

Notes

¹ Chicago Summit Declaration issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Chicago, May 20, 2012, paragraph 51, available at <www.nato.int/cps/en/natolive/official_texts_87593.htm>.

² *Active Engagement, Modern Defence: Strategic Concept for the Defence and Security of the Members of the North Atlantic Treaty Organization* (Brussels: NATO, 2010), paragraph 10, available at <www.nato.int/cps/en/natolive/official_texts_68580.htm?selectedLocale=en>.

³ Louise Shelley and John Picarelli, "Methods Not Motives: Implications of the Convergence of International Organized Crime and Terrorism," *Police Practice and Research* 3 (2002), 305–318.

⁴ The most relevant groups include al Qaeda in Iraq, al Qaeda in the Islamic Maghreb, the Somali Islamist insurgent group al Shabaab, al Qaeda in the Arabian Peninsula, Lashkar-e-Taiba in Pakistan, and the Islamic Movement of Uzbekistan.

⁵ According to the NATO Capstone Concept, NATO defines *hybrid threats* as "those posed by adversaries, with the ability to simultaneously employ conventional and non-conventional means adaptively in pursuit of their objectives." See Michael Miklaucic, "NATO Countering the Hybrid Threat," Allied Command Transformation Web site, September 23, 2011, available at <www.act.nato.int/top-headlines/nato-countering-the-hybrid-threat>.

⁶ The crime-terror nexus was also discussed at the conference on Trans-Atlantic Dialogue on Combating Crime-Terror Pipelines: Dismantling Converging Threat Networks to Strengthen Global Security, June 25–26, 2012, at the National Defense University, Washington, DC.

⁷ Europol, *TE-SAT 2011, EU [European Union] Terrorism Situation and Trend Report*, European Police Office, 2011, available at <www.europol.europa.eu/sites/default/files/publications/te-sat2011_0.pdf>.

⁸ *Ibid.*

⁹ For instance, improvised explosive devices (IEDs) have become the primary weapon of choice of both terrorist and insurgent. Accordingly, they are increasingly referred to as IED "networks." IED networks extend beyond the theater of operations and are often closely linked to criminal and terrorist networks on a global scale. The fight against these networks requires means beyond the military, including law enforcement and other governmental agencies. In order to enhance the ability to attack the network, it is essential to identify precisely what kind of areas should be covered by each of these bodies and consequently to establish priorities and develop mechanisms to share information.

¹⁰ *Ungoverned spaces* are here understood as areas in which the state is no longer willing or able to enforce law and order. Often, this is followed by an effective takeover of control by nonstate actors, such as warlords. These areas are typically at considerable distance from the capital. Edward Newman, "Weak States, State Failure and Terrorism," *Terrorism and Political Violence* 19, no. 4 (2007); Angel Rabasa et al., *Ungoverned Territories: Understanding and Reducing Terrorism Risks* (Santa Monica: RAND, 2007).

¹¹ Lucio Caracciolo, "Terroristi di casa nostra," *Limes*, December, 17, 2010.

¹² "Protecting America from Terrorist Attack," speech by Federal Bureau of Investigation (FBI) Director Robert Mueller at City Club of Cleveland, June 23, 2006. Quoted in Kimberley L. Thachuk, Marion E. "Spike" Bowman, and Courtney Richardson, *Homegrown Terrorism: The Threat Within* (Washington, DC: Center for Technology and National Security Policy, 2008).

¹³ Shirwa Ahmed, an ethnic Somali from Minneapolis, was the first American terrorist suicide attacker anywhere. He blew himself up in front of a government compound in northern Somalia on October 29, 2008, killing about 20 people including United Nations (UN) peacekeepers and humanitarian assistance workers. It is possible that 18-year-old Omar Mohamud of Seattle was the second. On September 17, 2009, two stolen UN vehicles loaded with bombs blew up at the Mogadishu airport killing more than a dozen peacekeepers of the African Union. The FBI suspects that Mohamud was one of the bombers.

¹⁴ In June 2011, Abu Yahya al Libi compared “one attack in the West to more than tens of attacks in faraway battlefields.” See Randall Blake, “The Next Chapter of Global Jihad,” The Brookings Institution, May 1, 2012, available at <www.brookings.edu/research/opinions/2012/05/01-jihad-trends-blake>.

¹⁵ Ibid. Blake notes that “While spanning the motivational and ideological spectrum, Nidal Hassan, the 2007 Virginia Tech shooter, Norway’s Anders Breivik, and France’s Mohammed Merah have already proven the power of ‘unsophisticated’ DIY terror.”

¹⁶ Brian Jenkins, “The al Qaeda–Inspired Terrorist Threat,” Testimony presented before the Canadian Senate Special Committee on Anti-terrorism, December 6, 2010.

¹⁷ Europol, *TE-SAT 2011, EU Terrorism Situation and Trend Report*.

¹⁸ Notably in the framework of UN Security Council Resolution 1373.

¹⁹ Terrorist means to finance activities are adaptive and able to exploit vulnerabilities to advantages. Such vulnerabilities can occur in charities; identity theft; tax havens; state sponsorship; income generation from legal businesses; trafficking of migrants, women, drugs; sales of small arms and light weapons; contributions from radicalized diasporas; informal money transfers utilizing the *hawala* system; Twitpay; Facebook credits; theft; smuggling; and corruption.

²⁰ Bernard E. Selwan el Khoury, “Jihad and Arab Spring: How much 2.0 is al Qaeda?” *Limes*, May 16, 2012.

²¹ Jack Cloherty, “Al Qaeda video calls for ‘electronic jihad,’” May 22, 2012, ABC News, available at <abcnews.go.com/Politics/cyber-terrorism-al-qaeda-video-calls-electronic-jihad/story?id=16407875>.

²² Blake notes that “Terrorist acquisition of chemical-biological devices in Syria can be game changers.”

²³ Harold M. Agnew, a nuclear weapons engineer, became the third U.S. Los Alamos National Laboratory director in 1970. He also served as scientific advisor to NATO.

²⁴ In Europe, the terrorist threat varies greatly between separatist groups, politically motivated groups, and the ever-present Islamist threat. While some countries such as the United Kingdom, Spain, and France have a history of separatism, others such as Italy, Germany, and even Greece suffered mainly from politically motivated terrorism. In 2011, the highest number of attacks on European soil was carried out by separatist groups, followed by extremist or anarchist groups. Spain and France were the countries most affected. See Europol, *TE-SAT 2011: EU Terrorism Situation and Trend Report*.

²⁵ Paragraph 24 of NATO’s 1999 Strategic Concept, available at <www.nato.int/cps/en/natolive/official_texts_27433.htm>.

²⁶ NATO Operations and Missions, available at <www.nato.int/cps/en/natolive/topics_52060.htm>.

²⁷ MC-472.

²⁸ Comprehensive Political Guidance, endorsed by NATO Heads of State and Government on November 29, 2006, *The Strategic Context*, paragraph 2, available at <www.nato.int/cps/en/natolive/official_texts_56425.htm>.

²⁹ *Active Engagement, Modern Defence*, paragraph 10.

³⁰ “NATO’s Policy Guidelines on Counter-terrorism: Aware, Capable and Engaged for a Safer Future,” introduction, paragraph 1, available at <www.nato.int/cps/en/natolive/official_texts_87905.htm?>.

³¹ *Ibid.*, paragraph 2.

³² *Ibid.*, paragraph 4.

³³ *Ibid.*

³⁴ “In accordance with the Strategic Concept, we will continue to enhance both the political and the military aspects of NATO’s contribution to deter, defend, disrupt and protect against this threat including through advanced technologies and greater information and intelligence sharing.” See paragraph 39 of the Lisbon Summit Declaration, November 20, 2010. See also paragraph 8. Available at <www.nato.int/cps/en/natolive/official_texts_68828.htm>.

³⁵ “Defending the Networks: The NATO Policy on Cyber Defense,” June 8, 2011, available at <www.nato.int/nato_static/assets/pdf/pdf_2011_09/20111004_110914-policy-cyberdefence.pdf>.

³⁶ *Active Engagement, Modern Defence*, preface.

³⁷ “NATO’s Policy Guidelines on Counter-terrorism,” paragraph 5.

³⁸ Jamie Shea, “Keeping NATO Relevant,” in *Policy Outlook*, Carnegie Endowment, April 2012, 2.

³⁹ NATO’s Comprehensive Approach is predicated on the understanding that effective crisis management calls for the coordinated use of political, civilian, and military instruments. The concept was first introduced in 2005 into NATO’s debate by Denmark’s “Concerted Planning and Action” concept. The concept evolved to become NATO’s Comprehensive Approach and was ultimately endorsed at the 2008 NATO summit in Bucharest (Bucharest Summit Declaration, April 3, 2008, paragraph 11), available at <www.nato.int/cps/en/natolive/official_texts_8443.htm?selectedLocale=en>. Allied leaders agreed at the Lisbon Summit in 2010 to “enhance NATO’s contribution to a Comprehensive Approach to crisis management as part of the international community’s effort and to improve NATO’s ability to contribute to stabilization and reconstruction.” See Lisbon Summit Declaration, November 20, 2010, paragraph 9, available at <www.nato.int/cps/en/natolive/official_texts_68828.htm?selectedLocale=en>.

⁴⁰ *Ibid.*, 13.

⁴¹ “NATO’s Policy Guidelines on Counter-terrorism.”

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ In 2000, with the review of Civil Emergency Planning in NATO and the reform of the Senior Civil Emergency Planning Committee, nations agreed on the five roles for NATO Civil Emergency Planning: 1) civil support for Alliance Article 5 (collective defense) operations, 2) support for non-Article 5 (crisis response) operations, 3) support for national authorities in civil emergencies, 4) support for national authorities in the protection of populations against the effects of weapons of mass destruction, and 5) cooperation with partner countries in preparing for and dealing with disasters. The Euro-Atlantic Disaster Response Coordination Center is a disaster-response clearinghouse mechanism established by the Euro-Atlantic Partnership Council (EAPC) in 1998. Its main role is to coordinate requests and offers for assistance in the

case of natural, technological, or man-made disasters. Following the 9/11 attacks on the United States, the center's role was expanded to coordinate international assistance from EAPC countries to help deal with the consequences of chemical, biological, radiological, and nuclear (CBRN) incidents, including terrorist attacks. Available at <www.nato.int/cps/en/natolive/topics_49158.htm?selectedLocale=en>.

⁴⁵ "NATO's Policy Guidelines on Counter-terrorism," paragraph 7.

⁴⁶ Ibid.

⁴⁷ The counterterrorism "package" adopted in Prague included a Military Concept for the Defense Against Terrorism; A Partnership Action Plan against Terrorism; five nuclear, biological, and chemical defense initiatives; protection of civilian populations including a Civil Emergency Planning Action Plan; Missile Defense; Cyber Defense; Cooperation with other International Organizations; and Intelligence Sharing, available at <www.nato.int/cps/en/natolive/topics_77646.htm?>.

⁴⁸ By contrast, the 1999 Strategic Concept made only indirect reference to terrorism as one of many security challenges and risks. Not mentioned as a dimension of the evolving strategic environment, reference to terrorism appears only in the third sentence of paragraph 24: "Alliance security interests can be affected by other risks of a wider nature, including acts of terrorism, sabotage and organized crime, and by the disruption of the flow of vital resources," available at <www.nato.int/cps/en/natolive/official_texts_27433.htm?selectedLocale=en>.

⁴⁹ "NATO's Policy Guidelines on Counter-terrorism."

⁵⁰ Ibid.

⁵¹ Following the 2010–2011 comprehensive reform of NATO intelligence, a newly created Intelligence Unit absorbed and expanded the functions of the Terrorism Threat Intelligence Unit. This has further enhanced the analytical approaches on terrorism and its links with other transnational threats. In particular, the current mechanism has enhanced cooperation among the NATO civilian and military intelligence components, and preserved the previously developed mechanisms that ensure coherent intelligence sharing with partners through the Intelligence Liaison Unit. Available at <www.nato.int/cps/en/natolive/topics_77646.htm?>.

⁵² "NATO's Policy Guidelines on Counter-terrorism," paragraph 11.

⁵³ Located at SHAPE Headquarters in Mons, Belgium, NSHQ was set up to coordinate NATO's Special Operations and optimize the employment of Special Forces. Although the majority of what NSHQ does is at the strategic and operational level, the NATO Special Operations Headquarters is also the place for training and education for NATO and partner nations. Available at <www.nato.int/cps/en/natolive/news_84662.htm?selectedLocale=en>.

⁵⁴ At Prague in 2002, a Civil Emergency Action plan was adopted for the protection of populations against the effects of weapons of mass destruction. As a result, an inventory of national capabilities for use in CBRN incidents (e.g., medical assistance, radiological detection units, aero-medical evacuation) has been developed. Available at <www.nato.int/cps/en/natolive/topics_49158.htm?selectedLocale=en>.

⁵⁵ Readout of the meeting between U.S. President Barack Obama and NATO Secretary General Anders Fogh Rasmussen on May 9, 2012, available at <www.whitehouse.gov/the-press-office/2012/05/09/readout-president-s-meeting-nato-secretary-general-rasmussen>.

⁵⁶ "NATO's Policy Guidelines on Counter-terrorism," Key Areas, paragraph 12.

⁵⁷ Ibid.

⁵⁸ *Statement by the North Atlantic Council*, September 12, 2001, “The Council agreed that if it is determined that this attack was directed from abroad against the United States, it shall be regarded as an action covered by Article 5 of the Washington Treaty, which states that an armed attack against one or more of the Allies in Europe or North America shall be considered an attack against them all.” Available at <www.nato.int/cps/en/natolive/news_18553.htm?selectedLocale=en>.

⁵⁹ Paragraph 20 of the Chicago Summit Declaration states: “NATO and the EU share common values and strategic interests. The EU is a unique and essential partner for NATO. Fully strengthening this strategic partnership, as agreed by our two organizations and enshrined in the Strategic Concept, is particularly important in the current environment of austerity; NATO and the EU should continue to work to enhance practical cooperation in operations, broaden political consultations, and cooperate more fully in capability development. . . . NATO also recognizes non-EU Allies’ ongoing concerns and their significant contributions to strengthening the EU’s capacities to address common security challenges.” Available at <www.nato.int/cps/en/natolive/official_texts_87593.htm?selectedLocale=en>.

⁶⁰ Ibid.

⁶¹ Louise I. Shelley et al., *Methods and Motives: Exploring Links between Transnational Organized Crime & International Terrorism*, report, U.S. Department of Justice, September 2005.

⁶² “NATO’s Policy Guidelines on Counter-terrorism,” footnote 1 to paragraph 5, and Key Areas, paragraph 12.

⁶³ The Berlin Plus Agreement has seven major parts: 1) NATO-EU Security Agreement, which covers the exchange of classified information under reciprocal security protection rules; 2) assured access to NATO planning capabilities for EU-led crisis management operations (CMO); 3) availability of NATO assets and capabilities for EU-led CMOs, such as communication units and headquarters; 4) procedures for release, monitoring, return, and recall of NATO assets and capabilities; 5) Terms of Reference for DSACEUR and European Command options for NATO; 6) arrangements for coherent and mutually reinforcing capability requirements, in particular the incorporation within NATO’s defense planning of the military needs and capabilities that may be required for EU-led military operations; 7) EU-NATO consultation arrangements in the context of an EU-led CMO making use of NATO assets and capabilities. This comprehensive framework for NATO-EU relations was concluded on March 17, 2003, by the exchange of letters by EU High Representative Javier Solana and then-Secretary General of NATO, Lord Robertson.

⁶⁴ Cyprus has no Security Agreement with NATO and therefore cannot access NATO “classified” information.

⁶⁵ The NATO HQ Terrorism Task Force is a staff structure made up of representatives of NATO Headquarters International Staff and International Military Staff divisions and organizations dealing with terrorism-related issues.

⁶⁶ J.R. Galbraith, “Matrix Organization Designs: How to combine functional and project forms,” *Business Horizons*, February 1971, 29–40.

⁶⁷ According to Lawrence, Kolodny, and Davis (1977), organizations use matrices when they have 1) an absolute need for higher responsiveness toward two sectors: markets and technology; 2) a need for achieving greater flexibility, which a conventional, strictly hierarchical structure may not be able to provide, and “of reconciling this flexibility with the coordination and economies of scale that

are historic strengths of large organizations”; 3) uncertainties that create high information processing requirements; 4) strong constraints on financial or human resources. Prakash K. Nair, “Demystifying the Matrix,” *Leaderati Infosys Blog*, October 3, 2011, available at <www.infosysblogs.com/leadership/2011/10/demystifying_the_matrix.html>.

⁶⁸ In this context, the term *resources* is intended in its managerial connotation of funds, time, and personnel.

⁶⁹ In this respect, the contribution provided by NATO’s Civil Emergency Planning’s five technical planning groups is remarkable. The groups bring together national experts from the public and private sectors and industry to coordinate planning in various areas of civil activity. The five planning groups are: Civil Protection, Transport, Public Health, Food and Water, and Industrial Resources and Communications. Available at <www.nato.int/cps/en/natolive/topics_49158.htm?selectedLocale=en>.

⁷⁰ Chicago Summit Declaration, issued by the heads of state and government participating in the meeting of the North Atlantic Council, Chicago, May 20, 2012.

⁷¹ James Carafano, “Dynamics of Military Revolution, 1300–2050,” *Richmond Independent News*, September 13, 2002.

⁷² “NATO’s Policy Guidelines on Counter-terrorism,” Key Areas, paragraph 10.

⁷³ James T. Snyder, “Counterinsurgency Vocabulary and Strategic Success,” *Military Review* (November–December 2011), 23–28.

⁷⁴ General David H. Petraeus, USA, *COMISAF’s Counterinsurgency Guidance*, Headquarters, International Security Assistance Force/United States Forces Afghanistan, July 27, 2010.

⁷⁵ Of particular relevance is the study produced by the Strategic Communication for Combating Terrorism workshop conducted by the NATO Centre of Excellence—Defense Against Terrorism, on May 12–13, 2009, in Ankara, Turkey. Available at <www.coedat.nato.int/publications/StratComm/StratComm2010.pdf>.

⁷⁶ *Ibid.*

⁷⁷ The Human Environment Capabilities project was launched by ACT in June 2012 and will engage experts from the military, industry, and academia to analyze the importance and impact of the human environment in modern operations. Available at <www.act.nato.int/innovationhub>.

⁷⁸ “NATO’s Policy Guidelines on Counter-terrorism,” NATO Response, paragraph 14.

⁷⁹ According to Prakash K. Nair, “Ambiguous authority happens when a member or members in a unit may have the responsibility of executing a task but may not have the authority to do it.” See Nair.

⁸⁰ Gabor Iklody, “The Next Steps for NATO,” Carnegie Endowment for International Peace, June 5, 2012.

⁸¹ According to Ronald A. Gunn, “A ‘Matrix Guardian,’ also known as a ‘Matrix Manager,’ is an individual whose job it is to see to it that the matrix structure is functioning effectively and efficiently, and that the principles of matrix management are being applied correctly and fairly. The Matrix Guardian ensures that ‘good hygiene’ is being practiced throughout the matrix structure.” Among the functions of the Matrix Guardian is to “function as an ombudsman or arbiter in working through a variety of emerging issues such as chronic staff overwork/underwork or boundary disputes, for example.” See Ronald A. Gunn, “Matrix Manager and the Matrix Guardian,” *Strategic Futures Blog*, August 24, 2010, available at <www.strategicfutures.com/2010/08/matrix-management-and-the-matrix-guardian/>.

⁸² Jean-Louis Bruguiere, *Ce que je n'ai pas pu dire: Entretiens avec Jean-Marie Pontaut*, ed. Robert Laffont (Paris: RAND Europe, 2009); *Quick scan of post 9/11 national counter-terrorism policymaking and implementation in selected European countries* (Leiden, 2002).

⁸³ Alliance Maritime Strategy—The Maritime Security Environment, paragraph 6, March 18, 2011, available at <www.nato.int/cps/en/natolive/official_texts_75615.htm?selectedLocale=en>.

⁸⁴ Ibid.

⁸⁵ The Proliferation Security Initiative (PSI) is a global effort that aims to stop trafficking of weapons of mass destruction (WMD), their delivery systems, and related materials to and from states and nonstate actors of proliferation concern. Launched on May 31, 2003, U.S. involvement in the PSI stems from the U.S. National Strategy to Combat Weapons of Mass Destruction, issued in December 2002. See U.S. State Department, Bureau of International Security and Non-Proliferation, available at <www.state.gov/documents/organization/60173.pdf>.

⁸⁶ FRONTEX is the European Agency for the Management of Operational Cooperation at the External Borders of the member states of the European Union. The agency was set up in 2004 to reinforce and streamline cooperation between national border authorities. FRONTEX promotes, coordinates, and develops European border management in line with the EU fundamental rights charter and applying the concept of Integrated Border Management. Available at <www.frontex.europa.eu>.

⁸⁷ Chicago Summit Declaration on Afghanistan, issued by the heads of state and government of Afghanistan and Nations Contributing to the NATO-led International Security Assistance Force (ISAF), May 21, 2012, Beyond 2014, paragraph 12, available at <www.nato.int/cps/en/natolive/official_texts_87595.htm>.

⁸⁸ The Group of 13 consisted of Australia, Austria, Finland, Georgia, Japan, Jordan, Republic of Korea, Morocco, New Zealand, Qatar, Sweden, Switzerland, and the United Arab Emirates.

⁸⁹ Stefano Santamato, “More than Partners, not quite Allies—The ‘NATO Association’: a proposal for the Chicago Summit,” *INSS Dynamic Dialogue*, April 11, 2012, available at <www.inssblog.wordpress.com/>.

⁹⁰ Elizabeth Sherwood-Randall, *The NATO Chicago Summit: Outcomes and Way Ahead* (Washington, DC: Atlantic Council, May 24, 2012), available at <www.acus.org>. Dr. Sherwood-Randall is Special Assistant to the President and Senior Director for Europe at the National Security Council.

⁹¹ The Connected Forces Initiative (CFI) was introduced ahead of the NATO summit in Chicago on May 21–22, 2012. The CFI is mentioned in the Summit Declaration on Defense Capabilities: Toward NATO Forces 2020, paragraph 11. According to it, through CFI, NATO “will expand education and training of our personnel, complementing in this way essential national efforts. We will enhance our exercises. We will link our networks together even more. We will strengthen the bonds between NATO Command Structure, the NATO Force Structure, and our national headquarters. We will also enhance cooperation among our Special Operations Forces including through NATO’s Special Operations Forces Headquarters. We will strengthen the use of the NATO Response Force, so that it can play a greater role in enhancing the ability of Alliance forces to operate together and to contribute to our deterrence and defense posture. As much as possible, we will also step up our connections with Partners, so that when we wish to act together, we can.” Available at <www.nato.int/cps/en/natolive/official_texts_87594.htm>.

⁹² Chicago Summit Declaration issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Chicago on May 20, 2012, paragraph 24.

⁹³ The NATO Political-Military Framework regulates partners' participation in NATO-led operations. According to it, partners can only be involved in *shaping* decisions that, ultimately, will be taken only by Allies.

⁹⁴ Santamato.

⁹⁵ Hillary Clinton launched the Global Counterterrorism Forum (GCTF) on September 22, 2011. The GCTF is a multilateral counterterrorism body with 30 founding members (29 countries plus the EU). See U.S. Department of State, Office of the Coordinator for Counterterrorism, available at <www.state.gov/j/ct/gctf/index.htm>.

⁹⁶ Initial GCTF working groups will focus on: 1) the criminal justice sector and rule of law, 2) countering violent extremism, 3) capacity building in the Sahel, 4) capacity building in The Horn Region, and 5) capacity building in Southeast Asia. "Global Counter-terrorism Forum Fact Sheet," September 9, 2011, available at <www.state.gov/r/pa/prs/ps/2011/09/172010.htm>.

⁹⁷ The 30 founding members of the GCTF are Algeria, Australia, Canada, China, Colombia, Denmark, Egypt, the European Union, France, Germany, India, Indonesia, Italy, Japan, Jordan, Morocco, The Netherlands, New Zealand, Nigeria, Pakistan, Qatar, Russia, Saudi Arabia, South Africa, Spain, Switzerland, Turkey, the United Arab Emirates, the United Kingdom, and the United States, "Global Counter-terrorism Forum Fact Sheet."

⁹⁸ All the more considering that Turkey hosts NATO's Center of Excellence for the Defense Against Terrorism.

⁹⁹ "Global Counter-terrorism Forum Fact Sheet."

¹⁰⁰ *Active Engagement, Modern Defence*, paragraphs 1 and 4.