
Influencing and Promoting Global Peace and Security



Horizon Insights

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Yemen on Fire

**Reinforcing EU-NATO
Cooperation: Walking the Talk**

**How to Implement Trans-Caspian
Pipeline in spite of Russo-Iranian
Opposition**

**Book Review:
How Democracies Die**

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Issue 2018-3



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INFLUENCING AND PROMOTING GLOBAL PEACE AND SECURITY

Beyond the Horizon International Strategic Studies Group (ISSG) is a non-partisan, independent, and non-profit think tank organisation. The mission of Beyond the Horizon is to influence and promote global peace and security by empowering decision and policy makers and advocating paths to build a better world and prevent, mitigate or end crisis and conflict.

Beyond the Horizon is determined to be a unique think tank with a focus on realistic policies and in-depth analyses to offer comprehensive solutions on topics related to international politics and security, peace and conflict studies.

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Foreword

Dear Reader,

The return of political warfare in line with diffusion of power; growing demand for food, water, and energy; erosion of democracy; protracted wars and conflicts; and cross-cutting networks and ad-hoc alliances among actors at all levels reveal that “humanity at risk” in an unregulated, exclusive and fragmented world. Alarming, these emerging challenges have become more complex and prolonged, involving more states, non-states, private and hybrid actors. This has given impetus to understand how we could initiate a process that melds more security providers into a regulated and coordinated security architecture in the future.

In this context, Beyond the Horizon International Strategic Studies Group (BtH ISSG) is dedicated to influence and promote global peace and security. Our aim is to help reverse today’s malicious trends and build a secure and stable setting at all levels -human, society, state and international-. Our goals are to empower decision and policy makers; advocate paths to build a better world; and prevent, mitigate or end crisis and conflict.

As an independent voice, we are determined to be a unique think and do tank with a special focus on realistic policies and in-depth analyses to offer comprehensive solutions and inclusive approaches to decision and policy-makers, academics, planners, practitioners in international security and external affairs circles.

To enhance our response to the global challenges, we also keep a watchful eye on the globe (Horizon Weekly) and countries in crisis (Crisis Watch) to bring the issues related to our focus areas and deadly conflicts to the attention of not only security professionals but also to the general public.

To that end, Horizon Insights aims to make sense of international security environment by presenting articles and book reviews on significant trends, actors, places and issues to decision-makers, security professionals and interested public. As in previous editions, the list of topics is comprehensive and in line with hot topics and the mega trends in international affairs and security. I wish you an interesting and thought-provoking read.

Sincerely yours,

Beyond the Horizon ISSG



Yemen on Fire

Hasan Arslan*, Onur Sultan**

Yemen, as a unitary state, has long ceased to exist. Since unification in 1990, the state has been the playfield for those willing to have power and control over resources. The Houthis, an initially egalitarian movement sounding the grievances of Zaydis, has turned into an authoritarian and repressive insurgent group, as is the case for most of its kind. Not having sufficient political background and culture of compromise, the group has opted for using force to seize the state and for further territorial expansion based on its only capital, the military force. In the current situation, Houthis lack legitimacy, political agenda and human capital to run whole Yemen. In face of coalition intervention and increasing mass of its forces, the group has started to lose territory in an increasing rate. The Coalition, on the other hand, acting to restore order of Hadi government, has seen divergent interests of the Coalition partners, trying to create a sphere of influence at the expanse of Hadi control. The reckless targeting of civilian targets has maimed infrastructure in the country and questionable methods implemented has put the country in disarray. The country is currently labeled as the the “world’s worst humanitarian crisis.” Taking into account former demands of Houthis for secession, and similar demand by STC in South, a united Yemen seems hard, if not impossible to form in the post conflict era which we have started to see coming. This paper is an attempt to delve into background and causes of the crisis in Yemen, focusing on how crisis evolved and what prospects we should expect for future. The report contributes to the extant literature especially with assessments on the kinetic aspects of the war, which plays a defining role in the evolvement of the events.

Keywords: Yemen, Saudi-led coalition, Houthis, regional rivalry, AQAP, IS-Y, Southern Transitional Council

1. Introduction

Immigration has always been a phenomenon The world has been witnessing gradual grinding of Yemen since 2014. First, its location was engraved in our minds and then the reports on the dire situation exacerbating each and every day filled media outlets. Accordingly, the country, in most cases dubbed as the “world’s worst humanitarian crisis” shoulders every type of misfortune on top of the civil war it is experiencing currently. Arguably, these reports do not change the status of Yemen as one of the least understood places on Earth.

Attributing causes of the catastrophic conditions within the country to the final uprising by Houthis, a group of minor political importance until 2000s, is misleading. Often cited regional rivalry or cold war between Iran and Saudi Arabia fills only a portion of the holistic picture and the catalogue of causes.

Especially since 1990, the country has become a hotbed for unrest in different waves and level of intensities. A better interpretation would be that the crisis is primarily an extension of internal competition over who controls the state, hence the resources and penetration of great powers lest jihadi terrorist networks that took root in the country find fertile grounds to further flourish and spread in the vacuum of power. Any insight disregarding the fact that Yemen has never achieved to become a full-functioning state in Weberian sense and the power structure within Yemen run the risk of missing the point. (Clausen, 2018)

2. Background

Yemen was divided until 1990. The borders separating People’s Democratic Republic of Yemen in South and Yemen Arab Republic in

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the North were drawn along imperial pasts of the two states under respectively British and Ottoman rule. On 22 May 1990, the two Yemens united removing geographical borders. The new Yemen was formed under the leadership of former leaders, Ali Abdullah Saleh [North] becoming the president and Ali Salim al-Beidh [South], the vice president.

Since then, the problems have existed in a multiplied manner in the country. Unification that was deemed to become a powerhouse for progress with unity of both populations in the North and South was realized without much deliberate preparation. Immediately after unification, the initiative became a “domination project” of Saleh and the North. President Saleh’s efforts to centralize state power under his hand, his use of violence to intimidate politicians and statesmen from the South caused great unrest. Apparently, the South was being marginalized in all aspects, above all politically. A last effort to address this unrest through a joint accord in Jordan on 20 February 1994 went futile.

Civil war which broke out in May 1994 between North and South was suppressed by Saleh in three months. Saleh was wise enough to see it coming and had prepared for this civil war long before to use it for further consolidating power. After suppressing this crisis, Saleh sacked twenty thousand military personnel immediately, laid off large numbers of public-sector employees, and marginalized southerners in state institutions. Even in the industrial sector, the number of factories operating in the South dropped from seventy-five prior to 1994 to only three in 2016. (Fraihat, 2016)

10 years after this civil war, another challenge formed against Saleh. Starting from June 2004, Saleh would have to deal with Houthi uprisings.

2.1. Sa’adah Wars

The Houthis, which only came to be widely known after storming Sana’a in 2014, have in fact their roots in Shabaab al-Mou’mineen or Believing Youth (Taylor, 2015), a revivalist movement aiming to voice the concerns about dilution and influence of the Zaydis and their grievances regarding regional underdevelopment and socioeconomic injustices. (Boucek, 2010) The

Zaydis comprising about one third of total population had dominated Yemen for centuries to be sidelined after civil war between 1962–1967 whereby the kingdom was replaced by Republic with support to the republicans by Egypt and Soviets.

After US invasion of Iraq in 2003, Hussain al Houthi, one of the leading figures of the group, headed the movement protesting against US invasion, harshly criticizing Saleh for collaborating with US and sidelining Zaydis politically, socially and economically. Saleh blamed the group for trying to restore Zaydi Imamate with the support of Iran and Hezbollah. Hussain al Houthi denied such allegations with an open letter on 26 June 2004 whereby he declared loyalty to the president and the republic and announced his opposition to government’s support to US and Saudi policies. (International Crisis Group, 2009) Saleh’s such move was openly motivated to highlight the issue to legitimize his planned harsh actions towards the group and garner external support in those heydays of “global war on terror.”

This confrontation with Saleh turned into open clash ending with the death of Hussain al Houthi on September 10, 2004. After his death, the movement took his name, to be called as Houthis. His death also served to exacerbate the situation causing this first wave of insurgency (18 June – 10 September 2004) to repeat in five more rounds until February 2010, with ever increasing violence and destruction. Each round became an effort of Saleh to subdue the group under different settings. He called them terrorists to garner external support to his actions starting from second round, sided with tribal forces on the third round and with Saudi Arabia on the fifth round. (Boucek, 2010)

For Saleh, as he had once famously said, ruling Yemen was like “dancing on the heads of snakes” and he was a master of this dance. (Jacinto, 2017) He would switch sides, allies or settings as fit his interests in his all-out pursuit to maintain power.

He was impeccable in capitalizing on every occasion. As Robert F. Worth would put it:” He [Saleh] lasted only because he learned how to trade on Yemen’s misfortunes and amplify them. Even Al Qaeda became a cash cow for



Mr. Saleh, drawing American military help and training. He thrived on Yemen's tribal conflicts, setting enemies against each other and expertly stirring the pot. He called this technique "tawazun," the Arabic word for "balancing," and he was proud of it." (2017)

2.2. The Houthis

The Houthis by conviction are Zaydis, followers of Zayd bin Ali, the grandson of fourth caliph Ali. They reside in northern Yemen and form an extremely mild branch of Shi'ites, alongside others known as "Twelvers" habiting mostly in Lebanon, Iran, Iraq and Saudi Arabia. Zaydis share the Shi'ite convention that Ali and his two sons Hasan and Hussain were the first three rightful imams. However, in contrast with other Shi'ites, they do not find the first three caliphs sinful in rejecting Ali's imamate. As such they perceive other interpretations of Islam as misguided rather than heretical which has so far created a tolerant and amiable relations between the population of Yemen, two thirds of which come from Shafiite Sunnites. (Salmani, Loidolt, & Wells, 2010)

In the same vein, both Shafiites and Zaydis pray in each other's mosques and most Zaydis would not identify themselves as Shi'ites but rather belonging to a fifth madhab. Finally they have moved away from the imam as proper ruler of Yemen and do not hold themselves subordinate to a clerical hierarchy. (Salmani, Loidolt, & Wells, 2010)

Houthis are Zaydi revivalists trying to mobilize Zaydis against threat of dilution in Sunni Islamic identity. Using Zaydi perception of Zayd as a symbol of fight against corruption and oppression, the group has blamed Saleh, who is also Zaydi, for being corrupt and being an extension of the US and Israel. They claim to be sayyids and Hashemites, meaning having direct descent from the Prophet Muhammad.

It should be noted that not all Zaydis are Houthis nor do all Zaydis support political agenda of the group. Contrary to general wisdom, the settlers of North Yemen are not exclusively Zaydis but they include Sunnites and Ismailis, though forming minority. Initially, Houthis were not accepted or supported by

Zaydis. However, over the course of Sa'ada Wars and in the current situation the group has expanded its support base. In an approximate description, the tribes that supported the Imam in the civil war of 1960s showed the support to the Houthis. Along the same lines, those opposing the Imam did not back Houthis until recently. (Lackner, 2017) However, after the clashes resulting in the death of Saleh, many of those opposing tribes started to back Houthis.

2.3. Arab Spring

Arab Spring galvanized Yemen as it did the whole region in 2011. It caused divisions within the ranks of the military and massive popular protests starting as early as Jan 22, 2011 brought about state violence killing hundreds of protesters.

Saleh, unwilling to leave his seat, called the protests "coup", a classical *modus operandi* of all Middle Eastern dictators to label any type of dissension. He showed growing security breaches due to increasing activity of AQAP as an excuse not to resign and to shore up external support.

Yet these efforts did not yield the intended results. The more violent the state became to suppress protests, the more his perception as a dictator ingrained, making it impossible to find external support. On 23 November 2011, he had no choice but to sign GCC peace and power transfer agreement that foresaw transfer of his powers to Vice President Abdu Rabu Mansour Hadi and formation a unity government that would hold presidential elections. The agreement would also give Saleh legal impunity from crimes he committed by ordering harsh repression of protests. (Country Watch, 2018)

Since his first day in the office, Saleh had struggled hard both internally and externally to dominate and control the state apparatus and thus enjoy control / ownership over resources. His 33-year rule testifying to his skills, Saleh had built a formidable network around his relatives controlling vital military units and Yemeni economy and had used state sponsored repression, co-optation and patronage to extend this network across the country. (Clausen, 2018) That's why Saleh and his close circles enjoying dominance understandably



were not eager to leave this control despite much bloodshed.

Immediately after becoming president, Hadi announced presidential election would be held on February 21, 2012. In January, Houthis announced to be ready to join political race with newly established Al-Omah party, which was tasked by Houthis to further the cause of “independence from foreign domination”. Southern secessionists made calls to boycott the elections. Hadi won the elections by getting 99% of the votes. Hadi was to head a national dialogue to draft an inclusive constitution based on a federal system. (Country Watch, 2018)

However, elections putting Hadi to the presidency did not calm the country. In the power vacuum where military commanders and cabinet members defected Saleh in face of harsh repression of the protests, AQAP increased influence in the country. Hadi faced three hard tasks. He had to redress the broken economy and the statecraft, provide security and services, and reach out to separatists in South and North. The national dialogue instituted to address challenges facing Yemen proposed a federal Yemen based on 6 provinces, with 4 provinces in the former North (Azal, Tahama, Saba, and Janad) and 2 provinces in the former South (Aden and Hadramawt). Neither Houthis nor the Southerners were content with this plan. What Houthis wanted was a two state federal system based on former borders between North and South.

In 2014, the Houthis made a deal with the other “discontent”, Saleh who still retained the control over much of the power base in Yemen and especially army. With this Alliance, the two would be in a position to control an invincible military force in Yemen and Saleh would be in a position to take revenge of events that led to his resignation.

On 18 August, the Houthis took to the capital for massive protests against removal of fuel subsidies. Then in September, the rebel alliance stormed capital Sanaa, forcing Prime Minister Basindawa to resign. In the beginning of November 2014, General People’s Congress (Saleh’s party), ousted its leader, Hadi from party to deprive him of his power base. (Country Watch, 2018)

On 22 January 2015, rebel alliance wrested full control of the capital with all ministries and presidential palace and caused President Hadi first to resign and then leave Sanaa. In February, Houthis dissolved the parliament and formed a revolutionary committee under the leadership of Mohammed Ali al-Houthi, the head of the military units taking over Sanaa and a cousin of Abdelmalek Badreddin al-Houthi, the leader of the group. (Country Watch, 2018)

In response, President Hadi declared that he continued to rule Yemen from Aden despite Houthi coup. On March 24, Hadi sent a letter to the heads of Gulf States appealing to them to take all necessary measures to include military ones “for the protection of Yemen and its people and to help Yemen to counter terrorist organizations.” (UN Security Council, 2015) On March 25, Houthis stormed Aden and Hadi’s residence. Finally on March 26, Saudi Arabia declared to have formed a coalition of ten states in order to restore legitimate rule of Hadi in Yemen. Those states were mainly the Gulf States except for Oman, Egypt, Jordan, Morocco and Sudan. (Gambrell, 2015) On 7 June 2017, Qatar would be kicked out of the Coalition based on its support to Islah Party, viewed as an extension of Brotherhood by especially UAE. (Abdelaty, 2017)

2.4. Operation Decisive Storm

Saudi Arabia and UAE, emboldened by their experience in their intervention against popular uprisings in Bahrain in 2011 [to support ruling Al-Khalifa family], decided to repeat the act in Yemen upon the request from President Hadi. (MacCormack & Friedman, 2018)

Alongside the obvious reasons to counter real or perceived Shi’ite or Iranian effect in the region, Saudis were intent to settle scores with Houthis predating the crisis at hand. Alongside its overall support to Yemeni government throughout Sa’dah wars, Saudi Arabia had joined Yemeni military operations against Houthis in November 2009. In the conflict, Saudis had conducted their first ever cross-border military intervention in Yemeni soil and had given support to international lobbying in favor of the Operation Scorched Earth. (Boucek, 2010)



For UAE, on the other hand, Yemen has a special importance due to its location controlling Bab-al Mandab Strait. Having naval bases in Assab (Eritrea) and Barbara (Somaliland), UAE is willing to have permanent control on strategic ports like Aden, Socotra and Perim Islands or having naval bases in the country.

Those abovementioned regional interests brought together the two nations to cooperate under leadership of two architects of the coalition, namely Mohammad bin Salman (31), Deputy Crown Prince and Defense Minister of Saudi Arabia and Mohammed bin Zayed (55), the Deputy Supreme Commander of the UAE's military. Having great influence in respective decision-making circles of their countries, the two enjoy good relationship among each other and have no reservations about using armed forces to project power beyond their borders.

“Operation Decisive Storm”, conducted by the Coalition of mainly Saudi Arabian and UAE forces was able to first stop the Houthi advance and then force the group retreat based on United Nations Security Council Resolution (UNSCR) 2216 (April 2015). The resolution authorized sanctions on individuals undermining stability of Yemen, imposed arms embargo against Houthi-Saleh forces, stipulated them to retreat from areas seized and to hand over their weapons. To date, this resolution has been rejected by the Houthis. After four months of fierce battles, the Coalition was able to regain control of Aden on July 17, 2015.

As the persistent air bombardments made up the backbone of the Coalition operations, Saudi armed forces conducted cross-border land operations in central and northern provinces of Yemen. UAE forces, on the other hand, focused on retaking Aden and moving north along the shore with the final objective of retaking Hodaida. Both forces actively engaged in providing advice and military support to pro-Hadi forces. (Sharp, 2018) UAE in addition generated militias to the same effect, Security Belt and Hadrami Elite Forces being two most renowned ones.

2.5. The Blockade

On November 4, 2017 a ballistic missile allegedly given by Iran to Houthis, landed near

Riyadh Airport. The Saudi reaction was to shut down of all air, sea and land transport in and out of Yemen to prevent weapons smuggling.

Saudi Arabia lifted the blockade only partially from cities loyal to government to include Aden, Mocha, Mukalla and Seyoun after a week. (McKernan, 2017) Then, facing harsh criticism that it used threat of starvation as a means of punishing Houthis, the Coalition announced end to blockade in Hudaydah Port for 30 days on December 20, 2017. Although the deadline has been passed, to date the blockade has not been imposed again. (Sharp, 2018)

However, another mechanism, United Nations Verification and Inspection Mechanism (UNVIM) which has been operational since May 2016 has become an important factor in delaying deliveries to the aid dependent country. UNVIM validates and provides clearance for vessels destined to the ports of Hudaydah, Saleef and Ras Isa in support of UNSCR 2216. (UNVIM) However, the Coalition is allowed to implement additional inspections on top of those done by UNVIM or divert sea-vessels to other ports for full control. (Wintour, 2018) A 22-page Amnesty International Report with the name “Stranglehold” depicts how this mechanism allows the Coalition to tighten the blockade and how those controls has impeded or delayed aid and other lively material delivered to the war-stricken country. (2018)

2.6. The Toll

All in all, the Coalition operations backed by mainly the US, the UK and France has so far resulted in more than 10.000 deaths (two thirds civilians), 55.000 injured and two million displaced. According to UN figures, more than 22 million people [of Yemen's 25 million population] are dependent on humanitarian assistance or protection, of whom around 8.4 million are severely food insecure and at risk of starvation. (UN News, 2018) If conditions do not improve, another 10 million are expected to fall into this latter category by the end of 2018. (Reliefweb, 2018)

As 16 million (more than 55%) of the population has no access to safe water, so far two major cholera outbreaks has generated more than a million suspected cases since 2016, and more



than 2,000 deaths. (The Middle East Eye, 2018) Between 27 April 2017 and 26 August 2018, the number of suspected cholera cases stood at 1,155,251 with 2,401 associated deaths of which 30 percent are children under five years of age. The number of confirmed cholera cases stand at 133,000 and 82 districts are at extreme risk of cholera. (OCHA)

Yet it looks like the worst is to come in two ways. First, a third wave of cholera is expected. The rainy season which runs from mid-April to the end of August has the potential to claim more lives based on the fact that the daily number of cholera cases had increased 100-fold in the first four weeks of the rainy season last year. The effects of this season are yet to be seen. (The Middle East Eye, 2018)

Second, Yemen has become a breeding ground for antibiotic-resistant diseases. According to Doctors Without Borders, the only agency tracking drug resistance in Yemen, more than 60 percent of the patients admitted to their hospital in Aden have antibiotic-resistant bacteria in their systems. (Loewenberg, 2018)

3. Actors in the Crisis and Ends They Pursue

The situation in Yemen is very complicated and hard to grasp for many observers due to multiplicity of actors. Aside from Hadi government and the Houthis, domestic, regional, and global actors, all interconnected at various levels complicate the calculations and implications.

Saudi Arabia, a country with a Shiite minority along its southern borders with Yemen, has been historically engaged in the internal politics of the country. It has supported select internal actors or bought tribal support to its engagements to further its agenda. In this regard, initial influence of Saudi Arabia to change political and religious landscape has been viewed as a threat by the Houthis and Saudis have perceived intransigence of Houthis as a threat diminishing its range of control over the state. (Fraihat, 2016)

Another source of tension between the two is ideological. Zaydis believe in the legitimate right of the descendants of the Prophet to rule politically and religiously. Saudis on the other hand descend from a tribe claiming legitimacy

to rule based on their guardianship of two holiest cities for Muslims. This Zaydi belief is a challenge for Saudis and to overcome it Saudis have tried to inject salafism in this bordering region for a long time. (Lackner, 2017)

A third important concern of the hydrocarbon rich state is the security of the energy corridors. The location of Yemen controlling Bab-al Mandab strait when compounded with Iranian military assets in the Persian Gulf flanking the country poses a great challenge for the security of its energy trade. To capitalize on this concern Houthis have laid “improvised sea mines” in the Red Sea to create a risk for the sea vessels destined to or from Yemen as long as 6-10 years. (Panel of Experts on Yemen, 2018)

Last concern for Saudi Arabia is the challenge coming by the salafi jihadist organizations, mainly AQAP and IS-Y that pose direct threat. Eclipsing the latter, AQAP or Ansar al Sharia, as it later branded itself to dissipate negative connotations related to Al Qaeda, was initially established to bring down the rule of Saudi family and end foreign presence in the peninsula. Considered as the most dangerous branch of Al Qaeda, the group has been able to garner support in Yemen based on its ability to benefit from power vacuum and to reach an understanding with local tribes, utilizing kinship ties and respect. Both AQAP and IS-Y see Houthis, government units and coalition soldiers as justified targets. (Kendall, 2018) Saudi Arabia has vested interest in a united stable Yemen keeping both Houthis and terrorist organizations in check. Otherwise, it will be impossible to curb passage of militants along porous 1200 km long borders with Yemen.

An interesting aspect of the way the crisis has evolved in Yemen is to see how rhetoric have shaped actions on the ground. Despite the fact that Zaydis define themselves as members of a “fifth madhab” rather than being Shi’ites both Saleh and Saudi Arabia have labeled the Houthi actions as a Shi’ite collusion commanded by Iran. This has been made to garner internal and external support at a time where Iran was declared a rogue state by US administration. Although the link between Houthis and Iran during Sa’dah Wars is inconclusive, this rhetoric has caused a rapprochement between the two entities. In the current situation, despite



Iranian rejection, UN Panel of Experts on Yemen has “identified strong indicators of the supply of arms-related material manufactured in, or emanating from, the Islamic Republic of Iran subsequent to the establishment of the targeted arms embargo on 14 April 2015, particularly in the area of short-range ballistic missile technology and unmanned aerial vehicles.” (2018, p.24)

Another regional actor in Yemen, UAE plays a role that eclipses that of Saudi Arabia. For UAE, even though Houthi domination is not an option, Hadi government’s total control of the country is a disaster based on its linkages to Islamist Islah Party. For that reason, UAE supports secessionist Southern Transitional Council (STC) in its bid to take over powers of Hadi.

Founded on May 11, 2017, STC aims for a free South and the top leaders of the movement are two figures close to UAE. President of STC, Aidarus al-Zoubaidi served as the governor of Aden until being discharged of duties by Hadi in April 2017. The vice president, Hani Bin Breik also served as minister of state in Hadi’s government previously. STC won its fight against Hadi’s forces and captured Aden on January 30 sending Hadi and senior government members flee to Saudi Arabia. Popularity of STC has been consistently growing among population and armed forces since its inception. (Mashjari, 2018)

UAE and STC play a dangerous game in Yemen. The scheme that is proposed by both for the post-conflict Yemen rules out options other than secession. As regards South, those options could be listed as :

- A federal Yemen granting autonomy to the Southerners,
- A unitarian Yemen, depending on reconciliation and addressing of grievances of the Southerners, and
- Secession as advocated by STC, along historical borders predating unification. (Fraihat, 2016)

STC’s this secession initiative rules out directly first two options any of which could form a basis for negotiation, reconciliation and political

solution to the crisis. In the end, both Houthis and Southerners were the ones with grievances left from Saleh’s days.

Kendall points out to two additional problems to both of which the authors of this article totally agree. First, STC’s representative power is questionable based on the fact that a significant number of regions of former South object to secession. Second, in the way the events have evolved, this separation will involve religious fault lines, which may lay the seeds for later conflicts. (2018)

Getting back to UAE’s ends in the war, the country wants to utilize strategic location of Yemen to become a full-fledged regional power. In addition to its bases in Assab (Eritrea) and Barbara (Somaliland), UAE has currently de facto control over Aden and Socotra ports and has further ambitions on Perim Island.

In terms of great power, the US has been at the very least an enabler of the conflict. Though differing in size and content, US administrations under both Obama and Trump has provided constant support to coalition operations in Yemen. In this regard, US initially announced to provide “logistical and intelligence” support with no direct involvement and to have formed a planning cell to coordinate such support at the beginning of operations in March 2015. After emergence of concerns about civilian casualties caused by Saudi air offensives, Obama administration withdrew US personnel from the planning cell and banned sales of precision guided munitions to Saudi Arabia. Immediately after becoming president, Trump restarted sales of suspended munition. He directed his Administration “to focus on ending the war and avoiding a regional conflict, mitigating the humanitarian crisis, and defending Saudi Arabia’s territorial integrity and commerce in the Red Sea.” (Sharp, 2018, p. 6). Despite general distaste for US military support to Saudi Arabia and concerns about civilian casualties, some lawmakers defend US actions as efforts to increase efficiency of Saudi forces in the absence of which the losses could have been much higher. (Sharp, 2018)

Another enabler has been the UK. A recent freedom of information request revealed that Britain has been selling air to surface missiles



to Saudi Arabia under Open Individual Export Licences (OIELs), a method used to channel sensitive weaponry evading scrutiny and approval before each export. According to SIPRI (The Stockholm International Peace Research Institute), since 2013, around 100 Storm Shadow missiles, 2,400 Paveway IV bombs and 1,000 Brimstone missiles totaling to some £330 m have been sold to Saudi Arabia since 2013. (Doward, 2018)

A third enabler for this conflict can be said to be France. World's third greatest arms exporter counts Saudi Arabia and UAE among its biggest customers. Lacking parliamentary checks or balances, France exports arms to both countries with non-public contracts. (Irish & Pennetier, 2018) But those contracts leaked to open sources indicate that French defense companies provide many military items to include but not limited to Thales Damocles XF laser designation pods, tanker Airbus 330-200 MRTT planes for refueling at air, Cougar helicopters, cannons and espionage drones. In the beginning of operations France flew reconnaissance missions for Saudis to map Houthi positions and trained Saudi pilots. (Mohamed & Fortin, 2017) A more recent news appearing in *Le Figaro* disclosed that French special forces were on the battlefield alongside UAE forces. Initially unable to comment, The French Defense Ministry later stated its intentions as to study "the possibility of carrying out a mine-sweeping operation to provide access to the port of Hudaydah once the coalition wraps up its military operations." (Thomas & Irish, 2018)

Spain, as the last potential enabler is the fourth largest arms provider to Saudi Arabia. The country had inked a deal worth €2 billion to deliver 5 corvettes to Saudi Arabia during Crown Prince visit to all four main providers in April. Spain declared to cancel delivery of 400 laser-guided munitions to Saudi Arabia on 4 September. The decision came after great public debate on the probable war crimes committed by the Coalition and that those countries providing them arms could be charged for the same crimes. (Parra, 2018) The decision was symbolic based on the fact that the deal totaling to €9.2 millions were nothing when compared to total arms sales of the country to Saudi

Arabia. The country reversed such decision ten days later after meeting with Saudi officials on September 11. What is more, on September 12, US Secretary of State Mike Pompeo made a statement certifying the Coalition was doing its best to minimize collateral damage and thus allowing continuation of US support to coalition operations. (Hubbard, 2018)

It is clearly visible that the crisis in Yemen has become a major revenue source for arms exporting countries. According to SIPRI data published on March 2018, the US ranked first in global arms exports between 2013–2017. Its share of global arms exports was 34 per cent. In the same period, states in the Middle East accounted for 49 per cent of US arms exports. By far the largest recipient of US arms was Saudi Arabia, accounting for 18 per cent. Then comes UAE by 7.4 %. France ranks third (6.7 %) and the UK ranks sixth (4.8) in global arms exports. Accordingly, 42 % of French arms exports went to states in the Middle East. In the case of UK, deliveries of combat aircraft to Saudi Arabia and Oman accounted for a large share of these exports. For Saudi Arabia, major arms providers are US (61%), UK (23%), and France (3.6%) whereas those are the US (58%), France (13%), and Italy (6.6%) for UAE. (Wezeman, Fleurant, Kuimova, Tian, & Wezeman, March 2018)

Alongside supporting the Coalition, US conducts regular ground and air counterterrorism operations against AQAP and IS-Y. Historically, both terrorist organizations have been effective in inspiring local and international attacks without necessarily direct links with the attackers.

Benefiting from chaos and vacuum of power, AQAP has in fact run twice a de facto micro-state in Yemen, first during revolution following Arab Spring in 2011-2012 and then between March 2015 and April 2016 where it was expelled from Mukalla by UAE special forces supported by US military. (Kendall, 2018) Since then, AQAP and IS-Y have been in decline mainly due to increased number of airstrikes, dwindling tribal support, and UAE initiatives to counter both. The UAE has been recruiting heavily from Yemen's south for its proxy security forces, depleting the human resources of the organizations and fighting them.



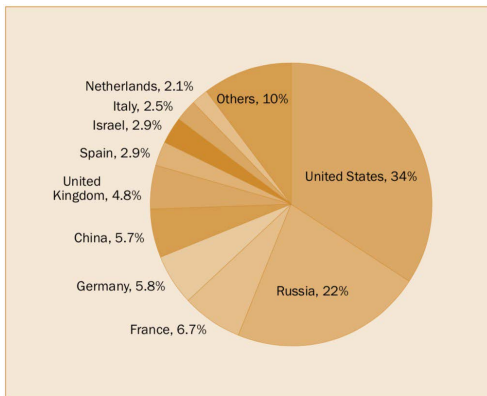


Figure 1. Global share of major arms exports by the 10 largest exporters, 2013–17 (SIPRI)

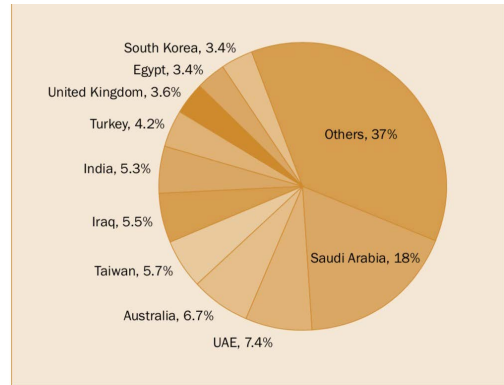


Figure 2 . The 10 largest importers of US arms in 2013–17 and their share of US arms exports (SIPRI)

Note: Percentage of total is rounded to 1 decimal place (except for percentages over 10 which are rounded to whole numbers).

Importer	Share of arms imports (%)		Per cent change from 2008–12 to 2013–17 ^a	Main suppliers (share of importer's total imports, %), 2013–17		
	2013–17	2008–12		1st	2nd	3rd
1 India	12	11	24	Russia (62)	USA (15)	Israel (11)
2 Saudi Arabia	10	3.4	225	USA (61)	UK (23)	France (3.6)
3 Egypt	4.5	1.6	215	France (37)	USA (26)	Russia (21)
4 UAE	4.4	3.2	51	USA (58)	France (13)	Italy (6.6)
5 China	4.0	5.4	–19	Russia (65)	France (14)	Ukraine (8.4)

Table 1. The 5 largest importers of major arms and their main suppliers, 2013–17 (SIPRI)

To be more precise on US counter terrorism actions, in 2016 US CENTCOM has conducted 21 manned and unmanned airstrikes. In 2017, the figure was increased six-fold to 131. The figures show a negative correlation with the weakening of both organizations. (Kube, Windrem, & Arkin, 2018) This year, in 2018, this figure has been 34 so far. (CENTCOM, 2018) Those airstrikes have proved to be effective in eliminating top cadre of the organization. They have also been effective in denying those organizations support from locals since their existence in their area attract danger and more airstrikes. (Kendall, 2018)

A last element in the equation is certainly Iran. In the Middle Eastern Cold War, Iran and Saudi Arabia race to increase their influence beyond their borders. Yemen, with its location and proximity to Saudi Arabia presents great

opportunities for Iran to weaken especially Saudi Arabia politically and economically. What Iran does is a textbook case of conducting proxy operations at minimum costs.

On 25 July, Houthis targeted two Saudi crude-oil tankers passing through Bab-al Mandab strait from west of Hudaydah, causing slight damage in one of the vessels. Saudi Arabia halted all shipments through the strait immediately for a week. (Al Jazeera, 2018) One day later, Houthis claimed to have hit Abu Dhabi airport, a major transportation hub connecting flights between East and West. On 28 August, Houthis claimed to have hit Dubai International Airport this time with Samad – 3 drones. The airport is one of the busiest airports in the world that hosted 88.2 million passengers last year. Both airport attacks were denied by Emirati officials. (Middle East Monitor, 2018) However, the economic

implications of such initiatives are clear that require no further explanation.

Another aspect is the political attrition of the Coalition. The Coalition's reckless targeting amounting to war crimes reached a zenith in the first ten days of August. The airstrike on a fish market and the entrance to a nearby hospital in Hudaydah on 2 August (BBC, 2018), and later hitting a school bus in Dahyan, Sa'dah killing 51 people to include 40 children on 9 August (BBC News, 2018) started a big discussion on whether those would constitute war crimes and if implication of Western actors in support of the Coalition would one day cause those officials be tried too for such support.

The Coalition initially dismissed all allegations following debates. But in face of harsh criticism it had to accept the blame and declare it would both hold those responsible accountable for the event and compensate the families of those killed.

The Coalition partners bear great burdens by the operations they conduct. In addition to costs of operational and legal costs, they have to finance lobby firms to dispel accusations and questioning of legitimacy of the operations conducted.

The result is that, Iran conducts a proxy war at costs as low as a few million dollars whereas Saudi Arabia alone pays at least \$ 5-6 billion a month. (Riedel, 2017)

4. Fight for Hudaydah and Operation Golden Victory

As stated in many papers EU-Turkey A 48-hour ultimatum by the Saudi-led Coalition to UN to convince the Houthis withdraw from Hudaydah, the city home to the most important port of the country, expired on 13 June. The spokesman for the Saudi-led Coalition, Turki al-Malki said the intention with operation of the Coalition, dubbed "Golden Victory" was only to take control of the airport, seaport and the strategic highway leading to Sanaa. (Mokhashef & Ghobari, 2018)

This ultimatum actually came after a draft U.N. peace plan for Yemen leaked on 7 June. Masterminded by U.N. Special Envoy Martin Griffiths, the plan called on the sides to agree

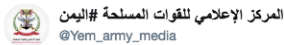
on a three-pronged scenario. Namely, Houthis would give up ballistic missiles in return for an end to the bombing campaign by the Saudi-led coalition and a transitional governance agreement. The draft seen by Reuters included plans to create a transitional government, in which political components would be adequately represented. Operation Golden Victory came after this plan became public. (Strobel, Bayoumy, & Stewart, 2018)

The response by International Organizations was quick for the operation. High officials of UN, from the very first moment showed the table of negotiations as solution to the bitter conflict. Mark Lowcock, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, reminded the figures that 90 percent of food and medicines are imported and 70 percent of those come through Hudaydah to Yemen. He further stated any halt to the operation of the port would translate into a catastrophe for the Yemenis. (Clarke, 2018)

It is not clear how such humanitarian calculations matter for the Coalition. Because, the operation and its effects have been so far underplayed with void statements by the Coalition spokespeople. Initial explanations were that the coalition would conduct "a swift military operation to seize the airport and seaport without entering the city center, to minimize civilian casualties and maintain the flow of goods." (Ghobari, 2018) Then, on 21 June, UAE Minister of State for Foreign Affairs Anwar Gargash tweeted: "The coalition will achieve its goal of liberating Hudaydah, city & port. Yet we will support all efforts to achieve an unconditional peaceful withdrawal of Houthi gangs."

So, the minister and the Coalition he is part of enlarged the target in a way to include the city and if Houthis did not accept to withdraw peacefully (as it is the case till the moment this article has been written) promised a swift operation. Anyone with modest knowledge of operational art knows that there is no swift win in contemporary urban operations. On top of that if a state is conducting a war basing its calculations upon proxies, the win is even more problematic.





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@Yem_army_media

Follow

عاجل

قوات الجيش مسنودة بالمقاومة والتحالف العربي تحرر مطار
#الحديدة الدولي من قبضة مليشيات الحوثي والفرق الهندسية
تباشر تطهير المطار ومحيطه من الألغام والعبوات الناسفة

*المركز الإعلامي للقوات المسلحة

Translated from Arabic by Microsoft

Urgent army forces backed by the Resistance and the Arab Alliance frees the International Airport from the #الحديدة grip of Houthi militias and engineering teams begin clearing the airport and its surroundings of mines and improvised explosive devices *
Armed Forces Information Centre

9:33 PM - 15 Jun 2018

Not having convinced Houthis, Saudi-led Coalition started the offensive on 12 June 2018 to capture the port city, Hudaydah. After initial fierce fighting over control of the airport, on June 15th, Yemeni Armed Forces announced capture of the Hudaydah International Airport through its twitter account.

The next day, UN special envoy Martin Griffiths arrived San'aa to discuss the situation at the port and propose UN control of the port to prevent bloodshed. In his shuttle diplomacy, Griffiths' two priorities were first to keep negotiations alive and second to prevent an attack on the city and port of Hudaydah. (UN News, 2018) The US, the UK and France did not show any direct endorsement of the operation, as news showed their presence with different volumes. But they did not express their opposition either.

To support what Griffiths said, on July 1, the Emirati Minister of State for Foreign Affairs Anwar Gargash declared through his twitter account that the Coalition had made an operational pause on June 23 to last for one week in order to allow the UN envoy secure an unconditional withdrawal from Hodeida.



د. أنور قرقاش
@AnwarGargash

Follow

To clarify the Coalition has paused the advance on the city & port on June 23 for a week to allow the UN envoy to secure an unconditional withdrawal from Hodeida. We continue our pressure on the parameter & await results of the Envoy's visit to Sana.

1:11 AM - 1 Jul 2018

The operational pause, as claimed by Emirati minister, was used by the Saudi-led coalition to consolidate gains, by Houthis to dig in and prepare positions, and by Griffiths to conduct shuttle diplomacy. The parties gave statements that showed keenness for negotiations. Yet, the meanings attributed to ceasefire and peace were completely different and fuzzy.

Despite Griffiths' statements that Yemen's parties had offered concrete ideas for peace, Security Council issued a statement after a closed-door briefing by Griffiths on 5 July. There was no mention of UN management of the port but a commonplace statement, which read: "A political solution remains the only way to end the conflict." (Lederer, 2018) The next day, Saudi-based al Arabiya reported that the Houthis rejected a proposal to hand Hudaydah and its port over to UN jurisdiction, instead, suggesting joint management. According to the newspaper, the Houthis had in principal verbally agreed to a lasting ceasefire. (McKernan, 2018)

Then, news hinting at problems around advance by Saudi-led Coalition surfaced. Accordingly, the control of the airport and surrounding areas was still contested, changing hands from time to time between the Coalition and Houthis. (Yaakoubi, 2018)

Other reports added to those described problems around Coalition operation. Accordingly, UAE had not paid the wages of the proxy fighter group, Tihama Resistance forces in May and June. (UAE-backed forces in Yemen protest non-payment of wages, 2018) On top of all that, a UAE prince from the Fujairah escaped to Qatar to make revelations about the country. He accused rulers of Abu Dhabi for not consulting other Emirates before decisions about war in Yemen. He said soldiers from smaller emirates, such as Fujairah, had filled the front lines and accounted for most of the war deaths, which Emirati news reports have put at a little more than a hundred. (Kirkpatrick, 2018)

In the early days of July, operations by Coalition forces restarted to show some advance.



5. Problems Surrounding Coalition Operations

There are in fact multiple problems surrounding operations conducted by the Coalition. The first one is the legitimacy of the internationally recognized President Abd Rabbuh Mansur Hadi. Utilized at best by the Coalition as the source of legitimacy of their operations, Hadi becomes increasingly an unpopular and symbolic figure with no powers in Yemen. Ousted first from Sana'a after Houthi uprising, Hadi was ousted from Aden by UAE supported-STC in January 2018. The latter has considerable connotations. Just one month after assassination of Saleh where Republican Guards linked to Saleh defected, UAE closed the window of opportunity for a unified Yemen by sanctioning fight between forces under STC and Hadi. Because UAE has no appetite for Hadi and his government formed by mostly Islah Party members, an equivalent of Muslim Brotherhood. (Mashjari, 2018) As Hadi has been in a situation where he has to rule the country from Saudi Arabia since January 2018, his ability to deliver services and salaries has declined and level of corruption in government has reached high levels. This latest has become a common denominator of Islamist parties across the globe.

A second factor taking away from legitimacy of the operations has been collateral damage and intentional targeting of non-military targets to subdue the Houthis. According to Yemen Data Project (YDP), an independent, non-profit data collection project, between 26 March 2015 to 25 March 2018, the Coalition has conducted a total of 16,749 air raids, each comprised of a couple to several dozen airstrikes. On average those figures correspond to 15 air raids per day and 453 air raids per month. As can be seen from the figure, the Saudi-led coalition has targeted non-military sites to include schools, houses, markets, farms, and factories by 31% of those raids whereas the rate of military targets has remained at 37 %. In many cases, alongside collateral damage, the raids have seriously destroyed infrastructure and sites relevant to healthcare, food and water. (Yemen Data Project, 2018)

For a better understanding, below is a selection of text from the 3-page bi-weekly Yemen

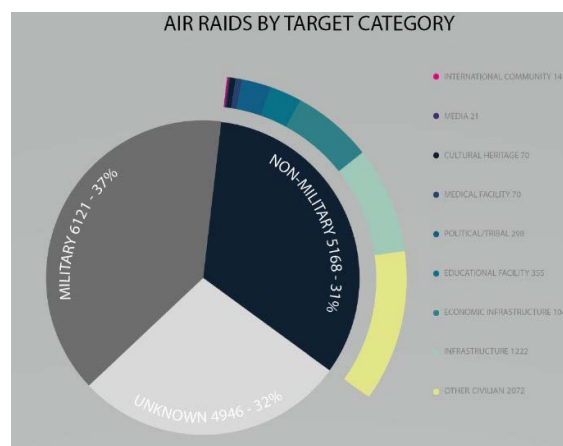


Table 2. The 5 largest importers of major arms and their main suppliers, 2013–17 (SIPRI)

Humanitarian Update by United Nations Office for the Coordination of Humanitarian Affairs (OCHA) covering 17 July – 29 July 2018:

On 26, 27 and 28 July, airstrikes occurred near a reproductive health centre and public laboratory in Hudaydah and hit and damaged a sanitation facility in Zabid and a water station, which supplies the majority of the water to Hudaydah City. On 29 July, the Humanitarian Coordinator for Yemen, Lise Grande issued a statement warning that civilians are at extreme risk from airstrikes in Hudaydah Governorate where an unstoppable epidemic of cholera could be triggered should water and sanitation system breakdown [...] On 24 July, UNICEF issued a statement condemning an attack on a water facility in Sa'ada which destroyed more than half of the project, cutting off 10,500 people from safe drinking water. [...] Indiscriminate shelling reportedly targeted the residential neighbourhoods inside and outside Taizz City. Casualties among civilians including children reported, figures are not confirmed. [...] (OCHA, 2018)

A third factor is wayward behavior of Coalition members disregarding sovereignty rights of Yemen and its internationally recognized government. To better illustrate, UAE deployed some 300 soldiers, along with tanks and artillery in the first week of May, to the island



of Socotra with no notification to Yemeni authorities. According to the AP report, Emiratis had total control over all critical infrastructure like the airport, the ports, the government's headquarters, had kicked out the Yemeni forces from the island and were preparing to annex the island as part of a larger expansion on a series of bases like in Assab in Eritrea and Somaliland (Horn of Africa). Accordingly, UAE was "building a factory and a prison, recruiting the island's residents, and creating a new militia" and the government had no idea. In one case, even Yemeni transportation minister Saleh al-Jabwani was not allowed entrance to one of the ports on the island. (Michael, UAE Deploys Troops to Yemeni Island, Imperiling Alliance, 2018)

A further example to such wayward conduct by UAE is its running prisons and detention centers and responsibility in forcibly disappearing, arbitrarily detaining and torturing detainees. On 22 June 2017, Human Rights Watch (HRW) reported that Security Belt, a force created in 2016 was operating independent of government orders although it was officially under the Ministry of Interior. The force was funded and trained by UAE and was under its operational control. Security Belt was responsible for detentions and forcible disappearing of many. In the same manner, Hadrami Elite Forces, officially a part of Yemeni Armed Forces, conducted the same notorious acts under operational control of UAE. (Human Rights Watch, 2017)

Another Human Rights Watch report revealed Yemeni government officials have raped, tortured, executed, denied asylum seekers an opportunity to seek refuge and sent them to sea in large numbers to dangerous conditions. Accordingly, the center in in Aden's Buraika district, which was converted from a marine research center in spring 2017, had been home to many atrocities. (Human Rights Watch, 2018) Although the center operates under the Ministry of Interior, UAE controlled Security Belt rounds up and transports migrants and displaced to the center. It should also be noted that the same report illustrates clearly that similar acts have been committed by Houthis also.

In the first week of August, another report

by AP asserted that the Coalition had made secret deals with AQAP to be seen as fighting with the organization while using it actually to make advances towards Houthis. Accordingly, UAE had asked AQAP to leave key terrain and relocate while ordering some other units to leave their posts with cash, weapons and ammunition left behind. It had tried to recruit AQAP fighters, which it deemed as hardened fighters. (Michael, Wilson, & Keath, AP Investigation: US allies, al-Qaida battle rebels in Yemen, 2018) Of course both UAE and AQAP denied such allegations. (The Associated Press, 2018)

Lastly, the International Campaign to Boycott the UAE (ICBU) informed on 07 August 2018 that UAE was using children brought from African ports to fight in Yemen alongside its mercenaries. According to assertions UAE was forcing the children to carry and use arms against Houthis and many of those killed in action were buried in the battlefield. (Middle East Monitor, 2018)

The above listed reports which indicate existence of abuses by especially UAE needs verification. But the problem is that the Coalition is not keen on allowing independent and international parties to investigate the events in the field. Instead they offer national scrutiny structures which are primed to cover-up abuses or cannot access the rebel held areas. In the only instance where Saudi Arabia accepted creation of an "eminent experts" group, the latter concluded that Saudi Arabia, UAE and Yemeni government could be responsible for war crimes with their report three weeks ago. (The Associated Press, 2018)

6. The Houthis Revisited

Upon his call to Saudi Arabia to start a new page in relations on December 2, 2017, Houthis executed Saleh two days later. Units under his control in Sana'a were defeated by Houthis and in the immediate aftermath, all commanders from Saleh's Sanhan tribe were executed. As some of his relatives were kept captive to prevent resurrection of his network, Houthis reached out to tribes in the North and consolidated their control. As a result, Houthis crushed Saleh's network or co-opted those remaining. (Panel of Experts on Yemen, 2018)



In the flow of events since 2014, Houthis had developed military capacity to counter-balance Saleh's forces or to replace them. They had also developed some administrative skills to govern, most visibly in Sana'a. (Lackner, 2017) Despite having no allies politically, Houthis or Ansar Allah as they call themselves, have in the course of events been successful in increasing their support base among Northerners and become indispensable in the search for peace.

Although in the previous part, the problematic parts related to conduct of war by the Coalition has been explained, it is not possible to argue that the Houthis, the trigger for all this carnage, are totally innocent. They have also conducted actions that have violated law of war. To be more precise, Houthi forces have been party to arbitrary detentions, torture, executions and enforced disappearances, they have arbitrarily detained political opponents, used antipersonnel landmines, deployed child soldiers, destroyed homes of enemies and shelled cities indiscriminately.

In this regard, on Rights Radar, a Netherlands-based foundation reporting on human rights in the Arab World, announced that there were about 18000 detainees in Yemen most of whom were arrested by Houthis. The group further confirmed that about 114 detainees had died under torture in Houthi detention centers. (Rights Radar, March 2018)

The group also reported on Houthis mixed methods to finance the war. They have used extortion covered under different names like tax, customs or support to war. They have confiscated bank accounts of economic entities and transferred the funds to the central bank of Sana'a. In November 2017, the group announced closure of 4278 bank accounts. The report further reads:

According to an official report issued by the government's Higher Relief Committee, the Houthi and Ali Saleh militants attacked, pirated and looted 65 vessels from the beginning of the war until the end of the summer of 2017, that were carrying humanitarian aid to the port of Hodeida and looted more than 124 humanitarian aid convoys, in addition to the attack on 628 small and medium transport trucks. (Rights Radar, March 2018)

On the issue of use of "Child Soldiers", UN published a report with the name: "Children and Armed Conflict" on 16 May 2018. The report read:

The United Nations verified 842 cases of the recruitment and use of boys as young as 11 years old. Among those cases, 534 (nearly two thirds) were attributed to the Houthis, 142 cases to the Security Belt Forces and 105 to the Yemeni Armed Forces, marking a substantial increase compared to 2016, with the majority of children aged between 15 and 17. (Secretary General, 2018)

A third issue is the freedom of the press. Both Houthi militants and the pro-UAE forces have made effort to remove media in Yemen. In this regard:

60 media outlets were raided, looted, seized and closed, and 24 journalists and media professionals were killed, most of them by Houthi militants. The Houthi group arrested dozens of journalists in the capital Sana'a and in other cities under its control. Sixteen of them are still in detention and some of them have spent nearly three years in their detention centers.

Lastly, Houthis have put great pressure on aid workers and tampered with delivery of international aid. On top of arbitrarily detaining, kidnapping and even killing aid workers in Yemen, Houthis have forced them to use list of needy prepared by local officials. In this setting, often favoritism, imposing bribe and obstruction have kicked in very often. (The Associated Press, 2018)

7. The Operational Art and Realities on the Ground

The war undertaken by the Yemeni government and Saudi-led Alliance can be seen as a multi-shaded version of a proxy war. A Coalition motivated by multiple ambitions to include the fear of Iranian influence to expand at its doorsteps has intervened militarily with the declared aim of restoring order in Yemen. However, several points should be put in perspective to holistically evaluate success so far and understand prospects for the future.

Before all else, Clausewitz says: "War is the



continuation of politics by other means". What we observe in Yemen is an inverted version of this saying. The warring parties believe they can achieve political goals or make their stipulations accepted based on wins on the ground from totally different perspectives. Although there is ample example in near history verifying this premise, current political and humanitarian situation in Yemen requires a robust, unified political stance on the side of Coalition. The divergence or blurred nature of intents of both SA and UAE had been explained above. Such divergence causes disunity in efforts at all levels.

Two main members of the Coalition, Saudi Arabia and UAE do not have rich history of warfare and military operations despite heavy defense spending. For that reason it is interesting to see how both states fit in the multilayered theater where they, together with their proxies, fight both against Houthis and Salafist Jihadi organizations (AQAP and IS-Y), as such forming proxies of US in the latter initiative. In this sense they play the role of 'middle man' as well in the big picture. Yet, whatever the role, still politics, geography and requirements of military science all dictate their conditions to the sides in a way that it becomes impossible not to heed.

In the current situation, absent is the will of Yemenis. An able STC, not representing the whole of South takes orders from UAE and works towards a free south. President Hadi on the other hand, not having even the ability to rule from Aden represents Yemen in negotiations. A UN special envoy, coming after two failed attempts, tries to convene the sides at least in the same place and solve differences. In his latest attempt to convene sides in Geneva, which could be the first time after three years, to agree on technical issues like exchange of prisoners without putting them around the same table failed after no-show of Houthis. (Nebehay, 2018)

Houthis try to buy time with negotiations, withstand and outlast Coalition offensives to be victorious. What they require is just not to lose. For that reason, they have been trying to amass as many able and trained people to Hudaydah while trying to curb exits by civilians. The aim is to put up a good fight with the able while

shielding the city with civilians to increase the humanitarian cost of the offensive extremely high for the coalition.

The Coalition on the other hand has the imperative to win based on two main reasons. First they lose money and men every other day with no solution. Second they lose support base at home and abroad as the war takes its toll on Yemenis, 22 million of whom live dependent on international aid now.

American way of making war is not applicable even for US when it comes to producing results let alone others. As Adrian R. Lewis clearly illustrates in his masterpiece "The American Culture of War", the notion that "airpower can bring cheap and easy solutions" is mere illusion with no reciprocity on the ground. With all due respect to the merits of airpower in especially contributing to the agility and firepower, it should be noted that the result on the ground will be attained only after whole domination in all dimensions of the battlefield, especially the land.

It is arguable that the Coalition has rightly understood that they cannot produce results with mere air assaults. In this regard, the Coalition has added three more lines of operations. First, it has launched a ground offensive to dislodge Houthis from the most important port city and then from San'aa to deprive them from first revenues and support with an intended end state of winning the war.

Second, the Coalition has generated proxy armies from the locals and mercenaries that will fight alongside regular army. Saving the discussion on quality of those forces for later, the move has also advantage on limiting losses to the Yemenis and preventing a wild reaction from public at home. Especially from UAE side, using more of its soldiers is not an option either. The country's nationals make up only 17 percent of its total population. This makes it an obligation to use proxies.

In the current age, kinetic operations are not sufficient to have a lasting victory. Winning hearts and minds is equally important. The US has learned a huge lesson on that which inspired the famous counter-insurgency manual. As the coalition continues hitting



civilian targets and not taking efficient steps to hold those accountable, the Coalition should note that a psychological secession will most probably follow the operations and a nation-wide reconciliation will be extremely hard.

Lastly, the Coalition found grounds to resurrect network of Saleh against Houthis after his assassination by the latter. It is arguable that the best units in the fight against Houthis are the ones commanded by the nephew of late Saleh and some units of former Yemeni Army. Those are good precautions to produce result.

From force ratio perspective, military science dictates the offensive side to be eight times more powerful than the defensive for a straight win. The main reason is that defense has the ability to define where to confront the offense and make preparations accordingly. Those preparations could involve fortifications, mining and other means to discourage the opponent and make lose momentum. What is more, as the defense stands longer in its position the harder it gets for the offense to be successful. Houthis have been doing just that currently. On top of all those measures, they try to block exit of civilians from Hudaydah while pushing child soldiers to the frontline to swell numbers. So it is hard for the offensive to reach this 8:1 ratio.

Aside from numbers, there are other factors that need to be discussed like the unity of effort. What we observe on the ground is a fractured offensive side. The post-conflict picture envisaged by two main actors of the Coalition, Saudis and Emiratis is different. There are also internal divisions. The assertions by the escapee prince to Qatar shows that not all emirates in UAE are for the operation whereas there is no uniformity in the rate of sending troops to Yemen. Furthermore, there are no harmony let alone amity relations between the proxies. The proxies like the Tihama Resistance, Giants Brigade or Republican Guards do operate under UAE command with tensions among each other. After initial relatively rapid movement from Mocha to southern Hudaydah, the tensions have become greater based on the efforts to claim credit for the success. (International Crisis Group, 2018)

What is more, there is also a fractured structure among Yemeni forces. Some are well paid,

well equipped whereas some others frequently complain about lack or insufficient payment and equipment.

The formation of Southern Transitional Council on 11 May 2017 further saps the vigor in the effort. The security developments in 2017 have taken away much from the government assertion that it controls eight governorates. Especially the government's inability to pay salaries to government employees, bring service and provide security has diminished popular support especially in Aden and Mahrah. To be more precise, troops under the official structure of state routinely display the flag of an independent south Yemen. UN Panel of Experts on Yemen assesses that President Hadi no longer has effective command and control over the military and security forces operating on behalf of the legitimate Government of Yemen. (2018)

Urban Warfare is time-consuming, costly, complicated and the most cumbersome environment for any army. Isolation is hard if not possible and cleaning is replete with risks like collateral damage and fratricide. To exacerbate the situation, both UAE and Saudi Arabian forces are not experienced in urban warfare. From a military perspective, Emirati allegation that the country will isolate the port and the city is nothing more than wishful thinking.

From logistical perspective, any contemporary army should take into consideration its power to uphold a lengthy operation and what happens if that operation starts to take more lives of its citizens. The more operation extends in time the more resources and economical wealth it will take away.

It is not clear how long more the coalition members can continue to fight. In addition to the costs of operations, they make new arms acquisitions that they will not use to maintain the external support.

8. Prospects for Future

Yemen, as a unitary state, has long ceased to exist. But the worse part is that intervention of external actors have exacerbated the crisis, making it inextricable due to differing interests of different actors. Within the same context, the window of opportunity that opened with the



death of late Saleh was not capitalized by the Coalition. Apparently, the war has something to offer to every actor.

In the course of events, STC has solidified its position in the bid for an independent South, whereas Houthis have solidified their support base among Northerners posing a dependable political actor to withstand marginalization of the Zaydis and against “western” invaders. UAE has gained control over critical ports and islands while pushing aside internationally recognized government of Hadi based on its Islah-heavy composition.

The countries supporting the Coalition like the US, the UK and France had been shy about articulating their support to the Coalition until recently. After recent calls by international actors and media centers to especially the US to halt such support based on the carnage caused by Coalition air raids triggered a new initiative. It is to whitewash coalition to whitewash the support. This is what caused Spain to reverse its decision to “halt delivery of munitions to Saudi Arabia.” All four countries lubricate the wheels of their defense industry through this war.

Iran on the other hand bleeds Saudi Arabia and UAE economically and militarily while attaining deeper relations with Houthis based

on much underlined “Shi’ite” identity. The terrorist organizations like AQAP and IS-Y are seemingly becoming weaker due to actions by US and UAE. But it is still to be seen what will happen to those militia after their contract ends with the termination of hostilities. Will they fill the ranks of both organizations or else?

Absent is Yemeni population in this “winners” equation. Since the beginning, it is the common population that has constantly been on the losers’ side to compensate all abovementioned wins.

A Coalition that wants to roll back Houthis and finish them off politically and militarily has not been able to pull it off in the last 3,5 years. The sides have reached a culminating point where neither side is able to overcome the adversary. As the humanitarian situation exacerbates, this equilibrium of forces works against Yemenis.

There is urgent need to stop the bloodshed in Yemen. In this regard, an agreement should be sought on the table on the future of Yemen. This can be either a federal state or a secession between North and South. But whatever the format, the decision should be followed by reconstruction of Yemen and reconciliation among its societies. Otherwise, unresolved differences will haunt the country again and again.

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Reinforcing EU-NATO Cooperation: Walking the Talk?

Steven Blockmans *, Samet Coban**, Hasan Suzen** and Fatih Yilmaz**

While the new security environment has driven the EU to take a bigger role in security and defence, it has also forced the EU-NATO relations to evolve from a desirable strategic partnership to a more 'essential' one, since both their security is interconnected and neither organisation has the full range of tools available to address the new security challenges on its own. Thanks to the new framework initiated by the Joint Declaration in 2016, cooperation between the EU and NATO has been gradually improving in several designated areas. But it is obvious that, within the defined framework, there are many obstacles to overcome before opportunities could be more fully exploited. While the new challenges emanated from the East and South of Europe can be seen as an opportunity for a wider cooperation, the rise of illiberalism and authoritarianism in the world, even including the member nations, poses a big challenge against the cooperation. Further concrete steps are to be taken for a wider and substantial cooperation between two Brussels-based organisations. We argue that a joint response must be formulated in the form of a common strategy, implemented in an integrated way by using a more comprehensive toolbox.

Keywords: NATO, EU, NATO-EU cooperation, European Defense and Security, Transatlantic Alliance, PESCO

1. Introduction

EU-NATO relations have traditionally been described in lethargic terms due to long-standing political blockages.¹ Yet bound by a shared commitment to universal values of freedom, democracy and the rule of law, NATO and the EU share not only strategic goals but also common global security challenges. In the face of rising conventional and hybrid threats and risks emanating from the southern and eastern flanks both organizations have recently vowed to strengthen cooperation to bolster resilience from disinformation campaigns and cyber-attacks; ensure coherence on conventional defence planning and coordination of exercises; stimulate R&D in the defence sector; support partners' capacity building; and cooperate on operations in the Western Balkans, Afghanistan, and the maritime domain.² Whereas the most recent joint declaration of June 2018 does not seem to add much new to what the EU and NATO had already agreed to at Warsaw in 2016,

the diplomatic reaffirmation masks a slow but steady inter-institutional dynamic which has largely developed below the radar.

This contribution analyses the areas in which the EU and NATO have structured their relations at headquarters level and in the field and ask how this could be further reinforced.

2. What has been achieved so far?

Until the creation of the European Security and Defence Policy (ESDP) at the Helsinki European Council in December 1999, the only active framework for handling specifically European security questions was the Western European Union (WEU, created by the Modified Brussels Treaty of 1954) and the special partnership of the WEU with NATO under the NATO-defined concept of European Security and Defence Identity (ESDI).³ As NATO was hampered by the presumed restrictions on out-of-area operations, the WEU became the main enforcer

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of embargoes imposed by the UN Security Council during the first Iraq war (1990) and the war in ex-Yugoslavia (1991-5). For a number of years, not even a decade, the WEU acted as a bridge between the European Union and NATO and was particularly successful in drawing in the non-EU members of NATO by allowing them full participation in military activities. 'Security through participation' was the slogan of the day and gave the associate members, observers and associate partners a sense of belonging, as well as the opportunity to raise issues affecting their security interests.⁴

At NATO's Berlin Ministerial meeting of 3-4 June 1996, the Alliance adopted a major document on the development of ESDI and specifically on the NATO-WEU relationship. The Berlin communiqué⁵ elaborated the notion of NATO assets being provided in support of possible European defence operations led by WEU, and foresaw ongoing support by NATO for defence planning (i.e. capabilities), work and generic operational planning in the WEU framework. In the following years, a number of NATO-WEU agreements were drawn up – in all cases with Turkey's full involvement and approval – to regulate the details of these different aspects of the ESDI partnership. In April 1999, at a time when a clear political drive was emerging for the EU to take over (in one form or another) WEU's role as a framework for potential EU-led operations, NATO's Washington Summit adopted a communiqué stating:

"We acknowledge the resolve of the European Union to have the capacity for autonomous action so that it can take decisions and approve military action where the Alliance as a whole is not engaged (...) NATO and the EU should ensure the development of effective mutual consultation, co-operation and transparency, building on the mechanisms existing between NATO and the WEU. [W]e attach utmost importance to ensuring the fullest possible involvement of non-EU European allies in EU-led crisis response operations, building on existing consultation arrangements within the WEU (...) the concept of using separable but not separate NATO assets and capabilities for WEU-led operations, should be further developed."⁶

In the Strategic Concept of the Alliance, approved at the same meeting, the Heads of State agreed that NATO should

(...) on a case by case basis and by consensus (...) make its assets and capabilities available for operations in which the Alliance is not engaged militarily under the political control and strategic direction either of the WEU or as otherwise agreed, taking into account the full participation of all European Allies if they were so to choose.⁷

Against this background NATO held out the prospect of further enhancing, and in particular making more automatic, the various kinds of support developed for the WEU since the Berlin Summit of 1996 when the WEU's relevant roles were transferred to the EU: this was the proposition that came to be known as 'Berlin plus'.

It took four more years of intense negotiations, a significant movement in Turkey's general relationship with the European Union, increasing pressure for the EU to take over peace operations in the Balkans from NATO and a shift of focus towards new Western-led operations outside the European arena (notably in Iraq and Afghanistan) for a breakthrough to be reached. The EU's Copenhagen European Council of 12-13 December 2002 played a crucial part, not just by virtue of its decisions on the timing of movement towards Turkish EU accession negotiations, but also by way of its endorsement of detailed understandings including the fact that, under no circumstances, the ESDP would be used against an Ally and that Cyprus and Malta as members of the EU would not take part in any ESDP operations using NATO assets. The Turkish Government now felt able to go along with the signature of an EU-NATO Declaration at Brussels on 16 December 2002 which opened the way for the detailed development of 'Berlin Plus' arrangements.⁸ The specifics were agreed to in March 2003 and were intended to give the EU permanent access to the planning assets of NATO, while provision of other assets would be on a case-by-case basis. The two organisations moved swiftly to open the way for the EU to take over NATO's mission Allied Harmony in the Former Yugoslav Republic of Macedonia and similar arrangements were negotiated for the takeover of SFOR in Bosnia-Herzegovina.



The Berlin Plus arrangements have been only being used then and are still only in place for Operation EUFOR Althea in Bosnia-Herzegovina. In view of the EU's pre-accession conditionality vis-à-vis Cyprus, Turkey has effectively frozen the application of the Berlin Plus modalities. Yet, it may be argued that the latter framework is anyway no longer sufficient to address the new strategic needs faced by the overlapping 80% of the membership (22 states). Indeed, there have been other channels of cooperation between the two organisations, although generally with less than expected efficiency (see below).

While the new security environment has driven the EU to take a bigger role in security and defence, it has also forced the EU-NATO relations to evolve from a desirable strategic partnership to a more 'essential' one, since their security is interconnected and neither organisation has the full range of tools available to address the new security challenges on its own. This new narrative was peddled by the Joint Declaration on 8 July 2016 during the NATO Warsaw summit, which starts with the statement "We believe that the time has come to give new impetus and new substance to the EU-NATO strategic partnership".⁹

EU and NATO leaders had negotiated this arrangement down to the wire of the July 11–12 Brussels Summit. The Joint Declaration was signed by NATO's Secretary-General, Jens Stoltenberg, with Donald Tusk and Jean-Claude Juncker, presidents of the European Council and the European Commission, respectively, on July 10. The document confirms NATO as the *primus inter pares* on defence: "NATO will continue to play its unique and essential role as the cornerstone of collective defence for all Allies". At the same time, "EU efforts will also strengthen NATO, and thus will improve our common security." While NATO and the EU encourage member states that belong to only one of these organisations to participate in the initiatives of the other, each organisation retains its decision-making autonomy. To promote peace and stability in the Euro-Atlantic area, the 2016 Joint Declaration outlined seven concrete areas (topics) where the bilateral cooperation ought to be enhanced:

- Countering hybrid threats,
- Operational cooperation including at sea and on migration,
- Cyber security and defence,
- Defence capabilities,
- Defence industry and research,
- Exercises,
- Supporting Eastern and Southern partners' capacity-building efforts.

Subsequently, the EU and NATO established a common set of 42 actions to implement all seven areas of cooperation mentioned in the joint declaration.¹⁰ The set also introduced a monitoring mechanism to review progress on a biannual basis. So far, three progress reports have been issued. The first, of June 2017,¹¹ highlighted the overall expanded bilateral dialogue in the designated areas through several newly established mechanisms for interaction, information sharing and coordination. The second progress report¹² in December 2017 outlined specifics in implementing the common set of actions. An additional set of 34 actions was endorsed on 5 December 2017 including on 3 new topics: counter-terrorism; military mobility; women, peace and security. The third progress report in May 2018 elaborated on the main achievements and highlighted the added value of EU-NATO cooperation in different areas aimed at strengthening the security of citizens, outlining the significant steps taken for improving the military mobility of troops and equipment, common preparedness for cyber and hybrid attacks, fighting terrorism and fighting migrant smuggling and trafficking in the Mediterranean.¹³

Obscured by US President Trump's theatrics at the first summit held at NATO's new headquarters in Brussels, a second Joint Declaration on EU-NATO cooperation was adopted on 10 July 2018.¹⁴ In the shadow of an aggressive American push towards a more equal burden-sharing and Trump's claims that allies should increase defence spending to an incredible 4% of their GDP, the joint declaration emphasised "coherent, complementary and interoperable" capability development and encouraged the



fullest possible involvement of non-EU allies in the European Union's new initiatives in the field of defence (see below, Section 3). The final communiqué of the NATO Summit pointed to the tangible results achieved so far in a range of areas such as countering hybrid threats, operational cooperation including maritime issues, cyber security and defence, exercises, defence capabilities, defence industry and research.¹⁵

In terms of achievements, one cannot help but noting that, so far, most of the low-hanging fruits have been picked. A European Centre of Excellence for Countering Hybrid Threats has been set up in Helsinki; frequent contacts at working level and staff-to-staff communication has been achieved between the EU Hybrid Fusion Cell, the NATO Hybrid Analysis Branch and the Centre of Excellence, but trilateral cooperation has so far been based only on open source material. Information and intelligence sharing between the two partner organisations still remain a great challenge. Cyber security and defence is one of the areas where NATO and the EU are working more closely together than ever. Analysis of cyber threats and collaboration between incident response teams is one area of further cooperation; another is the exchange of good practices concerning the cyber aspects and implications of crisis management.¹⁶ Another significant achievement is in the area of defence capabilities concerning the improvement of military mobility. This initiative, which is being catalysed by the EU in the form of a 'PESCO' project (cf. Section 3), aims to tackle the regulatory, procedural and infrastructural problems at borders within the EU. The results of this project will be of great importance for NATO too in terms of facilitating its operational planning and increasing its readiness and responsiveness. Of course, preventing project duplication and avoiding competition over member states' resources continue to be major concerns.

As a sub-conclusion, it is worth observing that cooperation between the EU and NATO has been gradually improving in designated areas. It is obvious that, within the defined framework, there are many obstacles to overcome before opportunities could be more fully exploited (cf. Section 4). Yet, the emergence of the EU as a

stronger defence and security actor might spur further cooperation.

3. The emergence of the EU as a military actor¹⁷

Lack of political will and mutual trust among EU member states has long been an obstacle to cooperation in security and defence. In the years of austerity that followed the financial crisis, defence budgets all over Europe were slashed in an uncoordinated manner, hollowing out most member states' armies.¹⁸ Facing a fraught security climate in the Arab world, the heads of state or government meeting at the December 2013 European Council decided to buck the trend. For the first time since the entry into force of the Lisbon Treaty, they held a thematic debate on the Common Security and Defence Policy (CSDP) in which they declared that 'defence matters':

*"Today, the European Council is making a strong commitment to the further development of a credible and effective CSDP, in accordance with the Lisbon Treaty and the opportunities it offers. The European Council calls on the Member States to deepen defence cooperation by improving the capacity to conduct missions and operations and by making full use of synergies in order to improve the development and availability of the required civilian and military capabilities, supported by a more integrated, sustainable, innovative and competitive European Defence Technological and Industrial Base (EDTIB). This will also bring benefits in terms of growth, jobs and innovation to the broader European industrial sector."*¹⁹

Committed to assessing concrete progress on all issues in the years ahead, the European Council invited the Commission, the High Representative (HR), the European Defence Agency (EDA) and the member states in the Council, each within their respective spheres of competence, to take "determined and verifiable steps to implement the orientations set out above".²⁰

Tapping into the political momentum generated by Russia's assault on Ukraine, a spate of terrorist attacks on European soil,²¹ citizens' concerns over the refugee and migrant crisis,



the prospect of Brexit and the unpredictability injected into US foreign policy by Donald Trump, the EU has made greater strides in strengthening defence integration in the last two years than in the six decades before that.²² A permanent EU headquarters for non-executive (i.e. non-combat) military operations has been created and located within the European External Action Service (EEAS) in Brussels.²³ The 22 member states that are also NATO allies pledged to increase defence spending to 2% of their GDP and to earmark 20% of that sum for investment in defence capabilities.²⁴ A Coordinated Annual Review on Defence (CARD) mechanism will monitor the implementation of commitments on defence spending and capability development of all EU member states. The European Council has formally launched Permanent Structured Cooperation (PESCO) for the development and deployment of defence capabilities. A European Defence Fund (EDF) has been proposed to stimulate the development of military capabilities. And the defence ministers of nine member states signed a letter of intent to establish a European Intervention Initiative (EI2).

To digest the EU's new alphabet soup in defence cooperation, we will structure the rapid developments along three strands of implementation: the EU Global Strategy (Section 3.1), the Commission's European Defence Action Plan (Section 3.2) and PESCO (Section 3.3). The latter will provide the bridge to a forward leaning analysis of opportunities for further EU-NATO cooperation (Section 4). If properly aligned and implemented, these four components would make headway in the creation of a 'European Defence Union',²⁵ akin to the currency and energy unions that have gone before, rather than an 'EU army'²⁶ that supersedes, let alone replaces, the national ones. This is remarkable if one considers that the natural locus for member states' defence cooperation remains within NATO.

3.1. Implementation of the EU Global Strategy

The Union's mixed performance in external action in the five years following the entry into force of the Lisbon Treaty was a vivid reminder of the importance to endow the Treaty's

sanguine worldview of yesteryear with a new vision for the increasingly complex, connected and contested world of tomorrow. The EU Global Strategy of June 2016 did just that.²⁷ As a sign of the times, the tone of the document is defensive; the first priority ('The security of our Union') is fleshed out in most detail; and the High Representative was immediately tasked to draw up an Implementation Plan on Security and Defence (IPSD).²⁸ This plan formed part of a wider 'winter package'²⁹ which was adopted later in 2016 and included the follow-up to the EU-NATO Warsaw Declaration and the Commission's European Defence Action Plan.

The IPSD proposes a 'new level of ambition' for a stronger union in security and defence that centres around three mutually reinforcing priorities: raising CSDP's awareness and response capacities to external conflicts and crises in an integrated manner; strengthening CSDP's ability to build capacities of partners and thus systematically increase their resilience; and protecting the EU and its citizens by tackling threats and challenges through CSDP, in line with the Treaty, along the nexus of internal and external security.

Central to the IPSD is the deepening of defence cooperation among member states in order to deliver the required capabilities. This ambition, it is argued, adds to the EU's credibility vis-à-vis partners:

*"Europe's strategic autonomy entails the ability to act and cooperate with international and regional partners wherever possible, while being able to operate autonomously when and where necessary. (...) There is no contradiction between the two. Member States have a 'single set of forces' which they can use nationally or in multilateral frameworks. The development of Member States' capabilities through CSDP and using EU instruments will thus also help to strengthen capabilities potentially available to the United Nations and NATO."*³⁰

Reinforcing this drive towards 'strategic autonomy' and higher levels of complementarity with international partners, the European Council of December 2016 called for deeper intra-EU cooperation in the development of the required capabilities as well as committing



sufficient additional resources; all in keeping with national circumstances and legal commitments.³¹ For the 22 EU NATO members this endeavour supports the commitments on defence expenditure made at Warsaw.

Thus, the heads of state or government agreed to take forward work in the European Defence Agency to translate the new level of ambition into military capability needs, revise the Capability Development Plan (CDP) accordingly, and outline capability development priorities for member states to jointly invest in. On 28 June 2018, the EDA Steering Board (in the composition of Capability Directors) endorsed the 2018 CDP and approved the associated EU capability development priorities.³² The latter aim to contribute to increased coherence between member states' defence planning by identifying future cooperative activities irrespective of the chosen cooperation framework,³³ including under PESCO and the European Defence Fund (cf. next sub-sections).

To help operationalise the CDP, the European External Action Service and the European Defence Agency developed proposals on the scope, modalities and content of a member-state driven Coordinated Annual Review on Defence (CARD). The Foreign Affairs Council of May 2017 endorsed the establishment of the CARD, starting with a 'trial run' (from autumn 2017 to autumn 2018) in order to test, adapt and validate member states' approach as necessary ahead of the first full CARD implementation in autumn 2019.³⁴ The EDA will act as CARD secretariat and present a report to its Steering Board (at ministerial level). This report, which is forwarded to the Council, will provide an overview of:

“(i) Member States’ aggregated defence plans, including in terms of defence spending plans taking into account the commitments made by the European Council in December 2016, (ii) the implementation of the EU capability development priorities resulting from the CDP while considering also prioritization in the area of Research & Technology and Key Strategic Activities, and (iii) the development of European cooperation; providing over time a comprehensive picture of the European capability landscape in view of Member States identifying the potential for additional capability development.”³⁵

Such a review of member states' implementation of CDP priorities should help “foster capability development addressing shortfalls, deepen defence cooperation and ensure more optimal use, including coherence, of defence spending plans.”³⁶ For those member states participating in PESCO, an annual assessment of progress towards attainment of their commitments should draw to the maximum extent possible on information provided under the CARD exercise. The CARD system is thus designed to encourage EU member states to synchronise their defence budgets and capability development plans. Greater transparency, visibility and political commitment should allow the EDA and the Council to identify opportunities for joint projects in capability development and deployment, and to create peer pressure to spend more on defence – for NATO Allies up to the level of 2% of GDP agreed at Wales. Yet, the CARD would be implemented on an entirely “voluntary basis and in full respect of Member States prerogatives and commitments in defence including, where it applies, in collective defence and their defence planning processes and taking into account external threats and security challenges across the EU.”³⁷ For the CARD to provide real added value, according to the EDA, it would need to rely on the collection of the most up-to-date and detailed information possible of member states' defence (spending) plans and implementation of the capability development priorities. The CARD system therefore depends on trust among the member states, which historically has been in short supply. As in the early days of the operation of the semester system in the Eurozone, it is not entirely clear how, short of the diplomatically unfriendly act of suspending a member state from PESCO, compliance with the commitments will be ensured, let alone enforced in cases when peer pressure does not suffice.

What is clear though is that the future European Defence union will require member states' joint development, acquisition and retention of the full-spectrum of land, air, space and maritime capabilities. In this respect, the EU Global Strategy identifies a number of priority areas for joint investment and development: intelligence-surveillance reconnaissance, remotely piloted aircraft systems, satellite



communications and autonomous access to space and permanent earth observation; high end military capabilities including strategic enablers, as well as capabilities to ensure cyber and maritime security (EUGS, 48). But for the Union to be able to deliver on these capability priorities and enhance its strategic autonomy, it needs to create the conditions for more efficient and output-driven defence cooperation. This implies a more innovative and competitive industrial base. These are the main drivers of the Commission's European Defence Action Plan.

3.2. European Defence Action Plan: Market, industry and funding

The European defence market has traditionally suffered from fragmentation and low levels of industrial collaboration. Years of austerity have exacerbated this trend, thereby jeopardising not just the sustainability and competitiveness of the Union's defence industry but also the strategic autonomy of the EU. Studies have shown that, especially at a time of budgetary constraints, a more efficient use of public money could be achieved by reducing unnecessary duplications, targeting projects that surpass individual member states' capacities to undertake, and improving the competitiveness and functioning of the single market for defence.³⁸

In an effort to support Europe's defence industry and the entire cycle of capability generation, from research and development to production and acquisition, the Commission launched its European Defence Action Plan (EDAP) at the end of November 2016.³⁹ Given that the decision to sustain investments and launch capabilities development programmes in the realm of defence remains the prerogative of the member states, the Commission considers that it can, within the limits of the Treaties, only "complement, leverage and consolidate" member states' joint efforts in this field.

As noted earlier, this is not the first time that the Commission launches a strategy to support competitiveness of the European defence industry and the creation of a more integrated defence market. Yet, the adoption in 2009 of two directives, one simplifying the terms and conditions of transfers of defence-

related products,⁴⁰ and the other on the coordination of procedures for the award of certain works contracts, supply and service contracts by contracting authorities or entities in the fields of defence and security,⁴¹ have not contributed much to the progressive establishment of a European defence market. Intended to manipulate the supply side of the defence market, they contain loopholes that allow member states to invoke essential interests of its security to continue their protectionist practices of licencing and procuring domestically. Government-to-government sales and 100% R&D contracts are also excluded from the directives' provisions. The EDA calculated that in 2014, 77.9% of all equipment procurement took place at the national level, thereby depriving countries of the cost savings that come with scale.⁴² Yet, in its own evaluation, the Commission declared the two directives "broadly fit for purpose" and therefore not in need of legislative amendment.⁴³ But acknowledging the untapped potential of the EU procurement rules, the Commission proposed to push ahead with what it calls an "effective application" of the two directives, "including through enforcement."

The big bazooka, proverbially speaking, is the launch of a European Defence Fund (EDF) through which the Commission plans to bring adult money online to support capability development and the European defence industry.⁴⁴ The EDF introduces a specific line through which the Commission can tap into the EU's general budget to finance initiatives in the field of defence. Generally speaking, budget is policy. The plan to earmark more than €1.5 billion per year after 2020 to spend on military R&D is ground-breaking.⁴⁵ However, the final sum is conditional on a future agreement on the EU's post-Brexit multiannual financial framework (MFF). If the proposal passes all negotiations unscathed then approximately €500 million per year will be made available through the 'research window' of the fund. This would make the EU the fourth biggest investor in defence research in Europe, after the UK, France and Germany.⁴⁶ Through the 'capability window' around €1 billion would be spent annually on development and acquisition.

The mobilisation of EU funds is not intended to



be a substitute for low levels of investment in defence by member states. The Commission has opted for a co-financing mechanism, generally taking on 20% (with a 10% bonus for applicants hailing from the 25 member states participating in PESCO) of the financial burden of legal entities (i.e. research institutes and companies) in the R&D phase.⁴⁷ The Commission hopes that by providing such a top-up, it will incentivise member states to invest larger sums.⁴⁸ However, states participating in the first batch of PESCO projects have budgeted them without counting on the bonus. Also, the potential to “turbo boost”⁴⁹ defence spending is likely to be restricted to EU-level initiatives that do not threaten national industries or local jobs, where transnational responses are required to meet current and future challenges, and where shortfalls are, relatively speaking, the biggest. The training, capability development and operational readiness of military prototypes, such as a European drone, a European cyber shield, and medical command come to mind.

For the EDF to succeed in addressing some of the underlying problems that weaken the European defence technological and industrial base it is crucial that the collaborative projects developed in the experimental phase add real value at EU level. In view of global supply chains in defence, the eligibility for EDF grants should probably go beyond the EU. There exists a legal opening for this. Already now projects need to be developed by at least three legal entities from two member states or one plus Norway.⁵⁰ From 1 January 2021 onwards, the eligibility criteria will be scaled up to broaden cooperation across Europe and overseas countries and territories. The draft Regulation establishing the EDF prescribes that funding will only be made available if the action is undertaken in a consortium of “at least three legal entities which are established in at least three different Member States and/or associated countries.”⁵¹ Associated countries are defined as members of the European Free Trade Association which are members of the European Economic Area (EEA), in accordance with the conditions laid down in the EEA agreement. Legal entities which are physically located on the territory of or subject to control by non-associated third countries or non-associated third country entities are in principle excluded from European

defence funding. Given the United Kingdom’s notified intention to withdraw from the EU, the Regulation was drafted for a Union of 27 member states. Companies and research institutes from the UK would thus in principle not be eligible for EDF grants. The latter also applies to the United States and other NATO Allies. Yet, in view of the specificities of cross-border defence markets and integrated supply chains, the desire to continue industrial cooperation with UK entities after Brexit, and heavy pressure exerted by the United States,⁵² the Commission has introduced a narrow derogation from the rule, stating that funding may be awarded to a non-associated country applicant “(...) if this is necessary for achieving the objectives of the action and provided that its participation will not put at risk the security interests of the Union and its Member States”.⁵³ Applications for EDF grants will be assessed on the basis of award criteria which put fostering excellence, innovation and the competitiveness of the European defence technological and industrial base front and centre. By incentivising joint R&D of products and technologies in the area of defence, the EDF is therefore expected to increase the efficiency of public expenditure and contribute to the overriding aim of enhancing the Union’s strategic autonomy.

3.3. PESCO

The final and binding element of the EU’s new alphabet soup is PESCO – permanent structured cooperation. While the Coordinated Annual Review on Defence (CARD) identifies opportunities to plug shortfalls and the European Defence Fund (EDF) stimulates the European defence technological and industrial base by investing in cross-border capability development, PESCO facilitates the build-up and operationalisation thereof.

Of all policy fields which fall within the framework of the European Union’s non-exclusive competences, the provisions on PESCO amount to “the most flexible template” of enhanced cooperation.⁵⁴ Article 42(6) TEU foresees the creation of a permanent structured cooperation between willing member states “whose military capabilities fulfil higher criteria and which have made more binding commitments to one another in this area with a view to the most demanding missions”. This



provision encapsulates the *raison d'être* of PESCO: participating states commit to spend more, and more intelligently, on better defence equipment so that they are better able to conduct operations at the higher end of the military spectrum. The Treaty gives no clear answer whether PESCO will therefore prepare the EU member states to engage in kinetic, i.e. war-like, operations against an identified enemy.⁵⁵ Article 1(b) of Protocol No. 10 attached to the Treaties does spell out that any member state wishing to participate in PESCO should:

“have the capacity to supply (...) targeted combat units for the missions planned, structured at a tactical level as a battle group, with support elements, including transport and logistics, capable of carrying out the tasks referred to in Article 43 (TEU), within a period of five to 30 days, in particular in response to requests from the (UN), and which can be sustained for an initial period of 30 days and be extended up to at least 120 days.”

As such, the Protocol codifies the ‘2010 Helsinki Headline Goal’, which set up a rotating system of multinational force packages of at least 1,500 military personnel capable of responding rapidly to conflicts across the entire spectrum of crisis management.⁵⁶ PESCO may thus blow new life into the fledgling concept of ‘EU battlegroups’, which reached full operational capability on 1 January 2007 but have never been deployed. Arguably, this is not due to a lack of crises to respond to but primarily because the bulk of the costs of deployment (both human and financial resources) would fall on those governments who happened to be on rotation – something which member states ‘on standby’ could veto in the Council.⁵⁷ Article 2 of Protocol No. 10 tries to tackle this issue by requiring PESCO states to “(c) take concrete measures to enhance the availability, interoperability, flexibility and deployability of their forces, in particular by identifying common objectives regarding the commitment of forces, including possibly reviewing their national decision-making procedures”. In this context, the European Council of December 2013 already called for the ‘rapid’ re-examination of the ‘Athena mechanism’ for financing common costs of EU military missions and

operations. Four years later, the European Council reiterated its request for a revision, which had been scheduled for the end of 2017. An ambitious expansion of the financing of such operations would, indeed, make sense: “countries contributing to EU battlegroups should not face crippling bills just because they happen to be on duty.”⁵⁸

On top of the entry criteria for PESCO laid down in Article 1 of Protocol No. 10, i.e. proceeding more intensively to develop defence capacities and having the capacity to supply troops and kit, Article 2 adds the following baseline commitments for continued participation in the structured framework: (a) cooperating with a view to achieving higher levels of investment expenditure on defence equipment in the light of, *inter alia*, international (esp. NATO) responsibilities; (b) aligning the defence apparatus by identifying military needs, pooling and specialising capabilities, and encouraging cooperation in training and logistics; (c) taking concrete measures to mobilise forces; (d) reducing capability shortfalls and gaps; and (e) participating in major joint or European equipment programmes in the framework of the EDA.

Despite early attempts by Belgium, Hungary and Poland in a 2010 non-paper of their Trio Presidency to outline some thoughts on how cooperation might be made inclusive and effective,⁵⁹ and a written request by Italy and Spain to HR/VP Ashton in May 2011 to put PESCO on the agenda of the Foreign Affairs Council, it took until June 2016 for a High Representative to suggest in the EU Global Strategy that “(e)nhanced cooperation between Member States should be explored, and might lead to a more structured form of cooperation, making full use of the Lisbon Treaty’s potential” (EUGS, 48). The December 2016 European Council responded by tasking the HR and the member states to present “elements and options for an inclusive Permanent Structured Cooperation based on a modular approach and outlining possible projects.”⁶⁰ Throughout 2017, the EEAS and EDA worked with member states to hammer out the principles, commitments and governance of PESCO.

As a first formal step, 23 willing and able member states signalled their intention to the Council



and the High Representative to participate in PESCO by signing a joint notification on 13 November 2017.⁶¹ The 10-page notification outlines:

- the principles of the PESCO, in particular that the “PESCO is an ambitious, binding and inclusive European legal framework for investments in the security and defence of the EU’s territory and its citizens”;
- a list of 20 “ambitious and more binding common commitments” that the member states have agreed to undertake, including “regularly increasing defence budgets in real terms in order to reach agreed objectives”; and
- proposals on PESCO governance, with an overarching level maintaining the coherence and the ambition of the PESCO, complemented by specific governance procedures at projects level.

After having consulted the HR, a list of 25 member states participating in PESCO was adopted by the Foreign Affairs Council within the statutory limit of three months.⁶² Ireland and Portugal joined the initial group of 23 countries after their respective parliaments gave their consent, while Denmark (which has an opt-out from CSDP), Malta (which invoked a constitutional commitment to neutrality and non-alignment but kept the door open for future participation depending on the course of implementation) and the UK (which is leaving the EU) chose to stand aside. In their capacity as ‘member states’, these countries could still notify their intention of joining PESCO, but only if and when they fulfil the entry criteria and make the required commitments.⁶³ As a third state,⁶⁴ the UK could get involved in PESCO projects if it provides “substantial added value” and contributes financially. Depending on the terms of Brexit, the UK might be eligible to receive European defence funding if it qualifies as a (non-)associated country.⁶⁵

Council Decision (CFSP) 2017/2315 establishing PESCO was adopted by consensus and the European Council “welcome(d) the establishment of ambitious and inclusive permanent structured cooperation.”⁶⁶ Those with vested interests ratcheted up the language in an attempt to claim ownership of the

“historic”⁶⁷ “first operational steps towards a European Defence Union.”⁶⁸ Yet the political rhetoric surrounding its launch, including misperceptions about the enforceability of the “legally binding framework” of PESCO, with packs “20 legally binding commitments” aimed at taking the participating states by 2025 to a higher level to perform all crisis management tasks listed in Article 43 TEU, has raised expectations that the EU may not be able to meet. For PESCO to succeed, it will need to overcome at least three key challenges: raising the level of ambition while ensuring inclusivity (see below); maintaining credibility in case member states do not comply with their commitments; and ensuring coherence with the many other building blocks in Europe’s defence architecture, in particular NATO (see Section 4).

The tension between inclusivity and level of ambition is key. PESCO has so far produced the most inclusive expression of enhanced cooperation, even if it is the most flexible of differentiated integration mechanisms provided by the Treaties. This is largely the result of a German push for inclusivity which prevailed over a French desire for a higher level of ambition. Paris wanted high (NATO-level) entry criteria that would allow a military vanguard of only the top European military powers with the same strategic culture to join in carrying out operations at the upper end of the military spectrum. In line with its post-WW2 culture of military restraint Germany did not want to create any binding formats that would force expeditionary warfare upon the Bundeswehr. Berlin was also opposed to creating additional divisions with Central and Eastern European countries. But rather than presenting their views as a binary choice to the other member states, Berlin and Paris agreed to a compromise by applying a ‘modular approach’⁶⁹ to enhanced cooperation in the field of defence.⁷⁰ Instead of creating a two-speed Europe at the level of the Common Security and Defence Policy, a ‘hub-and-spoke’ model has been agreed to the PESCO mechanism within CSDP; one whereby decision-making by unanimity at the level of the Council (the hub) guarantees inclusivity while at the same time allowing different consortia of member states to pioneer projects (the spokes) in order to raise the level of ambition overall.⁷¹ Paradoxically, the modular approach



to structured cooperation also serves as a permanent vehicle for opt-outs and exemptions in the area of defence. For PESCO to succeed, the key challenge, therefore, is “to develop a *modus operandi* (which is) flexible (enough) to manage diversity (and) solid (enough) to generate tangible collective gains.”⁷²

There are two reasons for concern, however. First, in spite of the low threshold for launching PESCO (by QMV), decisions and recommendations taken within the framework are adopted by unanimity, constituted by the votes of the representatives of all participating member states. The likelihood that the participating states would adapt the governance rules for individual PESCO projects so as to take decisions by QMV is close to zero. As a result, decision-making by unanimity will prolong consensus politics and mean that the speed of European defence cooperation and integration is determined by the slowest wagon in the train. Poland may well replace the UK as the member state that most frequently slams on the brakes. In the face of Russian aggression, the country relies on the hard security guarantees provided by the US. Warsaw has long resisted the idea of EU defence integration for fear of undermining NATO’s resolve to come to the rescue in the hour of need. Political market forces unleashed by the prospect of Brexit and the election of Donald Trump have ultimately led the Polish government to sign up to PESCO, no doubt driven by the thinking that ‘if you can’t beat ‘em, join ‘em’. Rather than being left at the station, Poland jumped on Europe’s defence train, expecting that, once aboard, it would be able to slow it down and even change the direction of travel.⁷³

A second reason for concern is that the first batch of 17 PESCO-branded projects concern mostly the implementation of off-the-shelf plans, i.e. existing EDA and NATO projects such as cooperation on a European secure software defined radio, upgrading maritime surveillance, creating a ‘deployable military disaster relief capability package’ and setting up a ‘network of logistic hubs in Europe and support to operations’.⁷⁴ Military mobility, the most populated project (all PESCO states minus Ireland), is another example. Developed within NATO and refined in the PESCO framework, the

project has been referred to as the ‘Schengen of defence’.⁷⁵ Yet, rather than creating a free-travel zone for European armies (or a visa-free travel area for third country troops for that matter), the project merely aims to facilitate the cross-border movement of troops, services and goods (e.g. for military exercises) by harmonising rules (e.g. customs, dangerous goods, trans-European transport networks) and procedures between participating states.⁷⁶ Whereas the upward convergence of legal standards and requirements in the areas where projects are developed is certainly welcome, critics have argued that the 17 PESCO projects stop short of developing the defence capabilities that would endow the EU with the strategic autonomy aspired to, for instance a European military transport helicopter, a maritime patrol aircraft, air-to-air refuelling capacities, the next generation of satellite communications, and a high-altitude long endurance drone.⁷⁷ Similarly, the EU Global Strategy’s Implementation Plan on Security and Defence currently does not specify how many operations the EU has to be able to conduct simultaneously, only that “a number of [these] may be executed concurrently”.⁷⁸ Nor does it give any indication of the envisaged scale of these operations. In fact, the plan limits the scale by stating that the EU should be capable of these operations based on “previously agreed goals and commitments”, i.e. the existing Headline Goal. An update by the EU Military Staff of five illustrative scenarios that drive the identification of military requirements have fed into the June 2018 update of the Capability Development Plan by the European Defence Agency without, however, going beyond the 2010 Headline Goal.

This raises the question of whether projecting unity was more important to the architects of PESCO than using up the single opportunity to activate a unique Treaty basis that would have allowed for a greater level ambition with a smaller group of states whose military capabilities fulfil higher criteria. In a move widely seen to be a response to an overly inclusive and underambitious PESCO, France – after Brexit the only EU member state with a nuclear and expeditionary force capacity – has been actively preparing the European Intervention Initiative (EI2) proposed by Emmanuel Macron in his Sorbonne speech in September 2017.



Beyond the facade of creating a common strategic culture and European strategic autonomy, the EI2 is primarily about preparing a group of able and willing countries for joint military interventions in the EU's neighbourhood without prejudice to the EU, NATO or any other institutional framework.⁷⁹ The latter is underlined by the fact that the UK (which is leaving the EU) and Denmark (which has an opt-out of CSDP) have joined the initiative,⁸⁰ and that EI2 will be "resource-neutral".⁸¹ However, the potential for duplication, in particular with PESCO's German-led 'EUFOR Crisis Response Operation Core (EUFOR CROC)' project, is real. While stressing the "need to further develop the emergence of a shared strategic culture through the European Intervention Initiative" in their Meseberg Declaration of 19 June 2018, French President Macron and German Chancellor Merkel agreed to link EI2 "as closely as possible with PESCO."⁸² For that to happen, the associate status for the respective non-members is essential, as well as the need to fill PESCO with real substance. For the EU to attain strategic autonomy, the next batch of PESCO projects ought to substantially raise the level of ambition -- whilst not competing or duplicating, but complementing NATO efforts.⁸³

4. Increasing need for a wider EU-NATO Cooperation

As acknowledged by both organisations, the EU and NATO have an increasing need for a wider and more efficient cooperation to tackle new and shared strategic challenges. These strategic challenges emanate from both the Eastern Flank -- mainly the Russian aggression starting with its annexation of Crimea -- and the Southern Flank. The latter includes a combination of state and non-state actors ranging from Russia's anti-access and area-denial (A2/AD) build-up; Iran's ballistic-missile proliferation; terrorist, radical and violent non-state groups; fragile states suffering from extreme inequality in the distribution of income and democratic deficit; and uncontrolled migration. With all these newly emerged challenges, the current strategic environment could be seen as an opportunity for a wider cooperation.

Although the efforts for a wider EU-NATO cooperation have been strengthened in the

wake of the Joint Declaration in 2016 and the adoption of 42+34 actions in 7+3 defined areas, the improvements achieved so far are more on the bureaucratic than on the operational side. It has become obvious that a wider cooperation is hampered by the unilateralist tendencies by the administration of US President Trump, increasing authoritarianism and illiberalism among member states, different views and policies to tackle strategic challenges, and BREXIT. Then again, the upward trend in member states' defence spendings may, if managed well and in a complementary fashion, generate new opportunities for enhanced cooperation.

4.1. New Challenges on the Eastern and Southern Flank

There is a widespread acceptance that recent developments have raised concerns about the resilience of the liberal international order established in the aftermath of World War II. In light of the 2018 Munich Security Report⁸⁴ one could hold that the main threats emerging in recent decades to the liberal order are: an abdication by the United States from its leading role in the liberal world order; the protracted crises affecting the EU, which has a long way to become a global actor; Russian aggression using primarily hybrid tactics; and Chinese economic dominance. The threats align with the decline of liberal democracy and civil liberties, the rise of nationalism and populism, erosion of the role of international institutions and agreements, and finally the rise of defence spending in many parts of the world. We will discuss some of these in turn.

4.1.1. The Eastern Flank

Analysis of the origins and the evolution of Russian aggression reveal that the current Russian way of war, using hybrid methods in sync with military means,⁸⁵ asks for a holistic, harmonised approach that comprises political, economic, humanitarian, informational, and other non-military instruments.⁸⁶ In his speech at the Valdai International Discussion Club's annual meeting in 2014, President Putin argued that "the Western system of order threatens Russian interests" and that if existing international relations and law got in the way of these interests, that order would have to yield.⁸⁷



Seen from the Kremlin, therefore, EU and NATO enlargement in the post-Soviet “buffer-zone” are threatening Russia’s interests.

On the back of the 2008 Russo-Georgian war, Russian aggression against Ukraine has proved to be a turning point in pan-European relations. In the months following violent ‘Euromaidan’ protest in Kyiv, masked Russian Special Forces and Russian backed para-military groups, referred to by the international media as “little green men”, seized government buildings and key infrastructure in Crimea. In reality, this de facto invasion was not a surprise, but a deliberate and long-term political warfare strategy directed by the Kremlin.⁸⁸ This Soviet-style disruption used “masked warfare” with the addition of computers, social and mass media, and deception operations paralysed the Ukrainian government and the international community, which could take no action.⁸⁹ Furthermore, Russia conducted cyber-attacks against Ukraine,⁹⁰ organised pro-Russian Ukrainians to terrorise Eastern Ukraine.⁹¹ The Kremlin manipulated the outcome of a referendum on self-determination which produced scant legitimacy for the annexation.⁹² Moscow played the energy card at every opportunity by exploiting Ukraine and Europe’s dependency on Russia.⁹³ Russia also exported instability to Ukraine through the use of economic warlords, mafia, and criminals whose origins are linked to the late-Soviet era black market.⁹⁴ As such, Russia created an opportunity for itself to turn away from the West. Russia’s involvement in Syria and rapprochement with Turkey have cemented this radical departure from the pursuit of closer relations with NATO and the EU under Putin’s first term.⁹⁵

Russian aggression now affects the Western security and stability in three ways: it destabilises the global security status quo and liberal international order; it threatens the EU’s and NATO’s solidarity and cohesion and undermines their roles in the international system; and it sets an example for other possible adversaries how political warfare could be a valuable and effective way to target liberal democracies without triggering any armed conflict.⁹⁶

Subsequent crises, for instance over the poisoning of an ex-spy in the UK with weapon-grade novichok, have heightened tensions further. Some argue that despite tough rhetoric, the steps taken so far constitute a weak response from the UK. On the other hand, some have concerns about the return of cold war mentalities and hostilities without clear rules of the road,⁹⁷ and without – less so for NATO but more for the EU – proper channels of communication, as they were mostly cut following the war in Ukraine crisis. France has pursued a balancing act between Russia and the West. With a more self-assured Russia under Putin, to some extent, such an approach could be seen as a challenge for the EU and NATO as well.⁹⁸ Despite ongoing tensions between the West and Russia over Syria and Ukraine, visits at presidential level and the Franco-Russian Economic, Financial, Industrial and Trade Council (CEFIC) periodic meetings have continued since January 2016. Since coming to office, President Macron has tried to improve relations with his Russian counterpart, particularly in coming up with a sustainable solution to the war in Syria.⁹⁹ The relationship between Germany and Russia is officially still one of ‘strategic partnership’,¹⁰⁰ enhanced by a ‘modernisation partnership’. Irrespective of the war in Ukraine and the attempted assassination of double agent Skripal, Russia seems to have been able to count on Berlin’s “strategic patience” and strengthen its ties in the realm of energy security.¹⁰¹ Italy has also special relations with Russia based on historical ideological sympathies, geostrategic calculations, commercial interest, energy dependence, and personal relationships between leaders.¹⁰² Italy’s Prime Minister Conte emphasised his government’s commitment to dialogue with Russia, with an intention to review the EU sanctions policies over Ukraine.¹⁰³ Key EU member states have thus followed a kind of re-balancing behaviour while increasing their ‘unified defence’ capacity.¹⁰⁴

We can summarise NATO’s and the EU’s counteractions in Table 1.



NATO and EU Counteractions	Overt Direct	Overt Indirect	Covert Direct	Covert Indirect
NATO Counteractions	<ul style="list-style-type: none"> - Strategic Communication (The NATO-Russia Council meetings) - Assurance measures in Eastern Europe and Turkey * Mil exercises for deterrence * Enhanced forward presence * NATO's VJTF¹⁰⁵ - Suspension of all practical cooperation with Russia 	<ul style="list-style-type: none"> - Alliance cohesion - Partnership with the countries in Russian buffer-zone 	<ul style="list-style-type: none"> - Cyber defence 	- ?
EU Counteractions	<ul style="list-style-type: none"> - Strategic Communication - Public diplomacy - Economic sanctions - Frozen policy dialogues and mechanisms of cooperation (Partnership and Cooperation Agreement) 	<ul style="list-style-type: none"> - EU-Ukraine AA/DCFTA¹⁰⁶ - Lifting arms embargo on UKR - Common External Energy Policy 	<ul style="list-style-type: none"> - Diplomatic support to legal governments - Cyber defence 	-?

Table 1: Comparison of NATO and EU Counteractions Spectrum (Suzen, 2018).

4.1.2. The Southern Flank

The Southern flank poses a series of threats and risks to both the EU and NATO, with protracted and varied challenges from a combination of state and non-state actors. They range from Russia's anti-access and area-denial (A2/AD) build-up; Iran's ballistic-missile proliferation; terrorist, radical and violent non-state groups; fragile states with extreme inequality in the distribution of income and democratic deficit; population flows and uncontrolled migration.¹⁰⁷ It is obvious that to counter these elements of the threat landscape calls for a robust response which should include multidimensional strategies and combination of efforts of the two organisations.

In light of these challenges, the EU and NATO have enhanced the coordination of their crisis management and capacity-building actions, for instance through surveillance operations, interventions against terrorist groups, or maritime security and border protection missions.¹⁰⁸ By expanding military cooperation with regional partners, NATO and the EU should cooperate in security sector reform and defence capacity-building (DCB) in order to strengthen migration control, maritime security and counterterrorism. The two organisations would also need to enhance maritime and air assets in and around the region with a stronger focus on A2/AD, stronger intelligence, surveillance and reconnaissance. When it

comes to preventing the flow of foreign fighters and radicalised terrorists, the EU has already taken significant steps to increase systematic checks at its Schengen borders. NATO's position could be in training local forces in terrorist hotspots.¹⁰⁹

As a result of the Putin-Brexit-Trump factor, items related to the Southern Flank have been downgraded to a "lower priorities" status on the agenda of both organisations.¹¹⁰ Furthermore, some NATO states, such as France, have argued that, due to limited diplomatic capacity of the Alliance, NATO should concentrate on its initial purpose — defending its territories — rather than engaging with MENA region.¹¹¹ In such an environment, neither NATO nor the EU is able to engage all MENA partners simultaneously and address all threats and risks individually. Moreover, reduced Western influence — accelerated by the U.S. withdrawal from Afghanistan, fall-out from NATO's Operation Unified Protector in Libya, and the "America First" approach of the Trump Administration — has caused a power vacuum¹¹² that has enabled outsiders like Russia, ill-minded regional powers like Iran, or terrorist/radical groups to fill this gap.

In this regard, wider EU-NATO cooperation focus should shift towards partners' specific needs especially. These include: security sector reform and defence institution building, civilian control of armed forces, enhanced



capacity building in inter-operability, joint and multinational operations for countering hybrid threats, terrorism, and humanitarian aid.

4.2. Increase in defence budgets

Since Donald Trump has taken on the presidency in the U.S., fair burden-sharing has moved to the top of NATO's agenda. Much ink has been spilled about increasing defence budgets, its reasons, its impacts, divergence of approaches and its potential consequences.¹¹³ This section focuses on the core of the problem, defence expenditures, without necessarily diving into all of the details.

From the end of Cold War to the eruption of war in Ukraine in 2014, Allies enjoyed the peace dividend of the unipolar world.¹¹⁴ As a consequence of the rapidly changed security environment, a rise on defence budgets has been observed. The 2014 Wales Summit formalised the commitment in concrete criteria: spending a minimum of 2% of GDP on defence and 20% of defence expenditure on the acquisition of major equipment, research and development (R&D); those who'd fail these criteria were expected to halt any decline in defence expenditure and aim to move towards the 2% guideline within a decade.¹¹⁵ These guidelines were severely criticised by many for being unrealistic and ineffective.¹¹⁶ A NATO Ally purchasing a \$2.5bn Ballistic Missile Defence System from Russia and by so doing meeting its 2% guideline is a case in point.¹¹⁷ Alternative indicators have been suggested to better reflect burden-sharing among Allies. One of the most recent works on this issue introduces different criteria such as security assistance expenditure as a share of GDP, troop contributions as a share of total active duty force, pre-crisis military mobility, trade with sanctioned competitors and average refugee intake in order to take into account different parties' sensitivities.¹¹⁸

Prior to NATO's 2018 Summit, the Secretary General announced that in 2018, only eight Allies (U.S., UK, Greece, Romania, Poland, Lithuania, Estonia and Latvia) would be able to either maintain or increase their defence spending above the 2% guideline.¹¹⁹ Regarding the second metric, equipment expenditure, Allies' performance is much better. 15 Allies currently spend more than 20% of their

defence expenditures to heavy equipment. Apart from these metrics, there are some other powerful estimates of burden-sharing, in terms of defence expenditure per capita and the number of military personnel made available by NATO. Table 2 shows the latest available official data from NATO, made public at the Brussels Summit.¹²⁰ Figures are 2018 estimates in constant 2010 prices. Table 3 presents the available data on defence expenditures of non-NATO EU countries (in constant 2016 prices). Austria, Finland and Sweden are of particular importance. NATO's Enhanced Opportunities Partners Finland and Sweden spend as much as Norway in the Baltics for defence mainly in view of the Russian threat. Austria is an important security provider in the Western Balkans.

Charts 1 and 2 depict the core of the discussion and visually compare 2018 GDP and defence expenditures respectively. Cumulatively, other Allies earn more than the U.S. in terms of GDP but U.S. defence expenditure (\$623.2bn) alone outweigh that of all other Allies combined (\$312bn). With a combined total of \$210bn, the EU member states outspend Russia, the main (potential) threat to European security, which accounts for slightly more than \$46bn per year.¹²¹ Germany's defence budget currently stands at more than \$48bn.

Table 4 compares the economic performances and the defence expenditures of the Allies between 2015-2018. In the 2% debate Europe tends to focus on the green columns, increase in defence spendings, while the U.S. understands the problem as calculated in the blue columns, putting pressure on Allies to close the gap between the 2% guideline and actual defence spending. In the last four years Allies spent an extra \$40bn whereas the gap between the 2% guideline and the actual spending continues to diminish and currently stands at \$476bn (Minus figures are neglected in gap calculation since a surplus in one Ally's defence expenditure doesn't close another Ally's gap).

NATO's Brussels Summit is a good indicator for future trends in defence spending. The Joint Declaration on EU-NATO Cooperation (2018) and Brussels Summit Declaration were carefully crafted, balanced and reinforced much needed solidarity among Allies. The former covers almost all important topics between



Defence Expenditure of NATO Countries (2018 Estimates)							
Countries	Real GDP	Defence Expenditure (DE)	DE as a Share of GDP	Equipment Expenditure	GDP per capita	DE per capita	Military Personnel
Albania	14,486.35	172.54	1.19%	10.72%	5,051.96	60.17	6,848
Belgium	532,862.23	4,939.73	0.93%	8.20%	46,717.63	433.08	27,192
Bulgaria	61,055.41	954.28	1.56%	28.86%	8,629.29	134.87	25,447
Croatia	64,552.73	839.24	1.30%	17.61%	15,672.96	203.76	15,200
Czech Republic	251,058.14	2,776.00	1.11%	13.25%	23,645.28	261.45	24,531
Denmark	361,215.60	4,375.66	1.21%	12.39%	62,286.12	754.52	17,067
Estonia	25,885.85	555.18	2.14%	13.43%	19,676.08	422.00	6,137
France	2,933,159.58	53,038.03	1.81%	18.15%	43,505.71	786.68	207,954
Germany	3,952,732.43	48,862.37	1.24%	23.66%	47,650.77	589.04	182,766
Greece	253,145.78	5,734.63	2.27%	14.13%	23,735.60	537.69	105,398
Hungary	159,835.29	1,724.90	1.08%	12.40%	16,377.14	176.74	19,233
Iceland	17,518.05				51,145.20		
Italy	2,144,230.62	24,559.69	1.15%	15.08%	35,422.82	405.73	180,234
Latvia	31,428.37	629.23	2.00%	21.12%	16,360.82	327.56	6,294
Lithuania	49,057.23	960.94	1.96%	31.58%	17,593.24	344.62	15,340
Luxembourg	66,930.57	368.78	0.55%	28.88%	109,594.50	603.85	838
Montenegro	5,016.92	79.42	1.58%	41.03%	8,157.84	129.15	1,697
Netherlands	949,532.87	12,845.32	1.35%	9.66%	55,149.88	746.07	40,682
Norway	490,304.93	7,889.68	1.61%	24.93%	92,176.16	1,483.24	20,245
Poland	626,962.68	12,418.73	1.98%	26.77%	16,318.61	323.24	118,000
Portugal	243,055.27	3,317.43	1.36%	23.95%	23,613.65	322.30	30,021
Romania	223,790.50	4,308.46	1.93%	12.97%	11,449.35	220.43	69,303
Slovak Republic	112,615.98	1,353.73	1.20%	34.69%	20,693.11	248.75	12,581
Slovenia	55,664.41	560.31	1.01%	21.05%	26,928.27	271.06	6,814
Spain	1,551,544.88	14,490.27	0.93%	8.22%	33,231.70	310.36	120,511
Turkey	1,261,795.58	21,169.87	1.68%	23.04%	15,501.60	260.08	385,673
United Kingdom	2,845,254.09	59,754.69	2.10%	31.55%	42,808.22	899.04	144,850
Canada	1,922,255.87	23,636.89	1.23%	21.68%	52,319.86	643.35	71,174
United States	17,799,413.58	623,241.27	3.50%	26.81%	54,210.11	1,898.15	1,314,000
Non - EU Allies	24,338,527.31	735,944.37	3.02%				1,944,487
EU Allies	14,667,834.46	199,612.91	1.36%				1,231,543

1. NATO figures are constant 2010 prices.

2. GDP and DE are million \$.

Table 2: Defence Expenditure of NATO Countries (2018 estimates) (Source: NATO)¹²²

Defence Expenditure of non-NATO EU Countries (2017)					
Countries	Real GDP	Defence Expenditure (DE)	DE as a Share of GDP	DE per capita	Military Personnel
Austria	411,571.43	2,881.00	0.70%	340	21,350
Cyprus	19,368.42	368.00	1.90%	334	12,000
Finland	251,142.86	3,516.00	1.40%	651.3	22,200
Ireland	274,000.00	1,096.00	0.40%	234.6	9,100
Malta	12,360.00	61.80	0.50%	147.5	1,950
Sweden	547,000.00	5,470.00	1.00%	561	29,750
TOTAL	1,515,442.71	13,392.80			96,350

*GDP and DE figures are constant 2016 prices in million \$.

Table 3: 2016 Defence Expenditure of non-NATO EU Members (Source: SIPRI)¹²³



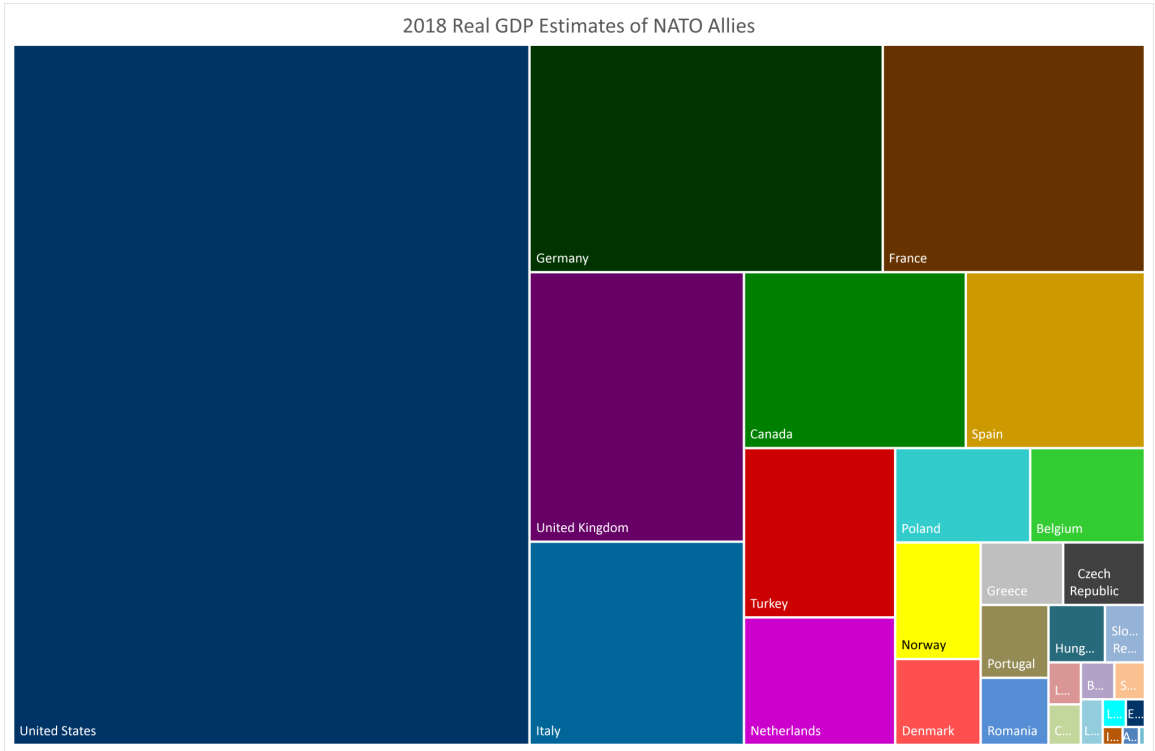


Chart 1: 2018 Real GDP Estimates of NATO Allies (Source: NATO)¹²⁴

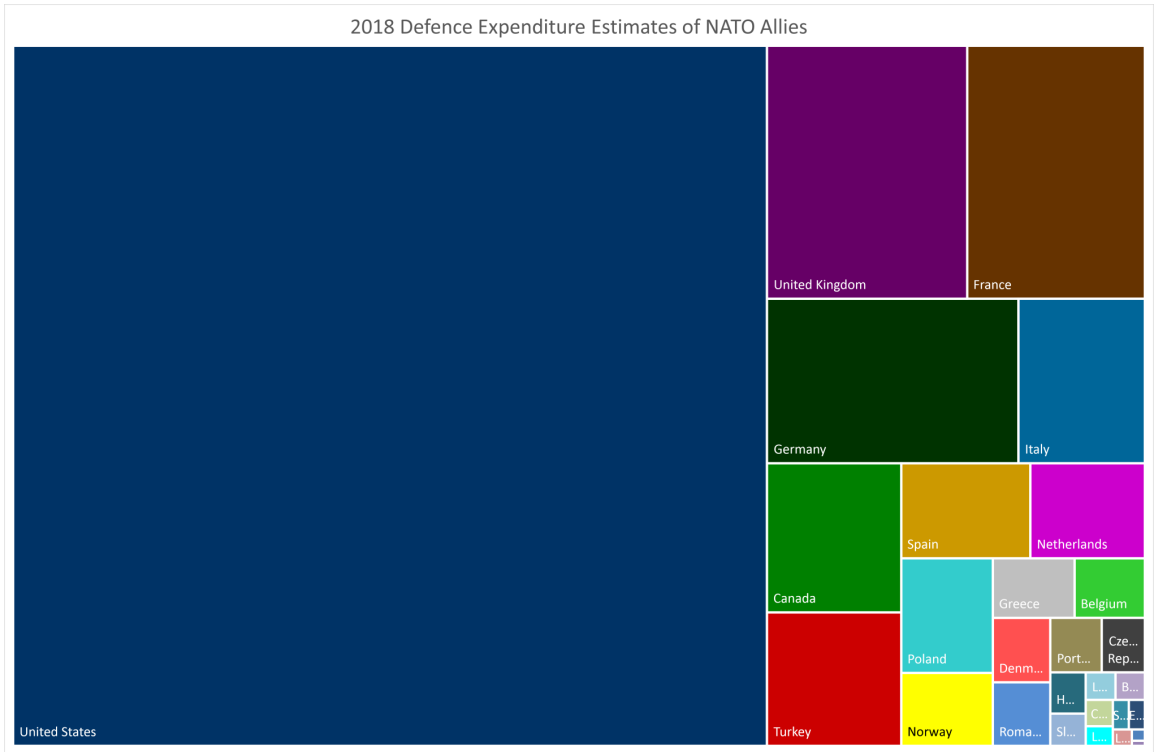


Chart 2: 2018 Defence Expenditure Estimates of NATO Allies (Source: NATO)¹²⁵

Defence Expenditures of NATO Allies Between 2015 - 2018

	2015				2016				2017				2018				
	GDP	Target DE	Realized DE	Increase	GDP	Target DE	Realized DE	Increase	GDP	Target DE	Realized DE	Increase	GDP	Target DE	Realized DE	Increase	
Albania	13 032.93	260.66	151.48	-20.20	13 469.81	269.40	148.37	-3.11	13 987.23	279.74	154.90	6.53	14 486.35	289.73	172.54	17.64	
Belgium	507 925.85	10 158.52	4 690.74	-207.70	515 097.39	10 301.95	4 753.96	63.22	524 008.26	10 480.17	4 900.00	36.04	5 690.17	532 862.23	10 657.24	4 939.73	
Bulgaria*	54 639.04	1 092.78	688.68	-5.85	56 792.44	1 121.95	715.42	26.73	58 815.11	1 176.30	748.21	32.79	61 055.41	1 221.11	954.28	206.07	
Croatia	59 220.66	1 184.41	801.28	-6.54	61 095.23	1 221.90	741.61	-59.67	62 792.63	1 255.85	799.57	57.96	64 552.73	1 291.05	839.24	39.67	
Czech Republic	225 598.89	4 511.98	2 315.01	283.73	232 127.76	4 624.36	2 209.90	-108.11	241 856.59	4 837.13	2 516.58	308.68	238 355	25 058.14	5 021.16	2 776.00	
Denmark	340 830.57	6 816.61	3 805.36	-49.79	347 524.74	6 950.49	4 069.07	263.71	355 309.78	7 106.20	4 134.51	65.44	361 251.60	7 224.31	4 375.66	241.15	
Estonia	23 314.21	466.28	478.68	30.46	23 827.60	476.55	507.84	29.16	24 961.76	499.24	520.33	12.50	25 885.85	517.72	555.18	34.85	
France	2 782 477.91	55 649.56	49 618.89	-479.16	2 813 319.62	56 266.39	50 470.76	851.87	2 878 568.46	57 571.37	51 272.55	801.79	2 938 821	59 523.58	58 663.19	1 765.48	
Germany	3 706 321.66	74 126.43	43 755.60	551.52	3 775 086.90	75 501.74	45 220.62	1 468.02	3 869 991.67	77 399.83	47 908.93	2 688.31	3 952 732.43	79 054.65	48 862.37	953.44	
Greece	245 745.24	4 914.90	5 686.64	242.93	245 105.58	4 902.11	5 904.22	217.58	248 293.75	4 965.88	5 904.98	0.76	251 445.78	5 062.92	5 734.63	-170.35	
Hungary	143 996.78	2 879.94	1 327.10	124.31	147 183.70	2 943.67	1 507.55	180.45	153 054.43	3 061.09	1 614.56	107.01	159 835.29	3 196.71	1 724.90	110.34	
Italy	2 061 384.81	41 227.70	20 840.31	-1 289.91	2 081 424.41	41 628.49	23 352.29	2 511.98	2 114 155.49	42 283.11	24 278.41	9 261.12	2 144 230.62	42 884.61	24 599.69	281.29	
Latvia**	28 247.38	564.95	294.71	37.96	28 871.31	577.43	421.81	127.10	30 184.76	603.70	510.28	88.46	31 428.37	628.57	629.23	118.95	
Lithuania**	44 687.28	893.75	507.34	121.94	45 735.14	914.70	679.63	172.28	47 486.31	949.73	821.17	141.55	49 057.23	981.14	960.94	138.77	
Luxembourg	61 275.09	1 225.50	264.60	37.69	63 160.59	1 263.21	254.25	-10.35	1 008.96	64 624.10	1 292.48	336.65	82.40	66 930.57	1 338.61	368.78	32.13
Montenegro	4 528.95	90.58	63.59	-2.31	4 662.51	93.25	66.35	2.76	4 869.96	97.40	67.25	0.90	5 016.92	100.34	79.42	12.17	
Netherlands	871 250.04	17 425.00	9 793.17	25.44	889 941.76	17 798.84	10 225.27	434.10	919 205.75	18 384.11	10 627.48	402.21	975 633	18 990.66	12 845.32	2 217.84	
Norway	467 674.56	9 353.49	6 931.17	-113.43	472 778.89	9 455.58	7 280.98	447.89	481 850.51	9 637.01	7 458.13	177.15	490 304.93	9 806.10	7 889.68	431.55	
Poland**	556 200.54	11 124.01	12 345.72	2 418.80	572 717.70	11 454.35	11 427.36	-918.36	593 346.46	11 986.93	11 353.80	-733.57	633.13	12 539.25	12 418.73	1 064.93	
Portugal	228 050.54	4 561.01	3 023.40	94.82	231 743.63	4 634.87	2 953.16	-70.24	237 933.52	4 758.67	2 955.32	2.16	1 803.35	243 055.27	4 861.11	3 317.43	
Romania**	191 003.12	3 820.06	2 770.48	292.06	200 210.92	4 004.22	2 820.17	49.69	214 119.73	4 282.39	3 683.18	863.02	223 790.50	4 475.81	4 308.46	625.28	
Slovak Republic	101 310.15	2 026.20	1 142.15	178.56	104 678.40	2 093.57	1 170.06	27.91	108 237.64	2 164.75	1 190.40	20.34	974.35	112 615.98	2 252.32	1 353.73	
Slovenia	48 969.67	979.39	455.66	-10.88	50 511.41	1 010.23	507.59	51.93	53 037.39	1 060.75	517.50	9.91	543.25	55 664.41	1 113.29	560.31	
Spain	1 415 065.03	28 361.30	13 130.01	569.83	1 464 499.04	29 289.98	11 802.24	-1 327.76	1 509 132.77	30 183.86	13 654.20	1 851.96	1 552 626	31 030.90	14 590.27	836.07	
Turkey	1 083 419.30	21 668.39	15 066.41	193.79	1 118 302.73	22 366.05	16 378.00	1 311.59	1 200 596.73	24 011.93	18 298.71	1 920.71	1 261 795.58	25 235.91	21 169.87	2 871.16	
United Kingdom	2 704 589.42	54 091.79	55 760.91	-1 637.80	2 756 944.61	55 138.89	59 243.47	3 482.56	2 809 215.38	56 124.31	59 222.14	-21.32	2 845 254.09	56 905.08	59 754.69	532.55	
Canada	1 802 448.01	36 048.96	21 593.94	3 591.94	1 827 935.96	36 538.72	21 080.51	-513.43	1 882 786.42	37 655.73	25 599.39	4 518.88	1 922 255.87	38 445.12	23 636.89	5 757.60	
United States	16 672 703.87	333 454.08	593 737.43	-173 551.50	16 920 340.06	338 406.80	603 045.60	9 308.17	17 304 996.42	346 099.93	617 668.67	14 633.07	17 799 413.58	355 988.27	623 241.27	5 572.60	
TOTAL	36 448 911.50	728 978.23	870 941.39	-12 379.28	37 064 179.86	741 283.00	888 950.06	18 016.66	38 010 479.02	760 209.58	918 609.81	29 631.75	38 988 843.72	779 775.87	935 557.29	16 947.48	
Less US	19 776 207.64	395 524.15	277 203.96	4 972.22	20 143 899.79	402 876.80	285 912.46	8 708.50	20 765 462.60	414 109.65	300 941.14	15 028.68	21 189 430.14	423 788.60	312 316.02	11 374.88	
Less US (only positive values)																	
Source: NATO (10 July 2018)																	

Table 4: Defence Expenditures of NATO Allies Between 2015-2018 (Source: NATO)¹²⁶

EU and NATO. It describes transparency as ‘crucial’ and encourages EU and NATO to get its members that are not among the members of the other to involve in the initiatives of the other to the fullest possible extent, something to which the US attaches great importance. On the other hand, PESCO and the EDF are praised as they contribute to the safety and stability of Trans-Atlantic region with the condition that ‘the capabilities developed through the defence initiatives of the EU and NATO should remain coherent, complementary and interoperable’. The document also underlines the importance of sharing of the burden, benefits and responsibilities in accordance with Defence Investment Pledge.

‘The Brussels Summit Declaration’, 2018 underlines the importance of the European Union as a unique and essential partner for NATO and will continue to further strengthen our strategic partnership in a spirit of full mutual openness, transparency, complementarity, and respect for the organisations’ different mandates, decision-making autonomy and institutional integrity, and as agreed by the two organisations emphasizing ongoing cooperation efforts that substitute common set of 74 proposals.¹²⁷ Generating additional 30 major naval combatants, 30 heavy or medium manoeuvre battalions, and 30 kinetic air squadrons, with enabling forces, at 30 days’ readiness or less, or in other words NATO Readiness Initiative, offers a huge area of cooperation between NATO and the EU for countering conventional threats. As mentioned earlier, improving legislative arrangements, enhancing command and control, increasing transport capabilities, and upgrading European infrastructure to facilitate military mobility is another strand to boost cooperation between NATO and the EU. Furthermore, the Brussels Summit Declaration pointed to the establishment of new command and control entities in Europe. Two multi-corps capable Land Component Commands (LCC), a Corps-level LCC (possibly in Romania) and multinational Division Headquarters (possibly in Denmark, Estonia, Latvia) and Divisional Headquarters in support of activities envisaged by the enhanced Framework for the South on a rotational basis (Italian offer) may also invigorate the cooperation between the two organisations.

However, the 2% debate was at the centre of the discussions and spoiled the meal. President Trump publicly criticized Allies¹²⁸ and urged them to pay 2% of their GDPs to their defence ‘immediately, not by 2025’¹²⁹ which will ‘ultimately go to 4%’.¹³⁰ Unsurprisingly, Germany was at the centre of the discussions. Although increasing its defence budget steadily, Germany will be able to reach 1.5% rather than the 2% target by 2024, as agreed at Wales. The debate revealed severe combat readiness issues within the German army and raised questions among its Allies.¹³¹ It is not only Germany that Trump blamed. Prior to the Summit, U.S. administration sent letters to some Allies, even to the ones that meet the 2% objective and asked for increasing their defence budgets. Table 4 shows that the U.S. has already dealt with or will also deal with Italy, Spain, Canada and the Netherlands because of their 2% gap in defence spending.

There are three possible scenarios for the foreseeable future:

- Allies behave as Mr. Trump wishes and boost their defence budgets to 2% overnight (least likely),
- Europeans refuse American commitment on European defence step forward to construct ‘the European pillar’ in order to counter risks and threats that they faced (most dangerous),
- Something in between (most likely). Taking the security environment into account, nations will in one way or another invest in their security. It is in European countries’ national interests to spend their money in a way to maximize the efficiency and minimize ‘unnecessary duplication’.

4.3. Strongmen: Rise of illiberalism and Authoritarianism

In the midst of an era of competition between liberal and illiberal or autocratic states, the liberal vision of the West is under strain. According to the Freedom House findings for 2018 democracy, political rights, and civil liberties are declining around the world for 12 consecutive years.¹³² Trump, Putin, Erdogan, Orban and like-minded ‘strongmen’ use challenges such as terrorism, radicalism and



illegal immigration to polarize societies and export these problems to their rivals to further national and more narrowly-defined causes instead of promoting liberal values and universal democratic principles and rights.

For the NATO and the EU, countries represented by strongmen are of particular concern especially when they are member states. Both organizations share similar universal values in their founding acts. The North Atlantic Treaty Organization is determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law.¹³³ The Treaty on European Union and Charter of Fundamental Rights enshrine the principles of liberty, democracy, respect for human rights, fundamental freedoms and the rule of law.¹³⁴ Paradoxically, democratic backsliding is being observed in countries such as Hungary, Poland and Turkey which have signed up to the above-mentioned treaties and enjoy the membership/partnership of EU and NATO. Putting a distance from the values on which Europe and U.S. defined themselves through the hands of the strongmen is posing may be the greatest threat to the solidarity within and between both organisations.

To give only one more specific illustration of this scenario, the efforts to pursue an independent grand strategy, such as “America first”, may have the welcome effect on the decline of internationalism. The pattern of withdrawal of the US in taking the lead in building regional and global institutions or maintaining alliances is likely to leave a vacuum, which Russia and China will look to fill. On the other hand, Trump also declared that he wants peace through strength in his address to South Korea’s National Assembly in 2017. Contrary to his ambition, rather than strength based on shared values and interest, globally enjoyed unquestioned military dominance could easily become peace through war.¹³⁵ If the US changes its course, it will have implications on NATO and the EU’s role in the international security and stability. Especially in an environment in which the effects of nationalist, far-right, and populist parties within the Western civilization have started to become obvious. The impact of the codification of autocracy in Erdogan’s Turkey

on NATO,¹³⁶ and the ‘Orbanisation’ of parts of the EU are other cases in point.

5. What can be done for the future?

Although the efforts to strengthen EU-NATO cooperation which have been initiated by the 2016 Joint Declaration are to be welcomed, the improvements have so far been made mostly on the bureaucratic than on the operational side. Further concrete steps are to be taken for a wider and substantial cooperation between two Brussels-based organisations who share 80% of overlap in membership and show a great level of interconnectedness in terms of security. Considering the new forms of warfare and challenges stemming from the Southern and Eastern flanks of Europe, we argue that a joint response must be formulated in the form of a common strategy, implemented in an integrated way by using a more comprehensive toolbox. In this regard, NATO’s 2018 Summit Declaration highlights that “defence capabilities developed by NATO and the EU shall be complementary, interoperable and available to both organizations”, with full “respect for the EU and NATO’s different mandates”. The Joint Declaration on EU-NATO Cooperation of that same year flags up the requirement of “political agreement” on the EU’s next budgetary cycle to give greater priority to security and defence. The Joint Declaration identifies counter-terrorism and resilience to chemical, biological, radiological, and nuclear-related risks as areas for future cooperation and singles out military mobility as a major priority for EU-NATO cooperation because it constitutes a prerequisite to both organisations’ readiness and responsiveness.

In order to widen the ‘essential’ EU-NATO cooperation and enhance the interconnected security environment for the two organisations, one might consider the following policy-agenda. Those are to be taken into account by either NATO, EU or both jointly.

- For deterrence and enhanced responsiveness against common challenges, the EU and NATO must adopt a proactive and integrated strategy and joint framework that encompasses all elements of soft and hard power and synchronises the interagency community to employ their sources to wage and counter external aggressions. (JOINT)



- Given the different nature of threats, capabilities and strategic interests of NATO and EU, one of the organisations should have a leading role in determining a joint strategy against one of the challenges emanating from East and South. While NATO can better react against Eastern challenges with its collective defence capability, EU can better cope with Southern challenges with its different wide-ranging tools. (JOINT)

- The joint strategy should include effective measures against rising illiberal and undemocratic tendencies within the member states. (JOINT)

- It is extremely important to go beyond bureaucratic issues and add formal substance to the cooperation in particular areas, such as assisting a rapid-reaction force deployment and a fast military build-up; combating organised crimes such as drug trafficking and people smuggling; intelligence fusion, crisis response; operation management; and smart burden sharing. (JOINT)

- The EU and NATO should combine their efforts for capacity-building in partner countries including security sector reform, defence institution building, and allocation of resources. (JOINT)

- The EU should be included as an organisation in NATO Defence Planning Process (NDPP) would facilitate EU-NATO cooperation on defence capability building, however this would necessitate the non-NATO EU members to bear increased burden. For reciprocity, PESCO should be open to all NATO member country industries. (JOINT)

- The EU (and to some extent NATO) must reduce the dependency of the US protection and power projection; in this respect, it is important to exploit the current trend of increasing defence spendings. (JOINT)

- EU-Turkey relations, which can be seen as the main bottleneck due to the Cyprus issue, should be reformulated in such a way that it constitutes no longer an obstacle to the EU-NATO cooperation. (EU)

- Consensus-based NATO decision-making mechanism might be improved in a way that it furthers Alliance's common interests. (NATO)

Endnotes

1. See, e.g., S. Duke, 'The Future of EU-NATO Relations: A Case of Mutual Irrelevance Through Competition?', 30 *Journal of European Integration* (2008), No. 1, 27-43; and J. Smith, 'EU-NATO Cooperation: A Case of Institutional Fatigue?', 20 *European Security* (2011), No. 2, 243-264.
2. Joint Declaration on EU-NATO Cooperation. (2018, July 10). Retrieved from https://www.nato.int/cps/en/natohq/official_texts_156626.htm
3. See S. Blockmans & W. Van Eekelen, 'European Crisis Management avant la lettre', in S. Blockmans (ed.), *The European Union and Crisis Management: Policy and Legal Aspects* (The Hague: Asser Press 2008), 21-36.
4. See S. Blockmans, 'Participation of Turkey in the EU's Common Security and Defence Policy: Kingmaker or Trojan Horse?', KU Leuven GGS Working Paper No. 41 (2010).
5. Final Communiqué of the Ministerial Meeting of the North Atlantic Council, Press Communiqué M- NAC-1(96)63, 3 June 1996, para. 7.
6. Washington Summit Communiqué issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington, D.C. on 24 April 1999, Press Release NAC-S(99)64, 24 April 1999, para. 9.
7. NATO, 'The Alliance's Strategic Concept', Doc. 0773-99 (Brussels, NATO Office of Information and Press 1999), para. 30.
8. The finalisation of the 'Berlin plus' arrangements was concluded with the signing of a Security of Information Agreement between the European Union and NATO on 14 March 2003. See Council Decision 2003/211/CFSP of 24 February 2003 concerning the conclusion of the Agreement between the European Union and the North Atlantic Treaty Organisation on the Security of Information, Official Journal of the EU 2003 L 80/35. The agreement itself is not publicly accessible. For background and analysis, see M. Reichard, 'Some Legal Issues Concerning the EU-NATO Berlin plus Agreement', 73 *Nordic JIL* (2004), 37-67.
9. Joint declaration by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organization', 2016.
10. Statement on the implementation of the Joint Declaration signed by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organization', 2016.
11. Progress report on the implementation of the common set of proposals endorsed by NATO and EU Councils on 6 December 2016', 2017.
12. Council conclusions on the Implementation of the Joint Declaration by the President of the European Council, the President of the European Commission and the Secretary General of the North Atlantic Treaty Organization. (2017, December 5). European Council. Retrieved from <http://www.consilium.europa.eu/en/press/press-releases/2017/12/05/defence-cooperation-council-adopts-conclusions-on-eu-nato-cooperation-endorsing-common-set-of-new-proposals-for-further-joint-work/>
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15. Brussels Summit Declaration. (2018, July 11). NATO. Retrieved from https://www.nato.int/cps/en/natohq/official_texts_156624.htm?selectedLocale=en
16. NATO and the European Union deepen cooperation on cyber defence. (2017, December 8). Retrieved 28 July 2018, from http://www.nato.int/cps/en/natohq/news_149848.htm
17. A more elaborate version of this section is forthcoming in the form of an article by S. Blockmans, 'The EU's Modular Approach to Defence Integration: Inclusive, Ambitious and Legally Binding?', *CML Review* (2018).
18. According to figures drawn from SIPRI Military Expenditure Database 2014, Military Balance 2015 and the International Institute for Security Studies, the change in military spending by the EU28 between 2005 and 2014 represented a drop of 9%, to EUR 210 billion. See J.-M. Bockel, 'General Report: The State of Europe's Defence Industrial Base', NATO Parliamentary Assembly, Economics and Security Committee, Doc. 166 ESC 17 E bis, 7 October 2017, at 2.
19. European Council Conclusions, EUCO 217/13, 20 December 2013, para. 1.
20. *Ibid.*, para. 22.
21. One of which led France to invoke – not Article V of NATO's Washington Treaty but - the mutual defence clause of Article 42(7) TEU for the first time, albeit in a manner by-passing the support that the EU (institutional) framework could have provided. For a critique, see C. Hillion and S. Blockmans, 'Europe's Self-Defence: Tous pour un et un pour tous?', *CEPS Commentary*, 20 November 2015.



22. 60 years since the demise of the European Defence Community Treaty in a French parliament reluctant to pool and share the execution of hard core sovereign powers with post-war Germany; 15 years since the operationalisation of the CSDP.
23. Council, 'EU defence cooperation: Council establishes a Military Planning and Conduct Capability (MPCC)', Press Release 338/17, 8 June 2017. See also Council Decision (EU) 2017/971 of 8 June 2017 determining the planning and conduct arrangements for EU non-executive military CSDP missions and amending Decisions 2010/96/CFSP on a European Union military mission to contribute to the training of Somali security forces, 2013/34/CFSP on a European Union military mission to contribute to the training of the Malian armed forces (EUTM Mali) and (CFSP) 2016/610 on a European Union CSDP military training mission in the Central African Republic (EUTM RCA), OJ L 146, 9.6.2017, 133–138.
24. Wales Summit Declaration issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Wales, NATO Press release (2014) 120, 5 September 2014, para. 14.
25. See the proposals thereto in S. Blockmans and G. Faleg, 'More Union in European Defence', Report of the CEPS Task Force on European Security and Defence Chaired by Javier Solana, March 2015.
26. See A. Sparrow, 'Jean-Claude Juncker calls for EU army', *The Guardian*, 5 March 2015; and H.-P. Bartels, A.M. Kellner and U. Optenhögel (eds.), *Strategic Autonomy and the Defence of Europe: On the Road to a European army?* (Bonn: Dietz Verlag 2017).
27. Compare the 2003 European Security Strategy, 'A Secure Europe in a Better World', adopted by the European Council on 12 December 2003, which opens with "Europe has never been so prosperous, so secure nor so free" and the 2016 EU Global Strategy, 'Shared Vision, Common Action: A Stronger Europe', the presentation of which was welcomed by the European Council on 28 June 2016. The preface to the EUGS starts with: "We need a stronger Europe. This is what our citizens deserve, this is what the wider world expects. We live in times of existential crisis, within and beyond the European Union. Our Union is under threat. Our European project, which has brought unprecedented peace, prosperity and democracy, is being questioned." For the 'making-of' story, see N. Tocci, *Framing the EU Global Strategy: A Stronger Europe in a Fragile World* (Basingstoke: Palgrave 2017).
28. Proposal from the High Representative of the Union for Foreign Affairs and Security Policy, Vice President of the European Commission, and Head of the European Defence Agency to the Council, 'Implementation Plan on Security and Defence', Council Doc. 14392/16, 14 November 2016.
29. See J. Solana and S. Blockmans, 'The EU's Winter Package for Security and Defence', CEPS Commentary, 16 December 2016.
30. Cf. Council Doc. 14392/16 (emphasis added).
31. European Council Conclusions, EUCO 34/16, 15 December 2016, paras. 10-15. See below for the opt-out which Denmark has from CSDP.
32. EDA, 'New 2018 EU Capability Development Priorities approved', Brussels, 28 June 2018: "The 2018 EU Capability Development Priorities cover the following lines of action: enabling capabilities for cyber responsive operations; space-based information and communication services; information superiority; ground combat capabilities; enhanced logistic and medical supporting capabilities; naval manoeuvrability; underwater control contributing to resilience at sea; air superiority; air mobility; integration of military air capabilities in a changing aviation sector; cross-domain capabilities contributing to achieve EU's level of ambition."
33. Coherent also with NATO's Defence Planning Process (NDPP) and defence investment pledge.
34. Council conclusions on Security and Defence in the context of the EU Global Strategy, Doc. 9178/17, 18 May 2017.
35. *Ibid.*, para. 20.
36. Council conclusions on Security and Defence in the context of the EU Global Strategy, Doc. 7019/17, 6 March 2017, para. 10. The coherence between capability development, R&T and industrial cooperation should be reinforced by the interaction between the CDP, the overarching strategic research agenda, key strategic activities and engagement with industry.
37. *Ibid.*, para. 11.
38. European Parliament, 'The Cost of Non-Europe in Common Security and Defence Policy' (Brussels 2013): "the spread for the cost of non-Europe in defence is thought to range from EUR 130 billion, at the higher end, to at least EUR 26 billion, on a more conservative calculation". EUR 26 billion per year corresponds to the combined defence budget of 15 EU member states: Belgium, Bulgaria, Croatia, Czechia, Denmark, Estonia, Greece, Hungary, Latvia, Lithuania, Luxembourg, Portugal, Romania, Slovakia and Slovenia. The Commission made the business case for more efficient spending on defence in the Annex to its announcement of the EDAP. See European Commission, 'European Defence Action Plan: Towards a European Defence Fund', Press Release IP/16/4088, 30 November 2016: "Over the last decade EU Member States have decreased defence spending by nearly 12% in real terms, but this has not been compensated by more European cooperation. The lack of cooperation between Member States in the field of defence and security is estimated to cost annually between EUR 25 billion and EUR 100 billion."
39. Communication from the Commission to the European Parliament, the European Council, the Council, the



European Economic and Social Committee and the Committee of the Regions, 'European Defence Action Plan', COM(2016) 950 final, 30 November 2016. As such, the EDAP follows up on the EU Global Strategy's ambition to strengthen the Union in defence, and ultimately also NATO.

40. Directive 2009/43/EC, OJ L 146, 10.6.2009, p. 1.
41. Directive 2009/81/EC, OJ L 216, 20.8.2009, p. 76.
42. EDA, Defence Data 2014 (Brussels: EDA 2016), at 6.
43. Commission Staff Working Document, 'Evaluation of Directive 2009/81/EC on public procurement in the fields of defence and security', SWD(2016) 407 final, 30 November 2016; and Commission Staff Working Document, 'Evaluation of the Transfers Directive', SWD(2016) 398 final/2, 7 December 2016.
44. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 'Launching the European Defence Fund', COM(2017) 295 final, 7 June 2017.
45. One year on from the launch of the EDF, the Commission proposed an even more ambitious envelope under the next MFF (2021-2027): €13 billion to finance collaborative research projects (€4.1 billion) and co-fund capability development (€8.9 billion). See European Commission, Proposal for a Regulation of the European Parliament and of the Council establishing the European Defence Fund, COM(2018) 476 final, 13 June 2018.
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47. Cf. COM(2018) 476 final, Article 14: "The Fund may finance up to 100% of the eligible costs of an action without prejudice to the co-financing principle."
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49. J.-C. Juncker, State of the Union Address 2016: Towards a better Europe - a Europe that protects, empowers and defends, Press Release SPEECH-16-3043, 16 September 2016.
50. Cf. COM(2017) 295 final, at 10.
51. Cf. COM(2018) 476 final. The provision continues by saying that "At least three of these eligible entities established in at least two Member States and/or associated countries shall not, during the whole implementation of the action, be effectively controlled, directly or indirectly, by the same entity, and shall not control each other." Article 23(3) sets additional eligibility criteria: "For actions referred to in points e) to h) of Article 11 paragraph 3, the consortium shall demonstrate by means of documents issued by national authorities that: (a) at least two Member States and/or associated countries intend to procure the final product or use the technology in a coordinated way, including joint procurement; (b) the action is based on common technical specifications jointly agreed by the Member States and/or associated countries which co-finance the action." Points e) to h) of Article 11(3) refer to system prototypes; the testing, qualification and certification of a defence product, tangible or intangible component or technology.
52. In a blast from the past (cf. Madeleine Albright's '3Ds'), US Permanent Representative to NATO Kay Bailey Hutchinson warned that Washington did not want the EDF "to be a protectionist vehicle for the E.U.", cut out US military manufacturers from bidding on certain European projects, and "splinter the strong security alliance that we have". See S. Erlanger, 'U.S. Revives Concerns About European Defense Plans, Rattling NATO Allies', New York Times, 18 February 2018.
53. Moreover, the participation of such legal entities should not contravene the objectives of the Fund and applicants should provide all relevant information about the infrastructure, facilities, assets and resources to be used in the action.
54. See D. Fiott, A. Missiroli and T. Tardy, 'Permanent Structured Cooperation: What's in a Name?', Chaillot Paper No. 142, November 2017, at 18.
55. Ibid., at 37.
56. Council, 'Headline Goal 2010', doc. 6309/6/04 Rev 6, 4 May 2004.
57. See, e.g., G. Lindstrom, 'Enter the EU Battlegroups', Chaillot Paper No. 97, 1 February 2007; A. Barcikowska, 'EU Battlegroups – ready to go?', EUISS Alert, November 2013; and J.J. Anderson, 'Adapting the Battlegroups', EUISS Alert, 31 January 2017.
58. T. Valášek, 'The EU's New Defense Pact: Marginal Gains', Carnegie Europe, 30 November 2017.
59. For a review of the 2010 debate, see S. Biscop and J. Coelmont, 'CSDP and the Ghent Framework: The Indirect Approach to Permanent Structured Cooperation', in 16 EFAR (2011), p. 149-167.
60. European Council Conclusions, EUCO 34/16, 15 December 2016, para. 11.
61. The notification is available at <http://www.consilium.europa.eu/media/31511/171113-pesco-notification.pdf>.
62. Council Decision (CFSP) 2017/2315 of 11 December 2017 establishing permanent structured cooperation (PESCO) and determining the list of participating Member States, OJ L 331, 14.12.2017, p. 57-77.



63. Conversely, any participating member state wishing to withdraw from PESCO can do so by notifying its intention to the Council, “which shall take note that the Member State in question has ceased to participate” Article 46(5) TEU.
64. In accordance with Articles 4(2) (g) and 9(1) of Decision (CFSP) 2017/2315, the Council will adopt a decision establishing, in due time, the general conditions under which third States could exceptionally be invited to participate in individual projects; and it will determine in accordance with Article 9(2) of Decision (CFSP) 2017/2315 whether a given third State satisfies these conditions. Subject to a further assessment by the Council, a Decision should in principle be adopted before the end of 2018.
65. In the future though, any joint platform development that includes the UK might instead take place through inter-governmental organisations such as OCCAR, the Organisation for Joint Armament Cooperation.
66. See European Council Conclusions, EUCO 19/1/17 Rev 1, 14 December 2017.
67. F. Mogherini, ‘A Historic Day for the European Union’, 13 November 2017, available on her personal blog at .
68. Jean-Claude Juncker: “In June I said it was time to wake up the Sleeping Beauty of the Lisbon Treaty: permanent structured cooperation. Six months later, it is happening.” See European Commission, Press Release IP/17/5205, 11 December 2017.
69. European Council Conclusions, EUCO 34/16, 15 December 2016, para. 11.
70. The 19th Franco-German defence and security council held on 13 July 2017 in Paris also agreed to several long-term bilateral defence projects, such as merging systems for land forces (KMW and Nexter), developing a new fighter jet and a joint successor model for the countries’ main battle tanks (Leopard 2 and Leclerc).
71. See Fiott, Missiroli and Tardy, *op. cit.*, at 21.
72. *Ibid.*, at 53.
73. In a joint letter of 13 November 2017 addressed to the HR, the Ministers of Foreign Affairs and National Defence of Poland set out three conditions for Poland’s participation in PESCO: primacy of NATO’s defence planning process; competitive, innovative and balanced development of the European defence industry in order to suit the needs of all the member states involved; and a ‘360-degree approach’ to security threats with particular attention paid to the eastern flank.
74. Council Decision (CFSP) 2018/340 of 6 March 2018 establishing the list of projects to be developed under PESCO, OJ L 65, 8.3.2018, p. 24-27.
75. See A. Rettman, ‘France and Germany propose EU ‘defence union’’, *EU Observer*, 12 September 2016.
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77. See European Council Conclusions, EUCO 217/13, 20 December 2013, para. 11; and further J. Gotkowska, ‘The Trouble with PESCO: The Mirages of European Defence’, *OSW Point of View* No. 69, February 2018.
78. Council Doc. 14392/16, 14 November 2016.
79. See, e.g., C. Major and C. Mölling, ‘France Moves from EU Defense to European Defense’, *Carnegie Europe*, 7 December 2017; and N. Koenig, ‘The European Intervention Initiative: A look behind the scenes’, *Jacques Delors Institut Berlin, Blog Post*, 27 June 2018.
80. The ‘Letter of Intent Concerning the Development of the European Intervention Initiative (EI2)’ was signed at the margins of the Foreign Affairs Council of 25 June 2018 and is available at <https://club.bruxelles2.eu/wp-content/uploads/2018/06/let-intention-initiativeeuropintervention@fr180625.pdf>. Belgium, Denmark, Estonia, Germany, Italy, Netherlands, Portugal, Spain and the UK were invited to join. All, except for Italy (whose new government needed time to assess the initiative), signed the Letter of Intent. Finland has since joined the EI2. Apart from Estonia, central and eastern European member states were not invited. This has led German officials to describe EI2 as a divisive project which risks fragmenting PESCO and the EU.
81. *Ibid.* It will be steered by a “light” permanent secretariat in Paris based on the existing network of national liaison officers in the French Ministry of Defence.
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How to Implement Trans-Caspian Pipeline in spite of Russo-Iranian Opposition

Richard Stokes*

On 12 August 2018, a presidential summit of the Caspian littoral countries was held in Astana, Kazakhstan. The convention on the legal status of the Caspian Sea was signed by all the five littorals at the summit. However, there are significant issues still on dispute. One of them is the construction of trans-Caspian pipelines carrying hydrocarbons from east to west, particularly the Trans-Caspian Pipeline (TCP) project, which is intended to transport natural gas from Turkmenistan to Europe. While Turkmenistan's economy is considered to be at its bottom since its independence and is in need of urgent revenue, EU tries to find ways to free itself from Russian energy dominance. Therefore, TCP appears to be a perfect solution for both parties. However, right before the summit on July 20th in Moscow, in order to have the right to block TCP forever, Russia and Iran had achieved imposing some provisions to other Caspian states on environmental impact assessments of projects to be made in the Caspian Sea. This paper suggests Azerbaijan, Kazakhstan and Turkmenistan to stand firm against Russia and Iran, and act together to find ways to realise the TCP project abiding by the international law.

Key Words: Trans-Caspian Pipeline, Caspian Sea, summit, convention, Turkmenistan, Russia, EU, energy security, environmental impact assessment, protocol, Azerbaijan, Kazakhstan, Iran.

1. Introduction:

This article is about what can be done to realise the Trans Caspian Pipeline (TCP) Project despite Russian and Iranian counter efforts. TCP is a sub-sea pipeline project conceptualized to transfer natural gas from Turkmenistan across Caspian Sea to Azerbaijan with the final aim of reaching Turkish and European market. On 12 August 2018, the Caspian convention was signed in Astana, Kazakhstan. As the disputes continue over repercussions of this convention, the author of this article had in a previous article asserted that it was a responsibility to all able men to prevent power politics triumph over rule of law behind the closed doors and help Turkmenistan to implement the Trans-Caspian Pipeline project. Purpose of this article is to fulfil this responsibility academically and suggest steps to be taken.

It should be noted that Russia and Iran have cynical plans for the convention in terms of TCP. Russia, together with Iran, has planned to prevent Turkmenistan from building the TCP with the disguise of environmental



Figure 1: Caspian Sea and Route of Trans-Caspian Pipeline (Proposed) (Stratfor, 2018)

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concerns. So, contrary to common optimistic expectations, the long-expected legal status convention was exploited to block not only the TCP but also possible pipeline projects in future between Azerbaijan-Turkmenistan-Kazakhstan.

To achieve this aim, Russia and Iran, at first, refrained from mentioning a clear condition that a pipeline across Caspian can be built only with the consent of all littoral states. They did so probably to avoid public reaction especially in Turkmenistan and form a delusive optimistic atmosphere for the convention. However, instead of a clear statement in the text of the main convention, they imposed provisions in the Environmental Impact Assessment (EIA) protocol to the Tehran Convention which covertly stated that subsea pipelines across Caspian can only be built upon the approval of EIAs by all the affected littoral countries. So, they would retain their right to block the pipeline by simply disapproving its EIA.

If the legal status convention signed on 12 August 2018 is ratified on littoral states' parliaments, those states would forever have this right legally and would not need to use power politics in the Caspian anymore for this particular reason. Russia's recent naval force replacement in late July this year to the Mediterranean from the Caspian Flotilla, which they often use in the Caspian as a power policy tool, might well be an indication that they saw the signing of the convention was guaranteed, and they would not need that many flotilla ships in the Caspian anymore.

TCP is of great importance for Turkmenistan, the EU, transit countries (Azerbaijan, Georgia, Turkey), the US, and Western energy companies. What is more, building a subsea pipeline across is the unquestionable right of Turkmenistan, regardless of the legal status of the Caspian. So, the question to be answered is to find how it can be realised. (Stokes, 2018),

Below is the summary of the results of this research looking for suggestions for Turkmenistan alongside Azerbaijan, Kazakhstan, and the EU. They could be far from complete but might well be the starting point of a more comprehensive to-do list. They are mainly reached by reviewing the historical background of inter-state relations

among Caspian littorals, particularly regarding the Caspian legal status problem. Then, legal aspects of pipeline construction are reviewed to make sure that suggestions are in full compliance with international law. In addition, military reaction possibilities of Russia and Iran to these suggestions are evaluated, too.

So, in order the TCP project to be implemented:

- Azerbaijan, Kazakhstan, and Turkmenistan must act together. They should not ratify the EIA protocol as long as it contains provisions giving Russia and Iran right to block TCP. Instead, they should seek for alternative multilateral solutions to the pipeline problem according to international law, and if they can't agree on a solution with Russia and Iran, apply to the appropriate judicial organisation to solve the Caspian legal status problem. Meanwhile, they must swiftly empower their militaries to deter possible Russian aggression, sign military assistance agreements among themselves and with EU (PESCO) and NATO. They should not wait for Russia and Iran's approval anymore, make an agreement to build the TCP and start the construction in accordance with United Nations Convention on the Law of the Sea (UNCLOS) and Energy Charter Treaty (ECT). And lastly, they should not act pragmatically anymore; to protect their cohesion they must abide by international law to solve current (i.e. delimitation of Azeri-Turkmen sea border) and future problems among themselves.

- To enhance its own energy security by TCP, EU must give robust support to the construction of TCP in diplomatic, financial, technical, legal, and as the last resort military dimensions.

In the rest of the article, above suggestions are elaborated. The first section of the paper emphasises the importance of acting together against Russia and Iran. Section 2 suggests stopping pragmatic manner and firmly abiding by international law. Section 3 reveals that, in accordance with UNCLOS and ECT, TCP can be built without the approval of any other littorals. Section 4 offers to Turkmenistan, Azerbaijan, and Kazakhstan to swiftly empower their militaries for deterrence purposes. Section 5 tells about in which ways EU could support the construction of TCP. Section 6 mentions the two additional alternatives to facilitate



the project. And finally, Section 7 concludes that building the Trans-Caspian Pipeline is still possible if all the players act together.

2. Azerbaijan, Kazakhstan and Turkmenistan Must Act Together

When Azerbaijan, Kazakhstan and Turkmenistan acted together in the past they succeeded to change Russia's stance, so they should do it again. Right after the dissolution of the Soviet Union in 1991, "the long and fruitless legal debate of the 1990s regarded the main question, which was whether the Soviet-Iranian treaties provide for the status of the Caspian Sea as a lake or a sea in the legal sense, and thus which of the international set of principles—characteristic for an international lake or a sea—should be applicable for the future status of the Caspian Sea. This issue, however, was completely disregarded in the later practice of the coastal states" (Janusz-Pawletta, 2015). One of the reasons behind this disregard could be that if the sea was divided according to either sea or lake laws, pipelines between the Turkic Caspian States could be constructed without Russia and Iran's consent. Indeed, at the end of the 1990s, Azerbaijan, Kazakhstan and Turkmenistan had started to implement hydrocarbon projects bypassing Russia. In June 1997, Azerbaijan and Kazakhstan signed a bilateral agreement in order to facilitate the exploitation and development of the Caspian Sea resources. This was followed by another deal between Kazakhstan and Turkmenistan regarding the division of the sea along median lines. Before these agreements, Russia and Iran were supporting condominium principle that is the national sovereignty over a small amount of water adjacent to the coast and common use of the bigger mid-part of the sea (with the seabed). But, when Turkic Caspian states agreed in between each other, Russia was forced to change its strict policy of condominium and made border agreements with Kazakhstan and Azerbaijan where the issues of sea and lake was not addressed. So, when they acted together, it paid off.

Russia and Iran's biggest trick is to break the cohesion among Turkic Caspian states by making bilateral agreements with them one by one. Instead, since that it is the most cost-effective method to carry gas reserves and that

Europeans are more reliable customers than current ones (Russia, Iran, and China), they should make a tripartite agreement to build trans-Caspian pipelines (Turkmenbashi-Baku and Aktau-Baku) to carry their hydrocarbon products to Europe.

3. They must not Act Pragmatically anymore, but Abide by International Law

As Azerbaijan, Turkmenistan, and Kazakhstan experienced the benefits of acting together, they also saw the downsides of acting pragmatically in the expense of international law. Forcing Russia to cease its insistence on condominium principle was a victory gained by acting together. However, Russia effectively reduced the effects of that victory. With bilateral agreements signed between Russia-Azerbaijan and Russia-Kazakhstan, the balance has been tipped away from the dichotomy of UNCLOS international public law setting towards former Soviet Union-style bilateral inter-governmental frameworks (Sinuraya, 2001). Azerbaijan and Kazakhstan acted together, however not in accordance with international law, but pragmatically in a rush to extract their offshore reserves. Russia took advantage of this rush using different tactics with the possible accompaniment of Iran.

Kazakhstan signed a bilateral agreement with Russia in 1998 dividing up their adjacent sectors in the North Caspian according to (Modified) Median Line principle based on the Soviet-era borders (UN, 1998).

Azerbaijan signed a similar agreement with Russia in January 2001. Putin also signed an economic agreement with Aliyev, an oil deal between LUKoil and SOCAR (Saivetz, 2001). Meanwhile, Russian Caspian Flotilla was at sea, conducting exercises. The Iranian news agency IRNA cited a source at the Iranian Foreign Ministry as stating: "Iran believes that there is no threat in the Caspian Sea to justify the war games and military presence..." (Freedman, 2003).

However, just two months later, in March 2001, when Iranian President Khatemi visited Moscow, Russian Prime Minister Yengeny Primakov called it as the most significant event in the history of relations between Tehran and



Moscow. During his visit, Putin announced the resumption of arms sales to Iran, Khatemi was awarded an honorary degree in philosophy from Moscow State University, and invited to tour Russia's contribution to International Space Station. Furthermore, Russia then was the primary military equipment exporter and nuclear capacity builder for Iran in spite of objections from the US.

In July 2001, Azerbaijan signed a contract with BP for the exploration of Alov-Araz-Sharg oil field which Iran was also claiming. Iran sent its warships and fighter jets to the region, BP's exploration vessel immediately ceased operation, and Azerbaijan stepped back. Russia only criticised Iran's behaviour, did nothing with the Caspian Flotilla.

In addition to that, during the summit of Ashgabat on 23-24 April 2002, Turkmenistan President underscored the Azeri-Turkmen disagreement on an off-shore oil field in the Caspian.

The day after the summit, on 25 April 2002, Putin visited Caspian Flotilla, made a speech with a message to littorals of Caspian Sea, and declared the decision that Russian military would conduct an exercise in the Caspian Sea. There is an interesting evaluation in Haghayeghi's article: "Putin's visit to the Caspian Flotilla was apparently planned before the summit and several versions of his speech to naval personnel were prepared. According to Vladimir Kyroedov, the chief of Russian Navy, the summit's negative outcome led to a decision to choose the speech with an ominous implicit message to Russia's neighbours." (Haghayeghi, 2003)

In May 2002, Kazakhstan adopted the protocol of the agreement signed in 1998. Kazakhstan's Caspian oil would be transferred through Russia by Caspian Pipeline Consortium, a joint company established by Kazakh, Russian, and Western energy companies.

After that, in August 2002, Russia held a naval exercise in Caspian with the participation of Azerbaijan and Kazakhstan. According to an unconfirmed report from RIA Novosti Russia denied Iran's request to join the exercises, citing a 1924 treaty barring all military vessels

other than those belonging to the Soviet Forces (Haghayeghi, 2003).

In this context, after being threatened by both Iran and Turkmenistan, in September 2002, Azerbaijan adopted the protocol of the principle agreement signed in January 2001 with Russia.

Both Haghayeghi and Freedman argue that the main concern of Russia while conducting exercises was the ongoing dispute among Iran, Azerbaijan, and Turkmenistan as well as Iran's unilateral decision to claim 20% of the sea.

However, I doubt that the concern behind Russia's gunboat diplomacy was Iran, rather it was with Azerbaijan and Kazakhstan. After all those happened, as stated above, there was no decline in Russia-Iran relations, their strong partnership lasted. But, fearing from Iran, Azerbaijan and Kazakhstan put ink on agreements that would benefit Russia the most.

The bilateral agreements give sovereign rights to littoral states in their respective sections on seabed only, but they left the surface and sea body for common use. Azerbaijan and Kazakhstan probably accepted those agreements to exploit their off-shore deposits. However, according to international law, those deposits were already Azerbaijan's and Kazakhstan's rights. With the bilateral agreements, they gained nothing more, but they gave Russia the grounds to strategically control the Caspian, since they left the surface and sea body for common use.

With these agreements Russia secured its interests to

- freely move its Caspian Flotilla (the strongest in Caspian) over the sea (thus ensuring the right to project power),
- freely fish anywhere in the sea (with the biggest fleet in Caspian) ,
- (by leaving the surface and sea body in common use) gain grounds to veto any Caspian pipeline project
- which economically threatens its transit monopoly position especially for the states on the eastern side of Caspian and its supplier monopoly position for Europe,



- (and more importantly) which strategically weakens its ability to cut all the gas and oil flow to Europe coming from Central Asia.

4. They should not wait for Russia and Iran's Approval anymore

Actually, due to their respective geographic positions, the legal definition of Caspian as a sea or as a lake brings no obstacle to lay pipelines both between Azerbaijan-Turkmenistan and Kazakhstan-Turkmenistan.

If the Caspian is defined as a sea, then UNCLOS and High Seas Conventions will be applied. There will be internal waters, territorial waters, contiguous zones, and exclusive economic zones (EEZ) for each country. Delimitation of the sea will be done by defined methods in UNCLOS. In this term, pipelines would not even pass through Russia's or Iran's waters of sovereignty, even not through their EEZs. So they will not have a say for the TCP or a pipeline between Kazakhstan-Azerbaijan.

If the Caspian is defined as a lake, delimitation will be done by either median line method or equal area method. This time each country will have absolute sovereignty in its section. There will be no innocent passage. Regardless of the delimitation method chosen, pipelines will not pass through Russia's or Iran's waters of sovereignty. So they will not have a say, either.

Furthermore, unnecessary impediment of subsea pipelines is clearly against international law, namely UNCLOS and Energy Charter Treaty.

However, during the early 1990s, Russia and Iran were insisting that Caspian is a lake and must be used in common, as a condominium. According to that principle, Caspian will not be divided, instead shared by means of a common company. Taking into consideration that hydrocarbon resources are rich in every section but Iran's, and sturgeon stocks which are the primary source of valuable caviar is abundant in every section but Russia and Kazakhstan's; Russia and Iran were trying to maximize their benefits with condominium principle.

In 1997–1998, Russia, awakened by the realisation that it had been left behind in

opportunities of oil transportation when Azerbaijan, Kazakhstan and Turkmenistan began to realise projects bypassing the federation, was compelled to reject the condominium principle which left Iran without a single ally. When Azerbaijan's adamant refusal to accept shared ownership was added to it, Iran also stopped defending condominium principle (Zimnitskaya & von Geldern, 2011).

Then Russia started making bilateral and trilateral sharing agreements with Kazakhstan and Azerbaijan, so condominium principle had not been regarded as an issue afterwards.

If the legal status of Caspian had been condominium, then the consent from all the littorals would be needed to lay pipelines. However, it's entirely out of scope as a sharing principle for now.

However, for the current situation, Russia and Iran still want to have the right to veto any pipeline in the sea no matter from which section it passes through. This right could only be in condominium principle which is void. So, Russia and Iran try to achieve the veto right in a covert manner which (Stokes, 2018) had dealt with.

5. Azerbaijan, Turkmenistan, and Kazakhstan must swiftly empower their militaries

Azerbaijan, Turkmenistan, and Kazakhstan must be ready for the worst case, and to deter any threat; they must empower their militaries as soon as possible. If the rule of law had a validity in the region, I would simply offer to apply for dispute resolution mechanisms of UNCLOS (e.g. International Tribunal for the Law of the Sea); but it's going to be excessive naiveté expecting Russia and Iran's current regimes to obey the rule of law for Turkic Caspian states' rights while they even don't respect their own citizens'. When we have a look at World Justice Project's "2017-2018 Rule of Law Index", we see Russia in 89th place out of 113 countries with 0.47 points out of 1. Iran is not much different; it's 80th with 0.48 points (Rule of Law Index, 2018). So, they need to be ready for the worst case. Almost everyone in "Near Abroad" fears from what happens to Ukraine, Georgia, and Moldova would also happen to them.



However, I don't think Russia would go further than a show of force in this case. First of all, Russia and Iran are both in hot-war on several fronts (Ukraine, Georgia, Moldova, Syria, Yemen and Iraq). Their economies are shrinking. Especially Iran has substantial economic problems; a serious unrest occurred in Iran last December due to these problems. They have stretched resources to conduct a comprehensive operation in Central Asia.

Furthermore, they know that if they had an intervention to a Turkic state, it would undermine Russia's bilateral relations with other Turkic states, including Turkey. Instead of such an aggressive manner, they could at most make a show of force which should not scare Turkic Caspian states at all.

Nonetheless, military readiness along with military partnership agreements is the key factor that would deter enemies best.

6. EU Should Provide Robust Support

EU wants to connect TCP to Southern Gas Corridor in order to diminish Russian dominance as a gas supplier. The EU must use all aspects of soft and hard power to support Azerbaijan, Kazakhstan, and Turkmenistan diplomatically, financially, technically (e.g. helping for obtaining an environmental assessment report by an internationally trusted independent company), legally (e.g. by helping filing claims to relevant international courts), and, as a last resort, militarily (i.e. by triggering NATO, using PESCO, providing equipment [even shipbuilding capacity] and training to these countries. It should further try to obtain US, UK, and other non-EU Western countries' support for the purposes above.

7. Indirect Alternatives should be evaluated

Furthermore, two more indirect alternative courses of action might also be evaluated to facilitate the construction of TCP mainly by leaving Russia alone on the opposer camp. These two might well be topics for further researches:

7.1. Getting Iran's Support

The first alternative is that Azerbaijan and

Turkmenistan to make delimitation agreements with Iran as Northern Caspian states did before on the condition that Iran to support their position for the TCP. Lobbying on EU for Iran's attachment to the Southern Gas Corridor project and on US for the nuclear sanctions could also be pondered. That option aims to get Iran's support and leave Russia alone in the opposer camp.

7.2. Getting Armenia's Support

The second alternative is that TCP could be done as a joint pipeline project. Like TAPI, the pipeline from Turkmenistan to India through Afghanistan and Pakistan, once called as "pipeline for peace", TCP could also carry Turkmen gas to Europe with a joint pipeline through Azerbaijan, Nagorno-Karabakh, Armenia, Nakhchivan, and Turkey as a pipeline for peace, regarding with Nagorno-Karabakh conflict. This might be a remedy for the problems of the region. This alternative also serves to leave Russia alone by getting Armenia's support, and reverse Azerbaijan's disadvantageous situation considering the fact that Russia is using Nagorno-Karabakh issue to press on Azerbaijan to prevent her from supporting Trans-Caspian pipeline (Geopolitica, 2013). EU could also use Armenia's interest in relations with the EU to convince it to allow this project. This course of action also serves as a soother for the concern in the West that closer collaboration with Georgia and Azerbaijan will isolate Armenia and tempt it to strengthen ties with Russia and Iran (Lanskoy, 1999). All the countries that the pipeline would pass through deeply need revenue. It's a win-win deal. A pipeline going through this route also would be shorter than the current South Caucasus route and thus more profitable for both exporter and importers, too. Azerbaijan would also benefit from the pipeline by lowering its military expenditures. Many more benefits can be added to it. Finally, OSCE and France (a leading member of both EU and OSCE) might involve in negotiations among the countries.

8. Conclusion

In Astana, Kazakhstan on 12 August 2018, the convention on the legal regime of Caspian Sea was signed by all the Caspian littorals, namely Azerbaijan, Iran, Kazakhstan, Russia, and



Turkmenistan. In the mass media of Caspian countries, the convention was reflected as the solution to almost three decades-long disputes on the Caspian. However, as suggested in an earlier article (Stokes, 2018), it is far from providing a solution regarding the Trans-Caspian Pipeline (TCP) project.

Russia, along with Iran is very close to save the deal, and to get the right of blocking any pipeline project forever. The only thing needed for the convention to be officially valid is its ratification by all the five littorals. Needless to say the TCP seems to be the optimal solution for Turkmenistan's customer diversification and EU's supplier diversification troubles, and will bring many benefits to every country on the route from Caspian to Europe. For this project, Russia and Iran achieved to impose provisions on the Environmental Impact Assessment (EIA) protocol to Tehran Convention (Framework Convention for the Protection of the Maritime Environment of the Caspian Sea) to oblige the consent of all littorals for the EIAs of any project like TCP. This issue was elaborated in detail in (Stokes, 2018). So, it's almost certain that TCP would be blocked if the Caspian Convention along with the EIA protocol is ratified in parliaments.

Now, the issue is how TCP can be realised.

Reviewing the legacy of Trans Caspian Pipeline problem, the status of pipeline construction in accordance with international law, and military reaction possibilities of Russia and Iran, we reached some points which could be suggested to Turkmenistan, Azerbaijan, Kazakhstan, and the EU. They are far from being complete solutions, but they could well constitute a starting point for a comprehensive course of action.

So, in order the TCP project to be implemented; first of all, Turkmenistan, Azerbaijan, and Kazakhstan must act together. The parliaments of these countries should never ratify the EIA protocol that would block the TCP. They need to negotiate with Russia and Iran again in order to achieve a lawful and proportionate solution. If negotiations do not yield any result, they should consult to appropriate dispute resolution mechanisms (e.g. International Tribunal for the Law of the Sea). Although it's not likely, in case it is needed, they should be ready to deter military reactions of Russia. To do this, they must swiftly empower their armies as long as they sign military partnership agreements with the EU (PESCO) and NATO. In order to leave Russia alone in the opposer camp, some alternatives could also be thought of to get support from Iran and Armenia by giving them shares from the revenue generated with the project.



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Endnotes

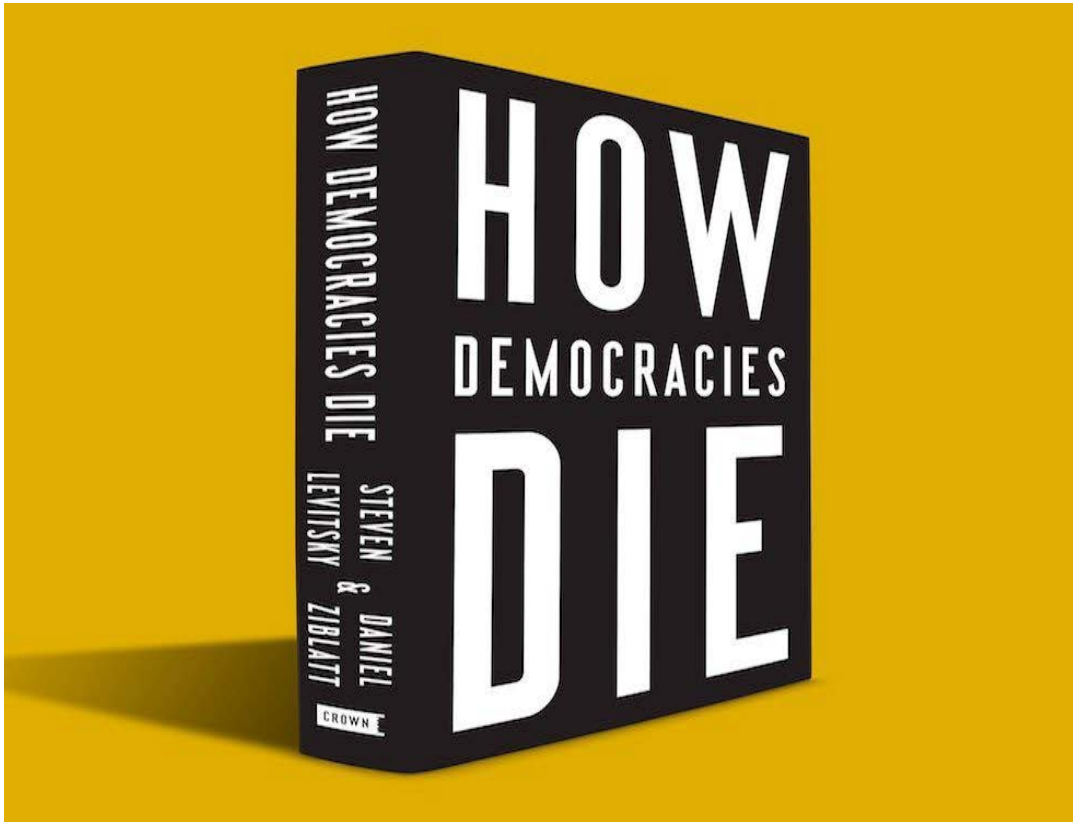
1. It is sometimes referred as Trans-Caspian Gas Pipeline.
2. Abilov also holds the same view: “Analysts suggested that Azerbaijan accepted the Russian proposal as a result of the dispute between Iran and Azerbaijan: “At the informal August summit of CIS heads of state in Sochi, the presidents of Azerbaijan and Kazakhstan sought Russia’s support in the face of Iran’s demands. Reportedly, Putin stated that there had been a border between Soviet and Iranian territories in the Caspian Sea and that the Soviet successor states—Russia, Azerbaijan, Kazakhstan and Turkmenistan—had inherited that border with Iran.””
3. Note that the least appropriate section of the sea for fishing is the Russian’s. And, Caspian Sea contains 90% of world’s sturgeon stocks which is the primary source of a valuable food, caviar. It’s worth in 2016 about \$1600/kg. (ISNA, 2018)
4. In 2008, Russia stopped very close to Baku-Supsa oil pipeline, but continued capturing territories belonging to Georgia afterwards. Now, about 10 kilometers of the pipeline is in Russian-controlled territory giving them the capability to cut the line exporting to Europe. And in fact, Russia is just 30 miles away from Baku-Tbilisi-Ceyhan and Baku-Tbilisi-Erzurum pipelines. It will not be difficult to cut those lines too, if needed.
5. e.g. launching cruise missiles to targets in Syria from warships in the Caspian Sea.
6. EU has provided an indirect support by its recent proposal for the amendment of EU Gas Directive.
7. The EU has put the TCGP on its List of Projects of Common Interest, making it eligible for preferential consideration for support from EU funding agencies and European banks.
8. As EU officials stated this is also in EU’s agenda.



Book Review

How Democracies Die: What History Reveals About Our Future

Sebastian S. Stolberg*



Democracy doesn't always die with military coups, starts Levitsky and Ziblatt, it also dies in the hands of the elected leaders. The subject is not new; after a staggering expansion of democracy after cold war, there were already signs of retreat as chosen leaders around the world-in Russia, Hungary, Poland, Turkey-sought to pave the way for a new wave of authoritarianism. However, the subject sprung out of the academic circles into the mainstream when election of Trump brought about the question "Is American Democracy facing the danger of unraveling?"

Two Political Scientists from Harvard University, Steven Levitsky and Daniel Ziblatt, set out to explain "How Democracies Die". The authors shy away from quantitative research and jargon ridden language and make ample use of historical examples and analogies

crafted to prove overarching theory. Authors propose that the checks and balances within a well-written constitution is not adequate for the survival and longevity of the democracy, as one might be tempted to believe. Rather the answer lies in the unwritten democratic norms that assure the proper functioning of the check and balances. Mutual Toleration, and Institutional Forbearance are presented as the two key unwritten norms that undergirded the American democracy.

The slow decline of the democracy has almost always been at the hands of the demagogues with authoritarian tendencies. Authors reject the idea that constitutional mechanisms or a public that hold democratic values would not be enough to stop such man from reaching to office or to keep them within the democratic playfield. After all, there is no indication that

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either constitution of Italy or Weimar Republic was designed faulty or their citizens hold different values than others in Europe. Yet such man as Mussolini and Hitler reached to power and dismantled democracy. The book describes gatekeeping and guardrails as the two mechanisms to stop a would-be-authoritarian from dismantling the democracy.

Focusing in US, authors show that gatekeeping for democracy were at the hands of the political parties until recently. Powerful demagogues of the past -Joseph McCarthy, George Harvey, Huey Long, Henry Ford- have all been kept away from the power by the party establishments. According to authors, the party bulwark is no longer effective. Marginal candidates, who used to depend on the party money for campaign funding, are able to find outside money. Also, explosion of alternative media, allowed media establishments outside the mainstream to form. Establishment media allow populist candidates to reach masses while serving as a pressure point for party elites. Authors identify that, only Republican main figures that opposed trump were the ones that didn't face future elections. It is interesting to note that same dynamics, which gave way to rise in populism, were also existent in Europe. Yet the far-right politicians could not reach to power in states like France or Netherlands. Authors identify the difference but do not delve into the causes of the phenomenon.

If the gatekeeping fails and an authoritarian reaches to power, he would set out to destroy those in his path for total power. Opposing parties, constitutional tribunals, judiciary courts, parliaments, free media, cultural figures and public are all part of the obstacles that protect democracy. Authors refer to examples from countries such as Peru, Turkey, Hungary, Malaysia and Venezuela to show that how authoritarians set out to establish uncontested rule. The seemingly arduous task of razing all opposition is not the modus operandi for modern authoritarians. Rather, elimination of key opposition is usually enough for the rest to stay silent or sideline themselves or simply change sides. Often a national crisis, an invented enemy, or a shady attack is used as a pretext to obtain emergency powers which in turn can be used to crush dissenters. Economic crisis in Peru, Chechen bombings in Russia and a suspiciously clumsy coup

attempt in Turkey recently have provided such pretext for increased executive power.

Authors propose that the constitutions that sets up the democratic institutions cannot cover all contingencies and are susceptible to manipulation or misinterpretation. Unwritten norms fill out the gaps in the structure. In US case, authors propose that the mutual toleration and institutional forbearance have been the two key unwritten norms. Mutual toleration refers to the acceptance of opposition as an equal legitimate opponent with the right to exist, compete and govern. Mutual toleration sounds like truism, but it carries a simple and heavy meaning that closes the doors to authoritarianism. Unlike gatekeeping, authors do not show any structural changes in the political machinery that started the decay of mutual toleration. For the onset, they point to 1980s when Newt Gingrich with his hardline rhetoric, exploited discontent in the Republican base to pull the party to his cut-throat, no-compromise ways. New questionable methods caught on both sides of the political alley and accelerated with changes in media and involvement of outside interests. Polarization in the parties were both mirrored and fueled by social changes. Authors briefly refer to "status anxiety", as the sociological origin of racial and religious polarization

Institutional forbearance refers to the idea that institutions providing the checks and balances should underuse their powers in order to prevent deadlocks or obstructionism. Authors point to increase in executive orders, filibuster and court packing as indications of decreasing institutional forbearance. Although authors present decay in mutual toleration and institutional forbearance as distinct, one can assert that they are the manifestation of the same sociopsychological phenomenon at different levels. The decay in institutional forbearance do not stem from any changes in the availability of the institutional tools, nor there have been any structural changes that governs the relationship of the institutions. Same social changes and psychological factors that led to polarization and decay of mutual toleration, manifested themselves at the institutional level as decay of institutional forbearance.



Authors lastly present ideas on saving democracy. One striking assertion is that, those who oppose the authoritarianism should not “fight like them”. The idea is that escalation will play into the hands of demagogues. Instead authors claim that the institutional channels such as protests, prodemocratic coalitions and consensus building should be utilized when available.

“How Democracies Die” prove to be an excellent read both for style and content. Well-crafted arguments support the overarching theory. However, whether the decay in unwritten norms are the cause of decline in democracy or just the symptom of an underlying change is debatable. The question of “why the norms changed?” holds greater weight if one is set out to find the cure. Perhaps one will not need delve deep into the domain of sociology and psychology to find the answer. George Washington might have pointed to both the

cause and the cure at the same time when he said “The general government...can never be in danger of degenerating into a monarchy, an oligarchy, an aristocracy, or any despotic or oppressive form; so long as there is any virtue in the body of the people.”

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