

I. The Russia–Ukraine War and conventional arms control in Europe

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Europe is the only region that has created an integrated conventional arms control architecture (see box 10.1). However, the deep-rooted and growing geopolitical divisions between the Russian Federation and most of the rest of Europe over the past two decades has resulted in this architecture being eroded to the point of collapse or irrelevance—part of a wider crisis in arms control.¹ The effect of previously agreed operational constraints and limitations on conventional force structures has also been diminished by the broader trend of rapid technological modernization.² Moreover, as the Russia–Ukraine crisis deepened at the end of 2021, the pillars of the arms control architecture were suffering from a spate of major violations, suspensions and withdrawals.

Russia suspended its participation in the 1990 Treaty on Conventional Armed Forces in Europe (CFE Treaty) in 2007 and ‘halted’ compliance entirely in 2015, although it never formally withdrew. To justify these steps, it cited plans by the United States to put bases in Bulgaria and Romania as a breach.³ The Vienna Document 2011 on Confidence- and Security-Building Measures (CSBMs) should be reissued every five years by the states participating in the Organization for Security and Co-operation in Europe (OSCE).⁴ Yet it has not been updated since 2011. Four changes have been agreed—including on prior notification of sub-threshold major military activities and on the lengths of air base visits—and are currently being implemented as part of the broader Vienna Document Plus, but they are not yet an official part of the Vienna Document.⁵ Other modernization proposals are pending as they have not yet found consensus among the participating states and are not part of the Vienna Document Plus. The roots of the absence of consensus are that Russia conditioned modernization of the Vienna Document on changes in

¹ See e.g. Graef, A., ‘Beyond stability: The politics of conventional arms control in Europe’, *Zeitschrift für Friedens- und Konfliktforschung*, vol. 10, no. 2 (Oct. 2021); and Anthony, I., ‘A relaunch of conventional arms control in Europe?’, *SIPRI Yearbook 2017*, pp. 575–79. On the wider crisis in arms control see Wisotzki, S. and Kühn, U., ‘Crisis in arms control: An introduction’, *Zeitschrift für Friedens- und Konfliktforschung*, vol. 10, no. 2 (Oct. 2021).

² Nelson, A. J., ‘How emerging technology is breaking arms control’, *Lawfare*, 24 Apr. 2022; and Roulo, C., ‘Low-cost tech shaping modern battlefield, Socom commander says’, *US Army*, 27 July 2022.

³ Low, C., ‘Russia treaty freeze a warning to NATO’, *Reuters*, 11 Dec. 2007; and Nuclear Threat Initiative, ‘Treaty on Conventional Armed Forces in Europe (CFE)’.

⁴ For a brief description of the OSCE and list of its participating states see annex B, section II, in this volume.

⁵ OSCE, Forum for Security Co-operation, ‘On prior notification of major military activities’, Vienna Document Plus Decision no. 9/12, FSC.DEC/9/12, 17 Oct. 2012; and OSCE, Forum for Security Co-operation, ‘Duration of visits to air bases’, Vienna Document Plus Decision no. 4/13, FSC.DEC/4/13, 17 July 2013. See also US Department of State, ‘Overview of Vienna Document 2011’.

Box 10.1. The European conventional arms control architecture

The architecture of European conventional arms control has three pillars:

Treaty restrictions on conventional armed forces. These restrictions are contained in two treaties. The 1990 Treaty on Conventional Armed Forces in Europe (CFE Treaty) set legally binding limits on five categories of equipment: battle tanks, artillery, armoured combat vehicles, combat aircraft and combat helicopters. The 1992 Concluding Act of the Negotiation on Personnel Strength of Conventional Armed Forces in Europe (CFE-IA) set politically binding ceilings on military personnel numbers in Europe.

Binding and verifiable confidence- and security-building measures (CSBMs). These were originally established by the 1990 Vienna Document on CSBMs of the Organization for Security and Co-operation in Europe (OSCE). It has been periodically revised and reissued, most recently in 2011.

A legally binding commitment to facilitate overflights of sovereign territory. This commitment to enhance transparency is set out in the 1992 Treaty on Open Skies.

Sources: For summaries and other details of the CFE Treaty, CFE-IA, the Vienna Document and the Open Skies Treaty see annex A, section II, in this volume.

behaviour by the North Atlantic Treaty Organization (NATO), while NATO member states accused Russia of non-compliance with the agreement and of exploiting its loopholes.⁶ Finally, the 1992 Treaty on Open Skies is at risk of failure following the withdrawal of both the USA and Russia in 2020–21.⁷

The lessons from the Georgian–Russian War in 2008, the Second Nagorno-Karabakh War in 2020, Russia’s illegal annexation of Crimea in 2014 and the subsequent war in eastern Ukraine show that this depleted conventional arms control architecture is unable to prevent armed conflict. When one or several parties have deliberately sought war, ‘they tend to undertake measures to dilute compliance, to diminish transparency and to conceal intent through disinformation’.⁸ At best, the architecture can serve as an early-warning mechanism. Indeed, this proved to be the case with the full-scale Russian invasion of Ukraine in February 2022: the last pillar standing, the Vienna Document, made it possible to draw critical attention to Russia’s military build-up, but not reverse it or prevent the attack.

This section reviews the functioning of the conventional arms control regime in Europe in the lead-up to Russia’s full-scale invasion of Ukraine in February 2022. It highlights where the Vienna Document was invoked,

⁶ See e.g. ‘Александр Грушко: не уверены, что НАТО воздержится от провокаций во время парада Победы’ [Alexander Grushko: Not sure that NATO will refrain from provocations during the victory parade], TASS, 6 June 2020; and NATO, ‘Press point by the NATO Secretary General Jens Stoltenberg following the meeting of the NATO–Russia Council’, 2 Nov. 2017.

⁷ Davis, I., ‘The withdrawal of the United States from the Treaty on Open Skies’, *SIPRI Yearbook 2021*; and Graef, A., ‘The withdrawal of Russia from the Treaty on Open Skies’, *SIPRI Yearbook 2022*, pp. 545–50.

⁸ Engvall, J., ‘Military confidence-building in crises: Lessons from Georgia and Ukraine’, *Defence Studies*, vol. 20, no. 3 (2020).

where it functioned as intended and where it did not. It concludes with an assessment of the outlook for conventional arms control in Europe.

Prelude to the Russian invasion

The Vienna Document contributes to European security by enhancing military transparency among the 57 OSCE participating states. Its major provisions are on exchanges of military information and details of defence policy and expenditure and on enabling inspection and observation of certain military activities (that exceed 13 000 troops, 300 tanks, 500 armoured combat vehicles (ACVs) or 250 pieces of artillery). It also contains rules on prior notification of exercises and new deployments (of over 9000 troops, 250 tanks, 500 ACVs or 250 pieces of artillery).⁹ NATO member states have argued in recent years that Russia was frequently circumventing the thresholds by reconfiguring large exercises into smaller components, classed as a mix of regular and snap exercises, each under the 13 000-troop limit—thereby avoiding observation. NATO has also complained about Russia's failure to be more transparent and to provide reassurance to others of its intentions.¹⁰ For its part, Russia has regularly complained about NATO capabilities and military exercises near its borders and has consistently highlighted its own set of concerns about the Vienna Document's deficiencies.¹¹ This dynamic of mistrust was clearly in evidence as Russia built up forces near Ukraine in 2021.

In April 2021 Ukraine invoked the Vienna Document and formally requested a joint meeting of the OSCE's two main decision-making bodies, the Permanent Council and the Forum for Security Co-operation (FSC), to try to get an explanation for Russia's military activities near the Ukrainian border and in Crimea.¹² Russia reportedly did not attend the meeting.¹³ It did, however, agree to an inspection by Switzerland under the Vienna Document framework in May 2021, which was conducted in Voronezh and Belgorod oblasts to determine the scope of Russia's military activity.¹⁴ The outcome of

⁹ As noted in section IV, Russia and Ukraine both, perhaps surprisingly, reported in 2022 on their arms imports and exports for 2021.

¹⁰ Graef, A., 'Getting deterrence right on NATO's eastern flank', *Berlin Policy Journal*, 25 July 2019; and Emmott, R., 'NATO calls on Russia to be transparent with military exercises', Reuters, 3 Sep. 2021.

¹¹ Schmitt, O., 'The Vienna Document and the Russian challenge to the European security architecture', eds B. Heuser, T. Heier and G. Lasconjarias, *Military Exercises: Political Messaging and Strategic Impact*, Forum Paper 26 (NATO Defence College: Rome, Apr. 2018), pp. 278–79.

¹² US Mission to the OSCE, 'Meeting requested by Ukraine under Vienna Document Chapter III regarding unusual Russian military activity', 10 Apr. 2021. See also Bush, N., Head of British delegation to the OSCE, 'OSCE joint FSC–PC meeting under Vienna Document Chapter 3: UK statement', British Foreign, Commonwealth and Development Office, 14 Apr. 2021.

¹³ Axelrod, T., 'Western countries knock Russia for not attending talks on Ukraine', *The Hill*, 10 Apr. 2021.

¹⁴ 'Swiss specialists to inspect specified area in Russia under 2011 Vienna Document', TASS, 19 May 2021.

the inspection was not disclosed and the inspection report remains classified (i.e. restricted to OSCE participating states).

The final build-up

In November 2021 Russia once again deployed thousands of troops near its border with Ukraine, having only partially pulled back its forces from the April build-up.¹⁵ Russian officials continued to deny that its troops posed any threat to Ukraine, but the situation remained clouded by a lack of Russian transparency and conflicting assessments of the crisis.

On 29 December 2021, during their bilateral meeting in St Petersburg, Russian President Vladimir Putin and Belarusian President Alexander Lukashenko agreed to hold a joint military exercise in February or March 2022.¹⁶ This joint Russia–Belarus military exercise, Allied Resolve (‘Soyuznaya reshimost’), took place on 10–20 February 2022 in Belarus.¹⁷ An OSCE inspection requested by Latvia in line with Chapter IX (on compliance and verification) of the Vienna Document was scheduled to take place in January in specified areas in Russia’s Bryansk and Smolensk oblasts. However, the request was declined by Russia, which reportedly cited Covid-19 concerns.¹⁸

On 8 February 2022 French President Emmanuel Macron held talks in Moscow with President Putin as part of his ongoing strategic dialogue discussions with Russia that were first initiated in 2019. Macron said that Putin gave him personal assurances that Russia would not worsen the crisis.¹⁹ A day later, Estonia, Latvia and Lithuania invoked Chapter III of the Vienna Document (on risk reduction) to request a detailed explanation of the imminent exercise from Belarus.²⁰ The Belarusian official response—echoed by the Russian ambassador to Belarus—was that the size of the exercise was under

¹⁵ Davis, I., ‘Armed conflict in Ukraine and the risk of spillover to a major interstate war’, *SIPRI Yearbook 2022*, pp. 153–54; and Kramer, A. E. and Troianovski, A., ‘Russia orders partial pullback from Ukraine border region’, *New York Times*, 22 Apr. 2021.

¹⁶ ‘Путин анонсировал российско-белорусские военные учения в 2022 году’ [Putin announces Russian–Belarusian military exercises in 2022], *Izvestia*, 29 Dec. 2021.

¹⁷ ‘Satellite images show troop deployment to Belarus border with Ukraine ahead of Russian drills’, Reuters, 6 Feb. 2022.

¹⁸ Latvian Ministry of Defence, ‘Russia’s Defence Ministry declines Latvian OSCE inspection and publishes false statements about arrival of Latvian inspectors to its neighbouring country’, 25 Jan. 2022.

¹⁹ Faure, J., ‘Macron’s dialogue with Russia: A French attempt to fix the European security architecture’, *Russia Matters*, Harvard Kennedy School, Belfer Center for Science and International Affairs, 12 May 2021; and Harding, L. et al., ‘Macron claims Putin gave him personal assurances on Ukraine’, *The Guardian*, 8 Feb. 2022.

²⁰ Sprenger, S., ‘Baltic nations launch OSCE appeal over Russia–Belarus drill’, *Defense News*, 9 Feb. 2022.

the reporting threshold.²¹ Although Estonian officials described the Belarusian response as ‘insufficient’, on 14 February Belarus and Ukraine agreed some limited confidence-building and transparency measures, including mutual observation visits to their respective military exercises.²²

On 11 February 2022 Ukraine also invoked Chapter III of the Vienna Document to request Russia to provide ‘detailed explanations on military activities in the areas adjacent to the territory of Ukraine and in the temporarily occupied Crimea’.²³ After Russia failed to respond by the required 48-hour deadline, on 13 February Ukraine requested an emergency meeting of OSCE participant states.²⁴ An OSCE consultation meeting was held two days later, but Russia’s representative failed to attend.²⁵

The emergency OSCE meeting took place on 18 February in the format of a joint session of the FSC and the Permanent Council. Again, Russia did not attend.²⁶ By mid February 2022 Russia had roughly 190 000 troops massed around Ukraine in Belarus, Russia and Crimea, and on 24 February these forces attacked Ukraine from the north, east and south.²⁷

The outlook for European conventional arms control

Even before Russia attacked neighbouring Ukraine on 24 February 2022, it was generally agreed that the available instruments of European conventional arms control were proving insufficient and were no longer relevant.²⁸ Concepts of military advantage and deterrence were once again the central driving motivations of most of the key parties involved. The conflict has resulted in the heaviest fighting on the continent since at least the Balkan

²¹ ‘Russian ambassador: Allied Resolve exercise does not exceed Vienna Document limit’, BelTA, 9 Feb. 2022; and Babinich, A., ‘Российские войска прибывают в Беларусь—Сколько, с чем и зачем?’ [Russian troops arrive in Belarus—How many, with what and why?], Reformation, 25 Jan. 2022.

²² ‘Belarus military exercises OSCE rules clarification requested for Monday’, ERR News, 14 Feb. 2022; Ukrainian Ministry of Defence, ‘Олексій Резніков провів телефонну розмову з Міністром оборони Республіки Білорусь Віктором Хренінім’ [Oleksiy Reznikov held a telephone conversation with the Minister of Defence of the Republic of Belarus Viktor Khrenin], 14 Feb. 2022; and Ukrainian Ministry of Defence, Speech of Minister of Defence of Ukraine Oleksii Reznikov during the hour of questions to the government’, 18 Feb. 2022.

²³ Sprenger, S., ‘Ukraine joins Baltic nations in OSCE query of Russian troop movements’, *Defense News*, 11 Feb. 2022; and ‘Ukraine asks Russia to provide clarifications on military activities in regions adjacent to Ukrainian territory’, Interfax-Ukraine, 11 Feb. 2022.

²⁴ ‘Ukraine requests OSCE meeting over Russia’s military build-up’, Ukrinform, 13 Feb. 2022.

²⁵ ‘Russia skips OSCE meeting on Ukraine crisis’, WION, 16 Feb. 2022; ‘Ukraine’s request for consultations under Vienna Document groundless—Russia’, TASS, 15 Feb. 2022; and US Mission to the OSCE, ‘US statement for the meeting under Vienna Document Chapter III 16.2’, 15 Feb. 2022.

²⁶ OSCE, Permanent Council and Forum for Security Co-operation, 85th (special) joint meeting, FSC-PC.JOUR/72, 18 Feb. 2022; and US Mission to the OSCE, ‘US statement for the Vienna Document joint PC–FSC Chapter III meeting’, 18 Feb. 2022.

²⁷ Wintour, P., ‘Russia has amassed up to 190,000 troops on Ukraine borders, US warns’, *The Guardian*, 18 Feb. 2022. On the progress of the war during 2022 see chapter 1, section V, and chapter 2, section I, in this volume.

²⁸ E.g. Graef (note 1); and Wisotzki and Kühn (note 1).

wars of the 1990s, but probably since World War II, and included the spectre of nuclear weapon use.²⁹ Although Western states have not been directly involved in the fighting, they have provided military support (intelligence, training and weapon supplies) to Ukraine, imposed wide-ranging economic sanctions on Russia and issued their own (mainly non-nuclear) deterrent threats.³⁰ Moreover, NATO is on the brink of a further enlargement, with Finland and Sweden applying to join in May 2022 and invited to do so at NATO's summit in Madrid in June.³¹

The existing conventional arms control instruments also appear to have little relevance to conflict management in other long-standing simmering or frozen conflicts in Europe, especially those in the post-Soviet space and the Western Balkans.³² With the war in Ukraine ongoing, and European states currently unwilling to agree to new arms control regulations and transparency measures, the future contours of a new European security architecture are hard to foresee. However, experts and analysts are already producing suggestions for how the states of the region might limit deployments and force sizes in the context of the changed security environment.³³

Rebuilding a new order containing supporting elements of arms control will be extremely difficult. There were no new formal initiatives taken during 2022 and there is no prospect of dialogue on conventional arms control and CSBMs being relaunched in the OSCE any time soon. However, the progression of the war in Ukraine has shown that the equipment categories subject to CFE limits remain important. In the longer-term, European states—including both Ukraine and Russia—might see an interest in some bilateral or regional mutual military limitations that could also include new types of weapon and new technologies (such as armed uncrewed aerial vehicles).

²⁹ Picheta, R. and Mullery, W., '6 months of war in Ukraine: These numbers tell the story of Russia's invasion', CNN, 24 Aug. 2022; and Diaz-Maurin, F., "'Not a bluff": Losing ground in Ukraine, Putin raises nuclear threats', *Bulletin of the Atomic Scientists*, 21 Sep. 2022.

³⁰ Forum on the Arms Trade, 'Arms transfers to Ukraine', accessed 16 Dec. 2022; US Department of State, Bureau of Political-Military Affairs, 'US security cooperation with Ukraine', Fact sheet, 25 Jan. 2023; Kiel Institute for the World Economy, 'Ukraine support tracker', accessed 16 Dec. 2022; Schwatz, F., Foy, H. and Seddon, M., 'Kyiv's Western allies boost nuclear deterrence after Putin's threats', *Financial Times*, 25 Sep. 2022; and Bown, C. P., 'Russia's war on Ukraine: A sanctions timeline', Peterson Institute for International Economics, 10 Jan. 2023. On arms transfers to Ukraine see also chapter 6, sections 1 and 2, and chapter 12, section II, in this volume.

³¹ NATO, North Atlantic Council, 'Madrid summit declaration', 29 June 2022; and Brooke-Holland, L., *NATO Enlargement: Sweden and Finland*, Research Briefing no. 09574 (British House of Commons Library: London, 15 July 2022).

³² On frozen conflicts see Klosek, K. C. et al., 'Frozen conflicts in world politics: A new dataset', *Journal of Peace Research*, vol. 58, no. 4 (2021).

³³ See e.g. Rosa Hernández, G. I. and Oliker, O., *The Art of the Possible: Minimizing Risks as a New European Security Order Takes Shape* (Foreign Policy Research Institute: Philadelphia, PA, Nov. 2022); Jones, P., 'Ukraine settlement options: Disengagement of forces and confidence and security building measures', University of Cambridge, Lauterpacht Centre for International Law, May 2022; and International Crisis Group, 'Seven priorities for preserving the OSCE in a time of war', Crisis Group Special Briefing no. 9, 29 Nov. 2022.

Similarly, the Vienna Document could provide a framework for further bilateral or regional risk-reduction measures, including lower thresholds for notification and observation of military activities, limits on snap exercises and the deployment of forces close to borders, and new arrangements in the maritime domain, which has largely remained unconstrained.³⁴

³⁴ On maritime security see Anthony, I., Su, F. and Saalman, L., 'Naval incident management in Europe, East Asia and South East Asia', SIPRI Insights on Peace and Security no. 2023/03, Mar. 2023.