

Article 5 of the Washington Treaty:: Its Origins, Meaning and Future

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## Article 5 of the Washington Treaty: Its Origins, Meaning and Future

by Bruno Tertrais<sup>1</sup>



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NATO's renewed focus on collective defense in a changed security environment demands that the organization and its member States are fully cognizant of the exact significance of Article 5 of the Washington treaty, and think about possible evolutions of its interpretation. This paper thus describes the origins and meaning of Article 5, raises questions and makes suggestions for the future.

### The Origins of Article 5

The distant origins of Article 5 can be found in the Dunkirk Treaty of 1947, a bilateral UK-French agreement aimed at countering a possible German military resurgence. Article II of the Treaty committed each country to give "*all the military and other support and assistance in his power*" in case of a German attack or failure by Germany to abide by its commitments.<sup>2</sup> The Brussels Treaty of 1948 extended this mutual commitment among five European countries, without any reference to Germany and exclusively for self-defense: "*If any of the High Contracting Parties should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked all the military and other aid and assistance in their power.*" For the Brussels Treaty members, the envisioned Washington Treaty was ideally to be a mere geographical extension – most of it was negotiated between the five and the two North American countries. However,

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<sup>2</sup> "*Should either of the High Contracting Parties become again involved in hostilities with Germany, either in consequence of an armed attack, within the meaning of Article 51 of the Charter of the United Nations, by Germany against that Party, or as a result of agreed action taken against Germany under Article I of this Treaty, or as a result of enforcement action taken against Germany by the United Nations Security Council, the other High Contracting Party will at once give the High Contracting Party so involved in hostilities all the military and other support and assistance in his power.*" Treaty of Alliance and Mutual Assistance between the United Kingdom and France (Dunkirk, 4 March 1947).

US fears of foreign entanglements – lack of support of Congress and public opinion were paramount concerns – pushed towards a much more permissive Article 5 language. Two models were proposed: the “Brussels” one and the “Rio” one.<sup>3</sup> Thus the exact wording of Article 5 was, unsurprisingly, the object of heated negotiations. Should future members commit themselves to “military and other action,” as sought by the Europeans? Or just to “such action as may be necessary,” as proposed during the negotiation by US diplomat George Kennan? The compromise was “such action as it deems necessary, including the use of armed force.” Europeans then insisted that “forthwith” be inserted in the same sentence. A historian noted that *“not since the ratification of the United States Constitution have so many men spent so much time drafting and debating so few words.”*<sup>4</sup> Although a compromise, the result, which included 99 words, was a far-reaching defense commitment.

## The Meaning of Article 5

### *Article 5 and the Cold War*

Article 5 is meant as an exceptional and temporary measure to deal with military threats. Exceptional in the sense that the parties commit themselves to avoid conflict and settle international disputes by peaceful means (Articles 1 and 2), and deter threats by developing individual and collective capabilities to resist aggressions (Article 3) – an important difference with pre-1945 alliances. Temporary because it is – theoretically and in accordance with the UN Charter – meant as a stopgap until the Security Council has

dealt with the crisis (Article 5.2).

Article 5 is about the principle of collective defense in the face of aggression. It is both a testimony of unity and resolve, and a deterrent “to whom it may concern.” It includes two operative provisions:

The first provision is a “one for all, all for one” commitment: the Alliance will treat an aggression against one party as an aggression against all parties (*“an armed attack against one or more of them in Europe or North America shall be considered an attack against them all”*). Unless in the case of a disputed border, Article 6 leaves little room for interpretation of “Europe and North America:”<sup>5</sup> the land territories of the Parties, including North Atlantic islands if located north of the Tropic of Cancer; their forces in and above that same region and in the Mediterranean Sea.<sup>6</sup> Thus it could not be invoked after the Gulf of Tonkin incident (1964), the Pueblo incident (1968), or the invasion of the Falklands Islands (1982). Neither could it be invoked in the future in case of an aggression by an Asian country against Hawaii, for instance (but could be invoked in case of a missile attack against Alaska).

The second provision is a commitment to act: *“each of them [...] will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.”*

For the reason explained above, it is deliberately ambiguous as per the exact nature of the response with which an attack would be met, which is left to the discretion of the Parties. Even though the

<sup>3</sup> The language of the 1948 Rio treaty for the defense of the Americas was different. Its Article III.1 states that *“The High Contracting Parties agree that an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations.”* Inter-American Treaty of Reciprocal Assistance (Rio de Janeiro, 3 December 1948).

<sup>4</sup> Don Cook, *Forging the Alliance. NATO, 1945-1950*, New York, Arbor House /William Morrow, 1989, p. 204.

<sup>5</sup> In recent years, Russia has settled its border delimitation disputes with Norway and Estonia. Syria still considers its former (now Turkish) province of Hatay as its own.

<sup>6</sup> A southern Atlantic limit to Article III was necessary to make the Washington Treaty coincide with the Rio Treaty, and to exclude exceedingly distant overseas territories, colonies, and crown possessions. The treaty also explicitly includes now-obsolete mentions of the Algerian Departments of France (at French insistence), as well as areas of occupation in Europe.



aggressor is warned that it could include using armed force, “*taking action*” is the only requirement.

While not explicitly stated, it is widely understood that Article 5 only applies to threats coming from outside the Treaty area. Logically, no government of a member State could invoke it if attacked by another member state (it was not operative when Greece and Turkey confronted each other during the Cold war), or if faced with a purely domestic attack.

### *Article 5 since 1990*

The scope of Article 5 – through the geographical extension of its validity – was dramatically increased along with successive enlargements, which, after a brief interlude, brought NATO back in contact with the Russian world.

Even though it disappeared, for a while, in the shadow of peace support operations – to the chagrin of some member states such as France – Article 5 was discussed on several occasions after the Cold War with reference to Iraq. In 1991 and 2003, Turkey was keen to feel protected against Iraq. But it did not go well. In 1991, even though Article 4 was involved, some member states (including Germany) were reluctant to send additional defensive equipment to Turkey right before the first Gulf War. In 2003, others (France and Belgium) opposed an Article 4 discussion regarding Turkish security concerns.

Conventional ballistic aggression was recognized early as a potential threat. In 1986, Libya fired two Scud missiles near the small Italian island of Lampedusa (as a response to the US *Eldorado Canyon* operation). There was no question that such a threat could turn into an armed attack. More controversial was the question of terrorism. Few if any had anticipated that the first-ever invocation of Article 5 would be

a 9/11-type attack. And here, again, discussions proved complicated.

There are differing accounts of what happened on 9/11.<sup>7</sup> It seems that the deputy director of the Secretary General’s private office immediately suggested invoking Article 5. The Dean of the Council and Canadian ambassador David Wright also mentioned Article 5 that day, and told US ambassador Nicholas Burns that NATO should invoke it. Burns agreed, then sought – and got – approval from the White House, and formally made the proposal to the Council. A former US official offered this author a slightly different version: reportedly, the United Kingdom requested the Secretary General at the time to ask Member States to declare an Article 5 contingency. The Secretary General then claimed that the United States had asked for NATO support.<sup>8</sup> In fact, the White House had approved the invocation of Article 5, nothing more.

In any case, during the Council meeting which took place on 12 September 2001, several nations – Belgium in particular – reportedly hesitated and requested clarifications.

The NATO staff itself was initially divided on the “armed” nature of the attack; it was suggested to the Council that 9/11 would qualify as an Article 5 contingency only “if” it was ascertained that the attack came from abroad.<sup>9</sup> Hence a prudent first communiqué by the NATO Council on September 12, which included the caveat “*If it is determined that this attacked was directed from abroad...*”

The United States – legitimately consumed, as it was, with national priorities – did not seriously consider a full-fledged NATO operation in Afghanistan. US Central Command General Tommy Franks reportedly said in an interagency discussion: “*I don’t*

<sup>7</sup> See Edgar Buckley, “Invoking Article 5,” *NATO Review*, Summer 2006; and Sarwar E. Kashmeri, *NATO 2.0: Reboot or Delete?*, Washington, D.C., Potomac Books, 2011, pp. 1-6.

<sup>8</sup> Personal source.

<sup>9</sup> Buckley, *op. cit.*

*have the time to become an expert in the Danish Air Force.*"<sup>10</sup> (It is to be recalled that 9/11 came only two years after the Kosovo war, during which slow and contentious decision-making was often criticized as "war by committee.")

A few days after the attacks, US Deputy Secretary of State Richard Armitage told the Council that he *"didn't come here to ask for anything."*<sup>11</sup> Deputy Secretary of Defense Paul Wolfowitz threw more cold water when speaking to the Council on September 26; he emphasized that the mission should determine the coalition, with what some called a "we'll call you if we need you" attitude.<sup>12</sup> After formally invoking Article 5 on October 2, NATO agreed two days later on a set of eight measures, notably to protect the North Atlantic airspace (Operation *Eagle Assist*) and the Mediterranean (Operation *Active Endeavour*).<sup>13</sup> Operation *Enduring Freedom* in Afghanistan remained a US-, not NATO-, led operation (though NATO further expanded its non-Article 5 geographical reach – after first doing so in the Balkans beginning in 1994 – by intervening in Afghanistan after 2003).

In November 2015, France barely considered invoking Article 5 following the terror attacks in Paris. It preferred invoking Article 42.7 of the European treaties (though some claimed that these were not mutually exclusive choices<sup>14</sup>). Possible motivations for not triggering Article 5 were the uncertainties surrounding, at the time, the exact origins of the attack (how much were they directed "from outside the Treaty area?") and the need to avoid any move that might have made increased military cooperation with Russia more difficult.

## Lessons

*Article 5 works as a deterrent.* No country ever embarked in open, large-scale military aggression against a NATO member. The most important lesson of the past seven decades is also the most obvious one. It is hard to discard the value of Article 5 – and its concrete consequences – as an element that came into play. Some would say that neither the Soviet Union nor Russia ever considered attacking NATO. But Moscow's record of military interventions since 1945 makes it an insufficient explanation.

One should note that Georgia was attacked immediately after the 2008 Bucharest Summit, which made Georgia and Ukraine potential members. Was Bucharest understood as a "provocation" by Russia? The point is moot to a large extent: what matters here is that Russia probably felt confident that countries not covered by Article 5, such as Georgia and Ukraine, would not be defended by NATO. And, perhaps, that NATO could never accept in its fold a partially occupied country.

*Overall, the Alliance has proven cautious when it comes to considering invoking Article 5.* As seen above, invoking Article 5 triggered hesitations in 2001. There was no request for an Article 5 declaration when Estonian governmental websites suffered a coordinated distributed denial of service attack, of Russian origin, in 2007; when Syria shot down a Turkish plane in 2012, or in any of the recent circumstances where Russian aircraft or ships penetrated NATO members' territorial space; or when various NATO countries were struck by terrorist attacks (some of them having possibly been "planned," if not "organized," from the Middle East).

<sup>10</sup> Personal source.

<sup>11</sup> Quoted in Sebestyén L. v. Gorka, "Invocation in context," *NATO Review*, Summer 2006.

<sup>12</sup> As noted by a seasoned observer of the Alliance, many NATO members "were disappointed that the United States had asked for so little assistance." David S. Yost, *NATO's Balancing Act*, Washington, DC, US Institute of Peace Press, 2014, p. 54.

<sup>13</sup> A scholar notes that *"none of the actions proposed or taken by NATO seem to require the invocation of Article 5."* Broderick C. Grady, "Article 5 of the North Atlantic Treaty: Past, Present, and Uncertain Future," *Georgia Journal of International and Comparative Law*, vol. 31, 2002, p. 191.

<sup>14</sup> See David Santoro & Bruno Tertrais, "France Needs to Push for Activation of NATO' Article 5 – Now," *The National Interest*, 23 November 2015.





## The Future of Article 5 and the “Red Line” Problem

How NATO deals with further enlargement in the context of Russian aggressiveness and a renewed terrorist threat is indeed one of the areas that need further thinking. It is not certain how much the area covered by Article 5 will enlarge in the coming years beyond Montenegro (which has begun its accession process): accession of the Former Yugoslav Republic of Macedonia<sup>15</sup> will probably continue to be blocked by Greece, and accession of Serbia remains very hypothetical. Membership of Finland and/or Sweden is a more realistic prospect. It would increase the congruence of NATO and EU membership, but also the focus of NATO on territorial defense vis-à-vis Russia. Assuming Moscow continues to respect the Alliance’s borders, this would enlarge the NATO “sanctuary.” (Of note also is the fact that both Norway and Estonia have, in recent years, settled their border disputes with Russia.) Still, prudent planning in the light of Russian behavior should proceed on the assumption that enlargement to the North would also increase the geographical scope of possible provocations at NATO’s borders.

*But the most urgent problem for NATO is to deter threats other than classic, overt military aggression.* A NATO “threat matrix” for such non-traditional Article 5 contingencies could include the following: (1) potential aggressors: China, Iran, North Korea, Russia, Syria, terrorist groups; (2) potential risks: cyber-attacks, various forms of deliberate border provocations (land, sea and air), intrusions by security forces, terrorist attacks, ballistic missile attacks from the Middle East and Northeast Asia.

The Alliance has made progress in deterring and protecting against such threats. Protecting against

a limited ballistic strike from the Middle East was the rationale for NATO’s ballistic missile defense program. It is today an operational capability. The cyber threat is now recognized as having the potential to be considered, under some circumstances, an “armed attack.”<sup>16</sup> *But faced with a limited attack, NATO should not expect that Article 5 will be automatically, swiftly and unanimously declared* (and the history of the past 25 years highlights the relevance of these doubts). If coming from Russia, it should be expected that several member states will hesitate before taking steps that may commit them to war with Moscow. This includes not only a “Northern contingency” (in the Baltic region or in the High North), but also a scenario where Russia forcefully responds on Turkish territory to what it would, rightly or wrongly, see as provocation by Ankara.

Attribution will be a problem in many instances; even assuming that this issue is solved, some member countries might hesitate in acknowledging the adversary’s responsibility, especially if the latter – as should be expected – embarks on massive propaganda aimed at influencing their public opinions.

Finally, a 30 plus-country alliance (if two or more countries joined) would be less likely to reach consensus on the urgency to declare Article 5 faced with a limited attack than it would have been when NATO included only half that number (which was the case during most of the Cold War). As a result, *“what might count locally as an intolerable assault on the Baltic States’ sovereignty may not be seen in Brussels as an ‘armed attack’ for Article 5 purposes. [...] All the strength of the world’s mightiest military alliance will not amount to much if its members cannot agree when an aggressor has actually stepped over the line.”*<sup>17</sup>

<sup>15</sup> Turkey recognizes the Former Yugoslav Republic of Macedonia with its constitutional name.

<sup>16</sup> “Cyber attacks can reach a threshold that threatens national and Euro-Atlantic prosperity, security, and stability. Their impact could be as harmful to modern societies as a conventional attack. We affirm therefore that cyber defence is part of NATO’s core task of collective defence. A decision as to when a cyber attack would lead to the invocation of Article 5 would be taken by the North Atlantic Council on a case-by-case basis.” *Wales Summit Declaration Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Wales*, 5 September 2014, para. 72.

<sup>17</sup> How NATO’s Article 5 Works, *The Economist*, 9 March 2015.

*NATO should expect that its potential aggressors are smart.* Having learned from the history of warfare and terrorism, an adversary could organize fake civilian accidents, launch false flag operations, embark on sabotage, commit acts of terrorism, abduct foreign citizens, claim a “right of hot pursuit” on Alliance territory under a false pretext, etc.<sup>18</sup>

Incursions of security forces and militia (so-called “little green men”) – a subset of what Russia calls “hybrid warfare” – are the hardest to deter and defend against. Northern European security analysts are right to ask the following question: “*to what extent is NATO’s legal framework ready to deal with modern warfare? [...] Supposing a Crimea-like situation occurs in Narva, Estonia, for example. Can Article 5 be called on if there is no armed attack, but instead, what Russia would call a ‘democratic right of self-determination of the same nature as Kosovo and Crimea?’*”<sup>19</sup> It would be impossible to declare that any form of externally-induced political destabilization is an “armed attack.” A positive answer to the question asked would be impossible to reach unanimously and would stretch the definition of an “armed attack” to the implausible.

Legal history provides a useful guide to what an armed attack is in international law. The International Court of Justice (ICJ), in its seminal *Nicaragua* decision (1986), stated that it includes “*the sending of or on behalf of a State of armed bands, groups, irregular or mercenaries*” provided that said State has “*effective*” control them. The International Criminal Tribunal for Yugoslavia, for its part, judges that “*overall*” control is sufficient.

The ICJ distinguishes an armed attack from a mere “*border incident*.” However, in its *Oil Platforms* decision (2003), it stated that an accumulation of minor events could be tantamount to an armed

attack – despite continuing legal debates among scholars.<sup>20</sup>

Based on these debates, it also seems impossible to call an “armed attack” the abduction of a few border guards, a small-scale penetration of armed fighters, or the delivery of weapons to local agents. Ultimately, however, politics would almost certainly trump legalism: *an armed attack would be what the NATO Council considers to be an armed attack.*

The question of small-scale aggressions – whether by cyber, sabotage, border incidents, etc. – which would not qualify as armed attacks goes to the core of the general question of deterrence and more specifically of what could be called the “red line problem,” for which solutions exist.<sup>21</sup> In particular, without diluting in any way its collective defense commitments, NATO needs to establish “shades of grey” between Article 4 and Article 5, as well as between the area covered by Article 6 and the rest of the world, notably in Europe.<sup>22</sup>

## Recommendations for NATO

### *Military Strategy*

The Alliance no longer faces an immediate threat of massive destruction or subjugation. But the array of threats it faces is more diverse than during the Cold war.

*NATO thus needs a seamless deterrence and defense strategy to face its potential threats*, involving a continuum of possible military responses to aggression, from limited incursions to a massive invasion. The existing NATO Crisis Response System (NCRS) is an instrument for appropriate

<sup>18</sup> In September 2014, immediately after a NATO Summit, Russia detained an Estonian policeman who had, allegedly, crossed the border.

<sup>19</sup> Jānis Bērziņš, *Russia’s New Generation Warfare in Ukraine: Implications for Latvian Defense Policy*, National Defence Academy of Latvia Center for Security and Strategic Research, Policy Paper n°2, April 2014.

<sup>20</sup> See Karl Zemanck, “Armed Attack,” *Max Planck Encyclopaedia of Public International Law*, October 2013.

<sup>21</sup> See Bruno Tertrais, “Drawing Red Lines Right,” *The Washington Quarterly*, vol. 27, n° 3, Fall 2014.

<sup>22</sup> Article 10 of the Treaty limits future membership to “European” countries.



(and gradual, if needed) responses to crises; but it is not a doctrine and thus a deterrent. Flexible response in the original (MC-14/3) sense of the term provides a possible template: what NATO needs is some kind of “enhanced flexible response,” with options ranging from responding in kind to rapid escalation to terminate the crisis.

There are no credible scenarios of a strategic military defeat by NATO. Nuclear weapons are unlikely to come into play militarily (though a crisis with Russia would undoubtedly include an important nuclear dimension through intimidation), and their nature is different: there is thus no solid reason to treat them as part of that continuum (except in the extreme scenario of Russia invading a NATO country without the Alliance being willing and able to repel the invasion by conventional means in a timely fashion). Much more important is the continuum between unconventional and conventional action.

The Alliance should also be ready to respond to a massive foreign terrorist attack against a member State (demonstrably organized, for example, in Iraq, Libya, Syria or elsewhere), in the event of the attacked State invoking Article 5 and calling for a common NATO response. Given such a scenario, the next NATO Article 5 operation would not necessarily be to repel Russian aggression.

### *Political Statements*

First and foremost, the Alliance should make it clear to Russia and others that *Article 5 does cover all forms of armed attack*. If Article 5 covers some forms of cyber-attack, then there is no reason why

significant incursions by militarily-equipped “little green men” would not also be covered. In a little-noticed declaration, Supreme Allied Commander Europe (SACEUR) General Philip Breedlove said in 2014 that “*If we see these actions taking place in a NATO nation and we are able to attribute them to an aggressor nation, that is Article 5. Now, it is a military response.*”<sup>23</sup> At a meeting held under the Chatham House rule which took place in the United States in February 2016, a senior US government official stated in answer to this author’s question that an aggression by “*security forces*” could be considered an armed attack, and that NATO should “*make it clear to Russia.*”<sup>24</sup> Such statements should now be consolidated and taken to a higher level in the form of an official NATO declaration.

The Alliance should also make it clear that any attempt at foreign destabilization would trigger immediate Article 4 consultations.<sup>25</sup> Article 4 was invoked several times in recent years: in 2012 (twice) and 2015 by Turkey, as well as in 2014 by Northern European members (thus a total of five times since 1949 when including the 1991 meeting – see above). It provides a useful vehicle for tackling immediately aggressions which would not obviously fall into the category of “armed attacks.” Article 4 would also be the “first stop” for responding to serious, direct nuclear threats against one or several Alliance members by Russia.<sup>26</sup>

Can NATO contribute to deterrence of aggression against non-Alliance members? This is another “red line problem.” NATO Deputy Secretary-General Alexander Vershbow stated in September 2014 about Ukraine, “*I don’t see any red line that, if crossed, would lead to military engagement.*”<sup>27</sup> According

<sup>23</sup> “NATO would respond militarily to Crime-style infiltration: general,” *Reuters*, 17 August 2014.

<sup>24</sup> Personal source.

<sup>25</sup> “*The Parties will consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened.*”

<sup>26</sup> Note that Article 6 of the Rio treaty – the equivalent of Article 4 of the Washington Treaty – includes a strong and wide-ranging commitment: “*If the inviolability of the integrity or the political independence of any American State should be affected by an aggression which is not an armed attack,*” the Parties will “*agree on the measures which must be taken in case of aggression to assist the victims of aggression.*” Inter-American Treaty..., op. cit.

<sup>27</sup> Quoted in Mark MacKinnon, “NATO not coming to Kiev’s rescue, regardless of Putin’s action,” *The Globe and Mail*, 2 September 2014.



to two commentators, “drawing such a bright line around NATO territory is being read by Putin as a signal that non-members such as Ukraine, Georgia and Moldova are — literally — up for grabs.”<sup>28</sup> But there are precedents. In 1991, NATO declared: “Our own security is inseparably linked to that of all other states in Europe. The consolidation and preservation throughout the continent of democratic societies and their freedom from any form of coercion or intimidation are therefore of direct and material concern to us.”<sup>29</sup> This is a useful model for today. Alliance members could also state that aggression against a European country that is not a member of NATO might trigger significant military assistance, including lethal or heavy equipment, should the Alliance decide that its interests are at stake.<sup>30</sup> Additionally, the European Union should solemnly recall its own collective defense commitment (Article 42.7 of the Lisbon Treaty) to bolster deterrence of Russian aggression against Finland and Sweden.

Irrespective of its actual plans, the Alliance should make it clear that partial occupation of a European country would not deter it from accepting it into NATO should it meet the required criteria.

To avoid divisive and long debates, which would weaken the deterrent power of NATO in times of crisis, SACEUR should be given full authority to deploy the Very High Readiness Joint Task Force (VJTF).

Finally, the United States and its European allies

should perhaps make it clear among themselves that any member State embarking in military provocation or escalation at its borders without an “armed attack” having taken place would not necessarily trigger immediate Alliance solidarity.

### What NATO Should Not Do

A final note on what NATO should *not* do: unless it is ready to embark in extraordinarily risky and divisive debates, it should not attempt to alter fundamental pillars of the Alliance, such as the Treaty text and the consensus rule.

An otherwise cogent and well-informed UK parliamentary report issued in 2014 suggests that NATO considers “whether the adjective ‘armed’ should be removed from the definition of an Article 5 attack.”<sup>31</sup> As explained above, there is room for an extensive interpretation of “armed attack” and of Article 5 as it stands.

Neither should NATO consider breaking the consensus rule. It is legitimate to envision ways to avoid the perception that the Alliance’s decision-making could be paralyzed in times of crisis. But the Alliance does not need consensus to act: member states can act on their own and collectively, and SACEUR can use his US European Command (EUCOM) hat for early military action. Doing away with the consensus rule would risk tearing apart the most successful alliance in modern history.

<sup>28</sup> Kurt Volker & Erik Brattberg, “NATO must stand up to Putin’s threat to invade Ukraine,” *The Washington Post*, 28 August 2014.

<sup>29</sup> *Partnership with the Countries of Central and Eastern Europe*, Statement issued by the North Atlantic Council Meeting in Ministerial Session in Copenhagen, 6-7 June 1991.

<sup>30</sup> Another precedent is the security guarantee given to Albania and the Former Yugoslav Republic of Macedonia (FYROM) during the Kosovo War, in case Yugoslavia attacked NATO forces on their territories: “We will respond to any challenges by Yugoslavia to their security stemming from the presence of NATO forces and their activities on their territories.” Press Conference by the NATO Secretary General, 12 April 1999.

<sup>31</sup> House of Commons Defence Committee, *Towards the next Defence and Security Review, Part Two – NATO*, Third Report of Session 2014-2015, HC 358, 31 July 2014, p. 34.