Democratic Resilience is Foundational to the Alliance

Testimony by
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I strongly support the recommendation that NATO establish a Coordination Center for Democratic Resilience (CCDR).[1] Such a Center is likely to have best success if its mandate and responsibilities are clearly delineated as part of an overall reaffirmation by Alliance leaders of NATO's foundational values, and as an integral element of an Alliance commitment to make comprehensive resilience NATO's fourth core task in a new Strategic Concept.

The New Strategic Setting

In recent years, much strategic discussion has focused on competition among states of "great power." It is becoming clear, however, that this competition extends beyond traditional measures of power; it centers increasingly on forms of governance. Adversaries big and small are selling autocracy as "efficient." They tout their own systems and use a broad array of tools to amplify fissures and undermine confidence within democracies. When they can't do that successfully, they use diplomatic and other means of coercion. They support illiberal democracies. Others are beginning to follow their model. This puts democratic resilience at the heart of the new international system and international competition. It is a fundamental issue for the next few decades. NATO must focus on it.

The Security Case for Democratic Resilience

Integrating democratic resilience more fully into NATO's mission is not a task that is additional; it is foundational. The democratic values and institutions upon which the Alliance has been founded are under assault from external and internal challengers. Countries with weak protections for democracy, individual liberty and the rule of law are vulnerable to subversion, corruption, and mis- and dis-information. Waning attention to NATO's core values has resulted in some Allies prioritizing unilateral national decisions over collective Alliance interests, or using their position to block Alliance activities as a way to gain leverage in bilateral disputes. Some Allies are themselves manipulating information and distorting data, engaging in direct cyberattacks on their opponents, undermining democratic processes and the rule of law, even threatening each other. These points of disunity could be used by strategic competitors to destabilize individual allies or NATO as a whole. Malign influences within Allied states could mean that non-NATO countries could influence NATO decision-making.

In each of these ways, deficits in internal values can become external threats. Celeste Wallander has called democratic fragility "the alliance's Achilles' heel." The 2020 NATO Experts Group report warns that "a drift toward NATO disunity must be seen as a strategic rather than merely tactical or optical problem."[2]

The most formidable line of defense against such threats are resilient democratic institutions with robust and transparent mechanisms of accountability. Resilient democracies have historically been less likely to experience intra- and interstate conflict, generate refugees, and harbor violent extremists. They are better at maintaining transparent institutions, civilian control of the military and intelligence services, and building trust and confidence with each other and with additional countries, all of which are core features of NATO's ability to collectively defend its members, manage crises, and cooperate with partners.[3] The Alliance needs to restore its liberal democratic foundations, and dedicate greater effort to detect, expose and counter external authoritarian influence, if it is to reduce its vulnerability to corruption, blackmail, information warfare, cyber intrusions, and disruption of critical infrastructures.

NATO Must Adopt a Dynamic, Comprehensive Approach to Resilience

Efforts to advance democratic resilience will have best success if integrated into an Alliance commitment to make comprehensive resilience NATO's fourth core task.

There is growing need for Allies to implement operationally the broad concept of resilience – the ability to anticipate, prevent and, if necessary, protect against and bounce forward from disruptions to critical functions of our democracies. Resilience has become a challenge on par with NATO's other core tasks, and is in fact essential to the realization of the Alliance's other tasks.

Since the 2016 Warsaw Summit, NATO has emphasized resilience as a critical element of deterrence. Yet except for the Alliance's Cyber Defense Pledge and seven country-by-country baseline requirements, primarily with regard to critical infrastructures, resilience considerations have not been adequately integrated into NATO's planning, its operational activities, or its own understanding of its mission as an alliance of democracies. Alliance efforts still betray a limited, static understanding of the challenges posed by disruption to our democracies. NATO must adapt a more comprehensive and dynamic understanding that embraces and operationalizes the mutually-reinforcing concepts of *democratic resilience*, *shared resilience* and *forward resilience*.

Resilience Must Be Shared, And It Must Be Projected Forward

Each NATO member states bears primary responsibility for ensuring the resilience of its own democratic society. Resilience begins at home. However, in an age potentially catastrophic terrorism, networked threats and disruptive cyber-attacks, no nation is home alone. Few critical infrastructures that sustain the societal functions of an individual country are limited today to the national borders of that country. Strong efforts in one country may mean little if a neighboring ally is weak. The upshot: governments accustomed to protecting their territories must also be able to protect their connectedness — the vital arteries that are the lifeblood of open societies. Resilience will never be achieved on a country-by-country basis; Allies dependent on mutual flows of people, power, goods and services must move from country-by-country baseline requirements to *shared resilience*, by establishing together metrics that can ensure their mutual security.

Acting on the need for shared resilience should also guide how NATO approaches some of its non-NATO partners. Ukraine, for instance, is being used by Russia as an experimental laboratory for

hybrid threats and disruptive attacks on critical societal functions. Since Russia's 2014 military intervention in Ukraine, its digital disruptors have engaged in a relentless effort to weaken Ukraine and stymy its efforts to align more closely with the West by attacking the country's critical infrastructure, incapacitating electricity grids, subway systems and airports. Because Kyiv is largely unable to retaliate, Russia has also found Ukraine to be a useful testing ground for its cyberwarfare capabilities. If attacks prove successful there, they are often exported elsewhere – including to NATO countries. For example, a malware code called "BlackEnergy," which had been injected into the Ukrainian power grid, was later discovered to be in the U.S. power grid. The spring 2017 Russian NotPetya attack in Ukraine was a precursor to the 2020 Russian SolarWinds assault on the United States.[4]

Ukraine is not a lone example. All across Europe's southern and eastern peripheries disruptive challenges to weak democracies can ripple back into NATO territory. These examples underscore NATO's interest in *forward resilience*: projecting resilience capacities forward to vulnerable democratic partners. Allies should share societal resilience approaches and operational procedures with partners to improve democratic resilience to corruption, psychological and information warfare, interference with elections or democratic institutions, and disruptions to cyber, financial and energy networks and other critical infrastructures. Creating a higher degree of resilience in vulnerable societies makes it more difficult for malign state or non-state actors alike to disrupt and create the instability they need for their success.

NATO: An Alliance of Resilient Democracies

The North Atlantic Treaty offers a strong basis for Alliance efforts to adopt a dynamic and comprehensive approach to resilience. From its founding, NATO has been more than a military alliance. While much attention is paid to the Treaty's Article 5 collective defense clause against armed attack, its Preamble, as well as Articles 2, 3 and 10, underscore that NATO is an Alliance whose members are committed to defend basic principles of democracy and the rule of law.

In the Preamble, NATO members commit to "safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law."

In Article 2 of the Treaty, Allies pledge to "contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being." Article 2 gives life to a foundational premise of the Alliance: political unity is the first line of collective defense and deterrence. In 1956 the North Atlantic Council (NAC) affirmed this foundational mandate of the Alliance by creating a Committee of Political Advisers – later renamed to Political Committee – to prepare political consultations among Allied ambassadors. It tasked the Secretary General with preparing an annual political appraisal on the state of the Alliance, and gave the Secretary General a greater role in setting agendas and mediating disputes among allies. It agreed that support for NATO was rooted in public support and understanding, which led to the establishment of national information programs, which today continue as "strategic communications" – an important instrument to defend democratic values challenged by dis-, mis-, and malinformation.[5] Allies have an

opportunity to give additional practical meaning to Article 2 by devising new mechanisms to advance democratic resilience.

In Article 3 Allies commit to build resilience against armed attack through "continuous and effective self-help and mutual aid." Until now, NATO's resilience efforts through country-by-country baseline requirements have been focused on the first part of that phrase: "self-help." Adopting comprehensive resilience would give meaning to the second part of that phrase: "mutual aid." Article 3 also provides the basis for NATO's cooperation on resilience with partner governments and the private sector. Researching the history of this article, Matjaž Kačič concludes that Article 3

> "can be considered one of the most important articles of the Washington Treaty, if not the most important one. It is complementarily to Article 5 of the Washington Treaty by urging each Ally to develop its national resilience and contribute to the resilience of the Alliance as a whole against an armed attack. One of the crucial points that the commentary makes clear is that developing resilience goes beyond military capacity, to include also civil readiness, cyber defense, economic strength and morale."[6]

Article 10 has also been a major vehicle for the democratic transformation of wide swaths of Europe. In Article 10, Allies agree that they "may, by unanimous agreement, invite any other European State in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area to accede to this Treaty." Over the years, Allies have given practical meaning to Article 10 by defining key democratic governance requirements that aspirants to NATO membership need to meet, including rules around civilian control of the military, legislative oversight, and transparency of arms procurements.

The Road Forward

Affirm Our Vows With A New Atlantic Charter

At NATO's June 2021 Summit, allied heads of state and government should reaffirm their common commitment to the principles of the North Atlantic Treaty, particularly its references to democratic values, perhaps as a new "Atlantic Charter." Such a declaration would be a powerful symbol of allied unity after years of turbulence. It would not be an end in itself; it would be the first foundational element for an Alliance-wide effort to focus NATO on future challenges through a review of its Strategic Concept – the Alliance's guiding document. The last Strategic Concept was written in 2010; it is woefully out of date. A new Strategic Concept is an opportunity to get all allies back on track in a NATO that is more cohesive politically, more capable militarily, more balanced between North American and European contributions, and more resilient in the face of disruptive dangers to our democracies.

Adopt Comprehensive Resilience as NATO's Fourth Core Task

A Strategic Concept review can provide an avenue through which allies can assess mechanisms to uphold their mutual commitment to strengthen their "free institutions." With this foundational affirmation in place, NATO will be well-positioned to update its three existing core tasks -- collective defense, crisis management, and cooperative security. None of these core tasks,

however, focus on NATO political cohesion internally and the new ideological contest externally. That is why NATO must take on a new fourth core task: building comprehensive resilience to disruptive threats to our democracies.

Agreeing on a new core task of comprehensive resilience promises to be the most innovative, forward-looking feature of a new Strategic Concept. It and the other core tasks are also mutually reinforcing. Collective defense and deterrence remain central to NATO's purpose; they will be more credible if our democracies are more resilient. Many crises along NATO's borders cannot be prevented or managed through military means alone; operationalizing the concepts of shared and forward resilience will improve the Alliance's core task of crisis management. And NATO can do more to bring its unparalleled experience as an alliance of democracies to its third core task of cooperative security.

Build Resilience Together with the EU

Resilience is a job for NATO, but it is not a job for NATO alone. Enhanced NATO-EU cooperation offers a means to leverage the combined resources of both organizations in common cause. Most NATO member states are also EU member states. Much of the resilience challenge has to do with civilian institutions and privately-owned infrastructures, many of which are integrated into EU structures and processes. Fortunately, NATO and the EU already work closely on resilience issues related to critical infrastructure protection; they should extend that cooperation to issues of democratic, shared, and forward resilience.

Mechanisms to Strengthen Democratic Resilience Within NATO

NATO currently has no provisions for enforcing democratic standards among its members. There is not even a proper venue at NATO to raise matters that some consider a direct threat to the alliance's core principles. Because NATO operates by consensus, establishing means by which to sanction or suspend an ally who violates the Alliance's founding principles is likely to be difficult. This is borne out by the European Union's experiences. The EU already has metrics for evaluating good governance standards, and its rule of law mechanism offers useful reference, but implementation has been difficult.[7]

Pushing democratic resilience as a stand-alone issue is likely to encounter significant pushback, as some Allies may feel targeted; to invite divisive debates, as some Allies may accord higher priority to other elements of resilience; and to pit some Allies against others, as each comes forward with its own pet project. Proposals to strengthen democratic resilience as an element of comprehensive resilience, on the other hand, through a Strategic Concept review, would provide an inclusive, Alliance-wide process through which allies can assess mechanisms to uphold their mutual commitment to strengthen their "free institutions," and could open more policy space for Allied agreement on a number of specific mechanisms.

Under Article 9 of the North Atlantic Treaty, the North Atlantic Council is empowered to set up "subsidiary bodies as may be necessary" to advance the aims of the Treaty. Consideration could be given to the following specific proposals.

- *Create the position of NATO Inspector General* as a strong institutional ombudsman working outside the chain of command and reporting directly to the Secretary General. Even though the ministries of defense and of foreign affairs of most NATO allies have an Inspector General (IG) or similar office, there is no NATO IG. In recent years efforts have been made to bring together IGs from national defense ministries, but these are sporadic and focused on technical procedures. A NATO IG would have a mandate to inform, raise concerns, and make recommendations to the Secretary General regarding violations to the North Atlantic Treaty, and to institute investigations into, or act as mediator, on matters related to questionable democratic practice.

- *Give NATO's Assistant Secretary General for Political Affairs and Security Policy a remit to oversee a regular review of allied commitments to democratic principles enshrined in the North Atlantic Treaty*. Regular reviews should be conducted for aspirant countries and NATO partners as well.

  - *Within the Office of the Assistant Secretary General for Political Affairs, establish a Coordination Center for Democratic Resilience (CCDR)*, charged with the following tasks:
  - Elaborate a "code of conduct" for Allied states under the North Atlantic Treaty, drawing on elements proposed by the 2020 NATO Experts Group
  - Monitor and identify challenges to democracy, human rights and the rule of law in Allied states
  - Oversee an annual Democratic Resilience Review Mechanism with individual Allies
  - Prepare an annual report on the democratic resilience of individual Allies. The report should address both internal and external challenges to a particular country's democratic resilience
  - Act as an in-house resource for issues related to democratic resilience
  - Facilitate democracy and governance assistance to Allied states when requested
  - Increase transparency with regard to foreign influence activities. Work with allied governments to encourage sharing of good practice and establishment of foreign influence transparency registers. Help bolster the capacity of individual Allies to detect, expose and counter malign efforts to degrade their democratic institutions
  - Act as NATO's liaison on issues related to good governance, the rule of law, and human rights with the EU, the OSCE, the Council of Europe, and other international bodies.

- *Support Romania's offer to host a Euro Atlantic Center on Resilience, for both NATO and the EU* (similar to the European Center of Excellence for Countering Hybrid Threats in Helsinki). Open the Center to participation by NATO Enhanced Opportunities Partners.

It will be important to delineate the responsibilities of the CCDR and the Euro Atlantic Center. The CCDR would be focused narrowly on democratic resilience among Allied states. It would be more operational, tied into senior NATO leadership, formulating NATO assessments and focused on infusing democratic resilience into implementation of NATO core tasks. The Euro Atlantic Center, in contrast, would properly focus on deep analysis and review of good practice when it comes to the broad spectrum of resilience challenges, including but not limited to

democratic resilience. It would be open to EU members and NATO EOP. The Euro Atlantic Center could

- o provide advice, training and technical assistance to member states on election integrity and security, judicial independence, press freedom, and other elements of resilience;
- o develop and make available to member states toolkits to help prevent violence around contentious elections, anticipate democratic backsliding challenges, and counter corruption and disinformation;
- o conduct research on disruptive challenges to comprehensive resilience, and ways to promote democratic resilience, shared and forward resilience strategies.

- **Reinvigorate and adequately resource the other NATO Centers of Excellence on Cyber Defense, Strategic Communications and Energy Security.** Ensure that all of these centers are aligned in terms of their missions and that they work together, including to support democratic resiliency programs in member states.

- **Revitalize NATO's counter-hybrid assistance teams** that were created some years ago but are underutilized.

- **Integrate resilience into NATO's Science for Peace and Security (SPS) Program**, which promotes cooperation between Allies and Partners through scientific research, technological innovation and knowledge exchange. SPS support could strengthen both democratic resilience and forward resilience through funding, expert advice, training, and tailored resilience-relevant activities with public officials and civil society actors in Partner countries.

- **Establish an "emergency brake" mechanism** to allow an Ally, or group of Allies, to request a discussion at the North Atlantic Council when there is reason to believe that the democratic resilience of an ally may be compromised by internal or external actors.

- **Raise the political cost for Allies who violate the code of conduct.** Consider ratcheted actions, ranging from confidential consultations and tying norm adherence to decisions on NATO leadership positions or NATO facilities, to suspension from specific committees or exercise, projects, exercises or intelligence-sharing. Decisions on such restrictions might be decided by "consensus minus two."

- **The Secretary General should use his authority** to propose issues related to democratic resilience for discussion in the NAC.

Other institutional steps can be imagined. NATO can structure any number of processes and procedures to bolster democratic resilience and counter external efforts to disrupt our democracies. In the end, success will depend less on bureaucratic tweaks than on Allies' will to uphold the principles of the North Atlantic Treaty. In some cases, NATO or EU channels may be effective means to bring about change. In other instances, bilateral channels could have greater effect. Ultimately, democracy must be defended at home.

Notes

[1] In 2019, NATO PA President Connolly proposed the creation of a Democratic Resilience Coordination Center within NATO - a recommendation endorsed by the Assembly as a whole.

[2] Celeste A. Wallander, "NATO's Enemies Within: How Democratic Decline Could Destroy the Alliance," *Foreign Affairs*, May/June, 2018, https://www.foreignaffairs.com/articles/2018-06-14/natos-enemies-within; *NATO 2030: United for a New Era. Analysis and Recommendations of the Reflection Group Appointed by the NATO Secretary General*, November 25, 2020, https://www.nato.int/nato_static_fl2014/assets/pdf/2020/12/pdf/201201-Reflection-Group-Final-Report-Uni.pdf

[3] See Torrey Taussig and Jonathan Katz, "An Inconvenient Truth: Addressing Democratic Backsliding Within NATO," Brookings, July 10, 2018, https://www.brookings.edu/blog/order-from-chaos/2018/07/10/an-inconvenient-truth-addressing-democratic-backsliding-within-nato/.

[4] See Aaron F. Brantly, ed., *The Cyber Deterrence Problem* (New York: Rowman & Littlefield, 2020), pp. 73-74; Andy Greenberg, "How an Entire Nation Became Russia's Test Lab for Cyberwar," *Wired*, June 20, 2017, https://wired.com/story/russian-hackers-attack-ukraine/; Kim Zetter, "Inside the Cunning, Unprecedented Hack of Ukraine's Power Grid," *Wired*, March 3, 2016, https://www.wired.com/2016/03/inside-cunning-unprecedented-hack -ukraines-power-grid/; Carol V. Evans, "Future Warfare: Weaponizing Critical Infrastructure," *Parameters* 50, no. 2 (2020), https://press.armywarcollege.edu/parameters/vol50/iss2/6; David E. Sanger, *The Perfect Weapon: War, Sabotage and Fear in the Cyber Age* (New York: Crown, 2018).

[5] See Jamie Shea, "What can we learn today from the 'three wise men'?" *NATO Review*, December 5, 2016, https://www.nato.int/docu/review/articles/2016/12/05/what-can-we-learn-today-from-the-three-wise-men/index.html

[6] Matjaž Kačič, "Commentary on Articles 2 and 3 of the Washington Treaty," *Emory International Law Review*, Vol 34 (2019), https://scholarlycommons.law.emory.edu/cgi/viewcontent.cgi?article=1223&context=eilr.

[7] Rachel Ellehuus and Pierre Morcos, "'Lifting Up Our Values at Home': How to Revitalize NATO's Political Cohesion," CSIS, March 12, 2021, https://www.csis.org/analysis/lifting-our-values-home-how-revitalize-natos-political-cohesion.