

The Role of Arms Control in Future European Security

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Abstract

Taking as a point of departure Russia's declaration on pulling out from the CFE's Joint Consultative Group of the Conventional Armed Forces in Europe Treaty (CFE), the article looks into the reasons behind the demise of European conventional arms control system and the inefficiency of confidence and security-building measures (CSBM). It presents assessment of the utility of arms control and CSBM mechanisms during the Ukraine crisis, pointing to their limited effectiveness. Finally, it identifies options for re-introducing arms control and confidence and security-building measures as important instruments of reducing tensions and increasing military predictability in Europe, including agreeing on effective arms control regime for Eastern Ukraine, strengthening pan-European CSBMs, declarations of military restraint, and work on legally binding territorial limitations.

Keywords

arms Control – confidence-building measures – CFE treaty – Vienna document – OSCE – NATO – Russia

Introduction

Russia's March 2015 pull-out from the Joint Consultative Group,¹ operating in the framework of the 1990 Treaty on Conventional Armed Forces in Europe

(CFE), put a symbolic end to an era of European arms control history. In terms of its practical consequences, the importance of the decision was negligible. Already in 2007 Russia "suspended" implementation of the Treaty. In 2011 NATO members and some of its partners announced that they would cease to be bound by the CFE information exchange and inspection obligations with regards to Russia.

The final demise of the CFE has coincided with some more fundamental changes in the European security landscape. Under the pretext of reacting to a 'regime change' in Kyiv, Russia took control of and annexed Crimea in March 2014 in clear violation of international law and the Helsinki Final Act's Principles. It later provided military support for the separatist forces in Eastern Ukraine. Reacting to these developments, Western countries have introduced a number of sanctions against Russia. NATO decided to augment its military presence at the territories of the members located closer to Russia as part of its Reassurance Action Plan. Even if the situation in Eastern Ukraine can be stabilized as a frozen conflict, the serious damage inflicted on the European security system cannot be easily undone.

The crisis of conventional arms control (CAC) regime in Europe and the inability to reach any progress on confidence-building measures in the areas of missile defence and sub-strategic nuclear weapons had been noted by security experts well before the beginning of the Maidan protests in Ukraine in November 2013. At the political level, there was a lack of interest in CAC and unwillingness to move beyond zero-sum game thinking in resolving other issues, such as missile defence.

This article looks first into the reasons behind the demise of the European conventional arms control regime and the inefficiency of confidence – and security-building measures (CSBM). It would then present a preliminary assessment of the utility of arms control and CSBM mechanisms during the Ukraine crisis. Finally, it would discuss the possible future roles for arms control and CSBMs as instruments of reducing tensions and increasing military predictability and stability in Europe.

1 Director of the Department for Non-Proliferation and Arms Control Mikhail Ulyanov's interview with Interfax, 11 March, 2015. Retrieved 30 March 2015, <http://www.mid.ru>.

The Past of European Arms Control

Increasing the level of security in Europe through dialogue between the East and West militaries and implementation of the confidence-building measures in the military sphere have been among the main goals of the Conference on Security and Co-operation in Europe/Organization for Security and Co-operation in Europe (CSCE/OSCE) process from its inception. The confidence-building experience of the Cold War era has been developed further and codified in the subsequent editions of the Vienna Document on Confidence and Security-Building Measures (VD), which includes information exchange, inspections and evaluation visits, notifications and observation of exercises, procedures for unusual military activities, and other military-to-military contacts. The political CSBMs were later augmented with legally binding arrangements, the 1990 CFE Treaty with its subsequent adaptations and the 1992 Treaty on Open Skies.

The OSCE remains at the centre of most CAC-related activities in Europe. The Forum for Security Co-operation (FSC) has been meeting regularly to discuss CSBM implementation issues, including the Vienna Document, and to exchange information on various aspects of military security in the OSCE area. The OSCE is also an umbrella organisation for the Joint Consultative Group, dealing with compliance issues arising from the implementation of the CFE Treaty, and for the Open Skies Treaty's Consultative Commission.

In the NATO – Russia context, it is worth recalling a set of political understandings reached in the mid-1990s on mutual restraint in the deployment of additional conventional forces in the vicinity of NATO-Russia border. NATO specifically pledged, on the assumption of unchanged security environment in Europe, not to station permanently additional “substantial combat forces”, not to deploy nuclear weapons or prepare nuclear storage sites on the territory of its newly admitted members.²

Taken together, these instruments provided “a substantial stabilising role in intra-European relations based on political cooperation and commitments including openness, predictability, transparency and mutual reassurance”.³ They facilitated the generally peaceful end of the Cold War confrontation in Europe and the transformation of the region in the 1990s. The CFE provided a framework for the process of massive reductions of the size of armed forces and destruction of the redundant equipment, with some 60,000 tanks, armoured combat vehicles, artillery systems, combat aircraft, and attack helicopters (categories covered by the Treaty) verifiably destroyed as part of its implementation.⁴ Combined with the Treaty's information sharing and inspection regime, such a massive reduction from the Cold War numbers seemed to make a large-scale surprise military attack on any country in Europe highly unlikely.

The assumption about a low probability of large-scale conventional conflict in Europe, driven partly by success of conventional arms control, informed policy decisions and defence planning in the majority of European states since the 1990s. It provided arguments for a decrease of spending on defence, and for prioritizing the development of the set of capabilities required for out-of-area interventions and stabilization operations over the capabilities needed for state-on-state warfare in Europe. Symbolically, the Netherlands decided in 2013 to sell its remaining Leopard tanks to Finland, while the U.S. Army shipped its last Abrams tanks permanently stationed in Germany back to the

2 Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation, signed on 27 May 1997 in Paris.

3 Z. Lachowski, ‘Back to the Future? Euro-Atlantic Arms Control in a “Post-Ukraine” Era: A Polish View’, in L. Kulesa (ed.), *Is a New Cold War Inevitable?*, Polish Institute of International Affairs, Warsaw, 2014, p. 9.

4 Treaty on Conventional Armed Force in Europe factsheet, German Federal Foreign Office. Retrieved 30 March 2015, <http://www.auswaertiges-amt.de>.

UnitedStates.⁵

The Crisis of European Arms Control

With the major reductions in conventional weapons stockpiles achieved, and mid-1990s controversies over flank restrictions largely forgotten, the European arms control regime was operating below the radar of the European decisionmakers. For the majority of Western states, the cold war-originated limitations and formality of the information exchange and inspection regime seemed ill-suited to the modern geopolitical situation in Europe and the priorities of their transformed armed forces.

The inherent value of conventional arms control as a tool for providing insights into the developments of other countries' armed forces and thus enhancing stability and predictability was largely ignored. Instead, conventional arms control issues increasingly served as a springboard for attempts to settle broader foreign and security policy issues. In NATO countries, prospect of ratification of the 1999 Adapted CFE Treaty was used as a leverage to try to force Russia to fulfil the 1999 Istanbul commitments regarding the complete withdrawal of troops from the territories of Georgia and Moldova, and thus *de facto* accept Western-promoted solutions to the 'frozen conflicts' in Abkhazia, South Ossetia and Transnistria.⁶ For its part, Russia was using the CFE case as an example of the perpetuation of its unequal status vis-a-vis the West and the latter's lack of understanding for Russian military predicaments connected with NATO enlargement. At the same time, Russia glossed over the negative consequences of its violation of host-nation consent rule⁷ with regards to Moldova and Georgia for European security. For Armenia and Azerbaijan, the arguments about each other's equipment acquisition and deployment in breach of the CFE obligations became an almost routine part of their political bickering. Finally, the Greek-Turkish standoff over Cyprus threatened the functioning of the Open Skies Treaty and nearly paralyzed its Consultative Commission work between 2011 and 2013.

Further complicating the picture, the deployment of elements of territorial missile defence (md) system by the United States and NATO in Europe was strongly objected by Russia as a destabilizing factor for U.S. – Russia strategic stability and for European security. Moscow insisted on bringing md under arms control process by agreeing legally binding limitations on its development, threatening military countermeasures if the program went forward. All md-related transparency, information exchange and cooperation offers prepared by the U.S. and supported by NATO were rejected by Russia as inadequate.

The final piece of the puzzle has been the presence of sub-strategic nuclear weapons on the European continent. A number of U.S. B-61 nuclear gravity bombs have been deployed in Europe in support of NATO nuclear deterrence, and a diverse arsenal of Russian sub-strategic weapons have been stored for the use by the navy, air and ground forces, and air defence units. Apart from the politically binding limitations set by the 1991/92 U.S. – Russian Presidential Nuclear Initiatives and NATO-Russia Founding act's 'three nuclear no-s', this category of weaponry was exempted from confidence-building and arms control processes. There was a clear understanding, at least on the NATO side, that these weapons can play a destabilizing role during any NATO-Russia crisis, and the consequences of their use or accidental detonation would be catastrophic.

5 J. Vandiver, 'US Army's last tanks depart from Germany', Stars and stripes, 4 April 2013. Retrieved 30 March 2015, <http://www.stripes.com>.

6 See U. Kühn, 'From Capitol Hill to Istanbul: The origins of the current CFE deadlock', in Working Paper 19, Centre for OSCE Research, Hamburg, December 2009.

7 One of the fundamental CFE rules, stipulating that no State Party can station conventional forces on the territory of another State Party without the agreement of that State Party.

Spurred by the renewed interest in nuclear disarmament following President Obama's 2009 Prague speech, the Alliance worked on a package of CSBMs which could be proposed to Russia as a first step towards including this category of weapons in U.S. – Russia negotiations on nuclear arms reductions. Proposals under consideration included joint seminars on nuclear doctrines, political declarations on nuclear policy (including confirmation of previous pledges), information exchanges on past or current stockpiles, visits to former or active storage sites, and exercises simulating response to accidents or incidents involving sub-strategic nuclear weapons.⁸ As with missile defence, Russia has shown little interest to discuss such CSBMs, noting that it expects full withdrawal of U.S. nuclear weapons from Europe as a condition for engagement.

The 2007 “suspension” of the CFE implementation by Russia was a clear warning that Russia would not be bound endlessly by the previous-era agreements it considered discriminatory and was not willing to yield to the pressure on the Istanbul commitments.⁹ The efforts to save the CFE in the form of the 2010–2011 consultations at the “36” format (30 original CFE members + new NATO states Albania, Croatia, Estonia, Latvia, Lithuania, and Slovenia) were too little, too late. They did not bring any tangible results as none of the participants was ready to significantly change their entrenched positions, primarily on the host-nation consent issue. By the time the Ukraine crisis started in late 2013, most experts and diplomats dealing with the issue agreed that the European CAC is in crisis, with the CFE ‘almost dead’¹⁰ and no clear path to revive it or reach an agreement on commencing work on a new legally binding framework. It seems that Germany was the only European country conducting any in-depth work on the new approaches to conventional arms control, focusing on the impact of new technologies and military capabilities on arms control and a concept of ‘verifiable transparency’.¹¹ Some experts hoped that the Vienna Document, which was only marginally updated in 2011, can be strengthened in the coming years to make it more relevant as a confidence-building tool. Some suggested focusing on devising a transparency-centred legal framework.¹²

Beyond the NATO-Russia dynamics, there has been one undisputed success of European arms control. The sub-regional conventional arms control system in the Western Balkans, set up by the 1996 Florence Agreement and based on Dayton Peace Agreement Article IV, helped to stabilize the region after a series of conflicts, and facilitated the destruction of over 8,900 pieces of heavy weaponry.¹³ The takeover of responsibility for the implementation of the agreement by the parties themselves (Serbia, Croatia, Montenegro and Bosnia and Herzegovina) in December 2014 was a confirmation of the progress reached and the durability of the regime.

The Impact of the Ukraine Crisis

The Ukraine crisis and especially the military confrontation between Ukraine, the separatists and Russia in Eastern Ukraine exposed the deficiencies of the arms control and CSBM system in Europe. Most significantly, even when some of the CSBM procedures were activated and actions conducted, they had little or no restraining effect on the

8 O. Meier, S. Lunn, ‘Trapped: NATO, Russia and the Problem of Tactical Nuclear Weapons’, in *Arms Control Today*, January 2014. Retrieved 30 March 2015, <http://www.armscontrol.org>.

9 On the Russian attitudes to the CFE, see e.g. E. Buzhinsky, *Moscow takes another step away from the Treaty on Conventional Armed Forces in Europe of 1990*, in PIR Center commentary, 11 March 2015.

10 W. Zellner, ‘Conventional Arms Control in Europe: Is There a Last Chance?’, in *Arms Control Today*, March 2012. Retrieved 30 March 2015, <http://www.armscontrol.org>.

11 H.-J. Schmidt, ‘Verified Transparency: New Conceptual Ideas for Conventional Arms Control in Europe’, in PRIF Report, no. 119, Frankfurt, 2013.

12 J. Durkalec, ‘Rethinking Conventional Arms Control in Europe: A Transparency-Centred Approach’, Strategic File No. 7 (34), September 2013, Polish Institute of International Affairs, Warsaw. Retrieved 30 March 2015, <http://www.pism.pl>.

13 Article IV factsheet, OSCE, Vienna. Retrieved 30 March 2015, <http://www.OSCE.org>.

developments on the ground.

Large Russian concentration of forces in its Western and Central Military Districts in late February 2014 (February 26–March 3) was notified according to the VD requirement by the Russian side as an element of the snap exercises programme (allegedly involving only 38,000 VD-accountable troops), thus with no obligation to notify it earlier or invite outside observers.¹⁴ These exercises most likely provided a cover for the deployment of Russian Special Forces to Crimea and provided Russia with a tool for intimidating Ukraine during the early stages of the crisis by threatening a large-scale assault beyond Crimea. Some of the units deployed for the exercises reportedly stayed in the vicinity of Ukrainian border later on,¹⁵ with the total numbers assessed by the British think tank RUSI at between 50,000 and 90,000 troops.¹⁶ According to NATO and Ukrainian assessments, in August 2014 elements of regular Russian units concentrated at the border entered Eastern Ukraine and repelled Ukrainian attacks against the separatists, and in January–February 2015 they took part in the new offensive against Ukrainian forces.¹⁷ During the course of conflict, the Russian side have also most likely transferred a large number of weapons and equipment, including tanks, APCs and artillery systems, to the separatist forces.¹⁸ Notably, representatives of the Russian Federation rejected all these claims as false and pointed to a lack of conclusive evidence of the presence of Russian troops or weapons in the country or massive concentration of troops in its vicinity.¹⁹

Existing CSBM procedures did not provide adequate instruments for impartial verification of the claims of both sides and assessment of situation on the ground. Annual quotas for OSCE countries to conduct visits in Russia in the framework of the Vienna Document (3 inspections and 2 evaluation visits) were exhausted in the first months of 2014. Out of those, 2 inspections and 2 evaluation visits were conducted before the Russian concentration of forces against Ukraine.²⁰ One inspection by representatives of Ukrainian armed forces took place in March 2014 in Belgorod and Kursk region in Russia. According to the Ukrainian side, the inspection revealed the presence of three Russian airborne battalions dislocated away from their permanent stationing and training sites.²¹

Ukraine invited experts from the OSCE members and partners to visit the country as a VD Chapter 3 measure to dispel concerns about unusual military activities on its territory. The experts visited Ukraine in March 2014, but were refused entry into Crimea by the ‘separatists’. A number of countries conducted further fact-finding activities at Ukraine’s invitation.²² In April 2014 military personnel from a number of OSCE countries working under the VD

14 See H.-J. Schmidt, ‘Verifiable Transparency’, in Security Community. The OSCE magazine, no. 1/2014, p. 11. The ‘snap exercises’ practice continued in 2015, with Russian assertions that the troops and equipment numbers fall below VD prior notification thresholds.

15 On Russian Military Activities Near Ukraine’s Border, as delivered by Ambassador Daniel B. Baer, U.S. Mission to the OSCE, 30 April 2014. Retrieved 30 March 2015, <http://OSCE.usmission.gov>.

16 I. Sutyagin, M. Clarke, ‘Ukraine Military Dispositions’, in Royal United Services Institute Briefing Paper, April 2014, London, p. 12.

17 Quoted in M. Urban, ‘How many Russians are fighting in Ukraine’, BBC News, 10 March 2015. Retrieved 8 April 2015, <http://www.bbc.co.uk>.

18 See e.g. Statement by the Delegation of Ukraine at the 774th FSC plenary meeting, FSC. cel/208/14, 10 December 2014 and the photos attached.

19 Statement by the Delegation of the Russian Federation at the Vienna negotiations on issues of military security and arms control at the session of the Forum for Security Co-operation, 14 May 2014, Vienna.

20 A. Rowberry, ‘The Vienna Document, the Open Skies Treaty and the Ukraine Crisis’, in Brookings Up front analysis, 10 April 2014, Retrieved 30 March 2015, <http://www.brookings.edu>.

21 Comment of the MFA of Ukraine on refusal of the Russian Federation to participate in the meetings within the OSCE, Press Release of the Ministry of Foreign Affairs of Ukraine, 10 April 2014. Retrieved 8 April 2015, <http://www.kmu.gov.ua>.

22 For an overview of OSCE activities, see: ‘OSCE response to the crisis in and around Ukraine’, in OSCE factsheet as of 19 February 2015, pp. 5–6. Retrieved 8 April 2015, <http://www.OSCE.org>.

framework, was detained by the separatist forces in the vicinity of Slovyansk in Eastern Ukraine.

In the later stage of the crisis, requests for consultation and provision of additional information about the Russian forces near the Eastern border of Ukraine (in accordance with the VD Chapter III procedure for dealing with unusual military activities) were made by Canada, Estonia, Ukraine and the United States. Russia made the similar requests to Ukraine following the same procedure. These requests led into three joint meetings of the Forum for Security Co-operation and of the Permanent Council on 7, 17 April, and 30 April 2014, without the participation of Russia and without taking any actions. In 2015, a new 'tranche' of visits under the VD became open. As of 19 February 2015, 4 out of 5 visits in Russia have already taken place. For example, in February 2015 the Ukrainian officers conducted an inspection of a 15,000 square km area in Rostov region.

The limited conditions of the VD visits (which are less intrusive than the CFE verification regime) and their short duration proved to be an issue in terms of interpreting the results of the visits. Russia claimed that the Ukrainian army officers taking part in the inspections in 2014 and 2015 confirmed Russia's compliance with VD obligations in the inspected area, a claim disputed by the Ukrainian authorities.²³

The utility of the Open Skies treaty activities during the Ukraine crisis is difficult to ascertain at this point. It should be highlighted that Russia and Ukraine honoured their obligations under the Treaty. Beyond the obligations, Ukraine voluntarily agreed to host additional observation flights over its territory, and in early 2014 Russia voluntarily agreed to a Ukrainian flight over the border region, which was conducted on 21–23 March 2014 (Russia denied request for a similar flight in May 2014).²⁴ However, safety concerns regarding flights over a conflict zone (confirmed by shooting down of the Malaysian mh17 Boeing in July 2014) prevented the Open Skies members from conducting observation flights in the area in the later stages of the crisis. Political considerations excluded conducting flights over Crimea as part of the Russian quota.²⁵ While integrity of the Treaty was preserved or even strengthened by its application during a crisis situation, it is unclear if the information obtained during the flights had any effect in terms of repudiating (or confirming) the information coming from the parties to the conflict about the situation on the ground, the size of the Russian concentration of forces at the border or threat of a large scale attack against Ukraine.

The Future of European Arms Control

Beyond Ukraine, a number of developments in recent months have highlighted the broader dangers of a dysfunctional arms control and CSBM regime in Europe. Russia has been demonstrating its capacity for rapid concentration and deployment of forces in the border areas through a series of well publicized large-scale 'snap exercises', involving all branches of armed forces.²⁶ Russia stepped up the activities of its air force, leading to a number of incidents involving NATO, Swedish and Finnish armed forces and, in some cases, endangering safety of civil aviation.²⁷ Moscow has also moved additional forces to Crimea and made a number of announcements regarding the possibility of deploying its nuclear weapons there. For some neighbours, these actions have

23 Comment by Foreign Ministry Spokesman Alexander Lukashovich on the inspection conducted by Ukraine in the Rostov Region, Ministry of Foreign Affairs of Russia, 19 February 2015.

24 H. Spitzer, 'Open Skies: transparency in stormy times', in *Trust&Verify*, Issue 146, July–September 2014, pp. 1–5. Retrieved 30 March 2015, <http://www.vertic.org>.

25 Ibid.

26 In May 2014 Russia suspended the bilateral 2001 agreement with Lithuania on confidence and security building measures, which involved exchange of information on forces in Lithuania and the Kaliningrad region, further limiting the transparency of its actions.

27 See T. Frear, L. Kulesa, J. Kearns, *Dangerous Brinkmanship: Close Military Encounters Between Russia and the West in 2014*, European Leadership Network Policy Brief, November 2014.

been enough to begin preparations for worst-case scenarios of Russia using its armed forces as an instrument of intimidation, coercion, or outright aggression against them.²⁸ At the NATO side, decisions were implemented on the rotational deployment of additional forces in the vicinity of Russia and initiation of a near-continuous cycle of exercises along the Eastern flank.²⁹ These measures were meant as a reassurance to the most exposed Allies and as a warning to Moscow not to underestimate the resolve of the Alliance in defending its members. But they also provided a justification for continued Russian military posturing.

The situation is likely to be aggravated by the scheduled actions of NATO and possible counter-actions by Russia. During 2015 and 2016, the North Atlantic Alliance plans to set up command and control centres in six Central European states and prepare a quick reaction force (Very High Readiness Joint Task Force) which will train to be able to be deployed along NATO borders within a few days. In addition, the U.S. will activate its Missile Defence installations with ballistic missile interceptors in Romania in 2015 and in Poland in 2018.³⁰ Reacting to these developments, Russia may decide to deploy additional conventional forces in the border region (including short-range ballistic and cruise missiles), forward-deploy its tactical nuclear weapons, or negate some of its nuclear arms control commitments, for example the Intermediate-range Nuclear Forces (INF) Treaty.

In the context of the Ukraine crisis, the general low level of trust between Russia and major European powers, and the overall “militarisation” of the international relations in Europe, arms control and effective CSBMs should be re-introduced as elements of a discussion on a future inclusive European security system.³¹

As a basic precondition, all major parties must recognize the risk of an unintended military escalation of the Russia-West crisis, potentially leading to war. Such an escalation may stem from misreading the intentions of the adversary (akin to the Able Archer 1983 scenario) or mismanaging an incident involving the potential opponents’ armed forces. The basic convergence of interests around the desirability of more stability of the (adversarial) relationship is *asine qua non* for development of arms control and effective CSBMs in Europe. In most of the ‘hybrid warfare’ scenarios, involving the use of non-military means and limited numbers of military or paramilitary personnel, the utility of arms control measures will be limited, but it would still reduce the unease about the worst-case scenario of a large-scale surprise conventional attack.

Assuming that such a basic political understanding about the utility of arms control emerges, substantive work can be initiated in a number of areas.

Effective Arms Control and Transparency Measures for Eastern Ukraine

Ceasefire arrangements for Eastern Ukraine agreed in Minsk included provisions on the withdrawal of heavy weapons to a particular distance from the frontline.³² Any tangible ceasefire regime in Eastern Ukraine build on these arrangements must involve withdrawal of all types of heavy weapons from the conflict zone, verified by the

28 Lithuania, Latvia and Estonia decided to increase their defence budgets and increase the capacity of both the regular forces and National guard-type units, Lithuania decided to re-introduce conscription for its armed forces.

29 NATO’s Readiness Action Plan, NATO Factsheet, February 2015, NATO. Retrieved 8 April 2015, <http://www.NATO.int>.

30 While U.S. and NATO territorial missile defence are not aimed at neutralizing Russian strategic nuclear forces, its deployment in Europe is treated by Russia as a threat. See: Russia threatens to aim nuclear missiles at Denmark ships if it joins NATO shield, Reuters, 22 March 2015.

31 See e.g. I. Anthony, Death of the CFE Treaty: The need to move arms control back to the centre of security policy, SIPRI, 12 March 2014. Retrieved 8 April 2015, <http://sipri.org>.

32 Minsk Protocol and Memorandum of September 2014 and Minsk Implementation Package of Measures agreed in February 2015.

OSCE observers, and the designation of larger restricted areas in which limited holdings of heavy weapons are allowed –possibly including also parts of Russian territory.

Strengthened Pan-European CSBMs

The Vienna Document remains an important tool for maintaining some basic predictability regarding military developments in Europe and transparency of military activities. Its deficiencies are well known and confirmed by the Ukraine crisis, and the need to update it even more acute. The scope of information exchange under the Vienna Document can be broadened to include naval forces, air and missile defence systems, cruise and ballistic missiles and UAVs. The thresholds for prior notification of exercises and invitation of observers from the OSCE countries should be lowered, taking into account the size and the training patterns of the modern armed forces and the possibility to manipulate the numbers (split the exercises into separate episodes) to bring them below VD levels. Taken the breakdown of the CFE regime between Russia and the Western states, the importance of the VD visits has increased. That should be reflected in the changes to the inspections and evaluations quotas, broadening the duration of the visits and their scope. Using the experience of the Ukraine conflicts, crisis management provisions and procedures for dealing the unusual military activities and incidents would also need to be reviewed.³³ On a separate track, the OSCE should serve as the main forum of intensified dialogue on the military doctrines of the Member States, NATO and the Collective Security Treaty Organization (CSTO), especially the elements which other members see as destabilizing.

Declarations of Military Restraint

In the past, voluntary political declarations such as those included in the Presidential Nuclear Initiatives or in the NATO-Russia Founding Act played a role in providing certain level of predictability regarding military developments in Europe. They often concerned the areas which were not ripe for a formal arms control process. While the overall assessment of the value of political declarations is certainly mixed (Russia asserts that NATO has broken its own pledge of no “substantial combat forces” deployment in new member states, Russia is accused of developing land-based tactical nuclear weapons in breach of the Presidential Nuclear Initiatives), they may serve as “good will gestures” to signal the readiness to de-escalate the tensions. One idea worth exploring might be coordinated declarations by the US/NATO and Russia on ‘no plans and no intention’ to move tactical nuclear weapons closer to the border area from their current storage sites.

Legally Binding Territorial Limitations

Arguments about the irrelevance of the CFE-like limitations for certain categories of weapons on the European security in the 21st century were largely invalidated by the Ukraine crisis. Heavy armour and artillery systems played a crucial role in Eastern Ukraine clashes, while the ability of Russia to concentrate large forces on specific segments of its border has an impact on the perception of security in a number of countries. Russia continues to express concerns about the possibility of NATO building up the conventional forces in the Baltic and Black Sea regions.

Negotiating a new legally binding regime, even using the elements of the Adapted CFE, would most likely be a difficult process and represents a long-term goal. However, setting up a system of new reciprocal territorial limitations on deployment of heavy weapons, backed by a robust verification regime, may be the best solution for longer-term stability at the European level. Agreeing on a set of pan-European CAC rules and limitations may also open the way for negotiating sub-regional arrangements. Finally, discussing a new framework for negotiations can be used to extend the catalogue of treaty-limited equipment (to cover e.g. some categories of UAVs, cruise and

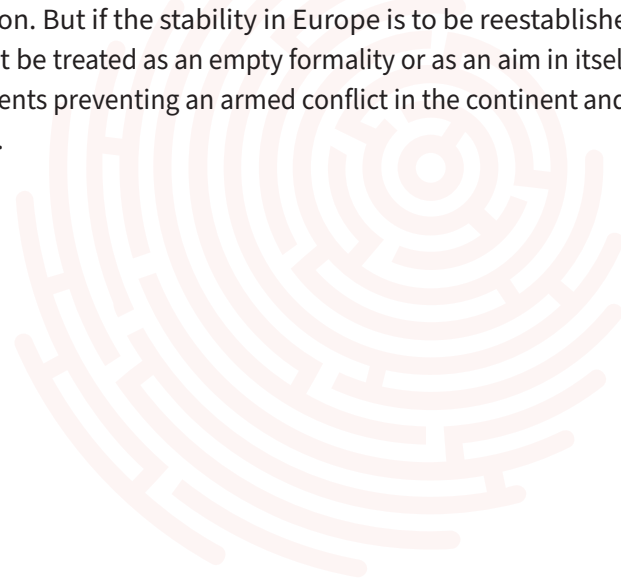
³³ W. Richter, Arms Control and CSBMs in Europe: Challenges and Opportunities, presentation at the 2014 Annual Security Conference of the OSCE, 24–26 June 2014, pc.ngo/2/2014.

ballistic missiles and their launchers, or air and missile defence systems) or discuss the impact of certain military capabilities, such as deplorable, for military stability. Andrei Zagorski recently proposed conducting consultations between military experts towards preparing a “security matrix”, detailing the interconnections between different types of weapons and their degree of influence on stability in Europe, as a first step towards a new regime.³⁴


Conclusion

The Ukraine crisis would hopefully force all the major players to reflect on the utility of arms control and its importance for European security. The Ukraine conflict has demonstrated the possibility of conducting high-intensity warfare in the heart of Europe, while the wider crisis in the Russia-West relationship carries a tangible potential for military escalation. If this situation is widely recognized as dangerous, it could facilitate the return of arms control and CSBMs as a more central feature of conducting inter-state relations in Europe, with a significant impact on the work of the OSCE.

The case for arms control in Europe needs to be made again in the new political environment following the Ukraine crisis. Taken into account its weaknesses before the crisis, it should be no surprise that it did not stop the aggravation of the situation. But if the stability in Europe is to be reestablished, the establishment of arms control mechanisms must not be treated as an empty formality or as an aim in itself. They should again be seen as crisis-management instruments preventing an armed conflict in the continent and gradually building up trust between potential adversaries.



34 A. Zagorski, Strengthening the OSCE. Building a Common Space for Economic and Humanitarian Cooperation, an Indivisible Security Community from the Atlantic to the Pacific, Russian International Affairs Council Report, no. 16/2014, Moscow 2014, p. 24.



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