

IV. European debates and discussions on conventional arms control

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In 2010 representative of the North Atlantic Treaty Organization (NATO) and Russia, having met in the NATO–Russia Council (NRC) in Lisbon, issued an agreed statement that contained, among other things, strong support for ‘the revitalisation and modernisation of the conventional arms control regime in Europe’.¹ Subsequent discussions have underlined that NATO on the one hand and Russia on the other fundamentally disagree over how this revitalization and modernization should take place.

The current European military-restraint regime rests on three pillars. The 1990 Treaty on Conventional Armed Forces in Europe (CFE Treaty) established legally binding limits on specified equipment. The 1990 Vienna Document on confidence- and security- building measures (CSBMs) established a politically binding commitment for states participating in the Organization for Security and Co-operation in Europe (OSCE) to inform each other about key military developments in order to make future plans transparent and predictable. The 1992 Open Skies Treaty established a legally binding obligation on its states parties to open their territory to unarmed aerial observation flights that could provide information on military activities on the ground.² These instruments have been described as complementary but not interchangeable—meaning that progress in, for example, elaboration of CSBMs should not be seen as a substitute for continuing work on arms control.³

The Treaty on Conventional Armed Forces in Europe

In the past, Russian officials have taken the view that current conventional arms limits in Europe give a legal form to an unbalanced force posture that greatly disadvantages Russia. For a considerable time, Russia stated that the existing legal framework could be a platform for further development of

¹ NATO–Russia Council, Joint Statement, Lisbon, 20 Nov. 2010, <<http://www.nato-russia-council.info/en/documents-glossaries/>>, p. 3. For descriptions and lists of members of NATO and the NATO–Russia Council see annex B, section II, in this volume.

² For a summary and other details of the CFE Treaty, the Vienna Document and the Open Skies Treaty see annex A, section II, in this volume.

³ Delawie, G., ‘Enhancing security cooperation in Europe’, Remarks, Working Session III: Arms Control and Confidence- and Security-Building Measures, 2013 OSCE Annual Security Review Conference, Vienna, 20 June 2013, <<http://www.state.gov/t/avc/rls/2013/211055.htm>>.

conventional arms control in Europe, but only after the entry into force of the 1999 Agreement on Adaptation of the CFE Treaty.⁴

By 2013 senior Russian officials concluded that the prospects for developing the existing arms control *acquis* had now passed the point where it could be modernized. The Russian Deputy Defence Minister, Anatoly Antonov, stated that ‘the CFE Treaty and associated arrangements based on the principles of the Cold War are absolutely outdated. At least Russia will never return to them.’⁵ Russian officials refer to existing treaties in the past tense—such as the statement by Antonov that ‘the former CFE treaty is dead. It has used up its potential. Its provisions cannot serve the basis for a future mechanism to ensure security in Euro-Atlantic region.’⁶

Antonov noted that a meaningful conventional arms control framework needed to take account of the contribution to combat operations by capabilities not currently subject to control and, in this context, he named armed unmanned aerial vehicles, missile defences and space weapons. Antonov also noted the need to move away from an approach (such as taken by the CFE regime) that is based on defining area-based limits and to take into account, for example, the contribution to combat operations made by special forces units that are rapidly deployable but relatively small in size.

NATO countries, in contrast, have tended to emphasize the need to continue discussing how to preserve and strengthen the existing conventional arms control *acquis*. At a 2013 NRC meeting, the US representative, Rose Gottemoeller, noted that

A decade ago we had more predictability in Europe than we have today. That’s the wrong direction, and we need to change it.

Existing regimes provide a critical foundation for predictability in Europe, which is why the United States cannot agree that the Conventional Armed Forces in Europe Treaty (CFE) is dead.⁷

A similar logic is found in the statement by a Turkish official that, although discussion of possible ways forward in conventional arms control were

⁴ For a summary and other details of the Agreement on Adaptation of the CFE Treaty see annex A, section II, in this volume.

⁵ Antonov, A., Russian Deputy Minister of Defence, Talking points for statement at the panel discussion ‘Next steps in nuclear disarmament: where do we go from here?’, 2013 International Security Forum, Geneva, 24 Apr. 2013, <<http://eng.mil.ru/en/science/publications/more.htm?id=11730484@cmsArticle>>.

⁶ Antonov, A., Russian Deputy Minister of Defence, Speaking notes, Meeting of NATO–Russia Council, 24 July 2013, <<http://www.missiontonato.ru/en/news/219/>>.

⁷ Gottemoeller, R., Remarks at the NATO–Russia Council ambassadorial annotated agenda, Brussels, 24 July 2013, <<http://www.state.gov/t/us/212489.htm>>.

welcome, ‘we should be careful in not creating alternatives to the existing mechanisms’.⁸

The Vienna Document and the Open Skies Treaty

In contrast to the divergent views on conventional arms limitation, there is still widespread agreement that the Vienna Document and the Open Skies Treaty perform a valuable function. However, there are different views on the need for further development of European CSBMs.

The Russian view is that the existing 2011 Vienna Document provides an adequate level of oversight of the state of military infrastructure, the disposition of forces and the activity of conventional forces in Europe. The USA, on the other hand, has argued for using the option of periodically revising the Vienna Document to ‘recalibrate’ certain elements, for example by ‘lowering thresholds for notification of military activities’ in order to ‘bring the document into line with today’s smaller military forces’.⁹

Lowering the thresholds for reporting military activities was extensively discussed as part of the process of updating the Vienna Document in 2011.¹⁰ Advocates argued that because the thresholds for notification and observation of military activities remain at the 1992 level, the number of military exercises that states are obliged to notify (and to which they are obliged to invite observers) has fallen. The majority of prior notifications of military activities are made on a voluntary basis, rather than reflecting the politically binding commitment contained in the Vienna Document.

During 2013 both NATO and Russia held live-fire exercises in relatively close proximity to their common borders, and briefings were provided on the content and form of the exercises at the NRC in July.¹¹ Despite the voluntary disclosure of information on exercises, the impact of the exercises appeared to confirm the assessment of one expert at the OSCE Security Days that ‘at the strategic level within the OSCE area, there is also substantial and disturbing re-emerging distrust’ and ‘High readiness formations and large-scale manoeuvres will create cascading anxieties in Central and Eastern Europe’.¹²

⁸ Ildem, T., Statement by Permanent Representative of Turkey in response to the address by the OSCE Chairperson-in-Office, Special Permanent Council, PC.DEL/11/13, Vienna, 17 Jan. 2013, <<http://www.osce.org/pc/98845>>.

⁹ Delawie (note 3).

¹⁰ Schmidt, H. J. and Zellner, W., ‘Confidence- and security-building measures’, *SIPRI Yearbook 2012*, pp. 448–50.

¹¹ Antonov (note 6).

¹² Schulte, P., ‘Developing a new approach to conventional arms control’, Presentation to the panel Future Conventional Arms Control in Europe, OSCE Security Days, Vienna, 4 Mar. 2013, <<http://www.osce.org/secretariat/100454>>.

In response to the 2013 NATO exercise *Steadfast Jazz*, Antonov commented:

I will not conceal the fact that the stated aim of this exercise providing for the invocation of Article 5 of the Washington treaty in response to the aggression against Poland made some officials from the Russian Defence Ministry raise their eyebrows. A chill of the Cold War is creeping from this exercise. How can these steps facilitate the increased confidence between NATO and Russia?¹³

In September 2013 Russia and Belarus conducted the exercise *Zapad-2013*. The purpose as explained by Antonov at the NRC was to train to meet the contingency of an incursion onto the territory of either Belarus or Russia by a terrorist or illegal armed group. In February 2013 Russian President Vladimir Putin had explained that the exercise was part of the process of creating fully manned conventional formations to be maintained in a state of permanent readiness. Putin stated that combat training should emphasize ‘operations in unfamiliar territory, rapid long-distance manoeuvres, and combat coordination of the different branches and troops involved. Organisation of the *Zapad-2013* strategic exercises is to follow this logic.’¹⁴

A number of European countries questioned how the Belarusian–Russian exercise could be consistent with the stated scenario. The Lithuanian Minister of Defence, Juozas Olekas, for example, asked for clearer information from Russia about the scenario, noting that ‘They have announced an anti-terrorist operation, which seems rather odd, as it involves tanks and aviation’.¹⁵

In conducting the *Zapad-2013* exercise, Belarus and Russia reported two activities separately, each below the threshold at which outside observation (which is expensive and requires extensive effort by the exercise host) would become a requirement. The fact that the two activities took place at the same time and under a joint command suggests the need for clarification of how such exercises should be reported under the Vienna Document.

NATO and the NATO–Russia Council

In 1986 NATO created a High Level Task Force on Conventional Arms Control, which remains the forum in which the NATO members discuss conventional arms control policy. The discussion informs initiatives and activ-

¹³ Antonov (note 6).

¹⁴ President of Russia, ‘Expanded meeting of the Defence Ministry Board’, 27 Feb. 2013, <<http://eng.kremlin.ru/transcripts/5050#sel=33:44,34:11>>.

¹⁵ ‘Lithuania lacks transparency in Russia–Belarus war exercise “Zapad 2013”’, Lithuanian Tribune, 21 Sep. 2013, <<http://www.lithuaniantribune.com/51277/lithuania-lacks-transparency-in-russia-belarus-war-exercise-zapad-2013-201351277/>>.

ities that are carried out under the NATO–Russia Council. The NRC has a number of subsidiary bodies, including the Defence Transparency, Strategy and Reform (DTSR) Working Group.

The DTSR has been seen as a forum in which NATO and Russia could explore how to ‘increase both information sharing and practical cooperation’.¹⁶ To that end, in 2013 Germany and Russia held bilateral discussions on a German paper, called ‘Towards a Common Space of Trust’, that focused on military exercises. The paper outlined various transparency measures, including the pre-notification and advance discussion of planned military exercises. Several other countries joined these discussions, expanding to a group of seven or eight countries (including Russia).¹⁷ However, it was not possible to agree even limited measures, such as a promise of voluntary notification of exercises without reciprocity. Discussions on the Common Space of Trust proposal are expected to form part of the DSTSR work programme for 2014, but with a focus on post-exercise information exchange and analysis rather than pre-notification.

Although the CFE regime is frozen, cooperation and discussions, with a focus on military exercises, continued in 2013 in the European CSBM frameworks. However, the developments in the year reinforce the conclusions that the latter cannot adequately substitute for the former, and agreement is needed on the arms control regime for Europe.

¹⁶ Gottemoeller (note 7).

¹⁷ Chernenko, E., [‘We can begin to build a joint missile defence’], Interview with Alexander Vershbow, Deputy Secretary General of NATO, *Kommersant*, 1 Apr. 2013 (in Russian). English translation available at <http://www.nato-russia-council.info/media/94306/_translated_interview_with_deputy_secretary_general_ambassador_alexander_vershbow_for_kommersant_1_april_2013.pdf>.