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## **Is Consensus Still Necessary Within NATO?**

Loren G. Traugutt<sup>1</sup>

The “consensus rule” or the “consensus principle” has been the cornerstone of NATO’s decision-making process since the signing of the Washington Treaty in 1949. The idea that all decisions reached within the Alliance must be agreed upon by all member nations is not directly mentioned in the Washington Treaty, or anywhere else in official NATO documents, but it has been the “sole basis for decision-making in NATO since the creation of the Alliance in 1949.”<sup>2</sup> Consensus is not just required for the most important decisions within the North Atlantic Council (NAC), but also throughout the structure of the organization, including every committee and working group. While sticking steadfastly to the consensus rule gives the Alliance a credibility on the world stage not seen by any other alliance in history, many experts and critics argue that this decision-making process should be reconsidered and adjusted. They argue that as the Alliance continues to grow and expand its geographical focus outside traditional European borders, the use of the consensus rule must be scrapped to keep the Alliance agile and adaptable.

This paper will argue to the contrary, that keeping the consensus rule in its current form is instrumental in keeping the Alliance credible both for the members and for those outside the Alliance. NATO remains a strong and viable security arrangement because of the consensus rule, not in spite of it.

The treaty does not specify how the Alliance should make decisions, except for Article 10 which states that “unanimous agreement” is required to invite new members into the NATO Alliance.<sup>3</sup> Beyond this clear directive on decision-making, the rest of NATO’s decision-making process was left by

<sup>1</sup> LtCol Loren G. Traugutt is a Fellow at the US Army War College. The views expressed in this paper are his own and do not necessarily reflect the opinions of the NATO Defense College or the North Atlantic Treaty Organization.

<sup>2</sup> NATO website, “Consensus Decision-Making at NATO,” last updated 22 August 2014, [www.nato.int/cps/en/natolive/topics\\_49178.htm](http://www.nato.int/cps/en/natolive/topics_49178.htm) (accessed 14 March 2016).

<sup>3</sup> Leo G. Michel, “NATO Decision-Making: The ‘Consensus Rule’ Endures Despite Challenges,” in *NATO’s Post-Cold War Politics: The Changing Provision of Security*, ed. Sebastian Mayer, United Kingdom, Palgrave Macmillan, 2014, pp. 107-8.

the founders of the Alliance to determine for themselves. While decision-making through consensus is nothing new within alliances and organizations, its sole use in determining all decisions at all levels of an organization is unique. Numerous other international organizations, such as the United Nations, the World Trade Organization, the European Union and the International Monetary Fund, utilize the consensus principle as part of their decision-making process, but none of them use it as their sole process.<sup>4</sup>

Despite a growing Alliance where reaching consensus will become harder and harder, keeping NATO's current "consensus rule" is paramount for the Alliance to maintain its legitimacy and influence throughout the ever-changing global security environment.

As described on the NATO website, "All NATO decisions are made by consensus, after discussion and consultation among member countries. A decision reached by consensus is an agreement reached by common consent, a decision that is accepted by each member country ... [an] expression of the collective will of all the sovereign states that are members of the Alliance. This principle is applied at every committee level and demonstrates clearly that NATO decisions are collective decisions made by its member countries ... The consensus principle applies throughout NATO."<sup>5</sup>

Three times in its history NATO has undergone a thorough review of its committee organization and structure. The first took place in 1990 following the end of the Cold War, again in 2002 following the 9/11 terror attacks, and the most recent review was in June 2010.<sup>6</sup> In all three instances, the Alliance retained the principle of consensus decision-making, applying it within every committee and working group at all levels of NATO.

## **Importance of the Consensus Rule in its Current Form**

Making decisions through consensus provides enormous advantages within the context of the global security environment. When 28 members of a global Alliance achieve consensus on decisions that affect global security and politics, the effects are profound. Consensus ensures that with every decision, all 28 members of the Alliance are behind that decision. It does not necessarily mean, nor does it have to mean, that all 28 members are fully supportive of the decision, but it still provides a great deal of legitimacy to the Alliance's actions. Only through consensus can an alliance ensure that all its members remain sovereign and autonomous, not having to compromise on their national views or interests.

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<sup>4</sup> Ibid, 107.

<sup>5</sup> NATO website, "Consensus Decision-Making at NATO."

<sup>6</sup> NATO website, "Committees," last updated 5 November 2015, [www.nato.int/cps/en/natolive/topics\\_49174.htm](http://www.nato.int/cps/en/natolive/topics_49174.htm) (accessed 14 March 2016).

The consensus rule also ensures that members of the Alliance maintain a continuous dialogue over a variety of broad security issues. This prevents every new issue that emerges from being treated as “an independent, disconnected zero-sum discussion ... allow(ing) for the give-and-take of negotiations and compromises across the range of issues.”<sup>7</sup> Even the smallest member of the Alliance has the same equal voice as the largest member, ensuring a coherent balance among the many diverse nations of the a-Alliance, and that all national interests are taken into equal consideration.

Finally, as NATO enlarges, the consensus that will be reached by such a large and diverse Alliance will carry with it that much more legitimacy and influence on the world stage. The larger and more diverse the Alliance becomes the more compromise and dialogue will need to occur. While it will certainly become more challenging to achieve this consensus within a larger organization, the benefit is a stronger, more cohesive and more influential Alliance.

### **Critics’ Concerns of the Consensus Rule**

Leaders and politicians often review and call into question the usefulness of the consensus principle and the true role it plays within the Alliance. Legitimate concerns have been raised over the years on whether decision-making through the consensus rule has become too cumbersome. Critics of the consensus rule primarily make three arguments when examining this decision-making process: 1) NATO expansion creates an organization much too large and too diverse to be able to govern it solely through consensus; 2) the consensus rule has made NATO less agile and less adaptable, unable to cope with its less constrained Russian adversary; and 3) the strategic security environment that NATO finds itself in today is vastly different from the environment it was in during the Cold War.

When looking at NATO enlargement, it is obvious in any organization that the more “voting” members there are, the harder it will be to get them all to a consensus decision, regardless of the decision that needs to be made. Bearing in mind that when the Alliance was established in 1949 there were only 12 member nations, one can easily understand how having to build the same consensus in an Alliance that now numbers 28 can be much more difficult.

The United States Senate took steps to address this concern in 2003 while voting to approve the admittance of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia into NATO. While the Senate unanimously approved this round of expansion by 96-0, it did so while also trying to force NATO to look again at its consensus rule.<sup>8</sup> The Senate passed a nonbinding amendment asking the President of the United States to bring before the NAC a discussion on the consensus

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<sup>7</sup> Brian J. Collins, *NATO: A Guide to the Issues*, Santa Barbara, California, Praeger, 2011, pp. 30-1.

<sup>8</sup> Wade Boese, “Senate approves NATO expansion for seven new members,” *Arms Control Today* 33, no. 5, June 2003, p. 34.

rule within NATO. The Senate's concerns appeared to be twofold. First, while the Senate clearly supported NATO's expansion eastward, they were concerned about the impact of having to reach consensus within an ever growing Alliance. One of the leading Senators behind this effort, Senator Jim Jeffords, commented that "[he was] concerned that the alliance has expanded to the point of becoming inefficient and unwieldy."<sup>9</sup> Another leading senator at the time, Senator Jack Reed, said in May 2003 that the "antiquated [consensus] rule must be eliminated."<sup>10</sup>

The second reason for the Senate's action was to call for a process for suspending an Alliance member if it "no longer complies with NATO principles of democracy, individual liberty, and the rule of law."<sup>11</sup> As NATO expands eastward, inviting former communist nations might result in a new member eventually falling from the doorstep of democracy and the Alliance finding itself in turmoil with a member nation having become a dictatorship. The Senate realized that some of NATO's newest members' national politics could revert to a Cold War era, severely affecting the important business of an Alliance that operated solely on a consensus rule. This might seem like a farfetched reason but was based on real world events. In 1998, Slovakia's authoritarian Prime Minister, Vladmir Meciar, was ousted from his country; he remained, however, very influential throughout Slovakia's political system. Many Senators worried about what might happen if Slovakia returned Meciar to office after Slovakia joined the Alliance and the impact he would personally have on NATO.<sup>12</sup>

In the end, President Bush refused to bring the issue before the NAC, realizing he would have little if any support from other NATO members, including the United States' closest ally the United Kingdom. It was clear to the Bush administration that despite the frustration the United States felt with the consensus rule at the time, no other member of the Alliance had the same misgivings. Then-Secretary of State Colin Powell explained the administration's decision to the Senate:

*We believe that the current decision-making procedures work well and serve the United States interests...NATO is an alliance, and no NATO member, including the United States, would agree to all Alliance decisions to be made on defense commitments without its agreement.*<sup>13</sup>

Another argument against the consensus rule is that it makes the Alliance less agile and adaptable. Critics question the utility of always requiring consensus at every level within the Alliance – in committees, sub-committees, working groups, etc.: in international organizations like the United Nations, many decisions below the Security Council level are made through a simple majority or weighted voting. Within NATO, however, every decision at every committee level is made through consensus. General James Jones, who was SACEUR from 2003 to 2006, voiced his concerns about

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9 Ibid.

10 Michel, "NATO Decision-Making: The 'Consensus Rule' Endures Despite Challenges," p. 116.

11 Wade Boese, "Senate approves NATO expansion for seven new members," p. 34.

12 Michel, "NATO Decision-Making: The 'Consensus Rule' Endures Despite Challenges," p. 114.

13 Colin Powell, letter to Senator Richard Luger, Chairman of the Committee on Foreign Relations, 5 May 2003, quoted in Leo G. Michel, "NATO Decision-Making: The 'Consensus Rule' Endures Despite Challenges," in *NATO's Post-Cold War Politics: The Changing Provision of Security*, ed. Sebastian Mayer, United Kingdom, Palgrave Macmillan, 2014, p. 116.

this during an interview a few years after stepping down:

*The Alliance's decision-making needs to be more agile, and [it] need[s] to get away from the idea that the "consensus rule" needs to apply in all of the Alliance's many committees. The 350 committees in NATO behave as if they see themselves as mini-NACs – little versions of the NAC that must operate on the same consensus system as the NAC itself. This means that slow and painful lowest common denominator decision-making prevails. The principle of consensus has been stretched to its limit. Consensus should not be regarded as necessary at the committee level. The committee chairman should note dissenting views and move the business on to the next stage in the decision-making process. The NAC, over time, has surrendered its prerogatives as a decision maker to committees, especially to its financial committees. There are too many committees, and they are much too slow to act.*<sup>14</sup>

The UK's Foreign Minister, Philip Hammond, has also been critical of NATO's decision-making process and the implications it has on how NATO is dealing with its current threats across Europe, especially Russia. He feels NATO has been at a disadvantage with Russia because of the current consensus principle within NATO, saying, "We as a nation and as part of an alliance in NATO must think about how we deal with the challenge of our relatively cumbersome decision-making processes."<sup>15</sup>

Part of the issue is not so much the "cumbersome decision-making process" as it is the numerous national priorities and desires that Alliance members bring to NATO. When NATO tries to reach consensus on a controversial topic, such as military intervention in Libya, approval of specific air targets in Kosovo, or the invasion of a non-European country like Egypt, it must deal with each country's national issues. Many governments are significantly influenced by public opinion in their home nation. Even if a government feels it is in the Alliance's best interest to do something, they often allow public opinion back home to prevent such consensus. This does not always have to be the case, however; research suggests that the consensus rule can, in fact, protect a government from public backlash on such controversial decisions. As Sarah Kreps from Cornell University explains in regards to controversial NATO commitments to NATO-led operations in Afghanistan, "elite consensus inoculates leaders from electoral punishment and gives states' commitments to Afghanistan a 'stickiness' that defies negative public opinion."<sup>16</sup>

Elite consensus is defined as "the lack of an articulate, mainstream opposition to the stated government policy and in which the most important opposition leaders publicly support the government's

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14 David S. Yost, An Interview with General James L. Jones, USMC, Retired, Supreme Allied Commander Europe (SACEUR), 2003-2006, *Research Paper n. 34*, Rome, NATO Defense College, January 2008, pp. 3-4, [www.ndc.nato.int/download/publications/rp\\_34.pdf](http://www.ndc.nato.int/download/publications/rp_34.pdf).

15 Kiran Stacey, "Foreign Minister Raises Problem of 'Cumbersome' Decision-making Process in UK and NATO," *Financial Times*, 23 July 2015.

16 Sarah Kreps, "Elite Consensus as a Determinant of Alliance Cohesion: Why Public Opinion Hardly Matters for NATO-led Operations in Afghanistan," *Foreign Policy Analysis* 6, 2016, pp. 191-215.

commitment.”<sup>17</sup> In this context, according to Kreps, “elite consensus eliminates the passive source of costs that a democratic leader would absorb in the presence of an opposition with divergent preferences, insulating governments from their unpopular decisions.”<sup>18</sup> If Alliance members actively took this approach on issues they felt strongly about but differed from their public opinion, they could reach consensus more easily, keeping the Alliance agile while still keeping faith with their public.

Since NATO’s inception, many have opined that the Alliance’s shelf life was finite. Journalists and politicians alike would see NATO in a crisis and be quick to declare it at its last breath. Even before the Cold War had come to an end, media reports from every year in the 1980s implied relations between the United States and its European allies were at a new time low.<sup>19</sup> Every year that passed, NATO seemed to enter a new crisis “promptly dubbed the worst ever.”<sup>20</sup> Tensions over NATO’s role in the Balkans, the United States’ actions in Iraq in 2003, even NATO operations in Libya, have all shown an Alliance struggling to reach a common approach through consensus. Despite these challenges, the Alliance has always found a collective solution and continues to exist today, despite almost always being an Alliance in crisis, and at its last breath.

## **Case Studies Demonstrate that the Consensus Rule Works**

History shows that despite the frustrations and apparent lack of productivity that comes with NATO’s current decision-making process, the consensus rule has time and again proven to keep the Alliance strong and cohesive. Even when the rule is ignored or misused, it still demonstrates its utility and importance. James Christoph, writing about the Suez Crisis of 1956 and its impact on NATO, suggests that such crises offer an opportunity to view a political system under greater-than-usual stresses and strains.<sup>21</sup> The following case studies are often used to demonstrate why the consensus rule has outlived its usefulness within the Alliance (Operation Allied Force and Turkey’s invocation of Article 4) or has come close to destroying the Alliance (Suez Crisis). Perhaps a different perspective should be drawn from these case studies, one that shows how the consensus rule worked as it was designed to, allowing the Alliance to take an appropriate level of action while also keeping the Alliance together.

### The Suez Crisis and its Impact on NATO

The 1956 Suez Crisis is a case study that illustrates the potential downfall of NATO before an

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17 Ibid.

18 Ibid.

19 Wallace J. Thies, *Why NATO Endures*, New York, Cambridge University Press, 2009, pp.12-13.

20 Ibid, 14.

21 James Christoph, “The Suez Crisis,” in *Cases in Comparative Politics*, ed. James Christoph, Boston, Little Brown, 1965, pp. 90.

appreciation for both the military and political aspects of security and the importance of consensus building. Before this crisis, NATO operated almost purely as a military alliance, lacking any coherent political cohesion. This resulted in a lack of political consultation within the Alliance, making coherence within it shaky at times. Coupled with a lack of regard for the consensus rule, the Suez Crisis brought NATO to the brink of destruction. However, through strong US leadership and a string of unfortunate events for two Alliance members, NATO was able to survive, drawing lessons learned that would shape the Alliance to this day.

In July 1956, the President of Egypt, Gamal Abdul Nasser, nationalized the Suez Canal, shocking the world and driving both the United Kingdom and France to seek quick military action to resolve the crisis.<sup>22</sup> Nasser's actions were primarily in retaliation against the United States and the UK for withdrawing financial pledges to build a dam on the Nile River at Aswan. The United States withdrew their funding out of concern for the strain it would put on an already resource-strained Egypt. Britain, because of financial hardships of its own at home, followed suit, suddenly leaving Egypt without the funds required to build the dam.<sup>23</sup>

The United States and the UK underestimated Nasser's quick and aggressive response, which Nasser claimed was aimed to recover revenue lost by the withdrawal of Western financial aid.<sup>24</sup> The British reacted quickly by condemning Nasser's actions as tantamount to actions taken by both Hitler and Mussolini in the 1930s.<sup>25</sup> The French, struggling with a colonial war in Algeria, were quick to condemn Nasser as well, primarily due to his backing of the Arab insurgency against the French there. Both the UK and France pushed for a military response; however, the United States was adamantly opposed to any military action. The President felt strongly that the United States and its Allied European partners needed to avoid any imperialist actions outside NATO borders. He feared that any such action would cripple the Alliance, pitting Arabs, Asians and Africans against NATO nations and pushing them to side with the Soviet Union.<sup>26</sup>

Knowing full well how the United States felt, and recognizing that Eisenhower was successfully stalling any meaningful action to resolve the crisis through the bureaucratic decision-making process within NATO at the time, the UK and France decided to take matters into their own hands, outside the auspices of the Alliance.<sup>27</sup> An opportunity presented itself when Israel secretly approached both nations with a brash plan whereby the Israelis would invade Egypt to secure the canal for themselves. This would allow both the UK and France to play peacemaker by invading and occupying the canal

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22 Robert R. Bowie, "Eisenhower, Dulles and the Suez Crisis," in *Suez 1956, The Crisis and its Consequences*, ed. WM. Roger Louis and Roger Owen, Oxford, Clarendon Press, 1989.

23 "The Suez Crisis: An Affair to Remember," *The Economist* (27 July 2006), [www.economist.com/node/7218678/print](http://www.economist.com/node/7218678/print) (accessed 14 March 2016).

24 Ibid.

25 Ibid.

26 Ibid.

27 NATO website, "Report of the Committee of Three," last updated 11 November 2014, [www.nato.int/cps/en/natohq/topics\\_65237.htm](http://www.nato.int/cps/en/natohq/topics_65237.htm) (accessed 14 March 2016).

to separate Egypt and Israel, thus giving both the British and the French a viable reason to remain in physical control of the Canal zone.

The planning for this highly questionable operation was conducted behind the Americans' backs, even while Eisenhower kept them tied up in talks with NATO. After Israel invaded in October 1956, the British and the French issued ultimatums to both Egypt and Israel, which Egypt quickly refused. Following a short bombing campaign by the British, an Anglo-French invasion force entered Egypt early the following month.

It quickly became obvious that the whole operation was a “tripartite aggression,” as it is known in Egypt today.<sup>28</sup> Eisenhower felt betrayed by all three countries, leading to severe blowback by the United States. The US immediately suspended all IMF emergency loans until the British called off the invasion. The British capitulated immediately, resulting in furious French acquiescence, whose military was under British control. Under pressure, mostly from the Americans, the Israelis were also forced to withdraw their military out of the Sinai.

The outcome of the Suez Canal crisis had profound effects on the NATO Alliance and on the global security environment. Eisenhower leveraged the United Nations to help bring about a peaceful resolution to the entire crisis, resulting in the first ever UN peacekeeping force that was deployed to the Sinai. The effects on NATO were also significant. The British Prime Minister responsible for the British covert actions, Anthony Eden, was forced to resign immediately, and the UK's imperialist ways substantially subsided as it recognized the power and influence of the United States within Europe. Britain quickly built a “special” relationship with the United States, accepting the fact that it was no longer the strongest source of influence within Europe. France, who resented but understood America's power and influence in Europe, looked to increase its influence in Europe, joining Germany to create the European Union.

Simultaneous to, but separate from the Suez Crisis, the NAC developed the Committee on Non-Military Cooperation (1956) to “advise the Council on ways and means to improve and extend NATO cooperation in non-military fields and to develop greater unity within the Atlantic Community.”<sup>29</sup> As the Suez Crisis demonstrated, NATO at the time lacked any political clout. Though Articles 2 and 4 of the Washington Treaty described an Alliance greater than just a military organization, members were not using it to bring national issues up for consultation.<sup>30</sup> Thus, the UK and France did not feel obligated or constrained by the Alliance's lack of will for any military action in the Sinai. So impacted was the Committee of Three by the Suez Crisis and its effects on NATO that they rewrote their final report in the last few weeks of November 1956 before submitting it to the NAC.<sup>31</sup>

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28 “The Suez Crisis: An Affair to Remember,” *The Economist*, 27 July 2006.

29 NATO website, “Report of the Committee of Three.”

30 *Ibid.*

31 *Ibid.*



This committee, better known as the “Committee of Three” or the “Three Wise Men,” had a significant impact on NATO at a critical time when the prolonged existence of the Alliance was being called into question.<sup>32</sup> The most important part of the Committee’s findings agreed that both the civilian and military aspects of security were crucial for NATO. One could not exist without the other, and political dialogue and consultation was necessary to keep the two in balance.

Speaking before a NATO Council meeting shortly after the Committee of Three findings were released, Paul-Henri Spaak, the Belgian Minister of Foreign Affairs, commented on the true impact the Suez Crisis had on NATO, stating the crisis had “shattered many illusions” about NATO and its framework.<sup>33</sup> He went on to say that “the action taken by the United Kingdom and France risked setting up chain reactions which would have had the most serious consequences. It was no excuse to say that these events were taking place south of a given parallel. To preserve the substance of the Alliance and its very existence, the concept of a geographical limit had to be discarded. The conclusions reached by the ‘Committee of Three Ministers’ were an imperative necessity, without acceptance of which there was no salvation for NATO.”<sup>34</sup>

The Suez Crisis illustrates the pitfalls that await an Alliance that does not tie both military and political aspects of security together, requiring consensus from every member for the good of all. What was lacking at the time was political dialogue and adherence to the consensus rule. Had these existed within the Alliance at the time, perhaps the UK and France would have been more forthright in their concerns and with what actions they were planning. Perhaps a lack of consensus from the NAC on any military invasion of Egypt would have prevented the UK and France from going it alone. Without the political dialogue and consensus requirement, the two countries felt no political or moral obligation to the Alliance, and felt justified in seeking a trilateral resolution outside the influence or constraints of the Alliance. The lesson in this case study is that when adhered to, the consensus rule ensures that the Alliance (or individual members) does not stumble into haphazard military actions that are not in its best interest or that lack political backing from non-participating Allies. While it might be argued that the UK and France acted as a “coalition of the willing,” they still did so without the knowledge or political blessing of any of the Allies, severely weakening their position. Coalitions of the willing only work when non-members of that coalition do not publicly object to its stated purpose.

### NATO Operation Allied Force (Kosovo)

NATO’s air campaign over Kosovo in 1999 provides another glimpse into how the consensus rule still works despite a member’s different national interests. In the case of Operation Allied Force, the consensus rule was severely tested because of the multiple implications that NATO’s involvement

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32 Ibid.

33 Ibid.

34 Ibid.

in Kosovo would have. While some members pushed for military action based on the humanitarian crisis and human suffering issue, others took a more cautious approach due to the implications of NATO taking military action outside Alliance borders against a sovereign nation without a United Nations Security Council Resolution. This was of extreme importance to Greece, where some national surveys found 95% of Greeks opposed to any NATO intervention in Kosovo.<sup>35</sup>

The consensus rule allowed the action to move forward and military action to be taken, despite Greece's position within the NAC. Because the decision was reached through consensus, votes were not tallied, and Greece was able to simply remain silent, not derailing NATO's pending military action in Kosovo, but not publicly supporting the action either. This allowed the Greek government to keep faith with its domestic audience back home while still supporting its Alliance Allies in Brussels.

Further analysis shows that the consensus rule also facilitated the implementation of Allied Force. Even after consensus was reached on NATO actions in Kosovo, contentious issues kept arising concerning the targets that NATO aircraft were to go after. Both France and Germany were adamant that collateral damage must be minimal, vetoing in some cases specific targets from the military's target list.<sup>36</sup> Secretary General Javier Solana used a 'summary of discussions' technique within the NAC to help reconcile these differences, keeping contentious decisions within the NAC and not allowing them to go further down into any of the committees.<sup>37</sup> The NAC, in turn, ceded some control directly to the Secretary General, giving him the "authority to implement, suspend, or terminate the first phase of the air campaign."<sup>38</sup>

The consensus rule was used just as it was intended during Operation Allied Force. It allowed the NAC to reach consensus on military action, despite the national interest of one Alliance member, and it was able to avoid contentious gridlock later on during target selections. While critics may point to NATO operations in Kosovo as a reason to alter the consensus rule, a case can be made that the rule was utilized just as it was designed. The 'summary of discussion' technique used by Solana was critical in reaching consensus and is a technique that could be codified and employed more often within the Alliance. Another point not to be missed was Solana's leadership in all of this and his ability to lead the Alliance to a palatable outcome, allowing it to act.

### Turkey's Invocation of Article 4

This case study looks at NATO's role during the lead up to the United States' invasion of Iraq in 2003 over Saddam Hussein's weapons of mass destruction programme. It highlights how the consensus rule caused great friction between the United States and several members of the Alliance over the US

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35 Michel, "NATO Decision-Making: The 'Consensus Rule' Endures Despite Challenges," p. 112.

36 Dana Priest, "France Played Skeptic on Kosovo Attacks," *Washington Post*, 20 September, 1999.

37 Michel, "NATO Decision-Making: The 'Consensus Rule' Endures Despite Challenges," pp. 112-13.

38 Ibid.

foreign policy with regard to Iraq. What is missed in all of this, however, is how the leadership of Secretary General Robertson played a crucial role in easing the crisis, and that there are ways to reach consensus within the Alliance when consensus seems so far off. Once again, despite the seemingly overwhelming odds of reaching consensus, it was eventually reached, and the Alliance's influence remained intact.

Following the terrorist attacks against the United States in September 2001, for the first time in its history NATO invoked Article 5 of the Washington Treaty. Interestingly, Article 5 was invoked at the request of NATO Secretary General Robertson and the Canadian Ambassador to NATO, David Wright, not by the United States.<sup>39</sup> This invocation of Article 5 initially brought all Alliance capitals into alignment on their foreign policies as it applied to global terrorism. This alignment started to diverge when the United States started to focus on Saddam Hussein's regime in Iraq, claiming that Iraq's weapons of mass destruction posed a direct threat to the entire world.<sup>40</sup>

The realignment of national security priorities by the Bush administration caused much consternation among some of its European Allies. The United States pressured Iraq to prove it had disposed of all its weapons of mass destruction, using the United Nations to seek a UN Security Council Resolution. Meanwhile, France and Germany argued that diplomacy needed to be given a longer chance to succeed and more time needed to be given to the UN inspection team to verify the true status of Iraq's weapons. As the United States continued to push forward with a military solution, tensions among NATO members increased.

The United States, sensing that not all NATO members would be supportive of its military action in Iraq, did, at least, consult with the NAC in December 2002 on its list of "military options and proposals related to Iraq for the alliance to consider."<sup>41</sup> One of these proposals recommended defensive military assistance to Turkey, including Airborne Warning and Control Systems (AWACS) and Patriot missile systems. Outside of AWACS and Patriot missiles for the defence of Turkey, some Europeans felt that NATO had been completely disregarded by the United States despite having been consulted.

In January 2003, the NAC formally started to discuss the defence of Turkey should the United States decide to invade Iraq. This issue was formally brought to the NAC by the United States, but only because Secretary General Robertson was a strong advocate of the United States' position against Iraq which was given serious discussion within NATO. Secretary General Robertson agreed with the United States in that it was up to Saddam Hussein to prove that he no longer had weapons of mass destruction. This still went counter to the national positions of both France and Germany, who put more stock in what the UN inspection team would find.

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39 Ryan C. Hendrickson, *Diplomacy and War at NATO, The Secretary General and Military Action after the Cold War*, Columbus, Missouri, University of Missouri Press, 2006.

40 Ibid, p. 126.

41 Ibid, p. 128.

The request for NATO to support the defence of Turkey was controversial within Europe and the Alliance because “some members saw such a move as premature and too sympathetic to the Bush administration’s approach toward Iraq.”<sup>42</sup> In an attempt to gain consensus on the Turkish defence issue, Secretary General Robertson invoked the silence procedure. The silence procedure is a method which allows consensus to be reached within the Alliance without every member necessarily agreeing to the policy being discussed. Secretary General had set a ‘silence procedure’ on the topic of Turkish defence, whereby if no nation’s representative “broke silence,” then consensus would be achieved despite a nation’s misgivings about the policy.

This tactic backfired, however, as France, Germany and Belgium all broke silence and publicly aired their resistance to any NATO support for Turkey’s defence against Iraq. In response, Turkey officially invoked Article 4 of the Washington Treaty, which states that “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>43</sup> This open and public resistance gave the impression to some outside the Alliance that perhaps NATO had outlived its usefulness and was not adaptable enough to deal with the post-9/11 security environment.

Despite this concern, Secretary General Robertson was able to move the discussion forward, but he moved the topic out of the NAC and into NATO’s Defence Planning Committee (DPC), from which France had removed itself in 1966 and therefore had no influence on its decisions. This tactic removed the French obstacle, which then caused Germany to reassess its position, eventually agreeing not to prevent the planning of Turkey’s defence within the DPC. Belgium, the lone holdout at this point, continued to push back. Secretary General Robertson once again had to get personally involved with both the Belgian Foreign Minister and Prime Minister, urging them to concede to Turkey’s Article 4 request. He argued two points to the Belgians: that Turkey’s request was purely defensive in nature, and, more importantly, he appealed to the need for Alliance solidarity, arguing that Belgium’s continued resistance could have long-term effects on the Alliance as a whole.<sup>44</sup>

Belgium finally relented, after agreeing to a compromise in the language of the decision sheet released by NATO, which reiterated Article 1 of the North Atlantic Treaty that “Allies refrain from, in their international relations, (the) threat of use of force in any manner inconsistent with the purposes of the United Nations.”<sup>45</sup>

This case study demonstrates that even when the Alliance has very vocal and public disagreements about national interests diverging from Alliance interests, consensus can still be reached. “Robertson

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42 Ibid, p. 133.

43 NATO website, “The North Atlantic Treaty,” last updated 9 December 2008, [www.nato.int/cps/en/natohq/official\\_texts\\_17120.htm](http://www.nato.int/cps/en/natohq/official_texts_17120.htm) (accessed 14 March 2016).

44 Hendrickson, *Diplomacy and War at NATO, The Secretary General and Military Action after the Cold War*, p. 135.

45 NATO website, “Decision Sheet of the Defense Planning Committee: NATO Support to Turkey within the Framework of Article 4 of the North Atlantic Treaty,” 16 February 2003, [www.nato.int/docu/pr/2003/p030216e.htm](http://www.nato.int/docu/pr/2003/p030216e.htm) (accessed 14 March 2016).

was at the center of diplomatic action and played an instrumental role in managing the crisis.”<sup>46</sup> Robertson’s ability to reach consensus on such a controversial issue during tumultuous times also demonstrates the role and influence that the Secretary General has, highlighting again the importance of having the right leader in that position. In this case, the leadership of Secretary General Robertson and the tactics he used proved instrumental in solving this issue and ensuring that the Alliance was once again able to reach consensus and keep itself whole.

## **Recommended Improvements**

Clearly, and rightfully so, the “consensus rule” has driven some to question the legitimacy of its use in the Alliance in today’s security environment. If the foundation of NATO’s decision-making process continues to be through consensus, then some adjustments or changes can be made to mitigate critics’ concerns. The rationale for several recommended modifications is evident in the three case studies above. As they highlight, the consensus rule is still vital to NATO’s decision-making process, but with some modifications the process could be improved, thus strengthening the Alliance as a whole even more.

The first thing the Alliance can do is adopt a coalition approach to certain security issues. “Coalitions of the willing” are sometimes seen as directly opposing the fundamental principle of an Alliance like NATO. An Alliance is established for the long-term, designed to tackle an unspecified number of challenges during an unspecified amount of time; alliances are indefinite. Coalitions, on the other hand, are by design temporary. They are usually put together with a single goal in mind, and once that goal is achieved, the coalition is dissolved. Coalitions allow nations whose national interests are wildly diverse from each other to come together in a single, common goal without compromising their national aims.

NATO has already put this into practice, as demonstrated by the United States-led anti-ISIS coalition, which was announced at the 2014 NATO Summit in Wales. Using the presence of the 28 heads of state, President Obama pulled together the initial members of an anti-ISIS coalition, consisting of NATO members: the United States, the United Kingdom, Canada, Denmark, France, Germany, Italy, Poland and Turkey, and one non-NATO member, Australia.<sup>47</sup> The inclusion of a non-NATO member highlights the versatility of coalitions while still utilizing the NATO structure as the base from which to create a coalition. Non-NATO members bring with them unique capabilities and knowledge of the issue that might not exist elsewhere in the Alliance. For example, Australia brings expertise in special operations, Jordan in intelligence and Saudi Arabia in financing.

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46 Hendrickson, *Diplomacy and War at NATO, The Secretary General and Military Action after the Cold War*, p. 117.

47 “Obama: NATO coalition ready to join US against IS,” *BBC News*, 5 September 2014.

Utilizing more “coalitions of the willing” will keep the Alliance viable, credible and agile. It shows the ability to be adaptable while still keeping the core values of the Alliance in any coalition it creates. It keeps the integrity of the consensus rule intact because it still allows NATO members to voice concerns or consent over a coalition that they will not be a part of.

Michael Rühle, head of Energy Security in NATO’s Emerging Security Challenges Division, uses the ISAF mission in Afghanistan to highlight the importance of these coalitions. He wrote that “... the military and financial contributions of several non-NATO nations have exceeded those of many allies, underscoring the need for NATO to prepare politically and structurally for ‘coalitions of the willing.’ This does not compromise the logic of a permanent alliance, as NATO will remain the pool from which such flexible coalitions will largely be drawn and around which larger coalitions will be built.”<sup>48</sup>

Looking back at the Suez Crisis in 1956, had NATO been willing to allow a coalition within the Alliance (the UK and France), it would have allowed the common national interests of those two nations to be addressed within a NATO construct. Their national interests would have been addressed despite the lack of support from the other members, primarily the United States. This in turn could have prevented the UK and France from acting bilaterally, secretly and haphazardly in a military operation that ultimately backfired and ended in embarrassment.

The second recommendation is to make minor adjustments within the Alliance regarding how deep into the structure of the organization the consensus rule applies. As the case study on Operation Allied Force underscores, when it is necessary, there are ways to limit the consensus rule from becoming a hindrance to the decision-making process without compromising the consensus rule overall. In this case, the Secretary General had the power and ability to prevent how far down into NATO’s organizational structure a decision went to reach consensus. In the case of Operation Allied Force, Solana used “summary of discussions” to keep contentious decisions within the NAC, preventing them from going back to other committees where consultations and a new consensus would have to be reached. Furthermore, the NAC ceded him some control over certain important decisions during the first phase of the air campaign.

Secretary General Rasmussen opposed any change to the consensus rule in 2010 but did acknowledge that NATO could “speed up the process (by a) more efficient” use of its many committees.<sup>49</sup> Rasmussen went so far as to appoint a ‘Group of Experts’ to delve into the options available to the Alliance in this regard. In their May 2010 report back to Rasmussen, the following recommendations were given:

- 1) recognize that any departure from the consensus principle must be approved by the NAC;

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48 Michael Rühle, “Reflections on 9/11: A View from NATO” in *NATO beyond 9/11, The Transformation of the Atlantic Alliance*, ed. Ellen Hallams, Luca Ratti and Benjamin Zyla, UK, Palgrave Macmillan, 2013, p. 64.

49 NATO Secretary General Anders Forgh Rasmussen, “New Challenges – Better Capabilities,” public speech, Bratislava Security Conference, 22 October 2009.

- 2) preserve the consensus rule for the most important decisions such as those involving Article 5 commitments, budgets, new missions, or new members;
- 3) identify means on less vital questions for Allies to register concerns short of a veto; and
- 4) establish the principle that the implementation of decisions arrived at by consensus should not be delayed by efforts to review those decisions at lower levels before they are carried out.<sup>50</sup>

Formally adopting this Group of Experts' recommendations as above would simply codify what Secretaries General have already been practicing. If members of the Alliance can consult and operate under such established guidelines, then their approach to controversial topics will not seem so insurmountable.

A final recommendation is to ensure continued strong leadership at NATO's highest level. Modern militaries and their leaders are very adept at having to maneuver through such bureaucracies, especially western militaries which ultimately take their directives from democratically elected, civilian leadership. The structure of NATO is no different, and the importance of having a strong leader to assist in reaching consensus, both at the top military and civilian level, cannot be underestimated. The leadership and actions of both Secretaries General Solana (Operation Allied Force case study) and Robertson (Turkey's Article 4 Invocation) clearly demonstrate this. Another example is the outcome of the Lisbon summit in 2010 and Secretary General Rasmussen's heavy-handedness in drafting the Strategic Concept. While NATO consensus was reached on this Strategic Concept, it was done in an unorthodox manner, requiring less time, less consultation and fewer backroom discussions that would normally accompany such a significant NATO document. This achievement is attributed in no small part to Secretary General Rasmussen himself, and his leadership and ability to get the 28 members to consent. Serving previously as the Prime Minister of Denmark, Rasmussen enjoyed an unusually strong relationship with the other NATO countries' Heads of Government. These state leaders saw Rasmussen as an equal, even praising him for "producing a text acceptable to all."<sup>51</sup>

## Conclusion

The consensus rule within NATO has gained more critics over the past decade as the Alliance grows larger and the strategic security environment it operates in becomes more complicated. Despite Alliance infighting that has become more public over time and the delays that occur in being able to take some actions, the consensus rule continues to achieve precisely what it was designed to

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50 NATO website, "NATO 2020: Assured Security; Dynamic Engagement. Analysis and Recommendations of the Group of Experts on a New Strategic Concept for NATO," <http://www.nato.int/strategic-concept/expertsreport.pdf> (accessed March 14, 2016).

51 "NATO: More Consensus, But Challenges Remain," *The International Institute for Strategic Studies* 16, Comment 45, November 2010.

achieve. Three case studies demonstrate how this rule continues to provide the Alliance with an unmatched level of legitimacy on the global security stage. The consensus rule prevents the Alliance and, when adhered to, also its members, from stumbling into unwise and later untenable political fiascos. Despite the frustration and the long and arduous hours of consultations, the consensus rule has always worked. The consensus rule continues to serve the purpose it was designed for and, with a few minor and warranted adjustments, it should be left intact throughout the Alliance for the most important decisions.



The Research Division (RD) of the NATO Defense College provides NATO's senior leaders with sound and timely analyses and recommendations on current issues of particular concern for the Alliance. Papers produced by the Research Division convey NATO's positions to the wider audience of the international strategic community and contribute to strengthening the Transatlantic Link. The RD's civil and military researchers come from a variety of disciplines and interests covering a broad spectrum of security-related issues. They conduct research on topics which are of interest to the political and military decision-making bodies of the Alliance and its member states. The opinions expressed are those of the authors and do not necessarily reflect the opinions of the North Atlantic Treaty Organization or

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#### Research Division

Jeffrey A. Larsen, PhD, Division Head  
NATO Defense College - Via Giorgio Pelosi, 1  
00143 Rome – Italy  
website: [www.ndc.nato.int](http://www.ndc.nato.int)

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