

# Establishing collective counter-terrorism defense: NATO's scope and challenges

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**It has been 20 years since the North Atlantic Treaty Organization (NATO) invoked Article 5 of the North Atlantic Treaty for the first, and so far only, time. While this collective self-defense reaction represented a response to the 9/11 terrorist attacks on the United States, fighting in a war on terror is not something the Alliance was built to do from the outset. Coinciding with Secretary General Stoltenberg's presentation of the NATO 2030 initiative this year, this article explores how NATO has adapted to the reality of sustained engagement in counter-terrorism operations, a task that in many countries falls within the remit of law enforcement or intelligence agencies, rather than within the military domain.**

NATO had anticipated the risk of terrorism prior to 9/11. As NATO's *Strategic Concept* (1999) explicitly highlighted: "Alliance security interests can be affected by [...] acts of terrorism, sabotage and organised crime, and by the disruption of the flow of vital resources."<sup>1</sup> The document further underscored the need to protect both Alliance troops and infrastructure. It is unsurprising that terrorism made an appearance in a document approved in April of 1999, following on the heels of two terrorist attacks on United States' embassies in Dar es Salaam, Tanzania, and Nairobi, Kenya on August 7, 1998 – al-Qaeda's precursors to 9/11.

Nevertheless, 9/11 was a watershed moment for the Alliance, and in October 2001 NATO launched its first two counter-terrorism operations: *Operation Eagle Assist*, which saw seven AWACS radar aircraft sent to patrol United States airspace, and *Operation Active Endeavour*, which saw the deployment of part of NATO's Standing Naval Forces to the eastern Mediterranean on a mission to detect and deter terrorist activity, including illegal trafficking. By May 2002 NATO determined their area of operations covered any possible location where it was necessary to fight terrorism, scope which allowed the Alliance to take the lead in the UN-mandated International Security Assistance Force (ISAF) in Afghanistan in 2003.<sup>2</sup>

The decision to broaden that area of operations was not only a response to the situation the Alliance was facing but also marked the starting point of a more institutionalized, less reactive counter-terrorism approach. During the following decade many decisions were adopted that saw NATO shift into committing Allies to enhance their counter-terrorism capabilities and facilitate increasing consultations with NATO partners. The Chicago Summit (2012) endorsed an updated set of policy guidelines, which absorbed the *Partnership Action Plan against Terrorism* into the NATO approach, and in 2016 NATO joined in the fight against Islamic State of Iraq and the Levant (ISIL) followed by membership in the Global Coalition to Defeat ISIL as part of NATO's counter-terrorism *Action Plan* (2017). In 2017 NATO created the regional Hub for the South, a knowledge center aimed at better understanding and mitigating the challenges faced by regional partners on the Alliance's southern borders.

During the past decade NATO found its niche in the global counter-terrorism effort while remaining cognizant of mission creep. Whereas NATO had previously provided support to partner countries, for example by providing training, in 2017 NATO agreed to broaden cooperation with the European Union on counter-terrorism issues. This position was further clarified in the updated coun-



Operation Active Endeavour was one of the first two counter-terrorism operations. It saw the deployment of part of NATO's Standing Naval Forces to the eastern Mediterranean on a mission to detect and deter terrorist activity. Depicted is a boarding exercise during Operation Sea Guardian, the successor of Operation Active Endeavor (photo: Flickr / NATO North Atlantic Treaty Organization / CC BY-NC-ND 2.0)

ter-terrorism *Action Plan* (2018) which included a focus on NATO's role within the international community's fight against terrorism. In 2019, the Alliance's counter-terrorism *Action Plan* was set for review again.

Clearly NATO's approach to counter-terrorism has evolved since it first invoked Article 5 in 2001. But as the Alliance moves into an increasingly convoluted space, where is NATO heading in terms of counter-terrorism planning and ambitions?

#### **OPPOSING MISSION CREEP: CURRENT COUNTER-TERRORISM APPROACHES**

In the wake of 9/11 NATO's leadership responded to unfolding events as many governments did: by upping security and heeding the request from the United States for aerial surveillance capacity. Now, 20 years after the start of the global war on terror, NATO has firmly established counter-terrorism as an institutionalized part of Alliance structures. Part of that institutionalization, however, is coming to a workable agreement regarding what NATO means when it talks about terrorism. The NATO *Counter-*

*terrorism Reference Curriculum* (2020) states that while disagreements persist on accepted legal definitions of terrorism, NATO members have recognized the value in a common understanding, allowing for coordinated counteractions to terrorist threats.

NATO takes a three-pronged approach to focusing Alliance efforts on counter-terrorism: raising awareness, developing capabilities, and enhancing engagement with partner countries. Increasing awareness of the terrorist threat is one of the core pillars of NATO's counter-terrorism approach. NATO does this by supporting Alliance members through consultations, finding ways of enhancing intelligence sharing within the Alliance, and providing strategic analysis on terrorist threats. NATO receives intelligence from Allies' intelligence services to help build that strategic analysis. Since 2017 NATO Headquarters (HQ) includes a Terrorism Intelligence Cell specifically founded for this purpose. More broadly, the Joint Security Division facilitates intelligence sharing between members and the Alliance and distributes strategic reporting on terrorist threats. Furthermore, NATO's work raising



The Chicago Summit (2012) endorsed an updated set of policy guidelines, which saw the Partnership Action Plan against Terrorism being absorbed into the NATO approach. Depicted is a group photo at the NATO Chicago Summit (photo: Flickr / Herman Van Rompuy / CC BY-NC-ND 2.0)

awareness across partner countries includes a focus on intelligence sharing. Both the Intelligence Liaison Unit at NATO HQ and the intelligence liaison cell at Allied Command Operations in Mons, Belgium facilitate such exchanges. In terms of providing increased situational awareness on trends on NATO's southern border, NATO's Joint Force Command in Naples, Italy hosts the previously mentioned 'Hub for the South', which is responsible for strengthening the Alliance's ability to anticipate developments in the region.

NATO's second prong, capability development, focuses on building the skills and know-how to prevent, protect against, and respond to terrorism. NATO offers advice and assistance to members where requested, in terms of doctrinal and policy development but also in terms of practical training, all of which are captured in NATO's *Defence Against Terrorism Programme of Work*. By way of example, NATO released its *Battlefield Evidence Policy* in late 2020. This first-of-its-kind document aims to facilitate the sharing of valuable evidence collected by deployed militaries in support of legal prosecution of terrorist fighters. Because of NATO's theater of operations, deployed Allied troops may find themselves in a unique position to secure evidence where domestic criminal justice mechanisms tasked with prosecuting terrorism offences do not have access. By providing NATO militaries with awareness and a framework for evidence collection and safeguarding, NATO Allies are building the necessary capabilities for executing this niche task within the global counter-terrorism effort.

Late 2020 also saw the release of the *Practical Framework for Technical Exploitation*, relating to technical material gathered from terrorist actors that may be subsequently analyzed to determine terrorist actor intentions and capabilities. In facilitating the effective collection

and analysis of material previously possessed by terrorists and other adversaries, both capability-building initiatives also facilitate Alliance fulfilment of obligations under the *United Nations Security Council Resolution 2396* (2017) to hold terrorist actors accountable. NATO's final prong - engagement – is aimed at strengthening cooperation with international actors and partner countries in acknowledgement of the fact that countering terrorism requires an international approach. In terms of building a collective knowledge base, the 2020 *Counter-Terrorism Reference Curriculum*, for example, represents a standardized output designed to ensure Allies all have a common understanding of terrorist ideologies, motivations and methods, as well as contemporary counter-terrorism practices. The curriculum was the product of multinational cooperation, produced through the Partnership for Peace Consortium with input from a range of actors, including the European Union, the United Nations, and the Organization for Security and Co-operation in Europe. In February of 2021 the curriculum was used to train participants from Ukraine in counter-terrorism in cooperation with the National Defence University of Ukraine.

Additionally, the *NATO Science for Peace and Security (SPS)* Program connects scientists and experts across Allies and partners to conduct scientific work on counter-terrorism aimed at, inter alia, understanding and responding to terrorist threats and the development of a network of relevant experts. The program's current counter-terrorism initiatives include a focus on explosive detection technologies, with a 2018 initiative designed to detect concealed weapons in real time to protect mass-transit infrastructure including airports and train stations. In May of 2021, Algeria became the first North African country to have jointly developed terahertz imaging technology designed to detect dangerous materials, such as firearms and explosives, within the SPS framework.<sup>3</sup>

The program has also issued calls for proposals relating to the “human, social, cultural, scientific and technological advancements in the fight against terrorism” (2017),<sup>4</sup> welcoming a broad array of submissions on themes including conflict resolution, civil-military counter-terrorism cooperation, and social factors in the defense against terrorism.

Explicitly outlining this three-pronged approach in the *Counter-Terrorism Policy Guidelines (2012)*,<sup>5</sup> NATO has continued to carve a specialized role for itself and remained wary of mission creep that risks the organization overextending itself in domains that are neither military nor counter-terrorism focused. Through collaboration with partner countries and the international counter-terrorism community NATO attempts to complement, rather than duplicate, counter-terrorism efforts. For example, where NATO collaborates with partners on countering the threat of Unmanned Aerial Vehicles (UAVs, colloquially known as drones), NATO’s focus is on the malicious or militarized use of UAVs and on how to counter that specific threat. This scope explicitly leaves questions of safety and security, including UAV-generated disruption of air traffic, to other more suitable players.

The approach NATO has taken is not without difficulty. Reflective of the wider modus operandi of the Alliance, NATO’s counter-terrorism approach is only as effective as its member states allow it to be. For example, while NATO HQ has the Terrorism Intelligence Cell, the unit is dependent upon the intelligence received from Alliance members’ national agencies as it does not have its own intelligence-collection capabilities. While intelligence sharing within NATO at the tactical level is very intense, this cell is focused on strategic intelligence and reports on trends, (geographical) areas of activity, and terrorist modus operandi. An inherent risk in intelligence sharing is circular reporting and the risk of sources and collection methods of those members who share the intelligence becoming known, which may make Allies hesitant to share their intelligence.<sup>6</sup> Furthermore, trust is a pivotal pillar in intelligence sharing, something that can be hampered by poor political relationships, and it is no secret that not all Alliance members always see eye to eye.

Furthermore, it remains a challenge for NATO to prevent itself from being sucked into philosophical debates around what terrorism is, how it is defined, and who is a terrorist. By adopting a definition of terrorism furthered by the NATO Military Committee, the Alliance so far has



The *NATO 2030: United for a New Era* report remarks that terrorism has been, and remains, one of the most immediate asymmetric and significant threats facing the Alliance. Depicted is NATO Secretary General Jens Stoltenberg at the public launch of the NATO 2030 Expert Group’s Report: “United for a New Era” (photo: Flickr / NATO North Atlantic Treaty Organization / CC BY-NC-ND 2.0)



Since 2017 the NATO Headquarters includes a Terrorism Intelligence Cell, which focuses on strategic intelligence analysis. Additionally, NATO Headquarters has an Intelligence Liaison Unit which facilitates intelligence sharing between NATO and partner countries' intelligence agencies. Depicted is the NATO Headquarters (photo: Alexandros Michailidis / Shutterstock.com)

managed to steer clear of these academic debates and instead has been able to focus on a hands-on approach. Nevertheless, by offering a standardized curriculum, NATO inevitably sets certain standards and determines the use of certain terms. As mentioned, that does not mean that there is consensus on the working definitions that are used.

#### **NATO'S FUTURE VISION FOR COUNTER-TERRORISM**

A new NATO counter-terrorism action plan is expected to be made public by the end of 2021. The plan is likely to continue in the same direction as previous counter-ter-

rorism policy documents, providing consistency and evolution of existing concepts. NATO is not expected to broaden the scope of its three-pronged approach, as the Alliance is acutely aware of both its limitations and the unique facilitating role it can play. Two examples illustrate this role. First, NATO's Science and Technology Organization is uniquely capable in establishing public-private partnerships aimed at developing technological counter-terrorism solutions, exemplified by NATO's efforts in developing microwave sensing tools capable of detecting "improvised explosive devices in moving crowds" within the *STANdoff Detection of EXplosives (STANDEX)* pro-

gram.<sup>7</sup> In this issue Alexander von Rosenbach, interim director of the International Centre for Counter-Terrorism – The Hague (ICCT), analyzes the future of Technology-enabled Terrorism.

Second, NATO's *Battlefield Evidence Policy* highlights a recognition of circumstances in which NATO does not have a criminal justice mandate but does have unique access to evidence which may be crucial in the prosecution of terrorists, foreign terrorist fighters, and those who are financing terrorism. This policy underscores the fact that NATO has carved out a specialist role that it has institutionalized within the global counter-terrorism framework. That being said, NATO's road ahead is not without obstacles, including in the counter-terrorism domain. In the *NATO 2030: United for a New Era* report (2020) the independent Reflection Group acknowledged that achieving cohesion within the Alliance will become more difficult. Differences in prioritization of security threats facing Alliance members is partially to blame for this. It is therefore unsurprising that this report called for an update of the 2010 *Strategic Concept* with a view to "incorporate terrorism more fully into NATO's core tasks."<sup>8</sup> At the same time, the report is critical about the degree to which counter-terrorism has been institutionalized so far: integration of counter-terrorism should be more explicit and funding levels should reflect the nature of the threat. Further critique focuses on the fact that counter-terrorism does not currently feature as an integral part of discussions on hybrid threats or cyber security, nor is it a prominent enough feature in exercises and lessons learned.

Despite the fact that NATO has the Terrorist Intelligence Cell, the Reflection Group's report assesses that intelligence sharing should be enhanced. Better and commonly shared situational awareness needs to be achieved through improving current intelligence-sharing practices. The report lists emerging safe havens of terrorists, terrorist use of emerging and disruptive technologies (EDTs), and hybrid tactics as three key areas that would benefit from improved intelligence sharing. If these recommendations were adopted by NATO, it would signal a proactive counter-terrorism policy that not only focuses on traditional terrorist tactics, but genuinely acknowledges and responds to the nuanced and continuous development across the various dimensions of terrorism.

"Terrorism has been, and remains, one of the most immediate asymmetric and significant threats facing the Alliance" reads the *NATO 2030: United for a New Era* report.<sup>9</sup> The past two decades have seen NATO move from an Alliance that acknowledged terrorism vaguely as a point on the horizon to an organization that suddenly found

itself knee-deep in counter-terrorism operations. While NATO has institutionalized many counter-terrorism frameworks over the past decade, the next decade will need to see NATO's programming take counter-terrorism into account at all levels: tactical, operational, strategic, and diplomatic. Counter-terrorism will, unfortunately, remain a necessary area of focus for the entire Alliance, and further solidifying it as a cross-cutting theme throughout all levels of the Alliance is not only the smart thing to do, it's the necessary thing to do.

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