

Defence Against Terrorism: What Kind of Co-operation between NATO and the EU?

Raphaël Mathieu

Tanto la OTAN como la UE vienen adoptando medidas para la lucha contra el terrorismo transnacional, pero cada una de estas organizaciones ha tenido un acercamiento distinto a la materia debido a sus diferentes antecedentes y objetivos. A pesar que mantienen un sistema institucional para consultas en tiempo de crisis, éste no ha funcionado adecuadamente para la defensa contra el terrorismo debido a la propia naturaleza de las dos organizaciones: la UE actúa en el contexto de la cooperación en materia judicial y policial, mientras que la experiencia de la OTAN se centra en el campo de las operaciones militares. Ya que se proyectan diferentes respuestas al mismo problema, pocas son las oportunidades de establecer un sistema de cooperación estructurado en la materia. A pesar de los esfuerzos realizados, queda claro que no existe un diálogo adecuado sobre el terrorismo y, por tanto, ambas organizaciones se encuentran frente a un gran reto que deberán superar para lograr combatir conjunta y exitosamente al terrorismo.

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The question of the relationship between NATO and the EU within the framework of defence against terrorism must be put in a broader context to be correctly apprehended. In fact, the official relationship between those organizations started in January 2001, and the first NATO-EU declaration on ESDP was written only in December 2002. However, joint meetings and intense contacts had been taking place since 2000: meetings between experts within the framework of capacity development, NAC/COPS meetings, working lunches between the two secretary-generals, meetings of military committees. Although the relationship between the organizations thus has only a brief history, it covers a wide range of topics, defence against terrorism being only one marginal subject amongst them. In order for this problematic to be correctly understood, we describe here how those two highly individual organizations managed defence against terrorism immediately after 9/11.

1. NATO: a marginal organization in the fight against terrorism?

First of all, it is obvious that, before 9/11, terrorism was not at the top of NATO's agenda. It is true that the 1999 Washington Summit had already recognized terrorism as a new kind of risk to the Alliance's interests, but no greater attention was paid to

it. Although the Alliance's Member States had been confronted with various forms of terrorism during the 1990s, they were unable to find an agreement on whether NATO could be an appropriate organization to co-ordinate defence against terrorism. It appears clearly that, during the 1990s, NATO was not the main discussion forum for subjects such as the nature of terror, the drafting of an operational definition of terrorism or the root causes of terrorism. In the end, the Alliance was confronted by a total absence of any conceptual or operational tradition regarding defence against terrorism.

In view of this weakness, NATO – shortly after 9/11 - attempted to impose itself as a key actor in the world-wide fight organized against transnational terrorist organizations. Yet, despite its willingness, NATO was soon faced by three difficulties. Firstly, defence against terrorism is above all a matter for the police and the judicial authorities, and therefore falls outside the Alliance's competences. Secondly, as indicated above, NATO did not, prior to 9/11, develop any kind of thinking or conceptualization in respect of defence against terrorism. Thirdly, in the case of a military response to a terrorist attack or threat, action takes place mostly at national level (the consequence of management and prevention) or within the framework of a coalition of the willing.

Faced with those difficulties, NATO had something to prove in order to play a role in future developments on the security front. It began with the rapid activation of Article 5 of the Washington Treaty. However, besides the political and symbolic significance of this historic decision, the NATO military response was to remain at the periphery of the major action undertaken by the coalition led by Washington.

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Initially, the Alliance's involvement was limited to measures taken after activation of article 5: increased co-operation in the field of intelligence gathering; identification and offering of all the necessary means for defence against terrorism; ensuring free access to air space, airports and harbours; ensuring reinforced security to the Alliance's Member States; assistance to countries hit by terrorist attacks; starting the operations *Active Endeavour* and *Eagle Assist*. Those various measures require little comment. In fact, most of them fall within the basic competences of the Alliance and are not therefore specifically linked to the fight against terrorism. In fact, only the operations *Eagle Assist* and *Active Endeavour* could be considered as military, operational involvement on the part of the Alliance in respect of defence against terror.

Moreover, the Alliance's operational involvement was increased by its efficient involvement in Afghanistan and in Iraq, albeit much more marginally in the latter. In this respect, the management of those two operations reflects not only the potential added value of NATO, but also the organization's limitations. In Afghanistan, the Allies showed relatively strong political homogeneity, NATO thereby being used as a platform for the integration of capacities and assets. In the case of training missions for Iraq, however, the Alliance was not able to overcome the differences between Member States and had to be satisfied with an effort that, although not

symbolic, was still far below the organization's real potential for that kind of operation.

Beyond the purely operational aspects, NATO looks to be considered as a preferred platform for consultations between allies, between allies and third countries and also between organizations (EU and UN). For the Alliance, such consultations should contribute to the development of common points of view regarding the perception of terrorist threats and the way to counter them. However, certain NATO Member States, such as France, do not share this analysis; for them, the Alliance is trying to use the fight against terror as a way to legitimize a reform of the organization, with the reform of intelligence structures for example. In this respect, there was a great deal of reluctance to merge civil and military intelligence capacities, each country preferring to keep its own specificity. Moreover, as the exchange of operational intelligence is still taking place outside the great multinational structures, NATO must content itself with working essentially with strategic intelligence. The same goes in respect of the constant use of the 'terrorism prism' to guide modification of the Alliance's concepts and politics, particularly regarding the possibility of conducting military operations in terms of where and when they are necessary and what simplified decisional procedures are to be employed.

For the future, it is likely that the Alliance will continue to focus on the activities for which it could offer added value. In this respect, we could suppose that NATO will increase its efforts to be considered as the reference organization, together with the nation states, in respect of protecting the civilian population. It is the case with airspace surveillance, with the protection of critical infrastructures (such as nuclear power plants) and with protection during major events (the Olympic Games, major political meetings, etc.). The other great potential domain of NATO expertise concerns protection against WMD. Since 2002, in fact, NATO has been developing a lot of key initiatives in this domain, which, amongst other things, translated into the establishment of an NRBC defence battalion in 2004. We can also note the Alliance's involvement during the coming years in the border security problematic, in consequence of the launching in 2003 of the Orhid conference on border management and security in co-operation with the EU and ESCO. Lastly, although the Alliance cannot be considered as the reference organization for defence against terrorism, NATO is still going to significant lengths to be considered as such. However, the intrinsic nature of this fight does not plead for a global and central role for NATO.

2. The EU global approach

The 9/11 terrorist attacks were a factor in the dramatic increasing of judicial and police co-operation in Europe. That development, however, was not limited to the third pillar: during the past four years, all policies developed by the EU have been

influenced in one way or another by the fight against terrorism. This is especially the case for the second pillar, as witnessed by the signature of the European Capabilities Action Plan (ECAP) soon after 9/11. The first plan and the follow-up process were deeply influenced by the risks and menaces that international terrorism could represent. From this perspective, at the EU level, a policy of willingness was developed and, within a few years, most of the objectives linked to the fight against terrorism were attained. However, a lot of work remains to be done over the next few years, mainly in the field of NBC defence, intelligence-gathering and, fundamentally, in the changing of mentalities.

In order to judge the value of measures taken in the fight against terrorism, it is important to identify the EU's weaknesses in this matter. Thus, we must first consider the important debate in Europe on the perpetual search for equilibrium between the protection of citizens and respect for their individual liberties. This problem is very much at the forefront, in the light of the progress made in the third pillar. This is especially the case with regard to the definition of terrorism, which has made many observers fear a rise of social movements and trade-union criminalization. Moreover, other concerns have been raised vis-à-vis the exceptional measures legitimized in the fight against terrorism, such as the increased length of jail sentences and police custody. In any case, once the declaratory phase is over, the implementation of written engagements often amounts to a fastidious case of cherry-picking. In this respect, the EU institutional structure itself is an obstacle to the achievement of a harmonious, coherent and complete strategy for the fight against terrorism.

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Therefore, before the Constitutional Treaty can be ratified, no less than three different texts are sometimes required, in order to take account of the specifics of each pillar. Another obstacle to be overcome is the fragmentation of the Council through its varying structures and different formations. At this level, transversal communication must be put into place, but without creating another new structure. Lastly, the current system of rotating presidencies does not allow for proper follow-up, especially when the number of policies to be managed is very high and when the fight against terrorism is simply considered as one amongst others.

But if, fundamentally, there is still ambivalence about the concrete application of measures taken after 9/11, the main responsibilities rest not only with the Member States and their will to keep a maximum number of prerogatives for themselves, but also with the EU, which is incapable of offering a solid contribution in this domain. This situation was well described by the EU itself in a severe report made by the Council's Secretary-General in 2004, for which the fight against terror was still overly limited to nation states. Moreover, the report also criticized co-operation between Member States themselves and with third countries. In this respect, one can only agree with the statement that most of the agencies created post-9/11 in chiefly the field of transport are "not or nearly not endowed with means and objectives".

In the area of judicial harmonization, initiatives and proposals were too often downplayed in their concrete transposition. The difficulties encountered in the

implementation of the European arrest warrant are significant in this respect. As for police co-operation, Europol is still inefficient in its fight against terrorism, even though contributions have been increased. From now on, in fact, all sensitive intelligence will be shared during bilateral or informal meetings. In this respect, the first challenge will be to overcome the resistance of national services to sharing intelligence in multilateral forums when necessary.

As regards defence and security policy, the 'Iraq diplomatic crisis' had negative effects on European political cohesion, but was also a dramatic driving element. Nevertheless, when it was urgent to take a decision on the opportunity of invading Iraq, the EU had four of its Member States in the UN Security Council. But, unsatisfied about the opportunity, the EU was divided and the Security Council was by-passed. As it turned out, this diplomatic failure served to accelerate the finalization of Solana's Security Strategy Paper.

In 2005, the links between ESDP and terrorism were tackled during the informal meeting of Defence Ministers on 18th March 2005. It was decided to pursue efforts, in order to reinforce the civilian and military capacities, their interoperability, the exchange of intelligence in the military area, the possibility of EU national protection in third countries, the assistance to third countries in their fight against terrorism, the creation of a protection capacity for the rapid deployment elements and a co-operation with NATO in the field of civil protection.

Regarding Justice and Home Affairs (JHA), the Luxemburg Presidency was essentially focused on the application of the «The Hague programme» in order to optimize operational co-operation between the 25 within the EU legislative framework. 139

In this respect, Luxemburg pleaded for co-operation to be developed in a way that respects the four liberties: free movement of people, of goods, of capital and of services. Moreover, Luxemburg was in favour of deepened or total integration of JHA within the community framework. In concrete terms, the Presidency has been working on a form of internal crisis management that could have trans-border incidence, on strengthening Chief of Police Task Force functions and on Europol operational competences.

Additionally, the Luxemburg Presidency has worked efficiently to achieve a political agreement on two important decisions: one concerning data linked to communication traffic and the other concerning the European arrest warrant. The Luxemburg presidency has also followed the development of SIS II (Schengen Information System, second generation), in order to allow the ten new Member States to join the second phase of the Schengen Agreement.

The fight against terrorism was thus a priority for the Luxemburg Presidency even if it did not constitute a visible objective. We can say that the Luxemburg Presidency ensured a good follow-up of the December 2004 European Council Conclusions, and focused essentially on issues regarding the financing of terrorism. For Luxemburg it was important that a multidisciplinary approach be chosen in respect of defence

against terrorism. This has been concretized by the presentation of a strategic analysis of the threats by the SITCENT to the Council, on the basis of data from EU Member States. Lastly, the Luxemburg Presidency worked closely with the EU terrorism co-ordinator in order to facilitate co-operation between all the actors concerned.

The strongest potential contributions of the EU depend on factors that could influence the resort to terrorism. However, to make such contributions, the EU must first develop a strong and coherent foreign policy towards sensitive areas regarding terrorism, as well as in all other forms of transnational criminality. What is right for the former Yugoslavia may not be right for the Middle-East. We might ask ourselves whether the Euro-Mediterranean partnership policy, which represents one billion euros per year, is really pertinent in terms of financial redistribution. The EU must think in the long term. Although EU policy was catastrophic at the beginning of the Balkan crisis, it became better as time passed. Indeed, the same reasoning must be applied with regard to the fight against terrorism. A seismic shock is necessary, as was partially represented by the events of 11 March 2004 at the Atocha railway station in Madrid.

In fact, soon after the Madrid seismic shock, heads of state and government met in Brussels to adopt a 'new' action plan against terrorism. It is symptomatic to note that, within less than one week, the fight against terrorism, which had been downplayed for a year, ultimately became the challenge for the next decade. Once more, European streets had to be drenched in blood before this topic was put at the top of the political agenda.

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The Union nevertheless recognized its weakness in this respect. It thus adopted a solidarity clause, created a co-ordinator and provided for integration of a cell for information exchange within the Council. Additionally, the heads of state and government declared that they were determined to use assets already in existence and, more fundamentally, effectively to deploy them. It was decided to draw up a precise calendar and to publish a report that clearly identified the Member States failing to implement the existing measures. Lastly, the EU political leaders expressed their will to increase co-operation between European police forces and intelligence agencies. Obviously, besides the declarations of intent, the EU urgently needs a change of mentality in those fields, although this is not something the EU can decree.

Over the next few years, important improvements could emerge from the future Constitutional Treaty. Indeed, when ratified, it will bring huge changes in the field of internal and external security, such as the extension of qualified majority voting; the reinforcement of Europol and Eurojust; the appointment of an EU foreign affairs minister; a juridical value for the Charter of Fundamental Rights; the solidarity clause in the case of a terrorist attack. However, the perception of the terrorist threat is still weaker in Europe than in the United-States. Immediately after 9/11 and the Madrid attacks, the perception was high, but tension decreased rapidly in each case.

Nevertheless, the 'daily terrorism quota' in the press over the past four years has significantly raised the perception of threat in Europe, though that perception is clearly counter-balanced by other fears linked to the economic situation and to health considerations.

Fundamentally, the critical matter is to be capable of going beyond the absence of communication. In fact, the political authorities in Europe are in duty bound to explain to their populations that total prevention is an illusion. Even the State of Israel, the most experienced in the world in the fight against terrorism, is still vulnerable. The core question is what levels of control we agree to accept at EU level. It is a question of striking a balance between an open society and a fortress society. The European choice has not been made yet. Ultimately, if we agree on the fact that absolute security is not possible, we must focus on the development of common and coherent tools in the management of consequences. It is in that particular area that the EU must demonstrate its solid ability to contribute, because, if it fails to, there will be no second chance.

3. What are the links between NATO and the EU?

In order to correctly understand this question, it is necessary to consider the foundation of the relationship established between NATO and the EU in the field of the so called «Berlin plus» agreements. It was during the Santa Maria da Feira EU Summit in June 2000 that the principles of the EU/NATO relationship were precisely elaborated. The two principles of this relationship are the assurance of efficient consultation, co-operation and transparency of the military response in the case of a crisis, with the guarantee of efficient management. Beside a definition of those guiding principles, the report made by the Portuguese EU presidency submitted a proposal to the Council, aiming at the establishment of four *ad hoc* working-parties to deal with four specific aspects of this relationship:

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- Security working group;
- Capacities goal working group;
- Working group for the establishment of the disposition allowing the EU to have an access to NATO assets;
- Permanent agreement working group.

Moreover, consultations between NATO and the EU will be based on five guiding principles. Those principles are crucial as they will orient the nature of the future permanent relationship between the two organizations:

- Respect for the autonomy of the decision-making process;
- Maintenance of consultation, co-operation and a real and complete transparency;

- Affirmation of the different natures of the two organizations;
- Equality between the two organizations;
- No discrimination between NATO and EU Member States.

The proposals for EU/NATO consultation in peace time and in times of crisis were formalized in the report by the French presidency approved by the head of states and government during the Nice Summit. For consultation in peace time, several mechanisms were proposed: they concern the establishment of a regular contact mechanism between NAC and COPS, including at ministerial level, and involve meetings between NATO and EU military committees as well. Furthermore, in order to benefit from NATO experience on particular problems, meetings could be held between different subsidiary groups. Those meetings could take place as NATO/EU *ad hoc* working-parties or as meetings of expert committees.

For consultation in times of crisis, an increased frequency of contacts and meetings in the emerging phase of the crisis was proposed. In addition, if the EU considers an option that could require the use of identified NATO assets and capabilities for a possible intervention, contacts would be established between NAC and COPS. Where the crisis is not avoidable and the EU decides to intervene, two scenarios could be considered: the EU asks NATO for assets and capabilities, or, the EU takes independent action.

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Beyond this institutional framework, the question of the operational autonomy of the two organizations has not been resolved yet. In fact, soon after the EU declared its willingness to increase its role regarding security and defence, the question of its relationship with NATO became crucial. In this respect, NATO was —and still is— playing the role of catalyst for transatlantic tensions linked to burden-sharing between Europe and the United-States. Moreover, NATO is the seat of numerous discussions, often polemical, on EU military autonomy, as well as on the way to manage current security and defence challenges. Defence against terrorism is clearly not an exception to this rule; in fact, it is within NATO forums that one can most often hear Americans warnings about duplication, discrimination and division that the EU could introduce by developing ESDP. Once the Soviet enemy had collapsed, the political leaders of NATO Member States raised the question of the relevance of the Alliance. For the United-States —and also for the NATO Secretary-General— the Alliance still remains the only international organization capable of managing the post-cold-war situation and preserving the existence of transatlantic links.

On the other hand, the emergence of the EU as an international player could change the nature of these links. The accession of George W. Bush to the presidency, together with the emergence of new transatlantic tensions during the early part of his first term, influenced the role played by the Alliance and its co-operation with the EU in the fight against terrorism. Thus, although George W. Bush's two presidential teams have been composed of experienced people, they have also been characterized by a weak knowledge of the EU. Nevertheless, the two administrations developed

positions that do not differ from those of the previous administration. Essentially, they have felt that the development of ESDP could be damaging to transatlantic relations if it occurs in competition with the Alliance. If we consider the mood before 9/11, we can see that the subjects of tension were numerous: reactivation of the anti-missile defence project; non-recognition of the International Court of Justice; non-ratification of the convention on landmines and of the convention on biological weapons; and rejection of the Comprehensive Test Ban Treaty (CTBT). At the economic level, the steel question is adding to the banana, beef and other «bioethics» crises. Lastly, we cannot avoid the huge transatlantic opposition regarding the non-ratification of the Kyoto protocol and the global policies on energy consumption.

Although relationships between the two sides of the Atlantic were not at their best when the 9/11 attacks occurred, it was within the Alliance that NATO and EU Member States expressed their solidarity with the United States by rapidly activating Article 5 of the Washington Treaty. However, as we have seen above, NATO was quickly marginalized in the global fight led by the United States. In this respect, the big fear of political and military leaders was that there would be no benefit from the flexibility and rapidity of reaction to undertake operations far beyond the borders of the Alliance. However, the marginalization of NATO was not to be imputed to only the United States' requirement of efficiency. In fact, certain European countries were reluctant to see NATO becoming the champion of co-operation in the fight against terrorism. Those countries feared that co-ordination between NATO and the EU would contribute radically to promoting and influencing Washington's own views regarding the best strategy to adopt in defence against terrorism.

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Surprisingly enough, although terrorism seems to be the major preoccupation in respect of security, it is on other subjects that NATO-EU co-operation has been reinforced during the last four years. Thus, permanent co-operation between the two organizations was concretized in the field in March 2003, when the EU replaced NATO in FYROM within the framework of the CONCORDIA operation. For the first time in history, the EU intervened under its own political responsibility by using NATO assets and capabilities: the operation commander in chief was the Deputy SACEUR, and the general headquarters was located in SHAPE (Belgium). However, although operational co-operation between the two organizations in the field of crisis management has been working well for two years now, the story is not the same for defence against terrorism.

Fundamentally, the problem of the lack of co-operation between NATO and the EU in defence against terrorism is linked to the very nature of the two organizations. In fact, where in the EU most of the fight takes place within the context of the co-operation between the police and the judicial authorities, there is no equivalent forum within NATO. In this respect, possible co-operation between the two organizations could be found only within the framework of security and defence policy, which, as we have seen, is not deeply involved in the fight against terrorism. We are facing a dual development here. NATO, soon after the end of the cold war, evolved towards

crisis management operations and then tried to impose itself in respect of defence against terrorism. For its part, in those domains, the Alliance is faced with a certain deficit related to its lack of experience in managing operations that are not strictly military, though the EU started from a position of much greater experience in the field of non-military crisis management to move towards the establishment of a military structure. Those two developments are moving in opposite directions and it seems that the EU is now keeping step with NATO regarding the range of potential answers that can be used to counter transnational terrorist threats. This particular situation clearly reduces the opportunities of having permanent structured co-operation established between the two organizations.

Soon after 9/11, it already became clear that the opportunities for deepened co-operation between NATO and the EU would not be exploited. In this respect, the NATO-EU meeting following 9/11 was not used as an opportunity to announce a common action plan for defence against terrorism. At that time, the main topics of discussion were the peace process in FYROM and the potential EU involvement in this area, as well as the elaboration of permanent NATO-EU co-operation agreements. Terrorism was, in other words the «surprise item» on a rather busy relational agenda. Because of that, the joint NATO-EU meetings during the following few months would only be occasions to announce measures taken at both organizations and to restate the necessity of establishing real co-operation in this field, but without proposing any concrete actions. In fact, the core co-operation is to be found within the framework of their common interests in stability in the whole Balkan area, towards which both organizations are developing a common approach.

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By mid-2002 and within the context of the forthcoming Prague Summit, certain potential avenues for co-operation had been indicated, including the field of the proliferation of weapons of mass destruction. Besides, the essential of the agenda would be filled in by the strategic partnership established between NATO and the EU and by the continuing operations in the Balkans. After this period, co-operation between NATO and the EU in defence against terror would be given a low profile. 2003 saw the first ever NATO-EU joint crisis management exercise. This simulation exercise, named CME/CMX03, took place in the Netherlands from 19 - 25 November. Its aim was to test the endurance of the so-called «Berlin plus» agreements, but it demonstrated that there were not enough lines of communication between NATO and the EU.

Strangely enough, although co-operation between the two organizations seemed to work quite well in respect of crisis management, it clearly did not with regard to the fight against terror. This situation would be highlighted again at the end of the year 2003 by the political authorities of NATO and the EU, which were able to reach agreement only on condemning the escalation of terrorist attacks and pleading for better co-operation concerning the defence against them. In 2004, that co-operation took the modest form of a seminar on terrorism co-chaired by the two organizations. Furthermore, evaluation procedures were introduced regarding improving

opportunities within the framework of joint efforts in respect of the proliferation of weapons of mass destruction.

During 2004, the Secretary-General pleaded more than once for reinforcement of co-operation between his organization and the EU. A promising breakthrough came in a joint declaration during the NATO Istanbul Summit, whereby the political leaders of the Alliance undertook to pursue their consultations and to exchange information on terrorism, as well as on the proliferation of weapons of mass destruction and in particular regarding the consequent management problematic.

Those discussions took place within the established framework of co-operation between NATO and the EU:

- At Foreign Affairs Minister level - twice per year;
- At ambassador level (NAC and COPS) - at least three times per semester;
- At Military Committee level - twice per semester;
- At Committee level - regularly;
- At executive level - daily.

At all levels, thus, NATO and the EU exchange information on their respective activities in the fight against terror, especially with regard to the protection of civilians in the event of biological, chemical, nuclear or radiological terrorist attacks. Moreover, both organizations have promoted greater transparency by setting up the exchange of an inventory of their respective capacities. For the moment, the EU is exploring new means to intensify its co-operation with NATO regarding defence against terror. Apart from those facts, it is clear that there is no adequate dialogue on terrorism: on the one hand, NATO is trying to move towards a holistic vision of security and, on the other, the EU has not defined its own finality yet within the framework of ESDP.

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Furthermore, the specificities of NATO and the EU will not permit total co-operation in this field, at least not for the next few years. In this respect, the United States will not want to engage in a dialogue within NATO's structures about the defence against terrorism as long as the Europeans do not appear credible in their eyes. For instance, the NATO and United States military and political authorities have been urging the EU Member States for years now to improve their airlift capabilities. Regarding transport aircraft, in fact, the greatest lack of European capability lies in heavy carriers. At present, only the United-Kingdom possesses C-17 aircraft, and then just four, even though, as we saw, the Helsinki requirement for such aircraft is 20. Concerning the medium carriers (C-130 and C-160) the European fleet, with nearly 300 aircraft, is meeting the Helsinki requirement, even if all aircraft are not fully operational.

However, we must take into account that European capabilities do not have unlimited capacity, i.e. 15 tonnes for a C-130 and 17 tonnes for a C-160, as against

78 tonnes for a C-17. Moreover, the autonomy of those aircraft is still weak. This situation requires a fleet of refuelling aircraft and eliminations of carriers that are not upgraded for airborne refuelling. It will also be possible to plan refuelling stops, though this will be at the expense of intervention speed, which is one of the most important criteria for the evaluation of strategic lift capacities. Lastly, we cannot hide the fact that the C-130 and C-160 are old aircraft and that the fleet is diminishing year by year.

Those elements show the importance of establishing a European programme of development and acquisition of an aircraft that will be capable of replacing our current capacities; the A-400M goes some way to fitting the bill, but will not be operational before 2008-2010, a situation that requires the adoption of intermediary solutions. With regard to refuelling, the need to increase our current capabilities both quantitatively and qualitatively is more obvious. In this respect, the MRTT choice made by certain European nations is wise. At least, the conclusion of technical agreements far from the camera (an example is *ATARES - Air Transport and Air-Refuelling and other Exchange Services*), in combination with interoperable and multi-role aircraft seems to prefigure the future of strategic airlift for the next few years, even if it does not solve the problem of the lack of heavy carriers. Unfortunately, this example could hold good for precision-guided munitions, sealift, UCAV (Unmanned Combat Aerial Vehicle) or intelligence-gathering satellites as well.

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In fact, an augmentation of military spending in Europe is considered to be a prerequisite by US political leaders, an opinion that is also shared by most defence analysts in the United States and on the other side of the Atlantic as well. Nevertheless, tendencies in Europe do not seem to be in favour of expanding the national military budget. According to the officials in the Pentagon, the Senate and Congress, and in the eyes of a large part of the US elite, European defence ambitions clearly lack credibility. The main reason for this situation is the so called «technological gap» between the two sides of the Atlantic. In this respect, now that US defence spending and more importantly research and development spending have been raised to an historic level, it is obvious that Europe has not yet closed the gap. All those military tools are now essential to wage the war against terror, particularly in the light of US strategies. Thus, if EU Member States are unable to enter into this technological bargain, they will be left stranded, as the US *Anaconda* military operations in Afghanistan have shown.

Fundamentally, however, US political leaders remain ambiguous on those issues. Therefore, now that the EU Member States are trying to equip themselves with strategic airlift capabilities and to elaborate autonomous intelligence gathering capabilities, leaders at Washington are developing attitudes ranging from one of scepticism to one of looking simply to torpedo the project.

4. Conclusion

By way of conclusion, the question can be asked as to what kind of situation we could expect in the near future. For the next few years, we can imagine a continuance of the present *status quo*, the two organizations developing their own competences in their preferred areas (co-operation on police and judicial matters- for the EU and consequence management or prevention for NATO), while punctually maintaining a minimum co-ordination on certain particular issues. In this respect, consultation will be focused mostly on the issue of the proliferation of weapons of mass destruction and on the question of managing the consequences of terrorist attacks. On the longer term, we can expect greater dependence on co-operation between the two organizations on the basis of these 'common points'.

To reach this second stage, political leaders will have to implement a strategic agreement or a global joint action plan for defence against terrorism throughout the entire Euro-Atlantic area. Such a global plan will have to set the guidelines for the joint action to be taken during the next ten years. However, this optimistic scenario remains an uncertain one, as the political will to use NATO as a real platform for transatlantic co-operation remains weak on both sides of the Atlantic. In the years to come, both organizations will at least have made the effort to pool their competences, in order to maximize the scant resources allotted to the defence against terrorism.

Besides this question of the NATO-EU relationship, one of the greatest difficulties in the years to come regarding our comprehension of the phenomenon of transnational terrorism is still our incapacity to make a precise diagnosis and to determine the ill afflicting us. In most cases, the terrorist organizations do not sign their action, nor do they have clear claims either. In their communiqués, they simply express the fact that a given terrorist act has happened and that it is a good thing for them, but we cannot speak of claims in the classical sense. The main Western/European weakness – and, in a broader perspective, the weakness of all people who are targeted by international terrorism – is the growing ignorance concerning the very nature of the threat, mostly because there are no chronological logics in this terrorism, and no claims. When political authorities have to face a secessionist movement, for example, there are identifiable claims (territorial independence, for instance) and thus there is a possibility to negotiate. It is possible to calculate the cost and the benefits of confrontation or negotiation. This is not the case in respect of the international terrorism of recent years.

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At the present time, unfortunately, there is no European forum for conducting independent scientific research in those fields. Nor is there any industrial integrative mechanism for developing work within the framework of asymmetric warfare. This is also the case at the academic level. It probably falls within the competence of regional security organization such as NATO and the EU to provide the impetus to go beyond those barriers. In fact, if scientists have found order when confronted with chaotic structures, order may be discovered in international terrorism. To discover it,

NATO and the EU will have to work together to finance and conduct fundamental research into this phenomenon. The two organizations could, for example, work together to ensure the interoperability of the anti-terrorist equipment that will be developed over the next ten years.

Finally, we must put an end to the «intellectual taboo», apparent mostly in Europe, against examining the unexpected or the impossible. Too often, in fact, the planners or the media tend to confound what is new with what has been forgotten. Bombs have been planted in trains since the railway was invented and the hijacking of planes is a practice that is already a few decades old now. Those are not new phenomena. If it is important to invest within NATO and the EU to prevent such appalling acts taking place, it is equally important to allot resources to prevent other events ever occurring. In this respect, the exercise conducted by the UE and NATO regarding reaction to terrorist chemical, biological, radiological and nuclear attacks could be considered as a positive step. Nevertheless, many problems still remain.

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Firstly, there is still intellectual opposition, in the sense that a discontinuity can be observed: the phenomenon of terrorism does not fall within the norm: it is outside our traditional way of thinking. The particular nature of this leads to dramatic analytical difficulties. There is what might be called ‘strategic jamming’. At the managerial level, work is conducted in terms of normality and within a hierarchical and compartmentalized perspective, all the time when what is demanded is that the distortions and the instances of chaos be studied. The scientist examining crisis explains that there is an instinctive reflex on the part of political authorities, as well as on the part of security authorities, to try to avoid what is not fully under control. It is a major governance issue: we cannot frighten people by explaining to them that the potential threats do not fall within the scope of contingency planning. In post-9/11 United States, reaction formations and schemes were established and developed throughout the country. The government tried to implement programmes such as the Family Disaster Plan or the Disaster Plan For Kids or even the ‘Disaster Plan Kit’. Details of those various plans are available on the Internet and explain the way to put together a survival kit in case of a terrorist biological, chemical or radiological attack or even a natural catastrophe. They have also developed the Federal Emergency Management Agency (FEMA) in co-operation with the American Red Cross. However, recent events in New-Orleans have show most graphically that, four years after 9/11, the authorities (whether local or federal) still face huge difficulties in managing a crisis that falls outside ‘ordinary’ contingency planning. In Europe, aside from certain exceptions, such contingency planning is non-existent. It would be valuable if NATO and the EU, together or independently, were able to establish a co-ordination mechanism for national warning campaigns targeting populations in potentially hazardous areas.

However, it is not simple to justify to the authorities the necessity to simulate a large-scale terrorist attack, even if such exercises permit the development of a full range of new attitudes and reflexes. Furthermore, there is a dramatic paucity of

information-gathering after a terrorist attack. Little work is done with people who have been caught up in this kind of situation to try to understand the difficulties they were faced with and how they managed them. Although is not done regularly, interrogating people who have witnessed or were victims of a terrorist attack is instructive in the attempt to comprehend how the mind reacts, in order that the right approach can be developed for the future.

It is thus essential to work not only within, but also outside the normal framework of prediction, because the terrorist will always work outside of it. Lastly, competition among the services or among regional organizations has also had a negative impact in this matter. A solution to deal with that could be the creation of a neutral meeting-point. In this respect, the security professional could ask for the creation of «trust zones» outside identified services or organizations.

Since 2001, a number of large-scale terrorist attacks have been perpetrated throughout the world. If one cannot speak of waging a «war» in the classic meaning of the word, one can at least speak of a struggle against a determined opponent. Such a struggle has global implications: if the threat is worldwide, the answer cannot be limited by national or regional borders, but must be transnational. Moreover, it requires co-ordination of economic, social, political and security institutions. In fact, although military action should be used as a means of prevention or reaction, it is not sufficient to counter terrorism on its own. The answer should also, and often principally, be based on judicial and police action. In conclusion, if international co-operation is to constitute an essential tool in defence against terrorism, it will also be necessary to avoid creating inadequate and inefficient new international structures over and above what is already a complex international security system. The efficiency of this defence will for a great part depend on the balance established between national responsibilities and international co-operation.