European security policy currently is characterized by a striking contradiction between declarations and deeds. The November 2010 NATO Strategic Concept says the alliance is striving for “true strategic partnership between NATO and Russia”;[1] in the Astana Commemorative Declaration, the 56 member states of the Organization for Security and Co-operation in Europe (OSCE) even commit themselves to the “vision of a free, democratic, common and indivisible Euro-Atlantic and Eurasian security community stretching from Vancouver to Vladivostok.”[2]

According to Karl Deutsch, one of the fathers of this concept, a “security-community…is one in which there is real assurance that the members of that community will not fight each other physically, but will settle their disputes in some other way.”[3] This means nothing less than a community without the threat or use of warfare.

The reality is quite different. The reset of U.S.-Russian security relations so far has produced scarcely any concrete results for Europe. Admittedly, relations with Russia are better than in 2008. There is more discussion, and the whole situation is not as highly charged as it was then. However, none of Europe’s security problems have been resolved, be they the protracted conflicts in Moldova (where official negotiations were resumed in November 2011), in Georgia, and between Armenia and Azerbaijan; possible future rounds of NATO enlargement; missile defense; or tactical nuclear weapons. The situation in the field of arms control is characterized at best by stagnation, if not by backward steps.


New consultations on a “framework for negotiations to strengthen and to modernize the conventional arms control regime in Europe,” which had been started at NATO’s initiative in June 2010, were broken off in May 2011 without agreement on a follow-up meeting. These consultations were held in the format “at 36,” the 30 CFE Treaty states-parties plus the six new NATO member states that are not parties (Albania, Croatia, Estonia, Latvia, Lithuania, and Slovenia). Aimed at a mandate for new negotiations on conventional arms control in Europe, the consultations failed because of disagreement on the interpretation of the principle of host-nation consent, which foresees explicit prior agreement by a host state to the deployment of foreign forces on its territory. Russia agreed with the principle as such, but it disagreed with the addition of the phrase “in its internationally recognized borders”—a reminder about Georgia demanded by the United States and other NATO countries. In addition, Russia was not willing to provide additional transparency measures prior to the opening of negotiations, as requested by NATO. As a result, the consultations have failed for the moment, and many participants have resumed a wait-and-see attitude.

The lack of success in revitalizing the CFE Treaty process already has harmed the efforts to modernize the Vienna Document 1999 of the Negotiations on Confidence- and Security-Building Measures. The proposals of the NATO states sought primarily to lower the thresholds for prior notification of certain military activities and to raise the quota for inspections and evaluation visits. These proposals were rejected by Russia for two major reasons. First, Russia does not want to
provide additional transparency as long as its current military reform is under way. Second, Russia perceived additional inspections as a way for the NATO countries to politically circumvent its CFE Treaty suspension. Although a revision of the Vienna Document 1999, known as the Vienna Document 2011, was adopted at the 2011 Vilnius OSCE ministerial council meeting, the progress achieved is limited to purely technical and procedural matters. This poor outcome is aggravated by difficulties with implementation. In early 2012, Russia rejected two demands for evaluation visits under the Vienna Document 2011 with reference to force majeure. The Russian delegation explained that a governmental decision would be needed for providing funds necessary for implementing the Vienna Document 2011 and that the decision-making process could last weeks or even months. This left Western delegations uncertain as to whether the case represented only bureaucratic difficulties or something more.

In addition, since January 2011 the agenda of the Open Skies Consultative Commission has been blocked by a dispute between Greece and Turkey on the admission of Cyprus to the Open Skies Treaty. Greece used to put this question on the agenda of each meeting until Turkey blocked consensus on the agenda. Exceptionally, a meeting on October 24, 2011, “decided on the assignment of flight quota in 2012 as well as on prolongation of previously established rules for certification methodology.” This was crucial for safeguarding the further implementation of the Open Skies Treaty. The blockage has continued since then. Thus, the functioning of another arms control treaty is endangered by disputes on unresolved subregional conflicts, this time between two NATO member states.

The famous European arms control regime, once praised as a paradigm for the world, has been seriously undermined; some elements are collapsing, and others are losing their relevance because of a lack of adaptation and modernization. U.S. Assistant Secretary of State for Arms Control, Verification and Compliance Rose Gottemoeller put it bluntly: “The CFE Treaty simply is not relevant anymore to the current security situation in Europe.”

Reasons for the Stalemate

One more-general reason for the current stagnation of European security policy issues is their neglect by the political leaders in light of more important crises such as the Arab Spring, Iran, Afghanistan, and Syria, not to mention the financial and debt crisis. Although each of these topics is more challenging than any European security problem, the latter’s continued neglect can have and has had dire consequences; Georgia in 2008 is a case in point. In addition, the legacy of a decade of unilateral approaches during the Bush era together with the relative restrengthening of Russia with correspondingly tougher attitudes has led to deep mutual distrust.

More specifically, in terms of arms control, the most important element that has blocked progress over the last decade has been the link made by NATO between subregional conflicts and the ratification of the Adapted CFE Treaty, commonly known as the Istanbul commitments. When Russia took on the obligation to withdraw its armed forces from Georgia and Moldova at the 1999 Istanbul OSCE summit, NATO at first only requested the fulfillment of the Russian flank obligations as a precondition for ratification of the Adapted CFE Treaty. The link between the withdrawal of the Russian forces and ratification of that treaty was not made until the 2002 NATO Prague summit, at which the member states “urge[d] swift fulfillment of the outstanding Istanbul commitments on Georgia and Moldova, which will create the conditions for Allies and other States Parties to move forward on ratification of the Adapted CFE Treaty.” Thus, the United States managed to include its position that goes back to some of the 14 conditions attached by the U.S. Senate to the ratification of the adapted flank agreement in May 1997. The first condition states that “nothing in the CFE Flank Document shall be construed as altering the policy of the United States to achieve the immediate and complete withdrawal of any forces and military equipment under the control of the Russian Federation that are deployed on the territories of the independent states of the former Soviet Union.” The link to subregional conflicts remains a key obstacle for any future conventional arms control regime in Europe.

A second impediment is that subsequent rounds of NATO enlargement have been less and less linked to arms control. The first round of NATO enlargement was still partially embedded in cooperative arms control solutions with Russia. This is true for the 1997 CFE adapted flank
agreement mentioned above, which made substantial concessions to Russia; NATO’s intention not to
deploy “substantial combat forces” in newly admitted member states, contained in the 1997 NATO-
Russia Founding Act;[13] and the Adapted CFE Treaty, which was signed in 1999. Although not all of
these elements have become effective—the Adapted CFE Treaty has not entered into force and the
term “substantial combat forces” has not yet been defined—they nevertheless represent a more or
less coherent effort to adapt conventional arms control arrangements to the political realities
changed by NATO enlargement. In the context of the second NATO enlargement in 2004, however,
no such efforts were made, although it took place in a substantially worse political atmosphere and
involved three former Soviet republics and two flank states. This exacerbated an already sensitive
situation. These shortcomings can be rectified and already have been at a symbolic level with the
introduction of the “at 36” format, but any further rounds of NATO enlargement that include former
Soviet republics would probably mean the final termination of conventional arms control in Europe,
at least under the current political conditions.

Third, an interruption of adaptation and modernization for more than a dozen years has led to a
situation in which the CFE Treaty has become completely outdated and the Adapted CFE Treaty
partially outdated. Some elements of necessary modernization still can be addressed within the
traditional parameters of the CFE Treaty regime, such as the inclusion of the Baltic states or, in
principle, Russian requests for some form of “balance” or “equilibrium” with NATO in terms of
equipment limited by the CFE Treaty. Other issues, such as Russia’s emerging perception of a threat
from U.S. long-range conventional missiles,[14] are much more difficult to address, if only because
they are of a strategic nature and go beyond a European framework.

The Need for Arms Control

As conventional arms control has become more difficult and costly in political terms, it might be
worthwhile to reaffirm the need for and value of a conventional arms control regime in Europe.

First, a “true strategic partnership” between NATO and Russia is difficult to imagine when, at the
same time, arms control agreements break down because of unresolved disputes. The key symptom
in relations between Russia and the West is deep mistrust. One of the most relevant instruments for
building trust is military transparency, something that some experts see as the most important
achievement of European arms control. However, the level of transparency has decreased over the
last 10 years.

Second, the CFE Treaty regime has so far not achieved very much in terms of subregional stability. It
provides for equal ceilings among the three South Caucasus states (Armenia, Azerbaijan, and
Georgia), and it served as the role model for the 1996 Florence Agreement among Bosnia and
Herzegovina, Croatia, Montenegro, and Serbia. However, conventional arms control could do much
more in this respect. In particular, it could build stability between one large state and small states in
specific subregions. This applies primarily to the Baltic region and Georgia. In the Baltic region,
stability could be achieved by asymmetric “safety zones,”[15] that is, militarily thinned-out or
nondeployment zones. In this context, the term “substantial combat forces” has to be defined. In a
specific Istanbul commitment, Russia already has taken on the obligation not to “station substantial
additional combat forces” in the Kaliningrad and Pskov oblasts.[16] Abkhazia and South Ossetia
cannot be left out of arms control. As one observer recently wrote, “Limits on the number, nature,
and role of Russian forces in Abkhazia and South Ossetia might—indeed, should—be part of any
reconstruction of a conventional arms control regime, but framed in a status-neutral fashion.”[17]
This would include the exchange of information and inspections. Stability through arms control in
critical subregions can also decrease the pressure for deployments of foreign armed forces and
infrastructural elements there. Such deployments would be politically counterproductive and are
financially unrealistic in times of defense budget cuts in the United States and elsewhere and further
U.S. troop withdrawals from Europe.

The United States has declared that it will seek to include tactical nuclear weapons in the next round
of nuclear arms control negotiations. Some European governments also have raised this issue. Yet, it
is unlikely that the Russian government will embrace the idea of controlling tactical nuclear weapons
if the conventional superiority of the West, which Russia wants to balance through its large tactical
nuclear arsenal, remains untouched. As Andrei Zagorski points out, the problem is that the
Conventional balance contains elements that go beyond the CFE Treaty regime:

The Russian defense establishment appears increasingly concerned with the advanced conventional capabilities of the NATO states, and the US in particular, that are not covered by the CFE regime. Thus any openness towards reducing [tactical nuclear weapons] is more likely to be tacitly or explicitly linked by the Russian defense establishment not only to progress in re-negotiating the CFE regime, but, rather to progress in controlling advanced conventional warfare capabilities under relevant arms control accords.[18]

If this is true, there needs to be not only a revitalization of the CFE Treaty process, with its traditional treaty limits on equipment, but also the inclusion of new categories of military equipment that have been developed over the last 20 years. The problem is that many of these new weapon categories are of a global nature and can scarcely be limited in a regional arms control regime such as the CFE Treaty.

**Elements of a New Framework**

Although there might be sufficient reasons for revitalizing conventional arms control in Europe, the barriers are high. The CFE Treaty states-parties would have to remove obstacles that they have not been able to be overcome for the last 12 years. The following elements seem to be necessary for building a new framework for conventional arms control in Europe.[19]

First, although transparency is essential and transparency-only approaches are currently fashionable, one will need both elements: transparency and limitations, as well as inspections. Mutual assurance between NATO and Russia is necessary, and Russia probably will not accept a pure transparency approach. In addition, subregional regimes do not work without limitations. Limitations do not necessarily need a legally binding framework; they also can be set by mutual declarations. This has the additional advantage that the CFE Treaty flank rule could be replaced by “security zones” on both sides in border regions.[20] Bilateral security zones can be defined in a more flexible manner than can the flank rule. Dealing with limitations does not mean a return to old bipolar balance concepts as still requested by Russia.[21] However, as the holdings of most NATO states are substantially lower than their ceilings, they could decrease their ceilings without difficulties.

Second, the link between arms control and subregional conflicts should be replaced by political efforts to resolve these conflicts, on the one hand, and status-neutral solutions for arms control, on the other. Russia’s recent admission to the World Trade Organization shows that status-neutral solutions, in this case for the border crossings between Russia and Abkhazia and between Russia and South Ossetia, are possible. Giving up this link might be particularly difficult for the United States, but it is necessary for avoiding a possible Russian link between conventional arms control and missile defense that Moscow never has declared explicitly but at times seemed to be implying.

Third, although a number of governments prefer a legally binding agreement, it might be unachievable because the U.S. Senate most probably will not ratify any agreement that builds on a status-neutral solution. In this situation, it might be preferable to switch to a politically binding agreement. The overall experience with the Vienna Document 1999 has shown that this kind of multilateral agreement can work.

Fourth, although it is true that the “fate of missile defense cooperation and conventional arms control is also inter-linked with developments in other military spheres...in particular, outcomes surrounding non-strategic nuclear weapons,”[22] both sides should be careful to avoid new linkages.

Fifth, the negotiations should take place under the umbrella of the OSCE in the “at 36” format. Because a number of non-NATO states will participate in the negotiations, the NATO-Russia Council might be too narrow of a negotiation framework. The negotiations “at 36” can be complemented by consultations in a range of formats.

Under the current conditions, no serious business might be possible before mid-2013, even if President Barack Obama wins a second term. This break should be used for conceptual discussions and consultations. The process of conventional arms control in Europe can be restarted only on the
basis of a new conceptual approach that replaces the idea of ratifying the Adapted CFE Treaty in this or that form. If such a concept is to be elaborated, many countries will have to modify long-held positions. As in 2010, this will require U.S. initiative and leadership. A more active role by European NATO countries also would help. Finally, Russia, which recently has been more active in pointing out what it does not want, must reaffirm and clarify its positive interest in conventional arms control in Europe.

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ENDNOTES


6. Member of OSCE delegation, telephone interview with author, February 2012.


9. The so-called flank rule of the CFE Treaty and the Adapted CFE Treaty provides for specific limitations in the northern (Norway, parts of the military district of Leningrad in Russia) and southern (Bulgaria, Greece, Romania, Turkey, a part of Ukraine, parts of the North Caucasus military district of Russia) part of the CFE Treaty area of application. Russia always has been highly critical of the flank rule.


12. Senate Committee on Foreign Relations, Flank Document Agreement to the CFE Treaty, 105th


20. I am grateful to Hans-Joachim Schmidt for this idea.
