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China 2020: How the People's Liberation Army Navy Will Affect the U.S. Pivot to Asia

By Alexander J. Paul

Following the Pivot: Does NATO Have a Role in Southeast Asia?

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The Journal

Now in its 9th edition, JTSA continues to provide students and practitioners with the opportunity to publish in a recognized national security journal. This edition is the combined effort of a diverse staff, including students from the law, public administration, and international relations departments of Syracuse University. Please browse our new and improved website: <http://jtsa.syr.edu/>

JTSA also continues to attract scholarly attention from established and aspiring scholars. With newly implemented protocols in place to ensure institutional memory, JTSA hopes to build on past achievements to ensure continued future advancement toward scholarly excellence.

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We hope you enjoy this year’s journal. Thank you for your support.



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China 2020: How the People's Liberation Army Navy Will Affect the U.S. Pivot to Asia

By Alexander J. Paul

Introduction

With a crew of over 6000, the USS *George Washington* (CVN 73) is less like a ship and more like a small town afloat on the high seas. One of ten nuclear-powered aircraft carriers in the United States Navy's fleet, she is one of the largest warships in the world today and serves as potent symbol to all who see her of U.S. military power and reach. Home-ported in Yokosuka, Japan, the USS *George Washington* represents a potent representation of the U.S.'s long-standing maritime presence in the East Asian region. It is a key part of the so-called 'pivot to Asia' that is currently reshaping the U.S.'s national security and defense policies.

In the last quarter of 2013, the *George Washington* sailed into the South China Sea at the head of the Navy's *Carrier Strike Group 5*, a task force, which also includes two guided-missile carriers and three guided-missile destroyers. Unsurprisingly, the presence of the fleet did not go well with the Chinese. For China, the South China Sea represents part of the 'near seas' region; an area that their military planners have sought to extend and entrench their control. The U.S. Navy's presence in those waters was a reminder to the Chinese of how far behind its U.S. counterparts their military remains in symmetric naval capabilities.¹

Several incidents have marked the passage of the fleet through the South China Sea as the Chinese sought to re-assert their dominance in the waters in which the U.S. Navy has sailed. The most notable incident was the Chinese declaration, in November 2013, of an Air Defense Identification Zone (ADIZ) over the disputed Senkaku/Diaoyu islands. The Chinese required all aircraft entering the zone to identify themselves to Chinese authorities. In response, the U.S. sent two unarmed B-52 bombers, who refused to

1 For reasons of brevity this article will not examine China's missile development program. However, the use of such weapons is certainly one area where the Chinese Navy could seek asymmetric deterrence capabilities, which would delay or deter outside intervention in any future maritime conflicts in the region.

comply with the terms of the Chinese declaration to patrol over the islands on a training mission. Furthermore, in early December, there was a reported near-miss incident at sea between the USS *Cowpens* (CG-63) and an unidentified Chinese warship. The Chinese subsequently claimed that the USS *Cowpens* had intentionally "triggered the confrontation" whilst the U.S. claimed its ship had been forced to take defensive action.²

However, perhaps the incident with the most important long-term implications for the success of the pivot to Asia went the least reported, particularly by Western media. Immediately following the Chinese declaration of its ADIZ, its first aircraft carrier, the *Liaoning*,³ quietly slipped its moorings in its homeport of Qingdao and set out for the South China Sea for the first time to "conduct scientific experiments and military training."⁴ For the first time, China has a ship with the potential to project power over the entirety of the near seas area and could, in time, come to significantly alter the regional balance of maritime power.

These events demonstrate that it will most likely be in the seas off of East Asia where the geopolitical ambitions of both China and the U.S. will come face to face. The U.S. might be seeking to maintain the balance of the power in the region, but China is seeking to expand its influence and control of the very same region. It is clear that control of the maritime environment will play a major role in determining whether the U.S. pivot will be successful in achieving its aim of balancing the rise of China. Indeed, analysts have predicted that naval competition will be "the hardest part of the U.S. – China relationship," as both navies are called upon to provide a hard reminder of their nations' respective policies in the region.⁵

2 Sui-Lee Wee, "China confirms near miss with U.S. ship in South China Sea," *Reuters*, December 18, 2013, <http://www.reuters.com/article/2013/12/18/us-china-usa-ships-idUSBRE9BH03M20131218>.

3 The *Liaoning* was built for the Soviet Navy in 1988 and is originally a *Kuznetsov* –class aircraft carrier. After the break-up of the USSR, Ukraine sold the hull to China in 1998.

4 Paul Armstrong, "China's presence looms amid massive U.S.-Japanese AnnualEx war games," *CNN*, November 28, 2013, <http://www.cnn.com/2013/11/28/world/asia/japan-us-annual-ex-war-games/>.

5 Robert Kaplan, "China's Reaction to the U.S. Pivot to Asia," *Carnegie Endowment*, January 20, 2012, <http://carnegieendowment.org/2012/01/20/china-s-reaction-to-u.s.-pivot-to-asia/96qx>.



Therefore, being able to reasonably predict the size and shape of China's navy in the near future has important implications for U.S. policy with regard to the long-term future of the pivot. This paper uses a variety of sources to predict the size and shape of China's navy in 2020. In doing so, it will review the current state of the Chinese fleet in order to provide a context for its future development. It will consider the geostrategic and political goals affecting the direction of the fleet's development and how this will impact upon its future size and shape. It will suggest several indicators, which could be used to judge progress between now and 2020.⁶ Finally, it will assess how the potential development of China's navy may impact upon the U.S.'s pivot to Asia both now and in the near future.

The Chinese Navy in 2014

The People's Liberation Army Navy (PLAN for short) is divided into five service arms (surface, aviation, submarine, marine corps and coastal defense) and three fleets (North, East and South Seas).⁷ The most up to date estimates suggest that the PLAN's total surface fleet numbers 80 warships (1 aircraft carrier, 26 destroyers and 53 frigates), 28 amphibious warfare vessels, 86 missile patrol craft and over 250 auxiliary and support vessels. In addition, beyond its surface fleet, the PLAN has also been developing a large submarine fleet that, with 60 boats currently in service.⁸ The submarine fleet arguably represents one of the core strengths of the PLAN.⁹ The majority of the fleet consists of Chinese-built diesel-powered attack submarines, but devel-

opment is ongoing for new classes of both nuclear-powered ballistic-missile (SSBN) and attack (SSN) submarines.¹⁰ Importantly, nuclear-powered SSNs would be able to patrol for longer and further out from the Chinese coast than the PLAN's current fleet of diesel-powered submarines can, giving the PLAN the ability to mount effective patrols out to and potentially beyond the second island chain.

In almost all classes of warships, the PLAN currently possesses a mix of second-hand vessels, often purchased (such as in the case of its only aircraft carrier, the *Liaoning*) from former USSR states, and numerous classes of indigenously built ships. The indigenous classes of warships tend to be just one or two vessels in number, demonstrating how the Chinese have until this point focused on testing and improving its technology and capabilities before only recently committing to the full-scale deployment of just one class of vessel.¹¹

While the total number of ships in service has decreased in recent years, the PLAN's fleet has "increased rapidly in quality, value...the sophistication and range of its air-defense systems, and the diversity of possible missions."¹² Currently, while China's navy possesses the ability to carry out extended 'green water' operations, which would reach to the first island chain in the South China Sea, it is still limited in its ability to mount large-scale sustained joint operations far out to sea and conduct effective anti-submarine warfare.¹³

China's perception of its strategic environment guides the overall direction for the development and modernization efforts of the PLAN's fleet. Here, the priority for the future development of the navy is to maximize its capability to project power into the area Beijing terms the 'near seas' region; a region which not only encompasses all of the Yellow, East China and the South China Seas, but also contains all of China's remaining maritime and territorial disputes. In turn, these strategic goals have led to the development of a holistic strategic concept called *Offshore Defense*, which lists as its core principles as "emphasiz(ing) gaining control of China's near seas and steadily expanding

6 Craig Murray, Andrew Berglund, and Kimberley Hsu, "China's Naval Modernization and Implications for the United States." U.S.-China Economic and Security Review Commission Staff Research Background (2013): 2. (The 2020 timeframe has been chosen as "trends in China's defense spending, research and development, and shipbuilding suggest the (Chinese navy) will continue to modernize through at least 2020." but it is difficult to make with any confidence accurate predictions beyond this date.) All predictions made in this paper are based on the assumption that the overall goals and strategic focus of the PLAN's modernization efforts will remain unchanged from the present until 2020.

7 Andrew Erickson, "China's Modernization of Its Naval and Air Power Capabilities" in *Strategic Asia 2012-13: China's Military Challenge* (Seattle, WA: The National Bureau of Asian Research, 2012), 67.

8 Ibid., 99.

9 Andrew Erickson, interview by Greg Chaffin, The National Bureau of Asian Research, September 27, 2012, http://www.nbr.org/downloads/pdfs/PSA/SA_Interview_Erickson_09272012.pdf.

10 Erickson, "China's Modernization," 99.

11 Ibid., 100-107.

12 Ibid., 68.

13 "The Dragon's New Teeth." *The Economist*, April 7, 2012, <http://www.economist.com/node/21552193>.

China's maritime perimeter" and, during wartime, "engaging naval forces as far from the Chinese coast as possible and, if necessary, overwhelming those forces as they approach China."¹⁴ Based on this strategy, it can be reasonably surmised that the most important goals driving the PLAN's fleet development until 2020 are: increasing its power projection ability over the near-sea area (including Taiwan); enhancing its ability to act as an anti-access/anti-denial (A2/AD) force in the near-sea area (with the goal of deterring or delaying U.S. intervention in any future conflict between the China and Taiwan); and protecting China's sea lines of communication.

In order to meet these strategic objectives, China is developing a two-fleet navy of around 700 ships, which will focus on both power projection and protecting territorial claims over the entire near-seas environment.¹⁵ The 2020 PLAN fleet is likely to consist of the following principal ships: 72 attack submarines, of which: 59 to 64 diesel-powered and several with nuclear-powered ballistic missile capability; 2 aircraft carriers; 26 destroyers; and 42 frigates.¹⁶ Alongside its warships, the PLAN also currently possesses a large fleet of 60 fast attack craft, which are intended to deploy as surface weapons system platform, and 4 landing dock platform ships intended to support the Chinese army's amphibious operations.¹⁷ While it is difficult to make accurate predictions about how this fleet will develop between now and 2020, it is likely that China will continue to modernize the capabilities of these two fleets in order to develop its asymmetric capabilities in this regard.

Perhaps the most salient point to make about the PLAN's predicted development, for the U.S. and its regional allies, is that the primary goal of the modernization effort is improving the PLAN's capability to act as an A2/AD

(anti-access/anti-denial) force. This demonstrates an overall focus on enhancing its ability to play an integral role in any potential future conflict anticipated with Taiwan. In such a conflict, the PLAN's first objective would be to deter or significantly delay potential intervention by the U.S.. If that were to fail, it would seek to at least minimize the ability of an intervening force to play a decisive role in the outcome of such a conflict.

As a result, beyond launching new, more advanced ships, the PLAN's modernization efforts are focused on developing the technology required to possess an effective A2/AD force. This A2/AD force would mainly consist of advanced C4ISR (Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance)¹⁸ capabilities, which represent the different resources possessed by military commanders as they direct their forces. While it is likely the PLAN will be successful in this goal, it is difficult to say with any degree of certainty how likely it is that China will continue to prioritize the development of this capability, but it could depend in part on what the response of other regional navies.

In addition, the PLAN's predicted ability to operate comfortably up to 1,000 nautical miles from the Chinese coast indicates that it is increasingly likely that China will continue to assert even more authoritatively its contested maritime claims between now and 2020. Such moves risk bringing it into conflict with neighbors like Japan, Taiwan, Vietnam, Indonesia and the Philippines, which is why the secondary goal of the PLAN's modernization effort is to improve its ability to exert its influence over the near seas area. In order to meet this goal, the PLAN is developing a subsidiary fleet of surveillance vessels serving under the command of the Chinese Maritime Surveillance Agency. China's intention is for this fleet to have advanced naval capabilities that will enable it to operate both offensively and defensively in a forceful manner. However, it is more likely that, by 2020, it will be geared towards protecting and asserting China's various territorial claims in both the East and South China Seas with a primary focus on defense.

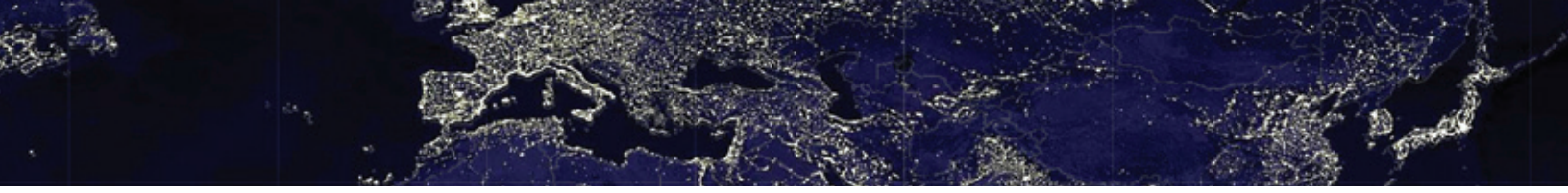
14 Craig Murray, Andrew Berglund & Kimberly Hsu "China's Naval Modernization and Implications for the United States." U.S.-China Economic and Security Review Commission. 2013, 2-3, http://origin.www.uscc.gov/sites/default/files/Research/Backgroundunder_China%27s%20Naval%20Modernization%20and%20Implications%20for%20the%20United%20States.pdf.

15 Lt Cmdr. Jeff Benson, USNI News." 2012, <http://news.usni.org/2012/11/14/chinas-700-ship-navy>.

16 Erickson, 99.

17 Ibid., 68.

18 C4ISR stands for Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance and represents the different resources possessed by military commanders used to direct forces.



By 2020, it is likely that the PLAN will be a powerful regional force, able to conduct effective near-seas defense and mount extended anti-access operations up to 1,000 nautical miles from the Chinese coast. However, as a regional defensive and offensive type navy it is unlikely that it will have the advanced capabilities that would enable it to undertake the kind of complex blue-water expeditionary missions the U.S. Navy is capable of.¹⁹ Therefore the Chinese focus at the moment, is not on challenging the U.S. Navy's position as the world's pre-eminent maritime force. Instead, the focus is on increasing its asymmetric capabilities in order to deny the U.S. Navy unfettered access to maritime areas China considers strategically important. As Chinese officials reportedly said back in 2010 "China (will) brook no foreign interference in its territorial issues in the South China Sea."²⁰

Tracking Naval Capabilities

The most important indicators of the PLAN's current development can be observed by assessing at its current capabilities in C4ISR, anti-submarine warfare and replenishment at sea operations.²¹ The procurement of platforms and technology to support these roles will provide a good measure by which to judge the rest of the fleet's development. One of the central goals of the PLAN's modernization efforts is to have a 700-ship navy (which includes both warships and coastguard surveillance vessels) by 2020. A key indicator of this will be the rate of indigenous shipbuilding, both in volume and type. If it continues at its current rate and in

19 Ronald O'Rourke, *Chinese Naval Modernization: Implications for U.S. Navy Capabilities – Background and Issues for Congress*, CRS Report RL33153 (Washington, DC: Library of Congress, Congressional Research Service, September 30, 2013).

20 Edward Wong, "Chinese Military Seeks to Extend Its Naval Power." *The New York Times*, April 23, 2010, accessed November 18, 2013, http://www.nytimes.com/2010/04/24/world/asia/24navy.html?pagewanted=all&_r=0

21 The indicators discussed here focus on tracking capabilities in terms of hardware, such as the number and type of ships being put into service by the PLAN. An equally important means though of tracking Chinese naval development is by determining the intentions of the PLAN. This can be achieved through tracking the movement and deployment of the fleet and assessing what kind of training operations they are embarking on and if these are being conducted with other navies. Another important source for ascertaining naval intentions are Chinese Defense White Papers, which Beijing occasionally publishes online.

the direction outlined previously, it will strongly indicate that China's strategic focus remains on equipping the PLAN to handle a high-intensity conflict in the near seas area²². As a case in point, China is currently trying to develop its first domestically produced aircraft carrier and it is almost certain to do so by 2020. China's domestically produced ships will also have a fairly high standard of technical proficiency. It is more than likely that it will achieve the current technical proficiency of the Russian Navy in 2020 and the current technical proficiency of the United States Navy by 2030. As such, it will not be surprising if China becomes an increasingly important player in the supply of submarines and minor warships to other navies around the world.

The question still remains of how the development of the PLAN between now and 2020 will impact the U.S.'s pivot to Asia. The draft 2014 U.S. National Security Strategy states that "commitments in the Pacific region... are crucial to American economic prosperity"²³ and that the U.S. will work with its regional allies to "insure regional security and cooperation to counter-balance China."²⁴ Furthermore, former Secretary of Defense Leon Panetta made it clear when he was in office that "under no circumstances will there be a smaller U.S. naval commitment in the western Pacific" in the near future.²⁵

Accordingly, some in the international security field have noted that the coming decade will be marked by even more intense strategic competition between China and the U.S., and John Mearsheimer, a prominent scholar in international relations, even went as far as to warn of "a U.S.-China Cold War [which] will be much less stable than the previous

22 Andrew Erickson and Gabe Collins, "China's Real Blue Water Navy," *The Diplomat*, August 30, 2012, accessed November 18, 2013, <http://thediplomat.com/2012/08/chinas-not-so-scary-navy/>.

23 White House, National Security Strategy Draft Washington, DC: White House, 2013, [https://www.utexas.edu/lbj/sites/default/files/file/news/National%20Security%20Strategy%202013%20\(Final%20Draft\).pdf](https://www.utexas.edu/lbj/sites/default/files/file/news/National%20Security%20Strategy%202013%20(Final%20Draft).pdf).

24 Ibid.

25 Robert Kaplan, Carnegie Endowment for International Peace, "China's Reaction to the U.S. Pivot to Asia," [\(2012\)](http://carnegieendowment.org/2012/01/20/china-s-reaction-to-u.s.-pivot-to-asia/96qx).

American-Soviet one.”²⁶ He identified the Taiwan Strait and the South and East China Seas as potential flashpoints for any conflict between the two nations, but also said that he believes “the full threat would not materialize for at least another ten years.”²⁷

Unsurprisingly, the U.S. Navy is likely to play a central role in any future conflict with China. Indeed, even today it is at the forefront of the pivot to Asia, backing up American diplomatic entreaties with regular displays of American military might. The Seventh Fleet (home port Yokosuka, Japan), has long had a presence in the region and is the largest U.S. forward deployed fleet, consisting of some 70 ships, 300 aircraft and 40,000 sailors and Marines.²⁸ It seems unlikely that even by 2020 the Chinese Navy will be able to deploy a force even nearing the size and capability of the Seventh Fleet. However, this is not the goal of the PLAN’s modernization efforts, which instead focus on developing the A2/AD capabilities that will prevent the unfettered access of rival navies (primarily the U.S., but also those of Japan and Taiwan, as well as those of other states with territorial claims in the South China Sea) to the region.

The potential impact of the improvement of the People’s Liberation Army Navy on the United States’ presence in Asia is thus: if, by 2020, it has grown to the size and shape predicted here, it will most likely restrict the ability of the U.S. to intervene militarily in the Eastern Pacific region. If the U.S. is to ‘counter-balance’ China’s rise it will have to

be thoughtful in how it uses its military force in the coming years. A more capable PLA Navy will be more than a match for any other regional maritime force and will embolden China to act in a more strident manner in the East Asian maritime environment. With careful engagement and cooperation, some level of trust can be built between the Chinese and U.S. navies. At the same time, care will have to be taken in order to prevent naval competition, which will inevitably increase tensions in the region. It is becoming increasingly clear that by 2020 the PLA Navy will be a serious regional force, which will inevitably restrict the ability of the United States Navy to pursue its owned strategic objectives in the region.

26 Zachary Keck, “US-China Rivalry More Dangerous Than Cold War?,” *The Diplomat*, January 28, 2014, accessed January 29, 2014, <http://thediplomat.com/2014/01/us-china-rivalry-more-dangerous-than-cold-war/>.

27 Ibid.

28 Commander U.S. 7th Fleet, “U.S. 7th Fleet Forces,” <http://www.c7f.navy.mil/forces.htm>.



Following the Pivot: Does NATO Have a Role in Southeast Asia?

By Paulina Izewicz

Introduction

When NATO's foundations were laid down in the Washington Treaty in April, 1949, its *raison d'être*, in the words of the first Secretary General, Lord Ismay, was "to keep the Russians out, the Americans in, and the Germans down."

Lord Ismay's maxim underwent several iterations as the global security environment shifted during the six decades that followed. Globalization and the rapid spread of technology dramatically changed the international system, forcing the geographically constrained alliance to adapt. Through a network of partnerships, NATO sought to respond to emerging security threats and to adjust to the new strategic landscape, mindful of the fact that its challenges are global and not regional in scope.

Yet, NATO seems to have failed to recognize the importance of Asia to global security and prosperity. Although the current Secretary General, Anders Fogh Rasmussen, has been the driving force in establishing a relationship between NATO and some regional actors, much remains to be done. Deepening NATO's ties with Asia will not be an easy task and a fair amount of opposition is expected on both sides; however, "a far riskier option for the alliance is to stay out of Asia."¹ Thus, an effort needs to be made to navigate Asia's politically fraught landscape and at minimum lay down the foundations for a relationship with the hitherto neglected part of the region – Southeast Asia. This relationship could be focused through the Association of Southeast Asian Nations (ASEAN), which aspires to be a security community, but has thus far struggled in this sphere due to political sensitivities. Consequently, such cooperation could help provide the needed focus to both organizations, while at the same time yielding tangible benefits in an area that both ASEAN and NATO have identified as a priority area for external engagement – maritime security. Building a relationship will require time and effort, and is likely not

possible just yet; however, as an alternative to the current status quo - complete quiescence – it bears consideration at least as a theoretical framework for the time being.

NATO and the Asia Pacific Region

Since the 1990s, NATO has pursued relationships with external partners in order to bolster its capacity to "address global threats with global partners."² It has done so through initiatives like the Euro-Atlantic Partnership Council, the Partnership for Peace, the Mediterranean Dialogue and the Istanbul Cooperation Initiative. It also cooperates with countries outside of these formal structures, utilizing the framework formally referred to as "partners across the globe." The Riga and Bucharest Summits in 2006 and 2008, respectively, introduced a series of tools with the goal of enhancing external engagement; however, it was not until the 2010 Strategic Concept was adopted, that so-called "cooperative security" was recognized as one of NATO's three core tasks, alongside collective defense and crisis management. The document stipulates: "The Alliance is affected by, and can affect, political and security developments beyond its borders. The Alliance will engage actively to enhance international security, through partnerships with relevant countries and other international organizations."³

These partnerships, although numerous in other regions of the world, at present include only four countries from the Asia-Pacific: Australia, New Zealand, Japan and South Korea. NATO's dearth of Asia Pacific partnerships is rather surprising, considering the region's importance to global economy and the potential it has to shape the international security system in the years to come.

This modest engagement is in particularly stark contrast to the major policy shift that the United States, NATO's leading power, initiated a little over two years ago. In a speech at the Australian parliament, where the "pivot to Asia" was first unveiled, President Obama underscored the economic importance of the region, but also noted: "With most of the world's nuclear power and some half of humanity, Asia will largely define whether the century

1 Barry Pavel and Jeffrey Reynolds, "Why NATO Is a Pacific Power," *The National Interest*, June 8, 2012.

2 "NATO and the New Partnership Paradigm," *Atlantic Voices*, Vol. 3, 8, August 2013, 1.

3 Active Engagement, Modern Defense. Strategic Concept for the Defense and Security of the Members of the North Atlantic Treaty Organization, 19-20 November 2010.

ahead will be marked by conflict or cooperation, needless suffering or human progress.”⁴ It seems, however, that other NATO members have not fully realized that and have yet to “come to grips with the implications of this strategic game changer.”⁵

Indeed, the U.S. rebalance to Asia has not been welcomed in Europe with much enthusiasm. To most of the United States’ allies in the region, it seems, this strategic shift marks the beginning of the country’s summary withdrawal from Europe. Although such apprehension is understandable, the rebalance is arguably a product of two realities: today, Europe is much safer than it used to be – and Asia is not. While armed conflict in the Asia Pacific is at present not very likely, the region certainly faces a difficult strategic landscape, primarily precipitated by China’s rise and its increasing assertiveness in territorial and maritime disputes with its neighbors.

In this context, NATO’s initiatives to establish relationships with Japan, South Korea, Australia and New Zealand are of great importance. However, NATO would do well to also engage with other regional actors – namely, the Association of Southeast Asian Nations. Two ASEAN member states have cooperated with NATO in the past: Singapore, through the International Security Assistance Force in Afghanistan, and Malaysia through IFOR and SFOR in Bosnia; these two countries are sometimes suggested as the most likely candidates for NATO’s future partners.⁶ It could be argued, however, that “cooperative security” might be better served if future cooperative endeavors were approached at a broader level.

To be sure, in an era of fiscal austerity and shrinking defense budgets, NATO member states may be reluctant to get involved in an area as geographically distant as Southeast Asia; however, remoteness no longer provides insulation against ever-changing threats, and Euro-Atlantic security is best promoted through a wide network of partnerships across the globe. Acceptance of a coopera-

tive arrangement with NATO on the ASEAN side would not come easily either. Southeast Asia constitutes an exceptionally complex political landscape. While the relationships among ASEAN member states are usually not exceptionally strained, China brings a fair amount of instability into the equation. As China’s economic power rises, it is increasingly capable of exerting influence over ASEAN member states whose economies are closely interconnected with that of China. The side effect of economic growth, coupled with China’s ambitions, is its increasing military sway and the assertiveness that stems from it.⁷

The situation is further destabilized by sovereignty disputes and overlapping maritime jurisdictional claims among the ASEAN member states, most of which have outstanding claims against at least one of their ASEAN neighbors in addition to China. As a consequence, ASEAN has sometimes struggled to form a unified front, which, in recent years, has increasingly undermined its role in the region – one of the organization’s guiding principles, the “ASEAN centrality”⁸ has at times been called a myth.

Perpetuating this trend, some member states have begun to seek alternative arrangements through which to secure their strategic interests.⁹ Unable to rival China’s political clout and military capabilities, but heavily dependent on it economically, they engage in so-called “hedging,” motivated by the need to “optimize economic benefits and minimize security risks in response to an environment of

7 China’s assertiveness in the South and East China Seas has been growing in recent years. In 2012, China unveiled new passport design, with a map of Chinese territories including approximately 90 percent of the South China Sea, Arunachal Pradesh and Aksai Chin, as well as famous tourist attractions in Taiwan. In 2013 and two months of 2014, numerous incidents took place, from firing water cannons at Philippine fishermen, to a stand-off between Chinese and Vietnamese government vessels; from establishing regular patrols in the South China Sea, to new fishing regulations which in effect attempt to establish Chinese jurisdiction over half of the South China Sea; from the establishment of an Air Defense Identification Zone (ADIZ) in the East China Sea and subsequent speculations of a similar ADIZ in the South China Sea, to a game of chicken between the ship escorting the Chinese aircraft carrier *Liaoning* and the Aegis cruiser *USS Cowpens*.

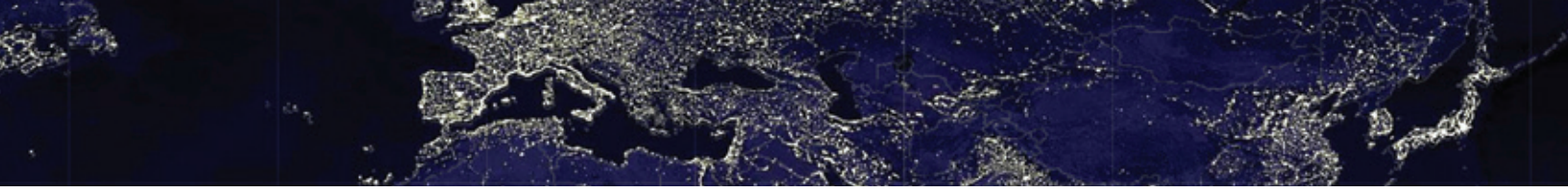
8 “ASEAN centrality” refers to the notion of an ASEAN-led regional architecture through which the region’s relations with other international actors are conducted.

9 See Patrick M. Cronin et al., *The Merging Asia Power Web: The Rise of Bilateral Intra-Asian Security Ties*, *Center for a New American Security*, June 2013.

4 Remarks by President Obama to the Australian Parliament, The White House, November 17, 2011.

5 Karl-Heinz Kamp, “NATO Needs to Follow the U.S. Pivot to Asia,” *Carnegie Europe*, March 27, 2013.

6 “NATO and the New Partnership Paradigm,” 8.



uncertainty.”¹⁰ Thus, outright and unequivocal engagement with the United States on security issues is somewhat risky and in most cases – spare the notable exception of the Philippines – avoided.¹¹ In this environment, cooperation with NATO may offer a valuable strategic tool. Although NATO is arguably a U.S.-dominated alliance, it also comprises 27 other member states and 41 partner countries, providing a potentially valuable level of strategic ambiguity.

It is also worth noting that as of August 2013, NATO has held seven rounds of talks with China, including during the Shangri-La Dialogue.¹² If China-NATO cooperation came to fruition, its strategic implications would be profound. NATO’s purpose, and the reason for its subsequent expansions, was to create stability by inclusion. In this context, cooperation with both China and ASEAN member states could help alleviate some of the regional tensions by providing an additional forum for dialogue, which could, in the long term, help stabilize the region. In a more pragmatic context, ASEAN – as was the case with Japan’s partnership with NATO – stands to gain “a political partner, operational partner, another means of co-operation with the U.S., and . . . a multilateral school,”¹³ and utilize it as “an additional venue to raise international, particularly European, awareness of the Asian security situation.”¹⁴ These are precisely the benefits that ASEAN could derive from a relationship with NATO. Moreover, as tensions rise in the region, ASEAN could benefit from raising its profile on the interna-

10 Chien-Peng Chung, “Southeast Asia-China Relations. Dialectics of “Hedging and “Counter-Hedging,” *Southeast Asian Affairs*, (2004): 1.

11 Most ASEAN member states balance their relationship with the United States very carefully, in order to avoid China’s ire at what it seen in Beijing as attempts at encirclement. The Philippines is the only ASEAN country with a formal treaty alliance with the United States; The Mutual Defense Treaty, signed in 1951, provides for mutual defense in the event that an external party attacks either of the signatories. The Philippines is also an open critic of China’s assertiveness in its maritime disputes and perhaps the most determined to challenge them on the international arena – last year, it initiated arbitral proceedings against China’s claims over the South China Sea under Article VII of the United Nations Convention on the Law of the Sea, the first such attempt in these disputes.

12 “NATO and the New Partnership Paradigm,” 8.

13 Barry Pavel and Jeffrey Reynolds, “Why NATO Is a Pacific Power”.

14 Michito Tsuruoka, “Asia, NATO and Its Partners: Complicated Relationships?” *NATO Review*, February 2010.

tional arena.¹⁵

To help assuage concerns of all regional actors, including China, this cooperation could be – at least initially – narrow in focus and operational in nature. Instead of a broad association, NATO and ASEAN could work together on a specific issue of concern to both parties. One such issue is maritime security, identified by both organizations as one of the highest priorities for external engagement. It is an area in which cooperation would be perhaps the most politically palatable, and beneficial to both parties. The reason is quite straightforward: seaborne trade is the cornerstone of virtually every economy in Southeast Asia, and vitally important to trade with both the United States and its European NATO allies.¹⁶ Thus, both sides have a vested interest in assuring the flow of goods by securing the regional sea lines of communications (SLOCs).

Maritime Security

Maritime security is innately difficult to define; indeed, there exists no official or legal definition of the concept. One proposed definition suggests that maritime security is “the combination of preventive and responsive measures to protect the maritime domain against threats and intentional unlawful acts.”¹⁷ The concept is so complex and nebulous, however, that even this definition does little to provide a clear-cut explanation. For the purpose of this paper, maritime security will be defined as the wide array of factors which have the potential to threaten sea lines of communication. SLOCs are, in essence, routes between ports

15 It could also prove helpful in strengthening ASEAN’s relationship with Japan through an additional framework, adding value to bilateral arrangements.

16 European Union and the United States are ASEAN’s second and fifth largest trading partners, respectively. Association of South East Asian Nations (ASEAN), European Commission, retrieved February 26, 2014, <http://ec.europa.eu/trade/policy/countries-and-regions/regions/asean/>; Association of Southeast Asian Nations (ASEAN), Office of the United States Trade Representative, retrieved February 26, 2014, <http://www.ustr.gov/countries-regions/southeast-asia-pacific/association-southeast-asian-nations-asean>.

17 Vice Admiral Fernando del Pozo et al., “Maritime Surveillance in Support of CSDP: The Wise Pen Team Final Report to EDA Steering Board,” April 26, 2010, 45.

that are vital for commerce in peacetime and naval forces in wartime. They are particularly vulnerable at so-called chokepoints, such as the Straits of Malacca, Sunda, Lombok and Makassar; the South China Sea as a whole, is also sometimes considered a chokepoint.¹⁸ More than a quarter of global maritime trade transits the Strait of Malacca alone, with more than 50,000 large ships passing through it every year and 40-50 oil tankers daily. Almost all ships passing through the Strait of Malacca also sail through the South China Sea. Moreover, the Sulu and Celebes seas are also subject to major traffic.¹⁹

These vulnerable areas can be impacted by a number of factors. One such element is an unstable political relationship among regional countries, to which China's assertiveness contributes a great deal. Another, not less important, factor, is the different interpretation of the freedom of the sea principle. Here too, China plays an important role. All this, in turn, gives rise to naval build-up, which is also a significant threat to maritime security. Although a major build-up is not happening yet among ASEAN countries - likely primarily due to budgetary considerations - they have been increasing their naval capabilities in recent years. These threats, however, have been somewhat overshadowed by so-called non-traditional threats, such as piracy, maritime terrorism, armed sea robbery, etc.

While incidents of maritime terrorism have been relatively infrequent, in the aftermath of 9/11 they nonetheless cause some apprehension. The first incident that alerted Southeast Asia to this particular threat took place on March 26, 2003 when an Indonesian tanker, *Dewi Madrim*, was hijacked off the coast of Sumatra. The hijackers drove the ship for almost an hour through the Strait of Malacca in what is thought to have been a lesson in driving a ship in preparation for a future attack.²⁰ Another incident of maritime terrorism occurred in February 2004 when *Superferry 14* was bombed after leaving Manila Bay.²¹ Overall, three

18 Kazumine Akimoto, "The Current State of Maritime Security: Structural Weaknesses and Threats in the Sea Lanes," *Institute for International Policy Studies*, 11-13 December 2001.

19 Rupert Herbert-Burns et al., *Lloyd's MIU Handbook of Maritime Security* (Taylor & Francis: Boca Raton, 2009), 253.

20 Rupert Herbert-Burns et al., *Lloyd's MIU Handbook of Maritime Security*, 254.

21 Ibid.

regional terrorist organizations are thought to possess the capabilities to commit acts of maritime terrorism: Jemaah Islamiya, the Abu Sayyaf Group, and the Moro National Liberation Front.²²

Piracy and armed robbery also pose a significant challenge to maritime security. Although much more attention has been in recent years given to acts of piracy off the coast of Somalia and in the Gulf of Guinea, Southeast Asia is indeed a historically notorious piracy hotspot.²³ Some estimates suggest that it accounts for approximately 50 percent of acts of piracy worldwide.²⁴ Although the number of attacks has decreased in recent year, Indonesian waters still constitute a major piracy hub. A 2002 estimate suggests that the cost of piracy in Southeast Asia borne by the global economy amounted to \$25 billion a year.²⁵

Human trafficking, smuggling of small arms and trafficking in illicit drugs are maritime security issues that receive less attention than piracy, but occur on an almost daily basis. In this context Southeast Asia is described as a "key transit region," "international hub" and one of major transit hubs and factories in the world, respectively.²⁶

Such a complex security environment requires cooperation among the stakeholders. It is particularly important in the maritime domain, where boundaries are hard to delineate and no one actor can provide an adequate response. ASEAN understands that very well. Over the years, much attention has been given to maritime security, from legal frameworks to working groups and operational cooperation.

Understandably, the bulk of ASEAN's cooperation has been in the field of non-traditional threats, where political obstacles are somewhat less daunting. Some of the most important instruments in this area are: the 1997 Declaration on Transnational Crime and its corresponding Plan of Action and Work Program (1999 and 2002, respectively), the Bali Concord II, the Vientiane Action Programme, the

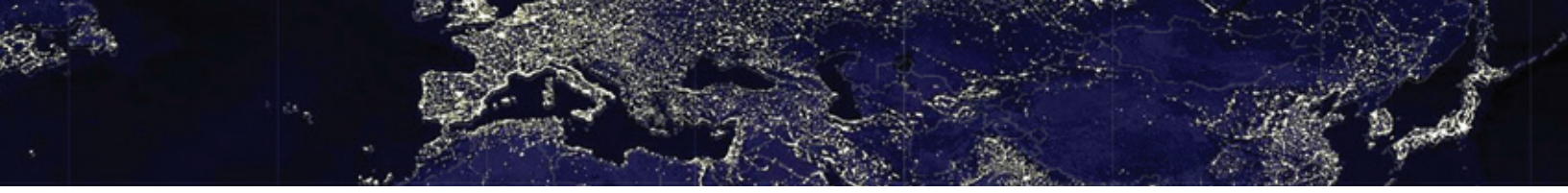
22 Ibid., 253.

23 Piracy off the horn of Africa has decreased significantly in recent years due to international cooperation involving NATO.

24 Ibid., 259.

25 Jane Macartney, "Asia Piracy Costs \$25 bln a year, says experts," *Reuters*, December 11, 2002, <http://www.planetark.com/dailynewss-tory.cfm/newsid/18987/newsDate/11-Dec-2002/story.htm>.

26 Rupert Herbert-Burns et al., *Lloyd's MIU Handbook of Maritime Security*, 261.



2009 Blueprint on the ASEAN Political Security Community, the 2004 Treaty on Mutual Legal Assistance in Criminal Matters and the 2007 ASEAN Convention on Counter Terrorism, as well as multiple communiqués. Those initiatives are launched by bodies such as the ASEAN Maritime Forum (created in 2010) and its expanded iteration launched in 2012, the ASEAN Ministerial Meeting on Transnational Crimes, the ASEAN Defense, Transport and Law Ministers Meetings.

The importance of involving external stakeholders has been recognized in the involvement of Dialogue Partners: EU, Japan, China and the United States, as well as through the activities of the ASEAN Regional Forum, primarily statements and work plans. Their goal is to building confidence, raising awareness, the exchange of information, training and capacity building. The overarching frameworks are assisted by operational cooperation, such as the 2002 Agreement on Information Exchange and Establishment of Communication Procedures signed by Indonesia, Malaysia and the Philippines, and later joined by Laos and Thailand.

Another significant initiative, albeit limited in its scope, is the Regional Cooperation Against Piracy and Armed Robbery (ReCAAP). It was launched in 2004 by ASEAN and Japan, China, South Korea, Bangladesh, India and Sri Lanka. Its most significant accomplishment is the establishment of an Information Sharing Center in Singapore, which is tasked with maintaining databases and conducting analysis, as well as serving as an information clearinghouse.²⁷

The most meaningful cooperation, however, has taken place through bilateral mechanisms, such as border agreements between ASEAN member states and, most crucially, coordinated patrols of the most vulnerable chokepoint, the Strait of Malacca, under operations MALSINDO and Eyes in the Sky. Operation MALSINDO was launched in July 2006 by Malaysia, Indonesia and Singapore. While no concrete evidence would support the claim that MALSINDO is directly responsible for the drop in piracy incidents in the area, it constitutes an important example and a model for cooperation in the region.²⁸ *Eyes in the Sky* is the “air

27 Zou Keyuan, Shicun Vu (ed.), *Maritime Security in the South China Sea. Regional Implications and International Cooperation* (Ashgate Publishing: Surrey, 2009), 68.

28 Rupert Herbert-Burns et al., *Lloyd's MIU Handbook of Maritime Security*, 265.

component” launched in 2005 by the original MALSINDO states accompanied by Thailand.

While these efforts are perhaps the most significant to date, they are still “coordinated” and not “joint” patrols,²⁹ which seems to be somewhat symptomatic of ASEAN’s *modus operandi*, not only in the area of maritime security, but also more broadly. Article 2 of ASEAN’s founding document, the Treaty of Amity and Cooperation, sets forth one of ASEAN’s most cherished principles: non-interference in the internal affairs of one another. Combined with the belief held by many ASEAN member states until recently that maritime security belonged to the sphere of the national domain, this principle has to a certain extent inhibited meaningful cooperation. Although this seems to be changing, the process may prove too slow to adapt to an evolving security environment in the absence of an external stimulus.

A significant obstacle to more effective cooperation in the maritime domain is the lack of national operational capacity. Some ASEAN member states attempted to modernize their naval forces in the mid-1990s; however, these efforts were cut short due to the 1997 Asian financial crisis.³⁰ The subsequent global financial crisis has not helped matters, although in recent years, as the global economy recovers, modernization efforts seem to have been somewhat revived. Nevertheless, naval modernization requires both money and time, and at present the naval capabilities remain limited.

Cooperation in the Maritime Domain

ASEAN recognizes that cooperation with external stakeholders in combating threats to maritime security in the region is necessary; to this end, the involvement of partners has been gradually increased. ASEAN’s most significant display of extra-regional partnership was, perhaps, the expansion of the ASEAN Maritime Forum into the Expanded ASEAN Maritime Forum (EAMF), which first convened on October 5, 2012. The participant states included ASEAN member states, as well as Australia, China, India, Japan, New Zea-

29 Zou Keyuan, Shicun Vu (ed.), *Maritime Security in the South China Sea. Regional Implications and International Cooperation*, 62. Coordination does not entail submitting forces to supra-national command or introducing them into the national waters of another country.

30 Rupert Herbert-Burns et al., *Lloyd's MIU Handbook of Maritime Security*, 265.

land, Republic of Korea, Russian Federation and the United States. In her opening remarks at the Forum, Erlinda Basilio, the Filipino diplomat, highlighted EAMF's role in enhancing cooperation not only in the geographical sense, but also in encouraging the participation of external stakeholders, such as international organization.³¹

Functionally, this new outlook is reflected in the creation of the ASEAN Defense Ministers Meeting (ADMM)-Plus, which encompasses ASEAN and the eight countries mentioned above. During ADMM-Plus's first meeting in Hanoi in 2010, five key areas of security cooperation were identified: humanitarian assistance and disaster relief, medicine, maritime security, peacekeeping and counter-terrorism; corresponding Expert Working Groups have been created. While some progress has certainly been made, maritime security is widely regarded as the area where progress has been the most limited, with even such relatively basic efforts such as creating "hotlines" between the member states slow to get off the ground.³²

In the absence of tangible, meaningful outcomes, ASEAN member states have turned to other arrangements on the sub- or extra-ASEAN level. These arrangements entail bilateral and multilateral cooperation, which threaten to undermine and eventually make irrelevant the role of ASEAN as a security community. In order to maintain ASEAN's relevance, this trend needs to be reversed. One way of accomplishing this would be to seek external assistance, which could offer tangible benefits and at the same time be acceptable to all member states. This is no easy task, as the most obvious actor possessing the relevant capabilities - the United States - would be immediately rejected by some member states due to political considerations. Such concerns are not without precedent. In 2004 Admiral Thomas Fargo of the U.S. Pacific Command suggested the creation of Regional Maritime Security Initiative with the aim of enhancing the cooperation between the navies in the region. This initiative was rejected by both Malaysia and Indonesia, who are typically mistrustful of U.S. intentions.³³

31 Chairman's Statement, 1st Expanded ASEAN Maritime Forum Manila, October 9, 2012.

32 Anit Mukherjee, "ADMM-Plus: Talk Shop or Key to Asia-Pacific Security?" *The Diplomat*, August 22, 2013.

33 Rupert Herbert-Burns et al., *Lloyd's MIU Handbook of Maritime Security*, 264.

NATO, much like ASEAN, recognizes the need for a broader approach to maritime security. The Alliance Maritime Strategy from 2011 stipulates:

NATO must be able to interact more flexibly across the breadth of the maritime community, including, in accordance with the Comprehensive Approach Action Plan, with international and regional organisations, non-governmental organisations and law enforcement agencies in the maritime field, as well as with Partner and non-Partner nations on a case-by-case basis, recognising that in today's world, no military organisation can achieve security and defence objectives in isolation.³⁴

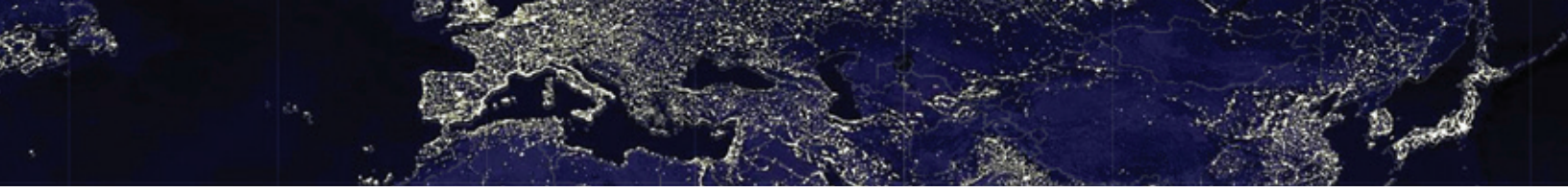
Under the heading of Cooperative Security, the Alliance Maritime Strategy also states:

Alliance maritime activities make an important contribution to NATO's policy of outreach through partnerships, dialogue, and cooperation. They offer valuable opportunities to prevent conflicts and develop regional security and stability through dialogue, confidence-building, and increased transparency. They can also contribute to building partner capacity, exchanging information, cooperative security, and interoperability, including where activities involving a significant or enduring footprint ashore might be unacceptable. These activities are complementary to what nations conduct themselves and have the added value of demonstrating the Alliance's intention to support partners and of drawing on a wider set of assets and capabilities.³⁵

It is thus clear that NATO is changing its approach to maritime security, reflecting its broader shift from a defense organization to a security organization. It also understands that the maritime domain requires a wide set of tools and an increased, collective effort all across the globe. While there might some degree of resistance to involvement so far outside of NATO's borders, due to both political and

34 Alliance Maritime Strategy, March 18, 2011.

35 Ibid.



budgetary concerns, NATO does have a legitimate rationale to provide assistance to ASEAN in the area of maritime security, not only due to economic considerations, but also in order to accomplish its broader, strategic goal of maintaining security and stability.

Toward a NATO-ASEAN Security Partnership

At the outset, it is important to note that any ASEAN-NATO cooperation would likely be limited to non-traditional threats to maritime security. Even if NATO had ambitions in the realm of traditional threats, (e.g. territorial and maritime disputes, naval build-ups or adherence to relevant legal frameworks), and the necessary tools at its disposal, its involvement in regional politics would not be welcomed by any regional actor. Furthermore, any assistance offered to ASEAN by NATO would have to be limited to operational capabilities, in both their theoretical and practical aspects, as such cooperation does not carry with it political weight. It should also be taken into account that developing a meaningful cooperation would require time and would likely not be possible in the short term. Instead, such cooperation should comprise a progression of steps sensitive to political realities in the region.

To this end, the initial phase of cooperation should involve very little interference in ASEAN's current approach to maritime security so as not undermine "ASEAN centrality"; it should be passive and predominantly one-way. For instance, ASEAN could be invited to participate in NATO's Maritime Security Conference organized each year by the Combined Joint Operations from the Sea Center of Excellence. Although this conference is available to the public, an effort could be made to make ASEAN representatives more active participants, shifting the focus to encompass issues specific to Southeast Asia could also be beneficial. This could be accompanied by initiatives like personnel exchanges, although setting an appropriate level for such exchanges could be somewhat problematic, since ASEAN considers maritime security a law enforcement issue and NATO is a military alliance.

More generally, involving ASEAN in the Center of Excellence's (CoE) work on a regular basis would be of great benefit, as NATO CoEs are "institutions that train and

educate leaders and specialists from NATO member and partner countries, assist in doctrine development, identify lessons learned, improve interoperability, and capabilities and test and validate concepts through experimentation."³⁶ Here, too, some aspects would not be applicable due to the different character of both organizations; however, knowledge management initiatives in general could be of great utility to ASEAN, which does not have such resources. This CoE could also be invited to conduct an ASEAN-specific analysis and provide recommendations to address identified shortcomings, with the aforementioned caveat. Based on this analysis, further steps could be taken to develop missing capabilities and improve the existing ones as needed.

Once a certain level of trust is established, NATO and ASEAN could work on improving information-sharing systems. As previously mentioned, one such system is already in place in the form of Information Sharing Center in Singapore under the ReCAAP framework although it is often described as inefficient due primarily to mistrust between cooperating parties. To alleviate some concerns in this area, classification mechanisms could be standardized across ASEAN member states which would allow for an operationally useful level of information-sharing.

A more intrusive step could entail assisting in the development of something akin to NATO's Smart Defense. This concept is based on pooling and sharing of assets in order to avoid duplication and inefficient allocation of limited resources. It could be of great benefit to ASEAN whose assets are decidedly more limited than those of NATO countries. However, it would likely be met with significant resistance as ASEAN is an organization radically different in nature from NATO. ASEAN member governments would likely be apprehensive of utilizing military assets; using them in coordination with other member states would likely be politically unpalatable. It would also have to include a survey of national assets which would, in turn, involve a level of information-sharing for which ASEAN member states are likely not prepared.

On a predominantly operational level, NATO could assist in conducting and coordinating exercises. Although there exists some level of cooperation among ASEAN navies

36 "Centers of Excellence," North Atlantic Treaty Organization, http://www.nato.int/cps/en/natolive/topics_68372.htm.

through the ASEAN Navy Chiefs Meeting (ANCM), it is primarily a venue for dialogue and confidence-building. To date, no joint exercise among ASEAN navies has taken place. The need for it was recognized during the 6th ANCM in Brunei 2012, with a proposal put forward by the Indonesian Chief of Naval Staff and Armed Forces Chief.³⁷ Here, too, the Center of Excellence could be of immense assistance. In addition to organizing regular workshops (dubbed Maritime Situation Awareness), the Center provides exercise support upon request. NATO has immense operational experience in this area, and ASEAN navies could benefit greatly from its assistance.

Conclusion

ASEAN and NATO are two organizations of a radically different nature – the first is focused primarily on economic development, and the latter is a military alliance. Despite that, a functional level of cooperation could be established over time, providing tangible benefits to both parties. As NATO struggles to find its new identity,³⁸ it should embrace the fact that Asia will be increasingly central to the global order. While this may seem counterintuitive, following the U.S. rebalance may also provide an invaluable opportunity to reinvigorate the trans-Atlantic relationship and reestablish its sense of purpose. To maintain its relevance, as Barry Pavel and Jeffrey Reynolds write: “NATO must be regional in character, global in stature and Pacific in direction.”³⁹ ASEAN, in turn, needs to reach out to maintain its centrality in regional affairs. However difficult it may be, the logical solution is for the two organizations to meet in the middle.

37 Captain Amarulla Octavian, “It’s time for joint ASEAN naval exercises,” *Strategic Review*, August 6, 2013.

38 Much debate has in recent years surrounded NATO’s continued relevance. Jamie Shea has provides an apt summary, writing: “A combination of a lack of resources, of public support, and of conflicts suitable for NATO intervention may mean that the Alliance faces a declining market for its principal post–Cold War service: conducting multinational interventions.”

39 Barry Pavel and Jeffrey Reynolds, “Why NATO Is a Pacific Power”.



A Case Study in Security Affairs: Israel and Sub-Saharan Africa

By Gregory Flatow

Abstract

Israel's quick response in support of Kenyan security forces after al-Shabab's deadly attack on the Westgate mall in Nairobi, Kenya, highlights its growing footprint in African security matters. Israel's relationship with Sub-Saharan Africa has historically maintained a high level of focus on security affairs, and a case study on this relationship provides an excellent example of how security is often at the forefront of Israeli bilateral and international relations. This paper reviews the history of security ties between Israel and Sub-Saharan Africa, beginning before the independence of some African states. It discusses how security partnerships remained intact over the years despite a hiatus in diplomatic relations between Israel and many African nations. Furthermore, this paper examines how modern security relationships have evolved in response to the growth of the private security industry and the proliferation of terrorism. In its conclusion, this paper discusses the significance of these findings and outlines how this information is useful to practitioners of foreign affairs.

Introduction

Israel and Sub-Saharan Africa (SSA) share a rich history of relations that began before the independence of many African states. Between the late 1950s and the 1960s, Israel developed diplomatic relations with thirty-three Sub-Saharan states that included economic, political and military collaboration, with extensive Israeli assistance in sectors such as agriculture and security.¹ There was even a shared sense of identity between Israel and many SSA states due to mutual feelings of historical oppression. Among scholars and practitioners, these initial years of relations are often referred to as the "Golden Years," remembered nostalgically

and even described as "romantic."²

Through the years, this blossoming relationship has seen dry spells, and at times Israel's relations with some African nations completely withered away. Diplomatic relations have often become very strained due to a variety of factors, curtailing cooperation in nearly every sector. But through the periods of tumult there has been one major consistency: cooperation in the security sector. Regardless of any severance in diplomatic relations, the security relationship between Israel and SSA has remained intact.

The objective of this paper is to provide a comprehensive understanding of the security relationship between SSA and Israel. This relationship provides insight into the importance of security affairs in bilateral and international relations. The history of this relationship is separated chronologically into three sections. The first section outlines why Israel and certain African states forged security partnerships, and then discusses the security relations that existed until the outbreak of the 1967 Arab-Israeli War (commonly referred to as the Six-Day War). The second section reviews security relations after the end of war and before many African states began breaking diplomatic ties with Israel. The third section outlines security relations after the break in diplomatic ties until the present day. This final section reviews two recent trends, the emergence of Israeli private security firms and the proliferation of terrorism in Africa, and discusses how these trends have shaped and possibly strengthened the Israeli-SSA security relationship.

Section 1: Security Relations before the 1967 Arab-Israeli War

Reasons for Engagement: Israel's Perspective

The primary reason for Israel's initial engagement in African security affairs was to counterbalance the influence of Arab nations throughout the continent. This initiative dates to the "periphery strategy" of Israel's first prime minister, David Ben-Gurion, which expressed Israel's interest in developing alliances with countries surrounding the Arab world, focusing specifically on Turkey, Iran (under the

1 Oded, "Africa in Israeli Foreign Policy—Expectations and Disenchantment: Historical and Diplomatic Aspects," *Israel Studies* 15 no. 3 (2010): 122-125.

2 Haggai Erlich, in discussion with the author, Tel Aviv, August 7, 2013.

secular regime of Mohammad Reza Shah), and Ethiopia.³ This strategy later expanded to include the Horn of Africa (HOA), and SSA in general.⁴ Prime Minister Shimon Peres, who suggested military aid in order to “surround the belt of enmity with a belt of friendship” while serving as Deputy Minister of Defense in 1961, and other more recent Israeli statesmen have harkened back to the periphery strategy to guide security relations.⁵ Many Israeli officials were opposed to the military aspect of Israeli assistance due to the dictatorial nature of many African regimes. However, it was generally believed that if Israel did not supply the assistance, Arab countries would fill the vacuum, led by the likes of Egypt’s president and Israeli foe Gamal Abdel Nasser.⁶

Israel often initiated security assistance programs to SSA for two other significant reasons. The first was that military commanders led many African governments. Assisting African militaries therefore ensured influence in the political arena, and opened a steady stream of military contracts for the Israeli defense community.⁷ The second pertained solely to the non-Arab East African states in the HOA, such as Kenya, Ethiopia, and Uganda, which are located near Israel’s outlet to the Indian Ocean – the Red Sea. Good relations with these countries could ensure freedom of navigation by sea and air along the Red Sea, but poor relations could mean that these countries (along with the surrounding Arab countries) could block Israel’s access to the Indian Ocean. This strategic necessity precipitated prodigious military engagement in the HOA, discussed below.⁸

Reasons for Engagement: The Perspective of Sub-Saharan Africa

Many SSA countries expressed pro-Western sentiment

3 Irit Back, in discussion with the author, Tel Aviv, August 4, 2013.

4 Joel Peters, *Israel and Africa: The Problematic Friendship* (London: I. B. Tauris, 1992), 9; Ely Karmon, in discussion with the author, Herziya, August 1, 2013.

5 Aaron S. Klieman, *Israel’s Global Reach: Arms Sales as Diplomacy* (Washington: Permagon-Brassey’s International Defense Publishers, 1985), 34.

6 Zach Levy, “Israel’s Exit from Africa, 1973: The Road to Diplomatic Isolation,” *British Journal of Middle Eastern Studies* 32 no. 2 (2008): 208; Peters, *Israel and Africa: The Problematic Friendship*, 7.

7 Peters, *Israel and Africa: The Problematic Friendship*, 7.

8 Oded, “Africa in Israeli Foreign Policy,” 124; Peters, *Israel and Africa: The Problematic Friendship*, 8.

throughout the Cold War. However, African states viewed Western influence with trepidation due to the history of African colonialism. Israel, backed by Western countries, was a small state with limited resources and could not possibly “dominate their policies and economics.”⁹ Therefore, countries throughout SSA welcomed Israeli security assistance.

There were two Israeli military programs in particular that caught the attention of SSA governments. The first was Gadna, a program that recruited Israeli youth of various ethnic backgrounds in order to prepare them for future military service. This caught the attention of African leaders, who were intrigued by Israel’s success at “integrating the heterogeneous Israeli society as a professional fighting force.”¹⁰ A program of this nature was highly appealing to African leaders attempting to overcome ethnic and tribal cleavages. An additional program, Nahal, was designed to meet the needs of both national defense and state building. Under Nahal, young soldiers who wanted to help construct new West Bank settlements were trained in both defense and agricultural techniques. Many SSA leaders wanted to mimic this program in order to discipline young men by instructing them on “manual and agrarian labor.”¹¹ The program was also a way to provide practical training to students who lacked a formal education.

Security Relations before the 1967 Arab-Israeli War

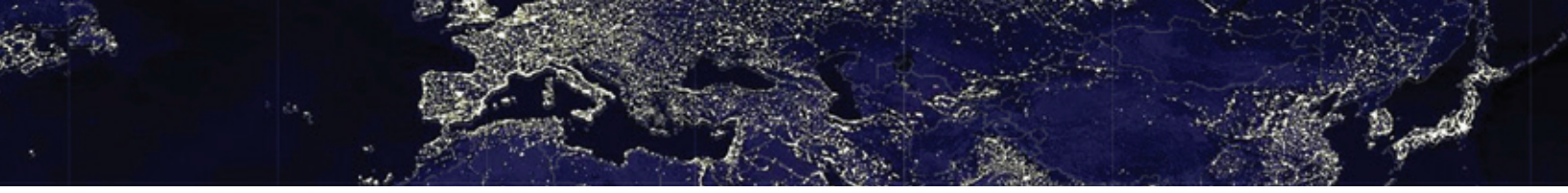
In the early years of security relations, the predominant form of Israeli assistance was the training of SSA security forces. In some instances, Israeli assistance preceded the independence of African states. Military officers from Tanganyika (present-day Tanzania) completed a training course in Israel just two days before their country became independent.¹² Israel also trained two high-ranking military officers, Mobutu Sese Seko of the present-day Democratic Republic of Congo and Idi Amin of Uganda, before their respective countries achieved independence. These military leaders would later execute successful coups, becoming the rulers

9 Oded, “Africa in Israeli Foreign Policy,” 127.

10 Ojo Olusola, *Africa and Israel: Relations in Perspective* (London: Westview Press, Inc., 1988), 12, 20.

11 Olusola, *Africa and Israel: Relations in Perspective*, 12.

12 Ibid., 21.



of their states and long-time allies of Israel.¹³

By the mid 1960s, some military training programs evolved into large-scale security partnerships. By 1964, Israel was tasked with training all officers of Sierra Leone army. The following year, Israel replaced Great Britain as the primary military trainer of Ugandan forces. Israel began training “nearly all of the Congo’s senior officers, three paratroop battalions, and the Congo’s police force” soon after Mobutu’s coup in 1965, and had become the second largest military presence in Ethiopia (after the United States) by 1966.¹⁴

Israeli training programs spanned all sectors of the military and extended to other security-related services. Israel trained pilots in Ethiopia, Uganda, and Ghana. It also assisted Ghana in establishing its first naval school. Police forces received Israeli training in Dahomey (present-day Benin), Madagascar and the Upper Volta (present-day Burkina Faso). Israel also assisted in the training of Ugandan intelligence officers.¹⁵ As discussed earlier, the Nahal and Gadna projects so admired by African governments were an integral part of Israeli assistance; Israel created similar programs in seventeen SSA countries.¹⁶

Another form of security engagement, albeit a less prominent one in these early years of relations, was the transfer of arms. According to the Stockholm International Peace Research Institute’s (SIPRI) Arms Transfers database, Israel sold aircraft to Ghana and Uganda and tanks to the Congo between 1959 and 1967, totaling approximately \$7 million in sales.¹⁷ Small-arms transfers were also used to support rebel movements that aligned with Israeli interests. One example of this was in Southern Sudan, where Israel aided a Christian rebel group fighting for sovereignty against the Muslim Sudanese government. Sudan is located next to the Red Sea, and General Nimeiry of the Sudanese army was openly hostile towards Israel. The Sudanese govern-

13 Peters, *Israel and Africa: The Problematic Friendship*, 7.

14 Olusola, *Africa and Israel: Relations in Perspective*, 22; Peters, *Israel and Africa: The Problematic Friendship*, 8-9.

15 Olusola, *Africa and Israel: Relations in Perspective*, 20-22; Peters, *Israel and Africa: The Problematic Friendship*, 6-7.

16 Peters, *Israel and Africa: The Problematic Friendship*, 7.

17 “SIPRI Arms Transfers Database.” *Stockholm International Peace Research Institute (SIPRI)*, accessed June 4, 2013, <http://www.sipri.org/databases/armstransfers>.

ment’s preoccupation with putting down the southern rebellion caused it to scale down its attempts to subvert and challenge strategic Israeli interests.¹⁸

Section 2: The Arab-Israeli War and the Cessation of Israeli-African Diplomatic Relations

Reasons for the Cessation of Diplomatic Relations

The waning of diplomatic relations between Israel and Sub-Saharan Africa began with the onset of the Arab-Israeli War of 1967. This war pitted Israel against its Arab neighbors, resulting in a victory for Israel and an expansion of Israeli territory, including the acquisition of the Sinai Peninsula in Africa. Claiming Israeli encroachment into African territory, Arab states of North Africa lambasted Israel at meetings of the Organization of African Unity (OAU, later renamed the African Union). At a meeting in 1971, the OAU adopted an anti-Israeli resolution in favor of Egypt, an OAU partner whose control of the Sinai Peninsula had been usurped by Israel.¹⁹

In addition to Arab pressure and Israeli presence in the Sinai, various other factors added to the anti-Israeli sentiment in Africa. One was the substantial level of cooperation between South Africa and Israel that developed following a 1967 French arms embargo against Israel.²⁰ African states were vehemently and unilaterally opposed to South Africa’s apartheid system, and Israel garnered their disfavor as a result of its relationship with South Africa. It is also possible that the African desire for cheaper oil imports from oil-producing Arab countries, as well as anti-Israeli propaganda by the Soviet Union during the Cold War, played a role in this cooling of relations.²¹

Guinea became the first country to break off diplomatic relations with Israel in 1967. In 1973, Israel fought against Egypt and Syria in the Yom Kippur War. Twenty-eight SSA states severed ties with Israel between 1972 and 1973 in the events leading up to, during, and after the war. Mau-

18 Peters, *Israel and Africa: The Problematic Friendship*, 9.

19 Levy, “Israel’s Exit from Africa,” 207; Oded, “Africa in Israeli Foreign Policy,” 132.

20 Peters, *Israel and Africa: The Problematic Friendship*, 157.

21 Levy, “Israel’s Exit from Africa,” 219; Oded, “Africa in Israeli Foreign Policy,” 134.

ritius, the 30th state to sever ties with Israel, ceased diplomatic relations in 1976.²² Demonstrating the importance of security in the SSA-Israeli relationship, the termination of formal relations did not impede cooperation in the security arena. In fact, Israel continued training SSA security services and augmented its once meager policy of arms sales to SSA.

New Opportunities in Security Relations

The severance of diplomatic relations created new opportunities for Israeli arms exports. Israel replaced diplomats with security representatives, sending “interest officers” to some African countries to explore new security arrangements.²³ This ensured that Israel continued to form strategic alliances with African states by using potential arms contracts as leverage for negotiating a renewal of diplomatic ties.²⁴ African states were receptive to this change in policy and guaranteed that arms transfers from Israel would be allowed. At an OAU meeting in 1972, African states signed a declaration against supplying arms to Israel but strategically sidestepped a move to ban the flow of arms from Israel to Africa.²⁵

The years following the break of relations also coincided with Israel’s emergence as a powerful arms manufacturer. After France imposed an embargo on Israel in 1967, Israel began to develop sophisticated weaponry in order to avoid reliance on foreign nations. The 1970s were marked by the production of Israeli-made “fighter aircraft, naval vessels, missiles and tanks.”²⁶ The creation of a large domestic weapon stockpile allowed Israel to begin exporting Israeli-made armaments and other foreign equipment that it no longer needed. Many of these arms deals were with SSA countries, despite the lack of diplomatic relations, and included a mix of aircraft, naval vessels, missiles, tanks and other forms of armored vehicles, mortars and artillery shells, guns, and other military hardware.²⁷

Ethiopia best exemplifies the heavy African reliance on

Israeli security assistance during this time period. Without formally acknowledging any relationship with Israel, Ethiopia reportedly procured large-scale military assistance during the 1970s while it was engaged in conflicts with Eritrea and Somalia.²⁸ Along with the tanks, missiles, and other weapons likely shipped to Ethiopia, Israel allegedly delivered a sample of cluster bombs to Ethiopia’s ruler, Mengistu Haile Mariam, who hurried to use them in battle.²⁹ Israel continued to provide military assistance to Ethiopia even after the United States withdrew its support for Mengistu’s government due to mounting allegations of human rights violations.³⁰

By 1981, covert arms diplomacy had reached the top of Israel’s foreign agenda. Ariel Sharon, the Israeli defense minister and eventual prime minister, secretly traveled to five African countries to discuss both arms exports and military training. The trip resulted in commitments for the “largest export contracts that Israel had received for many years.”³¹ With almost no formal relations anywhere on the continent, Israel had still managed to make inroads throughout the entire Sub-Saharan region. During this period, Israel succeeded in forming partnerships with the major players of each Sub-Saharan region, including Ethiopia in the East, Nigeria in the West, Zaire in Central Africa, and South Africa in the South. When assessing the modern relationship between Israel and many African nations, one must reflect on this remarkable period when Israel transitioned from being primarily a military trainer to a large supplier of arms as well.

Section 3: Resumption of Diplomatic Ties and Modern Security Trends

Reasons for Resuming Diplomatic Relations

Israel’s withdrawal from the Sinai Peninsula following a peace deal with Egypt in 1982 triggered the renewal of diplomatic relations throughout the 1980s and 1990s. SSA government decisions were also influenced by Israel’s

22 Oded, “Africa in Israeli Foreign Policy,” 140.

23 Klieman, *Israel’s Global Reach: Arms Sales as Diplomacy*, 17.

24 Olusola, *Africa and Israel: Relations in Perspective*, 102-103.

25 Levy, “Israel’s Exit from Africa,” 210.

26 “SIBAT-PRESENTATION,” *SIBAT Defense Export and Cooperation Division at IMOD*, accessed August 6, 2013, <http://en.sibat.mod.gov.il/Pages/home.aspx>.

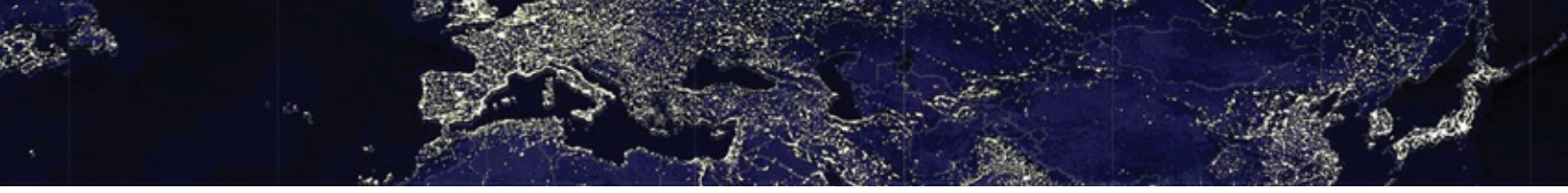
27 Klieman, *Israel’s Global Reach: Arms Sales as Diplomacy*, 140.

28 Klieman, *Israel’s Global Reach: Arms Sales as Diplomacy*, 141.

29 Erlich, discussion; Peters, *Israel and Africa: The Problematic Friendship*, 17-19; Olusola, *Africa and Israel: Relations in Perspective*, 74.

30 Peters, *Israel and Africa: The Problematic Friendship*, 19.

31 Peters, *Israel and Africa: The Problematic Friendship*, 115.



support of United Nations sanctions on the South African government; the fall of the Soviet empire; and a lack of bargaining power by Arab states, which chose not to offer oil concessions to SSA.³² By 1996, twenty-six of thirty countries in SSA reestablished official relations.³³

The resumption of diplomatic ties may have facilitated a more constructive working relationship in security affairs. However, security relations had been improving regardless of whether diplomatic relations were present. Two recent trends are more likely to have facilitated an increase in Israeli security engagement in SSA. The first is the emergence of the Israeli private security industry, which has taken the lead role in expanding Israeli security interests. The other is the spread of radicalization and terrorism throughout Africa, which has created an ideal opportunity for collaboration between SSA and Israel.

Israeli Private Security in Sub-Saharan Africa

As mentioned earlier, the break of relations by states in SSA forced Israel to search for new channels in order to continue engaging in security partnerships. This led to many highly secretive meetings between Israeli government officials and their African counterparts, as well as the use of interest officers. Additionally, when Israel converted from a socialist to a free-market system following Prime Minister Menachem Begin's election to office in 1977, a new method for Israeli engagement in SSA security affairs emerged.³⁴ Dr. Haggai Erlich, a professor of Middle Eastern and African History at Tel Aviv University, notes that the break in African-Israeli relations, as well as the switch to a more capitalist system, allowed for emerging private security companies to sign lucrative deals with SSA governments.³⁵ According to SIPRI's Arms Transfers database, Israel has exported arms to 16 SSA countries following privatization in 1977, up from a meager three countries in prior years.³⁶

32 Oded, "Africa in Israeli Foreign Policy," 137, 141; Levy, "Israel's Exit from Africa," 226.

33 Oded, "Africa in Israeli Foreign Policy," 140-141.

34 William E. Farrell, "Israel's Turn to Rugged Capitalism," *New York Times*, February 5, 1978, <http://search.proquest.com.libezproxy2.syr.edu/docview/123822021>; Felix Kessler, "Israel's Creeping Capitalism," *The Wall Street Journal*, December 9, 1977, <http://search.proquest.com.libezproxy2.syr.edu/docview/134201901>.

35 Erlich, discussion.

36 SIPRI, "SIPRI Arms Transfers Database."

The Israeli government welcomed the private security enterprise in SSA. The consequences of Israel's "official military aid" to Africa had devastating effects on "its image, portraying Israel as a supporter of militarization and several undemocratic regimes."³⁷ This concern influenced the Israeli government to allow private companies to conduct all military sales.³⁸ Private security employees began to travel to SSA in order to represent Israeli interests, bypassing official channels of communication.³⁹ Since the reestablishment of relations, official visits now facilitate the formation of business ties with Israeli security companies. When Foreign Minister Avigdor Lieberman visited Africa in 2009, for example, military sales may not have been on the agenda, but he was nevertheless accompanied by a twenty-person business delegation, the majority from defense-related industries.⁴⁰ Private security firms have even attempted to arrange meetings between Israeli government officials and SSA leaders, such as Equatorial Guinea's President Teodoro Obiang Nguema, in order to finalize security contracts.⁴¹

An overview of transactions by private security companies demonstrates recent Israeli security engagement in SSA. The most lucrative deals were not in weaponry but in surveillance systems "and other electronic systems for military or police roles."⁴² Israeli companies have sold Unmanned Aerial Vehicles (UAV's), radar systems, and other related material to Angola, Chad, the Ivory Coast, Guinea, Nigeria, Seychelles, and possibly other countries in SSA as well.⁴³ The largest reported deal, worth \$260 million, was with Nigeria and included an "integrated coastal surveillance

37 Oded, "Africa in Israeli Foreign Policy," 138.

38 Ibid.

39 Jerrold Kessel and Pierre Klochendler, "Mideast: Israel to Rekindle Its Old Ties with Africa," *Global Information Network*, August 19, 2009, ProQuest Central Document ID 457554222.

40 Siemon T. Wezeman, "Israeli Arms Transfers to Sub-Saharan Africa," *SIPRI Background Paper* (2011): 9, accessed August 9, 2013, http://books.sipri.org/product_info?c_product_id=432.

41 "Israel to compete for training Equatorial Guinea presidential guards," *Xinhua News Agency*, June 4, 2005, ProQuest Central Document ID 452753582.

42 Wezeman, "Israeli Arms Transfers," 4.

43 "SIPRI Arms Transfers Database." *Stockholm International Peace Research Institute (SIPRI)*. Accessed June 4, 2013, <http://www.sipri.org/databases/armstransfers>.

system.”⁴⁴ One alleged, though never officially confirmed, sale in 2006 involved Angola purchasing approximately \$1 billion worth of “unidentified equipment” from Israel Aerospace Industries,⁴⁵ a company that produces various aerospace technologies, such as UAVs, radar technology and navigation systems.⁴⁶

In addition to major weapon contracts, the sale of small arms to African states has persisted in recent years. Israel Weapon Industry is the primary small arms producer and exporter and has three offices in Africa, more than on any other continent. While Israel rarely includes small arms sales in reports, limiting the available data on exports, Israeli guns have been spotted with presidential guards in Cameroon, Ethiopia and the Democratic Republic of the Congo, as well as in various other security outfits in Africa.⁴⁷

Israeli security companies have been entrepreneurial, surviving in the global market by developing specialties that differentiate them from other international suppliers. According to a SIPRI report on Israeli-SSA security relations, Israeli companies have developed a niche market that specializes in modernizing military hardware. Saymar, a company specialized in modernization, agreed to upgrade Kenyan armored cars for \$10 million. The SIPRI report mentions that these Israeli enterprises often collaborate with foreign companies supplying arms to Africa. For example, an Israeli company modernized aircraft being sold from a Polish company to a country abroad, likely Angola.⁴⁸

Terrorism in Africa

Another modern phenomenon that has led to increased security relations between Israel and SSA is the rise of Islamic terrorism. Terrorism in Africa has increased security risks to both SSA countries and Israeli interests, creating the need for enhanced cooperation. The proliferation of terrorism has driven African governments to bolster their security apparatuses and has enabled Israel to sign new security

contracts to SSA nations. An assessment of the security relationship between Israel and SSA must take into account both the risks and benefits created by Islamic terrorism in Africa.

A. Security Risks

The noticeable increase in the number of African radical Islamists began as early as the 1960s.⁴⁹ Outside actors, largely Saudi Arabia, have funded radical indoctrination through the construction of schools, mosques, Islamic centers, and other means in both Muslim and non-Muslim African countries. Saudi Arabia, a majority Sunni nation, practices a conservative brand of Islam, and has exported this conservative ideology to Africa to garner allegiance for the Saudi government.⁵⁰ Radicalized Sunnis have engaged in terrorist activity in SSA, often due to poor social conditions, a desire for the implementation of Islamic law, and recruitment by foreign jihadists. This is primarily a concern for the countries along the Sahara that have predominately Muslim populations, and also the countries immediately “south of the Sahara” where there is a “boundary between Islamic and non-Islamic populations.”⁵¹ Terrorism has also filtered over from the Arabian Peninsula into the HOA, threatening countries in East Africa.

For some African nations, the threat of Sunni terrorism has led to full-scale military engagements. Ethiopia fought against al-Shabaab, a terrorist group in Somalia, from 2006-200. Kenya began fighting al-Shabaab in 2011.⁵² Ethiopia and Kenya have small Muslim populations but are deeply

49 Jonathan N.C. Hill, “Sufism in Northern Nigeria: Force for Counter-Radicalization?” *Strategic Studies Institute* (2010), accessed August 9, 2013, <http://permanent.access.gpo.gov/lps122775/PUB989.pdf>.

50 Eitan Azani, “Terrorism Fundraising,” (lecture, Executive Certificate Program in Counter-Terrorism Studies from the Lauder School of Government, Diplomacy and Strategy and the Institute for Counter-Terrorism, Herzliya, Israel, July 18, 2013).

51 “Jihad in Africa: The danger in the desert,” *The Economist*, January 26, 2013, <http://www.economist.com/news/briefing/21570720-terrorism-algeria-and-war-mali-demonstrate-increasing-reach-islamist-extremism>.

52 Erlich, discussion; David McKenzie, “Inside Kenya’s war with Al Shabaab,” *CNN*, December 16, 2011, <http://edition.cnn.com/2011/12/15/world/africa/kenya-war>.

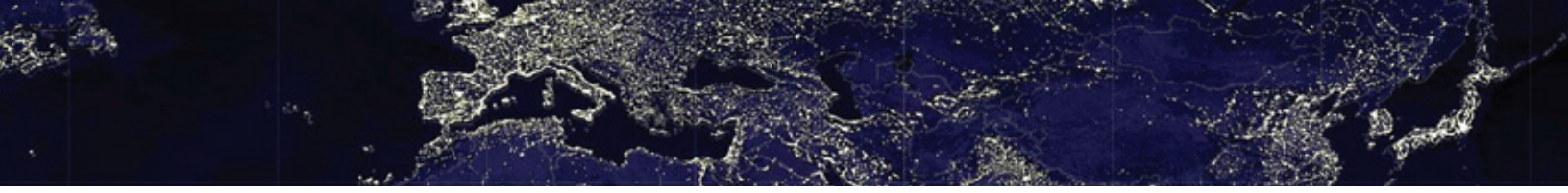
44 Wezeman, “Israeli Arms Transfers,” 4.

45 Ibid.

46 “Profile,” *Israel Aerospace Industries*, accessed August 11, 2013, <http://www.iai.co.il/10285-en/CompanyInfo-CompanyProfile.aspx>.

47 Wezeman, “Israeli Arms Transfers,” 2.

48 Wezeman, “Israeli Arms Transfers,” 6.



concerned about terrorism from Somalia, a neighboring country, spilling over their own borders. Al-Shabaab's attack on a Nairobi mall in September of 2013 left over sixty people dead and demonstrated the imminent threat posed by Somali terrorists.⁵³ Nigeria, a country split between Muslim and Christian populations, is currently battling Boko Haram, a terrorist group located in its northeast region. Since 2009, the group has killed over 3,000 Nigerians, both Muslims and Christians.⁵⁴

Israel's concern about Sunni terrorism in SSA is largely centered in East Africa. As mentioned earlier, Israel's access to the Red Sea has been a strategic interest since independence. As an outlet to the Indian Ocean, the Red Sea gives Israel access to international trade, facilitating ties with many countries such as India and China. Terrorism in East Africa poses a new threat to Israel's freedom of navigation in the Red Sea. The anarchy created by extremism in Somalia threatens valuable trade routes by allowing piracy to prosper off the Somali coast.⁵⁵ Al-Shabaab has also rented out ports to the pirates in order to collect revenue for terrorist activities.⁵⁶

Additionally, Sunni jihadists in East Africa provide a network for smuggling weapons to Israeli borders, such as in the Sinai Peninsula and in Palestinian territories. Largely emanating from Sudan, one of four countries designated as a state sponsor of terrorism by the U.S. State Department, the smuggling routes provide a direct threat to Israeli security and have led to Israeli military strikes against African targets.⁵⁷ Recently, Israel intercepted an Iranian shipment of Syrian-made rockets heading to the Port of Sudan, which

would have later been smuggled to the Gaza Strip.⁵⁸ These smuggling networks, along with piracy off the coast of the HOA, motivate Israel to work with East African governments to combat terrorism.

Also worrisome to Israel is the rise of Shia militancy in Africa. Iran, a majority Shia country, has adopted a strategy similar to that of Saudi Arabia in order to increase its influence and legitimacy abroad. In Africa, Iran has found its main Shia foothold through the establishment of the Islamic Movement in Nigeria (IMN). Iran has sent funds to IMN for the creation and maintenance of prayer and educational centers, to help recruitment efforts, and to influence IMN to preach Iranian ideology to its members.⁵⁹ The Shia population is small in Nigeria as well as throughout Africa, a problem of scale that limits the ability to radicalize mass movements.⁶⁰ Instead, Iranian activities in Africa have focused on establishing small Shia militant cells in weakly governed areas. Unlike Saudi Arabia, Iran provides direct support to terrorist cells.⁶¹

Iran and its Lebanese proxy, Hezbollah, have been behind multiple Shia terrorist attacks in Africa that target Israeli citizens abroad. The 2002 Mombasa attack resulted in 13 deaths, including three Israelis. Attackers also fired at an Israeli plane during the operation.⁶² In 2012 and 2013, African governments foiled at least three Iranian-backed attacks, one planned in Kenya and two others in Nigeria, that

53 "Kenya: Attack is over, all hostages have been freed," *The Jerusalem Post*, September 24, 2013, <http://www.jpost.com/International/Kenyas-Interior-Ministry-Attack-is-over-all-hostages-freed-326907>.

54 Joseph Netto, Nima Elbagir and Nick Thompson, "Nigeria bloodshed: Who are Boko Haram?" *CNN*, February 26, 2014, <http://edition.cnn.com/2013/08/13/world/africa/nigeria-violence-explainer>.

55 Erlich, discussion.

56 Julie Cohn, "Terrorism Havens: Somalia," *Council on Foreign Relations*, June 2010 <http://www.cfr.org/somalia/terrorism-havens-somalia/p9366#p4>.

57 Karmon, discussion.

58 Ruth Eglash, "Israel says it stopped Iranian arms shipment destined for Gaza Strip," *The Washington Post*, March 5, 2014, http://www.washingtonpost.com/world/middle_east/israel-says-it-stopped-iranian-arms-shipment-destined-for-gaza-strip/2014/03/05/0614bd20-a46f-11e3-8466-d34c451760b9_story.html.

59 Hill, "Sufism in Northern Nigeria?" 25.

60 Irit Back, "Iran and Nigeria: Friendship or Rivalry," *Iran Pulse* no. 54 (2013), <http://humanities.tau.ac.il/iranian/en/previous-reviews/10-iran-pulse-en/207-iranpulse-54>.

61 Yaakov Lappin, "Expert: Iran building African terror cells since 90s," *Jerusalem Post*, June 12, 2013, <http://www.jpost.com/Landed-Pages/PrintArticle.aspx?id=304123>.

62 Ely Karmon, "Analysis / Iran and Hezbollah's terror escalation against Israel," *Haaretz*, July 22, 2012, <http://www.haaretz.com/misc/article-print-page/analysis-iran-and-hezb...lation-against-israel-1.452953?trailingPath=2.169%2C2.216%2C2.217%2C>.

targeted both Israeli and Western interests.⁶³

Israel has begun to work with its SSA partners in order to combat the emergence of Sunni and Shia terrorism primarily in Nigeria, Kenya, and Ethiopia. Terrorism has been on the agenda at high-level discussions, such as during a meeting between Israeli Prime Minister Ariel Sharon and Ethiopian Prime Minister Meles Zenawi in 2004.⁶⁴ Israel has actively trained SSA security services, including Kenya's airport security following the 2002 Mombasa attacks, and may have participated in the counter-terrorism operation following the Nairobi mall attack.⁶⁵ Nigerian purchases of Israeli equipment are directed at enhancing counterterrorism capabilities.

It is also likely that there is a close working relationship between the intelligence services of Israel and these African nations. Lebanese militants captured both by Kenyan and Nigerian security services claimed that Israeli intelligence officers interrogated them.⁶⁶ Reflecting the views of one scholar on African terrorism, Dr. Karmon stated that "if there is a threat, a specific threat... I am sure that there is cooperation."⁶⁷

B. Opportunism from Terrorism

Although Israel certainly provides quality assistance in counter-terrorism, countries that team with Israel to fight terrorism may have ulterior motives. Irit Back, of the Moshe

Dayan Center for Middle Eastern and African Studies, believes that for many African states, Israel is just a small "part of general African diplomacy," in which the maintenance of good relations with the West, and in particular the United States, is the primary goal. She points out that many SSA governments depend on Western interests to buy their natural resources. Other governments envision the West, and the international community in general, as the key to future prosperity. By entering a partnership with Israel, and committing to the fight against terrorism waged by Western states, national interests are seen to align with a more Western agenda.⁶⁸ It may be no coincidence that the five SSA countries that received the most economic assistance from the U.S. in 2012, Ethiopia, Kenya, Tanzania, South Sudan, and the Democratic Republic of the Congo, maintain strong relations with Israel.⁶⁹ The South Sudanese president Salva Kiir visited Israel just three months after his country achieved independence in 2011.⁷⁰

Aside from Western interests, other forms of opportunism in SSA may be practiced through the fight against terrorism. It should not be overlooked that African states have a long history of military and dictatorial regimes. It is common for leaders in Africa to increase the strength of their security apparatus in order to enhance their power. One way of doing this is to exaggerate domestic and external threats, freeing up funds to allocate money to security services. Dr. Olawale Ismail, Ph.D. from the Department of Peace Studies at the University of Bradford, highlights counterterrorism as a primary tool to continue this tactic in contemporary times. In Nigeria, the ruling party has increased military funding by more than 40% since coming to power in 2007.⁷¹ During this time, Nigeria has procured major systems from Israeli security companies, including a \$40 million contract for intelligence analysis and cyber

63 Lappin, "Expert: Iran building African terror cells since 90s"; Reuters, "Nigeria foils latest Hezbollah plot to attack Israelis," *Jerusalem Post*, May 30, 2013, <http://www.jpost.com/Middle-East/Nigeria-foils-latest-Hezbollah-plot-to-attack-Israelis-314942>.

64 "Ethiopia, Israel to work together in fighting international terrorism," *BBC Monitoring Africa*, January 8, 2004, ProQuest Central Document ID 458451609.

65 Ely Karmon, "Iran repeating its terrorist pattern in Africa," *Haaretz*, July 3, 2012, <http://www.haaretz.com/misc/article-print-page/iran-repeating-its-terrorist-pattern-in-africa-1.448611?trailngPath=2.169%2C2.223%2C>; "Report: Israelis join Kenyan effort to rescue hostages from terrorists," *The Jerusalem Post*, September 22, 2013, <http://www.jpost.com/International/Report-Israeli-forces-join-Kenyan-effort-to-rescue-hostages-from-terrorists-326758>.

66 Karmon, "Iran repeating its terrorist pattern in Africa"; "Alleged Hezbollah terrorists say Mossad agents interrogated them in Nigeria," *Haaretz*, August 6, 2013, <http://www.haaretz.com/news/diplomacy-defense/1.540047>.

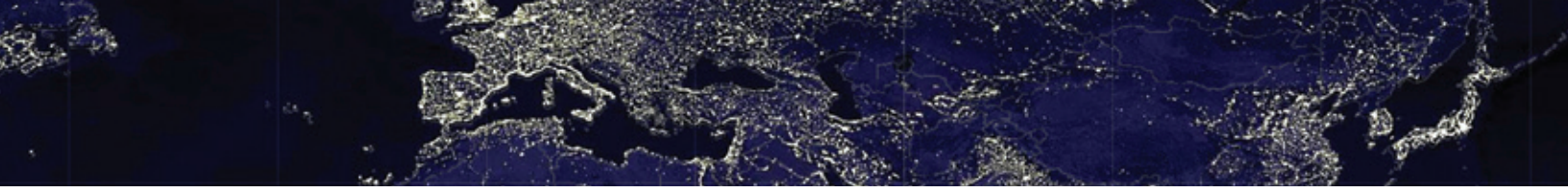
67 Karmon, discussion.

68 Back, discussion.

69 U.S. Overseas Loans and Grants, "Foreign Assistance Fast Facts: FY2012," accessed March 8, 2014, <http://gbk.eads.usaidallnet.gov/data/fast-facts.html>.

70 "South Sudan president visits Israel for first time," *Reuters*, December 20, 2011, <http://www.reuters.com/article/2011/12/20/ozatp-israel-southsudan-idAFJ0E7BJ03D20111220>.

71 SIPRI, "SIPRI Arms Transfers Database."



defense.⁷² Although these security systems enhance counterterrorism capabilities, it is also likely the government seeks to consolidate its power prior to the 2015 presidential election. Nigeria's ruling government faces demands by opposition parties to step down before the election in order to preserve a power-sharing agreement.⁷³ By using the military budget to import foreign hardware and expertise from Israel and other countries, the Nigerian government appears to be securing its hold on power before the upcoming elections.

As for Israel, terrorism in Africa does not create a significant threat outside the HOA. The terrorist groups are far from Israel's strategic interests and only small Shia terrorist cells are focused on attacking Israeli targets. Dr. Ismail believes that Israel's engagement is based not on concern, but opportunity. "The Israeli military-security industrial complex has been pushing hard and aggressively for business in Africa... over the past 20 years," he states. Therefore, increased cooperation with African countries fighting terrorism can enable Israel to export "security equipment and expertise" to SSA partners, creating lucrative contracts and a boost to the Israeli economy.⁷⁴

Conclusion

Utilizing the security sector is the most efficient way to ensure a strengthening in relations with foreign countries. Three specific lessons can be drawn from this case study that are highly relevant for practitioners seeking to bolster their countries' relations abroad. Firstly, security ties are extremely durable, as shown by the long history of security relations between Israel and SSA. Security relations have proven to be much harder to disrupt than diplomatic ties, and governments can maintain security arrangements covertly in order to avoid dissent from citizens and foreign nations.

Second, security relations evolve and adapt to contemporary times. Highlighted in this case study, a decrease

72 "Elbit Systems Secures Contract to Supply a Country in Africa with the Wise Intelligence Technology System," *Wireless News*, April 29, 2013, ProQuest Central (1346521724).

73 Festus Owete, "2015 election will determine Nigeria's continued existence – Abdulsalami Abubakar," *Premium Times*, March 6, 2014, <http://www.premiumtimesng.com/news/156276-2015-election-will-determine-nigerias-continued-existence-abdulsalami-abubakar.html>.

74 Olawale Ismail, e-mail message to author, August, 6, 2013.

in the viability of state-to-state relations led to an influx of private security companies. While Israel's arms transfers originally focused on shipping small arms to rebel groups and newly established states, it has recently augmented sales of sophisticated weaponry to countries that have acquired substantial wealth from natural resources, such as Nigeria and Angola. Now that terrorism has become a primary concern for certain SSA countries, as well as a focal point on Western countries' foreign agenda, relationships between Israel and its SSA partners have become centered on the terrorism dilemma. This could not be more evident than when Israeli Ambassador to Nigeria Moshe Ram presented a paper to the Nigerian federal government, titled "Suicide Terrorism: The Israeli Experience and its relevance to Nigeria."⁷⁵

Finally, security relations can lead to profitable arms sales by the government and the private security industry. In contrast, diplomacy often revolves around providing aid to recipient countries, a venture that can become costly over time. Even if arms transfers are originally used as a means of aid, security relations can evolve to include lucrative deals with allied countries as discussed above.

The persistence of security in the Israeli-SSA relationship presents an exemplary case study in the field of international security. SSA governments have indicated that security is their primary concern when deliberating foreign policy decisions. Israel has proven that even a small country with limited resources can use security affairs to create and enhance alliances, avoid isolation, and augment leverage on an international scale. Policymakers should reflect on Israeli-SSA security relations and consider the advantages of the security sector when formulating foreign policy.

75 Chika Otuchikere, "Terrorism – Israel to Partner Nigeria," *allAfrica*, July 11, 2012, <http://allafrica.com/stories/201207110338.html>.

Terrorism and Cyber Attacks as Hybrid Threats: Defining a Comprehensive Approach for Countering 21st Century Threats to Global Peace and Security

By Dr. Sascha-Dominik Bachmann and Dr. Håkan Gunneriusson

Abstract

Multimodal, kinetic and non-kinetic threats to international peace and security, including cyber-attacks, low intensity asymmetric conflict scenarios, global terrorism, piracy, transnational organized crime, resources security, retrenchment from globalization and the proliferation of weapons of mass destruction, were identified by NATO as ‘hybrid threats,’ which state actors are ill-equipped to handle. This interdisciplinary article predicts that military doctrines, traditional concepts of war and peace, and legal perceptions will be challenged by the nature of these threats.

Introduction and Overview

The drastic global changes since the end of the Cold War had a permanent impact on military operations and doctrine. The last quarter century saw state actors adopt several distinct approaches to dealing with threats. The collapse of the Soviet Union in 1991 removed the original *raison d’être* of the Warsaw Pact: the specter of repelling a Soviet attack on the West through the Fulda gap in Germany.¹ The end of the balance of power that existed after the Second World War led to a proliferation of armed conflicts around the globe. Recently, it appeared the global community condoned the use of inter-state force highlighted by the ‘War on Terrorism’, the Russian-Georgian conflict of summer 2008, and the Libyan Intervention of 2011. However, if any state or non-state actor wanted to target a Western European state by using conventional means of warfare, they would face significant risks of retaliation.

1 Referring to the German lowlands between Frankfurt am Main and the former East German border, which was regarded as the most likely terrain for a Soviet led attack by the Warsaw Pact.

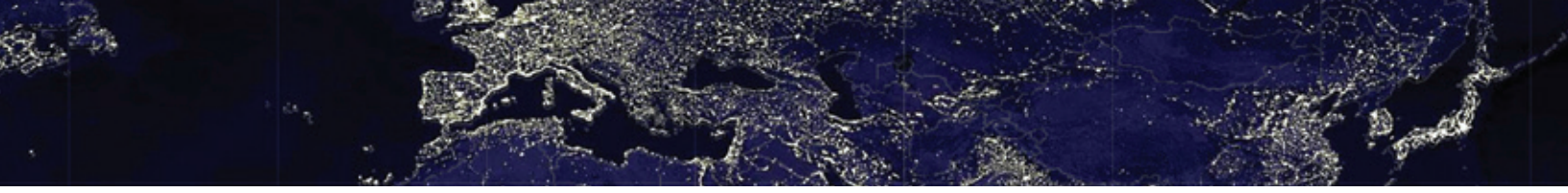
New potential threats arose from both state and non-state actors with the advent of new technologies, the growth of the Internet, and the proliferation of privately owned computer hardware. These increasingly sophisticated threats include the use of cyber² as a means of warfare and have further blurred the traditional distinction between war and peace. Such a distinction was replaced by the recognition of the need to counter new, multi modal threats, which have little in common with past examples of interstate aggression. These new threats to global peace and security seriously threaten the modern Western way of life within the context of the present ‘steady state’ environment at home (and before the backdrop of the ongoing asymmetric conflicts in Afghanistan, Pakistan, Mali, Somalia, and Yemen).

This article aims to introduce this form of security threat under inclusion of aspects of cyber-terrorism and cyber-warfare. It presents the findings of an ongoing hybrid threat experiment that was undertaken by the Swedish National Defence College. It briefly reflects on how hybrid threats may impact on military thinking in the developed world. Additionally, it argues that the 2010 ICC Review Conference in Kampala’s codification of the crime of aggression does not necessarily reflect these new forms of 21st century threats.

This article³ consists of three parts: First, it introduces the notion of ‘hybrid threats’ as a new threat definition and its (at least temporary) inclusion in NATO’s new comprehensive defense approach with a reflection on the use of cyber capabilities. Second, inclusion is highlighted at the

2 The term “cyber” is used in a wider sense, referring to the use of computer technology and the Internet for operations outside the four traditional arenas of land, sea, air, and space. Cyber operations, cyber war, and cyber-attacks are examples of such operations. For a classification of cyber conflicts, see Michael Schmitt, “Classification of Cyber Conflict,” 17 (2) JCSL (2012), 245-260.

3 The authors have undertaken some prior work in that field: See Sascha-Dominik Bachmann and Gerhard Kemp “Aggression as ‘Organized Hypocrisy’ – How the War on Terrorism And Hybrid Threats Challenge The Nuremberg Legacy,” *Windsor Yearbook of Access to Justice* (2012); Sascha Bachmann “NATO’s Comprehensive Approach to Counter 21st Century Threats – Mapping The New Frontier of Global Risk and Crisis Management, 88 *Amicus Curiae* 2012; and Sascha Bachmann and Håkan Gunneriusson “Countering Terrorism, Asymmetric and Hybrid Threats: Defining Comprehensive Approach for 21st Century Threats to Global Risk and Security,” Swedish MoD – High Command, Internal Paper, releasable to the public.



multinational level through case study examples of NATO and UN initiatives and inclusion is examined at the state level through a case study of the Swedish National Defense College. Third, it addresses potential implications for military doctrine arising from hybrid threats and the associated legal consequences. The article concludes with a brief outlook on the new dimensions of possible future threats to peace and security as challenges to our present concept of war and peace, and then reflects on possible responses.

New Security Challenges: *The Emergence of 'Hybrid Threats' as Challenges to Peace and Security*

Multimodal, low intensity, kinetic as well as non-kinetic threats to international peace and security including cyber war, asymmetric conflict scenarios, global terrorism, piracy, transnational organized crime, demographic challenges, resource security, retrenchment from globalization, and the proliferation of weapons of mass destruction were identified and labelled by NATO as 'Hybrid Threats', as threats 'posed by adversaries, with the ability to simultaneously employ conventional and non-conventional means adaptively in pursuit of their objectives'.⁴

Having identified these threats, NATO undertook work on a comprehensive conceptual framework, a Capstone Concept, which was to provide a legal framework for identifying and categorizing such threats within the wider frame of possible multi-stakeholder responses. In 2011, NATO's Allied Command Transformation (ACT) supported by the U.S. Joint Forces Command Joint Irregular Warfare Centre (USJFCOM JIWC) and the U.S. National Defence University (NDU) conducted specialized workshops related to 'Assessing Emerging Security Challenges in the Globalized Environment (Countering Hybrid Threats [CHT]) Experiment'.⁵ These workshops took place in Brussels, Belgium, and Tallinn, Estonia, and aimed at identifying possible threats and to discuss some key implications when countering such risks and challenges. The findings of the workshops were

4 Cf. BI-SC Input for a New NATO Capstone Concept for The Military Contribution to Countering Hybrid Enclosure 1 to 1500/CPPCAM/FCR/10-270038 and 5000 FXX/0100/TT-0651/SER: NU0040, dated 25 August 2010.

5 See NATO's *Transnet* network on Countering Hybrid Threats (CHT), <https://transnet.act.nato.int/WISE/Transforma1/ACTIPT/JOUIPT>.

published in the ACT's final report and recommendations in 2011.⁶

Hybrid threats faced by NATO and its non-military partners require a comprehensive approach allowing a wide spectrum of responses, kinetic and non-kinetic by military and non-military actors.⁷ Such a comprehensive response will have to be in partnership with other stakeholders such as international and regional organizations as well as representatives of business and commerce.⁸ However, due to a lack of financial resources in general, and an absence of the political will to create necessary 'smart defense' capabilities among its member states, NATO decided in June 2012 to cease work on CHT at its organizational level while encouraging its member states and associated NATO Excellence Centers to continue working on hybrid threats.

Case Studies

Prior to the ACT's report and recommendations, NATO held a summit in Lisbon, Portugal. The participants discussed general challenges to the alliance's present role in the face of falling national defense budgets. It was at this summit that the Lisbon Summit Declaration of 2010 was drafted. New threat scenarios were addressed in the Declaration, threats which differed from traditional 'state on state' armed conflict scenarios, and were discussed in reaction to increased globalization.⁹ As a consequence, NATO adopted a new Strategic Concept. The Strategic Concept set out its vision for the immediate future, and called for "NATO's

6 Assessing Emerging Security Challenges in the Globalized Environment," *NATO Allied Command Transformation*, https://transnet.act.nato.int/WISE/CHTIPT/Newsletter/JanuaryCHT/file/_WFS/CHT%20Newsletter%20-%20Edition%201%20-%20final.pdf.

7 See "Updated List of Tasks for the Implementation of the Comprehensive Approach Action Plan and the Lisbon Summit Decisions on the Comprehensive Approach," March 4, 2011, 1-10, [https://jfadl.act.nato.int/NATO/data/NATO/lm_data/lm_12820/999/objects/il_0_file_35471/20111130_NU_NATO-IS-NSG-PO\(2011\)0529-Action-Plan-Comprehensive-Approach.pdf](https://jfadl.act.nato.int/NATO/data/NATO/lm_data/lm_12820/999/objects/il_0_file_35471/20111130_NU_NATO-IS-NSG-PO(2011)0529-Action-Plan-Comprehensive-Approach.pdf).

8 Michael Miklaucic, "NATO Countering the Hybrid Threat," September 23, 2011, <http://www.act.nato.int/multimedia/archive/41%E2%80%90top%E2%80%90headlines/747%E2%80%90nato%E2%80%90countering%E2%80%90the%E2%80%90hybrid%E2%80%90threat>.

9 North Atlantic Treaty Organization Public Diplomacy Division, "Lisbon Summit Declaration," last modified November 20, 2010, http://www.nato.int/nato_static/assets/pdf/pdf_2010_11/2010_11_11de1db9b73c4f9bbfb52b2c94722eac_pr_cp_2010_0155_eng-summit_lisbon.pdf.

evolution, so that it [could continue] to be effective in a changing world, against new threats, with new capabilities and new partners".¹⁰

NATO's main objective, however, remained the capability to counter any threats faced by its member states. But this understanding changed to include threats posed by traditional external security threats as well as internal security threats from new sources, including terrorist attacks in the context of 'homeland security.' NATO's original role of protecting its member states from the threat of aggression, and doing so by all political and military means necessary, has slowly been amended to reflect new threat scenarios, including acts by non-state actors in response to the attacks on September 11, 2001.¹¹

In the autumn of 2012, the Swedish National Defense College conducted a hybrid threat experiment, using similar situations to those contemplated by NATO.¹² The experiment scenario centered on an imaginary island kingdom in the middle of the Baltic Sea, which faced growing economic, social, and political challenges. The situation in the fictional kingdom had deteriorated to the point that neighboring states, including Sweden, were directly affected by a mix of traditional and hybrid threats. The experiment participants were asked to pretend to be a committee of advisers for the Swedish government and were tasked with advising the Swedish Government on how to handle the issues presented by its fictional neighbor. The participants were instructed to represent the industries that they worked for in real life. The experiment participants included members of the Swedish armed forces, Swedish national support agencies, the university sphere, the pharmacological industry, the banking industry and the internet security industry.

The experiment participants were given a wide range of new and threatening situations to contemplate and provide solutions for the Swedish Government. The situations created by the imaginary hostile state included (1) cyber

threats, including defacing government sites; (2) threats to hack and stop the pacemaker of a high ranking Swedish government official; and (3) the destruction of a turbine in a nuclear power station using a computer worm, similar to the "Stuxnet" attack in Iran.¹³ Traditional threats were also contemplated, and included (1) the attempt to sink a hijacked oil tanker in the middle of a sensitive maritime environment zone; (2) inserting a small group of Special Forces Operatives into Swedish territory; and (3) hiring Somali pirates to hijack Swedish vessels just off of the Horn of Africa.

The experiment reflected both the strengths and weaknesses of Swedish democratic society when facing multi-modal threats. The experiment showed that the existing Standard Operation Procedures (SOPs) allowed for efficient responses to certain threats, by addressing how Swedish government agencies and even certain NGOs should react in times of emergency. This was mostly due to a previously established command and control, as well as communication and coordination assets within the central authority. However, the experiment also showed the existence of shortcomings within Swedish society when countering multi-modal threats. This was due to the absence of a nationally defined comprehensive approach for joint inter-agency cooperation. This lack of comprehensive joint action and coordination was highlighted by the fact that the Swedish Government did not have the authority to direct and control the work of autonomous subordinate agencies.

The participants of the Swedish experiment recognized that modern conflicts with hybrid elements would lead to new levels of threat and response complexity. They noted that to combat these new complexities, there needed to be an active, uniform and collective leadership - something beyond the standard operation procedures.¹⁴ The participants identified that a major weakness was the lack of a comprehensive coordination and response between agencies, including the armed forces, the civil defense assets, and other civilian actors - such as IT specialists and

10 North Atlantic Treaty Organization, "Active Engagement, Modern Defence," last modified November 19, 2010, http://www.nato.int/cps/en/natolive/official_texts_68580.htm.

11 North Atlantic Treaty Organization, "Statement by the North Atlantic Council," last modified September 15, 2001, <http://www.nato.int/docu/pr/2001/p01-124e.htm>.

12 Juhapekka Rautava, "Countering Hybrid Threats: CHT Seminar" lecture, Swedish National Defence College, 2012.

13 Jonathan Last, "How Stuxnet is Scaring the Tech World Half to Death," *The Weekly Standard*, last modified September 30, 2010, <http://www.weeklystandard.com/blogs/how-stuxnet-scaring-tech-world-half-death>.

14 Regarding details for the SNDC-symposium, contact Håkan Gunneriusson at hakan.gunneriusson@fhs.se.



pharmaceutical experts¹⁵

Recently, the shortcomings addressed by the Swedish study were proven to be accurate. Swedish counterterrorism and intelligence agencies failed to cooperate and operate jointly when facing a recent national threat. The country was left vulnerable to acts of terrorism, causing the director and deputy director of the National Center for Counterterrorism to resign in protest.¹⁶ With a shrinking defense budget, the downscaling of national agencies and society's inability to accept the existence of such threats as future possibilities, it seems unlikely that these shortcomings will be addressed in the near future.

NATO's Comprehensive Approach to Countering Hybrid Threats: *Challenges and Missed Opportunities*

The 2011 "Jasmine Revolution" in North Africa exemplified the types of problems addressed in the Swedish study, and showed how such threats could become a reality. It also demonstrated a range of new, multimodal hybrid threats, including (1) failed state scenarios; (2) civil unrest; (3) the proliferation of sophisticated weaponry systems to regional extremist groups;¹⁷ (4) the threat of proliferation of weapons of mass destruction; and (5) the prospects of mass migration into Europe.

The novel concept of hybrid threats first gained recognition when Hezbollah had some tangible military success against the Israeli forces during the Second Lebanon War in 2006. Ironically, the definition of 'hybrid' then was that a non-state actor showed military capabilities originally only associated with state actors.¹⁸ Since then, the idea of hybrid threats has become associated with a new threat dimension

including 'cyber' attacks, 'bio-hacking'¹⁹, the 'abuse' of nanotechnology, and plain acts of global terrorism.²⁰ If any state or non-state actor wanted to target a Western European state by using conventional means of warfare they would face significant risks of retaliation.

The military engagement by NATO in the Libyan conflict highlighted how quickly the organization could be drawn into military combat operations, when requested to contribute militarily to peace enforcement combat operations and/or 'stability operations'²¹. Libya also showed how NATO can contribute militarily to a UN authorized 'use of force' peace enforcement operation in the context of the UN's emerging 'R2P' responsibility.²² 'Operation Unified Protector' also showed an apparent rift among NATO's member states in terms of willingness and ability to commit military assets: only half of NATO's 28 states actually committed military assets to the operation.

Since then, the UK and France have been discussing changes to voting procedures in NATO as well as new bi-national military cooperation agreements in order to overcome acute mission shortcomings in the future. Canada stopped participating in the NATO AWACS program altogether as a direct consequence to Germany's decision to halt its participation in AWACS operations during the conflict. The present situation in Syria seems to constitute more or less a repeat of these rifts and differences among the alliance's member states (with perhaps the exception of the position towards Turkey and its request for NATO

15 Ibid.

16 Sveriges Radio, "Spy Executives leaves cooperative body in protest," last modified November 04, 2012, <http://sverigesradio.se/sida/artikel.aspx?programid=83&artikel=5334446>.

17 Harel Amos and Avi Issacharoff, " Hamas boosting anti-aircraft arsenal with looted Libyan missiles," *The Free Republic*, last modified October 26, 2011, <http://www.freerepublic.com/focus/news/2798512/posts>.

18 See e.g. Matt M. Matthews, "We Were Caught Unprepared: The 2006 Hezbollah-Israeli War," (Combat Studies Institute Press, Fort Leavenworth, 2008).

19 An unnatural high percentage of children got Nacrolepsy in Scandinavia by birdflue vaccine, some genes was sensitive, <http://birdflu666.wordpress.com/2012/02/24/5740/>.

In 2010, the town Östersund was affected by Cryptosporidium, a parasite which uses humans (and other animals too) as hosts for its reproduction. <http://www.smittskyddsinstitutet.se/nyhetsarkiv/2010/smittskyddsinstitutets-arbete-med-det-vattenburna-utbrottet-av-cryptosporidium-i-ostersund/>.

20 Hakan Gunneriusson, "Nothing is taken serious until it get serious," *Defence Against Terrorism Review*, no. 1 (2012).

21 For a definition US Army Field Manual (FM) 3-07, see *Stability Operations*, defined broadly as "the Army's approach to the conduct of full spectrum operations in any environment across the spectrum of conflict," <http://www.fas.org/irp/doddir/army/fm3-07.pdf>.

22 Also referred to as 'RtoP', describing the international responsibility to protect humans from genocide and crimes and humanity and manifest in UN GA Resolution A/RES/63/308 on the Responsibility to Protect.

PATRIOT missiles to enhance its defence capability towards any Syrian air attack).

Pre-dating these events was NATO's Lisbon Summit Declaration of 2010, which discussed general challenges to the alliance's present role before the backdrop of falling national defence budgets. New threat scenarios, which differ from traditional 'state on state' armed conflict scenarios were discussed, often in the context of increasing globalization.²³ As a consequence, NATO adopted a new strategic concept which sets out its vision for the immediate future and calling for "NATO's evolution, so that it continues to be effective in a changing world, against new threats, with new capabilities and new partners".²⁴ The alliance's main objective, however, remains the capability to counter any threat arising for any of its member states posed by both traditional external security threats as well as internal security threats from a new source, including terrorist attacks in a 'homeland security' type of context. This original role of protecting NATO's member states from aggression or the threat of it, by all political and military means necessary, is slowly being amended to reflect on new threat scenarios, which include acts by non-state actors, as NATO's response to '9/11' highlights.²⁵

If NATO had decided to adopt the comprehensive approach as part of its strategic framework, then this would also have been beneficial for shaping the alliance's future role. NATO faces the prospect of changing mission roles, shrinking national defense budgets and general identity issues surrounding organization its existence: its traditional role as provider of military capabilities for its member states, as part of a collective self-defense effort, or for the U.N., in cases of U.N. Charter Article 51 authorizations, would have been complemented by tasks of global risk and crisis

23 NATO Lisbon Summit Declaration, http://www.nato.int/cps/en/natolive/official_texts_68828.htm.

24 "Strategic Concept for the Defence and Security of The Members of the North Atlantic Treaty Organization" of 19 November 2010, http://www.nato.int/cps/en/natolive/official_texts_68580.htm and *Lisbon Summit Declaration of November 20, 2010*.

25 NATO invoked Article 5 of the Washington Treaty, the Alliance's collective defence clause, see NATO, "Collective defence," http://www.nato.int/cps/en/natolive/topics_59378.htm; See also "Statement by the North Atlantic Council of 12 Sept 2001," <http://www.nato.int/docu/pr/2001/p01-124e.htm>.

management. Countering new hybrid threats and taking the lead in future joint multi-stakeholder threat-based responses could have resulted in a new role for NATO as a facilitator of peace and stability operations.

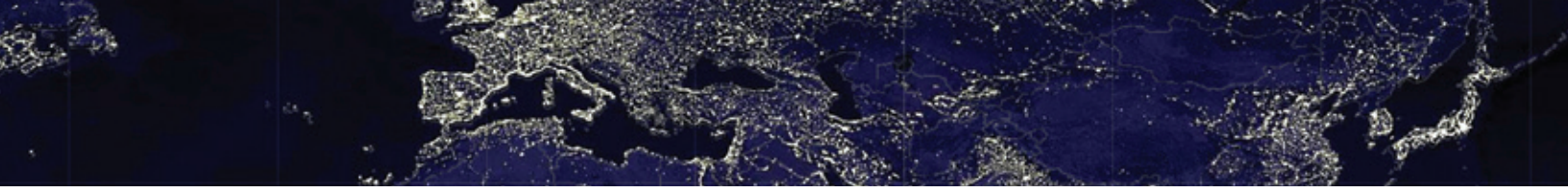
Of particular relevance in the context of hybrid threats is the danger of the proliferation of advanced weapon systems by non-state actors (NSAs) associated with radical Islam, as well as their increasing use of new technologies. The last Israel - Gaza conflict highlights these developments: new technologically advanced rocket systems, supplied by Iran to their terrorist proxy Hamas, were used against Israel. The Fajr (Dawn) 5 rocket's capability to reach both Tel Aviv and Jerusalem has once more shown the vulnerability of Israel as a state when it comes to conventional kinetic threats.

Such conventional military and security threats are supplemented by the use of new communication technologies, which are used to influence the Western opinion in favor of Hamas – the newest Gaza conflict is thus an excellent example of how multimodal threats, asymmetric terror, and warfare are supplemented by terrorist disinformation campaigns. Hamas has been employing tools and strategies of disinformation normally associated with clandestine psychological operations of traditional military state actors, such as sending emails and text messages with hoax news updates, as well as propaganda slogans to Israeli and non-Israeli Internet addresses and cellphones and the use of the Internet to disseminate propaganda.²⁶ Text messages during the eight days of conflict were sent, which warned that "Gaza will turn into the graveyard of your soldiers and Tel Aviv will become a fireball".²⁷ It is likely that hybrid and 'joint' operations of non-state actors, terrorist organizations will become more frequent.

Additionally, the capacity for non-state actors to copy the command and control structures of conventional military has increased with the readily availability of mass-produced information technology and the possibility to tap into open sources for 'data mining.' These developments have changed the traditional view of asymmetric warfare, where

26 L. Marcus, "Explosive New Arab Music Video: 'Strike a Blow at Tel Aviv,'" *Jewish Press*, November 19, 2012, <http://www.jewishpress.com/>.

27 Jaber Hala, "Hamas goes underground to avoid drones," *The Sunday Times*, November 25, 2012, 27.



an AK-47 and the insurgents' morale were traditional the only and often most important factors in achieving victory. The asymmetric warfare concept used to be an idiom to describe war against opponents who used to be also weaker in terms of available weaponry and utilization of technology.

Thus, despite NATO's failure to agree to a joint and comprehensive approach in countering hybrid threats, there is little doubt that "hybrid threats are here to stay."²⁸ Even a mainly conventional war will have a 'hybrid' element such as a cyber-attack or bio-hacking. Future attackers will rely increasingly on technological and scientific ways to execute their operations and one of the documented examples is the use of 'cyber' for carrying out or controlling hybrid threats.

The Role of "Cyber" in Hybrid Threat Scenarios

Such conventional military and security threats are supplemented by the use of new technologies. The advent of 'Cyber conflict' and 'Cyber War' serves as examples for the use of new technologies within the scope of hybrid threats. Cyber War²⁹ refers to a sustained computer based cyber-attack by a state (or non-state actor) against the information technology infrastructure of a target state. An example of such hostile action occurring in the fifth dimension of warfare is the 2007 Russian attempt to virtually block out Estonia's Internet infrastructure as a unilateral counter-measure and retribution for Estonia's removal of a Second World War Soviet memorial from the center of the city of Tallinn.³⁰ This incident was followed by the employment of sophisticated cyber operations against Georgia in 2008.

The most recent report of sophisticated cyber weaponry was Stuxnet, a virus that sabotaged Iran's nuclear weapons program. Presumably employed by Israel, it highlighted the technical advancement possibilities, as well as the poten-

tial of such means in the fifth dimension of warfare.³¹ The continuing and intensifying employment of cyber attacks by China against the United States, NATO, the European Union and the rest of the world has led the U.S. to respond by establishing a central Cyber War Command, the United States Cyber Command (USCYBERCOM) in 2010³² to "conduct full-spectrum military cyberspace operations in order to enable actions in all domains, ensure U.S./allied freedom of action in cyberspace and deny the same to their adversaries."³³ Following these developments and, perhaps supplementing the work of USCYBERCOM, NATO set up a special hybrid threat study group, which is studying possible responses to such threats: the NATO Transnet network on Countering Hybrid Threats (CHT).³⁴

'Cyber' in the context of armed conflict does not necessarily establish genuinely new categories of conflict; rather it constitutes another and improved tool of warfare. The military will find new ways to conduct its operations using 'cyber' as a force multiplier and operational capability enhancer, and will continue to operate on the tactical, operational or strategic level. The increasing use of cyber by non-state actors to further their economic, political and other interests, and the present problem of clear accreditation of the originators of cyber activities makes it increasingly hard to identify and counter such threats. Terrorist nation state actors (or terrorist proxies of a state sponsor such as Iran and Syria) are increasingly using cyber capabilities to augment their attack capabilities.

Apart from the above mentioned use of 'cyber' as a means of disinformation during the last Israel-Gaza conflict, another example for the role of social media as a enhancer for terrorist activities can be found in the Mumbai attacks in India in 2008. Terrorists from Pakistan attacked the city,

28 SNDC Hybrid Threat Workshop, Swedish Armed Forces representative.

29 See generally, Jenny Döge "Cyber Warfare. Challenges for the Applicability of the Traditional Laws of War Regime," *Archiv des Völkerrechts*, (2010): 486.

30 See Ian Traynor, "Russian accused of unleashing cyberwar to disable Estonia," *The Guardian*, May 17, 2007, <http://www.guardian.co.uk/world/2007/may/17/topstories3.russia>.

31 Christopher Williams, "Stuxnet: Cyber-attack on Iran 'was carried out by Western powers and Israel,'" *The Telegraph*, Jan. 21, 2011, <http://www.telegraph.co.uk/technology/8274009/Stuxnet-Cyber-attack-on-Iran-was-carried-out-by-Western-powers-and-Israel.html>.

32 With the decision taken in 2009, and initial operational capability as of 2010, see United States Strategic Command http://www.stratcom.mil/factsheets/Cyber_Command/.

33 Ibid.

34 See NATO Transformation Network, <https://transnet.act.nato.int/WISE/Transforma1/ACTIPT/JOUIPT>.

with a particular focus on the Taj Mahal hotel.³⁵ Tactical intelligence during the raid was gathered from social media and the exploitation of existing mass media such as cable-TV, while home electronic equipment and cell phones were used as means of 'command and control'. Handlers directed the terrorists on the ground; they stood in permanent cell phone contact with the field operators in Mumbai, and were able to use both Internet and major television channels for updates on the evolving situation on the ground, comparable to a Situation Report (SITREP) used by conventional armed forces. Live coverage of the attacks was made available by news channels, and as a novelty, by the social media, such as *Flickr*, *Twitter* and *Facebook*.

The operation's handlers 'data mined' and compiled this information in real time and communicated operation relevant information directly to the terrorists through the use of smart phones. For example, the terrorists received the information from their handlers that the antiterrorist commander in charge of Mumbai security had been killed in action. This had been data mined from open live sources and communicated directly to the terrorists who had little knowledge about this early 'success' of their action. The terrorists also got reports that people panicked and were running for their lives, something everyone saw on the television.

Consequently, the terrorists received direct instructions to add to the panic by detonating hand grenades at regular intervals. After television reports indicated that there were three Indian ministers in the hotel, the terrorists were ordered by their handlers to kill or capture them.³⁶ The terrorists were also informed of tactical developments outside the hotel and instructed to attack specific targets among the police and security forces. When an anti-terrorist squad landed on the roof, warnings were issued and the terrorists subsequently engaged the squad.³⁷

The Mumbai example illustrates the amazing readiness, availability, and affordability of using new technologies for setting up an effective and workable system of 'command and control'. This observation is a post Cold War reality and

a direct result of globalization and technical advancement. Moreover, the volume of publicly available electronic information is staggering. In urban areas, one can find tactical information by simply tapping open sources or into closed, protected sources such as CCTV (closed-circuit television), or documents in 'data cloud' solutions.

The ways of accessing information in cyberspace are changing rapidly and are becoming increasingly hard to counter. One recent example of an ingenious way of 'hacking' into otherwise protected sources involved the use of Google programs for inserting a 'backdoor' Trojan for the purpose of later data theft.³⁸ Using the Google server, hackers bypassed any firewall used by the 'target.' Another example of using an otherwise 'innocent' host like Google took place in late 2012 when hackers defaced Pakistan's Google domain along with other official Pakistan websites.³⁹

To summarize these present 'cyber' hybrid threats, one can state that it is new and readily available technology that makes these threats so potent. Command and control capabilities may be established in relatively short notice and with little effort. The media can be used for influencing the public opinion as a means of psychological operations (PSYOPS), both at home and abroad. Cyber threats strike at the core of modern warfare by affecting command and control abilities, which have become increasingly vulnerable to cyber-attack. Such cyber threat capabilities also strike at the core of our post-industrial, modern society. The use of 'cyber' as a threat category on its own or as an aiding tool for carrying out other multi-modal attacks is highly likely to increase, and consequently its overall role within the context of hybrid threats will rise.

Countering Hybrid Threats – Implications for Military Doctrine

Military doctrine intentionally centers on a military perspective that reflects the particular necessities and capabilities of the armed forces. NATO's inability to formulate a binding comprehensive approach to hybrid threats (which would combine conventional threat elements with unknown, 'hybrid' threat elements as a potential trigger for a NATO

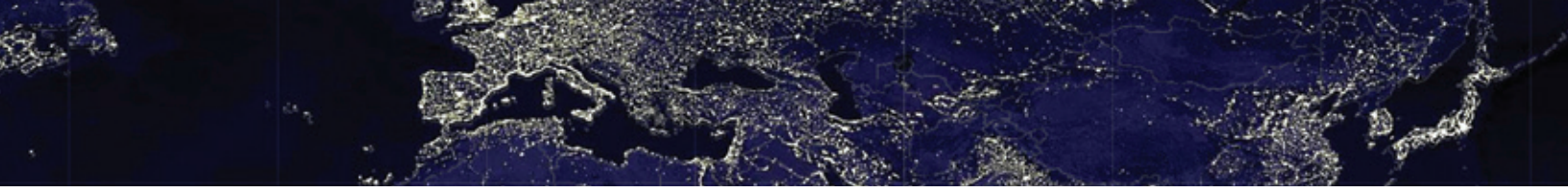
35 Some of the following content derives from Swedish National Defence College sources which are on file with the authors.

36 See <http://islamicterrorism.wordpress.com/2009/01/07/chilling-phone-transcripts-of-mumbai-terrorists-with-their-lashkar-handlers/>.

37 See <http://www.rediff.com/news/2009/mar/18sld4-book-extract-of-mumbai-attacked.htm>.

38 See <http://securityaffairs.co/wordpress/10454/malware/malware-hides-cc-server-communications-using-google-docs-function.html>.

39 See <http://tribune.com.pk/story/470924/cyber-vandalism-hackers-deface-google-pakistan/>.



Article 5 response) is a testament to the perseverance of an overwhelmingly conservative military doctrinal approach. The danger in this approach is that the failure to prepare for 21st century threats by adhering to traditional concepts of counterinsurgency (COIN) and traditional international conflict scenarios, might lead to a lack of preparedness and vulnerability in the future. This failure of defining a NATO policy on countering hybrid threats is even more unfortunate given that the U.S. has a national military security strategy in place that recognizes certain hybrid elements as threats to its national security.⁴⁰

This failure to adapt at NATO's organizational level may stem from a continuing Cold War rooted psychology among the political actors. During the Cold War, the world was locked into an intellectual doctrinal approach, which viewed all conflicts in the context of the global ideological struggle coded political paradigm of its time. Once the Cold War came to an end in 1991, new national conflicts arose along once pacified conflict lines. This new era manifested itself in the terrible conflicts in the Balkans as a consequence of the breakup of the old communist regime, and the various conflicts on the territory of the former Soviet Union. While the Cold War was not necessarily only about the conflict between two opposing superpowers, nor exclusively about ideological confrontation, it nevertheless led to a strict division of the world and its conflicts into two major ideological spheres with only few exceptions, namely the U.S. led West versus the Soviet led East. This division made potential threats more foreseeable and even 'manageable.'

The end of the Cold War gave rise to a new way of thinking, which was no longer based solely on technological capabilities and/or sheer numerical superiority. It is possible to view the European postmodernism and the 'fourth generation warfare' of post 9/11 as parallel tracks; with the latter challenging Western positivistic materialism's paradigm.⁴¹ While military academics in the Western world do not lack warnings about the new challenges brought by these changes, it will eventually be up to politicians to

40 See e.g. *The National Security Strategy of the United States of America*, September 2012, <http://nssarchive.us/NSSR/2002.pdf>.

41 The ideas of the extreme Wahhabism (the religious fundament advocated by al-Qaeda), that man should live in the same technological conditions as Muhammad, is easily linked to the ideas behind fourth generation warfare.

'drive' new initiatives; a prospect often marred by 'realpolitik,' which will determine any policy in the end.

How does that affect military and security doctrines? Doctrinal changes for the military will depend on how the laws of war and the use of force will be shaped and it will in its turn be shaped by the practice of those who should adhere to it. This has been highlighted by examples where legitimacy has been ignored on behalf of 'realpolitik,' as the operations in Afghanistan and Iraq show.

What one can hope for in military doctrine is an integrated protection from conventional interstate aggression as well as from new hybrid threats. One such example is the recent suggestion by the United Nations that states should be more proactive when it comes to fighting the use of the Internet by terrorists.⁴² Only society as a whole can protect itself, a task that is not limited to the military. This is even more important in times of shrinking military budgets, which will likely continue for the foreseeable future. An integration of the capabilities at an interstate level, something NATO refers to as 'Smart Defence', and increased defense cooperation, may be the only way to counter the multitude of evolving threats in the future.

Hybrid threats challenge Clausewitz's dogma of war, which constituted "a mere continuation of [state] politics by other means," and might degrade his definition of a permanent state of war. NATO's failure to formulate a comprehensive response strategy to asymmetric and 'hybrid' threats is an omission which will come at a cost in the future. International cooperation on capabilities is the *sine qua non* of future defense strategies that respond to existent threats and prepare for evolving new threats. Such preparation reminds us of Sun-Tzu when he provided: "victorious warriors win first and then go to war, while defeated warriors go to war first and then seek to win."⁴³

42 See United Nations Counterterrorism Implementation Task Force, "The Use of the Internet for Terrorist Purposes," http://www.unodc.org/documents/frontpage/Use_of_Internet_for_Terrorist_Purposes.pdf.

43 Sun-Tzu, *The Art of War*, (Simon and Brown, 2011): ch. 4.

Concluding Observations on Future Military Challenges within a Political and Legal Context

This article was written with the intention to introduce the 21st century “hybrid threat” to a wide audience, despite NATO’s decision not to adopt a comprehensive approach. This failure does not reduce the dangers of this category of global risk. On-going debate and academic engagement with the topic and rationale of the hybrid threat, such as the Swedish experiment in 2012, will hopefully lead to heightened awareness and eventual preparedness.

This submission concludes with a sobering prediction: the present legal concepts on the use of military force - the *jus ad bellum* - have become relatively anachronistic and partially outdated, which will not suffice when dealing with the present security threats and challenges of the 21st Century. The U.S. National Security Strategy of 2002 was designed to authorize U.S. President George W. Bush’s administration to take pre-emptive action whenever the “United States cannot remain idle while dangers gather,”⁴⁴ and was meant to counter threats which involve the use of weapons of mass destruction⁴⁵ by rogue states and terrorist non-state actors, such as al-Qaeda. The emergence of new threats makes an extension of this doctrine not unlikely.

With such changes to traditional military doctrine, a change of legal paradigms will be inevitable. New adaptive means and methods of ‘flexible responsiveness’ through escalating levels of confrontation and deterrence will question the existing prohibition of the use of force, with its limited exceptions under Articles 2(4), 51 of the U.N. Charter and Article 5 of the NATO Treaty. Also, future direct intervention in failed state scenarios will require flexibility with choices of military assets and objectives. The present concept of crisis management response can easily develop into a more pronounced military engagement of an increasingly ‘forceful’ nature.⁴⁶

44 The White House, “The National Security Strategy of the United States of America,” *National Security Strategy Archive*, September 2002, <http://nssarchive.us/NSSR/2002.pdf>.

45 “Weapons of mass destruction” refer to nuclear, biological and chemical weapons.

46 The 2004 Tsunami disaster relief saw civil relief efforts complemented by military efforts and assets to enhance own relief efforts, and to provide military protection in terms of ‘force protection.’

Future responses to multimodal threats will include the kinetic force options directed against – most presumably – non-state actors. They will affect our present views on the legality of the use of force in international relations, as enshrined in Articles 2 (4) of the U.N. Charter with the limited exceptions available under Article 51 of the U.N. Charter, namely individual and collective self-defense,⁴⁷ as well as Security Council authorization. Already, the continued use of ‘UAVs’ (Unmanned Aerial Vehicle, or ‘drones’) for targeted killing operations effectively emphasizes the legal challenges ahead. The ongoing kill operations in the tribal areas of Waziristan/Pakistan demonstrate how quick the critical threshold of an armed conflict can be reached and even surpassed. These operations clearly fall within the scope of ‘armed conflict’, as defined by the International Criminal Tribunal for the Former Yugoslavia in *Prosecutor v. Dusko Tadic*.⁴⁸ Thus, these operations give rise to the applicability of the norms of the law of armed conflict, the body of international humanitarian law governing conduct in war.

However, the ‘lawfulness’ of such operations requires the existence of either a mandate in terms of Article 51 of the U.N. Charter⁴⁹ or the existence of an illegal armed attack in order to exercise a right to national or state self-defense in terms of Article 51. Whether such military operations are within the scope of these categories remains open to discussion. Indeed, highly relevant to this context is the newly codified Article 8bis of the Rome Statute of the International Criminal Court, which criminalizes acts of aggression, and excludes the non-state actor as a possible target/victim. Consequently, such kinetic operations against non-state actors⁵⁰ remain outside its scope of applicability and may lead to accountability issues.

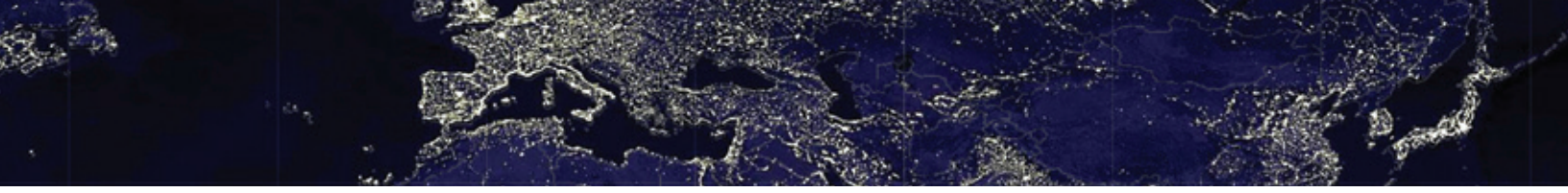
Certain legal considerations are important in regard to

47 North Atlantic Treaty, Art. 5, April 4, 1949, 34 U.N.T.S., at 243.

48 *Prosecutor v. Dusko Tadic*, Case No. IT-94-1-A, 105 ILR 419, 488, Appeal Judgment, (July 19, 1999).

49 A Security Council Resolution authorizing the use of force in an Enforcement and Peace Enforcement Operation context.

50 Cf. the Israel Defense Forces’ operations during the 2006 Second Lebanon War against Hezbollah and Operation Cast Lead against Hamas in 2008/2009 as well as the continuing use of UAVs/drones against enemy targets from the Taliban and al-Qaeda in Afghanistan and Pakistan.



hybrid threats, which may include kinetic threats but do not exclude non-kinetic threats such as cyber-attacks, as long as a military response is considered as a counter-option. Hybrid threats include threats stemming from transnational terrorism and other low intensity, asymmetric conflicts. In addition, post-9/11 transnational terrorism may have changed the perception that *jus ad bellum* was only applicable on inter-state international conflicts.⁵¹

Furthermore, the recent Kampala definition of the crime of aggression⁵² may have to be amended when it comes to countering hybrid threats, as non-state actors do not fall within the definition on the crime of aggression, whether they are perpetrators or victims. The new Article 8bis of the Rome Statute at the Kampala Review Conference in June 2010⁵³ does not recognize the contemporary role which non-state actors play in the context of the aggression.⁵⁴

51 Pre-9/11 examples of engaging in military action against foreign terrorists led mostly to condemnation as a violation of Art. 2 (4) UN Charter, see the U.S. Operation El Dorado Canyon of 1986 against Libyan terrorist targets or the hot pursuit operations by SADF against ANC, MK and SWAPO, and more recently long range operations of the IDF against terrorist infrastructure in Khartoum, Sudan. For a legal analysis of the changing nature of asymmetric war, see Sascha-Dominik Bachmann, *Targeted Killings: Contemporary Challenges, Risks And Opportunities*, 18(2) J. Conflict Security and L. 259 (2013).

52 See Sascha-Dominik Bachmann and Gerhard Kemp, *Aggression as 'Organized Hypocrisy' – How the War on Terrorism And Hybrid Threats Challenge The Nuremberg Legacy*, 30 WINDSOR Y.B. ACCESS JUST. 233 (2012).

53 See Res.RC/Res.6, advance version, 16 June 2010 online: International Criminal Court <<http://www.icc-cpi.int>>.

54 The definition of “Crime of Aggression” to be included in the Rome Statute in 2017 reads:

Article 8bis. Crime of aggression. 1. For the purpose of this Statute, “crime of aggression” means the planning, preparation, initiation or execution, by a person in a position effectively to exercise control over or to direct the political or military action of a State, of an act of aggression which, by its character, gravity and scale, constitutes a manifest violation of the Charter of the United Nations. 2. For the purpose of paragraph 1, “act of aggression” means the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations. Any of the following acts, regardless of a declaration of war, shall, in accordance with United Nations General Assembly resolution 3314 (XXIX) of 14 December 1974, qualify as an act of aggression.

Aggression under article 8bis is now a leadership crime.⁵⁵ The language seems to suggest a stricter approach than the Nuremberg process, where individual liability was framed with reference to individuals who could “shape or influence policy.” “Effective control” under Article 8bis could limit individual liability to the exclusion of individuals who, for instance, merely influenced policy.⁵⁶ This view of ‘leadership’, combined with the state-centric approach to the crime of aggression, underscores the difficulty in extending the crime of aggression to “post-bureaucratic forms of organization as represented, for example, by paramilitary or terrorist non-State actors,” such as Hamas or Hezbollah.⁵⁷ The legal implications of the definition of aggression for the “post-9/11” world, as well as for possible military responses to new hybrid threats by non-state actors remain to be seen.

If NATO decided to adopt the comprehensive approach as part of its strategic framework, then this would also be beneficial for shaping its future role. NATO faces the prospect of changing mission roles, shrinking national defense budgets and general identity issues surrounding organization its existence: its traditional role as provider of military capabilities for its member states, as part of a collective self defense effort, or for the U.N., in cases of U.N. Charter Article 51 authorizations would have been complemented by tasks of global risk and crisis management. Countering new hybrid threats and taking the lead in future joint multi-stakeholder threat-based responses could have resulted in a new role for NATO as a facilitator of peace and stability operations.

NATO’s Strategic Concept of 2010 was aimed at prevention, as well as deterrence, and aims at developing a holistic or comprehensive approach to a variety of new conflict scenarios of multimodal or hybrid threats: from kinetic combat operations to multi-stakeholder based non-kinetic

55 Art 8bis(1) read with art 25 (3bis); see analysis of G. Kemp, *Individual Criminal Liability for the International Crime of Aggression* (Belgium: Intersentia, 2010) 236-237; Kai Ambos, *The Crime of Aggression after Kampala*, 53 GERMAN Y.B. OF INT’L LAW 463, 468 (2010).

56 Ambos, 53 GERMAN Y.B. OF INT’L LAW, 468; For a more nuanced view on “leadership,” see G. Kemp, *Individual Criminal Liability for the International Crime of Aggression*, 236-237.

57 Ambos, 53 GERMAN Y.B. OF INT’L LAW, 492.

responses.⁵⁸ Even with the failure to formulate a binding comprehensive approach to such threats at the supranational level, the findings of NATO's hybrid workshops have shown the significance of such threats and the need to respond in a flexible way. The repercussions for international lawyers in terms of possible responses to such challenges are significant, and have not yet been discussed in terms of their full possible impact for the way we define war and peace within the concept of armed attack and individual and collective self-defense.

Conclusion

Hybrid threats will dominate the conflicts of the future, and will be no less serious than the conflicts of the 20th century. New roles are needed for national militaries, as well as for non-state actors, such as multinational corporations and non-governmental organizations. The "War on Terror" illustrated that the term "geography" has become obsolete; it created abstract categories of distinction into 'abroad,' such as 'Mission Area,' 'Area of Operations' and 'Theatre of Operation;' and 'at home' having merged into one abstract universal 'battlefield'. The use of 'flexible response,' which has often been regarded as a tenet in military operational thinking and doctrine, has lost much of its meaning as a means of military force projection within the context of hybrid threats.

Again, the intention of this article is to introduce the 21st century 'hybrid threat' to a wider audience. Ongoing debate and academic engagement with the topic and rationale of 'hybrid threats,' such as the Swedish experiment in 2012, will hopefully lead to greater awareness. In addition, the authors believe that the definition of 'armed attack' will continue to change in the post-9/11 environment,⁵⁹ and will eventually give rise to a significant change in the present body of international law regulating *jus ad bellum* and *jus in bello*.⁶⁰ Reflecting on the current U.S. National

Security Strategy, and on a recent analysis by Professor Dr. Heintschel von Heinegg⁶¹ on the consequences of asymmetric warfare for the law of armed conflict, one likely consequence may be that nations will use military force to counter hybrid attacks (including cyber-attacks).

Hybrid threats as such are not new threats; new is the recognition that such multimodal threats command a 'holistic' approach, which combines traditional and non-traditional responses by state and non-state actors such as multinational corporations. Responses to hybrid threats must be proportionate and measured: from civil defence and police responses to COIN and the use of military force. The authors therefore predict that the emergence of hybrid threats and their recognition as potential threats to peace and security, the proliferation of low threshold regional conflicts (such as the Libyan 2011 conflict and Syria), and continuing asymmetric warfare scenarios (such as the ongoing operations in Afghanistan and Pakistan) will have a significant impact on the prevailing culture and prism of traditional military activity, which is still influenced by concepts from the last century.

Hybrid threats pose not only security challenges but also legal difficulties. Only time will tell how Western states, through military doctrinal reform, will adapt within their existing legal and operational frameworks.

58 See 2010 NATO Strategic Concept, http://www.nato.int/cps/en/natolive/topics_82705.htm.

59 U.N. Security Council Resolutions 1368 of September 12, 2001 (U.N. Doc. S/RES/1368 (2001)) and 1373 of September 28, 2001 (U.N. Doc. S/RES/1373 (2001)), both affirming the right of the US "of individual or collective self defence in accordance with the Charter".

60 Cf Article 49 of the First Additional Protocol to the Geneva Conventions.

61 Dr. Wolff Heintschel von Heinegg, "Max Planck Encyclopedia of Public International Law: Asymmetric Warfare," Oxford University Press, <http://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e1809?rskey=TOSNYw&result=5&prd=EPIL>.



The Caucasus Emirate: Russia's Homegrown Terrorists

By: Andrew S. Bowen

Introduction

In the aftermath of the Boston Marathon Bombings, as well as the run up to the Sochi Olympics, the conflict in the North Caucasus has been thrust into the American public's consciousness with the revelation that the bombers hailed from the region and that one of the bombers had recently visited Dagestan. While this conflict area is new to the American public, it is very familiar to the people of the North Caucasus and Russia. What started as a nationalist war for independence in the early 1990's in Chechnya has now become a jihadist struggle for the creation of an Islamic Caliphate that has spread to the entire North Caucasus region.

Leading this fight for the creation of a caliphate is the Caucasus Emirate (CE), an organization created out of the remnants of an increasingly sidelined and weakened Chechen insurgency. The Caucasus Emirate has spread rebellion to all regions of the Caucasus, from Chechnya to Karachay-Cherkessia. However, in reframing the struggle from Chechen nationalism to regional jihad, the Caucasus Emirate has undermined much of its traditional support. The regionalization and radicalization of the insurgency has provided Russia and regional authorities the ability to frame the conflict as another front in the global struggle against radical Islam, while at the same time recruiting many of the alienated secular and nationalist-oriented fighters.

Despite the weakened nature of the insurgency, the Caucasus Emirate remains a potent force in the North Caucasus, spreading its message of extreme Islam across the region. In the face of significant leadership and manpower losses, the CE has proven time and again its adaptability. While authorities have taken an effective hard power approach to countering the CE, it has not adequately leveraged less lethal methods such as economic and civil society development. Only with an emphasis on human and civil rights, in coordination with the current targeted enforcement campaign, will the CE be effectively countered.

Conflict History: Chechnya 1993-2007

The Caucasus Emirate cannot be understood without examining the genesis of its attempts at creating an independent Chechen nation. The Russian army was suffering the effects of the fall of the Soviet Union and performed poorly in the conflict, fighting a well-organized and motivated insurgency. The first Chechen war ran from 1994-1996, and ended with the Khasavyurt Peace Accords, a nominal peace agreement between Chechnya and Russia. The peace accord recognized the Chechen Republic of Ichkeria, but deferred talks about its international status until 2001, meaning the Republic would in essence remain in the Russian Federation.¹

A former Soviet Air Force General named Dzhokhar Dudayev led the Chechens during this time. Dudayev was assassinated in 1996 when Russian intelligence agencies tracked his satellite phone signal and ordered a missile strike.² This assassination was the beginning of a trend in which Russia would use targeted assassinations against opposition leaders. Following his assassination, power was transferred to Aslan Maskhadov, who would oversee the Chechen resistance until his death in 2005.

It should be noted that this war was fought mainly along separatist and nationalist lines. The rallying cry of a caliphate and Islamic jihad was not a unifying theme as of yet, as the insurgents were fighting for Chechen nationalism. Islam was simply a marker that identified and separated the Chechen national identity from that of the Russian Federation. As Sebastian Smith noted on the ideology of the Chechen resistance fighters: "Religion played a crucial role to the resistance, although this was not by any means a religious war of Moslem versus Christian... Nevertheless their beliefs and the tradition of the Sufi brotherhoods was one of the most important elements in maintaining morale and a sense of ethnic identity."³ Additionally, Chechen Islamic identity was tied to the moderate Sufism sect, as opposed

1 Emil Souleimanov, *An Endless War: The Russian-Chechen Conflict in Perspective*, Frankfurt am Main: Peter Lang, 2007, 119-120.

2 For further information on the First Chechen War see Sebastian Smith, *Allah's Mountains: The Battle for Chechnya*, London: I.B. Tauris, 2001.

3 Ibid., 154.

to the more radical Salafism.⁴ This created conflicts after the first war, as Salafist ideologues inside the insurgency increasingly sought to displace the indigenous Sufis.⁵

However, peace was short lived. Following the agreement, organized crime, unemployment, and chaos became the common scene in Chechnya.⁶ The instability created an opportune situation for the proponents of radical Islam to increase their position in the Chechen resistance by capitalizing on the anarchic situation and the vast numbers of unemployed and armed Chechen men.

In the aftermath of the first war, several radical Islamist fighters who had immigrated to Chechnya created their own fiefdoms and became warlords in their own right. The most prominent of them were the Saudi-born Ibn al-Khattab and the Chechen Shamil Basayev. These two leaders were the most prominent forces introducing radical Islam into the Chechen conflict. The presence of these two enigmatic figures, combined with the anarchic post-conflict environment, created the perfect breeding ground for the indoctrination of young and impressionable fighters.

With their newfound relevance and power in Chechnya, Shamil Basayev led an incursion into neighboring Dagestan. The Russian military suffered heavy losses and was only able to expel the rebels after several weeks of heavy fighting. In addition to the Dagestan incursion, a series of apartment block bombings were staged across Moscow causing significant loss of life. While initially claiming credit for the bombings, Ibn al-Khattab later denied responsibility.

These series of actions heralded the beginning of a resumption of hostilities. However, this time Russia had learned from its previous mistakes; massive amounts of firepower and advanced weaponry were deployed against the Chechen resistance, often resulting in civilian casualties and human rights abuses.

In addition to the new Russian application immense firepower, there was a strong division of loyalty among the Chechen forces. While the Chechen Republic of Ichkeria was still nominally controlled by Aslan Maskhadov, who had

retained power after the assassination of Dzhokhar Dudayev, he had to concede an increasing amount of power and control to Shamil Basayev and Ibn al-Khattab. Rather than fighting the Islamist leaders, he set about trying to fuse their extremist Islam with a new incarnation of an ethnic Chechen identity.⁷ This fusion marked a dramatic shift from the nationalist/separatist conflict lines to a resistance that incorporated jihad as its motivating ideology.

Along with a new Prime Minister, Vladimir Putin, Russia was determined not to repeat the embarrassment of their defeat in the first Chechen War. The Russians were eventually able to gain control of most of the republic by co-opting many more secular and anti-jihadist Chechens from the first war—men like Akhmad Kadyrov.

Akhmad Kadyrov served as the Grand Mufti of Chechnya and had supported the resistance in the first Chechen War. However, he was a staunch opponent of radical Islam and shifted his allegiance to the Russian government soon after the outbreak of the second Chechen war. He was soon named head of the local administration and elected as Chechnya's president in 2003. His presidency was short-lived, however, with his assassination in 2004. His son Ramzan succeeded him and continues to rule to this day.

With the conventional defeat of the Chechen resistance in the strongholds of Grozny, Vedeno, and Argun, the remaining rebels sought refuge in the mountains in the south of the country. Faced with overwhelming Russian firepower, the increasingly jihadi resistance turned to terrorism as a means of striking back against Russian power. This was a significant change from the operational tactics of the first Chechen war. In 1995, Shamil Basayev stated: "We do not intend to kill any hostages. We shot employees of the [Russian] government... [because] snipers killed or wounded our comrades. There is absolutely no intent to kill them [the hostages]. We will not shoot women and children—we're not maniacs."⁸

By the second conflict, this sentiment had changed dramatically. The use of terrorism by Basayev created dramatic rifts within the separatist movement and led to a consid-

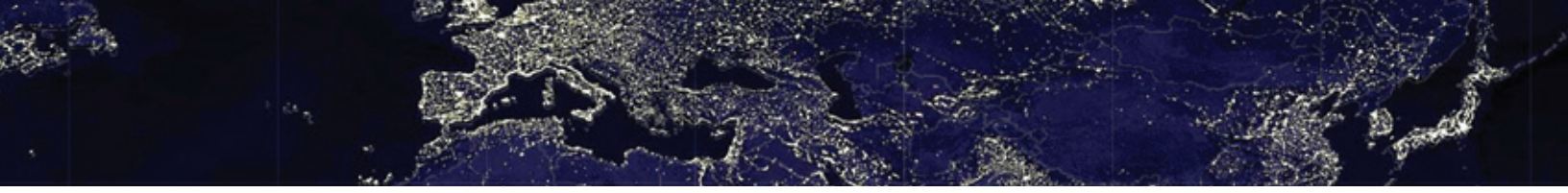
4 Emil Souleimanov, *An Endless War: The Russian-Chechen Conflict in Perspective*, Frankfurt am Main: Peter Lang, 2007, 141.

5 Yagil Henkin, "From Tactical Terrorism to Holy War: The Evolution of Chechen Terrorism, 1995-2004," *Central Asian Survey*. 25.1-2 (2006), 196.

6 *Ibid.*, 128.

7 *Ibid.*, 139.

8 Yagil Henkin, "From Tactical Terrorism to Holy War: The Evolution of Chechen Terrorism, 1995-2004." *Central Asian Survey*. 25.1-2 (2006), 1.



erable loss of support among many resistance fighters.⁹ The use of terror is exemplified by two acts of terror that demonstrated the tenacity and capabilities of the Chechen resistance: the 2002 Dubrovka Theatre Siege and the 2004 Beslan School Massacre.

To carry out these terrorist attacks, Shamil Basayev formed the Riyadus-Salikhin Reconnaissance and Sabotage Battalion of Chechen Martyrs. One of their first missions was the infamous 2002 Dubrovka Theatre Siege, also known as the Nord-Ost Siege¹⁰. Forty-one heavily armed terrorists, including 19 of the infamous “Black Widows” (female suicide bombers)¹¹, seized around 700 hostages during the performance of the Nord-Ost musical. The siege finally came to an end after authorities utilized a noxious gas that incapacitated the terrorists. All the hostage takers were killed, along with 130 hostages who succumbed to the effects of the gas.

As terrible as the theatre siege was, the events of 2004 in Beslan shocked not only Russia, but also the world. On the first day of a new school year, members of a specially trained unit took over 1,000 children hostage. Ultimately, 320 people, mainly children, were killed in the ensuing fire-fights. Shamil Basayev claimed credit for the siege, which was also preceded by the downing of two civilian airliners by members of the “Black Widows,” stating:

“What happened in Beslan is a terrible tragedy: the blood-sucker from the Kremlin killed or wounded 1,000 children and adults by ordering the storming of the school to satisfy his imperial ambitions and to keep his job. In the most impudent manner Putin is now trying to blame us for that, accusing us also of international

terrorism and appealing to the world for help.”

“The battalion of Shakhid, Riyad us-Saliheen, thinks that Putin and leaders of the world community, who blessed the slaughter, are fully responsible for what happened.”¹²

In taking credit, Basayev intended to lay blame for the events squarely on the government’s resistance to meeting the demands of the hostage takers. He continued, stating:

“We have no choice, they offered war to us, and we will fight till victory despite what they say about us and how they label us. This world will sooner be set on fire than we refuse to fight for our freedom and independence! God is Great!”¹³

The attacks, and the resistance in general, were framed in such a way as to justify the resistance as merely responding to the unjust persecution by Russia. The blame shifted to the authorities, which through their unwillingness to acquiesce to the demands of the hostage takers bore sole responsibility for the deaths of the hostages.

These two attacks, among a litany of others, show the changing nature of the resistance movement from conventional insurrection to terrorism. However, the increasingly effective measures employed by the Russians (co-opting former resistance fighters, targeted assassinations, offensive military operations) continued to weaken the resistance. Most notable are the successive assassinations of the most high profile members of the resistance: Ibn al-Khattab (2002, poisoned letter); Shamil Basayev (2006, explosion blamed on the FSB); Aslan Maskhadov (2005, shootout); and Maskhadov’s successor Abdul-Khalim Sadullaev (2006, shootout). The death of much of the leadership that had fought for Chechen independence, along with the cooptation of much of the more nationalist minded former resis-

9 Emil Souleimanov, *An Endless War: The Russian-Chechen Conflict in Perspective*, 262.

10 Claire Bigg and Tom Balmforth, “The Dubrovka Theater Siege in Moscow, a Decade Later,” *The Atlantic*, October 23, 2012, <http://www.theatlantic.com/international/archive/2012/10/the-dubrovka-theater-siege-in-moscow-a-decade-later/263931/>.

11 Irina Lagunina, “Russia: Nord-Ost Anniversary Recalls Ascent Of Female Suicide Bomber,” *RadioFreeEurope/RadioLiberty*, October 27, 2006, <http://www.rferl.org/content/article/1072365.html>.

12 “Excerpts: Basayev Claims Beslan,” *BBC News*, September 17, 2004, <http://news.bbc.co.uk/2/hi/europe/3665136.stm>.

13 Ibid.

tance fighters, heralded a shift from an insurgency based around Chechen independence, into a resistance whose aim was to spread instability to the wider Caucasus region.

Caucasus Emirate: Ideology, Organization, and Tactics

In the aftermath of the Beslan school siege and the killing of Aslan Maskhadov, Abdul-Khalim Sadullaev started to shift the focus and nature of the insurgency. He was able to convince Basayev to halt hostage-taking operations and to broaden the view of the insurgency to include the wider Caucasus.¹⁴ His tenure, however, was short-lived; he was killed during a shootout in 2006.

Following Sadullaev's death, Doku Umarov became President of the Chechen Republic of Ichkeria. An experienced militant,¹⁵ having served in Aslan Maskhadov's cabinet, Umarov quickly asserted his intention to increase the operational activity of the resistance and signaled a change in its ideology and areas of operation.¹⁶ He also defended the use of terrorist tactics as legitimate and necessary responses to Russian aggression and human rights abuses: "To anybody who calls me a terrorist, I will just laugh in their face, be they politicians or journalists."¹⁷

Umarov officially announced the creation of the Caucasus Emirate (CE) and proclaimed himself Emir in October 2007.¹⁸ The proclamation officially did away with the Chechen Republic of Ichkeria and symbolized the shift from a Chechen-Russia conflict to a wider regional one¹⁹. The

creation of CE was a marked departure from the previous resistance to Russia for three main reasons:²⁰

1. It expanded the conflict to include all regions of the North Caucasus
2. It shifted the principal ideology from nationalism to Islamic jihad
3. It changed tactics from a conventional resistance movement to a more scattered insurgency that focused on terrorism

The establishment of the CE brought the resistance to Russian occupation from Chechnya to the rest of the Caucasus. The CE is nominally divided along five "Vilayats,"²¹ loosely based along the North Caucasus republics:²²

1. Nokchicho (Chechnya)
2. Dagestan
3. Galgaiche (Ingushetia and North Ossetia)
4. United Vilaiyat of Kabardino, Balkaria, and Karachai (Kabardino-Balkaria and Karachay-Cherkessia)
5. Nogai Steppe (Krasnodar and Stavropol Krai)

The division of the five Vilayats contributes to a command structure based on both centralization and decentralization. Each Vilaiyat is headed by an Amir and has an ideological chief, the Vilaiyat's Sharia court Qadi.²³ While maintaining total control over their Vilaiyat, the Amirs still nominally report to Umarov. Under Umarov there is the Majlis al-Shura, or consultative body, consisting of the heads of the Vilaiyat's and the Qadi of the CE's Supreme Shura

14 Liz Fuller, "Russia: New Chechen Resistance Leader Vows No More Hostage Takings," *RadioFreeEurope/RadioLiberty*, last modified June 3, 2005, accessed July 2, 2013, <http://www.rferl.org/content/article/1059114.html>; Emil Souleimanov, *An Endless War: The Russian-Chechen Conflict in Perspective*, 263.

15 Kevin Daniel Leahy, "From Racketeer to Emir: A Political Portrait of Doku Umarov, Russia's Most Wanted Man," *Caucasian Review of International Affairs*, 4.3 (2010), accessed June 30, 2013, http://www.cria-online.org/12_4.html.

16 "Profile: Chechen Rebel Leader Doku Umarov," *BBC News*, last modified March 30, 2011, accessed July 2, 2013, <http://www.bbc.co.uk/news/world-europe-12269155>.

17 Ibid.

18 Ibid.

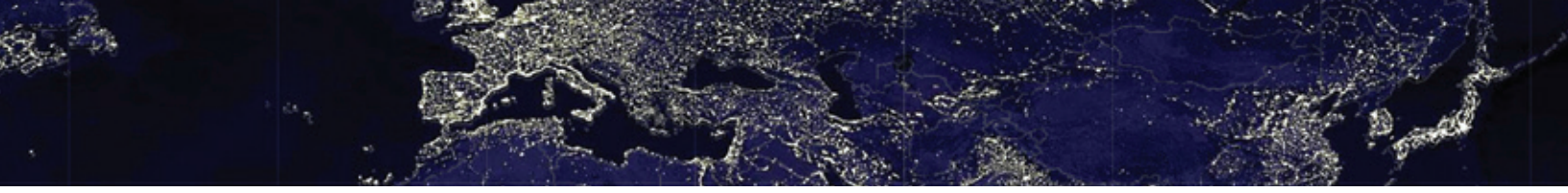
19 The Chechen Republic of Ichkeria still maintains an expat influence with Akhmed Zakayev in London, and is not operational in the North Caucasus, but maintains a political and lobby effort in some parts of Europe.

20 Gordon M. Hahn, "The Caucasus Emirate Jihadists: The Security and Strategic Implications," *Russia's Homegrown Insurgency*, Carlisle: Strategic Studies Institute of the US Army War College, 2012, accessed June 30, 2013, <http://www.isn.ethz.ch/Digital-Library/Publications/Detail/?ots591=0c54e3b3-1e9c-be1e-2c24-a6a8c7060233&lng=en&id=154291>.

21 Vilaiyet's were administrative regions in the Ottoman Empire.

22 Gordon M. Hahn, "The Caucasus Emirate Jihadists: The Security and Strategic Implications," *Russia's Homegrown Insurgency*, 9.

23 Ibid., 9.



Court.²⁴ And while the Amirs have some degree of local autonomy, they are appointed directly by Umarov and take oaths of loyalty to him.²⁵ In this way the CE, nominally, maintains a hierarchy of control that allows for local commanders autonomy on everyday actions such as local recruitment, attacks and local financing; while Umarov and the CE leadership serving as a unifying and inspirational focal point for the disparate Jamaats.²⁶ Gordon Hahn notes on the organization of the CE:

“The CE, like the inspirational, if not institutional, AQ hub and more nodal elements among the global jihad’s innumerable groups, is likewise decentralized, but it retains a hub consisting of Umarov and top amirs and qadis and loosely coordinating interconnected nodes or vilaiyats working largely independently but towards one and the same set of goals: The creation of an Islamist CE state and a confederated global caliphate.”²⁷

And while organized along separate regional/ethnic lines, they are united by a common ideology and command structure.²⁸ However, due to the intense pressure, the core command structure is forced to relegate tactical and local level decisions to the relevant Jamaats. The supposed rigid hierarchical structure of the organization belies the operational environment it occupies and the security imperatives that force de-centralization.

24 “New Decrees of Dokka Umarov on Formation of a Council of the Caucasus Emirate and Abolition of the Province of Iriston - Caucasus – News,” *Caucasus Emirate*, Worldanalysis.net, last modified May 12, 2009, accessed July 2, 2013, <http://worldanalysis.net/modules/news/article.php?storyid=637>.

25 Gordon M. Hahn, “Getting the Caucasus Emirate Right,” *Report of the CSIS Russia and Eurasia Program*, (2011), 14.

26 *Ibid.*, 15.

27 Gordon M. Hahn, “The Caucasus Emirate Jihadists: The Security and Strategic Implications,” *Russia’s Homegrown Insurgency*, 61.

28 *Ibid.*, 14.

The CE has found it impossible to be in direct control of the various Jamaats and localized structures, many of which operate relatively autonomously and are formed, increasingly, among local family networks and other close relationships. Thus, the local Jamaats have become relatively atomized from the core groupings and act according to local and individual cellular beliefs on tactics. This has allowed the perpetuation of the insurgency and its continuation even in the face of the successive elimination of many of the leadership—both among the Vilaiyats and of the core CE.

The creation of the CE also marked a dramatic shift in the ideology and goals behind the resistance to Russian rule. As Umarov stated in a 2011 interview:

“We consider the CE and Russia as a single theater of war... We are not in a hurry. The path has been chosen, we know our tasks, and we will not turn back, Insha’Allah, from this path. Today, the battlefield is not just Chechnya and the Caucasus Emirate, but also the whole [of] Russia. The situation is visible to everybody who has eyes. The Jihad is spreading, steadily and inevitably, everywhere. I have already mentioned that all those artificial borders, administrative divisions, which the Taghut drew, mean nothing to us. The days when we wanted to secede and dreamed of building a small Chechen Kuwait in the Caucasus are over.”²⁹

As Umarov stated, the creation of the CE disassociated itself from the notion of creating a “Chechen Kuwait,”³⁰ and that the struggle had changed to establishing Sharia law in all of the North Caucasus republics. The application of

29 Gordon M. Hahn, “The Caucasus Emirate Jihadists: The Security and Strategic Implications,” *Russia’s Homegrown Insurgency*, 10.

30 Umarov was quoted as saying he did not want to make Chechnya into a small, isolated republic ruled by Sharia law and to instead spread the fight against Russia among all of the Caucasus.

radical Islam creates a connection to the wider global jihadi movement and allows for legitimacy within the Arab world. By appealing to the global jihadi audience, the CE seeks to increase its support and visibility; but this appeal has also led to schisms among its support base. Many former resistance fighters joined the local administrations because of what they viewed as a co-optation of the original goals and aspirations of the resistance.

Additionally, as was mentioned before, the radical Salafist interpretations of Islam are alien to the local regional Sufism. Umarov has even spoke of his hope that jihadists in other locations will not leave the CE devoid of, "true Muslims who will always be ready to lay down their lives to defend the word of Allah."³¹ As New York University Professor Mark Galeotti notes: "The Chechen movement is a demoralized shadow of its old self, fighting a large, tough security force heavily made up of ex-rebels and driven by a jihadist ideology that has little credibility or appeal amongst ordinary Chechens..."³²

In addition to the problems facing the introduction of radical Islam, there has been disagreement among the CE over the shifting focus from Chechnya to other republics. This broadening of the CE's regional goals sought to acquire new areas of support for the ailing resistance, especially considering Ramzan Kadyrov's increasingly effective and violent counter-insurgency campaign.³³ However, this meant that supplies, men, and expertise shifted to other republics, as places such as Ingushetia and Dagestan gained increasing prominence among the CE (the Dagestani, or Shariat, vilayat carried out the most suicide bombings in 2010-2011 and three consecutive CE Qadi's have come from regions other than Chechnya).³⁴ Yet, the successive elimination of

the Qadi's illustrates how the CE relies on the autonomy of its groups to conduct attacks.

The regional focus of the CE led to the most serious leadership crisis in the history of the rebellion against Russian rule. In 2010, Umarov stepped down in favor of his Naib (deputy) Aslambek Vadalov.³⁵ However, a few days later Umarov withdrew his resignation and accused several leaders of staging a coup against his leadership.³⁶ Four Amirs then recanted their oaths of loyalty to Umarov and accused him of autocratic tendencies: Khusein Gakayev, Aslambek Vadalov, the Arab commander Mukhannad, and Tarkhan Gaziyev.³⁷ However, Umarov retained the support of many of the Dagestani, Ingush, and KBK³⁸ commanders; most Chechen commanders supported the usurpers.³⁹ The infighting was finally resolved with the death of the Arab commander Mukhannad, and with Vadalov and Gakayev pledging oaths of new loyalty to Umarov.⁴⁰

The military tactics of the CE shift back and forth between terrorism and local attacks. That is why one of Umarov's first moves was to reconstitute the Riyadus-Salikhin Reconnaissance and Sabotage Battalion of Chechen Martyrs.⁴¹ Since the ability of the CE to openly challenge the authorities through a coordinated insurgency was limited, they

31 Liz Fuller, "North Caucasus Insurgency Head Resurfaces." *RadioFreeEurope/RadioLiberty*, July 1, 2013, <http://www.rferl.org/content/umarov-video-appearance-insurgent-russia/25033018.html>.

32 Mark Galeotti, "Umarov Gives Up: Hands Poisoned Chalice to Vadalov," *In Moscows Shadows*, August 1, 2010, <http://inmoscowshadows.wordpress.com/2010/08/01/umarov-gives-up-hands-poisoned-chalice-to-vadalov/>.

33 Christopher Swift, "Fragmentation in the North Caucasus Insurgency," *Combating Terrorism Center at West Point RSS*, November 1, 2010, <http://www.ctc.usma.edu/posts/fragmentation-in-the-north-caucasus-insurgency>.

34 Gordon M. Hahn, "Getting the Caucasus Emirate Right." *Report of the CSIS Russia and Eurasia Program*. (2011), 15.

35 Mark Galeotti, "Umarov's Volte-face Opens Split in the Chechen Rebel 'Caucasus Emirate'," *In Moscows Shadows*, last modified August 14, 2010, accessed June 30, 2013, <http://inmoscowshadows.wordpress.com/2010/08/14/umarovs-volte-face-opens-split-in-the-chechen-rebel-caucasus-emirate/>.

36 Ibid.

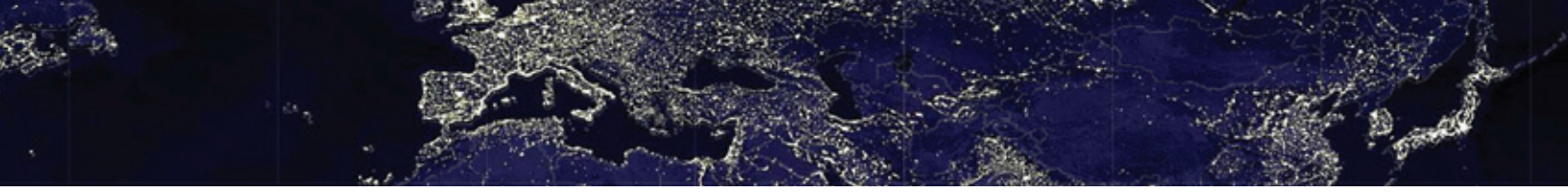
37 Liz Fuller, "Chechen Commanders Rebel Against Umarov." *RadioFreeEurope/RadioLiberty*. August 13, 2010, http://www.rferl.org/content/Chechen_Commanders_Rebel_Against_Umarov/2127053.html.

38 Kabardino Karachay-Cherkessia.

39 Ibid.

40 Liz Fuller, "Some Chechen Commanders Reaffirm Loyalty To Umarov," *RadioFreeEurope/RadioLiberty*, July 26, 2011, http://www.rferl.org/content/chechen_commanders_reaffirm_loyalty_to_umarov/24277716.html.

41 Liz Fuller, "Surge In North Caucasus Violence Reflects Diversification Of Resistance Tactics," *RadioFreeEurope/RadioLiberty*. August 18, 2009, http://www.rferl.org/content/Surge_In_North_Caucasus_Violence_Reflects_Diversification_Of_Resistance_Tactics/1802629.html.



turned to spectacular attacks to increase their visibility.⁴² In addition to numerous local suicide bombings in the North Caucasus, the CE launched several larger operations inside of Moscow and Russia proper, seeking to terrorize the Russian elites and the police: the Nevskii Express Bombing (2009-21 dead, 74 wounded); the Moscow Subway Bombings (2010-40 dead 101 wounded); and the Domodedovo Airport bombing (2011-37 dead, 180 wounded).⁴³

However, in response to criticism over the targeting of civilians and the questioning of the efficacy of such tactics, Umarov announced that the CE would not undertake any further targeting of the civilian population.⁴⁴ Yet the 2014 Sochi Olympics proved to be too tempting a target to forgo.⁴⁵ As a result, on July 2, 2014, Umarov released a four-minute long YouTube clip where he ends the moratorium on civilian attacks and calls for jihadists to stop the games that were built "...on the bones of many, many Muslims killed...and buried on our lands extending to the Black Sea."⁴⁶ With the games garnering so much attention, a Syrian warlord released a YouTube clip calling for recruits from the Caucasus to stay and support the CE and to "[p]repare for the so-called Olympic Games in Sochi."⁴⁷

While spectacular attacks were a hallmark of the insurgency, the CE currently focuses its efforts on smaller scale

42 Christopher Swift, "Fragmentation in the North Caucasus Insurgency." *Combating Terrorism Center at West Point RSS*. November 1, 2010.

43 Gordon M. Hahn, "The Caucasus Emirate Jihadists: The Security and Strategic Implications," *Russia's Homegrown Insurgency*, 13.

44 Liz Fuller, "How Long Will Umarov's Ban On Terrorism Last?" *RadioFreeEurope/RadioLiberty*. February 3, 2012. http://www.rferl.org/content/will_umarov_ban_on_terrorism_last/24472811.html. Another explanation is the elimination of several commanders such as the well-respected commander Said Buryatsky who was responsible for the reactivation of the Riyad us-Salikhin brigade under Umarov.

45 Liz Fuller, "How Long Will Umarov's Ban On Terrorism Last?" *RadioFreeEurope/RadioLiberty*, last modified February 3, 2012, http://www.rferl.org/content/will_umarov_ban_on_terrorism_last/24472811.html.

46 Andrew Bowen, "Sochi 2014: The Terrorist Threat," *The National Interest*, August 15, 2013.

47 Andrew Bowen, "Sochi 2014: The Terrorist Threat," *The National Interest*, August 15, 2013. The Youtube clip was also released in Russian and the Warlord, a previous unknown commander named Salakhuddin, was wearing a shirt with of the Russian name of the CE—Imarate Kavkaz.

attacks and bombings of public officials. It has also recently started targeting the region's muftis, who speak out against the CE and its radical interpretation of Islam. However, the CE was less active in 2011 and 2012 than in previous years, perhaps due to the deaths of several of its top leaders (the Arab Commander Muhannad in 2011 and Khuseyn Gekayev in 2013).⁴⁸ While the CE has shown its persistence and ability to overcome the consecutive deaths of its top commanders, its weakening support base among the local populace and the unrelenting pressure from authorities bodes ill for the group's ability to create a meaningful resurgence.⁴⁹

With its attacks not gathering much attention, the CE has created an active and effective online presence primarily through *Kavkazcenter.org*. This website posts messages from Umarov and the leadership, while at the same time calling for volunteers and financing. It is also available in Russian, Ukrainian, Turkish, Arabic, and English.⁵⁰ This has been especially important as they increase their Internet presence at a time of diminishing effectiveness on the ground.⁵¹

Government Response

The government's response vacillates between harsh repression and the toleration of despotic warlords; to a more recent acceptance that economic development and institution building are necessary for the creation of a lasting peace. However, kinetic measures still form the core of the government's counter-terrorism response.

Since the beginning of the outbreak of the Chechen Wars, targeted assassinations have remained the most favored method of negating members of the insurgency.

48 Liz Fuller, "Gakayev Deaths Leave One Campfire Less In Chechen Mountains," *RadioFreeEurope/RadioLiberty*. January 30, 2013, <http://www.rferl.org/content/chechen-insurgency-commanders-killed-gakayev/24887859.html>.

49 Syria has become the destination of choice for aspiring jihadists and has led to a recruitment problem for the CE. It has become severe enough that Umarov has publicly prayed for, "true Muslims who will always be ready to lay down their lives to defend the word of Allah."

50 Alexander Knysh, "The Caucasus Emirate: Between Reality and Virtuality," *Keyman Program in Turkish Studies Working Paper Series: Northwestern University*, (2009), 15.

51 *Ibid.*, 1.

Nationalist leaders such as Dzhokar Dudayev and Aslan Maskhadov were both killed—one in a targeted airstrike and the other while resisting arrest. Ibn al-Khattab was killed when a member of his inner circle was recruited and gave him a poisoned letter. Even the infamous Shamil Basayev was the recipient of an FSB assassination plot, not to mention Umarov's predecessor, Sadullaev, and the more recent Gakayev brothers.⁵² However, the Russian authorities have not limited themselves to only targeting those figures within their borders. In 2006, the Russian Duma authorized the President to order the assassination of terrorists abroad.⁵³ Former Chechen leader Zelimkhan Yandarbiyev was subsequently assassinated by two GRU (Russian military intelligence) officers in Qatar in 2004.⁵⁴ Additionally, three Chechens were shot in Istanbul were accused of being financiers of the resistance in 2011.⁵⁵ Even Chechnya's leader, Ramzan Kadyrov, has been ordering his own extrajudicial killings outside the republic.⁵⁶

With the installment of Ahmed Kadyrov as de facto ruler, Russia began a process of gradually turning over control to Chechens working for Moscow, in exchange for a level of decentralization and political independence. Several military units were created from former rebels, which became extremely effective in fighting the insurgency. They were able to bring about a large reduction in the numbers of rebels inside Chechnya.⁵⁷

Thus, Ramzan has gradually solidified his control over the country; eliminating any potential rivals and now rules

with near dictatorial powers. However, the stability he has brought came at a price: Ramzan has been accused of extrajudicial killing, torture and the targeting of the families of rebels—a form of collective punishment. Ramzan has also sought to undermine the legitimacy of the CE by advocating a less strict version of Islam.⁵⁸ He built the largest mosque in Europe, banned slot machines and gambling, and advocated for a ban on alcohol and prostitution.⁵⁹ In addition, one of his most effective methods at undercutting the CE's message of radical Islam has been to enlist Sufi clerics to speak out against the CE and its ideology.⁶⁰

The Russians realized the need to increase their intelligence collection and sharing abilities. They formed a National Anti-Terrorism Committee (NAK) that coordinates the various federal and local authorities operations.⁶¹ The NAK is especially important because of the patchwork of different local and federal power structures that are involved in the fight against the CE.⁶² This has increased the ability of authorities to hunt down and kill the leaders of the organization.

Despite the creation of the NAK, each republic has a degree of autonomy in conducting counterterrorism operations. Some, such as Ingushetia, offer a softer approach, using clan and village elders to convince young rebels to quit fighting.⁶³ Additionally, they launched one of the most comprehensive anti-corruption drives, attempting to undercut one of the main points of dissatisfaction contributing to the attractiveness of the CE.

Realizing that hard kinetic approaches alone were not sufficient in eliminating the CE, the federal government initiated heavy financial investment in the region. Chechnya, and specifically its capital Grozny, underwent a massive

52 Liz Fuller, "Gakayev Deaths Leave One Campfire Less In Chechen Mountains." *RadioFreeEurope/RadioLiberty*. January 30, 2013.

53 Mark Galeotti, "In Moscow's Shadows," *In Moscows Shadows*, October 11, 2008, <http://inmoscowsshadows.wordpress.com/2008/10/11/contract-killing-is-a-continuation-of-business-by-other-means/>.

54 Mark Galeotti, "Taking Revenge for Terrorism." *Siloviks & Scoundrels*, *The Moscow News*, March 10, 2011, http://themoscownews.com/siloviks_scoundrels/20111003/189090961.html.

55 Ibid.

56 Mark Galeotti, "In Moscow's Shadows." *In Moscows Shadows*. October 11, 2008.

57 Emil Souleimanov, "Russian Chechnya Policy: Chechenization Turning Into Kadyrovization?," *The Central Asia Caucasus Analyst*, May 31, 2006. <http://www.cacianalyst.org/publications/analytical-articles/item/10873-analytical-articles-caci-analyst-2006-5-31-art-10873.html>.

58 Emil Souleimanov, "Russian Chechnya Policy: Chechenization Turning Into Kadyrovization?," *The Central Asia Caucasus Analyst*. May 31, 2006, <http://www.cacianalyst.org/publications/analytical-articles/item/10873-analytical-articles-caci-analyst-2006-5-31-art-10873.html>.

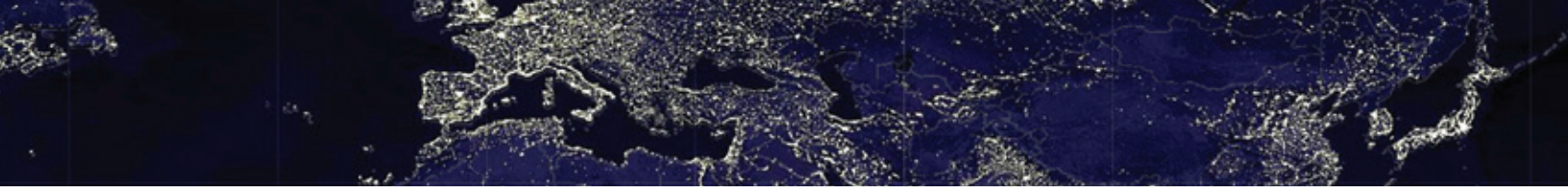
59 Ibid.

60 Gordon M. Hahn, "The Caucasus Emirate Jihadists: The Security and Strategic Implications," *Russia's Homegrown Insurgency*, 44.

61 Ibid., 59.

62 Ibid.

63 Ibid., 52.



transformation.⁶⁴ After the devastating effects of two wars, Grozny now stands as a modern European city, complete with the continent's largest Mosque and a new Islamic University. There have also been initiatives to undertake huge infrastructure projects in the region. This provides the dual benefit of decreasing unemployment while at the same time lowering the cost of doing business. These projects consist of renovating existing airports and new highway networks. Putin himself spoke of the need to increase investment in the region and announced a series of economic initiatives.⁶⁵ He talked of increasing access to university education and the possibility of turning the North Caucasus into a tourist destination.⁶⁶

Despite the promises of increased aid, high unemployment and endemic corruption are still prevalent throughout the region. While these huge infrastructure projects create new jobs, they are temporary and are not enough to meaningfully reduce the unemployment rate in all regions. Additionally, the republics are totally dependent on the federal government for funds, with Ingushetia getting 91% of its budget from Moscow.⁶⁷ Additionally, the reliance on transfers of capital from Moscow to the Caucasus represents an easy opportunity for corruption and the misallocation of funds. This large disparity in wealth and corruption creates further resentment and instability among the local populace.

Russia has also identified the CE within the global context of the war on terror. The United States added the CE to its list of terrorist organizations in 2011, as well as sanctioned Dokku Umarov himself.⁶⁸ However, these steps are more symbolic than meaningful, as the CE has not sought to attack targets outside of the North Caucasus republics. Yet coordination was hampered by Russia's dubious record on human rights, further limiting the effectiveness of coordination with the international community.

64 *Ibid.*, 45.

65 *Ibid.*, 47-48.

66 *Ibid.*, 48.

67 *Ibid.*, 46.

68 "Designation of Caucasus Emirate." *U.S. Department of State*. May 26, 2011.

Recommendations

The biggest issue in combating the CE is removing the causes of grievance among the various populations in the region. Previous efforts made by Russian President Dmitry Medvedev—creating the North Caucasus Federal District—will allow some increased control over the allocation of funds to the region. This will help to limit the amount of corruption and increase transparency. And while it is clear that the Russian government understands the need for economic development of the region, a more proactive approach to rooting out and prosecuting corruption is needed. This has yet to happen, as the federal government itself is corrupt and controlled by patronage. However, tighter control over the allocation of funds and financial reporting requirements for officials would go a long way in reducing some of the blatant examples of government corruption.

In addition to undercutting the CE's ability to tap into resentment over corruption is the need to undercut their extremist ideology. Kadyrov has made large strides in this area, co-opting Sufi clerics and building mosques and Islamic universities. However, the CE realizes this threat and has waged a campaign of assassination against such clerics. Additional support and protection should be provided to the clerics and institutions that are speaking out against the CE and advocating a more moderate form of Islam. This should be done in coordination with an expansion of protection for human and civil rights. The government currently has 'extremist' laws that are so broad that journalists can be detained and jailed over their unflattering coverage of officials or operations.⁶⁹ This further inculcates a climate of fear and repression, forcing young unemployed youths with no other avenue of expression to join the rebels. Creating a respect for dialogue and exchange in civil society will allow a channel of expression that until now was only available through combat.

The respect for human rights should also translate into law enforcement and military operations. Often, aggressive measures such as collective punishment against families or villages of suspected rebels are used. The disappearance and torture of suspected rebels has bred a climate of revenge among traditional Chechen culture, and has

69 Gordon M. Hahn, "The Caucasus Emirate Jihadists: The Security and Strategic Implications," *Russia's Homegrown Insurgency*, 45.

permanently pitted many families against one another. The heavy-handed tactics delegitimize the efforts of the authorities and contributes to the grievances of the communities.

The history of Russian counter-terror shows that it is extremely effective in assassinating the leadership of the insurgency and the CE. However, the CE has shown time and again its ability to replace its leadership. The death of one Amir is quickly replaced, demonstrating the adaptability of the organization. The authorities need to focus on capturing the leaders as opposed to killing them. By exploiting the captured rebels for information, they can then seek to further capture other rebels or dismantle weapons caches. Additionally, the humiliation of destroying their rationale via public trials would help to demystify the perception of the CE in the region.

Since the CE has now spread to a regional insurgency, greater coordination among the various intelligence and law enforcement agencies is required. The NAK is a good step, but each republic is still allowed to institute its own anti-insurgency policies.⁷⁰ This lack of uniformity creates opportunities for the CE to exploit vulnerabilities and allows them to reorganize. Additionally, the overly aggressive tactics in one region can undermine the efforts in another as the CE uses it for propaganda value to show the repression of the authorities.

With the reliance of the CE on its Internet presence, coordinated attacks on established sites like *kavkazcenter.org* and the use of honeypot websites would provide useful tools for limiting the support network of the organization. Honeypot websites would allow authorities to track and map areas of support and also potential connections among the various Vilaiyats.

With the underlying ideology changing from a war of national liberation to one advocating the establishment of an Islamic Caliphate, the chances of negotiation with the CE are nonexistent. Their ideology does not allow for any negotiated solution to the conflict. Because of this, a targeted intelligence-led effort, combined with extensive institutional development and respect for civil rights will diminish the attractiveness of the CE. The CE has been dramatically weakened through constant military and law enforcement pressure, and this weakened state needs to be exploited by a soft

power approach that combines the aforementioned respect of civil rights, anti-corruption and economic development. The seriousness of the federal republic's promises for aid and economic development remain to be seen, and the respect for human and civil rights needs significant progress.

70 Ibid.,50.

