

**North Atlantic Treaty Organization
(NATO)**

Reexamining NATO Charter Article 5



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Introduction

With the ever evolving world of international politics, it is now, more than ever, critical to examine the laws, treaties, and pacts that unify countries, or keep nations at conflict. One fixture of modern global issues is NATO, the North Atlantic Treaty Organization. This committee will be examining the charter of NATO, specifically Article 5 of the charter and how such a decisive agreement can be upheld with the scale of many current conflicts. Delegates will be participating in an “emergency session” of NATO to determine if the treaty will be ratified as is, amended slightly, or entirely discarded in favor of a new agreement.

Founding of NATO: Detering Soviet Expansionism

In 1945, the three leaders of the Allied Powers of WWII, Prime Minister Churchill of the United Kingdom, President Roosevelt of the United States, and Soviet Premier Joseph Stalin, sat down in Yalta to discuss the proper and fair way to deal with the Axis powers at the end of the war. While the three leaders were technically allies, there was no hiding the UK and US’s apprehension about Soviet leader Joseph Stalin. Stalin was a Communist. This meant he subscribed to a political and economic ideology that was in sharp contrast to the Capitalist ideals held by the western world. Communists believed that Capitalist systems, the economic systems of the USA and Western Europe, were oppressive, and that the only way to reach equality is for the workers of the world to unite against the corrupt capitalists. Western leaders saw this Communist ideology as a serious threat to their way of life and economic prosperity, and knew they wouldn't allow it to spread into Europe. They could work with Stalin to fight the War but they wouldn't let him become too powerful. Stalin had come to power in a series of questionable

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events, outmaneuvering his opponents for control of the Communist Party and eventually for control of all of Russia. He was a dictator, but at the Yalta Conference of 1945, he promised to allow the countries of Eastern Europe to hold fair elections without Soviet influence. Unsurprisingly, this turned out to be a lie, as communist soviet agents began to cause unrest in cities across the continent, effectively creating a red buffer zone between the USSR and Western Europe.

By 1949, Albania, East Germany, Romania, Poland, Hungary and Czechoslovakia were all controlled by the communist party. As Soviet power continued to grow, locking down East Berlin and threatening the recovering Germany, western powers knew it was time for a formal response. Before there was NATO, there was the Western Union, an alliance of Western European Countries. However, it quickly became clear that without support from the United States, the alliance lacked the power needed to combat the USSR. Also, the United States wanted to maintain a formal presence on the European Continent, ensuring that they could easily intervene in the case of Soviet interference. After intense debate, the North Atlantic Treaty Organization was founded on April 4th 1949 with its headquarters being established in Brussels Belgium.

Contents of The Treaty

Although the majority of our conversation and debate will center around Article 5 of the North Atlantic Treaty, it is still important that we understand the full scope of the treaty, and what it means for the member states of NATO. Articles 1 through 4 set the intentions for the organization, stressing the importance of peace, and actions that prevent violence rather than

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insight it. They state that each member state will contribute to the development and strengthening of international relations and diplomacy, and will hold thorough discussions whenever a threat to security occurs. Articles 7 and 8 stress that while states are certainly allowed to have other alliances with member states and non-member states, the agreements outlined in the treaty cannot be broken in favor of those alternative alliances. Article 9 is of particular importance to us because it outlines the rules for the council we will be representing in this committee. According to Article 9, each member of NATO is to have equal representation on this Council which is the essential governing body of NATO. It is important to note that unlike in the UN or other international treaties, every member state of NATO has equal representation with no one state having veto power over the others. This means that, in theory, the concerns of the smaller member states are just as important and relevant as those of the more powerful member states.

Article 10 of the treaty sets the guidelines for adding any new members to the treaty. This is done by unanimous support, and has been done many times in the past. Since 1949 the founding 12 member states consisting of Belgium, Canada, Denmark, France, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, the United Kingdom and the United States of America, have approved the inclusion of 18 additional states, with the 30th member of NATO, North Macedonia, being added this year. Any further additions to the treaty would need unanimous support from all 30 members. Articles 11 through 14 discuss the maintenance of the treaty, emphasising the need to revisit and amend when necessary. This treaty may seem a bit simple, and it was intentionally written that way. The treaty does not have strict guidelines for implementing plans because it was written to be adaptable. The founders knew that the world

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would change a lot in 10, 20 or even 100 years, but they wanted NATO to be able to adapt to these changes and continue to spread peace and diplomacy no matter what issues the world might be facing.

The Importance of Article Five

Article 5 offers the true backbone of the North Atlantic Treaty, and represents the true reason for founding the alliance. Article 5 says the following “ The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, 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. Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security .” Simply put, any attack against a member state of NATO is seen as an attack against all member states, and all member states will contribute to appropriate retaliation. When originally written, this was clearly a mutually beneficial arrangement. One can certainly see the appeal of this article for the smaller countries of NATO. Article 5 essentially means that if a country were to attack the relatively small nation of Portugal, they would have the full force of the United States military supporting them in retaliation. Alternatively, this is appealing to larger nations like the UK and USA

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because it allows them to assert their power in conflicts that they would otherwise not be able to participate in. This also allows them to ensure that their powerful competitors, countries like Russia and China, do not take any action to harm their allies. In the modern era of world politics, this article has become an issue of debate, as the vague language allows for many different interpretations.

When Article 5 was originally ratified with the North Atlantic Treaty, there was no actual way to carry out joint military responses, so a framework for NATO's military force was quickly put in place. A Military Committee serving under the Council was staffed with the best military minds from each member state led by an appointed Secretary General. As the organization grew, so too did its power. NATO now has a formidable force of their own, with numerous intelligence operations, and significant military infrastructure. Although each member state is equal, the military force of NATO most often takes directions from the USA, as it is the chief military power.

Although Article 5 is the critical part of the North Atlantic Treaty, it has only been invoked one time. On September 12, 2001 history was made as NATO invoked article 5 for the first time in response to the terror attacks on the World Trade Center in New York City. In an emergency session, the Council of NATO wrote and unanimously approved a four paragraph resolution outlining how the threats to security had changed in the past 50 years, and how they would commit to supporting the United States. NATO members offered troops to aid in the United State's war in Afghanistan, and launched Operation Eagle Assist which used NATO aircraft to monitor the skies over the USA in the year following the attack. NATO also launched the counterterrorism act Operation Active Endeavour which used NATO naval forces to perform

counterterrorism missions in the Mediterranean region for 15 years. While this is the only time Article 5 has been invoked, it is not the only time NATO has taken joint military action. NATO sent missiles to the border of Turkey and Syria, and regularly takes defensive action against ISIS and in Crimea.

Considering Article 5 and the Role of NATO

Now that you have a better understanding of the history of NATO and specifically of Article 5, we can begin to focus on the main conversation of our committee; How does Article 5, and the North Atlantic Treaty as a whole fit into modern issues of international politics. A lot has changed since the founding of NATO, and as the politics of countries continue to shift, their opinions of NATO do as well. Recently, the United States and the United Kingdom, two of the most powerful members of NATO have adopted more isolationist policies. This means they are less likely to contribute to organizations that involve them in the international community, instead preferring to prioritize their own issues. Alternatively, countries like France and Germany remain dedicated to NATO, saying it is a necessity to maintain balance and order in the Atlantic region. In this committee, it is your job to determine if the North Atlantic Treaty should remain as is, if it should be amended to reflect the issues of today, or if it should be disregarded completely. In order to inform your decision, it is important to look at NATO through the lenses of today's conflicts and issues.

Cyber Security

Article 5 clearly states that an attack against one is an attack against all. When this was written, it was fairly easy to define an attack; it was a military operation taken against a country. In today's era of hacking and cyber attacks it has become increasingly difficult to define an attack. Countries such as Russia, China, North Korea and countless non government organizations have been accused and even found guilty of hacking the governments and organizations of many NATO member states. While these security breaches have yet to result in violent retaliation, if there were a cyberattack significant enough to warrant military response, would it be appropriate to invoke Article 5?

Non-State Actors

As mentioned in the section above, more and more the world is seeing attacks both cyber and militaristic being carried out by non-state actors. A non-state actor or organization is any individual or group that is not representing a state's government. These include hacker networks, terrorist groups, and individual violent actors. While they are occasionally funded by corrupt governments, there is no denying that an attack made by a non-state actor differs greatly from an attack made by a state. How can NATO adapt to combat the rise in power of violent non-state actors? Can Article 5 be invoked to retaliate against an organization or even a single person?

Economic Contribution

One of the most common arguments used by those against NATO addresses the issues with economic contribution. In 2014, NATO members agreed that they would try to each

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contribute 2% of their overall GDP (the value of all the goods and services made in a country in a year) towards NATO. This wasn't a binding contribution, and therefore most member states have failed to meet this contribution. Only the United States, Bulgaria, Greece, The United Kingdom, Estonia, Romania, Lithuania, Latvia, and Poland have contributed above the 2% threshold. This leaves only a few countries paying for the majority of NATO's infrastructure and technology. Is it then fair for countries that do not contribute as much as others to have access to the same resource as those that pay the most? Should countries have to spend a certain amount in order to be able to continue being in NATO, or are all countries welcome in the alliance regardless of contribution?

Where to Start Your Research

I hope that after reading this background you begin to understand the impact that NATO has on world politics, and how the wording of a single document can lead to actions that could change the course of history. As you begin your research, I encourage you to think critically about Article 5 and the whole of the North Atlantic Treaty. How does this Treaty affect your country? Does your country contribute significantly to NATO? What issues are facing your country that might result in you invoking Article 5? And most importantly, does your country feel that NATO is still a relevant and necessary organization or an artifact of the old world of international politics? Consider each of these questions carefully, and don't be afraid to think outside the box!

Helpful Links

https://www.nato.int/cps/en/natolive/official_texts_17120.htm

https://www.nato.int/cps/en/natohq/declassified_139339.htm

<https://www.nato.int/cps/en/natohq/structure.htm>

https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2019_11/20191129_pr-2019-123-en.pdf

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