



NATO PARLIAMENTARY ASSEMBLY

DEFENCE AND SECURITY COMMITTEE (DSC)

Sub-Committee on Future Security
and Defence Capabilities (DSCFC)

NATO SPECIAL OPERATIONS FORCES IN THE MODERN SECURITY ENVIRONMENT

Report

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TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	TODAY'S SECURITY ENVIRONMENT – OPPORTUNITIES AND CHALLENGES FOR SOF.....	4
III.	SO F IN THE MODERN INTERNATIONAL SECURITY ENVIRONMENT	5
	ALLIED SO F AND COUNTERTERRORISM.....	5
IV.	SO F AND PARLIAMENTARY OVERSIGHT	9
	SELECTED OVERVIEW OF ALLIED PARLIAMENTARY SO F OVERSIGHT	10
V.	CONCLUSIONS: WAYS FORWARD FOR NATO PARLIAMENTARIAN CONSIDERATION.....	12
	BIBLIOGRAPHY	14

I. INTRODUCTION

1. NATO Special Operations Forces (SOF) are executing a range of critical missions in today's complex international security environment. For example, a coalition of international Special Forces is supporting local forces in the fight against Daesh, and other Special Operations task groups (SOTGs) are embedded across the Middle East and Africa and work to help forces focus on small unit tactics, techniques, and procedures as well as military operations. Beyond the struggle to counter violent extremism, NATO SOF are also working to help Allies maintain an edge over rising near-peer threats.

2. Small in footprint and highly specialised, Special Forces can be seen as a precision instrument at the disposal of nation states seeking to perform a range of difficult tasks in an increasingly challenging operational environment and beyond. Further, as this report will document, Special Forces also provide plenty of other benefits to achieve policy goals at a fraction of the cost with a relatively high rate of success.

3. A key part of today and tomorrow's international security environment is playing itself out in a *grey zone* of competition between NATO and its principal foes. This murky terrain below the threshold of war is one not particularly suited to NATO's strengths. Robust, capable, and interoperable Alliance Special Forces will be an essential element to a whole-of-Alliance strategy to overcome the challenge.

4. NATO Special Operations Headquarters (NSHQ) is working to train, advise, and assist NATO Allies and partners to achieve this, but much more can be done at the Alliance and national levels to increase resilience and heighten situational awareness. NSHQ is still short of the resources necessary to accomplish the increasing number of tasks it is being assigned. More broadly, Allies across the board are seeking to develop increasingly capable and effective Special Operations Forces to hone their situational awareness and response capabilities. Despite their efforts, however, research indicates that most Allied SOF are neither large enough nor sufficiently resourced to accomplish the accelerating pace of tasks assigned to them, particularly those requiring effective strategic reach outside of Europe. Parliamentary attention to the allocation of adequate funding to make national Special Forces fit for purpose in today's security environment is essential if we are to remedy this problem.

5. This report examines the new, dynamic role Special Forces play in today's operations, training, and planning. Ultimately, the report will seek to broaden the NATO member states' legislators' understanding of the costs and benefits of increased use of SOF in a challenging security environment. As is clear from this report, parliamentarians need to think seriously about the role and use of SOF, as well as understand the hurdles to the appropriate interagency cooperation necessary to address critical issues such as resourcing and operational oversight.

DEFINING SOF: WHAT DO SOF ACTUALLY DO?

6. Special Forces are by nature designed to respond to complex and dynamic security missions. They are expected to innovate quickly enough to stay ahead of the most difficult security challenges facing any state. Today, they are a vital element of most Allies' armed forces, yet their duties and tasks are often poorly understood. NATO *Allied Joint Doctrine for Special Operations* defines SOF as engaged in "military activities conducted by specially designated, organised, selected, trained, and equipped forces using unconventional techniques and modes of employment". The definition goes on to specify: "These activities may be conducted across the full range of military operations, to help achieve the desired end-state. Politico-military considerations may require clandestine or covert techniques and the acceptance of a degree of political or military risk not associated with operations by conventional forces. Special Operations deliver strategic or operational-level results or are executed where significant political risk exists."

7. Three broad categories can encapsulate Special Forces' principal tasks: Military Assistance (MA), Special Reconnaissance (SR), and Direct Action (DA) – these mission sets are common to all NATO member state SOF.

8. *Military Assistance* consists of training, educating, advising, and supporting partners (most often in the partner's area of responsibility). Military assistance is often provided by the Allied power until the partner is able to carry out its tasks independently. MA activities, however, can lead to cross-pollination, as they can bring new information/insight into an area for both *special reconnaissance* and *direct action* tasks. *Special Reconnaissance* tasks are essentially intelligence, surveillance and reconnaissance (ISR) activities to inform areas or mission sets that are extremely dangerous, hostile, or politically sensitive. *Direct Action* can be defined as any action taken by Allied SOF – from precision strike operations or targeted killings to arrests of war criminals, etc. – to complete a mission.

9. In addition to the above, Special Forces often play a key role in several other types of tasks from counterinsurgency (CI), counterterrorism (CT) or chemical, biological, radiological and nuclear (CBRN) defence to hostage rescue/release operations.

MODERN SPECIAL OPERATIONS FORCES

10. The year 2001 marked the start of a new era for Special Forces across the Alliance. The United States boosted SOF capabilities and used them to spearhead the Global War on Terror in the wake of the September 11 terrorist attacks. Special Forces' prominent role in counterterrorism operations had two principal effects: first, US SOF's operational successes drastically improved their reputation and perceived usefulness; second, as a result of the successful expanded use of Special Forces, many Allies followed suit to improve and expand their own SOF capabilities.

11. US Special Forces' effectiveness in post-9/11 counterinsurgency and counterterrorism operations fuelled new investment rapidly. The United States increased defence outlays to bolster the ranks and capabilities of its Special Forces by almost five-fold from 2001 to 2016, going from USD 2.3 billion to USD 10.4 billion (Naylor, 2016). The United States' use of Special Forces for missions and operations continues to grow, as global terrorism threats remain high. During the first 200 days of the Trump presidency, for example, the US Special Operations Command (USSOCOM) carried out more than 100 operations, representing a five-fold increase over President Barack Obama's final 200 days (Zenko, 2017).

12. In parallel to the United States, many European countries also have well-trained, effective and dynamic modern Special Operations Forces – and attention to these forces is only growing. Among the larger European militaries, it should come as no surprise that both the United Kingdom and France have a long tradition of developing and deploying Special Operations Forces for a range of tasks from direct action and special reconnaissance to military assistance. Since 2001, both nations have been vital partners to US global counterterrorism efforts, and both nations have taken leading roles in areas such as Libya, Iraq, Syria, Mali, and beyond. At home and abroad, both France and the United Kingdom have proven to be not only key SOF innovators, but also essential contributors to Allied operations and training missions.

13. Beyond the larger NATO militaries, increased attention to SOF is also changing the force structures and contributions of many other medium and smaller Allies to NATO missions and tasks – Spain, Norway and Lithuania are excellent examples of this trend. Their varying size, geography, and threat perspectives demonstrate the growing trend across the Alliance to invest in dynamic and innovative modern SOF.

14. As a delegation from the NATO PA Sub-Committee on Future Security and Defence Capabilities (DSCFC) learned on a recent visit to Spain, the Spanish Special Forces are evolving quickly. Spain has recently begun raising its defence expenditures and a 2016 review of its force structure resulted in the reorganisation of its army brigades for increased deployability via more

efficient mechanised formations and Special Operations Forces (Mix, 2018). The greater emphasis on SOF follows the 2014 creation of the Joint Special Operations Command, which sought to organise Special Operations Forces across all branches of the Spanish military (Villarejo, 2016). In addition, Spain has created a fourth Special Operations Force, the *Grupo de Operaciones Especiales* (GOE), which increases its ability to deploy its SOF abroad. The Spanish Special Operations Command (SOCOM) is also currently leading the Special Operations element of the 2018 NATO Response Force (NRF).

15. The Norwegian Special Operations Command (NORSOCOM), established in 2014, combined the two Norwegian SOF units under one new autonomous command, allowing the Norwegian SOF (NORSOF) a more comprehensive approach to tackling complex challenges such as hybrid warfare tactics or violent extremism. Now an independent military branch, NORSOF is equivalent to the Norwegian Army and Navy (Deblanc-Knowles, 2015). NORSOCOM indicated in 2016 its intention to establish a Special Operations Air Component (SOAC). Norway is also investing in greater C4ISR¹ technology for its Special Forces in its announced procurement for 2017-2025 (Norway MOD, 2017). Norway is currently hosting NATO's *Trident Juncture 2018* exercise, which is serving as a major test for the Very High Readiness Joint Task Force (VJTF), in which Allied Special Forces play a key role.

16. Understanding the limitations of its conventional forces, Lithuania has placed stronger emphasis on its Special Operations Forces' tactical units to create a more versatile and flexible military response capability (Andriskevicius, 2014). In 2014, Lithuania assigned 2,500 troops to a rapid reaction component of the Lithuanian Armed Forces (LAF). This rapid reaction SOF component is a means of providing a swift response in the event of a hybrid contingency, to which conventional forces would likely be too slow to respond. Lithuania also hosts the annual *Flaming Sword* exercise, which brings together NATO member states' and partner nations' SOF. The exercise's value is in its focus on strengthening Allied SOF interoperability when responding to a localised hybrid incident, which then scales quickly to broader conventional conflict.

17. As is clear from the examples of Spain, Norway, and Lithuania, the post-2014 international security environment is driving an Alliance-wide renewed focus on the development of modern SOF. Some Allies are also expanding the role of women among their ranks.

THE GROWING ROLE OF WOMEN IN SOF

18. While still a controversial subject, the integration of women into SOF has demonstrated clear benefits to the handful of nations that have begun doing so. With an ever-increasing reliance on SOF units across a broad range of missions, the integration of women into SOF units is providing NATO member states with new, valuable in-theatre operational capabilities. For example, in 2014 the Norwegian Special Forces created the *Jegertruppen*, an all-female Special Forces training programme, focusing on surveillance and reconnaissance. Norwegian officials note that in Afghanistan, intelligence gathering and relationship building, two crucial aspects of counterterrorism operations, were being hampered because the all-male SOF units were unable to interact with women in the conservative local population. Outside Afghanistan, these capabilities have also proven useful in Iraq, Syria, and off the coast of Somalia during counter-piracy missions (Korpela, 2016).

19. In 2017, however, the US Army's 75th Ranger Regiment had its first woman meet the standards to join the unit after completion of Ranger Assessment and Selection Program 2. This also comes after two women completed Army Ranger School after the United States opened all combat roles to women (Tzemach Lemmon, 2017). When it comes to Navy and the Air Force, despite women being recruited for training, neither branch has seen a woman pass the difficult standard requirements for admission into the forces (Swick and Moore, 2018).

¹ C4ISR - Command, Control, Communications, Computer, Intelligence, Surveillance, and Reconnaissance

20. While Canada has some women SOF personnel, it is currently working to broaden the operational capabilities women can provide to Canadian Special Forces. Canadian officials note that increased participation from women SOF will allow for greater flexibility when carrying out operations, particularly highlighting the fact that mixed-gender teams would likely be less conspicuous in operations than an all-male team (Brewster, 2018).

II. TODAY'S SECURITY ENVIRONMENT – OPPORTUNITIES AND CHALLENGES FOR SOF

21. NATO's scramble to adapt post-2014 can be lumped into two broad challenges: Russia and jihadi-inspired violent extremism. Thinking of these as distinct poles seeking to undermine the peace and security of Allied populations and territory, however, masks the complexity of the threats they pose. In the longer term, NATO will need to find the means to adapt its force structure and policies to defend Allied populations and territories from both near-peer competitors, such as Russia and China, and powerful non-state actors probing to find exploitable weaknesses in Allied consensus and commitment.

22. Russia is a revisionist state opposed to the political, economic, and security arrangements dictated by the Euro-Atlantic community in Europe. Emboldened by recent advances in its conventional military capabilities, Russia is increasingly aggressive in its political, economic, and security brinkmanship with the West. Russia is far from a strictly conventional threat, however, which requires only the calculation of the right balance of conventional, nuclear, and air and missile defence systems to counter it. In reality, Russia also poses a suite of asymmetrical challenges, some of which are more often associated with non-state armed groups and criminal networks than with modern nation states.

23. Terrorist organisations exploiting religious motives are a major security challenge for all Allied states today. The number of European and North American citizens committing violent acts in the name of extremist ideologies is growing, and it is testing the limits of national police forces and causing deep civil society turmoil (Vidino et al., 2017). Intelligence estimates put the number of Europeans rushing to join Daesh after its rapid rise in 2014 at 5,000; about 1,500 of these are expected to try to return home (Renard and Coolsaet, 2018).

24. Pressured by active military campaigns against them in Syria, Iraq, Libya, and Afghanistan, Daesh leaders are encouraging people to act with any means available wherever they can. As a result, random stabbings and vehicle slaughter have accounted for the highest number of successful attacks in recent years – one study identified 51 such lone wolf attacks in the three years from June 2014 to June 2017 (Vidino et al., 2017).

25. In numerous conflicts around the world, from Afghanistan to the Middle East to West Africa, armed groups are wreaking havoc on weak states and causing the displacement of large numbers of local populations, many of whom are swelling the ranks of refugee and migrant flows into Turkey, Europe and, across the Atlantic, into Canada and the United States. Today's international terrorist groups, such as Daesh, are also using methods and tactics more associated with state actors – holding territory, taxing civilians, building more structured conventional-style fighting forces, etc. As such, these groups are having an even more profound impact on the ground, in war-torn societies seeking to find a means of political and social reconciliation. Transnational groups, local non-state armed groups, and "lone wolf" individuals all employ terrorism tactics from a position of relative weakness to disrupt and sow fear and doubt about the current political order's ability to maintain peace and security.

26. This complex spectrum of threats is forcing political leaders and policy advisors to expand their understanding of security in new ways as they seek to find the appropriate instruments of national power – diplomatic, informational, military, economic, financial, intelligence, and law enforcement

(DIME-FIL) – to match the near and longer-term goals to maintain the peace and security of the populations for which they are ultimately responsible.

DISRUPTIVE TACTICS SHORT OF WAR: THE GREY ZONE AND NEAR-PEER COMPETITION

27. Expanding our understanding of security is made more difficult by the fact that many threats to NATO today operate in what many academics and, increasingly, policymakers, call the *grey zone*. Between war and peace, grey zone competition exists below Article 5. The term encapsulates the myriad disruptive tactics that can be used to gain advantage over an adversary short of provoking a conventional conflict. In the grey zone, state and non-state actors “employ threats, coercion, co-option, espionage, sabotage, political and economic pressure, propaganda, cyber tools, clandestine techniques, deniability, the threat of the use of force, and the use of force to advance their political and military agenda” (Roberts, 2016).

28. States, or any other actor trying to challenge a state, have two basic strategic choices when it comes to designing defensive frameworks – matching (as the United States and the USSR did in the Cold War) or offsetting, which means investing in and exploiting the capabilities necessary to undermine their competitor’s advantage (Goldman, 2011).

29. Given the conventional and (still) technological superiority of NATO member states, particularly the United States, NATO Allies’ adversaries are investing in and honing their grey zone capabilities. By doing so, NATO’s adversaries are seeking the means, short of war, to disrupt at the political, social, economic and security levels. As a result, concern about a wide range of potential disruptors, from terrorist attacks to election meddling to disinformation campaigns, is shifting the understanding of defence and deterrence today for all NATO members.

30. Given their training, education, and operational dynamism across a range of tasks, there is an increasing tendency to see Special Forces as a key element of the defence, deterrence, and situational awareness needed by Allies facing threats emanating across the increasingly broad spectrum of security challenges facing NATO today.

III. SOF IN THE MODERN INTERNATIONAL SECURITY ENVIRONMENT

ALLIED SOF AND COUNTERTERRORISM

31. As noted above, SOF have become the *de facto* military instrument of choice for the broader global counterterrorism campaign begun in the aftermath of the 9/11 attacks. There are two main kinds of SOF deployment: *direct* missions to find, track, obtain evidence on, arrest, neutralise or destroy key terrorist capabilities; or, *indirect* methods, which often involve SOF train, advise, and assist missions of partner forces (both state and non-state). Both direct and indirect missions in the era of the global war on terror have been extremely successful. Examples of both abound; in the case of Iraq, coalition forces’ efforts in pursuit of al-Qaeda from 2005 to 2011 decimated their capability, avoided a sectarian war, and thereby saved countless Iraqi civilian lives. Further, it can be argued the training, advice and assistance provided to the Iraqi Special Forces over the same period proved to be the lynchpin that saved Baghdad from falling during the darkest hours of the 2014 Daesh onslaught upon the country. The US operation to track and eliminate Osama bin Laden was able to add a degree of closure to the trauma of the 9/11 attacks.

32. SOF prevail in today’s counterterrorism policy environment for a simple reason – their effectiveness at achieving operational objectives with the most appropriate means for mission requirements. Policymakers, however, should be wary of the overuse and longer-term policy-strategy mismatch that result from an overreliance on SOF.

**POTENTIAL PROBLEMS OF LONG-TERM CT STRATEGY AND RELIANCE ON SOF –
THE EXAMPLE OF DAESH AND THE TALIBAN**

33. Many Allied nation's most recent SOF-heavy operations should underscore a key attribute about the use of SOF: Special Operations are almost always part of a larger strategic goal, which requires support not only from other military instruments of power, but from national ones as well, such as economic and political. While SOF can help achieve tactical success, broader strategic goals necessitate an investment of more sustained effort and political will. At times, however, some nations deploy SOF to capture or eliminate "high-value" targets within a specific terrorist organisation, with the objective of precipitating the organisations' collapse or obsolescence.

34. As studies have shown, high-value targeting strategies have not been as effective as hoped (Long, 2016). Despite efforts to decapitate and erode certain groups' leaders and effective middlemen, the strategy is largely ineffective due to these groups' organisational strategy – highly-institutionalised groups such as the Taliban have proven to be able to absorb shocks to their leadership structure quickly.

35. Further, those groups that have been beaten down through the attrition of a high-value capture and kill strategy, such as Daesh, have found ways to regroup, resource, and re-emerge. As the state part of the Islamic state of Iraq and the Levant (ISIS) fails, the group will retreat to what all armed terrorist groups seem to do today – plan to regroup by using a mix of international and regional terrorism and local insurgency to keep their cause alive, maintain relevance and then resurge. Unfortunately, the conditions on the ground in Iraq and Syria today likely still offer ripe spaces for the group to resurge.

36. In addition, it should be noted there are clear legal and human rights issues regarding targeted killing outside of the legally prescribed battlefield. This issue is at the centre of the current debate in the United States about the need for a new authorisation for the use of military force. Further, the divergent perspectives on the question of what are and what are not extrajudicial killings fuel social media speculation and distrust, not to mention the propaganda of the very terrorist organisations our nations' forces are fighting.

A. RUSSIAN USE OF SOF

37. Russia is using SOF to disrupt and destabilise its near abroad in an effort to maintain influence and control over political developments in those regions. The most recent example is the annexation of Crimea.

Russia's Annexation of Crimea and Continued Interference in Ukraine

38. As this Committee debated in its 2015 report on Hybrid Warfare [166 DSC 15 E bis], Russia's interference in and subsequent annexation of Crimea were an example of all elements of Russian state power combined to achieve a short-term strategic outcome. Russian Special Forces played a key role in Moscow's ability to deceive, disrupt, and then seize territory in Ukraine.

39. In the early months of 2014, Ukrainian civil society was in a very public struggle for its future, its options being either to remain in the Russian sphere of influence or to move further toward the Euro-Atlantic community via closer association with the European Union and NATO. By the end of February, Russia had initiated a large-scale snap exercise of up to 150,000 personnel, which was able to divert attention from Russian actions in Crimea. Quickly, a large-scale cyberattack was launched against Ukrainian public and private institutions, which was followed by the classic electronic warfare tactic of jamming communication systems on Crimean institutions. The electronic warfare attack was able to isolate the peninsula from Kyiv so it would not be able to muster a coordinated response. Soon, unidentified Russian Special Forces infiltrated and seized key military and government locations across the peninsula. Russia also used a disinformation campaign and

diplomatic efforts to push through a trumped-up referendum on independence. All the tactics used managed to stay short of war while still achieving the desired political outcome.

40. Russia continues to interfere in Ukraine. The sustainment and training of insurgent forces in eastern Ukraine is an excellent example of a Russian military assistance mission. Moscow's support of proxy forces blocks Kyiv's ability to control all Ukrainian territory and thereby distracts it from its efforts to further its Euro-Atlantic integration projects. Non-military means to destabilise Kyiv include: the use of control of natural resources to exert economic and political pressure, cyberattacks, the use of criminal networks, etc. All of this is happening under an incessant barrage of propaganda and *dezinformatzia* or fake news to unanchor people's perceptions of truth by keeping various narratives of any particular news event alive, to even the reinterpretation of recent and long historical past.

41. It is clear from the above that Russia conceives of its military forces, including its SOF, as assets to be used in support of all elements of its national power, which it uses towards its grand strategic goals. This differs significantly from the Alliance. NATO Allies seem to conceive of their forces as assets to be deployed in defence of their national instruments of power. This will lead to a perpetual strategic imbalance and weakness when faced with Russia. As a result, NATO continues to respond to Russia, rather than anticipate its actions.

NATO'S RESPONSES TO THE EVOLVING SECURITY ENVIRONMENT – WHAT ROLE FOR A COORDINATED SOF EFFORT?

42. NATO is responding to the Russian challenge via a range of initiatives to update its defence and deterrence posture post-2014. These include NATO's increased presence in its eastern territories via the Enhanced Forward Presence and the Tailored Forward Presence. The Alliance is also working to coordinate its deterrence along the southern flank via initiatives such as the Hub for the South in Naples. The ability to respond and to reinforce Allied forces in the event of a contingency is also reflected in a revised NATO Response Force, an expanded command structure, the *Readiness Initiative*, and the *Enablement Plan* for SACEUR's area of responsibility.

43. More broadly, however, the institution of new missions and operations, as well as centres of excellence, and the expansion of the Alliance's structure are part and parcel of the push for all Allies to engage with what is being called *360-degree security*. It is essentially a call on Allies to be resilient in all domains (including cyber), to be aware of and have the ability to respond to rapidly evolving security situations around them, and, ultimately, to work with partners to project stability abroad.

44. A key question, therefore, is how NATO is working to coordinate the training and interoperability of Allies' SOF to meet the diverse range of tasks they are increasingly being asked to face as the Alliance develops its new defence and deterrence posture.

B. EVOLUTION OF THE ROLE OF SOF IN NATO²

45. In 2010 Allies established the NATO Special Operations Headquarters (NSHQ), which was designed to be a standing headquarters with a coordinating function, rather than a NATO Special Operations Command. NSHQ's core function is the coordination of the development of SOF capability and interoperability for Allies and Partners³. A key element of NSHQ's efforts is encapsulated in the NATO SOF School, which provides training and education "to build Alliance and Partner Nation SOF capability, capacity, and interoperability". Currently, the school offers 27 different

² The information provided below extends from a number of interviews and briefings the author and NATO PA Defence and Security Committee staff had with NATO SOF Commanders at NSHQ and the NSHQ Commanders Conference, and with staff at the Global SOF Foundation (GSF). Any fault of misinterpretation is our own.

³ A task greatly assisted by NATO's Battlefield Information Collection and Exploitation Systems (BICES). Currently, all NATO and approved SOF partners are able to share, access, and collaborate on all releasable information on BICES.

resident courses focusing on professional development, operational studies, intelligence and technical exploitation operations, SOF air development, and SOF medical training and education.

46. Beyond NATO Allies, current NSHQ development with partners is focused on heavily resourced programmes in Ukraine, Georgia, and Tunisia. While NSHQ sees a benefit in expanding its partner development programmes, this is still not a political priority at NATO.

C. NATO SOF AND POST-2014 ADAPTATION

47. As noted above, a key element of NATO's response to Russia's 2014 annexation of Crimea was the revamping the NATO Response Force (NRF) via the Readiness Action Plan (RAP), which sought to scale the number of forces capable of responding to a contingency to 40,000 and make them more flexible and adaptable, with the objective of guaranteeing rapid reinforcement and mobility. The RAP also established the Very High Readiness Joint Task Force as the spearhead of the NRF, capable of deploying 5,000 brigade-level troops within two to seven days' notice to the periphery of the Alliance⁴. Following its reform, the NRF contains air, land, maritime and SOF components.

48. NSHQ's principal role in the NRF is to coordinate Allied SOF capability development in order for nations to complete the Long-Term Rotation Plan for the NRF, including establishing the NRF Special Operations Component Commands (SOCC) and the Task Groups (and Units) beneath them. As building the SOCC is the most challenging role for Allied nations to fill, NSHQ has a dedicated *Zero to NRF SOCC* programme, which provides a five-year structured approach to developing a nation's ability to provide a SOCC. The programme includes education, training, exercises, and evaluation. Depending on the need, the programme can also include NATO assistance in the provision of Communication Information Systems (CIS) and other enabling capabilities the nation may not be able to resource independently.

49. As NATO continues to adapt its defence and deterrence posture, Allied SOF have a key role to play. NSHQ is seeking to transition from the above-mentioned operational command and control capability to providing a strategic theatre Special Forces capability to the Alliance. As a theatre SOF component, NSHQ will be linked more closely to the Director of Special Operations Office at SHAPE to provide strategic advice and synchronise the Special Forces domain across the entire theatre at a level above the Operational Joint Force Commands.

D. NATO SOF REGIONALISATION?

50. There is a desire today to push SOF command, control, and planning to the regional level via an expanded network of SOCCs. Regional SOCCs could be configured by linguistic commonality, geography, historical linkages, or capability. This would translate into a coordination of the member state SOF capabilities in any one region in order to tap into joint tasking, which would then create a clearer regional picture – combined regional SOCCs would then be pulled together to form a more complete intelligence understanding of any form of hybrid developments across Alliance territory, to be compiled into a coordinated picture in Brussels. The ability to have increased assets available and operating at the regional level is an essential element in increasing situational awareness and the capacity for the Alliance to identify and react to hybrid scenarios – in some ways, clearing up some confusion that can reign in the grey zone.

51. Another principal driver behind NATO SOF regionalisation is that NATO SOF are having a hard time filling the required number of SOCCs according to their ambition levels. As many nations are still short on resources and capability, the creation of composite SOCCs with discrete roles for each nation, allowing for a stronger, more resilient network, is still lacking. Some nations are already

⁴ This Committee addressed in greater detail the impact of the decision in the 2015 report [NATO's Readiness Action Plan: Assurance and Deterrence for the Post-2014 Security Environment](#) [167 DSCFC 15 E bis] by Xavier Pintat (France).

responding and acting accordingly. For example, Belgium, Denmark, and the Netherlands recently signed a Memorandum of Understanding on the creation of a Composite Special Operations Component Command (C-SOCC) in June 2018. The C-SOCC is expected to have initial operational capability by 2019 and full operational capability by 2021 (NATO, 2018).

RECENT ALLIED SOF EXERCISING

52. There is also momentum to increasingly coordinate Allied SOF exercising and training. For example, in 2016 NATO SOF units trained together during the exercise *Cold Response*. Recognising the Arctic as a new potential arena for strategic competition, 14 Member States and partner nations carried out exercises in Norway aimed at enhancing the capabilities of NATO SOF teams during cold weather operations.

53. In June 2018, the USSOCOM Europe-led exercise *Trojan Footprint 18* took place, which brought together Special Operations Forces from 13 NATO Member States and partner nations. The *Trojan Footprint* exercise takes place every two years. The focus of *Trojan Footprint 18* was the “rapid deployment of SOF into a crisis, the establishment of multinational mission command structures, and the integration of SOF and conventional forces.” *Trojan Footprint 18* took place in Estonia, Latvia, Lithuania, and Poland, incorporating both air and sea assets (Weisman, 2018). As noted above, *Trident Juncture 2018* is taking place across Norway, with additional elements taking place in Sweden, Finland, Iceland, the North Sea, and the Baltic Sea. The exercise incorporates significant Special Forces elements and serves as a test of the VJTF’s certification in the revised NRF.

IV. SOF AND PARLIAMENTARY OVERSIGHT

54. As previously discussed, SOF can play an important role in the grey area between war and peace. However, as this grey area is inherently vague and used to justify a wide array of activities, there are growing concerns about accountability.

55. These accountability concerns manifest in two ways. First, Special Forces traditionally do not require parliamentary approval for specific deployments. Second, governments usually report successful operations, but often keep silent over botched operations. Consequently, the public perceives SOF operations to be more reliable than they might be in reality because of selective use of data.

56. For many valid reasons, secrecy is still a predominant feature of SOF operations. Still, while SOF units are, in principle, under the same military justice system as regular troops, the secrecy of their operations means that courts are often unable to access full files, including the identity of the personnel. As such, the lack of information surrounding operations makes personnel hard to prosecute for serious mistakes and negligence - if not worse. It is also difficult for parliamentarians to ensure SOF personnel have the appropriate training, equipment, and leadership in place to deal with the consequences of mistakes, which is essential to refining best practices.

57. A quick overview of the role several member states’ parliaments play in overseeing their Special Forces in their national security policy highlights a range of approaches taken to institute democratic control over Special Forces across the Alliance.

SELECTED OVERVIEW OF ALLIED PARLIAMENTARY SOF OVERSIGHT

The United Kingdom

58. In 2015, this Rapporteur made an enquiry in the House of Commons after the Prime Minister's cabinet vowed to increase the SOF budget by GBP 2 billion. The cabinet failed to explain why such an increase was needed. This Rapporteur also oversaw a parliamentary inquiry that debated whether the Ministry of Defence should lose its immunity from prosecution— over incidents during exercises after the incidental deaths of three Special Air Service (SAS) candidates during a selection event (Moon, 2015; Townsend, 2016). Crown immunity makes it virtually impossible to prosecute the Ministry of Defence for failures of duty of care towards personnel.

59. In the United Kingdom, any information concerning Special Operations activities is highly classified. UK parliamentarians have discussed the release of information concerning these operations on multiple occasions, most notably as a means of requesting further details over the British Special Air Service's involvement in the global war on terrorism.

60. Details over operations are excluded from UK Freedom of Information Act and from its 30-year rule on the public disclosure of government documents. Former British Defence Secretary Philip Hammond was quite outspoken over the government's policy: "We never comment on the disposition of our special forces anywhere in the world and that will remain our policy" (Moran, 2016a). Indeed, on its public website, the British Ministry of Defence does not acknowledge SOF as deployed troops (The British Army, 2018). Available data has either been approved by the Ministry of Defence or leaked. The United Kingdom's SOF involvement in Libya was revealed incidentally by King Abdullah II of Jordan during a briefing with the US Congress (Ramesh, 2016).

The United States

61. Since 2001, the United States Congress has authorised the president to use the means necessary, including the armed forces, to prosecute what has become known as the Global War on Terrorism. The first Authorization to Use Military Force (AUMF) allowed the president to "use all necessary and appropriate force" against any actor or organisation that aided or abetted the 9/11 terrorist attacks. The second AUMF, passed on 11 October 2002, gave the president the authority to "use the Armed Forces of the United States as he determines to be necessary and appropriate" to defend the nation against continuing the threat posed by Iraq. The US Congress has not passed an additional AUMF since, and the Obama and Trump administrations have continued to argue these two AUMFs are sufficient to engage in military activities related to the war on terrorism outside of Afghanistan and Iraq, which often involve SOF military assistance or direct action.

62. There has been considerable debate about the need for a new AUMF in the United States in recent years. In many respects, this is a debate about how much authority to use military force should be in the hands of the US executive branch, given that the US Constitution actually allocates a fair amount of control in this respect to the US Congress – practice over the years, however, has significantly reduced this role. In the wake of the October 2017 killings of three US soldiers in Niger, debate has increased.

63. Despite this, the House and Senate Armed Services Committees are regularly briefed, both orally and in writing, about US military programmes and the authorisations under which they are operating. Still, there is clear concern growing in the legislative branch about the extent to which US Special Forces are being used. In November 2017, for example, congressional representatives from both the House and Senate Armed Services Committees voiced their concerns over the increasing use of SOF at a policy forum organised by the Global SOF Foundation, where they argued US SOF units are fatigued by repeated and uninterrupted deployments (Brimelow, 2017).

France

64. In France, the *Commandement des Opérations Spéciales* (Special Operations Command, COS) was established in 1992 following the blueprint of USSOCOM. As of 2017, the Ministry of Defence had recognised 25 operations conducted by French Special Forces since the COS' inception, but it is likely many more were conducted in secret (Schumacher, 2017). The COS established a prominent role for itself in the French defence strategy, as it managed to secure a considerable budget to invest in new technological capabilities (Guibert, 2018). On the other hand, its missions are characterised by the same lack of information found in the United States and in the United Kingdom.

65. In recent years, French military involvement in Libya was made public only through a journalistic investigation by *Le Monde*. As a consequence, then-Minister of Defence Jean-Yves Le Drian launched a criminal investigation into this violation of national defence secrecy (Guibert, 2016). In 2017, the government announced the death of a French soldier in Iraq, without revealing either his identity or the exact place of his death, to preserve the larger objectives of the mission; France had never recognised an official deployment of troops in the area (Kujawski, 2017). From a legal perspective, the secret deployment of Special Forces could be considered a violation of the French Constitution: in principle, the French Constitution says the French president should always give notice to the Parliament within three days of a military operation, while a deployment of more than four months would require parliamentary approval (Thomas, 2015). In order to shed light over the COS' activities, its Commander, General Grégoire de Saint-Quentin, had a Committee hearing in June 2016. At the hearing, General de Saint-Quentin argued discretion to be an intrinsic characteristic of COS missions, in order to maintain a strategic advantage in the theatre of operations (*Assemblée Nationale*, 2016).

Challenges of Parliamentary Oversight of SOF in Other Member States

66. Problems concerning lack of parliamentary oversight are also present in other NATO countries. In 2016, Italy reorganised its Special Operations' command structure, allocating authority over Special Forces missions to the secret services. As such, the Italian government acquired full control over their deployment, effectively removing any parliamentary oversight role. The reform coincided with reports that Italian forces have been operating in Libya: most likely, the government wanted to avoid a parliamentary debate over such a divisive issue (Kington, 2016). In Canada, Special Forces share a similar fate to their US counterparts: their use has grown significantly in recent years for counterterrorism operations, but it seems to have done so away from public knowledge or oversight by parliamentarians (National Post, 2015).

67. As noted above, secrecy is a crucial part of success for operations conducted by Special Forces. However, this should not come at the cost of at least some form of democratic control of the use of these armed forces. While recognising the strategic importance of SOF, parliamentarians should still be able to exercise some form of real control over their activities. Aside from conducting parliamentary hearings, parliamentarians usually have voting powers over defence budgets, and therefore also over SOF funding. Parliamentary information requests about exactly what their nation's SOF forces are requesting funding for in their budgets may shed more light on the types of activities they will be executing. Funding spent on new equipment and technologies for effective intelligence, surveillance, and reconnaissance operations is money well spent; non-traceable funding, however, will raise more than a few eyebrows about the ways in which any nation's Special Forces are directing national resources.

V. CONCLUSIONS: WAYS FORWARD FOR NATO PARLIAMENTARIAN CONSIDERATION

68. Capable Special Operations Forces are essential to dealing with the challenges of today and tomorrow's international security environment. International security competitors and those elements seeking to undermine the Alliance will increasingly attempt to do so via grey zone tactics – coercion, co-option, espionage, sabotage, political and economic pressure, propaganda, cyber tools, clandestine techniques, etc. These instruments allow competitors to attempt to remain below the threshold of Article 5, which would bring to bear the overwhelming power of the Alliance into a conflict – which, at present, any opponent would lose. To parry competitors' grey zone tactics, Allied Special Forces can provide essential special reconnaissance, intelligence, and precision operations.

69. The increased demand for Special Forces' services, however, is straining the ability for Allied nations to fill their ranks with soldiers capable of performing the demanding missions asked of them. Further, many Allies' SOF are currently lacking the necessary strategic reach to accomplish their tasks outside of continental Europe. Special Forces need the strategic reach capabilities to execute their missions – this means, for example, investing in capabilities like the C-17 or the A-400 and the necessary accompanying tanker support.

70. The Alliance has the means to provide uniform, capable, and interoperable SOF across all member states. The key channel through which this happens is the NATO Special Operations Headquarters. As the Alliance is adapting, so is NSHQ.

71. Member state parliamentarians should know, however, that NSHQ is faced with the dilemma many institutions and services face in today's security environment: limited resources being stretched over too much demand. For example:

- NATO's demands with regards to fielding special operation commands will soon need to scale to include another level of battalion-level HQs.
- The Alliance's increased demand for policy planning from NSHQ, which at current levels is diverting precious resources away from other institutional core tasks.
- NSHQ is perennially understaffed. It is currently running at only 70%. Member state parliamentarians should inform themselves about what their nation is doing to support this critical institution to Allied-wide capable SOF development.

72. The drive for an increasingly regionalised Alliance SOF presence still lacks the necessary political will. Regionalisation would provide clear benefits: regional NATO SOF component commands would allow for an expanded situational awareness capacity and a clear edge in terms of speed and accuracy. The Alliance desperately needs this in the face of hybrid tactics, which attempt to sow chaos, confusion, or discord about the reality on the ground. We must recognise that security competition between NATO and its competitors is increasingly played out in the grey zone, and that a more efficient SOF structure would increase the clarity of the security picture facing the Alliance.

73. A more efficient regionalised SOF presence would bring significant resilience and strength to the Alliance's new defence and deterrence posture. Coordinated regional SOF would assist greatly with Brussels's oft-repeated desire to have a 360-degree security posture backed by a dynamic and mobile deterrent – which a cadre of elite, highly educated, trained, and rapidly deployable SOF across the Alliance's disparate regions would strengthen greatly. A regional NATO SOF architecture would increase Alliance understanding of the new, more nuanced and complex, challenges to its security.

74. We must ask ourselves several basic questions:

- Do we have an understanding beyond the balance of forces assessment used when examining Allied conventional defence posture?
- Do we have capable, able, adaptable and structured forces available, on a regular basis, to deal with a Ukraine-like attack on our countries?
- Can we afford to delay putting the regional structures in places to provide the responses we require?

75. Ultimately, Special Operations Forces should be thought of as a complement to a broader whole-of-government approach to security, rather than as a panacea to complex issues. Parliamentarians need to think seriously about these issues and work to attain the right kind of interagency cooperation to address these growing and complex challenges.

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