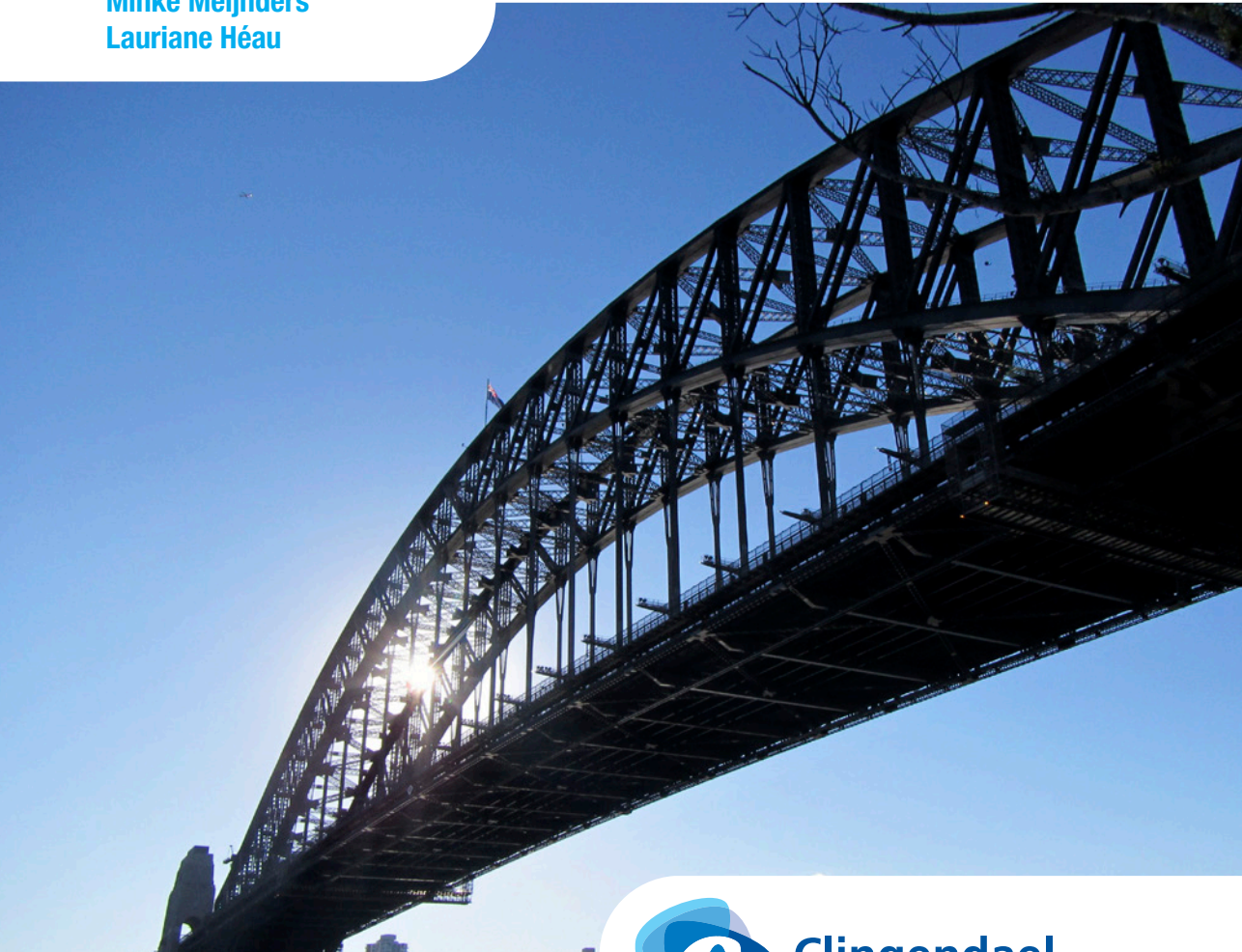


Coupling or decoupling?

Spillover in the multi-order

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Clingendael Report



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Introduction

The international order is complex. Some policy domains are characterised by positive interactions, while other policy domains have a more conflictual nature. For example, there is substantial cooperation on climate change between Western and non-Western governments. But at the same time, tensions relating to Ukraine continue to generate highly strained relations with ripple effects across many interactions between them. The Clingendael Strategic Monitor 2017 termed each separate policy domain a regime and dubbed the co-existence of multiple regimes a *multi-order*.

A consequence of different relationships in policy fields is that the relations between states are complex: states may have strained relations in one domain (e.g. the United States' and European Union's respective positions on climate change) but cooperate in another (e.g. the US and EU on territorial integrity). For policy-makers the multi-order introduces complexity: how should they behave if the same state is an ally in one domain and an antagonist in another? Should policy-makers aim for increased cooperation in areas where relations are improving in the hope that it will lead to positive relations in another policy domain? Or should they seek to isolate problematic interactions and refrain from seeking to link policy domains? Should they couple or decouple policy domains?

In the Netherlands this question is particularly relevant given the recent calls for better cooperation and integration between various departments in the Dutch government. Various institutes have brought the complications of the multi-order to the forefront and called for better cooperation and integration. The Netherlands Scientific Council for Government Policy (known as WRR) has called for an integrated security strategy and a security plan-bureau.¹ The Clingendael Institute and The Hague Centre for Strategic Studies (HCSS) have both called for the establishment of a National Security Council that could break the various stovepipes.² There is an ongoing debate about the relationship between the strategies: the Ministry of Foreign Affairs' International Security Strategy, the Ministry of Defence's White Paper, and the Ministry of Justice and Security's National Security Strategy. In an effort to resolve the 'tension' between these approaches, the Dutch governmental coalition decided on the creation of an integrated Security Strategy combining both internal and external security aspects.

1 Wetenschappelijke Raad Voor Het Regeringsbeleid (WRR), *Veiligheid in een Wereld van Verbindingen*, Den Haag: 2017.

2 Kars de Bruijne and Minke Meijnders, *Clingendael Strategic Monitor: Multi-Order 2017*. & The Hague Centre for Security Studies (HCSS), *Volatility and Friction in the Age of Disintermediation*. HCSS Stratmon Annual Report 2016/2017.

The multi-order raises the question as to how security policy-making should be organised. If negative international interactions have ripple effects throughout the multi-order and different policy domains, it could be wise for states to maintain the stovepipes in order to prevent negative trends from spreading (decoupling). Yet if positive international interactions have a positive consequence beyond their own policy field, it makes sense to search for increased interaction and twinning of civil servants. On the other hand, if spillover, negative or positive, does not occur, there seems to be little need to seek integration. This paper assesses how regimes in the international order relate to one another from a security perspective – whether there is negative, positive, or no spillover – and what this means for policy-making in the Netherlands.

The paper is composed of four parts. Part one introduces some examples and describes the research logic. Part two delves into the issue of negative spillover: do known problems in the nuclear regime translate to other regimes? Part three assesses positive spillover: do supposedly positive trends in the counter-terrorism (hereafter referred to as CT) regime translate into positive effects on other issue areas? Part four provides conclusions. The cases in this study suggest that today's international order experiences very little spillover. For policy-makers this has the following implications:

1. This study suggests that problems in individual security regimes are not leading to rapid deterioration in the international order. This conclusion is based on technical security regimes but applies to more political regimes as well.
2. Findings also suggest that tensions in one regime *may* have negative effects on the degree of cooperation in another regime. Both case-studies highlight that tensions in the territorial integrity regime caused by the Russian annexation of Crimea may have had a negative impact on cooperation on nuclear non-proliferation and counter-terrorism, even though these are security issues of a more technical nature. In these instances, less operational contact between policy-makers seems most advisable.
3. In light of the findings on cooperation and integration, this report suggests *neither a clear benefit nor a clear downside to increased operational contact between policy-makers working on separate regimes*. There are no incentives to link different policy-fields or issues, as policy-fields are mostly specialised and technical. There may be other reasons to seek cooperation (e.g. more effective use of scarce resources) but this study does find no evidence to justify a bigger push from the perspective of spillover.
4. Despite the fact that this study is neutral on increasing operational contact between policy-makers, it does point at the need for increased strategic cooperation. The highly specialised and technical nature of regimes makes it difficult for policy-makers who are involved in those policy domains to make integral assessments.

1 Motivation, research design, method and mechanisms

The functioning of international cooperation in the multi-order is highly complex. The Clingendael Strategic Monitor 2017 analysed security trends in regimes relating to the following ten themes: territorial integrity; terrorism; chemical, biological, radiological, and nuclear (CBRN) weapons; humanitarian crisis management; energy; free trade; the EU; transnational organised crime; climate change; and cyber security. The current report focusses on the nuclear arms control regime and the CT regime. The former has mildly negative trends and the latter has positive trends, which is ideal for this paper's purposes.

From the outset it should be clear that this paper does not provide a definitive answer to the research question. Firstly, we only explore two domains out of at least ten in which the Netherlands is active internationally today. Secondly, we have made a preselection of potential spillover patterns. Thirdly, our analysis rests mainly on a set of interviews with public officials working on the two domains, which is subject to bias and recalls limitations. Nonetheless, the study produces some clear trends and insights.

Motivation

Case study 1: An investigation of spillover effects in terms of cooperation or tensions from the nuclear arms control/CBRN regime to other policy domains.

The nuclear arms control regime is a policy field within the CBRN regime and relates to limiting the development, proliferation, or usage of nuclear weapons. The case study explores in particular the Humanitarian Initiative regarding nuclear weapons – a large group of states and non-state actors dissatisfied with how slowly nuclear weapon states are disarming. In July 2017 the Treaty on the Prohibition of Nuclear Weapons (often called the Nuclear Weapon Ban Treaty) was adopted at a UN conference, as a result of this initiative. The study explores what effects this move has had on other policy fields.

Case study 2: Actual or potential spillover effects in terms of cooperation or tensions from the counter-terrorism regime. This regime relates to efforts to counter terrorism at the international level. The study focusses on the Global Counterterrorism Forum (GCTF), an international forum of 29 countries including China and Russia as well as the EU. At the forum, experts and practitioners share experiences and expertise and develop tools and strategies to counter terrorism. The forum focusses on attendees' common interests. The study explores its effects on other regimes.

The two regimes were selected because the Clingendael Strategic Monitor 2017 showed diverging trends for them: the degree of international cooperation on terrorism is expected to increase over the coming years while the CBRN regime is expected to deteriorate somewhat, even as it remains relatively stable.³

Research design and method

This study focusses on some particular expected spillover effects in each case study. Regarding the nuclear regime, it was expected that negative developments would most strongly impact the **territorial integrity regime**. The territorial integrity regime relates to the degree to which nations respect other states' existing borders, and whether and under what conditions they apply force over contested borders. The CBRN regime and the territorial integrity regime are often considered the cornerstones of international cooperation (perhaps together with free trade). Thus it seems likely that if the nuclear regime has spillover effects, they would be most likely to affect the territorial integrity regime.

For the CT regime, we assessed whether positive developments would spill over to the regime for addressing **transnational organised crime**. These two regimes have various links that support our hypothesis that positive effects of the former are most likely to manifest themselves in the latter.

We probed both a Western and a non-Western perspective. Specifically, we provide general discussions that encompass the European, US, and Russian perspectives. We focus on these powerful entities because of the assumption that they will have the largest effect on the development of regimes, and test this assumption through our focus.

Our key distinction is between positive and negative spillover. In the former, cooperation or tensions in one issue area aids the pursuit of objectives in another issue area. In the latter, cooperation or tensions in one issue area undermines the pursuit of objectives in another issue area.⁴

Negative spillover effects from one policy domain to another in theory include **forum-shopping**, in which actors select international venues based on where they are best able to promote their political preferences; **regime-shifting**, in which actors seek to

3 Bibi van Ginkel, Clingendael Strategic Monitor: Counter-terrorism 2017; Sico van der Meer, Clingendael Strategic Monitor: CBRN, 2017.

4 Definitions based on Johnson, Tana and Johannes Urpelainen, A Strategic Theory of Regime Integration and Separation, *International Organization* Vol. 66/4, October 2012, pp. 645-677.

reshape the global structure of rules by turning to parallel regimes that prioritise other objectives; and **derailing developments** in other policy domains, whether on purpose or unintentionally. Positive spillover effects include **mutual trust**, in which positive developments in one policy domain promote trust which in turn improves another domain; **provision of ideas**, such as when one regime copies an innovative policy that promoted cooperation in another; **nested institutions**, such as when a core group is formed that reaches agreements more easily, creating a common interest to expand obligations to other actors; and **small-group environments** wherein the same actors work on various regimes, including prominent regimes, that have a multiplier effect in other areas as well.

The evidence underpinning this study came from desk research and 14 interviews with a range of decision-makers and experts in the Netherlands/Western Europe, the US, and Russia. This ensured Western and non-Western perspectives got taken into account, along with small and big countries and governmental and non-governmental views. The interviews were focussed on mid-level and high-level (director level) policy-makers to maximise the potential of uncovering cross-policy domain interaction.

The interviewees included policy-makers at the Dutch Ministries of Foreign Affairs, Justice and Security (National Coordinator for Security and Counterterrorism/ NCTV, Dutch Prosecutor Office), and representatives from the Netherlands police. University and think-tank researchers from the US, Russia, and the Netherlands also participated. A member of a civil society organisation in the Netherlands and a former member of several international organisations such as the International Atomic Energy Agency (IAEA) and the Global Counterterrorism Forum (GCTF) provided specific non-governmental perspectives.

The interviews took place in the form of meetings in the Netherlands, phone interviews, and in one case a written interview. They included five interviews on the nuclear case study and five on CT while four addressed both policy domains. Thus, we gained insights from both topical experts and policy-makers and from 'generalist' ones, who oversee a range of policy domains, thus potentially having more opportunities to witness regime interaction or the lack of it.

2 Case study on nuclear arms control and territorial integrity

In the last decade, tensions within the policy domain of nuclear arms control seem to have increased. Although the criticism of non-nuclear weapon states on the very slow speed of nuclear disarmament has existed for many decades already – the Non-Proliferation Treaty (NPT) opened for signature in 1968 and took effect two years later – in the past years this frustration created a new, parallel policy track.

This section explores whether the souring state of the nuclear regime has had any impact on other policy fields. Has it led to trouble in other regimes? In particular, did increasing tensions in the regime of nuclear arms control have any effect on the regime of territorial integrity, and/or vice versa? And if so, what mechanisms explained this pattern of contamination? This discussion focusses on the relationship between the EU and US with Russia.

Context: recent revelations in the nuclear regime?

A number of factors have caused polarisation within the nuclear regime. For example, the US-Russian disagreement on the Intermediate-Range Nuclear Forces (INF) Treaty and the Strategic Arms Reduction Treaty (START) led to tensions that began in earnest in the 1990s. Moreover, US President Trump's plan to quit the 2015 nuclear deal with Iran has continued the trend. Tensions on chemical arms control increased as well with regard to chemical weapons use in Syria and the Russian rejection of research results of the UN and the Organisation for the Prohibition of Chemical Weapons (OPCW).

The largest source of polarisation, however, is a new Treaty on the Prohibition of Nuclear Weapons (often called the Nuclear Weapon Ban Treaty). Encouraged by a strong movement of non-governmental nuclear disarmament organisations and many non-nuclear weapon states, the new treaty opened for signature in September 2017. The negotiations that generated the treaty caused some polarisation among NPT member states: nuclear weapon states and their allies vehemently opposed these negotiations led by a core group of non-nuclear weapon states (led by, among others, Austria, Ireland, and Mexico). To some extent, long-existing tensions within the NPT community became more visible, and some observers and diplomats feared serious damage to the NPT, which is often characterised as the 'cornerstone' of the nuclear

non-proliferation and disarmament regime. To date, rigorous analysis of the effects of the Nuclear Weapon Ban Treaty on the NPT has not yet come to light.

Tensions in the area of nuclear arms control increased roughly at the same time as international problems regarding territorial integrity issues; especially the 2014 Russian annexation of Crimea and its involvement in Eastern Ukraine. Contrasting visions between Russia and the US as well as their respective allies regarding the proper handling of crises in Syria and North Korea also created disagreements and tensions between these countries. Given that the developments in both regimes took place in the same time period, we are interested in knowing whether they influenced each other through spillover.

The position of the EU in the nuclear and territorial domains underlines the complexity of the multi-order. It does not have a unified stand regarding the Ban Treaty; some EU member states strongly support it, others vehemently reject it. The EU sides with Russia in supporting the nuclear deal with Iran and hoping for a successor to the New START Treaty, but it sides with the US in raising doubts on the INF Treaty and, in the chemical domain, in support for the OPCW's research results in Syria.

Possible spillover trends

Spillover effects could move from the nuclear regime to territorial integrity and/or vice-versa. Interviewees were generally unequivocal in claiming that the nuclear arms control regime does not spill over to territorial integrity. Some pointed out that the increasing tensions considering the Ban Treaty negotiations are not actually new. These participants argued that the frustration with the perceived lack of nuclear disarmament by the five nuclear weapon states within the NPT-context had been around for decades. The Ban Treaty negotiations were only a new – and more visible – method to channel them.

Interviewees acknowledged that the Ban Treaty, by drawing attention to the long-existing frustrations, made it necessary for nuclear weapon states to respond more directly to the criticism. This raised the visibility of the countries leading the Ban Treaty negotiations. Diplomats from outspoken pro-Ban countries like Austria, Ireland, and Mexico were so active that they caused resentment among diplomats from other countries, while on the other side the strong lobby of nuclear weapon states, especially the US, to block the Ban Treaty negotiations increased bitterness in countries supporting the ban. It seems possible that these sentiments would have spillover effects on other policy domains.

Yet, interviewees generally said that no spillover existed. They pointed out that diplomats in the arms control regime are generally specialised. They have little direct contact with colleagues from other regimes, including the territorial integrity regime. Russian diplomats dealing with territorial integrity issues may hardly be aware of Austria's outspokenness in the Nuclear Ban negotiations, let alone allow it to influence their own work. Even if this awareness is present, interviewees argued diplomats are generally very professional in making a distinction between countries' positions on different issues. While Austria's vocal role in the Ban negotiations might cause some resentment among Russian diplomats, they are quite aware that Austria might be a source of support regarding other issues. As some of the interviewed experts pointed out, international relations are multi-faceted and diplomats have a tendency to prevent disagreement on one issue from influencing the other aspects of the relationship. This principle applies even more when the issue at stake is a technical, specialist issue which does not have absolute top priority, and most states do not consider nuclear arms control a top priority. Interviewees speculated that if a country were very engaged and outspoken on a single theme and hardly visible on other issues, they may be seen as singularly cooperative or non-cooperative. In the field of nuclear arms control, states that have been active are equally active, if not more so, in other security regimes, so this does not apply.

Opponents to the Ban Treaty claimed it would have negative spillover effects. The Ban Treaty is only a few months old at the moment of writing this report, but these effects cannot be seen yet. So far, it seems to function more as an additional layer on top of the NPT than as a concurring forum or regime. This could change if frustrations continue to increase.

In contrast to their feeling that the nuclear arms control regime has no spillover effects into the territorial integrity regime, interviewees felt that developments in territorial integrity are thought to have spillover effects on nuclear arms control – and everything else. Territorial integrity is generally one of the most prominent issues in international security, and especially when great powers like the US and Russia are involved its impact on other policy issues can be significant. Several interviewees described the US-Russian stand-off about Crimea and Eastern Ukraine as a current issue with impact on almost everything else in international relations, and to a lesser degree the US-Russian disagreement on the conflict in Syria as well. Two interviewees referenced Russian president Vladimir Putin's sending Sergey Lavrov, his minister for Foreign Affairs, at the Fourth Nuclear Security Summit held in the Hague in 2014, while most other states were represented by their head of government or head of state. Russia also refused to cooperate with the North Atlantic Treaty Organisation (NATO) on nuclear arms control following the condemnation by NATO of the situation in Crimea. However, most respondents noted that disagreements and tensions between Russia and the US existed

before 2014, and the Ukraine conflict (only) had an indirect negative impact, worsening an already deteriorated cooperation situation. The picture that emerges from the interviews is that a change in the overall bilateral relations between the US and Russia impacts various policy fields, including the nuclear arms control regime.

Interviewees' comments suggest that the Nuclear Ban Treaty is unlikely to succeed as long as the US and Russia are engaged in (geopolitical) stand-offs regarding Ukraine and Syria. Currently, the spillover effect from the territorial integrity regime to the nuclear arms control regime is mostly negative; problems in the former contribute to problems in the latter. However, according to several respondents, positive spillover effects may occur as well. As soon as tensions decrease in the territorial integrity regime, new opportunities may open up in nuclear arms control as well. One interviewee brought up the topic of increased transparency within the European security order, for instance to avoid misunderstandings during military exercises, as a potential start to renewed cooperation, which could then extend to nuclear arms too. Consequently, interviewees suggested that if positive spillover effects were to occur, they would reflect mutual trust – when states build trust in one domain and therefore find it easier or harder to create trust in another. Particularly changes in mutual trust (less but also more) between great powers like the US and Russia will be a contributor to a potential spillover. A deduction, disappointing though it may be, is that other states in general can hardly influence these big power dynamics.

Conclusion

Spillover effects between the nuclear arms control regime and the territorial integrity regime resemble a one-way street: developments in the territorial integrity regime are influencing developments in the arms control regime, but not the reverse. Interviewees suggested this is due to the different degrees of importance that these regimes have for the states involved in each. They described the nuclear arms control regime as a rather isolated silo of international diplomacy, with mainly specialised diplomats working on the issue. Such specialist regimes do not seem to have much direct interaction with or influence on other regimes. A regime like that of territorial integrity issues, on the other hand, is less specialist and isolated. Several interviewees described the territorial integrity regime as more political than the arms control regime, which they saw as more technical. The territorial integrity regime thus has more spillover effects (positive and negative) on other regimes. Not in the least, because territorial integrity is considered one of the core elements of international relations, more than issues like nuclear arms control.

What does this mean for policy-making? Should policy-makers press for more (or less) contact and/or cooperation between the two regimes? No change to the current situation seems required. The nuclear arms control regime experiences spillover effects

coming from the territorial integrity regime, but these are potentially both positive and negative. Fencing off the nuclear regime would diminish positive spillover effects as well as negative spillover effects, potentially with a net zero effect. Even if it is possible to conclude that tensions regarding territorial integrity will never reverse themselves, erecting a barrier between nuclear policy and territorial integrity might be impossible because of the status of the territorial integrity regime. Since the nuclear arms control regime does not spill over onto the territorial integrity regime, the effort required in seeking to isolate them would have no positive effects in the territorial integrity regime and therefore would be wasted from that point of view.

3 Case study on counter-terrorism and fighting transnational organised crime

Counter-terrorism cooperation takes place in many fora and at various levels – bilateral, regional such as within the EU, and international. At the global level, cooperation initiatives exist between governments and ministries, police forces, and intelligence services. At the level of governments and ministries (and CT coordinators when they exist), actors cooperate to exchange information and best practices, as well as to translate general policies (such as UN Security Council resolutions) into practical measures in each country. This cooperation notably takes place in the Global Counterterrorism Forum (GCTF). Launched in 2011, the GCTF is an international forum of 29 countries and the EU which brings together experts and practitioners to share experiences and expertise, and develop tools and strategies to counter the terrorist threat. It focusses on matters of shared interest (e.g. children born in captivity during IS rule; kidnappings for ransoms). Russia and China – major non-Western states, sometimes believed to challenge the international order – both participate in the GCTF.⁵ It has produced cooperation channels between police at Europol, Interpol, the GCTF, and the Anti-ISIL Coalition. Strong national cultures within intelligence work have been an obstacle to significant cooperation in intelligence services, but initiatives have emerged recently, and growing cooperation at all other levels has attenuated difficulties in this area. Nevertheless, global counter-terrorism cooperation remains ad hoc: countries only share what they wish to, and no mechanism compels them to share all of their resources. In the case of the West and Russia, both sides share mutual interests in fighting a common enemy. The annexation of Crimea in 2014 and Russian interference in Eastern Ukraine since then have resulted in deteriorated relations between the two sides. US-Russia relations are at a low point – and the election of Donald Trump as US President has not changed that – and both NATO-Russia and EU-Russia interactions on terrorism have been limited to diplomatic dialogue.

This section will address the state of cooperation on counter-terrorism between the EU and Russia. It appears that joint work has occurred in fora such as the United Nations and the Global Counterterrorism Forum. EU member states such as France, Spain, and

5 Global Counterterrorism Forum, 2017.

the Netherlands still work bilaterally with Russia on counter-terrorism, albeit mainly at low levels. Are shared counter-terrorism agendas more important than the geopolitical conflict of interest and, thus, is cooperation continuing? If so, does this cooperation have a positive spillover effect on other sectors in the security area? In particular, does the Western-Russian cooperation counter transnational organised crime (TOC)? This case study elaborates on EU – and more generally Western – and Russian interests in counter-terrorism, addressing both areas of commonality but also conflicting aspects. Then, it assesses the state of play of EU-Russian cooperation on countering terrorism and countering transnational organised crime. Finally, the study zooms in on the possible spillover effects between those two sectors of cooperation in the security area.

Context: the counter-terrorism regime

Despite their deteriorated relations, Russia and the West both have an interest in fighting terrorism. Russia's military intervention in Syria was to some extent a CT conflict. Its primary aim was to support the Assad regime in its operations to reconquer cities and territories in the central and western part of the country. More recently, Russia has also supported the Syrian government forces in their advance to the East to help defeat IS. While Russia's interest in regaining access to the oil fields in that part of the country certainly plays a part, defeating IS also serves the goal of counteracting terrorism. Western nations object to Russia's approach to CT, but they share the goal of addressing countering terrorism.

With the defeat of the IS Caliphate, a new common challenge is the return of foreign fighters. The number of foreign fighters originating from Western countries – estimated at 2,500 to 3,000 – is about the same as the amount of foreign fighters in Syria and Iraq coming from Russia (although President Putin once mentioned a much higher range, namely 5,000 to 7,000). Numbers of foreign fighters who might return will be much lower. Firstly, many of them have already returned: some 1,200 to EU countries and about 400 to Russia.⁶ Secondly, some have died. The number of foreign fighters killed in action is unknown, but might be considerable. Thirdly, some of them will spread over the Middle East, Northern Africa, and Southeast Asia (Philippines). Nevertheless, returning foreign fighters pose a challenge both to Russia and the West.

The challenge terrorism poses is closely interwoven with TOC. Terrorists use blackmail and fraud for financial income. They buy arms, predominantly on illegal markets. Increasingly, they make use of the internet to increase support, to influence public opinion, to recruit personnel for their own organisations or to inspire lone wolves to

6 Richard Barrett, Beyond the Caliphate: Foreign Fighters and the Threat of Returnees, The Soufan Center, October 2017.

carry out terrorist attacks. Human trafficking is another area of the nexus between terrorism and organised crime; foreign fighters use migration routes to Europe to return to their countries of origin. Moreover, combating drug trafficking is a specific area of common interest between Russia and the West, in particular the illegal narcotics exports from Afghanistan through Central Asia and to Europe.

Clear differences between the Western and Russian attitudes complicate cooperation on CT. First, there is no common view on how to define a terrorist.⁷ For Russia, the terrorist threat is mainly coming 'from within' – the Muslim populated Republics in the North Caucasus, in particular Chechnya. Since 2000, almost 3,400 people died in Russia due to terrorist attacks. For Moscow, attacks by Chechen terrorists have a strong political connotation of territorial separatism, although the Kremlin has basically outsourced local control to the Kadyrov regime. Western countries, by contrast, understand radical Islam in the Middle East and North Africa as the breeding ground of terrorist attacks. While radicalised lone wolves from marginalised migrant Muslim communities exist in big cities in Russia, terrorism is more closely related to separatism. By contrast the West treats terrorism primarily in terms of religious extremism. As a result, Russia and Western nations have different lists of terrorist organisations.⁸

The second difference – as a result of the lack of a shared definition of terrorism – is the absence of a common legal framework to address the problem of terrorism. There is no agreement on the use of punitive measures, such as sanctions or use of force. This is partly due to Western countries' concerns over respect for the rule of law and human rights. Several interviewees mentioned the issue of human rights violations to explain the absence of systematic cooperation between Russia and the West, for instance when it comes to extraditing persons from Western countries to Russia. Common action is possible, but only in cases of shared interest. On the preventive side – in particular policies and measures to address the root causes of terrorism – it is even more difficult to construct a common approach.⁹

Cooperation and spillover effects

Cooperation between Western countries and Russia takes place in international fora and at the bilateral level. The United Nations and the GCTF are the two most important such fora for CT resolutions or policies. The non-military strands of work of the international

7 Divisions over how terrorism should be defined are widespread, and no common definition exists at the UN level.

8 China also has different lists.

9 The role non-governmental organisations play in designing prevention is an additional complicating factor, as Russia has a different approach to civil society than Western countries.

Anti-ISIL Coalition have been connected to GCTF work and to Europol on issues like CT financing. The linkage between CT and TOC is also getting more attention at the UN level. For example, the UN Office on Drugs and Crime has recently started to look at this linkage based on a Dutch initiative. In general, international cooperation on CT and TOC is increasing. This is certainly the case within the EU. While NATO-Russia cooperation has been limited to diplomatic dialogue, the EU has put into place its Five Principles for Relations with Russia, which has the backing of members' Foreign Ministers. Coupled with the High Representative Mogherini's offer to pursue 'selective engagement' with Russia, this has facilitated limited cooperation. While the political dialogue remains frozen, operational contacts continue between Russian and EU security services and law enforcement bodies. According to the interviews, the lack of political dialogue, however, has made practical cooperation complicated. Furthermore, Russia is considering the EU's growing role in security and defence as an obstacle. Russia prefers to work on CT and TOC through bilateral channels. However, as EU cooperation on CT and TOC continues to increase, Russia will have to interact more with the Union as such and executive agencies like Europol.

A change from bilateral cooperation to cooperating with the EU as a whole will affect the nature of cooperation. Bilateral interactions have more focus on operational cooperation, such as exchanging information and best practices or working together on specific terrorist cases. However, for Western countries the lack of trust in the Russian law system is often a barrier to cooperation on CT or TOC. This limits the potential for cooperation, including the exchange of information with Russian counterparts. In addition to the different professional cultures between intelligence services, the lack of trust complicates cooperation on intelligence services even more than it complicates cooperation between police. Contacts, consultations, and the exchange of sensitive information mostly take place at an informal level.

How far cooperation might go will depend on mutual interests. Belgium, Germany and France have sizeable Chechen diaspora communities. These three countries, more than other European states, have a clear incentive to work closely with Russia, and they have focussed more and more on the issue of Chechen foreign terrorist fighters returning from the Middle East. Russian organised criminal groups also tend to concentrate their efforts on these three European countries, which stimulates the three countries' interest in cooperating in this area with Russia as well. A similar example of shared interests as driver of cooperation is that US-Russia CT cooperation was quite extensive immediately after 9/11, but has reduced over time. After the election of President Trump this negative trend has continued.

Combating cybercrime is a quickly evolving topic for Western-Russian cooperation. This is possible at the bilateral level in cases of cyber criminals using infrastructure in one of the countries for attacking a target (e.g. a bank) in another country. It becomes much more difficult when third countries are targeted. Also, the type of cyber-crime

is important: when two countries have different views on what constitutes a crime, it becomes more difficult to cooperate. Russian intelligence services have also hired hackers – who have committed crimes against entities in other countries – to work for them, under threat of lengthy prison terms.

Identifying linkages between counter-terrorism and countering organised crime has recently been at the top of the EU agenda. But beyond those linkages, is there a spillover effect from cooperation in counter-terrorism to cooperation in countering organised crime? Or vice-versa? We found such mechanisms regarding intra-EU and – to some extent – Western cooperation, but not regarding Russia and the West. When spillover mechanisms exist, they mostly consist of the adoption of similar practices, or shared instruments, and involve a majority of Western actors. The adoption of a specific policy or instrument by one regime led to the other regime copying it, or being invited to share the use of it. The shared definition of terrorism and degree of trust in the system and rule of law provides some explanation of this. Increased CT cooperation in Europe led to increased intra-European cooperation in countering TOC – in other words, positive spillover. The recent terrorist attacks, and the growing EU cooperation which followed, acted as a ‘push factor’ to counter organised crime, as linkages became increasingly evident.¹⁰ For example, the EU passenger names record (PNR) will come into force in May 2018, prompted by the November 2015 Paris terrorist attacks. However, it will likely help countering organised crime as well, and make it easier for EU countries to cooperate on the matter. Thus a measure passed with a CT goal will serve a TOC goal.

Regarding spillover in the other direction, cooperation to counter TOC also led to increased cooperation in the field of CT. For example, on the issue of terrorism financing, Europol and the GCTF organised meetings aimed at sharing best practices. These included how to address no name payment cards and how to pursue financial investigations. This is a spillover mechanism: experts in counter-TOC measures share their knowledge with counter-terrorism experts. Another example is the Schengen information system and the Europol lists, which have been built for better police cooperation against ‘serious’ crime – not stopping terrorists. However, recently these instruments have been increasingly used for counter-terrorism purposes.

In the case of Russia and the West, there is a clear relationship between international cooperation in the fields of CT and TOC. However, it is not so much a spillover effect from one field into the other, but rather the result of the linkages between terrorism and organised crime. The line separating terrorism from organised crime is often very thin. Many (though by no means all) terrorists have been a part of organised crime. Terrorist

¹⁰ The Dutch EU presidency in 2016, and the EU counter-terrorism coordinator have both been pushing for an inquiry into the relationship between organised crime and terrorism and the need to increase cooperation in response.

groups conduct criminal activities to raise money for buying arms or other goods. Therefore, the positive or negative effect of the level of international cooperation in the CT field on the international interaction in the TOC area is primarily dependent on the overall status of cooperation between the actors. For example, intra-EU cooperation is improving in both areas at the same time, while cooperation between the West and Russia has decreased. Interviewees generally believe that the scale and depth of Western-Russian CT cooperation depend on the general state of their relations.

Conclusion

The general trend in relations between the West and Russia in recent years, after the start of Russian interference in Eastern Ukraine and its annexation of Crimea in 2014, is one of increased tensions and reduced interaction. As a result there has been a decrease in cooperation between Russia and NATO on counter-terrorism and organised crime since then. The termination of cooperation on a joint training project to counter narcotics trafficking is an example of this trend. The Russian armed intervention in Syria starting in September 2015 has resulted in further escalation of tensions with the West despite the fact that IS – a terrorist organisation and one of the targets of Russian military actions – is a common enemy. Cooperation on counter-terrorism and crime at the international level (UN, EU-Russia, GCTF) has continued, but it has been limited. Bilateral contacts still exist and are used, for example to exchange information on terrorists or criminals. However, cooperation remains very limited due to divergent views on the rule of law in Russia and the West. This case study shows that the status of TOC cooperation between the two sides mirrors positive and negative trends in CT. Nevertheless, it seems that CT cooperation is more seriously affected by the overall status of Western-Russian relations than TOC cooperation. In part, the greater influence of political problems on CT cooperation than on TOC cooperation explains this. Another explanation, at least with regard to cooperation at the operational level, may be that the characteristics of the actors involved (intelligence services in CT versus police in TOC) are different. Intelligence services have strong, autonomous professional cultures and characteristics. Lack of trust and secrecy are embedded in their DNA, while police officers work more broadly with society at large. They are more used to sharing information and working together with partners, both domestic and international.

4 Conclusions

How often do strained relations over one security issue translate into a declining commitment to cooperate on another? Or, more positively, how common is it that withdrawal of commitment by a major player in one regime occurs without diminishing international cooperation between that same player and other actors in other policy domains? This study sought to answer such questions to improve the understanding of the dynamics of today's international system, the multi-order. Moreover, the study aimed to provide policy-makers with suggestions as to what they should do in a complex world: tear down stovepipes at the operational level and seek more interaction? Or keep separate policy structures so as not to allow one regime to negatively affect another?

The first case study focussed on potential negative spillover by looking at the **nuclear arms control** regime – within which cooperation is projected to decrease somewhat over the coming years – and its impact on the territorial integrity regime. The results show that there was little to no spillover, whether negative or positive. Various interviewees considered the nuclear arms control regime as largely detached from other fields of international diplomacy, characterised by the involvement of specialised diplomats working on an issue that officials and the general public do not generally consider to have top priority. Moreover, diplomats have a professional tendency to prevent disagreement on one issue from influencing the other aspects of the relationship. However, the interviews also suggest that spillover is more common in the other direction, for example from the **territorial integrity** regime into the nuclear arms control regime. The regime on territorial integrity is less technical and, according to several interviewees, it has greater political salience as it is considered a core element of international security. Interviewees felt that its capacity to affect other regimes includes both positive and negative spillover.

The second case study was aimed at investigating potential positive spillover from the **counter-terrorism** regime, within which international cooperation is expected to increase in the near future, to the regime against transnational organised crime. Generally, a key difference between the two regimes is the involvement of intelligence services in counter-terrorism versus police in crime fighting. One possible implication is that the dominance of intelligence services, which have strong autonomous professional cultures and tend to favour secrecy, prevent spillover into CT. At the same time, police officers dominate organised crime fighting and are more open to spillover and cooperation.

Interviewees indeed pointed at the existence of positive spillover into TOC fighting. They generally indicated that this spillover is common within the EU, less common between the EU and the US, and uncommon between Russia and Western countries. The mechanism through which spillover occurs is the adoption of similar practices, or shared instruments, by Western actors. Interviewees attribute this to a shared definition of terrorism and trust in the system and rule of law in one another's countries. Positive regime spillover between (mostly) Western actors has been stimulated also by the linkages between the threats themselves: terrorist organisations often resort to criminal activities, for instance in order to finance their activities. As such they interact with and become part of transnational organised crime. Terrorist attacks in various European countries have been a push factor to counter organised crime, as these linkages became increasingly evident. The positive spillover described here also exists in the reverse direction: from the regime against **transnational organised crime** into the counter-terrorism regime. Here too, spillover has been limited mainly to activities by Western actors.¹¹

Main findings

1. *Limited spillover.* Serious disagreement over a particular policy domain is unlikely to affect cooperation on security issues in other domains. There was little or no spillover from several of the regimes that were included in this study. This suggests that the international order is more resilient than is sometimes assumed. If international cooperation within one regime stalls or breaks down, this does not necessarily affect the level of cooperation in other regimes. However, this applies also to positive spillover: improved relations on one issue do not necessarily lead to closer cooperation in other policy fields.
2. *The role of specialists.* The case studies in this report indicate that the involvement of specialised individuals is a feature of several regimes and is of significant relevance for the way in which spillover mechanisms function. In particular the organised crime, terrorism, and nuclear arms control regimes appear to be largely isolated as a result of the need for technical knowledge and/or the organisational background (intelligence versus police) of government representatives.

11 Positive spillover did not really take place between Russia and the West. The fact that Russia and Western actors have different positions on terrorism and rule of law is one reason why cooperation on both counter-terrorism and fighting transnational crime has been more difficult. Yet interviewees also cited tensions over Ukraine and Syria as a reason for minimal Western-Russian cooperation on counter-terrorism. It should be noted that the American and European approaches to cooperating with Russia differ. Whereas NATO-Russian cooperation has declined, the EU continues to pursue 'selective engagement' with Russia.

3. *Linkages between security threats.* Evidence from the case studies also shows that regimes may interact as a result of linkages not between the regime actors themselves, but between the security threats against which the regimes are directed. Linkages between terrorist and criminal organisations are an example of this. The absence of such linkages between the other two policy domains as well as the milder degree of interaction supports this conclusion.
4. *Technical complexity versus political salience.* The degree of spillover – whether positive or negative – into the four regimes investigated, appears to be linked to (at least) two factors: technical complexity and political salience. Limited or no spillover originates with technically complicated and/or politically less salient regimes (nuclear arms control, crime fighting), while spillover does occur with regimes that are technically less complex and that are high on the international political agenda (territorial integrity). The counter-terrorism regime is located in between these extremes, with spillover existing among Western actors but being limited between the West and Russia.

Recommendations for policy-makers in the Netherlands

- The aim to promote positive spillover is by itself insufficient to justify integration at the **operational level** of policy-making among security domains that are of a specialised and technical nature.
- Increased cooperation on security issues at the **strategic level** is desirable. This applies to both more technical regimes (which involve highly specialised experts who may be less focussed on broader developments outside their regime) and more politically visible security issues. A coherent overview of developments in individual regimes benefits long-term planning at the strategic level.