Current Security Challenges that Will Impact the Future Operational Environment: The Ramblings of Two Stability Policing Practitioners

Nicola Bonomi[13]
NATO Stability Policing Centre of Excellence, Vicenza, Italy
e-mail: info@nspcoe.org

Stefano Bergonzini[14]
NATO Stability Policing Centre of Excellence, Vicenza, Italy
e-mail: info@nspcoe.org

Abstract

Purpose: This chapter, as a food for thought product, intends to illustrate insights and elaborate on identified existing shortcomings from a Stability Policing perspective in the remit of security that have a high probability of engendering dilemmas and problems, particularly at the operational level within NATO. To do this, consolidated and standardized dogmatic approaches and mechanisms will be challenged so that needs for improvement and, where deemed necessary, extensive revisiting of inflexible, overcome, outdated concepts and frameworks can be envisioned.

Design/methodology/approach: This study is based on analysing relevant documents including NATO and non-NATO political declarations, policies, concepts as well as doctrines, research and academic papers and studies. Drawing from professional experience and expertise – including years of deployments and military background of the two authors – to compare extant structures, programs, frameworks, and projects with current and possible future challenges and requirements to identify gaps and suggest possible solutions, including those of innovative and disruptive nature, are all put to use during the drafting of this document.

Findings: Currently, a convergence of military and law enforcement is observed i.e. the military is called to perform policing while police forces are getting militarized. Gendarmerie-type forces are one of the few if not the sole instrument with the flexibility to operate across the full spectrum of law enforcement (at home, deployed, Article 5 operations, non-Article 5 Crisis Response Operations etc.) in true Multi-Domain Operations across the variety of the Instruments of Power.

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[13] Lt. Col. Nicola Bonomi, Staff Officer in the Doctrine and Standardization Branch of the NATO Stability Policing Centre of Excellence. ORCID: 0000-0001-9694-1873.

[14] CWO Stefano Bergonzini, Staff Assistant in the Doctrine and Standardization Branch of the NATO Stability Policing Centre of Excellence. ORCID: 0000-0001-5078-9511.

Taking into account the advantages of gendarmerie-type forces, to enhance flexibility of the military instrument improving effectiveness at home and abroad (deployment), it is suggested to invert the tendency (particularly in Europe) to transform gendarmerie-type forces into civilian police forces. The full spectrum of threats require full spectrum responses, this includes the urgent necessity to abandon DIME for DIMEFIL+ (even DIMEFIL could not be sufficient to operate within the cognitive/human environment or dimension). There is an inadequacy of the legal framework to address changes in the character of war (particularly hybrid, distinction defence-law enforcement). The actual societal complexity hampers governance and increases exposure to full-scale of threats of opponents from criminal to peer/near peer nation enemies. Allied mission/operation/activity and Article 5/ non Article 5 Crisis Response Operations /cooperative security frameworks need the flexibility to intervene in current conflicts (not limited to military and below the threshold of armed conflict). It is total defence or nothing, the dilemma of NATO fighting in the urban environment with chances to succeed due to opponent's disregard for the International Rules-Based Order. The populace is part of the key factors together with the territory and the economy (particularly in Article 5, but not only) which require Stability Policing.

Research and practical limitations/implications: Classified content will not be included, proposed remedial actions are based on recognized shortcomings and often based on Lessons Learned/Best Practises products.

Originality/value: While the corroborating and documenting material is generally accepted, approved/agreed, and officially sanctioned, conclusions and novel ideas and solutions are developed, envisioned and advocated and, as such, to be considered challenging at the very least. Bringing together and re-conceptualizing in novel shapes and forms, they might be regarded as controversial and disruptive, aiming at scoring high on the value end of the spectrum.

Keywords: Stability Policing, gendarmerie-type forces, law enforcement, Multi-Domain Operations, Instruments of Power, hybrid war

1. Introduction

A host of security challenges, in their nature different from military ones, do and probably increasingly will affect NATO operations, particularly at the operational level. This chapter will examine many such dilemmas and issues applying, when necessary, the blue lenses perspective of the authors in their capacity as experts in Stability Policing. Suggestions, proposals and possible solutions are offered to stimulate adaptation, innovation, and sometimes disruption of current practices. The complexity of the modern world and the environment, including the one in which military forces are operating, does not facilitate a clear, strict and exhaustive division of subjects, remits and topics. On the contrary, a multitude of inter-connecting relations and nexus, of perspectives and links, on the one hand, requires but on the other allows to describe matters, propositions and subjects in different ways. Different points of

view result in repetitions that are not mere reiterations but seek to enlighten and to better describe.

This chapter, as a food for thought product, intends to illustrate insights and elaborate on identified existing shortcomings from a Stability Policing perspective in the remit of security that have a high probability of engendering dilemmas and problems, particularly at the operational level within NATO. To do this, consolidated and standardized dogmatic approaches and mechanisms will be challenged so that needs for improvement and, where deemed necessary, extensive re-visiting of inflexible, overcome, outdated concepts and frameworks can be envisioned.

This study is based on analysing relevant documents including NATO and non-NATO political declarations, policies, concepts as well as doctrines, research and academic papers and studies. Drawing from professional experience and expertise – including years of deployments and military background of the two authors – to compare extant structures, programs, frameworks, and projects with current and possible future challenges and requirements to identify gaps and suggest possible solutions, including those of innovative and disruptive nature, are all put to use during the drafting of this document.

2. NATO needs to transform to counter opponents' approaches to warfare

The current legal perspective on the threshold of armed conflict binds the Alliance unnecessarily and unrealistically by limiting the actions and reactions of NATO. In a rigidly post-Westphalian acceptation of warfare, seeing nation-states as the subjects endowed with the capacity to engage in armed conflicts, this was not only acceptable, but it also permitted a clear demarcation between which activities were permitted when a war had been declared as opposed to which actions were not allowed. In the latter case, because such a formal pronouncement had not been exchanged, the two (or more) subjects considered themselves at being at peace. True to Clausewitzian appreciation, the nature of war has not changed, but its character has undoubtedly evolved significantly. There are a host of factors that influenced the conduct of war, including legal principles, technological development, globalization, to mention but a few. The concepts of guerrilla[15] and asymmetric warfare[16] are grounded in the past and have been present throughout the human history of belligerence. A major jolt was registered when, at the end of the twentieth century the ideas of unrestricted warfare (Liang & Xiangsu, 1999) and at the beginning of the twenty-first century the idea of non-linear warfare were envisioned and, to some extent, detailed. These theories were published by individuals belonging to two of the major actors in the international

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[15] See further in Tzu (2010), Tse-tung (2005), Guevara (1985) and more.
[16] See further in Galula (2006).

geopolitical arena, namely the People's Republic of China and the Russian Federation respectively. Although the publications are not a formal and sanctioned expression of national politics or strategy, both works encompass likely interpretations if not intentions of these two polities and their politico-military apparatuses. They delve into practices exploring, albeit with slightly different approaches, how to exploit and manipulate the international rules-based order to the advantage of the two mentioned entities. One common factor that emerges from the above-mentioned conceptual products can be found in the disregard for the rules that are the foundation of the international order, they enunciate approaches to circumvent these norms, elude them, and how to adopt practices that modify or negate their efficacy. In fact, the novelty lies precisely in utilizing available instruments of power to achieve advancements of own geo-strategic positions without determining the eruption of a war. In other words, activities are conducted in more, if not all remits concurrently, cohesively and even in an integrated fashion with the constant attention not to fulfil the conditions for a full-fledged armed conflict to erupt. This avenue arises from the disproportionate imbalance in armed forces in particular and instruments of power in general that would greatly favour the United States as the largest if not only superpower, its Allies and NATO, as the main international organizations that might oppose expansionistic attempts by the two world powers. The confrontation, even the competition between these actors is bound to play out globally, with entities trying to gain advantages whenever and however possible, but it is strongly influenced and limited, even dominated by the necessity to present a narrative that enjoys a minimum of credibility and acceptance. In fact, the United States and even more NATO due to its nature as a coalition governed by consensus, must abide by the framework at the base of the international order they contributed to establish; a limitation the other two powers do not need to heed. One of the more evident limitations that derive from NATO, consists in the adoption of a planning and management of crisis process that severely restricts possibilities of action or reaction below the threshold of war. Article five of the Washington Treaty establishing the principle of collective defence within the Alliance can be invoked only after an armed attack has been conducted against one or more of the Member States within the area of responsibility of the Alliance.

Hybrid means, operations, and warfare are collective nouns pertaining to a novel approach combining conventional, non-conventional and asymmetric methods with the imperative to remain as long as practicable below the threshold of war precisely because this negates an all-out politico-military response from opponents. This does not mean that the "hybridity" must cease once a formal or *de facto* belligerence arises but definitely distinguishes this new approach to geopolitics.

The new *Strategic Concept*, adopted at the NATO Summit in Madrid in June 2022 does already move in the right direction, seeking to mitigate the previous situation and limiting the self-imposed conceptual impasse by widening the range of events

that might entail a major response by the Alliance. In fact, paragraph 27 mentions "to prepare for, deter, and defend against the coercive use of political, economic, energy, information and other hybrid tactics by states and non-state actors. Hybrid operations against Allies could reach the level of armed attack and could lead the North Atlantic Council to invoke Article 5 of the North Atlantic Treaty" (NATO, 2022, para 27). The shift is of critical importance, since the hitherto collective defence core task, which has now evolved into becoming deterrence and defence, can imply responses based on Art. 5 as a reaction against hybrid operations. In the same document paragraph 36 states "…the Alliance will continue to work to prevent and respond to crises, and to build on lessons learned over the past three decades to improve readiness, military and civilian capabilities, and civil-military planning and coordination" and further down in the same paragraph "....This will allow us to respond to any contingency at short notice" (NATO, 2022, para 36). As Stability Policing Subject Matter Experts, we could not agree more with the statements but realize that the challenge now will consist mainly in transforming and adapting the Alliance, enabling it to fulfil these declared goals and to cope also with hybrid approaches. The challenge, particularly concerning Stability Policing is not to be understated.

An overall obstacle is the lack of a NATO concept clearly and officially defining the current capability. The latter exists *de facto* since 1998, but it is not formally detailed as the factors requiring consideration are Doctrine, Organization, Training, Materiel, Leadership development, Personnel, Facilities and Interoperability. The overarching gap can easily be described as the need for the Alliance to endow itself with a capability to bridge "the policing gap", also called "the security gap" or "the public security gap". All these terms used to describe the vacuum existing between two sets of actors. On one hand, there are the police (and justice) – related needs of a Host Nation and its populace that can be seen as the demand side of the problem. On the other hand, there is the inability, unwillingness, and/or missing capacity by the Indigenous Police Forces[17], other International actors (UN, European Union, AU, etc.), and even the NATO combat-oriented military instrument (which includes the Military Police performing its four "traditional" functions of Security, Mobility Support, Police and Detention) to answer these needs satisfactorily, quickly and competently.

3. Gendarmerie-type forces: the flexibility of being civilian and military

An undiscussed benefit of gendarmerie-type forces, being defined in NATO as "an armed force established for enforcing the laws and that, on its national territory, permanently and primarily conducts its activities for the benefit of the civilian population" lies in

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[17] Often also referred to by other terms including Host Nation Police Forces (HNPF), Law Enforcement Agencies (LEA) or Services.

their extreme flexibility, in their ability to operate within and across the military and civilian remits as the situation might require, adopting the necessary, but also the most suitable posture by the situation at hand. In fact, the dual nature given by being military and civilian-oriented allows them to be employed and, if required, deployed within the whole spectrum of conflict and competition, from peacetime military engagement to high-intensity warfare. Historically police forces did not simply cease their activities altogether because their state was involved in a war. Naturally, the paradigms of normal societal life were and are influenced by the conduct of high-intensity fighting, often in the most dramatic way. They required an adaptation to a different environment and sets of tasks, including a larger involvement in countering espionage, sabotage, and subversion as well as the protection of state secrets and the maintenance of public order. Possessing a law enforcement agency with a "robust backbone", whose personnel is endowed with a military background and formation is not only desirable but a pre-requisite for operating in less than permissive environments, as civilian law enforcement agencies have proven repeatedly their related inefficacy. Traditionally gendarmerie-type forces did arise from military formations, were dispersed across the territory, mostly of the kingdom in which they operated, and were endowed with increasingly less "pure" military tasks and competencies such as the defence from external enemies and the maintenance of order and discipline, even keeping the discipline within and policing the military force, i.e. as the military police. Guarding the royals and the borders, maintaining public order and security, pursuing criminals and similar activities were added to the previous ones. The widened and more civilian-focused activities often entailed the presence of detachments and small posts strewn across the territory, also outside cities and urban areas, in impervious regions and with scant or very limited communication. These dispersed and capillary territorial posts constituted the bases from which these national forces could patrol the surroundings, widening the reach and enforcement of the law. But the challenges of moving across often difficult terrain required aptitude personnel, often horse mounted and able to live, move and operate in those regions. It is therefore not surprising that military forces were chosen for such duties due to their discipline, obedience to the central authority, and aptitude in following orders but also for their competence in mastering impervious orography, courage and the ability to endure hardships. Another aspect of significance arose from the constant interaction of these troops in close contact with the population, namely the ability to gather information. Italy's Carabinieri are one of the examples of such forces and the duality in its nature has been preserved, if transformed across the centuries of its existence. The Army has grown to a force of over 100.000 and adapted introducing specialized units, creating its own education and training pillar, and extending its availability across a number of ministries. In fact, it maintained its main dependency on the Ministry of Defence but added a functional dependency on the Ministry of Interior in relation to policing activities. Moreover, it keeps a 300-strong unit within

the Ministry of Culture, the largest police unit in the world dedicated exclusively to protecting cultural heritage, but also health inspectors within the related ministry, labour inspectors, a presence guarding Italian embassies throughout the world within a unit at the Ministry of Foreign Affairs and International Cooperation, to mention but the most important ones. It is again not surprising that it was Carabinieri high-ranking officers who in 1997 came up with the concept of the Multinational Specialized Unit, an international, deployable, robust, modular military unit dedicated to policing and police capacity building in crisis areas. Its first deployment within the NATO Stabilization Force (SFOR) saw it moving to the outskirts of Sarajevo in 1998, from where the NATO mission area was patrolled, public order was managed, and the overwhelming number of tensions and conflict situations were solved without requiring using force. The first Multinational Specialized Units were based on a regiment-level staff, a single depending battalion on three Carabinieri and one Argentinian Gendarmerie National companies, a manoeuvre unit with specialized personnel, and a command and support company for self-sustainment. The Multinational Specialized Unit was so successful, that as the Kosovo crisis erupted and peaked suddenly in 1999, another Multinational Specialized Unit was quickly dispatched to the outskirts of Pristina in the Serbian Province to again fill the "policing gap". No other competent actors had been available to quickly deploy to that theatre of operations. While in Bosnia and Herzegovina, a police and law enforcement presence still existed, although ethnically biased, in Kosovo the Serbian State had removed all governance personnel, including the police, from its rebellious province. The competencies were clearly the "replacement of the Indigenous Police Forces" as it would be formalized in 2016 within the Allied Joint Doctrine for Stability Policing (AJP-3.22). In the latter case, the policing gap was even more severe, since the United Nations had no significant assets able to take on policing duties, and other NATO forces, including the Military Police, did not have the necessary background, expertise, experience, and skills, nor the capacity, i.e. number of personnel to be deployed, to answer the police-related needs of the populace and the situation. Multinational Specialized Units were deployed successfully to Albania and later, and not under the NATO aegis, to Iraq. The United Nations Brahimi Report in 2000 called for a more robust policing approach. In the following, other international organizations, i.e. the United Nations and the European Union have copied and adapted the Multinational Specialized Unit model generating the Formed Police Units and Integrated Police Units respectively, albeit with a severely reduced capacity (roughly 100-140 personnel against a Multinational Specialized Unit of approx. 350-500) and differentiated approaches. The smaller size of the United Nations Formed Police Units and European Union Integrated Police Units arises from the fact that in NATO the Integrated Police Units had to bring a staff capable of performing the task of managing all civilian policing matters since no other specific competency, experience and especially expertise were present within the Allied force. European Union Integrated Police Units and United

Nations Formed Police Units on the other hand could always rely on a large structure overhead be it the police mission or the police pillar respectively.

It goes without saying that gendarmerie-type forces have historically always been and still are the overall and undisputed major contributors to Multinational Specialized Units since they are the best suited to operate within a military mission – Multinational Specialized Units have always been and currently still are – a military capability, and at the same time they also possess the particular mindset required to police civilians. This flexibility lays at the core of the Multinational Specialized Units concept as its essential foundation. All other conditions being equal, Multinational Specialized Units resourced from gendarmerie-type forces have better chances of succeeding in reinforcing (in the NATO Stability Policing sense of the term, namely strengthening) and temporarily replacing the Indigenous Police Forces. The gendarme's proficiency in policing civilians is acquired by serving in their home countries doing exactly that if within less challenging, definitely more permissive environments. Conversely, it is also remarkable, looking at doctrinally short-sighted and misguided interpretations of the concept of Stability Policing, that Military Police has consistently been a very small contributor in terms of forces to Multinational Specialized Units endeavours. It is quite farcical that some might see Stability Policing as falling under the overall remit of the Military Police, while the current NATO Stability Policing mission, the Multinational Specialized Unit within the NATO Kosovo Force (KFOR) does not have any contribution by Military Police.

4. Gendarmerie-type forces vs. policing by civilians: the trend should be reverted

It is undeniable as much as the deplorable reality that, particularly in Europe, a misguided belief that policing should be seen as an exclusive task for civilian institutions, resulted in the loss of gendarmerie-type forces, mostly merging them with civilian national law enforcement agencies. The irrational belief that there would never again be a need for robust policing forces within prospering Europe at peace was likely fostered by the fall of the Berlin Wall and the demise of the Soviet Union and by the emergence of the United States as the only super-power. The consequent strong liberal influence in politics worldwide induced many to believe that increasing world peace would be attained. The fact that, for a while at least, most crises and consequent requirements to deploy forces did not occur within the Old Continent obviously neglected the need for gendarmerie-type forces in sufficient numbers to deploy them in crisis areas overseas. This initial warning bell was not heeded and, as a consequence, gendarmerie-type forces were merged with their civilian counterparts, that had been their long-time companions with the additional, if not codified but Realpolitik-related task, to ensure a balance of forces. Within NATO and participating in United Nations

missions and interacting often about law enforcement also with the European Union, one is incessantly confronted with the myth of "civilian policing". This uninformed idea postulates that a military force could never acquit itself well as an entity policing civilians. In the authors' personal background and experience civilian policing does not, *per se* and absolutely perform better than policing conducted by a force with military status. On the contrary, history has demonstrated time and again that civilian police forces are unable to cope with non-permissive scenarios, particularly due to armed conflict. Sadly, it is when the police-related needs of a population are at their highest, namely when the security situation is the most degraded as during a war of insurgency, that civilian police forces are the least able to answer those needs. Members of gendarmerie-type forces should not only openly reject the idea of civilian policing as the best solution and consequent imperative to abolish police forces with military status but greatly welcome the introduction and re-introduction of gendarmerie-type forces, especially in Europe. Particularly in degraded, non-permissive environments, policing by civilians is not inherently better, it might even be outright impossible. Is it really fair to send out armed, but not militarily trained law enforcement officers to police while a war is raging, or the environment's conditions are so degraded that they might actually be only focussing on trying to protect themselves? Looking at the degrading international situation also within Europe and the increased use of hybrid methods and the flexibility offered, re-introducing and boosting gendarmerie-type forces looks more than promising, its borders being unavoidable.

5. Gendarmerie-type forces operating within all three NATO core tasks above and below the threshold of conflict

As mentioned above, Stability Policing is an excellent tool for countering threats to international security and peace and can contribute to all three of NATO's core tasks.

In the most "military" of the three core tasks, deterrence and defence, Stability Policing contributes like all the military assets of the Alliance; in fact, we must not forget that although oriented towards police activities, the Stability Policing Units are and remain military units which are therefore perfectly capable - if and when necessary - to participate in kinetic actions for self-defence or in support of other land units engaged in combat. However, it would be a mistake to think that the contribution of Stability Policing in the field of deterrence and defence is limited to a mere military tactical act.

The capabilities of these structures in fact go in other directions and touch other keys, often less considered by planners but no less important for this; the reference is - again - to that great grey area where irregular activities and war actions overlap. With irregular activities we can encompass a vast number of actions of a non-military nature,

but which have or may have military or comparable effects; they are put in place also by non-state actors or by proxies and have as their purpose to influence populations and affect legitimacy within a state; irregular activities are part of an armed political struggle for control or influence over and the support of an indigenous population. Using these activities, adversaries compete over the shape of society and of politics, focusing on such issues as legitimacy, credibility, and effective mobilization, favouring indirect warfare and asymmetric warfare approaches to direct military confrontation and seeking to erode the adversary's power, influence, and will (Ucko & Marks, 2022). Furthermore, these activities are often highly contiguous with criminal activities, or can be framed as criminal offenses. It is against these threats that the usefulness of Stability Policing fully emerges: the peculiar police capabilities of these structures give the opportunity to contrast irregular actors with new and different tools; they can be challenged not only on the level of armed confrontation but on the legal level, of the infringement of national and international laws. The use of the legal tool also allows to place the opponent in a new light, not that of the enemy fighter but that of the criminal, or of the one who subsidizes and supports criminal associations; this new guise thrown at opponents can harm them much more than defeat on the field because it damages their image and international credibility by placing them on a level of moral reproof.

In reality, the non-asymmetric activities of irregular actors also overlap with the scope of the second core task; in this too, Stability Policing can enhance the effectiveness of the actions of the Alliance and of the Nations. In fact, where there is a situation of crisis and social and institutional instability, Stability Policing assets can be called upon to intervene to support and if necessary also replace local law enforcement agencies. In both cases, Stability Policing assets, by integrating the missing capacities of the local law enforcement agencies, supporting their operational units, or settling them, contribute to keeping alive the social cohesion of a nation, supporting its resilience, and contributing to the credibility of the institutions in the eyes of the population. At the same time, it continues to oppose all those activities and the adversary activities that aim to destroy the civil society and create conditions of social, political and economic instability; think for example of the possible disruptive use of mass migrations and their impact on society and the possibility of infiltrating agents and operators in these migratory flows; the use of ethnic and linguistic minorities; the involvement of criminal groups to destabilize civil coexistence and create unsafe environments; the use of economic leverage such as import/export control and the exploitation of the black market even for basic needs. The intervention of Stability Policing assets with their police activities and investigations can effectively counter these activities by ensuring the application of the principles aimed at the protection of civilians[18], the

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[18] Notably "mitigate harm", "facilitate access to basic needs" and "contribute to a safe and secure environment" (NATO, 2020).

re-establishment of a safe and secure environment, and the restoration of the rule of law.

In the third core task, the contribution of Stability Policing is aimed at the police forces and law enforcement agencies. It takes the form of support in terms of training and individual preparation that can be given both in general terms on basic training and focused on specific technical sectors or niches, such as the protection and preservation of cultural heritage, scientific investigations, or environmental and agro-food protection.

Gendarmerie-type forces offer more advantages to NATO through Stability Policing, in fact, police personnel are often deployed abroad within different settings including bi-lateral missions to areas of interest to NATO. Reporting through their institutions they may act as "horizon scanners" and first detectors of "indicators and warnings" of potential crises. Acting within the third Allied core task, namely Cooperative Security, they could do the same activity under a NATO aegis and well before an issue escalates to the crisis level. This is particularly true in the case of the use of hybrid means and ways, that do not allow full-blown NATO interventions. Adding a Stability Policing presence with reinforcement duties in partner and neighbouring nations can only contribute to widening and improving the detailed knowledge about existing challenges to a safe and secure environment, appreciating available capabilities and capacity of the host nation and opponents, determining gaps and starting to improve host nation responses. These systems can feed situational awareness and could continuously and assiduously contribute to feeding a planning process. They could improve the Allied negative record of disregarding critical issues – especially of policing nature – within crises, that have repeatedly been identified too late, and when the conditions to promptly intervene with Stability Policing solutions before they could snowball and escalate to hard-to-deal-with proportions. Bosnia, Kosovo, and Afghanistan are great examples of missed opportunities, disregarding or underestimating the law enforcement problems of both the Host Nation and their populace. Furthermore, a Stability Policing presence, particularly of gendarmerie-type forces as police forces, is often easier to justify as a presence of combat or other military forces with local and other audiences. Stability Policing assets in potential crisis areas can constitute the core of an advanced party that, should the situation deteriorate, and a conflict arises, would already possess priceless local knowledge, contacts and situational awareness.

The contribution Stability Policing assets in general and gendarmerie-type forces, in particular, could make to countering irregular activities acquires particular significance because they improve responses of any host nation, within or outside NATO, targeted using hybrid methods also below the threshold of war. Hybrid threat actors exploit the legal inflexibility, and the need to operate within the confines of international and national law of their target states. Fortunately, Law Enforcement can

and must operate above and below the threshold of armed conflict. Police activities are invaluable in countering criminals and terrorists, including when they are involved in cybercrime, fake news, and hate crimes also using social media, cyber-kinetic attacks, ransomware, and a host of activities to fund their endeavours including trafficking in cultural property, drugs, weapons, and human beings, just to mention a few.

Continuing in the analysis of the three NATO core tasks and the contributions Stability Policing can offer in each, Crisis Prevention and Management would naturally follow. In fact, Stability Policing deployments within Cooperative Security frameworks may already start overlapping with it. Increased performance of Indigenous Police Forces, but also the improvement of legal instruments and overall governance achieved through Stability Policing reinforcement activities already may delay if not prevent crisis outbreak. Adversarial or inimical actors might consider the need to acquire increased resources, capabilities and capacity before pursuing their hostile activities and postpone acts of aggression because the targeted nation has become better prepared and more resilient. Improving Indigenous Police Forces' perception within host nations may also foster resilience and even act as societal glue. Gendarmerie-type forces in particular, because they represent the State on one hand, are part of the military establishment on the other, but mostly operate within and for the benefit of the civilian population – and that is a fundamental requirement for this argument – may indeed be ideally positioned to bring the Nation together. Civilian police forces can have a similar role but lack the deeper relation with the military and defence structure, which gendarmerie-type forces possess. If the perspective is turned from intra-national to inter-national, it is easy to appreciate that Stability Policing assets need to be endowed with a particular mindset; to be successful they must be able to understand the civilian world to operate within it. This disposition translates into different approaches, particularly to time management. While combat forces might look favourably at the creation of effects to solve situations in the shortest time possible to achieve military victory, police and therefore a Stability Policing approach is less focused on rapid gains, but on overall impacts and improvements. Soldiering is indeed very different from policing. Representatives of each remit may use force, even lethal force, but their basic approaches are much different. The rapid use of overwhelming force will win the engagement of the soldier, achieving success in the battlespace at a smaller cost in blood spilled by own forces and repeated and applied to the whole theatre of operations, winning the war. Conversely, the use of lethal force might not only hamper the police officers' activities but might also increase the level of conflict in their district or assigned area, worsening the overall situation to the extent that successful law enforcement becomes almost impossible. The counterinsurgency mathematical conundrum by United States General McChrystal comes to mind as an example of an overlap between the two remits. Killing insurgents, while technically "easy", could in fact in the first instance decrease the opposing force's number, but

result in its rapid increase due to the need for vindication, cultural obligations of relatives of the deceased and increased hatred against counter-insurgency forces. One of the hardest aspects of counter-insurgency is indeed calibrating the use of force to the level at which it does avoid collateral damage, achieving the military objective of neutralizing the threat, keeping its troops safe, and undermining the insurgents. From a policing perspective, and similarly in counter-insurgency from the military one, collateral damage is a nightmare, in an instant, it destroys years of rapport building and community engagement. In counter-insurgency as in combating crime, the vast majority of the populace is not actively engaged in activities threatening security. It is the performance of security forces and of threat actors and their perception among the populace that determine if the latter can be swayed into cooperating and supporting one set of actors. This is often the factor determining the outcome of the crisis. Most of the major problems a deployed force is confronted with cannot be solved by military means alone, according to an adaptation of the speech given in 1961 by former United States President J.F. Kennedy. From a Stability Policing perspective, over sixty years have taught us little. Stability Policing as a flexible instrument to counter irregular actors has been and still is neglected and underestimated within NATO. Missed opportunities abound and dedicated doctrinal guidance is outdated, confused, and contradictory but, most of all, its improvement and updating are hampered by misguided conceptions about the essence of Stability Policing, its role, best practices in command and control as well as the proper role of the Stability Policing Advisor to the commander. The Allied doctrinal corpus indeed lacks a coherent and mainstreamed inclusion of Stability Policing in relevant publications, hampering widespread dissemination of the benefits Stability Policing could offer the Alliance and overall decreasing NATO's ability to fulfil its role.

In fact, also Preventing and Managing Crises almost always has a Law Enforcement, and therefore a Stability Policing perspective, if "only" to respond to police-related needs and contribute to re-/ establishing a safe and secure environment (SASE). The spectrum of possible operations is very wide and, as shown above, Stability Policing has a part in avoiding crises, but Law Enforcement has a role also in their management. Peacekeeping, peace enforcement or humanitarian assistance all require a safe and secure environment and, since threats and attacks are diversified, they require diversified responses. In this view, as long as there are people, there will be conflicts from private to familiar, societal, national and international levels, and enforcing laws will be required at all levels. Stopping petty crime, countering a criminal organization's trafficking in weapons, or arresting a war criminal for genocide, all influence the safe and secure environment and contribute to stabilization. The commanders' ability will lay in fine-tuning the actions of their forces to address the threats and challenges that matter most, including to the local populace, appreciating overarching requirements. Currently, the NATO approach is too heavily focused on quick impacts and rapid

gains to win the war but does not help in preparing for better peace, which has proven extremely unsuccessful as highlighted by the debacle in Afghanistan. One of the contributing factors was undeniably the lack of attention and resourcing of the Stability Policing dimension of that deployment. Soldiering has proven to be indeed very different from policing also in this case. Missed opportunities include the lack of police personnel to train, mentor, advise, monitor, reform and partner with Afghan institutions from the strategic level down and Law Enforcement Agencies, failing to grasp that the Afghan police were the most hated state institution. The Afghan National Civil Order Police (ANCOP) units – inspired by and shaped after gendarmerie-type forces – showed the best performance amongst others, but the characteristics that allowed them to fare better were either not identified, not applied to other forces or just neglected. Widespread overall corruption and the lethargic and inefficient judiciary as well as the extremely wanting remit of corrections cannot be discounted as sources for that hatred and resulted in popular shunning of official mechanisms often preferring the quick and self-disciplining actions of the Taliban. Units that were partnered with, in a Stability Policing acceptation of the term, namely seeing Stability Policing operators embedded within the Indigenous Police Force could have, with their mere presence, mitigated if not avoided predatory activities by Afghan Law Enforcement on the very populace they were supposed to protect. Analogous shifts in performance were observed within combat forces and could have easily been cross-pollinated to the policing remit.

Although the Alliance brags about the focus on innovation and inclusion of lessons learned, doctrinal development and review process are too cumbersome, slow and in fact marred by conceptual pitfalls. The first one hampering innovation consists in doctrine needing to be based on existing capabilities, this equals to driving with a pulled handbrake. The second requires publications to be harmonized with existing doctrine, generating the dilemma that changes become virtually impossible since other documents do not incorporate the novel element and are evidently not harmonized with its presence. The third major problem lays in the misguided belief that doctrine requires detailed enunciation of all cases, leaving no space for flexibility, initiative, or action outside of listed cases. There is an urgent need to revise most of the Allied doctrinal corpus to align contents with the level they address, e.g. operational or tactical and the type of standard or standard-related document. Solutions to the latter issue are actively being pursued and the NATO Standardization Office is vehemently showing the way, alas with a less than enthusiastic buy-in from other stakeholders. Also, this sector requires increased resourcing, because the best technologies and weapons systems in the world cannot be operated within an Alliance if the necessary interoperability is wanting. The solution for the first two problems would require a more decisive overall approach, encompassing a better integration of concepts and capability requirement analysis with doctrinal publications. In fact,

moving away from the extant dogma of the *status quo* in capabilities and doctrine, towards a more open-ended and dynamic approach. Since doctrine is not prescriptive, but is supposed to provide principles and guidance, its usefulness would be greatly improved by including forward-looking approaches and perspectives. Disregarding Stability Policing inputs, because "the capability has no dedicated concept" demonstrates an unwillingness to innovate, although NATO has been conducting Stability Policing since 1998. Technologies might greatly support the required and urgent trimming down of doctrine, keeping and refining the publication's specific content, contributions by other capabilities, and remits through short statements or paragraphs, and listing publication with linked remits, topics or capabilities. Missing to include Stability Policing contributions to fighting violators of environmental protection norms into an EP policy strictly focused on "defensive" environmental protection, i.e. looking only at avoiding environmental damage or mitigating it, can be cited as a recent example. Confining EP actions to "own not polluting" deprives commanders of instruments to actively pursue opponents who may actively pollute, exploiting the environment and NATO's defensive posture about it, for their military advantage, contributing to the instability of the battlespace.

It is a fact that since its inception, the policing dimension of Allied endeavours has regularly and repeatedly been overlooked. With the creation of the NATO Stability Policing Centre of Excellence, an institution was finally entrusted with expert advising and generating products in the fields of doctrine and standardization, education, training, and exercises as well as lessons learned. The Centre has been extremely active, engaging in an incredible number of projects, programs, events and endeavours to disseminate the concept of Stability Policing but had to deal with constant resistance and delays, often for specious reasons, depriving the Alliance of the best possible tool it might have been endowed with already. Past events, but especially the Ukrainian crisis have demonstrated beyond any doubt the necessity to possess agile and robust policing assets that may be deployed to areas in which a war is being waged. The main reason for NATO's existence is the defence of its Member States, now codified in the latest Strategic Concept as Deterrence and Defence. The deterring role has been exalted in the new document and, unsurprisingly, although it also requires a Stability Policing dimension, this has not been formalized, another example of disregarding the evidence of facts. Russia has been engaged for ages in what NATO defines as hybrid activities, often below the threshold of an armed conflict. This has likely been pursued in order to avoid incurring the full wrath of an Allied response, but Law Enforcement and Stability Policing can also be conducted below the threshold. Is it so unreasonable to seek an increased and intense development of specialized, rapidly deployable Stability Policing assets that NATO nations might require for dealing with threats, especially of hybrid nature? Spain has requested the assistance of NATO due to the migration problem in the South, but not a Stability Policing contribution.

The "weaponization of migration flows" as perceived along the borders of Belarus and Poland could also have benefitted from a quick deployment of Stability Policing assets, specialized in policing civilians. Instead, the Polish military was employed. This naturally does not constitute a Stability Policing mission – although statements to the contrary have recently surfaced. It is remarkable how many so-called experts consider the deployment of military forces of a country within that same country as Stability Policing. That obviously is not and cannot be the case, since, to have a deployment of NATO Stability Policing, a North Atlantic Council decision and mandate is required. The Polish example, like the Italian "Strade Sicure" use of Italian Army assets to augment (reinforce in the traditional military acceptation, i.e. deploy or employ to increase capacity) its Police Forces' presence is a purely and autonomous national decision. The legal frameworks and mechanisms are inherently diverse to the point that assimilating them or bringing them under the same conceptual overall umbrella likely results from ignorance about NATO Stability Policing.

Overall, there is thus considerable evidence of the growing importance of the need to have an increasing number of gendarmerie-type forces assets in the contemporary European security landscape. This is because the recent experience in peace support operations and in facing the modern unstable international landscape highlights the key role in addressing many of the most important security challenges, ranging from border control and counter-terrorism to ensuring public order and working in international peace operations, they have played so far.

Gendarmerie-type forces ensure flexibility of use and the ability to achieve a vast array of results that go beyond mere military conquest or acquisition. They can also face a multiplicity of threats to internal and international security and peace of a non-military nature which affect as much if not more, than military ones the destabilization of nations or even larger regions. The flexibility of employment and the ability to contribute to countering - even to prevent - modern challenges to the security and stability of gendarmerie-type forces is achieved both above and below the threshold of conflict; they make their important contribution within all three core tasks of NATO, as described in the new *Strategic Concept*[19].

The current world scenario is fragmented and potentially very unstable and the Euro-Atlantic security is undermined by strategic competition and pervasive instability; terrorism increasingly represents an asymmetric threat to the security of all citizens and international peace and prosperity; the international community also has to contend with global and interconnected threats and challenges like climate change, emerging and disruptive technologies, and the erosion of the arms control, disarmament and non-proliferation architecture[20]. The overall picture is made even

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[19] NATO's three core tasks are: deterrence and defence; crisis prevention and management; and cooperative security.

[20] In this regard, see also NATO (2022).

more unstable by the activities of peer competitors who are challenging the free world's interests, security and values. Faced with this perspective, the need to adapt to meet the challenges of a more unpredictable and competitive world is urgent and emerges clearly and unequivocally.

In this context that is turbulent and difficult to decipher, practical experience leads us to argue that the gendarmerie-type forces are a very well-calibrated instrument of military capabilities with deep-rooted and in-depth police expertise. They allow the Alliance to expand its outreach and to remain relevant and effective against competitors and opponents. In fact, they have shown - when deployed within and outside NATO operations - to be able to expand the range of tools that also the Alliance can use to counter opponents and spoilers to international peace of any nature, engaging and challenging them in environments that are not only purely military achieving highly beneficial effects in terms of consolidating peace and creating safe and stabilized environments.

6. NATO Stability Policing: non-lethal weapons, intermediate force capabilities and the urban environment

In this time of increasing funding flows, NATO should reflect on how these will be spent. Armament directorates obviously look at expanding and deepening platforms that have suffered from years of budget cuts and dis-investment, even lack of research. The vast majority of these platforms and weapons systems (or systems of systems) are focused on delivering lethal force, but what about non-lethal weapons? What about the intermediate force capabilities that encompass ways, means and end-states between the mere presence and the use of lethal force? Particularly with non-combat related challenges, such as in the grey zone and using hybrid methods including below the threshold of armed conflict, "non-traditional capabilities" such as Stability Policing may be well, if not better suited to support commanders in solving their dilemmas. In fact, Stability Policing, like all Law Enforcement Agencies, mostly operates within the intermediate force remit, another example of policing being different than soldiering. The new concept dedicated to intermediate force capabilities, currently being developed specifically mentions Stability Policing. It looks at using means and ways to make and keep the Alliance fit for purpose with the overall endstate of "winning across the entire continuum" of competition, i.e. military capabilities to be employed using tools and adopting procedures that widen the range of possibilities for NATO to achieve its goals. Stability Policing using non-kinetic approaches might include non-lethal weapons as "means" but also negotiation and mediation, or investigating, arresting irregular actors or seizing funds and assets as "ways". Both these approaches contribute to contrasting opponents, also below the threshold of conflict.

Non-lethal weapons can be brought to bear better within urban environments, also in the presence of civilian populations to achieve military effects, but without destroying the infrastructure, damaging cultural property, or harming civilians. It would be very ill-advised for Allied and national procurement practitioners to focus too heavily on very costly lethal platforms completely disregarding non-lethal ones. It is shocking that during a recent exercise the mere possibility for NATO to conduct large-scale military operations, fighting in urban environments and particularly in heavily populated areas, was put overall in question. The conundrum for the commander lays in his duty to protect the civilian populace and infrastructure as much as possible or to win. Likely opponents have not only demonstrated their disregard for the international rules-based order and the restrictions it imposes, but they also exploit those same rules and turn them into constraints for Allied forces. The operational design includes these self-imposed dilemmas, severely limiting Allied freedom of movement in the battle space.

The NATO Capstone Concept on Joint Operations in Urban Environment states that Stability Policing "will become increasingly important in urban operations", delves into the specific roles it can have within that particular environment and recommends that "NATO should increase the availability and number of stability policing personnel". The concept dates back to 2018, four years during which this recommendation has not been heeded. Four years during which the resource pool, especially of gendarmerie-type forces, forces that any given day police civilians in cities in their home countries and are therefore particularly cognisant of operating within the urban environment and possess, at the same time, the robustness to be employed or deployed in non-permissive environments, has neither been filled nor expanded. The urbanization trend is clear, everyday masses of people around the world are moving into cities for a host of reasons, chiefly among which is the hope of improving their livelihoods, and it is a fact that human conflicts do erupt where people are. Hence it is quite surprising that resources are not being invested into the only type of asset tasked with keeping law and order.

7. NATO Stability Policing countering hybrid threats: a Very High Readiness Stability Policing Task Force and responding to recent crises

Austria, a NATO Partner nation, has deployed its Military Police to face increased migrants flow to support its police. Unfortunately, they disbanded their Bundesgendarmerie in 2005. One might wonder if they should not consider re-instating a gendarmerie-type force; from a NATO Stability Policing practitioners' point of view, it would be a most welcome commitment and deterrent. Maybe other Nations like Belgium or Greece would follow. Investing resources into instruments that are

flexible and normally used for policing anyway, that are supporting resilience, and bring together NATO law enforcement might not be the worst idea. Ideally, a common European gendarmerie-type force model force could be adopted, learning from the current experiences and lessons of existing similar forces but also looking at possible NATO Stability Policing deployments outside and, in the case of article 5. operations, even within NATO Nations. Since it is a fact that historical and cultural developments make policing by military forces unacceptable by and within some Nations, a NATO Stability Policing rapid-reaction asset based on a two-tiered forces system might be beneficial. Tier one might comprise gendarmerie-type forces, that are known and perceived as everyday police personnel and therefore more palatable for deployment within police assistance missions inside NATO. A second tier with Military Polices and other military forces, could be envisioned to be deployed together with tier one during operations outside NATO borders. Currently, NATO's Very High Readiness Joint Task Force or NATO VJTF does not encompass a Stability Policing component, in fact creating a deployment gap that time and again has shown its negative effects. Standing up and maintaining a Very High Readiness Stability Policing Task Force would come with a high price tag, but the current crisis seems to have suddenly awoken Nations' appetite for better-prepared forces and the will to fund them. Why not add a credible Stability Policing asset to the menu? All NATO Nations already have forces they can contribute in one capacity or the other. Does the strength of the Alliance not lay in the fact that shortcomings and limitations one Ally might be compensated and picked up by others? The Very High Readiness Stability Policing Task Force is particularly important, not only because of its deterring effect (particularly if it does get deployed!) but due to the interoperability requirements it comes with during the certification for its readiness. One force on call requires another one to train to pick up the burden in the next year. The undeniable benefit of such a resource-intense project would consist of testing, identifying, and eliminating interoperability shortcomings, a testbed and lab for police cooperation and collaboration. Flexible, augmented capabilities and more efficient law enforcement, capable of operating in non-permissive environments sound like an outcome too good for NATO not to intensely pursue.

If the Ukrainian crisis has taught one thing it is the imperative, not the possibility, to awaken from the post-Cold War slumber with its illusion of not having wars in Europe and at its doorstep and the consequent dismantling of costly, but as recently turns out pretty necessary defence apparatuses and mechanisms. The new requirement, like it or not, is very simple, re-acquiring a culture and posture of Total Defence or risk being overwhelmed and ground down into geo-political oblivion. Now more than ever there is a need to bring together Nations' populations, societies and governments. Integrating the economy (industry, transport, the information dimension), politics and diplomacy, law enforcement, and the justice sector including the judiciary and corrections, with the military in a resilient and if not harmonious, at least de-conflicted

and cooperation-seeking whole. Separation and isolation, polarization and infighting are not options anymore if nations and societies want to become less vulnerable. Hybrid warfare does in fact seek to exploit precisely these tendencies to split up Nations and make them easier to attack, if not to conquer. It goes without saying, that an efficient and appreciated law enforcement has invaluable contributions to make. If endowed with military characteristics as well, it might continue to perform even during crises that degrade the environment to levels at which civilian sister organizations just cannot act. Recent examples in Afghanistan have demonstrated that the best trainer and law enforcement experts are of little use, if they are confined within their barracks or forward operating bases and cannot constantly follow their trainees during their activities. Similarly, in Ukraine, law enforcement has been taken over by the Military Law and Order Service (MLOS) since ordinary police cannot operate in conflict areas.

8. Gendarmeries are useful also outside conflicts and there is a need to invert the tendency of their dismantling

In many, if not all, European countries with gendarmerie-type forces, there have been calls for the demilitarization or "civilianization" of these forces, implying a change in their military character to bring them closer to "ordinary" or civilian-style police. In some countries, notably Austria and Belgium, this development has gone as far as to result in the dissolution of the gendarmeries and their integration into the civilian police. While gendarmerie-type forces can be found in many parts of the world, including Africa, Latin America, and the Middle East, among Western industrialized countries they are typically a feature of continental European states and at least formally did not develop in Anglo-Saxon or Scandinavian countries. Critics of gendarmeries typically argue that, in a liberal-democratic state, law enforcement and internal security activities should be carried out by civilian police forces only, and view the use of semi-military forces in a police function as incompatible with civil liberties and democratic principles.

This view rests on an unstable basis and a partial understanding of the instrument. The hope is therefore to immediately have a turnaround in the volition to equip themselves with gendarmerie forces and use them. Given that many contemporary security challenges defy the distinction between domestic and international, having a security force that combines both police and military characteristics should be considered a significant asset. In fact, the gendarmerie-type forces can make a significant contribution to the achievement of both operational and strategic objectives; in other words, thanks to their peculiar nature and their structure, they can be effectively used by military organizations - both national and international such as NATO - either within military or civilian-led operations. Through the use of non-military means,

the achievement of the desired end state during military operations and also the achievement of socio-political objectives of a strategic nature outside of military operations can be facilitated. The dual civilian-military nature of the gendarmerie-type forces allow for rapid deployment of their assets and immediate insertion into task organizations and the command and control chains of military commands in operations. Moreover, gendarmerie-type forces can easily and effectively interact with military assets in operations, acting as a glue and a bridge between the institutions and the civil world: the dual nature of gendarmeries makes them important, even indispensable, in bridging the gap between domestic and international security.

9. The Stability Policing civilian-oriented mindset - understanding the civilian world in order to operate inside it with success

To effectively face a situation of international crisis where military and non-military causes are intertwined or to confront an unstable scenario created by hybrid threats, it is necessary to adopt postures that differ from traditional military ones. Today the causes of instability, crisis and conflict must be sought more in the economic, social and cultural spheres rather than in purely military ones; likewise, the tools with which crises are initiated, accentuated and exasperated are less and less military and more and more of a "civil", "social" or "economic" nature; the actors who proliferate in these areas with indefinite contours are increasingly proxies or non-state actors and less and less peer or near-to-peer state competitors.

It is therefore clear that if challenges to international security are to be tackled effectively, one must do so with tools suitable for this purpose. More specifically, it must always be kept in mind that the current methodology to exploit the criticalities and weaknesses of democratic states to challenge them and to crack their cohesion and social stability is almost never of military origin but always touch socio-economic aspects. This is because those who want to attack international peace and stability are very clear that better results can be obtained by resorting to unconventional tools that do not lead directly to the attackers.

It is for these reasons that in order to counter and stem the threats to the stability and attainment of the world in which we live, we must necessarily confront the civil world and immerse ourselves deeply in it in order to be able to operate within the social tissue. To do this, however, it is necessary to choose a suitable instrument to carry out its activities in a non-military context. This instrument must therefore have a marked predisposition to interface and interact with the civilian population, with institutions, and with civilian operators; must be able to understand the civil world, and its dynamics and be able to win the sympathies and above all the confidence of the civilian population.

Practical experience leads us again to consideration: the gendarmerie-type forces, or more generally the Stability Policing assets, have demonstrated in the field - with years of presence in theatres characterized by instability and social insecurity - to be more qualified and suitable to represent an antidote against the pitfalls of peaceful international coexistence. This superior attitude derives from the fact that the gendarmerie-type forces operate daily among the civilian population as law enforcement bodies; and they therefore know the fears and hopes of citizens, economic operators, and institutions, they know what the threats to a safe and secure environment are and above all, they know what to do to counter these threats.

10. Diversified threats require diversified capabilities – legal operations require Stability Policing

As we have been able to learn up to this point, Stability Policing leads into a new world that is different from the "pure military" one the Alliance is used to. The former's ability to focus on operational theatres and scenarios through its "blue lenses" represents an added value both for the Alliance and for the individual nations that make use of them. It is the epitome of the ability to face, compete and prevail over opponents who use tools, tactics, and leverage of a social and economic nature and with illegal and illicit purposes.

Looking around in everyday life, observing and analysing the events that continually manifest themselves in world scenarios, we cannot fail to notice and realize that the destabilizing actions threatening peace and challenges to security come mostly from sources that are different from the military ones and we cannot fail to consider how the use of the military instruments to impose one's will is nowadays the last to be used. Current security spoilers – whether they are state or non-state actors – have realized that the exploitation of a wider range of non-military tools allows them to create more and more lasting damage, to be less exposed to the media, and to delay the recognition of the wickedness of their intentions. In addition, the influence exerted on a neighbouring state in a covert manner can ensure greater effects, lower risk, and lower cost.

Faced with a plethora of new and different threats, it is necessary to resort to a set of diversified capabilities; it is necessary to have the foresight to recognize the potential war usefulness of instruments already existing outside the classical military remit. The grey zone in which spoilers thrive and operate encroaches on a sector that can be very effectively tackled with police action and legal tools. The time could be ripe to start thinking about new forms of combat and to outline new tools to continue the war against the adversaries and to stop – if not anticipate – the destabilizing activities of those who want to undermine the solidity of international security.

The tool we refer to is "lawfare", which might be understood to mean the use of the law, or exploitation of aspects of a legal system, to achieve tactical, operational, or strategic advantages in the context of conflict. By this term, we can mean the use of legal systems and institutions to damage or delegitimize an opponent and to achieve advantages in military activity or in any sphere of social relations and the use of legal systems and principles against an enemy, such as by damaging or delegitimizing them. Lawfare is, as already theorized, "a method of warfare where the law is used as a means of realizing a military objective" (Dunlap, 2001). The use of lawfare or legal operations tools makes it possible to counter opponents and adversaries unexpectedly; it allows to dismantle of the funding flows but above all, it deteriorates the image of a fighter behind which the malicious actor hides his hybrid and non-conventional operations and places him in public opinion on the same level as criminals and terrorists.

To pursue this path and make the best use of this tool, it is necessary to adopt and use Stability Policing structures; these are in fact perfectly tailored and suited to best accomplish these goals. Their nature as police operators allows them to exploit in depth the potential of the legal instrument and their status as military units allows them to integrate into the military planning process and to conduct these peculiar activities in conjunction and support of other military ones by integrating with and complementing them.

11. DIME should at least become DIMEFIL

These last considerations lead us directly into a field of strategy that could also be subject to changes in order to better adapt it to the new operational scenarios. These are the instruments of national power, i.e. some tools that can be used to assert or re-assert national power and influence over an adversary, and that are summarized by the acronym DIME (Diplomatic, Informational, Military, and Economic). The term refers to how nations use the power available to them to exercise control over people, places, things, and events to achieve objectives following their national interests and policies, entailing a coherent design for using appropriate instruments to produce a specific desired outcome.

Even opponents and competitors use the same rationale in their hybrid strategies: exploit all aspects of political, economic, and social life to undermine the stability of a nation or a region to take control. It is therefore clear that to counter and stop such ambitions, one must resort to all the tools in one's possession and not limit oneself to the use of military force to counter enemies who use tools of different nature. The formalization of the concept of instruments of power and the creation of the DIME scheme is a tangible sign of how strategists, policymakers and even planners have

grasped the importance and concrete application of these tools in comparison with global and regional competitors.

However, these toolsets should be expanded and integrated with others, because despite how long the DIME has been used for describing the instruments of national power, we need to understand that there are many more instruments involved in national security policy development and implementation. Indeed, together with this framework, it is increasingly imperative to consider additional instruments of power such as finance, intelligence, and law enforcement. Focusing only on the kinetic employment of the military, prioritizing a military-centric approach to demonstrate power, destroy the enemy, and celebrate victory might result in neglecting other instruments of power and, therefore, in suboptimal use of resources; the emergence of a new strategic environment necessitates an orchestration of multiple instruments of power. As a result, it is perhaps time to transition from a DIME to a DIMEFIL concept (Rodriguez et al., 2020).

As peer competitors and trans-regional malign actors develop fluid and below-threshold-based grey zone action plans, NATO needs to quickly adapt to compete in a changing threat environment. To succeed, decision-makers and military commanders will need to understand, select, and synchronize the broadest possible range of instruments of power to ensure a whole-of-government and international approach to these problem sets.

The addition of this new leverage, and that relating to law enforcement in particular, must not be seen only as a necessary appendix to the fight against international terrorism. Rather, it should be the far-sighted use of a powerful and undervalued weapon: the legal targeting of socio-economic actions and activities used in support of activities or for military purposes. The use of specialized police assets integrated into military devices guarantees a wider outreach in the fight against threats and better consistency in the application of these methods above and below the threshold of war.

12. There is always a law enforcement perspective

Although it may not be immediately understandable, the law enforcement perspective is present in many areas of international confrontation and can find application in the entire spectrum of military operations from pre-crisis to post-conflict and it has even greater room for manoeuvre in the grey area where war and crime overlap. Implementing the application of laws and ensuring compliance with them is an aspect very often neglected by military planners and strategists, but which instead plays an important role, even during a conflict and in conjunction with military operations. Having functioning police forces and law enforcement agencies ensures, or at least supports, a safe environment where the civilian population can continue to carry

out their daily occupations. It also allows to demonstrate the effectiveness of local institutions by earning the trust of citizens; at the same time, it concretely demonstrates the commitment of the allied expeditionary force in contributing to peace and the protection of the civilian population through the use of Stability Policing units that complement or replace local law enforcement agencies. Furthermore, during military operations including in times of war, the law enforcement activities implemented by the Stability Policing Units can contribute, among others, to feed the intelligence cycle, counteract spoilers, attack the network to counter improvised explosive devices and to fight against terrorism. But it is before and outside the war that the law enforcement perspective makes its largest contribution to the maintenance of national and international security, namely in its ability to operate in hybrid environments in which legal targeting demonstrates its value and maximizes contributions to the fight against threats and malicious actors. The dramatic change in the character of war witnessed in recent decades requires facing new security threats with different eyes and from a different perspective: great power competition, terrorism, intra-state conflict, cyber threats, and climate change pose real risks and often directly impact individuals and communities in ways that have prompted a shift in thinking about approaches to security. Law enforcement activities, and in particular those of the Stability Policing structures integrated into the military commands, constitute an effective tool to guarantee and protect the human and individual rights of the population and every single person; it allows to protect people's freedom and to defend them from attacks and dangers; moreover, it counteracts all those malicious actors who attack the political and social stability of nations.

Stability Policing, as the embodiment of NATO's law enforcement capabilities, can and must represent a privileged tool in the context of the multi-sectoral approach to security that goes by the name of human security. This is a concept that gives primacy to people and includes topics like: fighting trafficking in human beings; protection of children in armed conflict; preventing and responding to conflict-related sexual violence; protection of civilians; and cultural property protection. All these areas are used by malicious actors in conflicts to finance their expenses and to undermine the social cohesion of communities. They are tools used before, in the course of and after armed conflicts to influence. This aspect cannot be fought against effectively with the traditional military tool; operating against it with law enforcement instruments enables to counter them more effectively and to hit the state or non-state actors behind them. The use of law enforcement can also contribute to the battle of narratives within Strategic Communications, i.e. StratCom, two very useful and very important tools to oppose and prevail over opponents.

13. Societal complexity hampers governance

Governments are continuously seeking to better their institutional performance to improve the livelihoods of citizens, the competitiveness or viability of business, the delivery of basic public services, and enhance the trust in regulatory institutions. These goals are influenced and challenged on a daily basis by the reality of the social fabric and the international interactions in which institutions must operate. In fact, human societies, and even more so modern ones, are characterized by a structural, political, and economic complexity that can be easily infiltrated and altered by malicious actors who use internal leverage or external elements. This complexity and its latent fragility can hamper governance and can be drivers to plunge a company into instability and chaos. It is the task of the institutions to constantly monitor every area of society to timely detect any possible disturbance and intervene to restore the necessary balance.

Let's consider how an external spoiler or a competing power may try to influence the balance of a State and how many non-military means – or activities that cannot immediately be attributable or that may be comparable to war – it could use to give substance to its plots. The areas of a multi-faceted society that can be attacked or exploited are numerous: economic, cultural, religious, linguistic, communicative, and environmental. All these put together make up the kaleidoscope that is a modern society, but at the same time, each of them is a cornerstone that can sustain or be used to attack and bring down the whole society.

Let us think of the radicalization of an ethnic or linguistic minority, which begins to deny abuse by the central authority; we think of the weaponization of migratory flows; we think of the connivance of transnational criminal associations that intensify their activities by taking advantage of financial safe heavens provided by external competitors; we may think of disinformation activities or cyber-attacks. All of these are instruments of a non-military nature and apparently unrelated to each other; these are all actions that cannot be opposed to a military instrument. However, they are acts that can pursue strategic purposes in coordination with military activities, perhaps anticipating them or creating the basis for their use. Often these are activities that cannot be easily traced back to their initiators inside or outside a nation.

Considering the overall picture, one cannot fail to agree on the need for nations to be and seek to become ready to tackle any possible threat to their security and internal stability by acquiring and developing the most suitable means; in the views expressed above, these should definitely include roles for law enforcement agencies and Stability Policing. The use of a dedicated military tool for law enforcement that furthermore fosters the rule of law is particularly suitable for countering hybrid threats and for allowing the state to operate effectively in grey areas, where it is weaker and easier for an external attacker to infiltrate own operators or support its proxies. The use of law enforcement structures allows the State to reaffirm its primacy over elements

that operate illegally and allows it to combat external enemies with effective tools to deteriorate their operational capabilities. In this view, it also undermines their image and public credibility helping to identify and denounce the links between external competitors and criminal proxies or groups operating to destabilize.

14. Populace, territory, economy – three elements all requiring Stability Policing

Among the identified elements of society, there are three in which the role of Stability Policing and the need to adopt such structures clearly emerge. These elements are population, territory, and economy. They are closely interconnected and constitute key remits in the life of a nation. In each of these remits, Stability Policing plays a role of primary importance, and its work can mark the boundary between a stable and safe environment, and an anarchic, unstable, and fragile one. Population, economy and territory all need protection, the first relating to the full enjoyment of civil and human rights, the second to the stability and legality of transitions, and the third to the integrity, healthiness, and preservation of biodiversity. With its capabilities of police intelligence, investigation and with its daily activities of presence among the citizens, Stability Policing can preventively detect threats to the social body, economic dynamics and therefore boost stability and social cohesion.

The law enforcement activities of Stability Policing allow the contrast of all those criminal activities hampering and jeopardizing the safety of the population; it also manages to identify and prosecute those illicit and/or illegal economic activities used by criminal organizations and proxies to negatively influence and undermine the economic stability of a nation; they can contribute to the maintenance of the territorial unity of a nation by promptly capturing the reasons for the discontent of ethnic or cultural views or by intercepting the malicious activities of external actors who intend to foment or create the discontent of these minorities towards central institutions; it can also work to protect the health of the natural environment by investigating polluters, neutralizing acts of eco-terrorism or by contributing to interventions in the event of natural disasters.

The police and law enforcement activities, that Stability Policing can carry out in the aforementioned areas, allow bridging the military and civil instrument in national defence and in fostering the processes of social resilience and opposing and contrasting malicious activities; it also allows to hamper adversarial activities, to disrupt the financing and procurement channels of proxies and non-state actors and to attack the opponent on a legal level that undermines their credibility and assimilates them to a common criminal; a criminal conviction can have a more disruptive effect on the opponent than a tactical defeat on the field.

15. The four Stability Policing building blocks

Stability Policing bases its ability to act as a game-changer on four building blocks. They are represented by the ability of Stability Policing to strengthen the law enforcement agencies of the Host Nation both in terms of capacity building and to provide missing capabilities to reinforce local agencies; its ability to temporarily and fully replace local law enforcement agencies when absent or inefficient; its ability to support the creation from scratch or contribute to the improvement of a nation's legal framework and the strengthening of local institutions; finally, to enrich the capabilities of a nation with highly specialized structures (environmental protection, scientific investigations, anti-terrorism, counteracting organized crime, protection of cultural heritage, etc…). It is therefore evident that the contribution that Stability Policing can give to the construction of a highly resilient structural system is important; there is also an urgent need for an immediate turnaround in the consideration that this tool must have among strategists, military planners, and decision-makers.

Beyond generalist support to the Host Nation's law enforcement capabilities, Stability Policing can bring additional capabilities to contrast asymmetric and hybrid threats. In fact, it has a series of highly specialized structures in specific sectors that can prove to be crucial to enhance the preventive and repressive capabilities; these increase and broaden the scope of the effects of Stability Policing actions and make it possible to pursue malicious activities in areas and in ways that are not practicable with traditional military tools. The use of certain capabilities in addition to giving greater depth to the action of contrast, allows to protect the interests of the civilian population, to preserve their cultural heritage, and to protect the environment by inhibiting adverse actions in each of these areas. In this way, Stability Policing contributes to the total defence and resilience process and allows to reaffirm of the effectiveness and efficacy of national institutions.

16. NATO must learn to fail during exercises

We have so far talked about a different, and in some respects innovative, way of dealing with modern security challenges by addressing the subject from a general point of view. By going a little more into a specific aspect, we can try to see what NATO can do or can improve in this area.

Out of an ancient habit, NATO faces and prepares for the changing scenarios by focusing mainly on the use and implementation of the military instrument; even when it comes across new challenges and threats, the immediate tendency is to face these challenges with the existing military instrument and its capabilities, at best to try to adapt the military instrument. What the Alliance does not do enough and with

sufficient speed is adopt and fully integrate new and established tools to tackle these new challenges. This happens, despite the fact that it already has in its toolbox an instrument that combines military and civilian capabilities to fit the purpose: we are talking about Stability Policing. As repeatedly mentioned earlier in the article, Stability Policing allows to effectively tackle new hybrid security threats through the police perspective; NATO should become more aware of the potential and capabilities of this instrument and make greater use of it.

A good way to realize how useful Stability Policing is in the context of military operations, above and below the threshold of war, would be to measure the effectiveness of the Alliance in specifically prepared exercises. Scenarios should be created in which the threats of a non-military nature posed by non-state and non-military subjects, perhaps difficult to connect with peer competitors, are preponderant with respect to military actions to push planners to use different tools. NATO should also learn to challenge itself to the extreme and introduce failures in exercises; in those controlled environments, they would not do harm, but would strongly and decisively show shortcomings and gaps and therefore lead to innovating and improving the military tool.

In fact, a large number of lessons can be drawn from a failure in exercises including understanding if the military organization is suitable to face new scenarios or if it needs changes and updates; it is also possible to appreciate if a capability is underutilized and conclude if it is possible or necessary to make a greater or better use of it. It would therefore be interesting to try to design exercises in which hybrid threats of a non-military nature are brought forward by malign actors or non-state proxies, such for example the conveyance and exploitation of migrant flows, illegal trafficking of weapons/equipment to supply splinter groups within a nation, manipulation of the market of basic necessities to create internal unrest and turmoil while disrupting the black market to weaken institutions and other similar examples, may become preponderant to a point to highlight the ineffectiveness in such contexts of the mere military instrument and underline the usefulness of Stability Policing and law enforcement activities in the broader framework of national defence activities. In this way, useful lessons could be drawn painlessly resulting in the adaptation of the military instrument and guaranteeing a better capacity for national resilience.

17. Discussion and conclusions

Currently, a convergence of military and law enforcement is observed i.e. the military is called to perform policing while police forces are getting militarized. Gendarmerie-type forces are one of the few if not the sole instrument with the flexibility to operate across the full spectrum of law enforcement (at home, deployed, Article 5 operations, non-Article 5 Crisis Response Operations etc.) in true Multi-Domain Operations

across the variety of the Instruments of Power. Taking into account the advantages of gendarmerie-type forces, to enhance flexibility of the military instrument improving effectiveness at home and abroad (deployment), it is suggested to invert the tendency (particularly in Europe) to transform gendarmerie-type forces into civilian police forces. The full spectrum of threats require full spectrum responses, this includes the urgent necessity to abandon DIME for DIMEFIL+ (even DIMEFIL could not be sufficient to operate within the cognitive/human environment or dimension). There is an inadequacy of the legal framework to address changes in the character of war (particularly hybrid, distinction defence-law enforcement). The actual societal complexity hampers governance and increases exposure to full-scale of threats of opponents from criminal to peer/near peer nation enemies. Allied mission/operation/ activity and Article 5/ non Article 5 Crisis Response Operations /cooperative security frameworks need the flexibility to intervene in current conflicts (not limited to military and below the threshold of armed conflict). It is total defence or nothing, the dilemma of NATO fighting in the urban environment with chances to succeed due to opponent's disregard for the International Rules-Based Order. The populace is part of the key factors together with the territory and the economy (particularly in Article 5, but not only) which require Stability Policing.

The above-painted picture identifies shortcomings and problems but also points out suggestions and viable propositions, presenting the Alliance with a simple choice, either take immediate and continuous action to address them or risk becoming unfit for purpose. Talking of innovation is obviously not enough if deeds do not follow.

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