

Positions for the North Atlantic Treaty Organization

I. Examining NATO's Role in the Africa-EU Energy Partnership

Article 2 of the North Atlantic Treaty states that, "The Parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions... and by promoting conditions of stability and well-being"ⁱ. Germany believes that this speaks directly the heart of NATO's role in the Africa-EU Energy Partnership. By promoting peace and dialogue as a remedy to the internal conflict in many African nations, Germany feels that an end to violence is instrumental in establishing a strong and safe infrastructure for developing African nations. German organizations, such as Deutsche Gesellschaft für Internationale Zusammenarbeit (DIZ), work to support peoples and societies worldwide to help create sustainable living conditions and help them build towards a better future. In a joint press release the AU accepted 30 million Euros from Germany, with peace and security being a priority area of cooperationⁱⁱ. Germany feels that NATO should work towards cooperation with struggling African nations in order for any kind of energy infrastructure to become reality.

The Joint African EU Strategy Action Plan for 2011-2013 states that access to sustainable and affordable energy and energy services is a key issue for African and European citizens, and that because of its vast untapped resources Africa is an ideal place to develop new technologies and renewable energiesⁱⁱⁱ. Germany feels that with continued cooperation with many of these African nations poses a potential investment opportunity as well as an expansion of new renewable energy alternatives. In Kenya the Olkaria geothermal field helps to fulfill extra energy needs, and was partly financed by the KfW of Germany. Germany believes that NATO should promote the usage of renewable energy methods and provide assistance to African nations who are willing to accept these beneficial energy practices.

Germany also acknowledges the role natural resources play in conflicts and conflict resolution. Many regions in Africa are highly contested because of the value of their natural resources to the world market. The JRC European Commission found that while the control of natural resources helps to fuel conflict, they can be very useful in post conflict resolutions and that the failure to address the governance of natural resources can delay the return to peace and cause a relapse into conflict^{iv}. Germany feels that NATO, in lines with its peace keeping doctrine, should not ignore this issue when dealing with African nations recovering from internal conflict. Germany strongly feels that above all, direct NATO military intervention should be the last recourse when dealing with Developing African nations. Germany above all believes in strengthening Europe as a model for cooperation and integration, advocating peace and disarmament, and seizing the opportunities offered by globalization as a benefit to all.

II. Ensuring NATO's Ability to Operate Effectively in Time of Economic Turbulence

NATO member states are all facing hardships in the wake of a global economic downturn. Many member nations have proposed cutting their spending in order to deal with the debt their countries have accrued. Germany faces the same problems in light of recent economic events in the Eurozone, but still stands committed to its NATO obligations. Germany believes that NATO's economic policy should reflect that of austerity, in that NATO should cut back extra expenditures as much as possible. As the NATO-PA Economics and Security Committee suggests, "recessions have a powerful negative impact on government receipts. As personal and corporate incomes fall, tax intakes plunge"^v. If countries are not able to bring in tax revenue they seek to borrow more money, it puts them farther into debt. With countries tightening down on their expenditures the first programs to get cut, in most cases, are defense programs. Germany believes the NATO-PA should work at promoting multilateral action between nations, to resolve the issue of over extension of national debt, to stave off a possible worldwide economic collapse. Currently, Germany is the second highest contributor of funds, to both the civil and military, programs in NATO with Germany being responsible for 15% of all NATO capital. During a summit at Strasbourg/Kehl in April, 2009, NATO put together a group of experts from around the world to come up with a new NATO Strategic Concept. They found that alliance success depends on the equitable sharing among members of roles, risks and responsibilities, as well as benefits^{vi}. Germany believes that this equitable sharing risks and responsibilities falls on all nations who have put into place horrible fiscal policies that eventually will destroy the world financial markets if not corrected. Germany feels that it is up to NATO, NATO-PA and the Economics Security Committee to come up with a multilateral plan to combat this growing economic problem that threatens the security of all NATO member states.

Germany also seeks to work with NATO in combating cyber-attacks, a threat to international security. On June 8th 2011, NATO Defense Ministers approved a revised NATO Policy on Cyber Defense, and this revised policy stated that "The development and use of destructive cyber tools that can threaten national and Euro-Atlantic security... but across the Alliance

as a whole^{vii}. Germany agrees with the Defense Ministers and believes that this issue will be one of NATO's top priorities as the world becomes more and more interconnected through the internet.

III. A Review of Policies to Prepare for, Prevent and Deter Maritime Piracy

NATO's role in combating maritime piracy has been very successful in deterring these acts of terrorism on the high seas. Since the beginning of Operation Active Endeavour in October of 2001, NATO forces have been successful in limiting maritime piracy through tracking and boarding suspicious ships, and through systematically surveying potentially dangerous waters^{viii}. Due to the overwhelming use of ocean transport for trade, 90% of world commerce, and that 75% of those vessels travel through canals and vulnerable straights, Germany feels that NATO has been succeeding in deterring maritime piracy. For the pirates who are captured, however, the international communities (and NATO) have little to do with prosecuting these criminals. Germany's maritime policy seeks to protect all German transport ships, as well as curb piracy off the coast of Somalia as well as in the Indian Ocean. An increase in ships that are prepared for such attacks, whether through more security on board or through NATO involvement, also acts as a deterrent to possible pirates. Jan Gerd Becker-Schwering, with the German economy ministry, states that "Using sovereign forces would not pose financial and capacity problems, and we could only use them on ships that sail under the German flag", but most often ships are registered under other flags than that of the ship's owner in order to avoid taxes and regulations of the owner's country. Germany believes that policies need to change when dealing with maritime piracy and other terrorist activities. Due to Germany's large amount of shipping exports, efforts have been made in bilateral maritime policies throughout the world^{ix}. Germany feels that NATO should add additional support in areas that are seeing more piracy, and take away from areas that have seen a large reduction in the amount of pirate activities.

One major problem is the lack of cooperation from the international community to prosecute these maritime terrorists. Germany seeks to have these criminals brought to justice, but in a way that does not violate their basic human rights. Germany feels that NATO and the UN need to clear up issues of jurisdiction on the high seas. The NATO Alliance Maritime Strategy states that all of NATO's activities will be conducted in accordance with international law, including any applicable treaties and customary law and any relevant United Nations Security Council Resolutions^x. Germany feels that the problem with this is a unclear, due to different meanings of jurisdiction on the high seas. Not all countries follow the UNCLOSIII guidelines set forth by the UN in 1982, which sets the oceanic boundaries of countries. Germany believes that without consistency across the board, then an acceptable definition on what maritime piracy really is cannot be established. Article 101 of the Law of The Sea Convention of the UN states a this problem with more clarity, it states that Article 101 simply means that the pirating act committed on the high seas or outside the jurisdiction of any state is caught by this provision, but does not suggest that such an act is not a criminal act if committed within the jurisdiction of a coastal state^{xi}. Germany feels that NATO is doing what it can to combat this issue, but without a clear definition of who the NATO forces and in what waters, these offenders will not be brought to justice. Germany is committed to fighting the threat of piracy in the international waters of the African horn, the Indian Ocean, and Straits of Malacca in the waters of South East Asia. Germany also understands its responsibility to protect its own people and civilians from acts of piracy, and will continue to work to train ship captains properly who fly under the flag of The Federal Republic of Germany.

ⁱ North Atlantic Treaty Organization. The North Atlantic Treaty. http://www.nato.int/cps/en/natolive/official_texts_17120.htm

ⁱⁱ Africa-EU Energy Partnership. AU-German Joint Press Release. http://www.africa-eu-partnership.org/sites/default/files/pr_au_german_cooperation_agreement_181109.pdf

ⁱⁱⁱ Africa-EU Energy Partnership. Joint Africa-EU Strategy Action Plan 2011-2013. http://www.africa-eu-partnership.org/sites/default/files/doc_jaes_action_plan_2011_13_en.pdf#page=5

^{iv} Africa-EU Energy Partnership. JRC Scientific and Technical Reports: Armed Conflict and Natural Resources. http://www.africa-eu-partnership.org/sites/default/files/regno_jrc64271_1bna24861enc.pdf

^v NATO Parliamentary. Confronting a Difficult Budgetary Crisis: Economic Crisis, Fiscal Consolidation, and the Risk of Europe's Strategic Irrelevance. 179 ESC 11 E. <http://www.nato-pa.int/Default.asp?SHORTCUT=2549>

^{vi} North Atlantic Treaty Organization. NATO 2020: Assured Security; Dynamic Engagement. http://www.nato.int/cps/en/natolive/official_texts_63654.htm?selectedLocale=en

^{vii} North Atlantic Treaty Organization. NATO and Cyber Defense. http://www.nato.int/cps/en/natolive/topics_78170.htm

^{viii} North Atlantic Treaty Organization. Operation Active Endeavor. http://www.nato.int/cps/en/natolive/topics_7932.htm

^{ix} Federal Foreign Office. International Maritime Traffic. http://www.auswaertiges-amt.de/EN/Aussenpolitik/Aussenwirtschaftsfoerderung/Verkehr/InternationalerSeeverkehr_node.html

^x North Atlantic Treaty Organization. Alliance Maritime Strategy. http://www.nato.int/cps/en/natolive/official_texts_75615.htm?selectedLocale=en

^{xi} Mo, John. Ocean Development & International Law, 33:343-358, 2002. *Options to Combat Maritime Piracy in Southeast Asia*. 2002 Taylor & Francis. <http://www.southchinesea.org/docs/Mo,%20Options%20to%20Combat%20Piracy%20in%20SEAsia.pdf>