

North Atlantic Treaty Organization

Review

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Abstract

The International organizations generally differ regarding their extent of action. In this regard, it is important to mention the international organizations such as the North Atlantic Treaty Organization, NATO is.

The North Atlantic Treaty Organization was created during the Cold War period in order to prevent the communist danger of the time, respectively to prevent the progress of socialism. So, the North Atlantic Treaty Organization, as a political-military organization aims to avoid the risk of communist aggression based on this organization, which at the same time insists in preserving the peace, security and stability of in Europe.

Under the treaty, all member states have expressed their belief in the purposes and principles of the United Nations Charter and have repeated their desire to live in peace with all nations and governments and have expressed a desire to preserve freedom of their people, common life, and civilization, based on the principles of democracy, individual freedom and rule of law. Based on this, it is important that all member states of this organization are obliged to solve all disputes peacefully, according to the rules of the United Nations Charter.

In relation with other international organizations, NATO is a military and political organization, which has passed several phases of its transformation, which the last phase is its return from its foundation.

Today NATO is an alliance that consists of 29 member states, which means that it will continue with the enlargement, by joining new states that want to become new members of the alliance.

Keywords: North Atlantic Treaty Organization, International, Treaty, Member, State.

9. Introduction

The North Atlantic Treaty Organization (NATO) as a political-military organization aims to avoid the risk of the aggression based on this organization, which at the same time insists to preserve peace, security and stability in Europe.

According to this, it is important to mention that all NATO member states are obliged to settle all disputes peacefully, according to the rules of the UN Charter.

This paper's intention is to provide some information about NATO's past and its role today.

In reference to the North Atlantic Treaty Organization - NATO, which includes NATO's founding, also are elaborated NATO's main bodies, with the aim to know the responsibilities and its roles.

It is also important to consider the time periods of NATO transformation starting from its establishment, or from 1949 to 2015, for which NATO's key role remains protection against Russian influence.

Also, the table below shows the years of membership of all member states since NATO's establishment until now. It is also important to pay attention to the conditions that candidate countries must fulfil in order to be members of this powerful political-military organization such as NATO is.

10. North Atlantic Treaty Organization

The North Atlantic Treaty Organization, known as NATO, was established on April 4, 1949 in Washington by ten Western European countries (Belgium, Denmark, France, Iceland, Italy, Luxemburg, Holland, Norway, Portugal and Great Britain) and United States of America and Canada, then after that joined Greece and Turkey (1952), the Federal Republic of Germany (1955), Spain (1982), Poland, Hungary and the Czech Republic (1999).

NATO is a military-political organization of the capitalist states of Europe and North America that was created in the period of the Cold War and the severe division of the world into two antagonistic systems to prevent the risk of communist aggression, as the creators of this organization stated, or to prevent the progress of socialism, as stated by communist authors. This is seen in the preamble of the Agreement, which stipulates that the organization is based on "the general legacy and civilization of peoples", that have established, which basically expresses the socio-class platform.¹ In 1997 the North Atlantic Treaty Organization (NATO) made a decisive contribution to achieve an undivided new Europe.²

Under the Treaty, NATO member states have expressed their belief in the purposes and principles of the UN Charter, have restated their desire to live in peace with all nations and governments and have expressed a desire to preserve freedom for their people, collective life and civilization, based on the principles of democracy, individual freedom, and the rule of law. Member States are obliged to settle all disagreements peacefully (in accordance with UN Charter rules), to be reserved from the threat or use of force in international affairs, to be assisted by themselves and will strengthen their individual and collective capacities against any (eventual) armed attack, to be consulted at any time when, in the opinion of one of the members, the territorial integrity is endangered, the political independence or security of any party and ultimately agree that any armed attack against one member or many members would be considered as an attack on all, with each and every member of the party, using the legitimate right of individual or collective defence anticipated by Article 51 of the UN Charter, will assist the party or the attacked parties by undertaking it individually and in accordance with other members, all the measures they deem necessary, including the use of armed forces to restore security. States are further obliged to immediately inform the Security Council of all measures taken to fulfil the legitimate right to self-defence and that they will be terminated at the time the Security Council takes the necessary measures for resettlement and retention of international peace³.

The obligation to grant assistance comes into force in the event of an attack on the naval, air or land forces of one or several Member States, in the North Atlantic area, on the territory of the Parties in Europe and North America, in the Mediterranean Sea and the Asian part of Turkey and the islands in the North of the Cancer Parallel (Northern Tropics). This included Algeria as it met with France. Mutual assistance is "justified" with Article 51 of the UN Charter, although this in some way represents the usurpation of the exclusive functions of the Security Council. Exceeding

¹ Gruda, Z., E drejta ndërkombëtare publike, (translated from albanian), Pristina, 2003, p. 350.

² Bebler, A. A., The Challenge of NATO Enlargement, London, 1999, p. 3.

³ Gruda, Z., E drejta ndërkombëtare publike, (translated from albanian), Pristina, 2003, p. 351.

the Charter examinations constitutes the implementation of consultations if the territorial integrity, political independence or security is beyond the scope of Article 51, where the “armed attack threat” is foreseen, but only if an armed attack has been committed.⁴

11. NATO’s main bodies

The organizational structure of NATO is such that it clearly expresses its character of being a political-military composition. The main NATO bodies are:⁵

- *The North Atlantic Council* - is the highest decision-making body of NATO, which as such was the only one, defined by NATO's founding treaty. The Council is a political body represented by representatives of governments and member states. Decisions in the Council, by the very fact that NATO is an intergovernmental organization, are consensual. The Council is composed by representatives of all member states at the level of foreign ministers, who meet twice a year, in spring and autumn (once in one of the capitals of member states and next time at the NATO headquarters in Brussels). The Council is empowered to consider any matter related to the performance of the agreement. Depending on the issue being dealt with, the work of the Council may be attended by defence and finance ministers, but sometimes prime ministers may also participate in their work. The Council makes its decisions unanimously. The Council and the Defence Planning Council have set up several committees, which are auxiliary organs dealing with political, defence, economic, scientific, civil defence, communication issues etc., such as: The Committee of Nuclear Defence, the Public Committee, the Economic Committee, the Scientific Committee, the Committee for the Problems of Modern Society (dealing with environmental problems) etc. Both Council meetings on NATO activities are chaired by the Permanent Council, which is composed of representatives of the member states at the headquarters of the Organization. Their meetings are chaired by the NATO’s Secretary General.⁶
- *The North Atlantic Assembly* - is an interparliamentary forum of parliamentarians of NATO member states.⁷
- *NATO Secretary General* - is an individual executive body of NATO, which is appointed and is accountable to the North Atlantic Council.⁸ He is the chairman of the Council and Defence Committee. He is responsible for conducting consultations among member states, provides good services to member states that are in conflict and proposes ways for peaceful settlement, etc. He is assisted by the Deputy Secretary General and four Assistants for various issues (political, policy and defence planning and scientific issues).⁹
- *The Defence Committee* - consists of permanent representatives of member states and is tasked to discuss all issues of military policy. In its composition, this Committee has the Committee on Nuclear Protection, the Nuclear Planning Group and Eurogrup, representing the defence ministers of member states, which takes the most important decisions on strategic issues.¹⁰
- *The Military Committee and the Command* - Military Committee is made up of chiefs of staff, while assisted by a permanent military body. This body prepared recommendations for the Council and Defence Committee on military issues. It meets at least twice a year, or as needed, while its

⁴ Ibid, p. 351.

⁵ Reka, B., Bashot, B., and Sela, Y., Marrëdhëniet ndërkombëtare, (translated from albanian), Skopje, 2016, p. 211.

⁶ Gruda, Z., E drejta ndërkombëtare publike, (translated from albanian), Pristina, 2003, p. 351.

⁷ Reka, B., and Sela, Y., E drejta ndërkombëtare dhe Evropiane, (translated from albanian), Tetova, 2007, p. 52.

⁸ Ibid, p. 52.

⁹ Gruda, Z., E drejta ndërkombëtare publike, (translated from albanian), Pristina, 2003, p. 352.

¹⁰ Ibid, p. 351.

activity is continually developed through a permanent representative who has every chief of staff. For various strategic areas, several commands have been created, such as the Supreme Allied Command (Mons, Belgium), the Atlantic Command (Norfolk, Virginia), the Channel Command (Northwood, England) and the Regional Planning Group (Canada, USA). Members of the Command prepare a defence plan for their areas and related issues. In peace time, the armed forces of each state are under the command of the respective state.¹¹

The NATO headquarters were in Paris until the mid of 1967, when it moved to Brussels after the withdrawal of France's defence forces from the NATO defence system. This decision has not affected France's political affiliation in this organization.

NATO as a blocking system has been faced with many problems due to serious disagreements between USA and European countries (US global interests and European special interests, disagreements between Greek-Turkish members about Cyprus, for which reason Greece has once withdrawn from this military organization, etc.). It has been criticized as a war-dealing organization that serves as an instrument of ideological warfare. Naturally, other issues are discussed for NATO, such as whether this organization is regional or not, since Turkey and Greece have entered in its composition, if it is in accordance with the UN Charter, if it is an aggressive defence organization etc., things that the authors and statesmen's opinions have been quite divided.¹²

Article 12 of the Treaty provides that after the expiration of 10 years from the date of entry into force of the treaty, the party (state) may from either of the parties (countries) may request consultations for the purpose of reviewing the treaty in the light of factors who perpetuate peace and security in the North Atlantic area, including overall development as well as achievements based on the United Nations Charter for the Conservation of International Peace and Security. While Article 13 of the Treaty provides that after the expiration of 20 years from the date of entry into force of the treaty, each Party (State) has the right to depart one year after the departure notice is submitted to the US Government, which notifies the governments of other states of acceptance of the notice of leaving of any party (state).¹³

12. NATO Transformation Stages

From its founding until today, NATO has been followed by a very interesting transformational trajectory. In general, NATO went through four main stages of its transformation:

- *First: 1949-1995*, or the stage of the original mission of the North Atlantic Alliance created during the Cold War to prevent the Soviet invasion in Europe, within which its strategic goals were: maintaining peace, security and stability of Europe unique and not allowing its separation from Cold War threats and geopolitical bipolarity and the protection of its members (Article 5 of the treaty);
- *Second: 1995-2001*, during which NATO begins to transform itself from a largely military defence alliance into a fully military-political organization of enforcing peace and guaranteeing Western values and standards of civilization and democracy. From the defensive alliance for its members after 1995, with the first intervention outside the territory of its members: in Bosnia and Herzegovina with the request and consent of the latter, and especially after 1999, with intervention

¹¹ Ibid, p. 352.

¹² Ibid, p. 352.

¹³ https://www.nato.int/cps/en/natohq/official_texts_17120.htm (30.03.2018), The North Atlantic Treaty includes 14 articles.

in Kosovo without the consent of Former Republic of Yugoslavia, it was transformed into a military-political organization that prevented the recent genocide in Europe, and became the universal guarantor of peace and protection of human rights, democracy and basic Western civilization values.¹⁴ According to the newest American doctrine, its further transformation is required as a force of action outside the European continent;

- *Third: 2001-2008*, or the phase of NATO involvement in the fight against global terrorism and the engagement of its troops in Afghanistan and Iraq to defeat Al Qaeda and the Taliban regime following the September 11, 2001 terrorist attacks in New York and Washington;
- *Fourth: 2008-2015*, a phase that is referred to as a return to its founding mission but to the Cold War, especially after the Russian annexation of the two Georgian provinces of Abkhazia and South Ossetia (in the August 2008 war) the annexation of Crimea and eastern Ukraine from Ukraine in 2014 and the Russian Syria bombing (30 September 2015). NATO returns to Europe after the 13-year-old departure, strengthening its eastern border in the Baltic and Poland countries threatened by the demonstration of Russian military force. From its summit in Wales, 2015, NATO clearly stated the return of the North Atlantic Alliance to its own mission, protecting Europe from the Russian threat. This mission was then implemented with the establishment of the NATO Rapid Reaction Force, the relocation of NATO permanent troops, including the US military at the borders with Russia.¹⁵

13. NATO member states

NATO is an alliance that consists of 29 member states. In the table No. 1 are presented the countries that have joined NATO since 1949 - 2017.¹⁶

Table 1: NATO member states

NATO member states								
Year	1949	1952	1955	1982	1999	2004	2009	2017
	Belgium	Greece	Germany	Spain	Czech Rep.	Bulgaria	Albania	Montenegro
	Canada	Turkey			Hungary	Estonia	Croatia	
	Denmark				Poland	Latvia		
	France					Lithuania		
	Iceland					Romania		
	Italy					Slovakia		
	Luxembourg					Slovenia		
	Netherlands							
	Norway							
	Portugal							
	Britain							
	USA							
Total:	12	2	1	1	3	7	2	1

¹⁴ Reka, B., Bashot, B., and Sela, Y., Marrëdhëniet ndërkombëtare, (translated from albanian), Shkup ,2016, p. 211.

¹⁵ Ibid, p. 212.

¹⁶ <https://www.nato.int/nato-welcome/index.html> (30.03.2018)

As it can be seen from the table above in 1949, 12 countries joined the NATO membership, marking the largest membership number in this organization. While the smallest number of NATO member states is in 1955, 1982, and 2017, where only one state has joined.

6. Enlargement of NATO

NATO doors remain open to any European country in a position to take on the commitments and obligations of membership and to contribute to security in the Euro-Atlantic area. Since 1949, NATO membership has grown from 12 to 29 countries through eight rounds of enlargement. At the present, four Partner countries have declared their aspirations for NATO membership: Bosnia and Herzegovina, Georgia, the former Yugoslav Republic of Macedonia and Ukraine.

The Former Yugoslav Republic of Macedonia has been assured that it will be invited to become a NATO member once a mutually acceptable solution to the name issue with Greece is reached.¹⁷ Since the agreement on the name issue has been reached, North Macedonia is in the process to meet the obligations arising from the agreement that consents to the constitutional changes and of course the same agreement to be ratified from both states.

7. Conclusions

Topic under discussion: The North Atlantic Treaty Organization, NATO is an important topic, the presence of which is under discussion even nowadays.

As we discussed earlier, we saw that NATO is a very powerful organization, both regionally and internationally.

In this case it is worth mentioning that the basis of all international organizations was the concept of international congresses as well as the concept of international integration. It is also worth mentioning that all international organizations were created after the Second World War.

Regarding NATO's history, we saw that it was created in 1949, where the Washington Treaty was also signed.

Of particular importance of the above mentioned treaty are its provisions, and in particular Article 13, which provides that not every state that is and which claims to be a member of the alliance has the right of secession from the alliance, except for the expiration of the time limit, which is a state's right to detach from this organization (NATO) is allowed.

It is important to emphasize the part that has to do with the time periods of the transformation of NATO, starting from its founding to the present day. From here we can conclude that until now, NATO's goal remains the defence of Europe from Russian influence.

Today, NATO as a political-military organization, is made up of a large number of states, i.e. a total of 29 member states, the integration of which is done year after year, with the largest number of countries since its establishment in 1949, and the number of memberships significantly decreased in the next years, but it doesn't mean that other sovereign states do not express interest to join the NATO.

¹⁷ https://www.nato.int/cps/en/natolive/topics_49212.htm (31.03.2018)

References

1. Bebler, A. Anton., *The Challenge of NATO Enlargement*, London, 1999;
2. Gruda, Zejnulla, *E drejta ndërkombëtare publike*, (translated from albanian), Prishtina, 2003;
3. Reka, Blerim, Bashot, Bardhok dhe Sela, Ylber, *Marrëdhëniet ndërkombëtare*, (translated from albanian), Skopje, 2016;
4. Reka, Blerim , Sela, Ylber, *E drejta ndërkombëtare dhe Evropiane*, (translated from albanian), Tetova, 2007.
5. https://www.nato.int/cps/en/natohq/official_texts_17120.htm? (30.03.2018)
6. <https://www.nato.int/nato-welcome/index.html> (30.03.2018)
7. https://www.nato.int/cps/en/natolive/topics_49212.htm (31.03.2018)