a different nature to the defence industry, but they are nonetheless indicative of the political dynamics at play in EU-NATO relations. The idea that it should be easier for NATO forces to more effectively circulate troops and equipment across Europe is not a new one. US Generals have made repeated calls for military mobility, especially since Russia's seizure of Crimea and the need to ensure NATO movements and rotations as part of the NATO Response Force (NRF) and the Very High Readiness Joint Taskforce (VJTF). There has been a NATO push for military mobility for some time, but when the legal and regulatory aspects of mobility are considered it is clear that the EU institutions have a role to play. This is especially the case given that the

EU has a mandate and level of expertise for managing cross-border regulatory and legal issues in the single market. The EU already supports transport infrastructure development in the Union through the Connecting Europe Facility. Accordingly, military mobility has been held up as a good example of EU-NATO cooperation as well as becoming a PESCO project.

One of the key policy challenges involved in making military mobility a success is ensuring that the EU and NATO map out pressing obstacles to mobility. Barriers include the infrastructural capacity required to transport heavy and potentially dangerous equipment across European borders. For example, not all bridges across Europe have the same load-bearing capacity, which makes it difficult to transport tanks across Europe without causing damage to existing infrastructure and the tanks. Another infrastructural challenge is ensuring that each transit and destination state has the capacity to load and unload potentially dangerous cargo. Here, the European Commission is able to assist by investing in modernised dual-use transport links – this is the objective behind the planned €6.4 billion EU investment. Other barriers relate to issues such as legal jurisdiction, regulations and criminal liability. For example, it is necessary to ensure that customs checks are conducted in a fair and timely manner for the military. It is also the case that clarity is needed in many member states for situations where a criminal act has been perpetrated by service personnel in a third country or when the provision of healthcare is required. Which member state authority takes up the liability, cost and administration for criminal acts and healthcare is a key question. Issues such as a lack of harmonised speed limits in the EU also matter (i.e. should military transportation adhere to civil speed limits or not?).

Beyond these policy issues rest political challenges, too. First, it should be recognised that military mobility touches on the responsibilities of a range of ministries and bodies in each EU member state and NATO ally. For example, ministries of defence are in charge of managing weapons inventories but ministries of justice, transport, economy and/or health have a stake in managing transportation as well. Here, an acceptable balance between civilian and military actors in each member state is required. Second, military mobility may have financial implications beyond the investment that can be provided by the EU and this may mean higher national public expenditure and investment in transport infrastructure. Third, there is a particular political challenge for neutral and non-aligned EU member states that may not be comfortable with EU funds and policies being ultimately directed at supporting NATO forces cross their territory. Despite these and other political challenges, military mobility is held up as a promising example of EU-NATO cooperation in tandem with cooperation in maritime security and hybrid threats.

Misplaced concerns about EU defence?

Whereas military mobility appears to be on track to deliver on the stated objectives, it is not so easy to outline areas where EU-NATO cooperation on defence-industrial matters can be improved. One of the difficulties involved in ensuring progress on defence-industrial cooperation is a lack of clarity as to the output or destination point for such EU-NATO cooperation. Whereas initiatives such as military mobility have a clearly defined objective, the same cannot be said for defence-industrial cooperation because many of the parties involved are essentially economic competitors. From a theoretical perspective, one could argue that EU-NATO defence-industrial cooperation could lead to joint capability development between non-EU NATO members and EU member states (e.g. to develop a transatlantic fighter jet) but this hypothetical situation is unlikely to occur. What is more likely for the foreseeable future is that certain EU member states will continue to seek to develop defence capabilities on a national or European basis, whereas others will still seek to buy "off the shelf" from the US or enter into work share initiatives with Washington. Industrial competitiveness and strategic autonomy will remain a key feature of EU-NATO defence-industrial cooperation in the coming years.

This is not to say that incremental steps that can ensure complementarity cannot be taken. As was stated above, the EU has taken steps as part of the CDM and CDP to ensure that NATO capability priorities identified under the NDPP are taken on board as far as possible during the EU's CDP and CARD processes, and the prioritisation of defence capabilities under PESCO and the EDF. In contrast to the past, the EU's own capability development process now takes into account the broader European capability landscape (including that of NATO) rather than simply listing or building on CSDPrelevant capabilities. This step forward should reduce the chances of capability duplication. Furthermore, as part of the CARD trial run process, information from NATO's Defence Investment Pledge Report has been fed into the initial data collection phase of the review and the bilateral dialogue phase displayed the EU's willingness to ensure complementarity with the NDPp.This analytical or methodological approach will be further embedded in the years to come.

Of course, the political context in which EU-NATO cooperation occurs can greatly enhance or diminish the space needed to develop cordial and effective relations. For example, it is good that the NATO Secretary General has officially welcomed PESCO and the EDF – provided, of course, that they do not lead to duplication with NATO. However, key messaging from the US government can – at present – shift rapidly and this leads to concerns in the EU about the state of relations with NATO and the intentions underlying Washington's concerns about the EDF and PESCO. It should be considered

that the EDF will represent a total EU investment of €13 billion over seven years from 2021-2027. Although this amount should be able to leverage more finances from willing EU member states, this level of financing pales in comparison to what the US invests in defence. For example, consider that the Department of Defense invested $6.7 billion (or € 5.9 billion) to counter cyber threats in 2017 alone.[10] It is rather puzzling to see the degree to which EU investments in defence cause concern in the US. Clear strategic communication is a prerequisite for effective cooperation, especially in a context where pressure is being placed on NATO Europe allies to invest more in defence.

Conclusion

This chapter has focused on defence-industrial cooperation between the EU and NATO and military mobility. It should be clear that cooperation has advanced further in military mobility than in defence-industrial matters. This owes much to the political dynamics at play in each domain of cooperation. With regard to military mobility, there are challenges related to legal, regulatory and physical barriers to more effective cross-border movements of troops and equipment. There is also a degree of hesitation on the part of some EU (non-NATO) members concerning the project. Nevertheless, allies in NATO have taken up military mobility and 24 EU member states (including neutral and non-aligned countries) have joined the PESCO project dedicated to mobility.

There is hope that military mobility will provide the basis for further EU-NATO cooperation in other areas of security and defence.

Defence-industrial cooperation, however, has not advanced as far as military mobility. The issues of economic competitiveness and strategic autonomy, and how European states and the US act in relation to them, is a serious impediment to advancing defence-industrial cooperation. While the EU has taken seriously the need to incorporate NATO capability priorities in processes such as the CDP, CARD and PESCO, it remains the case that instruments such as the EDF are designed to support EU defence-industrial competitiveness and autonomy. For many EU members, investment in the EDTIB is a way to support European industry and to ensure that NATO Europe and EU member states can act autonomously, as well as remain a more reliable partner for the US and NATO as a whole. Europe needs to support its industrial base through national investments and EU

10 US Department of Defense, "Department of Defence Releases Fiscal Year 2017 President's Budget Proposal", *NR-046-16*, February 9, 2016, https://dod.defense.gov/News/News-Releases/News-Release-View/Article/652687/department-of-defense-dod-releases-fiscal-year-2017-presidents-budget-proposal/

initiatives such as the EDF, otherwise it will not have an industry to speak of over the long term. This fact may not always be appreciated by Europe's transatlantic partners or indeed by some EU member states.

7

Partners in capacity building

Simon J. Smith

Both the EU and NATO moved away from their traditional comfort zones towards a crisis management middle ground starting from the late 1990s onwards. This has subsequently led to speculation about inter-organisational rivalry and competition.[1] The ongoing political impasse between Turkey and Cyprus over Cypriot sovereignty has been a major obstacle to EU-NATO relations evolving towards more concerted and comprehensive inter-organisational cooperation.

However, two separate but related trends have led to renewed efforts at improving relations at the inter-organisational level. The first is the changing security environment which frames the EU-NATO relationship. This evolving strategic environment is today characterised by unprecedented challenges emanating from the south and east of EU and NATO member state territory. The second trend stems from the fact that there is little appetite among Western nations for engaging in long, costly and complicated missions of the kind many have been involved in since 2001 and, in some cases, even before then. These two factors combined have resulted in EU and NATO member states turning to preventative approaches instead of protracted military operations in response to crises. This is where the concept of capacity building demonstrates its relevance.

This chapter looks specifically at capacity building as one of the key objectives for enhanced EU-NATO cooperation. The first part takes stock of how capacity building fits into larger EU and NATO understandings of security motivations as well as highlighting key areas of achievement since the 2016 Joint Declaration was signed. The second section

1 Simon J. Smith and Carmen Gebhard, "EU–NATO Relations: Running on the Fumes of Informed Deconfliction," *European Security,* Vol.26, No.3 (July 3, 2017), pp.303–14, https://www.tandfonline.com/doi/abs/10.1080/09662839.2017.1352581.

examines key challenges to enhanced cooperation and, in particular, collaboration. Finally, the chapter offers some thoughts on ways forward.

Achievements since the 2016 Joint Declaration

Three documents are central to the EU's approach to capacity building. First, the Joint Communication to the European Parliament and the Council (2015) entitled "Capacity Building in Support of Security and Development - Enabling Partners to Prevent and Manage Crises". The document states that "current security capacity-building efforts in partner countries span across a number of policy areas"; these efforts "call on different instruments and focus on building effective, legitimate and sustainable institutions, including effective justice and security sectors, border control and coast guards". The EU's declared ambition is also "to improve a partner's ability to ensure stability and the protection of citizens".[2]

The second is the 2016 Council conclusions document on a EU-wide strategic framework to support Security Sector Reform (SSR) which also helps to elucidate the EU approach to capacity building. It asserts the importance of the "Capacity Building in support of Security and Development (CBSD) initiative' and notes that "SSR support must be tailored to the security needs of partner countries identified through an effective and inclusive political and policy dialogue and based on clear and sustained national ownership".[3] Finally, Regulation (EU) 2017/2306 (2017) "establishing an instrument contributing to stability and peace" notes that "capacity building of military actors in third countries should be undertaken as part of the Union's development cooperation policy … and as part of the Union's CFSP … in compliance with Article 40 of the Treaty on European Union".[4]

It is noteworthy that of the three, only the first EU document refers to NATO; and

2 European Commission, "Joint Communication to the European Parliament and the Council. Capacity Building in Support of Security and Development - Enabling Partners to Prevent and Manage Crises," *JOIN(2015) 17 final,* Brussels, April 28, 2015, https://ec.europa.eu/europeaid/sites/devco/files/joint_communication-_capacity_building_in_support_of_security_and_development_-enabling_partners_to_prevent_and_ manage_crises_-join2015_17_final.pdf.

3 Council of the European Union, "Council Conclusions on EU-wide Strategic Framework to Support Security Sector Reform (SSR)," November 14, 2016, https://www.consilium.europa.eu/media/24227/ssr-st13998en16.pdf.

4 The European Parliament and The Council of The European Union, "Regulation of the European Parliament and of the Council Amending Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014," December 12, 2017, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017R2306&from=EN.

then only superficially, alluding to the possibility of extending the sharing of information "to the EU's multilateral partners (including the UN, NATO and OSCE) and other third countries and strategic partners with whom the EU shares convergent and complementary priorities".[5] There is no reference of substance to the EU-NATO "Strategic Partnership" specifically. As one commentator has demonstrated, this is not just limited to strategic guidance documents but is also true of "key documents and official publications" in relation to actual EU-NATO capacity building in practice.[6]

With regard to NATO, the two framework policy initiatives are (i) the Defence and Related Security Capacity Building (DCB) Initiative[7] which was agreed at the 2014 NATO

Wales Summit[8] and (ii) the Building Integrity (BI) Policy and Action Plan.[9] The first "reinforces NATO's commitment to partners and helps project stability by providing support to nations requesting assistance from NATO". In the NATO context, capacity building includes support "ranging from strategic advice on defence and security sector reform and institution-building, to development of local forces through education and training, or advice and assistance in specialised areas such as logistics or cyber defence".[10] NATO also claims that the BI efforts contribute to its three core tasks – as set out in the 2010 Strategic Concept[11] – and that it aims to "support Allies and partner countries to promote good governance and implement the principles of integrity, transparency and accountability, in accordance with international norms and practices established for the defence and related security sector".

However, to comprehensively catalogue EU-NATO capacity-building efforts, we can start with the primary source documents that have emerged since (and including) the signing of the 2016 "Joint Declaration". The latter document is intended to give new impetus to the EU-NATO strategic partnership more broadly, but it is only in the last of

5 European Commission, "Joint Communication to the European Parliament and the Council. Capacity Building in Support of Security and Development - Enabling Partners to Prevent and Manage Crises."

6 Sebastian Mayer, "The EU and NATO in Georgia: Complementary and Overlapping Security Strategies in a Precarious Environment," *European Security,* Vol.26, No.3 (July 3, 2017), pp.435–53, p.445, https://doi.org/10.1080/09662839.2017.1352579.

7 NATO, "Defence and Related Security Capacity Building Initiative," July 12, 2018, https://www.nato.int/cps/en/natohq/topics_132756.htm.

8 Heads of State and Government participating in the meeting of the North Atlantic Council in Wales, "Wales Summit Declaration," September 5, 2014, https://www.nato.int/cps/en/natohq/official_texts_112964.htm.

9 NATO, "Building Integrity," February 15, 2019, https://www.nato.int/cps/ra/natohq/topics_68368.htm.

10 NATO, "Defence and Related Security Capacity Building Initiative."

11 NATO, "Building Integrity."

the seven noted "concrete areas" earmarked for enhanced cooperation that we can find reference to capacity building. The Declaration notes that "we believe there is an urgent need to … build the defence and security capacity and foster the resilience of our partners in the East and South in a complementary way through specific projects in a variety of areas for individual recipient countries, including by strengthening maritime capacity".[12]

The follow-up Declaration signed in 2018 reaffirms "the importance of and the need for cooperation" and the importance of implementing the objectives set in Warsaw.[13] The 2018 Declaration also notes that the EU and NATO continue to "support the defence and security capacity of our neighbours to the East and to the South". It is not surprising, given that these are both political guidance documents, that we need to look further afield for specificity. The three progress reports (June 2017,[14] November 2017,[15] May 2018[16]) on the implementation of the common set of proposals endorsed by NATO and the EU Council on 6 December 2016 are of help in this regard.

The first progress report articulates the "common objective" of assisting partner countries in "building their capacities and fostering resilience", singling out the Western Balkans in this regard, while reiterating the broader geographical focus on the Eastern and Southern Neighbourhood.[17] The document further emphasises enhanced cooperation at HQ-level while identifying "strategic communications, cyber, ammunition storage and safety in three pilot countries, namely Bosnia and Herzegovina, the Republic of Moldova and Tunisia" as "key areas of interaction". This document also announces the EU's plan to "allocate funds as a contribution to NATO's Building Integrity Programme", a programme

12 NATO and the EU, "Joint Declaration by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organisation", July 8, 2016, https://www.consilium.europa.eu/media/21481/nato-eu-declaration-8-july-en-final.pdf.

13 NATO and the EU, "Joint Declaration on EU-NATO cooperation by President of the European Council Donald Tusk, President of the European Commission Jean-Claude Juncker and Secretary General of NATO Jens Stoltenberg", July 10, 2018, https://www.consilium.europa.eu/en/press/press-releases/2018/07/10/eu-natojoint-declaration/

14 The EU and NATO, "Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016," June 14, 2017, https://eeas.europa.eu/sites/eeas/files/170614joint-progress-report-eu-nato-en-1.pdf.

15 NATO and the EU, "Second Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016," November 29, 2017, https://www.nato.int/nato_static_ fl2014/assets/pdf/pdf_2017_11/171129-2nd-Joint-progress-report-EU-NATO-eng.pdf.

16 The EU and NATO, "Third Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016 and 5 December 2017," May 31, 2018, https://www.consilium.europa.eu/media/35578/third-report-ue-nato-layout-en.pdf.

17 The EU and NATO, "Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016."

which aims at "reducing the risk of corruption and promoting good governance in the defence and security sectors".[18] Overall, cooperation is acknowledged to be achieved via "staff-to-staff contacts" but in line with the political guidance articulated in the two Declarations.

The second progress report reaffirms the 42 proposals for overall implementation set out in the 2016 Declaration. It also maintains that "implementation of the common set of proposals has been ongoing across all working strands' and that cooperation between the two international organisations has become the "established norm" with "constant interaction between the two staffs".[19] However, this is caveated to some extent by the statement that "the degree of progress depends on the specific nature of the individual actions: while some are focused on concrete short-term deliverables, others are more process-oriented and with a longer-term perspective requiring continued implementation".[20]

The second progress report lists what the two organisations agree to be the *main achievements* in the area of defence and security capacity building. These are outlined as follows:

- Intensive staff consultations on assisting partners in building their capacities and fostering their resilience, in particular in the Western Balkans and in our Eastern and Southern neighbourhood led to the identification of areas of common interest and initial deliverables for each of the three pilot countries (Bosnia and Herzegovina, Tunisia and the Republic of Moldova) as a first step.
- In Bosnia and Herzegovina, staff began exploring several concrete areas of cooperation, including exchange of information on strategic communication and public awareness-raising, civil protection, small arms and light weapons, and cyber security and defence.
- In the Republic of Moldova, staffs are exploring concrete activities in the following areas: strategic communication, cybersecurity and defence, ammunition storage and safety. Staffs invited each other to their media outreach activities.
- In Tunisia, the initial focus is on addressing Chemical Biological, Radiological and Nuclear (CBRN) issues, countering improvised explosive devices (C-IED), as well as training and education.

18 *Ibid.*

19 The EU and NATO, "Second Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016."

20 *Ibid.*

- The EU adopted a financing decision in July 2017 to allocate €2 million for 2017 as a contribution to the NATO Building Integrity Programme, which aims at reducing the risk of corruption and promoting good governance in the defence and security sectors. The financing will cover Neighbourhood countries on a voluntary basis, and is pending on NATO completing the six-pillar assessment.[21]

The third progress report (released in May 2018) demonstrates that capacity-building efforts are growing and expansive in terms of both location and scope.

- Information exchange, including informal staff-to-staff political consultations on the three pilot countries (Bosnia and Herzegovina, Republic of Moldova and Tunisia) has intensified. It also takes place regarding Ukraine, Georgia and Jordan.
- Recent initiatives include cooperation on strategic communication efforts in the Republic of Moldova and Bosnia and Herzegovina.
- Workshops organised at the European Centre of Excellence for Countering Hybrid Threats in Helsinki bringing together NATO and EU experts to look at strategic communications challenges in the Western Balkans and discuss options for addressing them.
- Contacts in the areas of education and training, including in the field of e-learning, as well as democratic control of armed forces, are ongoing in the case of Tunisia.
- In the Republic of Moldova, EU and NATO staffs coordinate their briefing programmes and exchange speakers for visits from Moldova to the EU and NATO.
- In Ukraine, under the auspices of the EU Delegation, NATO is chairing a donor coordination group for the defence and security sector and is closely cooperating with the EU Advisory Mission to Ukraine on issues such as strategic communications, communications capacity building, training, and reform of the Security Service of Ukraine. NATO staff are also working with the EU Support Group for Ukraine on identifying possible projects to support Ukraine.
- NATO and EU staffs are also coordinating their activities in and on Iraq with as regards their respective Missions in the country.
- Cooperation established in 2017 between the NATO-accredited Joint Chemical, Biological, Radiological and Nuclear (CBRN) Defence Centre of Excellence in Vyskov, the Czech Republic, and the EU Chemical, Biological, Radiological and

21 *Ibid.*

> Nuclear Centres of Excellence Initiative, is being developed. The Centre is also participating in the EU Horizon 2020 Chemical, Biological, Radiological and Nuclear security research programmes.[22]

The fourth progress report (released in June, 2019) demonstrates that defence and security capacity building continues to develop in terms of "informal staff-to-staff consultations", "deconfliction" and "strategic communications". This latest progress report has also seen a change in terminology from a "pilot country phase" to a phase of "focus countries". As such, the EU and NATO have agreed to use their experience in Bosnia and Herzegovina, the Republic of Moldova and Tunisia as a framework to potentially expand "cooperation to other partner countries, in line with the common set of proposals".[23]

Thus, the primary EU-NATO capacity-building achievement has been to declare the need for joint efforts to project stability in their common Eastern and Southern periphery. Second, there has been real progress in broadening and deepening their individual/collective knowledge and added-value in terms of capacity-building experience, albeit with different approaches and cultures. A second achievement has been for the political/policy directors of both the EU and NATO to internalise the need for enhanced civilian-military cooperation and to recognise the demand for comprehensive and integrated approaches that strive towards tailoring these to suit local conditions.

All of this is to say that, since 2016, both organisations have spent considerable time and effort mapping, coordinating, and developing areas of mutual interest and concern. Furthermore, they have developed a substantial list of geographical focus-points and issue-areas that have resulted in a more communicative and institutionally thicker relationship. A blueprint for a capacity-building "strategic partnership" has therefore been established. However, mapping, de-conflicting, communicating and familiarising staff with the other organisation's "way of doing business" is one thing; establishing full capacity-building cooperation that results in effective joint external action with third states and partners is quite another. The next section turns to these challenges.

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22 The EU and NATO, "Third Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016 and 5 December 2017," May 31, 2018, https://www.consilium. europa.eu/media/35578/third-report-ue-nato-layout-en.pdf.

23 The EU and NATO, "Fourth Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016 and 5 December 2017," June 17, 2019, https://www.nato.int/ nato_static_fl2014/assets/pdf/pdf_2019_06/190617-4th-Joint-progress-report-EU-NATO-eng.pdf

Challenges to cooperation on capacity building

Regarding progress on EU-NATO cooperation on capacity-building, it is important to know if the ambition is to only have better inter-institutional coordination or if it is to attain meaningful and integrated capacity-building instruments that are coherent, effective and efficient in terms of impact for EU and NATO external partners. In short, is cooperation striving only for improved inter-organisational relations or is it seeking to establish improved and consequential external action as well? Neither are easy but accomplishing the second is linked to the first and is very challenging given the impediments to formal EU-NATO relations that currently exist. Let us start with the challenges to the more modest task of improving inter-organisational relations before turning to the barriers that hinder effective external action.

The best way to improve relations would be to overcome the central barriers to formal cooperation: the so-called "participation problem" arising from political divisions between certain states that are not members of both organisations and the resultant "scope problem" leading to only a limited agenda for formal discussions and collaboration.[24] These obstacles are entrenched enough but given that the United Kingdom has been an innovator and leader with regard to the so-called "Comprehensive Approach", the implications of Brexit could exacerbate already existing challenges for EU-NATO capacity-building efforts, especially between the political leadership and operators in the field.[25]

Yet the truth is that the EU and NATO already cooperate far more, albeit less efficiently, outside of the formal Agreed Framework for cooperation (Berlin Plus) than they do inside that framework. Although claiming to be a strategic partnership, the reality of EU-NATO relations since 2004 has been characterised as an "unstrategic" partnership,[26] or even as a "frozen conflict" between the two institutions,[27] with the Berlin Plus arrangement described on one occasion as "a straitjacket rather than a facilitator".[28] Informal and *ad hoc*

24 David S. Yost, *NATO and International Organizations* (Rome: NATO Defence College, 2007,), pp.92-98, https://www.files.ethz.ch/isn/44099/fp_03.pdf.

25 Andrea Barbara Baumann, "The UK's Approach to Stabilisation: The Comprehensive Approach in Action?", Chatham House, July 7, 2010, https://www.chathamhouse.org/sites/default/files/field/field_document/ Rapporteur%20Report%20The%20UK%27s%20Approach%20to%20Stabilisation.pdf.

26 Joachim A. Koops, "Unstrategic Partners: NATO's Relations with the European Union", in: *Entangling Alliance: 60 Jahre* N*ATO. Geschichte, Gegenwart, Zukunft*, eds. Werner Kremp and Berthold Meyer (Trier: Wissenschaftsverlag, 2010), pp.41–78.

27 "NATO and the EU: Time for a New Chapter", Keynote speech by NATO Secretary General, Jaap de Hoop Scheffer:, Berlin, January 29, 2007, https://www.nato.int/docu/speech/2007/s070129b.html.

28 Speech by NATO Secretary General Jaap de Hoop Scheffer at the High-level Seminar on Relations between

cooperation has been the underlying facilitator of synergy between the two organisations, mainly driven through operational necessity in places like Kosovo, Afghanistan and in the Gulf of Aden. That said, as this is unlikely to be resolved in the near future, we only focus here on the challenges to improving informal inter-organisational coordination and cooperation. Four key challenges to basic inter-organisational relations can be identified, as well as two further challenges to achieving collaboration with meaningful impact for partner countries in terms of capacity building.

The first general challenge is the lack of ownership by the nations. The milestones in cooperation between the two organisations mentioned in the previous section are all to be commended. But although they have been permitted by the member states, the process is not really driven by them. In fact, it is quite telling that the Joint Declaration was signed by the President of the European Council, Donald Tusk, the President of the European Commission, Jean-Claude Juncker, and the Secretary General of NATO, Jens Stoltenberg, but it was not ratified on paper by the leaders of the EU member states and NATO allies themselves. This is due to the political deadlock outlined above, but nonetheless it has an impact in terms of driving political will towards a genuinely strategic partnership and this is bound to have repercussions in terms of capacity-building cooperation. More political, material and ideational ownership of capacity-building projects is needed from the member states, both in Brussels and in the field.

The second challenge is that of differing organisational cultures, political priorities and political preferences within the EU and NATO individually, but also conflicting views on just how close and dense the institutional relationship should be. If the "participation problem" were to be removed, it does not necessarily follow that a seamless relationship would materialise overnight. In fact, it may only reveal (not so) hidden tensions between member states and their preferred interests regarding the functionality and the strength of the relationship.

This has particular ramifications for joint CB efforts. As one commentator has demonstrated, the EU first "modelled" its own comprehensive approach on NATO procedures via the adoption of civil–military cooperation (CIMIC) at the tactical level and as a result of the "lessons learned from operations in the Western Balkans".[29] The EU then also developed *sui generis* "civilian–military coordination (CMCO) at the political, strategic and institutional levels". These developments have all led to what has been described as

the European Union and NATO, Paris, July 7, 2008, https://www.nato.int/cps/en/natolive/opinions_7879.htm.

29 Giovanni Faleg, "The EU: From Comprehensive to Integrated Approach," *Global Affairs* Vol.4, No.2–3 (May 27, 2018), pp.171–83, p.172, https://doi.org/10.1080/23340460.2018.1492877.

an "EU-specific framework, which stems from the peculiarities of its decision-making and multi-level governance" which has also manifested in the "double purpose of building a more holistic crisis response capacity" while reducing "conflicts between divergent mandates and priorities of EU institutions".[30]

Yet, although this served the EU well in the early days of the (then) ESDP operations, since the 2007 Lisbon Treaty, the EU has moved away from a NATO model and closer to the Integrated Approach of the United Nations.[31] Moreover, as another commentator notes, "the EU military is not like NATO, or even a "NATO-lite", it is a small but important component of the EU's suite of tools to deliver external action".[32] Simultaneously, NATO's structure and approach have remained more "functional, and oriented towards targeted upgrades of operational planning and cooperation with other international actors to meet multi-dimensional security challenges in field operations".[33]

These two challenges lead to a third which is the *ad hoc* nature of relations and coordination between the two organisations. Although there are informal institutional and staff-to-staff contacts to help ameliorate this situation, it is by no means ideal and often only leads to "informed deconfliction".[34] Informal NAC-PSC meetings are helpful but they are often "dull", "highly scripted" and "uninspiring", according to at least some of the ambassadors that take part in these very occasional meetings.[35] Staff-to-staff coordination also makes a positive contribution to inter-organisational relations but can be very personality-dependent and does not help to foster institutional memory *per se*. Despite this, nations that are members of both the EU and NATO should push for more regular, if not formal, then at least informal NAC-PSC meetings to discuss ways to improve capacity-building coordination. A Brexiting UK can still be an advocate for more of these meetings to keep itself abreast and informed of EU developments in this area. Furthermore, the UK could also continue to drive cooperation in the field via the UK stabilisation unit in

30 *Ibid.*

31 *Ibid.*

32 Snowy Lintern, "What Civilian-Military Energies?", in "Recasting EU Civilian Crisis Management," ed. Thierry Tardy, *Report* No.31, EU Institute for Security Studies, January 2017, p.40, https://www.iss.europa.eu/sites/ default/files/EUISSFiles/Report_31.pdf.

33 Faleg, "The EU: From Comprehensive to Integrated Approach," p.4.

34 Smith and Gebhard, "EU–NATO Relations: Running on the Fumes of Informed Deconfliction", pp.303-14.

35 Simon J. Smith, Nikola Tomic and Carmen Gebhard, "The Father, the Son and the Holy Ghost: A Grounded Theory Approach to the Comparative Study of Decision-Making in the NAC and PSC," *European Security,* Vol.26, No.3 (July 3, 2017), pp.359–78, p.366, https://doi.org/10.1080/09662839.2017.1352578.

Jordan,[36] although as has been noted, the UK's (and Turkey's) track-record has not been encouraging as they have resisted "endeavours to closer inter-organisational cooperation' in Georgia, South Caucasus and the Black Sea region.[37] Measures like these, if carried out, will not necessarily be sufficient to achieve effective capacity building in the domain of external action but will certainly facilitate it.

The final obstacle relates to security and the sharing of sensitive or classified information between the two organisations, especially in the field. Only EU member states that have retained a security agreement with NATO can receive classified information. On top of this, NATO tends to deem much of its communications either secret or confidential and therefore dramatically limits the amount of information (particularly intelligence) that can be passed between EU-NATO colleagues and restricts the number of people who can attend informal meetings. What EU-NATO naval and capacity-building cooperation in the Gulf of Aden has proven, is that creative solutions to the sharing of information can be found. Lessons learned should be extrapolated across the spectrum of cooperation in capacity-building while simultaneously rationalising the security clearance process for the necessary personnel.

If this were not enough, there are two further challenges to achieving collaboration in the field of capacity building which would have meaningful impact for third countries and partners. Given the challenges outlined above, just being seen to coordinate is often the height of any ambitions and the most stakeholders strive for. Achieving anything that reaches the level of real cooperation and collaboration often lacks urgency and is beyond the ambitions and goals of EU-NATO actors. The laundry list of issues and areas where the EU and NATO claim to be cooperating may grow, but the depth and significance of that cooperation more often than not remains shallow. This is particularly true in the area of capacity building where the diversity of locations, sectors, mandates and policy instruments involved exposes the divisions in organisational *raison d'être* and culture even more starkly than some of the other more narrowly defined areas of EU-NATO security cooperation.

Finally, there is a distinct lack of resources when it comes to empowering EU-NATO cooperation. This relates not only to the lack of allocated budgets but also to the institutional and political barriers that hinder cooperation both in Brussels and at the operational level and in the field. This is even more cumbersome in the case of capacity

36 For more information, see https://www.gov.uk/government/organisations/stabilisation-unit

37 Sebastian Mayer, "The EU and NATO in Georgia: Complementary and Overlapping Security Strategies in a Precarious Environment," p.446.

building as EU regulations make funding "operations having military or defence purposes" through the development aid budget quite problematic (see Article 3(13) of Regulation (EU) No 233/2014 of the European Parliament and of the Council and Article 41.2 of TEU*)*.[38] The lack of a coherent funding strategy makes finance for any joint capacity-building projects extremely difficult to source, which only exacerbates the obstacles and issues already addressed here. If this were not enough, the second set of challenges mentioned above – differing organisational cultures, political priorities and mandates – also lead to varying and conflictual visions of just how much "securitisation" there should be of capacity building (and EU capacity-building efforts in particular) – especially when the funding is derived from EU budgets oriented towards resourcing more traditional military and security actors.[39]

The way forward

Deploying diplomatic efforts to find some resolution to the Cyprus/Turkey issue is always going to be the key to unlocking formal EU-NATO relations, including in the capacity-building domain. However, as noted above, although it is an essential step, it is not necessarily a sufficient one. Differing rationales, cultures, preferences and political interests will remain. Therefore, continuing efforts to enhance coordination, cooperation and, more ambitiously, collaboration are vital. Without coherent political direction, a complementary division of labour that collectively utilises both the EU and NATO's individual bespoke capacity-building expertise will remain elusive.

Yet two realities remain. First, EU-NATO relations are about as good as they can get under current political conditions. Second, due to the ongoing political deadlock, cooperation is driven spatially away from the central political bureaucracy of Brussels, towards the common operational areas, and hierarchically downwards to the international staffs and towards the operational level. This does provide advantages for joint capacity-building projects as it means that there should be space and political cover for EU-NATO policy entrepreneurs to develop real synergies from the bottom up as well. In this regard, creating capacity-building centres of excellence that are specifically tailored to regional and

38 Julia Himmrich and Denitsa Raynova. "EU-NATO Relations: Inching Forward?", *European Leadership Network Report*, May 2017, p.14, https://www.europeanleadershipnetwork.org/wp-content/uploads/2017/10/170510EU-NATO-Relations-Report.pdf.

39 Julian Bergmann, "Capacity Building in Support of Security and Development (CBSD): Securitising EU Development Policy?", German Development Institute, 2017, https://www.die-gdi.de/uploads/media/BP_24.2017.pdf.

local conditions should be a priority. To date, synergies have not always been forthcoming, particularly on the ground, but it inevitably takes time for these relationships to acquire the necessary organic stimulus for growth.

There is no denying that both the EU and NATO have developed their own niche track-records when it comes to capacity building. The EU has a much wider set of tools and instruments at its disposal and, as such, a broader range of expertise. Yet NATO, although much more restricted in terms of scope, has proven itself an important facilitator of security sector reform as well as security governance more broadly. With regard to capacity building, fostering synergies between civilian and military instruments is a challenge for the EU and NATO individually, but it must also be achieved collectively.

Officials from both organisations need to come to an understanding of what they see as their common goals and expectations *vis-à-vis* particular host nations. This should be about enhancing day-to-day cooperation but, more importantly, achieving a joint vision of what the intended outcome and impact of that cooperation should look like. In particular, the EU and NATO should pursue joint strategies that enhance "local ownership" given that "conflict prevention and peacebuilding are seen as more legitimate by local actors and tend to yield better and more sustainable results than those that have been imposed by external actors".[40] As such, it should not just be about signalling to audiences back in Brussels or the capitals. There is a well-established epistemic community of policy and academic experts that both international organisations should tap into to help enhance coherence and effectiveness in their external action. Only then will the two bodies achieve the enhanced strategic communication and coherence that provides real added-value to partner countries.

Conclusion

As long as difficult diplomatic realities remain unaddressed, EU-NATO cooperation sanctioned and achieved via formal channels and political institutions remains elusive. Yet capacity building is an area where a meaningful division of labour has been envisioned but still needs to be achieved both in Brussels and in the field. As the first section of this chapter has demonstrated, the blueprint for a comprehensive "strategic partnership" in the realm of capacity building has been developed. Both organisations have the expertise

40 Ana E. Juncos and Steven Blockmans, "The EU's Role in Conflict Prevention and Peacebuilding: Four Key Challenges," *Global Affairs*, Vol.4, No.2–3 (May 27, 2018), pp.131–40, p.6, https://doi.org/10.1080/23340460.2018.1502619.

and experience to offer niche policy and practical instruments that offer real added-value. Often, it will be enough just to deconflict efforts as the requirements of the specific actions needed will be sufficiently distinct for the two organisations to let each do what they do best. It is important to also remember that just because intensive EU-NATO cooperation can be achieved, does not always mean it should. Quite often the location, issue, mandate, size of mission or specific circumstances will dictate a less inter-organisational approach.

However, other occasions will require an integrated and collaborative approach to effect real change. This chapter has identified lack of EU and NATO member state ownership, differing organisational cultures and approaches, *ad hocery*, and intelligence sharing as key challenges for collaborative CB efforts. Furthermore, the tendency towards superficial cooperation and the lack of resources for meaningful cooperation and interaction are both additional obstacles. Achieving true local ownership, resulting in legitimacy and verifiable results, is a profoundly difficult task for any international security organisation. Doing this through integrated efforts is significantly more demanding. Although this should be the end-goal of EU-NATO capacity-building cooperation, it will take time and a sustained effort.

To refashion a quote from Reinhold Niebuhr, "God, grant them the serenity to accept the things they should not change, the courage to change the things they should, and the wisdom to know the difference". Any efforts in the areas outlined above that go beyond the mere updating of activities are welcome. Yet although cooperation just for the sake of cooperation is a step in the right direction, developing a coordinated, complementary and strategic tool-kit of capacity-building policy instruments should always be the core *raison d'être* driving any strategic partnership in this area.

8

Counter-terrorism cooperation

Christian Kaunert and Ori Wertman

Terrorism poses a direct threat to the security of the citizens of NATO and EU countries, and to international stability and prosperity.[1] In order to strengthen their cooperation in various areas, including in the field of counter-terrorism, NATO and the EU signed a joint declaration in Warsaw on 8 July 2016, with a view to giving new impetus and substance to the NATO-EU strategic partnership.[2] In July 2018, the EU and NATO signed a new joint declaration, which sets out a shared vision of how the two organisations will act together against common security threats. Counter-terrorism is one of the key dimensions of NATO-EU cooperation.[3]

Thus, since both institutions place a stronger emphasis on counter-terrorism, the importance of NATO-EU cooperation, based on shared values and interests, becomes ever more pertinent.[4] This chapter explores the collaboration between the two organisations in the counter-terrorism field and analyses what was achieved following the July 2016 joint declaration. The chapter goes on to analyse the challenges that hamper counter-terrorism cooperation between the EU and NATO and examine the way forward for collaboration between the two institutions.

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1 NATO, "Countering Terrorism," https://www.nato.int/cps/en/natolive/topics_77646.htm?selectedLocale=en.

2 Maria Elena Argano, "NATO's Impact on the European International Security and Counterterrorism Policy", *EULOGOS Athena*, January 24, 2018; NATO Multimedia Library, "Intelligence/Information Sharing in Combating Terrorism," http://www.natolibguides.info/intelligence.

3 NATO, "Joint Declaration on EU-NATO Cooperation," July 10, 2018, https://www.nato.int/cps/en/natohq/ official_texts_156626.htm.

4 Niklas Helwig, "New Tasks for EU-NATO Cooperation: An Inclusive EU Defence Policy Requires Close Collaboration with NATO," SWP, Berlin, January 2018, https://www.swp-berlin.org/fileadmin/contents/products/comments/2018C04_hlw.pdf.

The counter-terrorism policies of NATO and the EU

Given that NATO and the EU do not share the same approach to fighting terror, each has different incentives for cooperation. On the one hand, NATO is a significant player in military counter-terrorism, as it conducts its efforts across a wide spectrum of effective counter-terrorism operations and policies. Among these, NATO is involved in the Global Coalition against Daesh or the so-called Islamic State in Iraq and Syria. It also runs Operation *Sea Guardian* in the Mediterranean to guarantee freedom of navigation and the protection of critical infrastructures.[5] In short, NATO's Counter-Terrorism Policy Guidelines focus on three main areas: awareness, capabilities and engagement. With regard to the *awareness* aspect, in supporting national authorities, NATO ensures shared awareness of the terrorist threat through consultations, enhanced intelligence-sharing and continuous strategic analysis and assessment. On the *capabilities* level, NATO aims to ensure that it has adequate capabilities to deal with terrorist threats. In the *engagement* domain, as the global counter-terrorism effort requires a holistic approach, NATO's goal is to strengthen cooperation with partner countries and international actors.[6]

On the other hand, European cooperation in the field of counter-terrorism is a relatively recent development. Operational cooperation on internal security issues, such as terrorism, started in the 1970s under the auspices of the TREVI Group,[7] an informal intergovernmental body for internal security cooperation among EU member states set up in 1975. However it was not until 1993, when the Treaty of Maastricht entered into force, that counter-terrorism cooperation was included in the EU's legal framework. Even so, EU achievements in this area remained rather low-key and modest for a time.[8] Thus, prior to 11 September 2001, terrorism was hardly a priority on the common EU agenda, as counter-terrorism was overwhelmingly considered as a national responsibility and thus cooperation in the field of counter-terrorism did not officially feature as a part of the

5 Attila Mesterhazy, "NATO-EU Cooperation after Warsaw," Report, NATO Parliamentary Assembly, Defence and Security Committee, 2017, p.11, https://www.nato-pa.int/document/2017-eu-and-nato-cooperationmesterhazy-report-163-dsctc-17-e-rev1-fin.

6 NATO, "Countering Terrorism".

7 Christian Kaunert, Sarah Leonard, and Alex MacKenzie, "The Social Construction of an EU Interest in Counterterrorism: US Influence and Internal Struggles in the Cases of PNR and SWIFT," *European Security*, Vol.21, No.4 (2012), pp.474-96.

8 Christian Kaunert, *European Internal Security: Towards Supranational Governance in the Area of Freedom, Security and Justice?* (Manchester, Manchester University Press, 2010); Christian Kaunert, Sarah Leonard, and Alex MacKenzie, 'The Social Construction of an EU Interest in Counter-terrorism: US Influence and Internal Struggles in the Cases of PNR and SWIFT."

institutional structure of the European Community.[9] However, the terrorist attacks of 11 September 2001 gave a significant impetus to the development of EU counter-terrorism activities.[10] Shortly after 9/11, the European Council (EC) declared that the combat against terrorism was a priority objective for the EU and adopted an Action Plan on Combating Terrorism, which recognised the need for the EU to play a greater role in the efforts of the international community to prevent and stabilise regional conflicts.[11]

In addition, 9/11 had clear implications for Europe's relationship with the US,[12] as on 26 September 2001 the European Council highlighted the importance of improving counter-terrorism cooperation with the US as one of the two key dimensions of its "Anti-terrorism Roadmap", the other being the adoption of measures within the EU.[13] Yet, despite the EU's gradually converging perception regarding the threat of terrorism, the EU adopted a more coherent counter-terrorism policy only after the terror attacks in Madrid in March 2004 and London in July 2005.[14] In this respect, some measures were taken including the improvement of border control, judicial cooperation, and information exchange, together with the appointment of an EU counter-terrorism coordinator in 2004.[15] Until 2013, the EU counter-terrorism agenda would not change substantially. However, the Syrian civil war, the emergence of Daesh, and the Paris attacks in 2015, prompted the EU to reconsider its counter-terrorism policies.[16] The civil war in Syria attracted five thousand foreign fighters from the EU, the majority of whom joined extremist groups, primarily Daesh. 30 percent of them have since returned to Europe.[17] The gravity of the danger posed by Islamist terrorism was eventually made manifest by the two attacks carried out in

9 W. Wensink *et al.*, "The European Union's Policies on Counter-Terrorism: Relevance, Coherence and Effectiveness", European Parliament-Policy Department for Citizens' Rights and Constitutional Affairs, 2017, p.16; Stefano Torelli, "European Union and the External Dimension of Security: Supporting Tunisia as a Model in Counter-Terrorism Cooperation", European Institute of the Mediterranean (IEmed), 2017, p.13.

10 See notably Christian Kaunert, "The Area of Freedom, Security and Justice: The Construction of a 'European Public Order'", *European Security*, Vol.14, No.4 (2005), pp.459-83; and Christian Kaunert, " 'Without the Power of Purse or Sword': the European Arrest Warrant and the Role of the Commission," *Journal of European integration*, Vol.29, No.4 (2007), pp.387-404.

11 Wensink *et al.*, "The European Union's Policies on Counter-Terrorism," p.32; Stefano Torelli, "European Union and the External Dimension of Security," p.13.

12 Christian Kaunert, *European Internal Security*.

13 European Council, "Conclusions and Plan of Action of the Extraordinary European Council Meeting on 21 September 2001", *SN 140/01*, September 21, 2001, pp.11-13, https://www.consilium.europa.eu/ media/20972/140en.pdf.

14 Wensink *et al.*, "The European Union's Policies on Counter-Terrorism," p.32.

15 *Ibid*, p.33; Torelli, "European Union and the External Dimension of Security," p.14.

16 Wensink et al., "The European Union's Policies on Counter-Terrorism," p.34.

17 Torelli, "European Union and the External Dimension of Security", pp.15-16. 18 *Ibid.*

France in January and November 2015 – representing further watersheds in the perception of the terrorist threat across the EU. Also, as Daesh proved itself even more determined to directly target Europe, the EU changed its counter-terrorism and de-radicalisation policies in December 2015.[18] This new approach, together with a strengthening of EU framework decisions, introduced new criminal offences designed to help counter the threat posed by foreign terrorist fighters, including receiving training for terrorism, travelling or attempting to travel abroad for terrorist purposes, and funding or facilitating such journeys.[18] After the attacks in Brussels in March 2016, the EU took further steps in proposing and adopting measures and policies related to the prevention of radicalisation, the detection of travel for suspicious purposes, the criminal justice sector, and cooperation with third countries. The attacks in Nice in July 2016, and in Berlin in December 2016, led to a heightened threat perception among the European public due to the rise of the lone wolf phenomenon.[19] The three terrorist attacks that took place in 2017, in Manchester, London, and Barcelona, also intensified the sense of an escalating terrorism threat within the EU. Nowadays, any significant terrorist attack in Europe tends to lead to questions about possible failures on the part of EU police and intelligence agencies and calls for strengthened counter-terrorism cooperation among member states.

In that respect, there are several reasons behind the initiative agreed by both organisations to enhance their counter-terrorism cooperation. First, since the EU is not able to handle its member states' territorial defence, and does not aim to acquire the capabilities to do so, it needs NATO for collective security. Second, collaboration between the two organisations is required to stabilise Europe's tumultuous neighbourhoods, as the EU has several "soft power" instruments in its toolbox that enhance and support NATO's "hard power" skills and capabilities. Finally, as the EU and NATO are now active in this relatively new field, coordination is essential in order to avoid competition and overlap between their security echelons.[20]

18 Wensink *et al.*, "The European Union's Policies on Counter-Terrorism," p.35.

19 *Ibid*, p.36.

20 Kristi Raik and Pauli Järvenpää, "A New Era of EU-NATO Cooperation: How to Make the Best of a Marriage of Necessity," International Centre for Defence and Security, 2017, pp.1-3.

Counter-terrorism cooperation following the 2016 Joint Declaration

Following the 2016 Joint Declaration in Warsaw, NATO and the EU agreed to boost their cooperation in the fight against terrorism, including by stepping up the exchange of information, coordinating their counter-terrorism support for partner countries and working to improve national resilience against terror attacks.[21]

Since the 2016 Joint Declaration, NATO-EU counter-terrorism cooperation has mainly evolved across four domain areas: (i) defence and security capacity-building; (2) CBRN weapons proliferation; (3) maritime security; and (4) cybersecurity.[22] Yet, despite their high-level declarations, policy coordination and cooperation between the two organisations remains highly problematic.[23] Moreover, although NATO and the EU are to some extent active in counter-terrorism activities, efforts to strengthen NATOEU counter-terrorism cooperation have often remained at the rhetorical level, and the impact of the two organisations' cooperation endeavours could be far greater.[24]

First, the EU and NATO have most experience in terms of establishing joint operations in the defence and security capacity-building domain. Since the Warsaw Summit highlighted the need to counter terrorist threats through capacity-building activities in partner countries facing terrorist threats, the EU and NATO are currently running several capacity-building programmes and partnership initiatives that mainly focus on counter-terrorism, particularly in the MENA region.[25] In Afghanistan, closer Europol-NATO cooperation contributed to the improvement of information-sharing and human network analysis capabilities, including identifying, tracking and connecting data strands.

Both organisations also engage in counter-terrorism cooperation in Kosovo, as NATO and EU officials have developed informal frameworks for information exchange and cooperation at the tactical and operational levels.[26] In addition, in order to deepen their

21 NATO, "Countering Terrorism"; European External Action Service (EEAS), "EU and NATO Cooperation to Expand to New Areas, including Counter-terror; Military Mobility; Women, Peace and Security," December 6, 2017,https://eeas.europa.eu/headquarters/headquarters-homepage/36854/eu-and-nato-cooperationexpand-new-areas-including-counter-terror-military-mobility-women_en.

22 Mesterhazy, "NATO-EU Cooperation after Warsaw," p.13.

23 Andrea Aversano Stabile, Guillaume Lasconjarias and Paola Sartori, "NATO-EU Cooperation to Project Stability," Istituto Affari Internazionali (IAI), Rome, 2018, https://www.iai.it/en/pubblicazioni/nato-eucooperation-project-stability.

24 Mesterhazy, "NATO-EU Cooperation after Warsaw," pp.12-13.

25 *Ibid*, pp.14-15.

26 *Ibid*, p.15.

cooperation, EU and NATO staffs established a dialogue on counter-terrorism related issues in May 2018 focusing on cooperation *vis-à-vis* terrorist threats, collaboration in the Global Coalition to Defeat Daesh/ISIS, capacity building of partner countries, and development of scenario-based discussions.[27] Another notable contribution to counter-terrorism efforts is the establishment of the NATO Strategic Direction South (NSDS) Hub in Naples in September 2017. The hub is designed to boost situational awareness and develop risk and threat assessment regarding the challenges along the EU's southern flank. At this point, the NSDS Hub's objective is information-centric collaboration, which should theoretically cover cooperation with the existing EU mechanisms such as the Shared Awareness and De-confliction in the Mediterranean (SHADE MED) forum and Frontex European Patrols Network (EPN).[28]

Second, the Chemical Biological Radiological Nuclear (CBRN) weapons proliferation domain has been at the forefront of counter-terrorism policy, mainly due to the fact that Daesh has used chemical weapons in Syria and Iraq and declared its intention to use any form of lethal weapon against its enemies. NATO-EU cooperation aimed at addressing this threat is manifested through the NATO Joint CBRN Defence Centre of Excellence and the EU CBRN Centre of Excellence, which work closely together to integrate crisis response, training capabilities, and threat analyses.[30] Although cooperation between the two organisations in this field can be enhanced, collaboration between the two centres is a good starting point for the creation of more formal cooperative frameworks for protecting dual-use materials, monitoring terrorist activities, and developing joint threat assessments.[29] Staff interactions have also taken place as NATO staff visited the Europol Headquarters in January 2018 for discussions relating to CBRN risks and improvised explosive devices. This dialogue aims to implement the EU Action Plan and the March 2018 European Council Conclusions, and, in practice, NATO is now invited to participate in Europol meetings on explosive precursors.[30]

Third, NATO-EU cooperation in the sphere of maritime security represents another dimension of cooperation on counter-terrorism efforts, as NATO and the EU have

27 European Council, "Third Progress Report on the Implementation of the Common Set of Proposals Endorsed by EU and NATO Councils on 6 December 2016 and 5 December 2017," June 8, 2018, https://www.consilium. europa.eu/media/35578/third-report-ue-nato-layout-en.pdf.

28 Can Kasapoglu, "A Guide for EU-NATO Security Cooperation on Foreign Terrorist Fighters in the EuroMediterranean Region," Konrad Adenauer Stiftung, 2018, p.12, https://www.kas.de/single-title/-/content/foreign-terrorist-fighters-in-the-euro-mediterranean-area1; NATO, "Countering Terrorism." 30 Mesterhazy, "NATO-EU Cooperation after Warsaw," p.13.

29 *Ibid*, p.13.

30 European Council, "Third Progress Report."

developed a partnership on both the tactical and operational levels in the Mediterranean and Aegean Sea. This contributes to shared awareness of terrorist threats and the activities of criminal networks. For example, since October 2016, NATO's *Sea Guardian* operation is mandated to support the EU's Operation *Sophia* and to assist, when necessary, the EU's operation in countering people smuggling networks throughout the Mediterranean.[31] In July 2017, NATO allies agreed to support EUNAVFOR *Sophia* in the implementation of UN Security Council resolutions 2236 (2016) and 2357 (2017) related to the arms embargo on Libya.[32] The two organisations can further enhance their activities in this field by integrating the component of NATO-EU counter-terrorism activities with sea-based operations, such as those in Libya.[33]

Finally, cybersecurity is another domain ripe for NATO-EU counter-terrorism cooperation, especially since Daesh and other terrorist groups and individuals use encryption to conceal their communications from law enforcement and intelligence agencies. Moreover, terrorist groups continue to use the internet and social media extensively, mainly for the dissemination of propaganda material, but also for recruitment and fundraising.[34] In order to enhance the collaboration between the two organisations, EU cyber defence staff were welcomed as participants in NATO's Cyber Coalition exercise, and NATO has also approved the involvement of the European Union Agency for Network and Information Security (ENISA) as an observer. In that respect, interaction and information exchange between NATO and the EU on aspects of cybersecurity took place during the CMX17 and TIDE SPRINT exercises.[35] NATO also hosted annual high-level consultations between EU and NATO staffs in December 2017 featuring, *inter alia*, recent policy developments, such as NATO's Cyber Defence Pledge, and the EU's September 2017 Joint Communication on "Resilience, Deterrence and Defence: Building Strong Cybersecurity in Europe".[36] As in other counter-terrorism domains, this cooperation can be strengthened by developing mechanisms to coordinate monitoring activities and integrate data collection capabilities.[37]

31 *Ibid*, p.15; NATO, "Countering Terrorism."

32 The EU and NATO, "Second Progress Report on the Implementation of the Common Set of Proposals Endorsed by NATO and EU Councils on 6 December 2016," 29 November 29, 2017, https://www.nato.int/nato_static_ fl2014/assets/pdf/pdf_2017_11/171129-2nd-Joint-progress-report-EU-NATO-eng.pdf.

33 Mesterhazy, "NATO-EU Cooperation after Warsaw," p.15.

34 *Ibid*, p.14.

35 The EU and NATO, "Second Progress Report."

36 European Commission, Joint Communication to the European Parliament and the Council, "Resilience, Deterrence and Defence: Building strong cybersecurity for the EU," *JOIN/2017/0450 final,* Brussels, September 13*, 2017,* https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017JC0450&from=EN.

37 Mesterhazy, "NATO-EU Cooperation after Warsaw," p.14.

Challenges to full counterterrorism cooperation

Although the goal of both organisations is to enhance their counter-terrorism cooperation, there are several obstacles that hamper the partnership.

First, EU member states do not yet share a common understanding and perception of their role in European defence. Also, there is a substantial difference between each organisation's approach to terrorism. While France, the United Kingdom and the United States tend to see the terrorist threat primarily through the prism of military measures, many EU countries perceive it as an issue requiring judicial cooperation, crime prevention, and law enforcement.[38] In that respect, member states do not share the same threat perception, as demonstrated by the issue of the returning foreign fighters. This is heightening concerns that further attacks could be carried out on European soil,[39] reflected in the fact that, while President Donald Trump recently urged EU states to take back 800 Daesh fighters captured in Syria, not every EU member state will agree to comply with this requirement.[40] In that sense, Europe has yet to experience the kind of change that occurred in the United States after 9/11, when the administration in Washington radically rethought its counter-terrorism practices.[41] Hence, a sustainable joint anti-terrorism strategy that would implement not only solely operational countermeasures, but also combat the causes of terrorism, is not in sight for now.[42]

Second, although both organisations are clearly keen to cooperate in the fight against terrorism, NATO and the EU have not created new formal cooperation structures, but merely recommended their staff to develop common analyses, concepts and standards. Thus, their capacity-building endeavours lack sufficient coordination mechanisms, as both organisations conduct their counter-terrorism operations and initiatives without a common strategy and shared understanding of the potential limitations of their respective capabilities.[43] For example, although several missions were conducted by the P3+3 community (France, the UK and the US + Germany, Spain and Italy) in Libya, such as EUBAM and UNSMIL,[44] these

38 Kasapoglu, "A Guide for EU-NATO Security Cooperation on Foreign Terrorist Fighters," p.1; Argano, "NATO's Impact on the European International Security and Counterterrorism Policy."

39 Amanda Paul and Demir Murat Seyrek, "Two Years after the Brussels Attacks, the Terrorist Threat Remains Very Real," *EURACTIV.COM*, March 16, 2018, https://www.euractiv.com/section/defence-and-security/opinion/ two-years-after-the-brussels-attacks-the-terrorist-threat-remains-very-real/

40 "Trump Tells Europe to Take Back ISIS Fighters, Warns They Could Be Released," *CNN,* February 22, 2019.

41 Lisa Monaco, "A Strategy for the War on Terrorism," *Foreign Affairs*, November/December 2017.

42 Helwig, "New Tasks for EU-NATO Cooperation".

43 Mesterhazy, "NATO-EU Cooperation after Warsaw," p.15.

44 European External Action Service (EEAS), "Planning for a Possible Non-Executive Civilian CSDP Mis-

missions were unable to collect all the necessary information and conduct a full analysis of the security environment due to insufficient intelligence assets. In this respect, the EU and NATO could do more to improve communications to identify shortfalls and devise complementary strategies for combating terrorist threats.[45] In essence, despite high-level declarations, policy coordination and collaboration between the two organisations remain complicated since the respective methods used and strategies adopted have rarely been compatible. As a result, the EU and NATO have tended to step on each other's toes and duplicate efforts and resources, not managing to move from mere coordination to effective cooperation and harmonisation of initiatives.[46]

Third, instead of moving towards closer convergence European member states of the EU and NATO "appear to be diverging into different clusters of states with potentially profound differences in threat perception along regional lines".[47] There is a danger that this trend may deepen strategic divisions between the two organisations. It could also negatively "impact attempts to coordinate capability requirements",[48] given that issues related to defence investment and threat perception are closely linked to national interests and national strategies of NATO and EU member states. The fact that individual states have different interests and priorities can hamper future collaboration between NATO and the EU. For instance, at the level of public opinion, future arrangements that require a state to pool sovereignty in defence matters in favour of an international force may be viewed in some countries as a way of undermining their national sovereignty. The same would apply at the economic level, as initiatives that require increased spending on defence and shared military capabilities would likely be resisted by some EU constituencies.[49] Therefore, in order to prevent dissensions between member states, as happened during the refugee crisis, in which the EU tried to force member states to accept quotas of refugees from the Middle East against their will[50] – a request that was perceived as undermining the independent sovereignty of the member states – NATO and the EU must find a balance between the organisations' ambition to implement a certain agenda and respect for the sovereignty of the member states.

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sion in Libya", Brussels, April 1, 2016.

45 Mesterhazy, "NATO-EU Cooperation after Warsaw," p.1 ; Aversano Stabile *et al.*, "NATO-EU Cooperation to Project Stability," p.5.

46 Aversano Stabile *et al.*, "NATO-EU Cooperation to Project Stability".

47 Mesterhazy, "NATO-EU Cooperation after Warsaw," p.16.

48 *Ibid.*

49 *Ibid*, 16-17.

50 "EU to Sue Poland, Hungary and Czechs for Refusing Refugee Quotas," *BBC News*, December 7, 2017.

The way forward

NATO-EU collaboration on counter-terrorism cannot be effective in the absence of a functioning transatlantic relationship.The EU's most important and developed counter-terrorism relationship is undoubtedly with the US, with which cooperation has reached a consistent level of intensity, ranging from dialogue to various agreements requiring the transfer of the personal data of EU air passengers to the US authorities. Prior to 9/11, however, there was almost no cooperation between the EU and US on security matters, to the frustration of Washington. Nearly two decades later, it can be argued that the attacks on New York and the Pentagon have enabled cooperation and measures that would not otherwise have been acceptable, due to sovereignty or civil liberty concerns.

More recently, the revelations brought to light by the "Snowden leaks", exposing significant US telecommunications "snooping" and surveillance practices around the world, including on German Chancellor Angela Merkel, were not well-received in Europe. There have also been conflicts specifically within the EU since 9/11. The member states disagree on some significant issues, such as the invasion of Iraq in 2003. Furthermore, not all EU member states have pulled in the same direction on data protection – a crucial issue in the EU-US relationship given the types of cooperation requested by the US and traditionally higher European standards on data protection. Despite strong elements of resistance at times, those advocating stronger security ties have usually won out and actors are now probably more aligned than they were in the past. Noticeably, the member states, the European Commission and European Parliament have internalised US norms by proposing or requesting EU measures similar to those in force in the US.

These developments will likely have an impact on NATO-EU cooperation at three levels: (i) convergence of terrorism threat perceptions between the two institutions; (ii) an increasing formalisation of institutional links between the EU and NATO; and (iii) increasing capabilities.

Conclusion

Since the 2016 Joint Declaration in Warsaw, cooperation between NATO and the EU in the domain of counterterrorism has significantly evolved. There have been some examples of practical cooperation, such as the established dialogue on counter-terrorism,[51] the creation of the NATO Strategic Direction South (NSD-S) Hub in Naples to boost situational awareness and develop risk and threat assessment, and the collaboration between the NATO Joint CBRN Defence Centre of Excellence and the EU CBRN Centre of Excellence to tackle the CBRN terror threat. However, this chapter has also outlined the obstacles to more robust cooperation, including the lack of a shared perception on how to go about countering the terrorist threat, and the failure to establish new formal cooperation structures between the EU and NATO. Nevertheless, most of these obstacles can be overcome: the transatlantic relationship is essential to NATOEU cooperation on counter-terrorism. While, prior to 9/11, the EU's most important counter-terrorism relationship was with the US, such cooperation was very limited. International terrorism and the US response to it have acted as a catalyst for the EU's development as an actor in this field. If the relationship between the US and the EU is positive, the parallel relationship between NATO and the EU will also be positive. Hence, much more is to be expected from a closer counter-terrorism relationship between NATO and the EU in the future.

51 European Council, "Third Progress Report."

9

Promoting the Women, Peace and Security agenda

Katharine A. M. Wright

The Women, Peace and Security (WPS) agenda encapsulated in UN Security Council Resolution 1325 and further developed in the eight follow-up resolutions has become the cornerstone of global engagement with gender issues. It acknowledges both the disproportionate impact of conflict on women, and the importance of their representation in decision-making processes.[1] It calls for gender mainstreaming across all peace and security areas and seeks to challenge the narrow definition of security as defence.

The WPS agenda is unique in both its inception and implementation. For example, civil society actors proved critical to shaping the initial resolution, drafting, redrafting and lobbying for its adoption.[2] They worked together with counterparts both within the UN bureaucracy and among member states to ensure that the UN Security Council adopted Resolution 1325 in 2000. Since then, the UN, member states and regional institutions have sought to integrate WPS in their own work. Here, civil society has again had a critical role in holding these actors to account for their work on WPS. WPS therefore relies on a network of actors situated at different levels within the international system to support its implementation.

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1 Sam Cook, "Security Council Resolution 1820: On Militarism, Flashlights, Raincoats, and Rooms with Doors - A Political Perspective on Where it Came from and What it Adds," *Emory International Law Review*, Vol.23, 2009, pp.125–40.

2 Felicity Hill, Mikele Aboitiz and Sara Poehlman-Doumbouya, "Nongovernmental Organizations' Role in the Buildup and Implementation of Security Council Resolution 1325," *Signs: Journal of Women in Culture and Society*, Vol.28, No.4, 2009, pp.1258-60.

An analysis of cooperation on WPS between the NATO and EU is important both for what it tells us about the relationship itself, and for what it can tell us about the WPS agenda. WPS has been shaped by the myriad of actors who have engaged with it, from local civil society to transnational advocacy networks, through to states, international organisations and the UN.[3] As well as through the interaction of these actors with each other.[4] At the EU level, we see how gender norms are not just exported, but imported through engagement and interactions with a range of international actors.[5] And NATO's understanding of the value of WPS has been dependent on interaction with external partners.[6] WPS then is more than the sum of the eight Security Council Resolutions; it is shaped by and through engagement and interpretation at the local, national, regional and UN levels.

At a regional level, NATO and the EU's engagement on WPS until recently was, if not divergent, then siloed. Aside from *ad hoc* meetings of officials, there was no formal framework for engagement on WPS, with the agenda not considered in the 2016 Joint Declaration nor the two subsequent progress reports. This has now changed, with WPS recognised in the updated 2018 EU-NATO Joint Declaration.

This chapter first assesses the "state of play" for NATO-EU cooperation on WPS in the context of the implementation of the revision of the Joint Declaration in 2018 and through informal engagement. It then goes on to outline the challenges but also opportunities for greater cooperation between the EU and NATO on the issue of WPS. It concludes by considering recommendations for the way forward and offers a note of caution on what form NATO-EU cooperation on WPS should take.

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3 Laura McLeod, "Experiences, Reflections, and Learning: Feminist Organizations, Security Discourse and SCR 3" in: *Making Gender, Making War Violence, Military and Peacekeeping Practices*, ed. Annica Kronsell and Erica Svedberg (Abingdon: Routledge, 2012), pp.135–49; Soumita Basu, "The UN Security Council and the Political Economy of the WPS Resolutions," *Politics & Gender,* Vol.13, No.4, (2017). pp.721-27.

4 Maria Martin De Almagro, "Lost Boomerangs, the Rebound Effect and Transnational Advocacy Networks: A Discursive Approach to Norm Diffusion," *Review of International Studies*, Vol.44, No.4 (2018), pp.672-93.

5 Alison E. Woodward and Anna van der Vleuten, "EU and the Export of Gender Equality Norms: Myth and Facts", in *Gender Equality Norms in Regional Governance: Transnational Dynamics in Europe, South America and Southern Africa,* ed. Anna van der Vleuten, Anouka van Eerdewijk, and Conny Roggeband, (Basingstoke: Palgrave Macmillan, 2014), p.86.

6 Katharine A. M. Wright, "NATO's Adoption of UNSCR 1325 on Women, Peace and Security: Making the Agenda a Reality," *International Political Science Review*, Vol.37, No.3, 2016, pp.350–61.; Katharine A.M. Wright, Matthew Hurley and Jesus Ignacio Gil Ruiz, *NATO, Gender and the Military: Women Organising from Within* (London: Routledge, 2019).

Assessing EU-NATO cooperation on WPS

Both NATO and the EU have had policies in place to implement the WPS agenda since 2007 and 2008 respectively.[7] Despite this, the 2016 NATO-EU Joint Declaration made no mention of WPS. Indeed, cooperation between the two organisations on WPS has been limited and has taken the form of informal lesson sharing and *ad hoc* meetings between counterparts long before this was formalised in the revised Joint Declaration in 2018. The starting point for any analysis of EU-NATO cooperation on WPS therefore needs to focus on the informal aspects. Drawing on a practice approach to examine NATO-EU cooperation provides a means to understand the "everyday and extraordinary" nature of the relationship, beyond the enduring political stalemate over Cyprus and the strain this puts on EU-NATO relations,[8] and provides an important perspective from which to understand EU-NATO collaboration on WPS.[9] The interaction between informal and formal institutions, or the "rules-in-form" and "rules-in-use" is key to understanding how institutional cooperation (such as between NATO and the EU) functions.[10] This is because informal rules can modify changes (or advancements) in the formal structures.[11]

Informal meetings between EU and NATO counterparts have been ongoing since both institutions began engaging with WPS. This has involved meetings hosted by either the EU or NATO or by third parties. The EU has invited NATO to its Informal Task Force on Women, Peace and Security[12] and NATO has invited the EU to a number of events, including a conference in 2011 to review progress on UNSCR 1325.[13] NATO and the EU have also met in other settings, including an event organised by the Organisation for Security

7 Roberta Guerrina and Katharine. A. M. Wright, "Gendering Normative Power Europe: Lessons of the Women, Peace and Security Agenda," *International Affairs*, Vol.92, No.2, 2016, pp.293–312; Wright, "NATO's Adoption of UNSCR 1325 on Women, Peace and Security".

8 Nina Græger, "Grasping the Everyday and Extraordinary," in "EU–NATO Relations: the Added Value of Practice Approaches", *European Security*, Vol.26, No.3 (2017), p.341.

9 Simon J. Smith, "EU–NATO Cooperation: A Case of Institutional Fatigue?", *European Security*, Vol.20, No.2 (2011), pp.243-264

10 Fiona Mackay, Meryl Kenny and Louise Chappell, "New Institutionalism Through a Gender Lens: Towards a Feminist Institutionalism?", *International Political Science Review*, Vol.31, No.5 (2010), p.576.

11 Steve Leach and Vivien Lowndes, "Of Roles and Rules: Analysing the Changing Relationship between Political Leaders and Chief Executives in Local Government," *Public Policy and Administration*, Vol.22, No.2 (2007), p.186.

12 EEAS, *Informal Task Force on Women, Peace and Security,* 2014, http://eeas.europa.eu/archives/features/features-working-women/working-with-women/article21_en.html

13 NATO, *NATO Hosts Conference to Review Success of* UNSCR 1325, 2011, https://www.nato.int/cps/en/SID-E9B13D19-F6147EB1/natolive/news_81808.htm%3FselectedLocale%3Den

and Cooperation in Europe (OSCE) in 2011 to discuss practical steps to implement WPS.[14]

The creation of high-level representatives on WPS by the EU in 2015 and NATO in 2012 further facilitated this type of meeting even prior to the establishment of a formal mechanism for coordination. The NATO Special Representative on Women, Peace and Security and the EEAS Principal Advisor on Gender and on the Implementation of UNSCR 1325 act as focal points for their institutions' engagement with WPS. The creation of these positions is a significant development for fostering cooperation between the two institutions on WPS.

Aside from *ad hoc* meetings between counterparts, there was no formal impetus for coordination until 2018.[15] This is surprising in some respects given that NATO and the EU have significant overlap in terms of member states. We might therefore expect to see cross-over in the states advocating for WPS at NATO and the EU resulting in coordination between the two institutions' approaches. Yet this has not materialised, except for a few notable exceptions. For example, Sweden and Austria (both NATO partner states but also EU member states) proved central to NATO's initial engagement with WPS.[16] The result has been that NATO and EU approaches to WPS remained formally on a parallel track until the inclusion of WPS in the 2018 revision of the Joint Declaration. Since this point, we have seen an opening for deeper cooperation between NATO and the EU in this area.

Since the revised Joint Declaration in 2018 included WPS, the EU and NATO have continued to come together informally in a number of different fora. This has included a high-level conference in Bosnia Herzegovina on WPS in the Western Balkans in March 2019 organised by the UK.[17] Bosnia Herzegovina is neither an EU nor NATO member state. However, it is a member of NATO's Euro-Atlantic Partnership Council, which has jointly adopted NATO's policy on WPS, and the EU has committed to a partnership with Bosnia Herzegovina on WPS through the G7.[18] It is therefore an obvious place for NATO and the EU to come together on WPS. The EU and NATO also came together in January 2019 (along with the UN) at another UK-hosted workshop in London related to WPS on

14 OSCE, *UNSCR 1325 Conference: Moving Beyond Theory to Maximize Security in the OSCE*, 2011, https://www.osce.org/event/unscr1325_2011

15 Jesus Gil Ruiz, "Women, NATO and the European Union," *The Role of Women and Gender in Conflict,* Spanish Institute for Strategic Studies, Granada University, 2012, p.125.

16 Wright, "NATO's Adoption of UNSCR 1325 on Women, Peace and Security."

17 Delegation of the European Union to Bosnia and Herzegovina & EU Special Representative in Bosnia and Herzegovina, *NATO-EU Cooperation on Women, Peace and Security in the Western Balkans*, March 4, 2019, https://europa.ba/?p=62353 18 *Ibid.*

preventing sexual exploitation and abuse.[18]

It seems evident given the long record of engagement that informal cooperation on WPS is likely to continue between the two institutions. In the run-up to the 20th Anniversary of UNSCR 1325 in 2020 we can expect to see a number of high-profile events held at the national, regional and international levels and in view of the fact that both the EU and NATO have positioned themselves as actors on WPS it is likely we will see their active participation.

Comparing informal cooperation on WPS between NATO and the EU to formal cooperation provides a means to assess the full extent of cooperation. WPS is introduced in the 2018 Joint Declaration as a means to "deepen" existing cooperation between the EU and NATO in the context of implementation, along with three other areas: military mobility; counter-terrorism and strengthening resilience to chemical, biological, radiological and nuclear-related (CBRN) risks. The inclusion of WPS within these parameters reflects wider understandings of the agenda as one which provides "added value" to support institutions such as NATO and the EU better achieve pre-existing tasks, rather than be included because it is the "right thing" to do. The inclusion of WPS as a tool to deepen the relationship between the EU and NATO is also to be expected. Both institutions have used WPS as a bridging issue to bring in "awkward partners" (partners who would not naturally align with NATO"s interests, e.g. neutral countries), albeit its use in this respect has also been selective.[19]

To understand the practical steps envisaged for the promotion of WPS outlined in the 2018 Joint Declaration it is necessary to examine other documents related to NATOEU cooperation. The third Progress Report on the Joint Declaration released in June 2018 states that cooperation on WPS is in its "initial stage"[20] (and WPS is absent from the first two reports). The report goes on to outline some practical steps to deepen cooperation, for example, plans for a workshop on "methodology exchange" in September 2018. It is not clear whether this event actually took place and if it did it was not publicised. It is therefore difficult to gauge progress on a practical level at this early stage.

18 Mara Marinaki. *#EU Joins #NATO #UN to Compare Notes*, 2019, https://twitter.com/MaraMarinakiEU/status/1084781328426586112

19 Wright, "NATO's Adoption of UNSCR 1325 on Women, Peace and Security"; Wright, Hurley and Gil Ruiz, *NATO, Gender and the Military*.

20 The EU and NATO, "Third Progress Report on the Implementation of the Common Set of Proposals Endorsed by EU and NATO Councils on 6 December 2016 and 5 December 2017", 2018, https://www.nato.int/nato_ static_fl2014/assets/pdf/pdf_2018_06/20180608_180608-3rd-Joint-progress-report-EU-NATO-eng.pdf.

Beyond *ad hoc* meetings and the Joint Declaration, we can also look to their respective policies on the topic to understand how NATO and the EU conceptualise cooperation on WPS. The EU and NATO have both revised their approach to WPS since the adoption of the Joint Declaration in July 2018. NATO adopted its revised NATO/Euro-Atlantic Partnership Council (EAPC) Policy on WPS in September 2018[21] and the EU adopted the Strategic Approach to WPS in December 2018.[22] Prior to this, the EU's previous WPS policy (adopted in 2008) made no mention of cooperation with NATO, although it did list other actors.[23] Nevertheless, as mentioned above, on a practical level, NATO did participate in meetings of the EEAS Informal Task Force on WPS between 2011 and 2014.[24] In contrast, NATO had included provision for cooperation with the EU in previous iterations of its WPS policy. Yet NATO has not involved the EU in external consultations on its own WPS policy, with these reserved for civil society actors. We see therefore very different approaches to WPS and cooperation emerging from each institution.

The current WPS policies of NATO and the EU also reflect this different approach to cooperation on WPS between the two institutions. The NATO/EAPC policy and associated action plan have a specific action point for cooperation with the EU in the context of the Joint Declaration. In contrast, the EU's Strategic Approach puts cooperation with NATO in the same basket as cooperation with other international organisations. It states that the EU should "continue to work together with relevant international and regional organisations, particularly the UN but also others such as: the North Atlantic Treaty Organisation (NATO) […] with the aim of creating synergies in situations where the EU and UN or other international organisations play significant roles".[25] It is evident then that both NATO and the EU take a broad view of WPS and acknowledge the importance of engaging with different actors. However, the absence of any mention of the Joint Declaration or of NATO as an actor in its own right from the EU's Strategic Approach indicates that engagement with NATO remains a particularly sensitive area for the EU.

A unifying feature of both the NATO and EU policies on WPS is the emphasis on

21 NATO/EAPC, *Women, Peace and Security: Policy and Action Plan,* 2018, https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2018_09/20180920_180920-WPS-ActionPlan-2018.pdf.

22 Council of the European Union, "Council Conclusions on Women, Peace and Security," December 10, 2018, https://www.consilium.europa.eu/media/37412/st15086-en18.pdf.

23 Council of the European Union, *Comprehensive Approach to the EU Implementation of the United Nations Security Council Resolutions 1325 and 1820 on Women, Peace and Security*, 2008, http://eeas.europa.eu/archives/ features/features-working-women/working-with-women/docs/01-eu-comprehensive-approach-1325_ en.pdf.

24 Guerrina and Wright, "Gendering Normative Power Europe."

25 Council of the European Union, "Council Conclusions on Women, Peace and Security," p.45.

cooperation with a broad range of external actors including civil society and other regional institutions. This brings them into line with the broad conception of WPS as an agenda involving a myriad of actors outlined at the start of this chapter. The NATO/ EAPC policy and action plan is more specific on what engagement with the EU should look like.[26] It focuses on staff-to-staff cooperation to support the development of early warning indicators, defence capacity building and building capacity to support gender analysis. Both NATO and the EU also specifically mention cooperation through the recently established Regional Acceleration of Resolution 1325 (RAR) framework to support knowledge exchange. The downplaying of cooperation with NATO in EU policies is therefore not upheld in practice, suggesting political sensitives around elevating the relationship with NATO above those with other regional organisations.

Challenges hindering full cooperation on WPS

A number of challenges hinder cooperation between NATO and the EU on WPS. First, the narrow focus taken in the cooperation agreement on WPS as a defence matter limits the wider value of cooperation between NATO and the EU on this issue. Second, this narrow focus is in danger of producing "group think" between NATO and the EU on WPS, which challenges the broader remit of the WPS agenda itself. Indicative of these challenges is the fact that WPS was a late addition to the Joint Declaration, featuring only in the 2018 revision. This is surprising in some senses given that both NATO and the EU have sought to prioritise WPS in other external partnerships. For example, NATO's engagement with WPS has prioritised external partnerships from the outset with NATO's policy on WPS adopted jointly with the Euro-Atlantic Partnership Council (EAPC).[27] The EU has used WPS strategically to foster partnerships with other regional and international organisations, for example, the African Union (AU).[28] The record of accomplishment of both institutions in engaging external partners is reflective of a particular challenge to integrating WPS into NATO-EU cooperation.

A key challenge resulting from the formalisation of EU-NATO cooperation on WPS has been that it has centred on defence at the expense of other issues where WPS applies. In their address on the Joint Declaration NATO Secretary General Jens Stoltenberg and EU

26 NATO/EAPC, *Women, Peace and Security: Policy and Action Plan.*

27 Wright, "NATO's Adoption of UNSCR 1325 on Women, Peace and Security," p.356.

28 Toni Haastrup, "The Undoing of a Unique Relationship? Peace and Security in the EU–South Africa Strategic Partnership," So*uth African Journal of International Affairs*, Vol.24, No.2 (2017), p.208.

Vice President/High Representative Federica Mogherini underscored the importance of WPS in the context of strengthening European Defence through the Permanent Structured Cooperation (PESCO) and the European Defence Fund (EDF). A further example is found in the 2018 Joint Declaration where WPS is mentioned in relation to defence and security capacity building. Specifically, a focus on fostering cooperation "on gender and WPS related aspects in building partners' capacity in areas as appropriate in support of UNSCR 1325".[29] This type of engagement by Western states and regional organisations with WPS have been criticised as coming to resemble an "imperialist project".[30] Rather than reflect on how NATO and the EU could implement WPS internally (for example, supporting the better representation of women within their own institutions and mainstreaming gender in their own policies), it has been used as a tool to engage external partners. This may facilitate greater NATO-EU cooperation as a shared starting point, but the downside is that it undermines the broader transformational elements of the WPS agenda.

In addition, the common set of new proposals on the implementation of the Joint Declaration adopted in December 2017, states that by 2018 gender indicators for inclusion in early warning systems should be mapped and analysed, including those "that could improve situational awareness and preparedness, in support of UNSCR 1325".[31] It is not yet evident what progress has been made here or what the gender indicators will consist of. However, if gender is taken to mean women in this approach, then there is a concern that essentialising stereotypes of women as peaceful (as employed with the use of Female Engagement Teams) will be applied which would undermine the aims of the WPS agenda to challenge gendered assumptions and view women as autonomous agents.

This deepening of NATO-EU cooperation on WPS could support "group think" if it remains focused on this narrow formal cooperation in the context of the Joint Declaration. Given the overlap in member states between the EU and NATO, and that focus on cooperation in the area of security and defence, this is a pressing concern. It is after all a global agenda involving a myriad of different actors, not just a European one focusing

29 NATO, "Common Set of New Proposals on the Implementation of the Joint Declaration Signed by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization", December 2017, https://www.nato.int/cps/en/natohq/official_texts_149522. htm.

30 Nicola Pratt, "Reconceptualizing Gender, Reinscribing Racial-Sexual Boundaries in International Security: The Case of UN Security Council Resolution 1325 on 'Women, Peace and Security'", *International Studies Quarterly*, Vol.57, No.4 (2013), pp.772–83.

31 NATO, "Common Set of New Proposals on the Implementation of the Joint Declaration Signed by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization".

on two organisations. Full cooperation between the EU and NATO on WPS is not only unlikely, but should therefore be approached with caution. The challenge therefore remains between balancing the more holistic informal meetings which support an inclusive vision for WPS (including lesson sharing across institutions) with the push to formalise the relationship which is presented as having the potential to take NATO-EU cooperation to a "new level" through a narrow focus on the "added value" of WPS for defence.[32]

The way forward

Ultimately, WPS should have a central place in the NATO-EU Joint Declaration. Indeed WPS considerations are applicable and should be mainstreamed across all areas where these institutions cooperate, from military mobility to counter-terrorism, and beyond. However, NATO and the EU's formal cooperation on WPS is still in its infancy. No mention was made of WPS in the 2016 Joint Declaration, therefore its incorporation in 2018 is a significant breakthrough. However, at the staff level there is a longer track record of engagement on WPS between the two institutions corresponding to the adoption of EU and NATO policies on the issue in 2008 and 2007 respectively. Given the significant investment both institutions have put into WPS in recent years, for example, the appointment of high-level WPS representatives, there is an opportunity to foster greater cooperation at a working level. This should be supported given there are undoubtedly lessons to learn across both institutions – in particular on how to support a working environment which better reflects gender inclusivity.

When considering what more formal cooperation should look like, it is important to remember that WPS is unique as an emerging global norm. WPS should be understood as a global agenda, reliant on a network of actors working together to realise its potential to transform the gendered underpinnings of international peace and security. WPS therefore certainly has a place in NATO-EU cooperation, but that cooperation should not come at the expense of fostering relations with other external actors. It should also not focus solely on cooperation in terms of defence. The inclusion of a diversity of voices (beyond the Euro-Atlantic) is one way to mitigate this and strengthen both institutions" understanding of WPS. The Regional Acceleration for Resolution 1325 (RAR) framework offers one way in which this could be achieved. The inaugural meeting of RAR was hosted by Ireland in

32 NATO, Joint Press Conference by NATO Secretary General Jens Stoltenberg and EU High Representative/Vice President Federica Mogherini following the meeting of the North Atlantic Council at the level of NATO Foreign Ministers, December 2017, https://www.nato.int/cps/en/natohq/opinions_149339.htm

June 2018 and brought together the EU, NATO, the AU, the OSCE and the UN.[33] The RAR has not met since and requires investment by member states to support it going forward.

NATO-EU cooperation on WPS should encompass the full breadth of the WPS agenda, which seeks to widen the meaning of security beyond a narrow focus on defence and the military. Adding WPS into this cooperation framework "and stirring" has the potential to further exacerbate some of the issues with NATO's and the EU's engagement with WPS that have been observed to date. There is a danger that if NATO-EU cooperation on WPS focuses solely on its "added value" for defence and security capacity-building, then the wider agenda will be undermined. WPS considerations are relevant to all areas of NATO-EU cooperation and should be mainstreamed across these issues. Other institutions are seeking to do this, for example the AU has adopted a more comprehensive understanding of WPS which notably aims to "engender a new peace and security discourse", rather than understanding WPS (only) through the lens of defence.

Conclusion

This chapter has examined EU and NATO cooperation on WPS. Given that WPS was only included in the 2018 revision of the Joint Declaration, this has meant taking a broader approach to take into account the established record of informal engagement at the staff level and provisions in each institution's respective policies on WPS. The challenges to implementing WPS in NATO-EU cooperation centre on moving beyond a narrow focus on defence issues.

WPS represents an area of functional overlap between the EU and NATO, it is not an issue on which they need to compete and there is space for the contributions of both institutions. Indeed, cooperation on WPS has the potential to strengthen the implementation of the agenda at a European level. However, formal NATO-EU cooperation has been slow to evolve particularly on the issue of WPS. It is likely then that informal cooperation on WPS will continue while a further deepening of formal cooperation on WPS remains a long-term goal.

As both Jens Stoltenberg and HR/VP Mogherini have stated, WPS should form the cornerstone of the relationship not just because it is the right thing to do, but because "it's also the smart thing to do". It remains to be seen if, and how, this will be achieved.

33 Government of Ireland, *Midterm Review of Ireland's Second National Action Plan on Women, Peace and Security (2015-2018),* 2018, https://www.dfa.ie/media/dfa/alldfawebsitemedia/ourrolesandpolicies/int-priorities/ womenpeaceandsecurity/NAP-report-v2.pdf.

Annex

Joint Declaration, July 2016

by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organization

We believe that the time has come to give new impetus and new substance to the NATO-EU strategic partnership.

In consultation with the EU Member States and the NATO Allies, working with, and for the benefit of all, this partnership will take place in the spirit of full mutual openness and in compliance with the decision-making autonomy and procedures of our respective organisations and without prejudice to the specific character of the security and defence policy of any of our members.

Today, the Euro-Atlantic community is facing unprecedented challenges emanating from the South and East. Our citizens demand that we use all ways and means available to address these challenges so as to enhance their security.

All Allies and Member States, as well as the EU and NATO per se, are already making significant contributions to Euro-Atlantic security. The substantial cooperation between NATO and the EU, unique and essential partners, established more than 15 years ago, also contributes to this end.

In light of the common challenges we are now confronting, we have to step-up our efforts: we need new ways of working together and a new level of ambition; because our security is interconnected; because together we can mobilize a broad range of tools to respond to the challenges we face; and because we have to make the most efficient use of resources. A stronger NATO and a stronger EU are mutually reinforcing. Together they can better provide security in Europe and beyond.

We are convinced that enhancing our neighbours' and partners' stability in accordance

with our values, as enshrined in the UN Charter, contributes to our security and to sustainable peace and prosperity. So that our neighbours and partners are better able to address the numerous challenges they currently face, we will continue to support their sovereignty, territorial integrity and independence, as well as their reform efforts.

In fulfilling the objectives above, we believe there is an urgent need to:

- Boost our ability to counter hybrid threats, including by bolstering resilience, working together on analysis, prevention, and early detection, through timely information sharing and, to the extent possible, intelligence sharing between staffs; and cooperating on strategic communication and response. The development of coordinated procedures through our respective playbooks will substantially contribute to implementing our efforts.
- Broaden and adapt our operational cooperation including at sea, and on migration, through increased sharing of maritime situational awareness as well as better coordination and mutual reinforcement of our activities in the Mediterranean and elsewhere.
- Expand our coordination on cyber security and defence including in the context of our missions and operations, exercises and on education and training.
- Develop coherent, complementary and interoperable defence capabilities of EU Member States and NATO Allies, as well as multilateral projects.
- Facilitate a stronger defence industry and greater defence research and industrial cooperation within Europe and across the Atlantic.
- Step up our coordination on exercises, including on hybrid, by developing as the first step parallel and coordinated exercises for 2017 and 2018.
- Build the defence and security capacity and foster the resilience of our partners in the East and South in a complementary way through specific projects in a variety of areas for individual recipient countries, including by strengthening maritime capacity.

Cooperation in these areas is a strategic priority. Speedy implementation is essential. The European External Action Service and the NATO International Staff, together with Commission services as appropriate, will develop concrete options for implementation, including appropriate staff coordination mechanisms, to be presented to us and our respective Councils by December 2016. On the EU side, the High Representative/Vice President of the Commission will steer and coordinate this endeavour.

We will review progress on a regular basis.

We call on both organisations to invest the necessary political capital and resources to make this reinforced partnership a success.

Signed at Warsaw on 8 July 2016 in triplicate.

Donald Tusk

President of the European Council

Jean-Claude Juncker

President of the European Commission

Jens Stoltenberg

Secretary General of the North Atlantic Treaty Organization

Joint Declaration, July 2018

on EU-NATO Cooperation by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organization

1. Two years ago in Warsaw, we came together to strengthen EU-NATO cooperation aiming to promote peace and stability in the Euro-Atlantic area. Our respective efforts are mutually reinforcing, have improved the security of our citizens and strengthened our trans-Atlantic bond. Our longstanding cooperation has developed substantially, and is now unprecedented in its quality, scope and vigour. We share the same values and resolve to address, hand-in-hand, the common challenges we face. As our security is interconnected, we meet today in Brussels to reaffirm the importance of and the need for cooperation, and underline that our security and defence initiatives benefit each other.

2. In consultation with the EU Member States and the NATO Allies, working with and for the benefit of all, our partnership will continue to take place in the spirit of full mutual openness and in compliance with the decision-making autonomy and procedures of our respective organisations and without prejudice to the specific character of the security and defence policy of any of our members.

3. In this context, we view transparency as crucial. We encourage the fullest possible involvement of the NATO Allies that are not members of the EU in its initiatives. We encourage the fullest possible involvement of the EU Member States that are not part of the Alliance in its initiatives.

4. Our two organisations have developed a broad range of tools to provide greater security to citizens in Europe and beyond, building on the substantial cooperation established more than 15 years ago between NATO and the EU, two unique and essential partners.

5. We are implementing the objectives we set two years ago, including the following actions:

    - Our maritime cooperation in the Mediterranean contributes to fighting migrant smuggling and trafficking, and thus alleviates human suffering;

    - We have increased our ability to respond to hybrid threats: we reinforce our

preparedness for crises, we exchange timely information including on cyber-attacks, we confront disinformation, we build the resilience of our members and partners and we test our respective procedures through parallel and coordinated exercises;

- We support the defence and security capacity of our neighbours to the East and to the South.

6. The multiple and evolving security challenges that our Member States and Allies face from the East and the South make our continued cooperation essential, including in responding to hybrid and cyber threats, in operations, and by helping our common partners. We are committed to deepen it further within the existing common proposals. It is now important to focus on implementation. In this context, we will aim for swift and demonstrable progress in particular in:

   - military mobility;
   - counter-terrorism;
   - strengthening resilience to chemical, biological, radiological and nuclear- related risks;
   - promoting the Women, Peace and Security agenda.

7. We welcome EU efforts to bolster European security and defence to better protect the Union and its citizens and to contribute to peace and stability in the neighborhood and beyond. The Permanent Structured Cooperation and the European Defence Fund contribute to these objectives.

8. We welcome efforts undertaken by NATO in collective defence, crisis management and cooperative security, to ensure the defence and security of the Euro-Atlantic area, notably through deterrence and defence, projecting stability and the fight against terrorism. NATO will continue to play its unique and essential role as the cornerstone of collective defence for all Allies.

9. EU efforts will also strengthen NATO, and thus will improve our common security. For NATO Allies, such efforts foster an equitable sharing of the burden, benefits and responsibilities, in full accordance with their commitment undertaken in the Defence Investment Pledge. For EU Member States, we welcome political agreement to give higher priority to security and defence in the forthcoming discussions on the next long-term EU budget.

10. The capabilities developed through the defence initiatives of the EU and NATO should remain coherent, complementary and interoperable. They should be available to both organisations, subject to the sovereign decisions of the countries that own them.

11. We are proud of what has been achieved together so far. But we can do more.

12. We will continue to review progress on a yearly basis.

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