



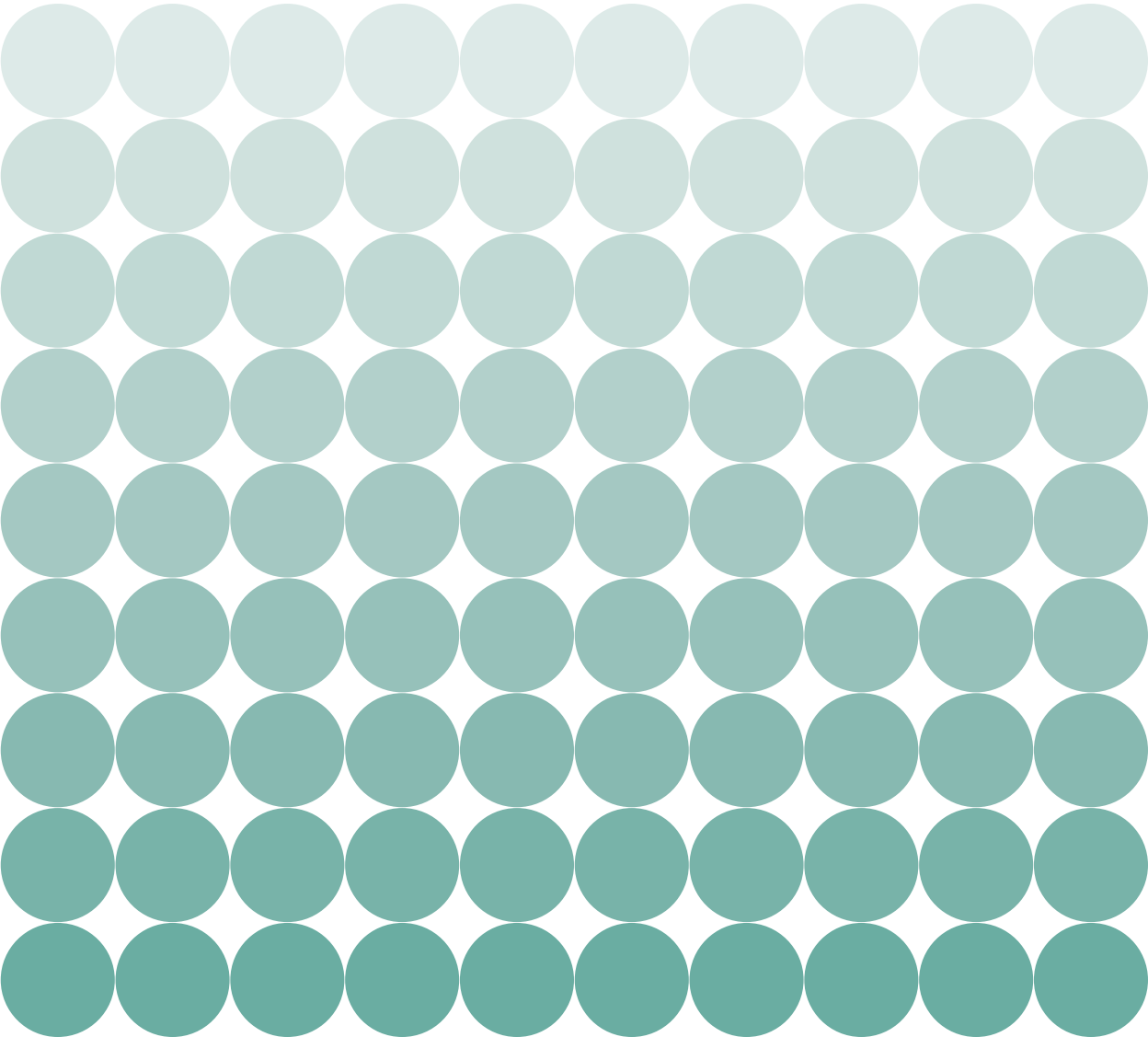
SIPRI
Policy Paper

51

June 2019

REDUCING MILITARY RISK IN EUROPE

IAN ANTHONY



STOCKHOLM INTERNATIONAL PEACE RESEARCH INSTITUTE

SIPRI is an independent international institute dedicated to research into conflict, armaments, arms control and disarmament. Established in 1966, SIPRI provides data, analysis and recommendations, based on open sources, to policymakers, researchers, media and the interested public.

The Governing Board is not responsible for the views expressed in the publications of the Institute.

GOVERNING BOARD

Ambassador Jan Eliasson, Chair (Sweden)

Dr Dewi Fortuna Anwar (Indonesia)

Dr Vladimir Baranovsky (Russia)

Espen Barth Eide (Norway)

Jean-Marie Guéhenno (France)

Dr Radha Kumar (India)

Dr Patricia Lewis (Ireland/United Kingdom)

Dr Jessica Tuchman Mathews (United States)

DIRECTOR

Dan Smith (United Kingdom)



STOCKHOLM INTERNATIONAL PEACE RESEARCH INSTITUTE

Signalistgatan 9

SE-169 72 Solna, Sweden

Telephone: + 46 8 655 9700

Email: sipri@sipri.org

Internet: www.sipri.org

Reducing Military Risk in Europe

SIPRI Policy Paper No. 51

IAN ANTHONY



**STOCKHOLM INTERNATIONAL
PEACE RESEARCH INSTITUTE**

June 2019

© SIPRI 2019

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted, in any form or by any means, without the prior permission in writing of SIPRI or as expressly permitted by law.

ISBN 978-91-85114-97-9

Contents

<i>Preface</i>	v
<i>Acknowledgements</i>	vi
<i>Executive summary</i>	vii
<i>Abbreviations</i>	viii
1. Introduction	1
Managing enhanced military risk	2
Approaches to risk reduction	3
2. Military-to-military contact	5
Verification	5
Military-to-military policy dialogue	7
The role of military-to-military contacts	9
3. Regional measures in Europe	13
Regional measures within the Vienna Document	13
Regional approaches in the Baltic Sea region	15
Regional measures in the current strategic context	17
4. Risks posed by naval incidents and measures to manage them	20
Naval confidence- and security-building measures	20
Naval confidence- and security-building measures in the Black Sea region	22
The Black Sea Naval Cooperation Task Group	22
Naval risk reduction measures	23
Reducing the risk of naval incidents: The example of Asia	24
Naval incidents in European waters	26
Exploring a new risk reduction measure	30
5. Conclusions and recommendations	34
Recommendations	35
Annex A. List of agreements related to incidents at sea	37

Preface

The European security environment has changed fundamentally in the recent past—and not for the better—and it seems likely that rapid and unpredictable change will be a constant in the coming years. There is, however, a relative absence of the kind of dynamic diplomacy that could bring about significant change in the political dimension of key relationships, particularly relations between North Atlantic Treaty Organization (NATO) countries and Russia. Restraint measures intended to reduce the risk that a structural military confrontation would re-emerge in Europe are under great strain, and the prospects for new agreements adapted to contemporary conditions are poor. Instead, the military dimension of European security has received increasing attention as states have reorganized their armed forces, modified their force structures and doctrines, and increased military spending.

The underlying political problems that have progressively degraded European security currently appear to be intractable, while arms control measures that would freeze particularly dangerous military developments seem out of reach. In these conditions, attention is increasingly turning to measures that can create a platform for future agreements and reduce the risk that active military programmes will have unintended consequences.

Recent security developments in Europe raise important questions. Could offensive war once again begin to look like a feasible instrument of politics to European leaders? Or are states employing military force in new ways to reassure allies and to deter and perhaps intimidate adversaries?

This report focuses on how to generate a more detailed understanding of the evolving strategic environment in Europe. This is a precondition for developing initiatives that could reinforce the view that no state can hope to employ military force successfully. In addition, the report proposes modest initiatives that could help reduce the risks and dangers associated with armed forces that are increasingly likely to operate in proximity, particularly at sea.

Dan Smith
Director, SIPRI
Stockholm, June 2019

Acknowledgements

The author would like to acknowledge contributions that were essential to carrying out this project.

I would first like to thank the Swedish Ministry for Foreign Affairs for its generosity in providing financial support for the project.

The study benefited greatly from the generosity of individuals who agreed to be interviewed for the project, and the experts who participated in a workshop at SIPRI to discuss risk reduction measures. Thanks are due to David Winkler, who agreed to comment on an early draft of the manuscript and who provided useful comments that have improved the final product—though responsibility for flaws and shortcomings rest fully with the author.

Finally, the author would like to acknowledge the contribution of the editors at SIPRI, and thank them for the thoroughness and expertise with which they edited the manuscript and prepared it for publication. In general, it is true that the editorial process improves the quality of SIPRI publications, but in this case particular thanks are due for timely and valuable advice on structure and content.

Executive summary

Military conditions in Europe are changing quickly. Past experience is only of limited value in understanding the nature and implications of the changes, and existing restraint measures were not designed to address them.

The resources that states are diverting to enhance their military strength are increasing. There is a risk that these resources will be used in a manner that is counterproductive, either because it increases political and military tensions or because public finances are wasted on programmes that are not properly tailored to the changing security environment.

A first step in reducing the risk that resources will be misapplied is to have a detailed understanding of how the military security environment in Europe is changing. One necessary element of improving understanding is to enhance the contact between military professionals, including initiatives that make better use of the large amount of official information generated through European confidence- and security-building measures (CSBMs).

Roughly 20 years ago, European states explored the contribution that smaller groups could make to enhance their security through CSBMs tailored to their local context. The Vienna Document 1994 of the Negotiations on Confidence- and Security-Building Measures was adapted in 1999 to include a chapter on regional measures, ensuring full compatibility between local initiatives and the wider pan-European security architecture. Local measures delivered only limited successes.

A new discussion at the local level may now be justified, first and foremost to contribute to the detailed understanding of how the European security environment has changed. The discussion could go beyond the compartmentalized approach in which crisis and conflict management, conventional arms, nuclear weapons and missiles are examined in separate processes and focus instead on how all of these factors interact in what has become a particularly vulnerable part of Europe—the territories of Belarus, Moldova and Ukraine.

The discussion of CSBMs in Europe has been dominated by a continental perspective. This was the result of the strategic geography of the cold war, where huge military forces were ranged against each other in Central Europe. However, many recent incidents where armed forces have been in proximity have occurred at sea.

There is a strong argument for introducing a naval dimension to military risk reduction in Europe, building on the experience that countries have gained through bilateral incidents-at-sea agreements. That knowledge can be supplemented by examining the development of naval risk reduction measures in Asia, including the Code for Unplanned Encounters at Sea.

Abbreviations

AEMI	Annual Exchange of Military Information
ASEAN	Association of South East Asian Nations
BLACKSEAFOR	Black Sea Naval Cooperation Task Group
BSRBCC	Baltic Sea Region Border Control Cooperation
CFE Treaty	Treaty on Conventional Armed Forces in Europe
CSBM	Confidence- and security-building measure
CUES	Code for Unplanned Encounters at Sea
FONOPS	Freedom of navigation operations
FSC	Forum for Security Co-operation
GEMI	General Exchange of Military Information
INCSEA	Incidents at Sea (agreement)
INF Treaty	Intermediate-Range Nuclear Forces Treaty
ISMERLO	International Submarine Escape and Rescue Liaison Office
MMCA	Military Maritime Consultative Agreement
NATO	North Atlantic Treaty Organization
OHCHR	Office of the United Nations High Commissioner for Human Rights
OSCE	Organization for Security and Co-operation in Europe
PPF	Partnership for Peace
PFPC	Partnership for Peace Consortium
PLA	People's Liberation Army of the People's Republic of China
SACEUR	Supreme Allied Commander in Europe

1. Introduction

After a period in which military factors were pushed into the background of European politics, frameworks for cooperation on politico-military matters were strengthened and the defence effort of European states was significantly reduced, attitudes have changed significantly. A major armed conflict that has claimed in excess of 10 000 lives since 2014 continues inside Europe.¹ Meanwhile, conflicts in the immediate European periphery have had a significant impact on the national security interests of European states through direct engagement or as a result of their spillover effects. None of the conflicts has been resolved, and all of them have the potential for escalation.

To help create conditions in which the sole purpose of military force is deterring aggression, European states negotiated instruments to ensure that no state will alarm others through its own military actions to a degree that provokes a preventive, escalatory or irrational reaction from other states. These conflict management and prevention, arms control, and confidence- and security-building measures (CSBMs) are now showing significant decay.

With restraint measures under pressure, European states increasingly see military strength as a more important component of national security. Militarization in Europe remains far short of cold war levels, but the resources devoted to the military are increasing after a long period of progressive reduction.²

Russia began the most significant post-cold war reform and modernization of its armed forces in 2008, a process that continues.³ After 2014, the Russian annexation of Crimea focused the attention of many countries on whether they would be prepared to respond to various potential contingencies. Important decisions were taken by the North Atlantic Treaty Organization (NATO) leaders at the summits in 2014, 2016 and 2018 that led to the creation of new multinational military formations, new command structures and an updated set of plans to generate the forces considered necessary in future allied operations.⁴

¹ According to the Office of the United Nations High Commissioner for Human Rights (OHCHR), by November 2017 in excess of 10 000 people had been killed in eastern Ukraine. OHCHR, 'Report on the human rights situation in Ukraine 16 August to 15 November 2017', 12 Dec. 2017, p. 9. During 2018 the OHCHR reported at least 26 additional civilian deaths attributed directly to the conflict. OHCHR, 'Report on the human rights situation in Ukraine 16 August to 15 November 2018', 17 Dec. 2018, pp. 4–5. The Ukrainian Ministry of Defence reported that at least 134 soldiers were killed in combat in eastern Ukraine in 2018. Goncharova, O., 'Russia's war against Ukraine: at least 2,936 soldiers killed', *Kyiv Post*, 24 Dec. 2018. Separatist armed groups reported 162 deaths. 'Donbas war death toll rises up to nearly 13,000–UN', UNIAN, 22 Jan. 2019.

² According to the North Atlantic Treaty Organization (NATO), spending by European members and Canada grew from \$272 billion in 2015 to an estimated \$312 billion in 2018 (figures in constant 2010 US dollars). NATO, 'Defence Expenditure of NATO Countries (2011–2018)', Communiqué PR/CP(2018)091, Brussels, 10 July 2018.

³ The origins of Russia's military reform are analysed in Herspring, D. and McDermott, R., 'Serdyukov promotes systemic Russian military reform', *Orbis*, vol. 54, no. 2 (2010), pp. 295–96. A recent assessment of progress is contained in Persson, G. (ed.), *Russian Military Capability in a Ten-year Perspective 2016*, FOI-R-4326–SE (Swedish Defence Research Agency, Stockholm, Dec. 2016).

⁴ NATO, 'Wales Summit Declaration', Press Release (2014) 120, 5 Sep. 2014; NATO, 'Warsaw Summit Communiqué', Press Release (2016) 100, 9 July 2016; and NATO, 'Brussels Summit Declaration', Press

Military conditions in Europe are changing quickly, but past experience is only of limited value in understanding the changes, and existing restraint measures were not designed to address them. The strategic geography of Europe changed with the disintegration of the Warsaw Treaty Organization, and the enlargement of NATO. Technologies that were in an early phase of deployment when existing restraint measures were negotiated have now become central elements of modern armed forces.

Managing enhanced military risk

At the ministerial meeting of the Organization for Security and Co-operation in Europe (OSCE) in December 2016, participating states agreed to a structured dialogue on current and future challenges and risks to security in the OSCE area.⁵ In time, the structured dialogue may identify a common basis for new agreements on restraint measures. However, in the absence of a political basis for new agreements, OSCE participating states have turned their attention to more limited measures.

At the structured dialogue meetings, participating states have voiced concerns about the heightened risk of potential miscalculation, and hence unwanted escalation and increased threat perceptions, arising out of unannounced large-scale exercises and the concentration of forces in border areas. The structured dialogue has also paid attention to address risks posed by military incidents, especially those in the air and on the high seas, in particular the Baltic Sea and the Black Sea.⁶

The likelihood that military formations will be exercising in proximity has increased, and activities that could reveal new information are shadowed by uninvited ships and aircraft. As states field-test the results of reforms and new plans, recent academic studies have observed that close encounters between Russian and other states' armed forces have become worryingly frequent since 2014.⁷

Part of the reason for worry is that such encounters, which occurred frequently during the cold war, were considered unusual until recently. Moreover, they are managed by military establishments and front-line commanders who have spent almost three decades engaged in assistance missions and expeditionary warfare outside Europe, rather than territorial defence against a sophisticated peer.

Release (2018) 074, 11 July 2018.

⁵ OSCE, Ministerial Council, 'From Lisbon to Hamburg: Declaration on the twentieth anniversary of the OSCE Framework for Arms Control', MC.DOC/4/16, 9 Dec. 2016.

⁶ OSCE, 'Chairperson's perception of the discussion and way ahead: Risk reduction, de-escalation and threat perceptions related to terrorism', 5th Meeting of the Informal Working Group on Structured Dialogue in Capitals Format, Vienna, 16–17 Apr. 2018.

⁷ Kearns, I., 'Avoiding war in Europe: The risks from NATO–Russian Close Military Encounters', *Arms Control Today*, Sep. 2015; Simonet L. and Tuomala, V., 'How can the OSCE help to reduce the risk of hazardous military incidents?', *NATO Review*, 2 Nov. 2016; and Raynova, D. and Kulesa, L., *Russia–West Incidents in the Air and at Sea 2016–2017: Out of the Danger Zone?*, Euro–Atlantic Security Report (European Leadership Network: London, Oct. 2018).

Approaches to risk reduction

This policy paper will address three dimensions of military risk reduction. First, a precondition for identifying effective measures to reduce risk is a more complete understanding of how the European military environment is changing. The professional military should play a central role in helping to achieve that understanding, including through military-to-military contacts. Greater understanding of the policies and plans of other countries helps the military participate in national security decision making because political decision makers who are developing initiatives to improve relations with other states benefit from solidly grounded military advice.

The military is important in avoiding crises in which states feel they cannot back down, avoiding actions that can be mistaken for hostile intent and reciprocating restraint by potential adversaries. Senior officers have resisted the use of the term ‘military diplomacy’ because changing the security dynamics in Europe is a political issue, but what Kurt Campbell, a United States diplomat, once labelled ‘braided dialogue’ can play a constructive role.⁸ Clear communication can build mutual understanding of the purpose of armed forces, demonstrate that forces are able to carry out their missions effectively, and reduce concerns about the sudden and unexpected emergence of new capabilities.

Second, would European states achieve the greatest benefits from taking action collectively, or in smaller groups? During the late 1990s and early 2000s a number of bilateral agreements on risk reduction measures were reached between neighbouring states, and there were discussions on applying such measures in the Baltic Sea and the Black Sea, with several agreements established. In 1999 the Vienna Document of the Negotiations on Confidence and Security-building Measures added a separate chapter on regional measures. Current conditions are significantly different from those of two decades ago and, given that incidents can occur in international waters and in international airspace, an all-European mechanism may be better suited than local measures to address some identified problems. In time, such a mechanism might be a basis for interregional or global initiatives.

Third, risk reduction measures have sometimes been agreed even in the most challenging conditions, and where military units have been in proximity it has been possible to agree in a pragmatic manner on how to warn in advance of actions that could be misunderstood.⁹ Technical agreements to reduce the dangers arising from unexpected encounters at sea or over the sea, and to agree rules for how ships and aircraft should behave when in proximity, could help the military meet its obligation to avoid crises and exercise restraint.

⁸ Crowe, W., ‘Sailing in uncharted waters’, *Proceedings*, vol. 115/10/1040 (Oct. 1989), US Naval Institute; and Campbell, K. M., ‘The soldier’s summit’, *Foreign Policy*, no. 75 (summer 1989).

⁹ TASS, ‘US, Russia keep using deconfliction channels to prevent incidents in Syria—Pentagon’, 11 Apr. 2018.

The remainder of this paper is based on the following themes.

Chapter 2 briefly surveys the kinds of military-to-military contacts that still take place in Europe, and then considers how the military might enhance its constructive role in risk reduction. What use might be made of existing opportunities, such as those created by the various information exchange exercises under the umbrella of the OSCE, including the Vienna Document? How might existing frameworks be used to promote constructive contacts?

Chapter 3 assesses some of the experience with regional measures under the Vienna Document in the present security context. Would it be optimal to think of risk reduction measures in a pan-European framework, or would it be better to tailor measures to the conditions in particular parts of Europe?

Chapter 4 examines the risks posed by naval incidents. European CSBMs have been framed with continental perspectives in mind, but is it time to discuss a new risk reduction measure for Europe to reflect the fact that many of the incidents of concern either take place at sea or in the airspace above it? The chapter explores the potential for a new all-European stand-alone risk reduction measure focused on the European sea space and the international airspace above it.

Chapter 5 draws conclusions and considers potential next steps in the light of the overall paper.

2. Military-to-military contact

There are a variety of military-to-military contacts today. Channels for ‘hotline’ communication between senior commanders allow for short-notice consultations. The military plays a central role in conducting the inspections, observations and visits that are part of verifying arms control agreements and CSBM arrangements. In addition, there are information exchange and dialogue meetings that are intended to reduce uncertainty and increase predictability in military plans and activities. The potential for this third type of military-to-military contact has perhaps been insufficiently explored until recently.

The events of 2014—Russia’s annexation of Crimea and the start of the internationalized civil war in eastern Ukraine—led to a reduction in military contacts with Russia, but not complete termination. When NATO suspended practical cooperation with Russia, it maintained the NATO–Russia Council as a framework for dialogue with Russia on military issues.

Some joint exercises have continued to be carried out with Russia to facilitate cooperation in tasks such as search and rescue, carry out humanitarian crisis operations and combat crimes such as piracy.¹⁰

Dedicated communication channels ensure that very senior commanders can contact each other at short notice and exchange information in a quick and secure manner when necessary. Channels have been retained between the Supreme Allied Commander Europe (SACEUR) or Chairman of the Military Committee at NATO and the Russian Chief of the General Staff of the Armed Forces.¹¹ The USA and Russia also still maintain a channel for communication between the US Chairman of the Joint Chiefs of Staff and the Russian Chief of the General Staff.¹² Finland established a direct command-level communication link with Russia in 2017.¹³

Verification

Verifying arms control and CSBM agreements depends on the access that states provide on a reciprocal basis to military specialists to conduct inspections, observations and overflights. The 1990 Treaty on Conventional Armed Forces in Europe

¹⁰ E.g. Canada, Denmark, Finland, Iceland, Norway, Sweden, Russia and the USA tested voluntary guidelines for combined search-and-rescue operations in the Arctic in a full-scale maritime search-and-rescue exercise off Iceland in Sep. 2017. US Department of Homeland Security, *Arctic search and rescue*, Fiscal Year 2017 Report to Congress, 13 Mar. 2018, p. 13.

¹¹ NATO, ‘NATO–Russia Council meets in Brussels’, 31 Oct. 2018. US Army General Curtis M. Scaparrotti, the current SACEUR, met with Russian General Valery Gerasimov in Azerbaijan in Apr. 2018, and the two followed up their discussions by telephone in Sep. 2018. NATO, Supreme Headquarters Allied Powers Europe (SHAPE), ‘SACEUR General Scaparrotti has phone call with Russian Chief of General Staff’, 21 Sep. 2018.

¹² Office of the Chairman of the Joint Chiefs of Staff, ‘Readout of chairman of the Joint Chiefs of Staff Gen. Dunford’s phone call with Russian Chief of the General Staff Gen. Gerasimov’, Washington, DC, 4 Jan. 2019.

¹³ YLE Uutiset, ‘Defence officials set up hotline between Finland and Russia’, 10 Nov. 2017.

(CFE Treaty), the Vienna Document and the 1992 Open Skies Treaty generate a very extensive calendar of activities implemented by the military.

Disagreement over flight plan scheduling prevented any flights under the Open Skies Treaty during 2018. However, obstacles to scheduling flights were overcome in September 2018, opening the pathway to a resumption of flights in 2019.¹⁴

Russia has suspended its participation in the CFE Treaty and no longer joins meetings of its implementing body, the Joint Consultative Group. However, the remaining states parties continue to implement the Protocol on Inspection, including countries that have close military cooperation with Russia such as Armenia, Belarus and Kazakhstan.¹⁵

In South Eastern Europe, Bosnia and Herzegovina, Croatia, Montenegro and Serbia—states that are not parties to the CFE Treaty—continue to implement the 1995 Dayton Peace Agreement, which brought to an end the conflict in Bosnia and Herzegovina, including both conventional arms control and CSBMs tailored to the specific context.¹⁶ The parties now implement the inspections and other practical aspects of the agreements (that were closely modelled on the CFE Treaty and Vienna Document) without external assistance, and over time the regional measures have evolved into what Heinz Vetschera, the former deputy director of the Department for Security Co-operation in the OSCE Mission to Bosnia and Herzegovina, has called cooperative military policy development by the military establishments in Bosnia and Herzegovina, Croatia and Serbia.¹⁷

Questions have been raised about the quality of the implementation of some operational parts of the integrated set of CSBMs that has been developed in Europe, in particular those that relate to military exercises and unusual military activities.¹⁸ However, other parts of the CSBM regime continue to function, including inspections and the exchange of military information.

Inspection visits continue to be carried out in the framework of the Vienna Document to confirm that no undeclared military capabilities exist and that military activities of concern are not being conducted in specific locations. Russia continues to play a full part in the Vienna Document, and has used its provisions to better understand changes in NATO plans. For example, Russian military delegations visited the recently created NATO multinational battle groups in Estonia and Latvia in 2018.¹⁹

The Annual Exchange of Military Information (AEMI) and the General Exchange of Military Information (GEMI) generate a very large volume of data.

¹⁴ Mehta, A., 'US reverses course, certifies Russian Open Skies aircraft', *Defense News*, 20 Sep. 2018.

¹⁵ TASS, 'Russia suspends joint consultations on Treaty on Conventional Armed Forces in Europe', 10 Mar. 2015. The 30 members of the Joint Consultative Group meet three times a year in Vienna, chaired by states in rotation. Embassy of the Republic of Belarus in Austria, 'Joint Consultative Group', accessed 19 Apr. 2019.

¹⁶ OSCE, 'Article IV of the Dayton Peace Accords', 14 Feb. 2014.

¹⁷ Vetschera, H., 'From arms control to force control: The future scope of cooperative military policy', Presentation at the RACVIAC Arms Control Symposium, Zagreb, 20–22 Nov. 2012.

¹⁸ Van Ham, P., *Modernizing Conventional Arms Control in the Euro-Atlantic Region*, Clingendael Report, Sep. 2018.

¹⁹ NATO, 'NATO Allies host Russian arms control inspectors', 13 Mar. 2018.

However, the information is not being exploited in ways that provide deeper understanding of current and future challenges and risks to security.

Under the auspices of the OSCE the heads of national arms control verification centres meet annually, usually at a one-day event. The meetings, which are required under the Vienna Document, are expected to help clarify any questions states have about implementation of their obligations; to review the operation of the agreed measures, including the use of additional equipment during inspections and evaluation visits such as agreeing on the appropriate use of unmanned aerial vehicles; and to assess the implications of the full body of information generated through CSBMs.

The meeting of heads of verification generates a report that is one input into the annual two-day implementation assessment meeting where OSCE participating states are also supplied with a survey of the information provided through CSBMs.²⁰

Originally focused on CSBM implementation, the meeting has expanded to cover all documents generated by the Forum for Security Co-operation (FSC).²¹ In short, meetings are relatively infrequent and of short duration, and have to cover a very broad agenda in the limited time. The documents that underpin the discussion are summaries of reporting patterns by states without any analytical component. Finally, OSCE delegations are very largely staffed by diplomats, with limited participation by professional military experts who would be best placed to understand and make use of the detailed information available.

The value of information exchange is reduced by the limitations noted above.

The OSCE structured dialogue has identified a potential role for military-to-military contacts in reaching a better understanding of threat perceptions and has begun to explore using expert-level workshops to promote such contacts.²² Break-out workshops incorporating military participation have also been organized at regular intervals by the designated OSCE chair-in-office.²³

Military-to-military policy dialogue

Regular meetings between the most senior civilian and military officials (at the level of minister of defence, chief of staff and, in certain situations, regional commanders) provide an opportunity to exchange views on the international or regional security environment. They also enable and help to shape follow-on contacts at various levels and in various formats. The three largest military powers

²⁰ Vigenin, K., *Implementing OSCE Commitments: The Role of Parliaments*, Report for the General Committee on Political Affairs and Security, OSCE Parliamentary Assembly document AS(18)RP1E, Berlin, 7–11 July 2018.

²¹ OSCE, 'Statement by the Chairmanship of the Forum for Security Co-operation at the opening session of the nineteenth Annual Implementation Assessment Meeting', FSC.AIAM/35/09, Vienna, 24 Mar. 2009.

²² OSCE, 'Chairperson's perception of the discussion and way ahead', 2nd Expert Level Workshop on Trends in Military Forces and Exercises, Vienna, 3–4 May 2018.

²³ OSCE, 'Report by the Forum for Security Co-operation chairperson', Conventional Arms Control and Confidence- and Security-Building Measures: Challenges and Prospects, 2017 Annual Security Review Conference, FSC.DEL/186/17, 28 June 2017.

in the world—China, Russia and the USA—have conducted military-to-military cooperation through bilateral consultations.

High-level meetings facilitate strategic consultations between China's and Russia's staff headquarters at which the deputy chief of the Russian Armed Forces and the General Staff Department and Joint Staff Department of the Chinese People's Liberation Army (PLA) discuss issues of mutual interest in more detail.²⁴ The most senior military leaders of China and the USA have met annually since the 1990s to exchange views on threat perceptions, developments in military strategy, and the global and regional security architecture.²⁵

In some longer exchange programmes, officers are sent abroad to intermediate or senior education and training institutions. For example, there is an officer cadet exchange programme between the United Kingdom and China.²⁶ China and the USA have an exchange programme that links the National Defense University, National War College and service academies with their PLA equivalents.²⁷

In the past, US–Russian bilateral contacts were intensive, but contacts along that side of the Sino–US–Russian 'triangle' have been reduced. After 2009, the US–Russia Bilateral Presidential Commission included a defence relations working group that facilitated meetings and projects on a wide range of issues, but the USA suspended participation in the commission in 2014 in response to the annexation of Crimea, and reallocated the financing to projects in support of Ukraine.²⁸

Established in the 1990s, the Euro-Atlantic Partnership Council and its Partnership for Peace (PFP) programme became an important European forum for military-to-military engagement under NATO. Contacts on functional issues along with appropriate education, training and exercises are intended to foster common approaches. Monthly meetings of the council with participation of the permanent representatives to NATO and the ambassadors to NATO from partner countries provide top-line guidelines for the work programme. The NATO international staff, the international military staff and the strategic commands, along with other entities as appropriate, typically develop an action plan supported by an implementation plan to engage the various NATO partnerships on a given issue once it has been earmarked for greater attention.²⁹

In addition, the PFP links defence academies and security studies institutes in a consortium known as the Partnership for Peace Consortium (PFPC) with the objective of promoting defence education according to common curricula. It also aims to deliver joint products of different kinds (e.g. events, research

²⁴ Meick, E., *China–Russia Military-to-Military Relations: Moving Toward a Higher Level of Co-operation*, US–China Economic and Security Review Commission, 20 Mar. 2017.

²⁵ US Office of the Secretary of Defense, *Military and Security Developments Involving the People's Republic of China 2018*, Annual Report to Congress, 16 May 2018, pp. 106–109.

²⁶ Royal Navy, 'Chinese delegation get insight into naval training', 20 Apr. 2016.

²⁷ Pollpeter, K. *US–China Security Management: Assessing the Military-to-Military Relationship*, RAND Corporation, 2004.

²⁸ Davis, J. S., *US–Russian Cooperation in the Post-Cold War Environment*, Technical Report, United States Army Command and General Staff College, Fort Leavenworth, 2017.

²⁹ NATO, 'The Partnership for Peace Programme', accessed 20 Apr. 2019.

and publications) focused on an agreed set of issues of mutual interest. The PFPC operates through working (or study) groups that examine a variety of topics including professional development of the armed forces through military education and advanced distributed learning, and functional issues such as security sector reform and emerging security challenges.³⁰ Others have a geographical slant: the main focus is on South Eastern Europe and the South Caucasus.³¹ The PFPC has incorporated defence academy experts from across the PFP in its activities.

The role of military-to-military contacts

How military-to-military contacts could enhance European security today is a legitimate question. Officials interviewed by the author for the purpose of this paper emphasized that military-to-military contact does not have a value per se. As one defence official expressed this point, there is a need to avoid processes that only involve ‘soldiers drinking beer’.³²

An ambitious goal such as restoring US–Russian military-to-military contacts to their previous intensity is politically difficult because of the collective decision of NATO that there will be no ‘business as usual’ with Russia until a resolution has been found to the crisis in and around Ukraine.³³ Based on the weaknesses outlined above and the practical realities of the current security environment in Europe, two specific contributions could be explored at present: (a) improving the understanding of military risk, and (b) exploring options and providing technical guidance regarding naval risk reduction measures.

Improving the understanding of military risk

There is growing recognition in the OSCE structured dialogue that the large volume of data and information exchanged among states in Europe could be exploited more efficiently to help to bring clarity to the military modernization and reform efforts that are now becoming an important political priority for many states.³⁴ As noted above, the current assessment processes do not lend themselves to sustained, detailed analysis of the available data. However, projects conducted using other existing frameworks could help to address this gap.

As a first step, OSCE participating states should make sure that they are properly prepared for a joint initiative. This would be consistent with the logic of the OSCE structured dialogue, which envisages supporting discussions with resources provided from national capitals to support delegations in Vienna.

³⁰ Partnership for Peace Consortium, ‘About us’, accessed 20 Apr. 2019.

³¹ Partnership for Peace Consortium, ‘Regional Stability in South East Europe Study Group’, Fact sheet, [n.d.]; and Partnership for Peace Consortium, ‘Regional Stability in the South Caucasus’, Fact sheet, [n.d.].

³² Lithuanian defence official, Interview with author, 25 Sep. 2018.

³³ NATO, ‘Statement by the Secretary General on NATO–Russia Council meeting’, Press Release (2016) 059, 8 Apr. 2016.

³⁴ OSCE (note 22).

A state that would like to exploit the available information more systematically should create a focal point within the national defence and security establishment responsible for creating a team of analysts with different and complementary skills to analyse the data provided through AEMI and GEMI in a more comprehensive manner, including combining that data with information available through national processes. This work would be valuable to the state concerned in its own policy making, and could also be a building block in an international cooperation effort.

Two or more states that have made national analyses could combine in projects to discuss methodologies that could contribute to joint studies. A new working group within the PFPC might be a logical place for such discussions, if defence academies were part of the group that prepared the national analysis. Clearance to receive and analyse restricted documents could be arranged for defence academies, given that they often work under national ministries of defence or employ military personnel on their academic staff.

In this way, assessments that enhance existing understanding at a national level could not only contribute to processes under the OSCE umbrella (including the structured dialogue) but also create a capacity and body of knowledge that would be of more general value in developing national security and defence policy. Beyond the value of assessments in national decision making, country teams could be linked in international projects in the framework of the PFPC. The community of military professionals could be brought together in a structured and sustained manner, and they could dedicate the time and resources needed to make a thorough analysis according to an agreed methodology.

The outcome of the cooperation described above would be detailed assessments of the current strategic environment that are built in part on public information that governments have supplied to each other on a voluntary basis. These assessments could be a useful input to intergovernmental processes, including the OSCE structured dialogue.

A subsidiary benefit would be to relieve some of the pressure on the calendar generated by the verification provisions in the Vienna Document. The Vienna Document establishes the number of verification activities a country must accept during a calendar year. Once the established number of activities have been carried out, the country is under no obligation to accept additional visits, even if a military activity of interest takes place.

Proposals to improve the coordination of verification activities have been under consideration in the OSCE since 2010, but changes have not been adopted. An indirect benefit of facilitating military-to-military contacts outside the framework of the Vienna Document could be to free slots in the calendar should they be needed for inspections in the presence of military activity.

Technical guidance for naval risk reduction measures

Confidence building in the OSCE framework has focused on land forces, with air and naval forces taken into account to the degree that they influenced land operations. There have been proposals for naval and maritime confidence-building

measures and CSBMs in the past (discussed below), but these proposals have not gained traction. However, as noted above, recent studies have pointed to a growing number of military encounters at sea, or in the skies over the sea. If there is not a permissive environment within the OSCE framework for naval CSBMs, then more limited, technical agreements might be discussed.

There are over 20 naval risk reduction measures in force and European navies participate in a significant number of them (see annex A). However, the measures involving European states were agreed in the 1980s and 1990s, while measures introduced more recently (especially the 2010s) are overwhelmingly in East and South East Asia. Given the geography of Asia and Europe, the dominant focus on maritime and land spaces respectively is understandable. Nonetheless, if risk reduction at sea becomes a more prominent issue for Europe, it might be logical to incorporate insights from Asia.

Naval risk reduction measures have been incorporated into interstate agreements in different ways, including legal agreements, interministerial memoranda of understanding, joint declarations by governments and interservice agreements between military representatives. In each case, military experts played a critical role in developing the scope of the agreement, the technical definitions and the context in which it should apply.

As has been pointed out by scholars analysing risk reduction, technical expertise is indispensable in shaping agreements.³⁵ Technical advice is needed on the tactical procedures ships use to manoeuvre safely and efficiently (either alone or in formation), and on the ways in which the purpose and intentions of ships and aircraft are communicated. If a signal is not sent, or if it is misunderstood, then an accidental collision becomes more likely. Ships in close proximity need to take account of the risk that one or both could stop, start, accelerate, decelerate or turn. They need to consider the take-off and landing of deck-based aircraft. Ships in close proximity need to be aware if one of them is about to perform a training drill, carry out repairs or replenish stores (particularly in the case of hazardous materials such as ammunition or fuel).

Interaction between naval experts in technical working groups is the most effective way to be certain that existing procedures and rules are understood and then included in naval training and exercises. Such interaction also helps to develop a shared understanding of signals for unambiguous and rapid communication in multilingual contingencies. The inclusion of political representatives or negotiators into technical working groups can slow down or halt the process of reaching agreement.³⁶ In the light of what was said above regarding the dominant place of land forces, there is a case for exploring a dedicated technical group made up of naval experts.

The Venice Regional Seapower Symposium for the Navies of the Mediterranean and Black Sea Countries might be a good partner in creating such a group. The symposium, organized biannually by the Italian Navy, has expanded from a

³⁵ Winkler, D., *Incidents at Sea: American Confrontation and Cooperation with Russia and China, 1945–2016* (Naval Institute Press: Annapolis, MD, 2017).

³⁶ Winkler (note 35).

meeting of a limited group of navies to a larger gathering and demonstrated that it can develop new operational resources.³⁷ The symposium does not currently address naval incident prevention and management as part of its agenda, but the issue could perhaps be taken up at the 2019 meeting (see chapter 4).

³⁷ In Oct. 2017, delegations from 58 navies participated in the symposium. Italian Ministry of Defence, 'XI Venice Regional Seapower Symposium', Venice, 17–20 Oct. 2017.

3. Regional measures in Europe

The development of European CSBMs has balanced preserving the pan-European nature of security envisaged by the creators of the current regime with the recognition that measures can sometimes be designed in a more specific and narrow context than the whole of Europe. The logic of the Vienna Document is that regional measures can play a valuable role, but only if they respect the principles on which the overall CSBM regime is based.

Several states participating in the structured dialogue have expressed the view that CSBMs focused on smaller areas within the OSCE could complement existing pan-European measures. However, other participating states have expressed caution about the potential for additional regional measures, underlining that these measures cannot replace multilateral arrangements and should follow the guideline of ‘bilateral when necessary but as multilateral as possible’.³⁸

Regional measures within the Vienna Document

The 1994 Vienna Document encouraged OSCE participating states ‘to undertake, including on the basis of separate agreements, in a bilateral, multilateral or regional context, measures to increase transparency and confidence’.³⁹ Moreover, two examples were incorporated into the text to illustrate what such measures might look like. These were (a) the provision to neighbouring states of information on military activities carried out below the thresholds for general notification when those activities took place close to borders; and (b) the invitation of representatives from neighbouring states to observe military activities other than those that would trigger an invitation to all OSCE participating states.

Based on further discussions within the OSCE, the Vienna Document was updated in 1999, and the new iteration expanded the short section on regional measures into a separate chapter, chapter 10, making reference to ‘numerous measures’ that might be the focus for voluntary actions ‘tailored to specific regional needs’.⁴⁰ Moreover, the document advocated a flexible and pragmatic approach to the form and institutional framework for regional measures, noting that they should be ‘determined by the preferences of the States involved and the nature of the measures to be agreed upon’.

³⁸ OSCE (note 6).

³⁹ OSCE, ‘Vienna Document of the Negotiations on Confidence- and Security-Building Measures’, DOC.FSC/2/95, 28 Nov. 1994.

⁴⁰ OSCE, ‘Vienna Document of the Negotiations on Confidence- and Security-Building Measures’, FSC.DOC/1/99, 16 Nov. 1999.

The illustrative list of regional measures was expanded (from 2 to 13) to include the following:

1. Exchange of information on defence planning, military strategy and doctrine as far as they refer to a particular regional context.
2. Further development of the provisions with regard to risk reduction.
3. Enhancement of the existing mechanism for consultation and cooperation as regards unusual military activities conducted by OSCE participating states.
4. Joint training courses and manoeuvres.
5. Intensification of military contacts and cooperation, particularly in border areas.
6. Establishment of cross-border communications networks.
7. Reduction of the thresholds for military activities, in particular with regard to border areas.
8. Reduction of the thresholds for notifications and observations of certain military activities that a state is allowed to carry out in a given period, particularly in border areas.
9. Agreement on additional inspection and evaluation visits by neighbouring states, especially in border areas.
10. Increase in the size of evaluation teams and agreement to multinational evaluation teams.
11. Creation of binational or regional verification agencies to coordinate 'out of the region' verification activities.

Regional approaches in Central Asia and the Black Sea region

In the late 1990s and early 2000s, regional approaches were being explored in different parts of the OSCE geographical area. For example, several maritime CSBM arrangements were created in the Black Sea region in 2000 and 2001, (see chapter 4).

In Central Asia the process engaged countries outside the OSCE, as China was also drawn into discussions of regional CSBMs.⁴¹ The Agreement on Strengthening Confidence in the Military Sphere in the Border Areas between the Russian Federation, Republic of Kazakhstan, Kyrgyz Republic, Republic of Tajikistan and People's Republic of China was signed in April 1996. It included provisions for: (a) a general information exchange on military forces, border guards, upcoming military activities and planned military exercises; and (b) the invitation of military observers to notified exercises. The Agreement on Mutual Reduction of Military Forces in the Border Areas between the Russian Federation, Republic of Kazakhstan, Kyrgyz Republic, Republic of Tajikistan and People's Republic of China signed in April 1997 'thinned out' military forces and

⁴¹ 'Joint Russian-Chinese Initiative on strengthening security in the Asia Pacific Region', Presentation at the Conference on Interaction and Confidence Building Measures in Asia Specialised Working Group Meeting, Antalya, 31 May 2011.

armaments within 100 kilometres of land borders. It reduced the very high cost of maintaining significant forces in remote locations and established an agreed framework for information exchange, inspections and military-to-military consultations.⁴²

The discussion of confidence building at the regional level in Central Asia perhaps gained some new momentum in 2018 when India and Pakistan began participating in the annual meeting of the defence ministers of the Shanghai Cooperation Organisation and joined its Defence Expert Working Group created in 2014.⁴³

Regional approaches in the Baltic Sea region

Around the time the Vienna Document was amended, an active discussion was taking place on security, cooperation and integration in the Baltic Sea region in a number of different configurations and locations. At that time, measures to strengthen cooperative security in the Baltic Sea region were prominent as Nordic countries, Poland, Russia and the USA contributed ideas and proposals.⁴⁴ Bringing the discussion of regional maritime confidence building into the United Nations in a more operational way was considered but not ultimately pursued.⁴⁵

Regional CSBMs and NATO enlargement

In Northern Europe, the discussion of regional measures was conducted in the political and strategic context provided by the issue of future membership of the European Union (EU) and, in particular, the accession of new states to NATO.

From 1997, Russian initiatives incorporated in the 'Long-term Baltic Policy Guidelines' included a regional security 'package' offered to the countries that were (at that time) not members of NATO.⁴⁶ The package contained proposals for (a) bilateral Russian security guarantees; (b) a 40 per cent cut in certain Russian infantry and naval forces in north-west Russia, including Kaliningrad; (c) 'hotline' communications between the military commander in Kaliningrad and his or her counterpart in each of the Baltic states; (d) reciprocal visits to military bases and warship port visits; (e) an initiative for joint military policing of the airspace covering the Baltic states as well as parts of Finland, Poland and Russia; and (f) joint exercises for military transport aviation and naval ships for search and rescue, and in preparation for cases of natural and man-made disasters. Russia also advanced proposals for a Northern European regional security system that could include several types of confidence-building measures:

⁴² Trofimov, D., 'Arms control in Central Asia', eds. A. J. K. Bailes, et al., *Armament and Disarmament in the Caucasus and Central Asia* (SIPRI: Stockholm, July 2003).

⁴³ Zhang, Z., 'SCO defense ministers share goals', *China Daily*, 26 Apr. 2018.

⁴⁴ Lachowski, Z., 'Building military stability in the Baltic Sea region', eds L. Hedegaard and B. Lindström, *The NEBI Yearbook 2000: North European and Baltic Sea Integration* (Springer: Berlin, 2000).

⁴⁵ Winkler (note 35), pp. 200–201.

⁴⁶ Blank, S. J., 'Russia and the Baltics in the age of NATO enlargement', *Parameters*, vol. 28, no. 3 (autumn 1998).

economic, environmental and humanitarian.⁴⁷ Some of the environmental issues raised were direct legacies of the cold war military conditions, such as cleaning up toxic chemicals, radioactive materials and nuclear waste, or safe and secure decommissioning of nuclear-powered naval vessels.

Elements of the Russian proposals were unacceptable to other states in the region, particularly the idea of a subregional security system at a time when the USA and the three Baltic states (Estonia, Latvia and Lithuania) were about to sign a Baltic Security Pact and Poland was about to join NATO.⁴⁸ However, a number of initiatives on the 'soft security' problems raised by Russian proposals were taken forward, and several continue to the present day.⁴⁹

The discussion of regional risk reduction measures was linked directly to the national security objectives of states. For the Baltic states the main priority was to consider how measures might reduce the negative fallout of joining NATO in their relationship with Russia, while for Russia the priority was to construct a viable alternative to reduce the probability of any further enlargement of NATO. There was also an EU dimension to the discussion. Finland and Sweden joined the EU in 1995, and by 1999 it had what appeared at the time to be fairly far-reaching plans for enhanced military cooperation, including a substantial force to be deployed for an extended period in contingencies outside Europe linked to the Western European Union, which still existed. An increase in tensions and new conflict risks in Northern Europe would put constraints on the development of the EU plans.⁵⁰

In April 1998 a joint proposal by Finland and Sweden included an invitation to Denmark, Estonia, Germany, Latvia, Lithuania, Norway, Poland and Russia to one evaluation visit and one inspection—over and above the mandatory provisions in the Vienna Document. The invitation was based on a reciprocal invitation by each of the respective countries.⁵¹ However, the main emphasis of the Finnish-Swedish proposal was to promote cooperative security through non-military initiatives on the basis that the Baltic Sea region was one of low military tension where no military threats were either perceived or envisaged.

None of the countries achieved what they had hoped for with the initiatives taken in the late 1990s and early 2000s. Russia did not block the accession of Baltic states to NATO, which they officially joined in 2004, or close the discussion of NATO membership in Finland and Sweden. Nor did Poland and the Baltic states reduce Russian opposition to their NATO membership.

The primary objective of Finland and Sweden, to ensure that the Baltic Sea region remained a region of low military activity, was perhaps met in the short term.

⁴⁷ Herd, G. P., 'The process of Russian decentralisation: Baltic policy implications', eds L. Hedegaard and B. Lindström, *The NEBI Yearbook 2000: North European and Baltic Sea Integration* (Springer: Berlin, 2000).

⁴⁸ Ziugzda, D., 'Baltic states in the perspective of Russia's security policy', *Lithuanian Foreign Policy Review*, 11 Feb. 1997.

⁴⁹ Oldberg, I., *Soft Security in the Baltic Sea region: Russian interests in the Council of Baltic Sea States*, UI Occasional Paper no. 12 (Swedish Institute of International Affairs: Stockholm, Sweden, 2012).

⁵⁰ Halonen, T. and Hjelm-Wallen, L., 'Working for European Security outside the NATO structure', *International Herald Tribune*, 15–16 Mar. 1997.

⁵¹ OSCE, 'Non-paper on cooperative security for the Baltic Sea region', FSC.DEL/104/98, 17 Apr. 1998.

However, this was less the product of regional CSBMs and more a consequence of Russia turning inwards in the face of a serious financial crisis and the diversion of Russian military security attention to the south—where the emergence of mass-impact terrorist organizations became the primary focus.⁵²

Bilateral CSBM arrangements

Some of the bilateral CSBMs that were established in Northern Europe in the early 2000s do appear to have utility. According to one local defence official, additional inspections and regular meetings between Belarus and Lithuania have provided a valuable forum for discussion in the past.⁵³ However, Lithuania has recently scaled back the schedule of bilateral meetings over a disagreement about Belarus's decision to locate a new nuclear power station in what Lithuania regards as a sensitive location.⁵⁴

Belarus, which has bilateral CSBM arrangements with Poland and Ukraine as well as Lithuania, has been able to discuss security issues of mutual interest with neighbours. For example, Belarus took steps to provide detailed briefings on the Zapad 2017 major military exercise with Russia to reduce any concerns among its neighbours.⁵⁵

Bilateral cooperation arrangements between Norway and Russia were progressively expanded over time to include regular meetings and exchanges between high-level delegations and a bilateral military exercise. However, this cooperation was suspended in March 2014 as a consequence of events in Ukraine.⁵⁶

On a pragmatic basis, Norway and Russia have continued coast guard and border control cooperation based on a bilateral 'hotline' between the Norwegian Operational Headquarters in Bodø and the Russian headquarters of the Northern Fleet.⁵⁷ Norway and Russia have not suspended their bilateral Incidents at Sea (INCSEA) agreement that provides a forum to review events that could have escalated into more serious incidents (INCSEA agreements are discussed in more detail in chapter 4).

Regional measures in the current strategic context

Any proposals for regional risk reduction measures would need to take account of current national security priorities, which are different from those of the late 1990s.

⁵² Cooper, W. H., *The Russian Financial Crisis of 1998: An Analysis of Trends, Causes and Implications*, Congressional Research Service, 18 Feb. 1999; and OSCE, OSCE Istanbul Summit 1999: Statement by President Yeltsin, OSCE, 18 Nov. 1999.

⁵³ Lithuanian defence official, Interview with author, 31 Nov. 2018.

⁵⁴ Lithuanian defence official (note 53).

⁵⁵ BelTA, 'NATO praises Belarus unprecedented transparency during Zapad 2017 army exercise', 8 Dec. 2017.

⁵⁶ OSCE, Statement by Mr Svein Efstestad, Policy Director, Ministry of Defence of Norway, OSCE Forum for Security Co-operation, FSC.DEL/195/15, 22 Oct. 2015.

⁵⁷ Coast and border guards are military forces in Norway. Schaller, B., Presentation at SIPRI workshop, Stockholm, 10 Oct. 2018.

Baltic states are members of NATO, not applicants, and their clear priority is to ensure timely implementation of the measures agreed in successive NATO summits. While open to ‘meaningful dialogue and engagement with Russia, to seek reciprocal transparency and risk reduction’, the Baltic states and Poland emphasize that those efforts ‘will not come at the expense of ensuring NATO’s credible deterrence and defence’.⁵⁸ In the near term this means developing the command structures, logistic support and enabling capabilities that would facilitate rapid reinforcement of the multinational ‘tripwire’ forces now deployed in each of the Baltic states and in Poland. Proposals for risk reduction measures would be judged against the benchmark of whether they might interfere with or slow down what are seen as prudent investments in defence and deterrence.

Finland and Sweden seek to safeguard their decisions to restore the effectiveness of their national armed forces and enhance their military preparedness, including through various defence cooperation initiatives.⁵⁹ While maintaining their policy of non-participation in NATO, both countries continue to develop close cooperation with that organization. Neither Finland nor Sweden would want any regional measure to hinder the fairly rapid development of ‘minilateral’ military cooperation in Northern Europe.⁶⁰

EU member states would not want regional measures to interfere with elaborating the details of an EU defence package, including elements tailored to support NATO collective defence.⁶¹

In addition, Finland and Sweden have an interest in avoiding a divisive and potentially toxic domestic political argument about the merits of becoming members of NATO, while at the same time both continue to build on their increasingly close cooperation with NATO as Enhanced Opportunity Partners.⁶²

For Finland and Sweden, regional risk reduction mechanisms are not excluded but proposals would be assessed against their impact on the process of consolidating and developing the EU, minilateral, Nordic, trilateral (with the USA) and bilateral cooperation frameworks that have been established or strengthened recently.

As discussed in the introduction, there is an unacceptable level of risk associated with military and political tensions in a relatively small area of Europe (essentially Belarus, Ukraine and Moldova). Belarus did derive some benefits from bilateral CSBMs, but although these measures are useful they are not sufficient to

⁵⁸ US Mission to the North Atlantic Treaty Organization, ‘Common declaration of the defence ministers of the enhanced Forward Presence host and framework nations on the implementation of enhanced Forward Presence’, 29 June 2017.

⁵⁹ Swedish Defence Research Agency, ‘Increased Nordic defence cooperation’, 13 Nov. 2018.

⁶⁰ Finland and Sweden joined the UK-sponsored Joint Expeditionary Force in 2017. British Ministry of Defence, ‘Sweden and Finland join UK-led response force’, 30 June 2017. Finland joined the German-sponsored Framework Nation Concept in 2017. Finnish Ministry of Defence, ‘A framework agreement signed between Finland and Germany’, 29 June 2017. Sweden joined the Framework Nation Concept in 2018. Government of Sweden, ‘Sweden joins the German-led Framework Nations Concept (FNC)’, 28 June 2018.

⁶¹ Fiott, D., *EU Defence Capability Development: Plans, Priorities, Projects*, European Union Institute for Security Studies, 25 June 2018.

⁶² Pesu, M., ‘Finland, Sweden and NATO’s 2018 Summit: The Agenda Looks Good for the Nordic Neighbours’, FIIA Comment no. 12, Finnish Institute for International Affairs, June 2018.

address current problems. The main security risks facing Belarus are a side effect of the deterioration in relations among major powers, and this is what needs to be addressed.

Belarus participates fully in European military restraint regimes as a party to the CFE Treaty, the Vienna Document, the Open Skies Treaty and (for as long as it remains in force) the Intermediate-Range Nuclear Forces Treaty (INF Treaty). However, the current framework tends to separate issues and discuss threat perceptions, conventional weapons, nuclear weapons and missiles without considering the linkages between them.

For Belarus, a more convincing approach would be to consider how existing mechanisms, including those envisaged in the Vienna Document, might be built on in the future with two main objectives. First, Belarus needs to avoid being forced to take sides between parties with apparently irreconcilable security differences. This would include maintaining good relations with Russia and Ukraine and avoiding the spillover effects of deteriorating relations between Russia and NATO. Second, Belarus seeks to explore any measures that countries in Northern Europe could promote to improve the perspective for European security.⁶³

Reasonable objectives and realistic expectations for regional measures would have to be established today in the prevailing conditions, where states are first and foremost interested in what they see as prudent investments to strengthen their military capabilities. Of the various options that could exist to promote a dialogue on regional confidence and security building, the opportunity provided by Belarus would appear to be the most promising.

⁶³ Preiherman, Y., Minsk Dialogue Track-II Initiative, Presentation at SIPRI seminar, 10 Oct. 2018.

4. Risks posed by naval incidents and measures to manage them

The opening chapter pointed to the concerns raised in recent publications about an increase in the number of dangerous or potentially dangerous incidents arising out of the activities of armed forces in proximity. In many cases the incidents involved encounters between ships or between ships and aircraft.

As European states implement newly revised military plans, the number of such incidents is unlikely to diminish. Naval forces have also been a part of the recent expansion in military cooperation in Europe.

The navies of Baltic Sea littoral states increasingly cooperate in initiatives to develop maritime awareness, and improve the efficiency of their joint operations through more frequent exercises. Finland and Sweden created a standing Naval Task Group after 2013, while Germany has acted as a convenor for regular meetings of naval commanders as well as coordinating in the framework of expanding EU–NATO cooperation.⁶⁴

In 2018, NATO Standing Naval Forces increased the frequency of activities in the Black Sea, spending 120 days compared with around 80 in 2017.⁶⁵ The number of Russian warships in the Black Sea rose after 2015.⁶⁶ Moreover, an increase in the number of Russian warships transiting the Black Sea is likely as Russia's plan to secure a permanent naval presence in the Mediterranean Sea is implemented.⁶⁷

Mechanisms to reduce the risk of incidents at sea, or manage the consequences should they occur, involving the largest naval powers have existed since the early 1970s, as discussed further below. These mechanisms are bilateral. However, if it is the case that not only the number of incidents but also the number of countries with ships and aircraft involved in them grows in future, there may be a case for an instrument of a different kind.

Naval confidence- and security-building measures

One approach to managing the risks posed by naval incidents would be to modify the existing framework of European CSBMs, and naval CSBMs have been proposed in the past.⁶⁸

⁶⁴ Lundquist, S. and Widen, J. J., 'Swedish–Finnish naval cooperation in the Baltic Sea: Motives, prospects and challenges', *Defence Studies*, vol. 16, no. 4 (2016); and Siebold, S., 'Germany strengthens Baltic naval alliance to counter Russian buildup', Reuters, 26 Oct. 2018.

⁶⁵ NATO, *Annual Report of the Secretary General 2018*, 14 Mar. 2019, p. 14.

⁶⁶ Petersen, M., 'The naval power shift in the Black Sea', War on the Rocks, 9 Jan. 2019.

⁶⁷ 'Fundamentals of the State Policy of the Russian Federation in the Field of Naval Operations for the period until 2030', 20 July 2017, translated by Anna Davis, United States Naval War College, Rhode Island 2017.

⁶⁸ Finland, Iceland, Norway and Sweden have in the past either put forward ideas for maritime confidence building or supported Soviet proposals to discuss stand-alone maritime measures. Haesken, O., *Confidence Building Measures at Sea*, Forsvarets Forskningsinstitutt (FFI), FFI Rapport 88/5002 (FFI: Oslo, 1988).

In September 2010, OSCE participating states agreed to start updating two chapters of the Vienna Document. The new edition in 2011 incorporated some minor changes to the administration of CSBMs, but agreement on substantive revisions expanding the CSBM catalogue remains elusive, although at least 20 proposals have been under active consideration at the OSCE FSC since 2012.⁶⁹

Russian proposals for naval confidence- and security-building measures

The Soviet Union had a long-standing objective of promoting naval CSBMs (and naval arms control).⁷⁰ Russia has continued to put forward proposals for maritime confidence building in the OSCE context. In the late 1990s, Russian proposals for regional measures included designating areas of the Baltic Sea where navies would not conduct exercises and laying down minimum distances to separate ships at sea—ideas that were rejected at the time and that would probably not be accepted today.⁷¹

In 2008, Russia distributed a ‘food for thought’ paper at the OSCE Annual Security Review Conference that proposed CSBMs in the naval area.⁷² The proposal focused on prior notification and observation of naval activities tailored to the size of the naval formations present in the ‘waters adjacent to the OSCE region’—although it quickly became apparent that there were divergent views on how to define adjoining sea areas. Finding an agreed definition of adjacent waters has been one of the issues under discussion at the FSC. Russia has also proposed extending an existing Black Sea naval CSBM by applying it in the Baltic Sea.⁷³

In 2018, at a non-governmental seminar, a Russian military expert suggested modifying the approach to naval CSBMs by moving away from an emphasis on prior notification of activities based on the size of vessels or the number of ships in given naval formations, and focusing instead on naval forces that enhance capabilities for major reinforcements and the specific characteristics of ships—such as the presence of deck aviation, or the ability to carry cruise missiles or perform complex air defence missions.⁷⁴

⁶⁹ OSCE, ‘FSC Chairperson’s progress report to the 19th Meeting of the Ministerial Council: Efforts in the field of arms control agreements and confidence- and security-building measures’, MC.GAL/4/12, Dublin, Dec. 2012.

⁷⁰ Of the 36 Warsaw Treaty Organization proposals for CSBMs at the 1986 Stockholm Conference on Confidence- and Security-Building Measures and Disarmament in Europe, 11 were for stand-alone naval activities independent from naval support for land operations in Europe. Borawski, J., ‘Slow train coming: Naval confidence-building measures revisited’, *Naval Forces*, no. 4 (1989).

⁷¹ Weeks, S. B., ‘Measures to prevent major incidents at sea’, ed. J. Goldblat, *Maritime Security: The Building of Confidence*, UNIDIR/92/89 (United Nations: New York, 1992).

⁷² OSCE, Russian Delegation, ‘Confidence- and security-building measures in the naval area’, FSC.Del/120/08, 2 July 2008.

⁷³ ‘AIAM livelier if not unfamiliar: Russia calls for new CSBMs’, Cable from the US Mission to the OSCE reporting on the 3–4 March 2009 Annual Implementation Assessment Meeting, 6 Mar. 2009.

⁷⁴ DCAF - Geneva Centre for Security Sector Governance, *OSCE Focus 2018: The OSCE at a Crossroads—Recognizing and Seizing Opportunities*, Geneva, 12–13 Oct. 2018.

Naval confidence- and security-building measures in the Black Sea region

In April 2002, the six Black Sea littoral states (Bulgaria, Georgia, Romania, Russia, Turkey and Ukraine) issued a joint declaration and adopted a document on CSBMs in the naval field in the Black Sea.⁷⁵ In the document, the six countries promised each other various forms of practical assistance on a voluntary basis: (a) to create and maintain points of contact; (b) to facilitate reciprocal visits to naval bases; (c) to exchange information on larger vessels in their navies; and (d) to jointly participate in Confidence Annual Naval Exercises. However, the utility of the 2002 joint declaration and document has been called into question by some of the signatory states after the events in Ukraine that began in 2014.

Annual meetings of the six signatory states are convened under a rotating chair, and the information exchange provisions appear to be observed by all parties. However, discussions at the annual meetings have inevitably been coloured by the status of Crimea and statements that actions by Russia put in jeopardy the safety and security of navigation in the north-eastern part of the Black Sea.⁷⁶

The invitation to visit a naval base is rotational, so that each signatory state hosts a visit every six years. The annexation of Crimea led to the cancellation of the 2014 joint exercise and a naval base visit to Sevastopol planned for October 2014. Although all six signatories continued to express support for the idea of a Black Sea CSBM mechanism, in 2014 Ukraine called for the 2002 document to be adapted to ‘current realities, challenges and threats in the Black Sea region’.⁷⁷

Although the Black Sea CSBM regime has not been terminated, its future is uncertain: agreement may not be possible on a schedule of future activities and under present conditions cooperation is likely to be of an ad hoc nature.

The Black Sea Naval Cooperation Task Group

Naval cooperation in the Black Sea also includes a joint naval grouping—the Black Sea Naval Cooperation Task Group (BLACKSEAFOR)—that was created in 2001 to strengthen regional counterterrorism cooperation.⁷⁸ Bulgaria, Georgia, Romania, Russia, Turkey and Ukraine created BLACKSEAFOR to train for missions to counter acts of maritime terrorism or trafficking. The agreement established a rotational command structure and a system for information exchange among Black Sea navies. The six navies carried out a schedule of joint exercises until 2008, after which Georgia withdrew from participation following the Russian–Georgian war. However, Georgia resumed participation in 2011.⁷⁹ The BLACKSEAFOR exercise

⁷⁵ United Nations, Letter dated 10 May 2002 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General, A/57/82, 3 June 2002.

⁷⁶ OSCE, Statement of the Delegation of Ukraine to the OSCE Forum for Security Cooperation, FSC.JOUR/843, 30 Nov. 2016, Annex 1.

⁷⁷ OSCE, Statement by the Delegation of Bulgaria (also on behalf of Georgia, Romania, the Russian Federation, Turkey and Ukraine), FSC.JOUR/781, 17 Dec. 2014, Annex 1; see also OSCE, Statement by the Delegation of Ukraine, FSC.JOUR/781, 17 Dec. 2014, Annex 2.

⁷⁸ Agreement on Black Sea Naval Cooperation Task Group, signed 2 Apr. 2001.

⁷⁹ Sanchez, W. A., ‘Did BLACKSEAFOR ever have a chance?’, E-International Relations, 18 Nov. 2012.

planned for 2014 did not take place, and the NATO decision to suspend practical cooperation with Russia further complicated activities.⁸⁰ The joint grouping was frozen in 2015 when Russia suspended its participation in BLACKSEAFOR after a Russian combat aircraft was shot down in Turkish airspace.⁸¹

Naval risk reduction measures

The proposals for new naval CSBMs noted above appear to have gained little traction, while the future of existing arrangements in the Black Sea region is uncertain. Proposals that include prior notification or constraints on the movement of naval forces are likely to fail because they would be seen as contrary to the concept of freedom of movement in international waters. In the strategic environment sketched in previous chapters there is also likely to be suspicion around any measures that could impinge on the ability of NATO to carry out rapid reinforcement of relatively small forces in being.

These objections would not apply to technical measures intended to reduce the probability of unintentional risks created by misunderstanding or poor communication. However, given the nature of the problem such measures address, there would be no reason to apply them in specific parts of Europe.

Existing naval risk reduction measures

The technical risk reduction measures that date from the 1980s and 1990s involving European naval powers are closely modelled on the May 1972 Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on the Prevention of Incidents on and over the High Seas (US–Soviet INCSEA agreement).⁸² The agreement provided guidance to operational commanders and senior officers on how to behave in specific circumstances and had three main purposes: (a) to enhance the safety of navigation; (b) to prevent naval incidents that could threaten the lives of sailors and damage ships or aircraft; and (c) to avoid a situation in which a naval incident (should one occur) escalates into a crisis.

An example from 1968 gives an indication of why the US–Soviet INCSEA agreement was necessary. In May 1968, a Soviet Tu-16R reconnaissance aircraft flew past a US Navy aircraft carrier at such a low level that it crashed when a wing tip touched the surface of the water. The incident, which occurred off the coast of Norway, was managed in a responsible manner by the captains of the US vessel and a Soviet destroyer that made its way to the crash location. However, the incident had safety implications—the aircraft carrier was launching an aircraft at the time the Soviet aircraft was making a low-level pass with the attendant risk of a collision in the air—and could have posed escalation risks if the Soviet

⁸⁰ Kucera, J., 'Black Sea naval cooperation another casualty of Ukraine war', Eurasianet, 23 July 2014.

⁸¹ UNIAN, 'Russia suspends participation in BLACKSEAFOR naval drills following Su-24 incident', 27 Nov. 2015.

⁸² Lynn–Jones, S., 'A quiet success for arms control: Preventing incidents at sea', *International Security*, vol. 9, no. 4 (spring 1985).

authorities believed or suspected that the reconnaissance aircraft had been shot down. The incident is said to have added momentum to the discussion of agreements on safety at sea.⁸³

From the 1980s onwards, Canada, Germany, Greece, Italy, the Netherlands, Norway, Portugal, Spain, Turkey and the UK all concluded bilateral INCSEA agreements with the Soviet Union or Russia. Although these agreements are essentially identical to the 1972 agreement, there are some differences. For example, the agreement between Canada and the Soviet Union included a provision that was not in earlier agreements specifying that ships may not use a laser in such a manner as to cause harm to personnel or damage to equipment aboard a ship or an aircraft of the other party.⁸⁴

The UK and Russia are in the process of finalizing an update to their existing INCSEA agreement by adding a new protocol.⁸⁵ The Netherlands is also planning to update its existing INCSEA agreement with Russia.⁸⁶ Updates would be made to bilateral documents, but given the essentially identical nature of the existing agreements there may be a case for discussing updates to all existing agreements with Russia in a group setting. This might be both more efficient as a procedure and also avoid any unnecessary differences in the text of updated agreements.

Reducing the risk of naval incidents: The example of Asia

In Asia, there already appears to be more of a synergy between regional and bilateral measures, and 21 states moved the discussion into a joint framework where the Code for Unplanned Encounters at Sea (CUES) was elaborated. In April 2014, CUES was agreed at the Western Pacific Naval Symposium. Described as ‘a coordinated means of communication to maximise safety at sea’, the document contains safety procedures, a basic communications plan and basic manoeuvring instructions for naval ships and naval aircraft during unplanned encounters at sea.⁸⁷

CUES is a public document that any state can use, and after the signalling code manuals were published ships began to use them without prompting.⁸⁸ In September 2016, a declaration at the leaders’ meeting of the Association of Southeast Asian Nations (ASEAN)–China Summit reaffirmed the application of CUES in the South China Sea.⁸⁹ In 2018, Asian states agreed to incorporate

⁸³ Winkler, D., ‘Tuesday’s buzzing had deadly precedent’, Naval Historical Foundation, 15 Apr. 2016.

⁸⁴ Agreement between the Government of the Union of Soviet Socialist Republics and the Government of Canada Concerning the Prevention of Incidents at Sea outside Territorial Waters, signed and entered into force 20 Nov. 1989.

⁸⁵ TASS, ‘Russia, UK to update agreement on prevention of incidents at sea’, 14 Aug. 2017.

⁸⁶ Raynova and Kulesza (note 7), p. 8.

⁸⁷ Western Pacific Naval Symposium, Code for Unplanned Encounters at Sea, Version 1.0, 22 Apr. 2014.

⁸⁸ Winkler (note 35), pp. 211–12.

⁸⁹ Institute for International Policy Studies (IIPS) Study Group on Maritime Security in East Asia, *Crisis Management at Sea: Urgent Proposals from the Field* (IIPS: Tokyo, Oct. 2016).

the CUES signals into a forthcoming naval exercise involving China and ASEAN countries.⁹⁰

Recent events have also illustrated contingencies where CUES has not helped to avoid dangerous incidents. On 30 September 2018, a Chinese PLA Navy destroyer and a US Navy destroyer came within about 40 metres of one another in the South China Sea, following which the US Chief of Naval Operations stated that ‘It was very clear the Chinese navy did not behave consistently with the protocols of CUES in that encounter’.⁹¹

The CUES document was designed to apply to encounters in international waters, which are the least sensitive part of the maritime security environment. The document may not apply when incidents occur in sensitive locations because naval forces may then deliberately engineer a degree of jeopardy.

The US Navy has conducted freedom of navigation operations (FONOPS) since the late 1970s, ‘to maintain the global mobility of US forces and unimpeded commerce by protesting and challenging attempts by coastal States to unlawfully restrict access to the seas’.⁹² As deliberate acts to challenge what the USA sees as excessive maritime claims, FONOPS are by definition likely to be contested. These operations can involve vessels moving into or through what coastal states consider restricted waterways, where the presence of warships requires consent or where intelligence, surveillance and reconnaissance activities will be contested.

The pace of FONOPS in the South China Sea was bimonthly in 2017, but is believed to have increased in 2018. In 2018, the first two-ship operation was conducted, and ships reportedly now stop to launch deck-based aviation rather than simply transiting waters.⁹³ US Navy FONOPS within 12 nautical miles of the Paracel Islands are interpreted in China as a change in policy towards the status of waters that China thought was settled, and that China interprets as a violation of sovereign territory.⁹⁴ In these circumstances, encounters are not unplanned and the actions and reactions of navies are calibrated by states to send signals to each other about actions considered acceptable (or unacceptable).

Forward presence

The deployment of naval forces to demonstrate commitment and capability also has a wider purpose of preparing for crisis response and strengthening deterrence.⁹⁵

⁹⁰ Koh, C. L. S., ‘ASEAN–China Maritime Exercise CUES greater SCS stability’, East Asia Forum, 18 Aug. 2018.

⁹¹ US Department of Defense, ‘Richardson works to strengthen Pacific contacts, alliances’, 8 Nov. 2018.

⁹² US Department of Defense Report to Congress, *Annual Freedom of Navigation Report, Fiscal Year 2017*, 31 Dec. 2017.

⁹³ Naval Today, ‘USS Decatur challenges China with Spratly Islands freedom of navigation operation’, 1 Oct. 2018.

⁹⁴ China claims that prior notification of innocent passage is needed when ships pass within 12 nautical miles of the Paracel Islands on the basis that these are Chinese territorial waters. The USA does not accept the claim to the islands. Panda, A., ‘South China Sea: Two US Navy warships conduct Freedom of Navigation Operation in Paracel Islands’, *The Diplomat*, 28 May 2018.

⁹⁵ The USA defines forward presence as ‘Maintaining forward deployed or stationed forces overseas to demonstrate national resolve, strengthen alliances, dissuade potential adversaries, and enhance the ability to respond quickly to contingency operations’. US Marine Corps, US Navy and US Coast Guard, *Implementing the Maritime Strategy: Naval Operations Concept 2010*, 24 May 2010, p. 97.

However, naval presence may be interpreted as threatening by another state given the evolution of naval capabilities—in particular, when modern warships carry long-range land-attack cruise missiles that allow them to project power ashore to far greater distances than naval guns in the past.⁹⁶

INCSEA agreements and technical documents such as CUES were neither designed nor intended to manage a challenge to a naval presence. The need to manage the bilateral dimension of an incident requires a separate framework. China and the USA have a bilateral framework in the form of the 1998 Military Maritime Consultative Agreement (MMCA) and the implementation procedures for the 2014 Memorandum of Understanding between the Department of Defense of the United States of America and the Ministry of National Defense of the People's Republic of China Regarding the Rules of Behavior for Safety of Air and Maritime Encounters.⁹⁷

Naval incidents in European waters

As noted above, incidents of potential concern have been recorded in or over European waters after 2014. However, the nature of these incidents can vary significantly.⁹⁸ While some do not necessarily raise significant concerns, others are considered to carry too great a risk of injury, loss of life or damage to expensive equipment.

As also noted above, both the number and scale of naval activities in the Black Sea are increasing as the CSBM regime is called into question. Moreover, Russian actions appear to signal that there are spaces in the Black Sea, particularly in the north-east, where the naval presence of other states is not welcome.

In 2018, the British Royal Navy reported that Russian combat aircraft had subjected one of its destroyers, which was operating in the Black Sea at the time, to the most intensive raid experienced by a British ship for 25 years. According to reports, Russian combat aircraft made several passes at relatively close quarters to the Royal Navy ship over a period of hours.⁹⁹ While the ship was never in danger, the Royal Navy cautioned that by flying too close to the ship the aircraft could have put themselves at risk without any hostile engagement. According to the Royal Navy, the radar on board the destroyer (which was designed for wide-area tracking of aircraft) could potentially damage the electronic flight control

⁹⁶ Although it is not an example from Asia, the 2016 incident in the Baltic Sea, during which Russian aircraft made repeated low-level passes of a US Navy guided missile destroyer, was explained by the Russian Ministry of Defence spokesman in the context of the ship, which is armed with land-attack cruise missiles, coming within 70 km of a Russian naval base. *Russia Today*, “Aggressive simulated attack”: Pentagon decries Russian jets zooming over USS Donald Cook, 14 Apr. 2016.

⁹⁷ The text of the 1998 MMCA can be found at <www.fas.org/nuke/control/sea/text/us-china98.htm>. The 2014 memorandum of understanding can be found at <https://archive.defense.gov/pubs/141112_MemorandumOfUnderstandingRegardingRules.pdf>.

⁹⁸ Between 2013 and 2015, Russian air activity close to NATO's European airspace increased by around 70 per cent, though a relatively small number of incidents involved violations of airspace. NATO, *Annual Report of the Secretary General 2015*, Brussels, 28 Jan. 2016, p. 56.

⁹⁹ Allison, G., ‘Royal Navy destroyer swarmed by 17 Russian jets in Black Sea’, *UK Defence Journal*, 26 Nov. 2018.

systems of aircraft closing to within two nautical miles.¹⁰⁰ If an aircraft crashed, perhaps with loss of life, an incident could escalate to a crisis, even if the cause of the crash was inadvertent.

The action Russia took against the British destroyer was similar to other Russian actions in 2016, 2017 and 2018 involving Belgian, Dutch and US naval vessels.¹⁰¹ The Royal Navy ship was part of a NATO Immediate Reaction Force in the Black Sea involving ships from six navies, in a presence mission described by Russia as ‘a clear provocation’.¹⁰²

Tensions between Russia and Ukraine over the legal status of the Sea of Azov, which is linked to the north-east of the Black Sea by the Kerch Strait and considered a shared inland sea according to a 2003 agreement between Russia and Ukraine, are another indication of increased risk.¹⁰³ These tensions were raised further in November 2018 by the capture by the Russian Navy of three Ukrainian armed patrol boats attempting to make the journey from Odessa, a Black Sea coastal city, to Berdyansk, which is situated on the Sea of Azov.¹⁰⁴ When denying the ships access to the Sea of Azov, Russian vessels used live fire to disable one of them. During the incident a Russian Coast Guard ship rammed a tug boat that was accompanying the three Ukrainian naval patrol boats.¹⁰⁵ The Ukrainian Chief of Naval Staff, Vice Admiral Andriy Tarasov, stated in December 2018 that Ukraine will try to move ships to Berdyansk again at an unspecified date and, if the same scenario presents itself, the Ukrainian ship commanders will be authorized to return fire.¹⁰⁶

Non-naval incidents

The involvement of coast guard vessels in the Sea of Azov incident was a reminder that incidents need not only involve navies. While there are forums at which maritime law enforcement agencies discuss important topics on a peer-to-peer basis, none of them is currently tasked with managing incidents that could develop into serious national security crises.

The Council of Baltic Sea States established the Baltic Sea Region Border Control Cooperation (BSRBCC) arrangement in 1996 to promote contacts and practical cooperation among border guards and coast guards.¹⁰⁷ The BSRBCC generates an

¹⁰⁰ Cotterill, T., ‘HMS Duncan: Royal Navy warship swarmed by “unprecedented” force of Russian jets in Black Sea raid’, *Portsmouth News*, 28 Nov. 2018.

¹⁰¹ Gibbons-Neff, T., ‘A strange recent history of Russian jets buzzing Navy ships’, *Washington Post*, 14 Apr. 2016; Ashmore, J., ‘Dutch “Walrus” class submarine driven away by Russian Navy in Eastern Mediterranean’, *Afloat*, 11 Nov. 2016; and VRT News, ‘New details on incident with Russian bombers in the Baltic’, 26 Nov. 2018.

¹⁰² Allison (note 99).

¹⁰³ Agreement between the Russian Federation and the Ukraine on cooperation in the use of the Sea of Azov and the Strait of Kerch, 24 Dec. 2003.

¹⁰⁴ Kofman, M., ‘The Kerch Strait naval skirmish’, *Russian Military Analysis*, 28 Nov. 2018.

¹⁰⁵ Larter, D. and Bodner, M., ‘The Sea of Azov won’t become the new South China Sea (and Russia knows it)’, *Defense News*, 28 Nov. 2018.

¹⁰⁶ Ponomarenko, I., ‘Ukrainian navy chief: If Russia attacks again, we are ready’, *Kyiv Post*, 24 Dec. 2018. Vice Admiral Tarasov added that it would be highly desirable if ships from other navies were present when a new attempt was made.

¹⁰⁷ Council of the Baltic Sea States, ‘Border control cooperation’, [n.d.]. The Council of Baltic Sea States consists of 11 member states (Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway,

annual report on threat assessments that helps participating states to ‘create and share a situation picture of threats identified within the area and to draw and elaborate conclusions regarding current and anticipated situations’.¹⁰⁸

The Black Sea Littoral States Border/Coast Guard Cooperation Forum was initiated in 2000 to facilitate cooperation among Bulgaria, Georgia, Romania, Russia, Turkey and Ukraine in fields such as combating maritime trafficking and marine environmental protection. However, the practical work of the forum has been disrupted by the prevailing security conditions in the Black Sea. In November 2018 Ukraine, which took over from Romania as the chair of the forum at the meeting, did not invite Russia to the annual forum, which went ahead with five participating countries.¹⁰⁹

The Arctic Coast Guard Forum was created in 2015 as an informal network in which Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and the USA cooperate to exchange information and organize practical events, notably seminars and exercises, focused on issues such as search and rescue at sea, marine environmental protection and other topics of mutual interest.¹¹⁰

Submarine activities and underwater infrastructure

In addition to the rise in the tempo of military activity on the surface of and in the air column over the sea, the frequency of submarine operations has increased in recent years. Moreover, submarines active in European waters are different from, and far more capable than, the vessels conducting patrols during the cold war.¹¹¹ The greater sophistication of new vessels has made it imperative to collect information about their capabilities, and so navies pay close attention to submarines on patrol, including shadowing their movement at close range.

There is very little public information about submarine operations. One of the main characteristics of submarines is that they operate without detection and navies do not invite external scrutiny of incidents. Submarine collisions occurred during the cold war.¹¹² Submarines have also collided with fishing vessels or commercial shipping. As the frequency of submarine operations increases, there may also be a greater risk of a collision in sensitive locations.¹¹³

As submarines on patrol move at low speed to avoid detection, a collision may not breach the hull. However, should there be serious damage, rescue operations

Poland, Russia and Sweden) and a representative of the EU.

¹⁰⁸ Barzanje, C., Ekengren, M. and Rhinard, M., *Working in the Same Direction? Civil Protection Cooperation in the Baltic Sea Region*, UI Paper no. 4 (Swedish Institute of International Affairs: Stockholm, 2018). The BSRBCC threat assessment seminars that take place every six months are valuable opportunities for border agencies to share information and provide guidance on irregular migration and people smuggling.

¹⁰⁹ 112.International, ‘Black Sea border cooperation Forum starts in Odesa, Russia not invited’, 7 Nov. 2018.

¹¹⁰ For further detail see the Arctic Coast Guard Forum website, <www.arcticcoastguardforum.com>.

¹¹¹ Gady, F.-S., ‘Russian submarine activity at highest level since cold war’, *The Diplomat*, 5 Feb. 2016.

¹¹² Winkler, D. F., *COLLISION! COLLISION!: Averting Bilateral Relations Damage Due to Undersea Mishaps*, Paper prepared for the 2011 Maritime Strategy: Security and Governance Conference hosted by the Shanghai Academy of Social Sciences Institute of Asia–Pacific Studies, 26–27 May 2011.

¹¹³ One sensitive area where submarines are reported to have ‘hunted’ one another is the eastern Mediterranean during the conflict in Syria. ‘Russian fleet hunts British submarine in Mediterranean—media’, *UNIAN*, 17 Apr. 2018.

may be particularly complicated and dangerous to the rescuers as well as those being rescued.

Manuals to reduce the risk of accidents and incidents involving the submarines of friends and allies are used by NATO navies.¹¹⁴ NATO also operates a water space management regime that somewhat resembles air traffic control.¹¹⁵ However, participation in these initiatives is limited to NATO navies.

In 2003, after an accident sank the Russian submarine *Kursk* with the loss of all on board, NATO established the International Submarine Escape and Rescue Liaison Office (ISMERLO) to maintain communication among vessels to facilitate the fastest possible response when a submarine requires rescue or assistance. Hosted by the UK, ISMERLO has promoted standard procedures to be used in submarine rescue operations and organized exercises to practice their use.¹¹⁶

China has participated in ISMERLO exercises, and the Royal Singapore Navy has explored developing a similar initiative in Asia.¹¹⁷ To address the risk of submarine collisions, submarine operational safety conferences have been organized in Asia since 2015.¹¹⁸ However, initiatives on submarine safety have aimed at reducing the loss of life following accidents and the risk to submarines from civilian activities involving ultra-large commercial ships, trawlers, undersea oil rigs and cable-laying ships rather than addressing military risk reduction.

Naval risk reduction measures elsewhere in the world have sometimes included submarine operations.¹¹⁹ In Europe, information about submarines is included as part of the naval holdings reported in GEMI. However, ideas put forward periodically to include submarines in operational CSBMs—such as sectors in which submarines would be subject to notification or where they would agree not to patrol, or minimum separation distances between submerged submarines—have never been widely supported. Such measures would interfere with one of the main military advantages of submarines: their capacity to operate undetected and move freely.¹²⁰

Underwater risks are not limited to submarine operations. In 2017, US Navy Admiral John M. Richardson pointed out that virtually all digital information

¹¹⁴ NATO, *Multi-national Submarine and Anti-Submarine Exercise Manual*, MXP-1(D)(NAVY)(AIR), 2002.

¹¹⁵ Walter, C., 'The prevention of mutual interference within the subsea littoral', *Hydro International*, 2 Nov. 2010.

¹¹⁶ Italian Ministry of Defence, 'An officer of Italian Navy at the head of ISMERLO', 17 July 2015.

¹¹⁷ Goldstein, L. and Murray, W., 'International submarine rescue: A constructive role for China?', *Asia Policy*, no. 5 (Jan. 2008).

¹¹⁸ Collin, K. S. L., 'Promoting submarine operational safety in the Indo-Pacific', *The Diplomat*, 9 June 2017.

¹¹⁹ The April 1991 Agreement between India and Pakistan on the Advance Notice of Military Exercises included both submarines and surface ships under its scope. The agreement specifies that submarines belonging to the respective navies are to maintain separation of at least 3 nautical miles when operating in international waters. Ansari, H. and Vohra, R., *Confidence Building Measures at Sea: Opportunities for India and Pakistan*, Sandia National Laboratory Cooperative Monitoring Center (CMC) Occasional Paper no. 33, SAND 2004-0102 (CMC: Albuquerque, NM, Dec. 2003).

¹²⁰ Schaller, B., 'Confidence- and security-building measures in the Arctic: The Organization for Security and Co-operation in Europe as a role model for the area?', *The Arctic Yearbook 2014* (Northern Research Forum: Akureyri, 2014).

(in excess of 90 per cent) moves via cables on the sea bed, and that an ‘information sea’ would be a more accurate description for the world’s online information network than the commonly used ‘information cloud’.¹²¹ Seabed pipelines also play an important role in international energy supply networks.

The challenging task of carrying out proper maintenance of underwater cables and pipelines requires submerged equipment and infrastructure.¹²² Ensuring that cables, pipelines and their associated infrastructure continue to function normally is an area of maritime risk that is outside the scope of this paper, but one of increasing importance.

Exploring a new risk reduction measure

The previous sections have established that naval operations create risks of different kinds. Inadvertent risks can stem from (a) the irresponsible actions of the commander of a formation or a ship; (b) a lack of knowledge or poor training among officers or crew; or (c) the use of different and incompatible signals. At sea collisions may damage equipment (including very expensive items) or injure crew members, in the worst case fatally. These risks, which are not limited to navies, can be offset by measures to ensure long-standing rules of seamanship and nautical practice are properly understood.

The most serious naval risks are the result of deliberate actions. For example, the live firing, deliberate ramming, and capture and detention of ships with their crew in November 2018, at a time when Russia and Ukraine were in conflict, could only be addressed using instruments that go beyond risk reduction or confidence building.

Other deliberate risks can occur when (a) naval vessels are placed in front of foreign ships or inside foreign naval formations to cause obstruction; (b) ships or aircraft are deliberately close to within a very short distance of each other; or (c) on-board radars, jammers and decoys interfere with the navigation or communications systems of other ships or aircraft (in some cases this might be deliberate but in others it might be due to technical incompatibilities).

Elements of a risk reduction measure

Given the spectrum of risk, a risk matrix is needed to determine the characteristics of different naval incidents based on whether they are deliberate or inadvertent, and on their timing, nature and location. A risk matrix can be combined with appropriate measures designed to address the different risk categories and a method for allocating an incident to the correct measure according to its classification.

Using a ‘traffic light’ system, incidents could be sorted into one of the following three categories according to agreed standards and guidelines.

¹²¹ Richardson, J. (Admiral), Chief of Naval Operations, US Navy, Presentation to the Venice Regional Seapower Symposium, Venice, 19 Oct. 2017.

¹²² Sunak, R., *Undersea Cables: Indispensable, Insecure* (Policy Exchange: London, 2017).

1. *Green light incidents.* Incidents considered routine, but that could involve a degree of risk to the safety of vessels or crew. These would not require any specific action to be taken, but it could be useful to store information about them systematically to allow further analysis if needed.

2. *Amber light incidents.* Incidents considered to be serious or significant enough to justify more detailed examination in a formal setting—such as an annual review meeting—where there could be discussion of how such incidents could be better managed. If systematic analysis of information collected indicated a potentially disturbing pattern of green light incidents, then the discussion of that finding could move to the amber light forum.

3. *Red light incidents.* Incidents considered particularly dangerous and that require immediate action would need to be addressed through a dedicated bilateral channel to avoid escalation or repetition and to manage political fallout. The danger could arise from the nature of the incident, or from its timing—if an incident that would normally be considered routine takes place at a moment of heightened tension, with an attendant risk of misinterpretation. Recent incidents have been caught in an accelerating cycle of news, and the speed of political and public reaction could increase the risk of escalation by itself.

The existing bilateral INCSEA agreements between some European countries and Russia are now around 30 years old. New international agreements have established additional rules, for example on the proper use of laser designators.¹²³ In addition, advances in the electronic equipment and communication technologies on board ships and aircraft have created new risks.

In a period where close attention is paid to ‘information warfare’, a discussion may be needed about the management of information—how it is shared and how it is released to the public.

Navies have not played a sufficiently prominent role in the European discussion of CSBMs, which have been dominated by a continental perspective shaped at the time that huge, heavily armed land formations were deployed in Central Europe. Within the overall set of military-to-military contacts, discussions between navies are perhaps under-represented. Given the current focus on incidents in the Baltic Sea and the Black Sea, a forum for naval dialogue could be justified, to give a more prominent voice to risks arising at sea. One of the topics that such a forum could usefully discuss would be a possible agreement for all OSCE navies to use the CUES signals.

The forum could also promote the exchange of information of mutual interest with Asian countries. Since European countries concluded INCSEA agreements, the navies of Asian countries have made a thorough assessment of signals and agreed to use the CUES common signals for communication in cases of unexpected encounters at sea. Briefings on the Asian experience with the CUES could be a valuable contribution to the discussion among European navies. On

¹²³ At their 1995 Review Conference the states parties to the 1980 Convention on the Use of Certain Conventional Weapons agreed on a Protocol on Blinding Laser Weapons (Protocol IV to the 1980 Convention), International Committee of the Red Cross, 13 Oct. 1995.

the other hand, operational activities being discussed in Asia include issues such as search and rescue following a maritime accident, where there are many years of experience in Europe, including the use of common maritime management systems to reduce the risk of accidents and implement effective responses should they occur.

The focus of the naval dialogue should be on managing the potential fallout of encounters arising from increased naval traffic on and over the water. The risk of underwater incidents is real but, as noted above, there is no reason to believe that past objections to developing risk reduction measures for submerged submarines could be overcome in the current context. Thus, discussing risks involving submerged submarines might not be productive. Other underwater risks, involving infrastructure on the sea bed such as communication cables or pipelines, would perhaps be better categorized as elements of maritime management and be discussed in other forums.

There are several drawbacks to discussing naval risk reduction as a regional measure of the kind advocated in chapter 10 of the Vienna Document. The incidents that give rise to the need for a new instrument occur in different parts of the OSCE space, but they have common characteristics and involve the same navies (and in some cases the same ships).

In the light of the points raised above, there is scope to explore a new naval risk reduction instrument as a stand-alone measure agreed under the umbrella of the OSCE, with details to be discussed in a dedicated forum for navies.

A wider dialogue forum could build on the existing system of bilateral INCSEA agreements by involving both countries that have agreements and those that are considering them. While the impact of an incident would primarily affect the bilateral relations of the countries involved, in the case that an incident escalates into a crisis, the impact would be felt across the OSCE community, and managing it would quickly move beyond bilateralism. A wider naval dialogue forum would supplement, not replace, existing bilateral arrangements that can better address particularly dangerous incidents.

Assuming that a stand-alone arrangement is considered useful, a necessary next step would be to convene a naval dialogue, perhaps using an existing forum, to discuss a range of issues in more detail. Such issues would include:

1. What is the risk matrix for routine (green light), significant (amber light) and dangerous (red light) incidents?
2. Are there agreed criteria for classifying an incident within the matrix?
3. What form should a consultative commission take?
4. What kinds of meetings are needed; how often and in what framework? Is there an existing forum that could be used?
5. How would an agreed written record of incidents be created, managed, shared and analysed?
6. What would be the relationship to the modernization and further development of bilateral incident management agreements?

7. What relationship might an OSCE instrument have to other regional frameworks?

One potential forum for further discussion of a stand-alone naval risk reduction instrument is the Venice Regional Sea Power Symposium.¹²⁴ Originally created as a forum where the leaders of the regional navies of Mediterranean and Black Sea littoral states could meet, participation has expanded: at the 2017 symposium, a total of 58 navies were represented. The Western Pacific Naval Symposium played a useful role in elaborating the technical documents that prepared the ground for the adoption of CUES. The Venice Regional Sea Power Symposium might play a similar role in preparing a risk reduction instrument for Europe.

¹²⁴ This suggestion was made by David Winkler in his presentation to the OSCE Security Days Expert Roundtable on Preventing Military Incidents in the Air and at Sea, Vienna, 18 Sep. 2018.

5. Conclusions and recommendations

In Europe, the near-term priority of states is to increase their military strength to enhance defence and deterrence. Instruments of restraint, including arms control and CSBMs, currently receive less emphasis.

Military conditions are changing quickly, but past experience is only of limited value in understanding the changes because the strategic geography of Europe has changed and technologies that were in an early phase of deployment when existing restraint measures were negotiated have now become central elements of modern armed forces.

A process that promoted more and better analysis of the existing body of military information could help to create favourable conditions for progress in political cooperation and establish a solid basis for discussing new agreements in the future. By gaining a deeper understanding of key trends and developments in security, military experts could enhance the quality of their advice to national policy makers.

As part of the process of understanding the changing European security environment, the official information that is exchanged between states should be exploited more effectively in initiatives that draw on military expertise.

As a first step, OSCE participating states should improve their own capacity by promoting national analysis of the information that the OSCE makes available. The expert community created in national initiatives could be linked in international projects that produce joint assessments in groupings that go beyond the framework of alliances and security institutions.

As new military plans are implemented, the number and frequency of training activities, military exercises and patrols are likely to continue increasing, and it will become more likely that armed forces will find themselves in proximity. Exercises that simulate opposed, non-permissive scenarios will probably be conducted, and ships and aircraft from states that are not participating in exercises will monitor these military activities closely.

There is an unacceptable level of risk associated with military and political tensions in a relatively small area of Europe (essentially Belarus, Ukraine and Moldova). Existing measures are not sufficient to address current problems in this part of Europe, which are often a side effect of the deterioration in relations between major powers.

Belarus, Ukraine and Moldova participate fully in European military restraint regimes as parties to the CFE Treaty, the Vienna Document and the Open Skies Treaty. Belarus and Ukraine are (for as long as it remains in force) parties to the INF Treaty. However, the current framework tends to separate issues and discuss threat perceptions, conventional weapons, nuclear weapons and missiles without considering the linkages between them. A more convincing approach would be to consider how existing mechanisms might be built on to facilitate a more integrated assessment.

A significant number of incidents involving encounters between ships or between ships and aircraft has been noted in recent years. These incidents are not confined to one part of Europe, but occur in the Baltic Sea, the Black Sea and the Mediterranean. Incidents include deliberate actions intended to signal that a naval presence is unwelcome. Such incidents need to be managed to reduce the danger of escalation to a crisis. Unintended incidents also occur, and if an unintended incident is misinterpreted as a provocation or an act of coercion, then it could also escalate in ways that do not benefit any party.

In Europe, a somewhat limited subregional CSBM regime exists in the Black Sea region, but it is operating under the burden of significant challenges and its technical risk reduction measures are purely bilateral. The six-country Black Sea naval CSBM regime does not include the navies of non-littoral states (no matter whether the state has a regular naval presence in the Black Sea) and the current state of relations between Ukraine and Russia prevents the participants from convening. Russian proposals to develop a naval CSBM regime including all OSCE participating states have been rejected in the past on the grounds that they did not identify any specific security problem that needed to be solved. A more integrated approach that incorporates naval capabilities into a potential future CSBM regime might attract support in future, but at present no major substantive revision to the OSCE CSBM regime seems imminent, and a stand-alone naval CSBM measure also seems unlikely.

In these circumstances, a more limited approach that focuses on technical measures to reduce the risks arising from ships or aircraft coming into close proximity may be more feasible. A new measure focused on naval risk reduction could be timely, and it would be better to frame such an initiative in pan-European terms, rather than tailoring it to a limited sea space.

In the naval field, Asian countries appear to be moving towards a regional framework with two elements: a joint commitment to make use of technical aids—notably CUES—supplemented with measures directly linking countries with particularly sensitive bilateral naval security challenges. A similar kind of arrangement could usefully be explored in Europe.

Recommendations

1. European states should shield the existing military-to-military contacts to prevent them being cut back as the result of any further deterioration in political relations.
2. Establish national teams of military experts tasked with detailed analysis of the information available through existing OSCE information exchanges.
3. Promote projects that link national teams in order to facilitate joint assessments of the main tendencies in military security in Europe based on a shared body of information.

4. Explore the PFPC as a framework to link national experts, including those from Russia.
5. Work to explore the prospects for an integrated set of regional and bilateral CSBMs that limit the risks to Belarus, Ukraine and Moldova arising out of increasing tensions between NATO and Russia.
6. Establish a dedicated forum for navies to explore a stand-alone naval risk reduction instrument under the umbrella of the OSCE.
7. Explore the feasibility of adding a working group on naval incident avoidance and management to the agenda of the Venice Regional Seapower Symposium to support the development of a risk reduction instrument.
8. Promote the modernization of existing bilateral INCSEA agreements and the consideration of new agreements to harmonize the content, take account of changes in technology and incorporate the rules laid down in international political and legal agreements.
9. Include the experience and knowledge gained from discussions in Asia as part of the process of thinking about naval risk reduction in Europe.

Annex A. List of agreements related to incidents at sea

Annex A. List of agreements related to incidents at sea

Agreement	Parties	Year formed	Purpose	Comments
Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on the Prevention of Incidents On and Over the High Seas	Soviet Union/Russia, United States	1972	Safety of navigation; Avoid major incidents; Prevent dangerous military activities	
Agreement Between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Union of Soviet Socialist Republics Concerning the Prevention of Incidents at Sea beyond the Territorial Sea	United Kingdom, Russia	1986	Safety of navigation; Avoid major incidents; Prevent dangerous military activities	
Agreement Between the Government of the Federal Republic of Germany and the Government of the Union of Soviet Socialist Republics Concerning the Prevention of Incidents at Sea beyond the Territorial Sea	Germany, Russia	1988	Safety of navigation; Avoid major incidents; Prevent dangerous military activities	
Guidelines for the Prevention of Accidents and Incidents on the High Seas and in International Airspace	Greece, Turkey	1988	Control and avoid incidents at sea; Ensure safe navigation in the Aegean Sea	Linked to an inter-ministerial memorandum of understanding (foreign ministries)
Agreement on the Prevention of Dangerous Military Activities	Soviet Union/Russia, United States	1989	Prevent dangerous military activities in proximity; Avoid incidents and confrontations; Coordinate military activities	
Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the French Republic Concerning the Prevention of Incidents at Sea outside Territorial Waters	France, Russia	1989	Safety of navigation; Avoid major incidents; Prevent dangerous military activities	

Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the Italian Republic Concerning the Prevention of Incidents at Sea outside Territorial Waters	Italy, Russia	1989	Safety of navigation; Avoid major incidents; Prevent dangerous military activities
Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of Norway Concerning the Prevention of Incidents at Sea outside Territorial Waters	Norway, Russia	1989	Safety of navigation; Avoid major incidents; Prevent dangerous military activities
Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of Canada Concerning the Prevention of Incidents at Sea outside Territorial Waters	Canada, Russia	1989	Safety of navigation; Avoid major incidents; Prevent dangerous military activities
Joint Statement of Argentina and the United Kingdom on safety measures for naval and air units when operating in proximity	Argentina, United Kingdom	1990	Avoid hostile movements or acts at sea; Strictly observe international regulations for preventing collisions at sea; Promptly exchange information related to any incident
Agreement Between the Federal Republic of Germany and the Republic of Poland Concerning the Prevention of Incidents at Sea outside Territorial Waters	Germany, Poland	1990	Safety of navigation; Avoid major incidents; Prevent dangerous military activities
Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of Spain Concerning the Prevention of Incidents at Sea outside Territorial Waters	Spain, Russia	1991	Safety of navigation; Avoid major incidents; Prevent dangerous military activities
Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the Netherlands Concerning the Prevention of Incidents at Sea outside Territorial Waters	Netherlands, Russia	1991	Safety of navigation; Avoid major incidents; Prevent dangerous military activities

Agreement	Parties	Year formed	Purpose	Comments
Agreement Between the Government of the Republic of Korea and the Government of the Russian Federation Concerning the Prevention of Incidents at Sea beyond the Territorial Sea	South Korea, Russia	1994	Avoid collisions; Promote safe navigation of aircraft and naval vessels	
Agreement Between the Government of the Russian Federation and the Government of Japan Concerning the Prevention of Incidents at Sea outside Territorial Waters	Japan, Russia	1994	Safety of navigation; Avoid major incidents; Prevent dangerous military activities	
Military Maritime Consultative Agreement (MMCA)	China, United States	1998	Avoid accidents when respective maritime and air forces operate in proximity; Promote common understandings regarding activities undertaken by their respective maritime and air forces;	
Declaration on the Conduct of Parties in the South China Sea	Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, Viet Nam, China	2002	Promote safe maritime practices, mutual trust and communications procedures when ships encounter each other	Confidence building and risk reduction measures

Cooperative Airspace Initiative	North Atlantic Treaty Organization (NATO) members, Russia	2002	Increased transparency; Early notification of suspicious air activities, rapid coordination; Joint responses to security incidents in the European airspace, including terrorist threats	Terminated in 2014
Agreement Between the Government of the Russian Federation and the Government of Turkey Concerning the Prevention of Incidents at Sea outside Territorial Waters	Russia, Turkey	2008	Safety of navigation; Avoid major incidents; Prevent dangerous military activities	Signed in 2004
Code for Unplanned Encounters at Sea (CUES)	Australia, Brunei, Cambodia, Canada, Chile, China, France, Indonesia, Japan, Malaysia, New Zealand, Papua New Guinea, Peru, Philippines, Russia, Singapore, South Korea, Thailand, Tonga, United States, Viet Nam	2014	Avoid collision; Limit mutual interference; Facilitate communication when naval ships and aircraft encounter each other in an unplanned manner	
Memorandum of Understanding Between the Department of Defense of the United States of America and the Ministry of National Defense of the People's Republic of China Regarding the Rules of Behavior for Safety of Air and Maritime Encounters	China, United States	2014	Avoid collision; Improve operational safety at sea and in the air; Develop a new model of military-military relations; Strengthen regional peace	Modified in 2015

Agreement	Parties	Year formed	Purpose	Comments
Inter-Ministerial Memorandum of Understanding (Defence Ministries)	China, Viet Nam	2014	Control possible incidents at sea; Avoid any escalation that could lead to conflict	
Consultative Mechanism on the South China Sea	China, Philippines	2017	Build mutual trust; Avoid dangerous incidents	Supplemented with a 'hotline' communication agreement
Agreement for a mechanism to avoid armed skirmishes	China, Japan	2018	Ease tension in the East China Sea; Improve communication; Avoid unexpected collisions in sea and air space	

REDUCING MILITARY RISK IN EUROPE

The investment in military projects in Europe currently outpaces the development of negotiated measures that constrain the use of armed force. As states enhance their military strength, it is important to ensure that political tensions are not increased further. This policy paper outlines three steps to reduce the risk of military modernization being counterproductive. First, a detailed understanding of how the military security environment in Europe is changing should be produced. This should include enhanced contact between military professionals and be based on the large amount of official information generated through European confidence- and security-building measures (CSBMs).

Second, a new discussion at the local level may contribute to a detailed understanding of how the European security environment has changed. However, only if it breaks down the compartmentalized approach in which crisis and conflict management, conventional arms, nuclear weapons and missiles are currently examined. A priority should be to focus on how these factors interact in what has become a particularly vulnerable part of Europe—the territories of Belarus, Ukraine and Moldova.

Third, the discussion of CSBMs in Europe has been dominated by a continental perspective, but many recent incidents where armed forces have been in proximity have occurred at sea and there is a strong argument for introducing a naval dimension to military risk reduction. A stand-alone naval risk reduction framework under the auspices of the Organisation for Security and Cooperation in Europe, for example, could build on the experience that countries have gained through bilateral incidents-at-sea agreements.

Dr Ian Anthony (United Kingdom) is a Senior Researcher and Director of the European Security Programme at SIPRI. His current research focuses on arms control, including non-proliferation, counterproliferation and measures to combat illicit trafficking. His recent publications include ‘Military dimensions of a multipolar world: Implications for global governance’, *Strategic Analysis* (May 2018)

