

April 2015

Second Report of the Deep Cuts Commission

Strengthening Stability in Turbulent Times



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Foreword

Today, relations between the West and Russia have plummeted to an all-time post-Cold War low. Important communication channels have ceased to function. Belligerent language has been employed too often. Important security institutions are dysfunctional. Dangerous close military encounters between NATO and Russia risk unintended accidents.

The war in Ukraine and the wider West-Russian confrontation require our full attention. This is the time for swift and realistic crisis management. While resolving the crisis in and over Ukraine, with due respect for the sovereignty and territorial integrity of Ukraine, remains the immediate goal of crisis management, preventing a further worsening of West-Russian relations is equally in the interest of all the states of the Euro-Atlantic region.

Arms control and confidence-building measures – be they nuclear or conventional – are, more than ever, important in that respect. In the absence of trust, they provide states with important reassurance mechanisms by, for instance, making certain military actions transparent to the other side. They help to prevent miscommunication and misperceptions of possibly unintended consequences of unilateral action. They can prevent dangerous security dilemmas by providing a basis for professional military-to-military dialogue. They aim to forestall the dangerous and costly consequences of regional or global arms races. Arms control is not an outdated instrument of “the weak”. It is a modern policy tool of the responsibly-minded. Policy-makers on both sides of the Atlantic should be reminded of the stabilizing benefits of arms control – particularly in times of crises.

Take for instance the U.S.-Russian New START Treaty. It provides both sides with an indispensable level of confidence by means of test-launch notifications, verification inspections, and a forum for dialogue. Both sides continue to value highly the benefits of the Treaty; both should continue to do so. Likewise, the Treaty on Open Skies has been another source of stability during the crisis. Signatories have continued to carry out and allow observation flights, thus at least providing one element of transparency in a highly volatile environment marked by uncertainty.

The same applies to the Treaty on Intermediate-range Nuclear Forces (INF). It prevents the United States and Russia from possessing, producing, or flight-testing missile systems with a range between 500 and 5,500 kilometers. Preserving the Treaty, despite on-going mutual allegations of non-compliance, remains in the national interests of both countries. Without it, possible nuclear-tipped missiles of the INF-range could threaten military installations as well as civilian objects in wider Europe. No responsible policy-maker would want a return to a nuclear standoff in Europe. Both the United States and Russia should resist misleading calls to give up on the Treaty. They should instead redouble their efforts to resolve differences and remain committed to this crucial instrument of stability.

While New START and INF help to prevent the worst-case scenario of an unintended possible nuclearization of the crisis, other issues of strategic stability need serious re-engagement. This pertains to disputed issues such as missile defense or conventional strategic systems. The crisis in relations does, indeed, make re-engagement on these topics more difficult. However, it also makes it more important. In the absence of official talks, informal communication channels at the level of experts might serve as an important stand-in for the time being.

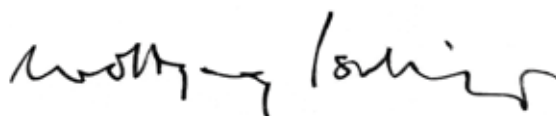
Below the level of strategic U.S.-Russian relations, European security needs to be reinvigorated. The war in Ukraine has reminded us all that a Europe “whole and free” is, unfortunately, not self-evident. To achieve a common security space, which takes into account all states’ equal rights as well as divergent interests, we need continued engagement, attentiveness, but also mutual willingness to adhere to shared principles. In that respect, Europe needs a serious dialogue, based on the 1975 Helsinki Decalogue, with the aim of strengthening the Decalogue where possible, amending it where necessary, and modernizing it where mutually beneficial.

During the crisis in Ukraine, the Organization for Security and Co-operation in Europe (OSCE) has proven to be an indispensable cornerstone of European security and stability. However, the Organization can only act as strongly as its participating States allow it to act. Strengthening the OSCE, from a political, a legal, and a financial point of view, should be perceived as a common goal, contributing to overcoming the crisis. Here, the upcoming German Chairmanship-in-Office of the OSCE in 2016 carries with it a strong responsibility for Berlin to act both as an interlocutor as well as an entrepreneur of forward-looking initiatives.

The realm of cooperative arms control in Europe, in particular, needs fresh thinking and a mutual will for compromise. Reviving the moribund regime on conventional arms control and modernizing the OSCE’s Vienna Document on Confidence- and Security-Building Measures should be seen as complementary and not as exclusive approaches. A stability network in the conventional realm would benefit all European states on an equal basis.

Last but not least, from 27 April to 22 May 2015, the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) will be held at the United Nations in New York. The odds are that the wider ramifications of the West-Russian crisis could generate negative ripple effects, seriously affecting the NPT regime. Yet, negotiations by the P5 and Germany on the Iranian nuclear issue have demonstrated that diplomatic success is possible if the overriding interest of preventing the further spread of nuclear weapons takes center stage. All Parties to the Treaty should commit to preventing a possible unraveling of this crucial disarmament and non-proliferation instrument. The so-called P5 states (China, France, Russia, the United Kingdom, and the United States), in particular, bear a special responsibility as recognized nuclear weapons possessors under the Treaty. They should fully live up to their responsibilities.

International stability is not a given. Achieving it calls for a strong will by all parties not to engage in “zero-sum” thinking, to exert strategic patience, and to engage in dialogue at all possible levels. Therefore, I support the work of the Deep Cuts Commission in helping to identify common ground and recommending forward-looking options for nuclear and conventional arms control. I hope its report will contribute to an open and focused debate on how to strengthen Euro-Atlantic and global stability in the current environment.



Wolfgang Ischinger

Introduction

Twenty-five years after German reunification and 40 years after the signing of the Helsinki Final Act, trust and confidence between Russia and the West are at a historic low in the post-Cold War world. European security appears to be trapped in a dangerous downward spiral. The normative foundations of the 1990 Charter of Paris for a New Europe, which promised “a new era of democracy, peace and unity in Europe,” have been repeatedly violated. Important instruments of risk reduction and stability are dysfunctional. Military muscle-flexing – both verbal and actual – is again employed. Thousands have died and many more are suffering from the fighting in Ukraine.

During the crisis there has been a dangerous tendency to move away from proven crisis management mechanisms. Alliance members suspended the NATO-Russia Council (NRC) at the working level when a forum for direct dialogue between NATO and Russia was most needed. Close encounters between Russian and NATO forces have been frequent. The continuing viability of the 1987 Treaty on Intermediate-range Nuclear Forces (INF) has come under question due to mutual U.S. and Russian allegations of non-compliance. The strategic dialogue between Washington and Moscow on further nuclear reductions and missile defense remains stuck. Russia has not extended common efforts to secure nuclear materials and facilities under the U.S-Russian Cooperative Threat Reduction program because of the absence of common political ground and because of a loss of interest on Russia's side. Russia this March also suspended participation in the Joint Consultative Group of the 1990 Treaty on Conventional Armed Forces in Europe (CFE), after it had already suspended the Treaty in 2007.

When the *Deep Cuts Commission* released its first report in April 2014, the *Commission* saw its prime task as to devise recommendations on how to move to lower numbers of nuclear weapons by addressing obstacles blocking nuclear disarmament.

Today, we face different, and more difficult, conditions. Now we face the erosion of arms control regimes against the background of deteriorating relations between Russia and the West. The message today is more fundamental: **arms control is key to avoiding undesirable and unintended consequences of current tensions.**

Arms control and confidence-building measures, while sometimes perceived as burdensome, contribute to stability not only in “good weather” times, but particularly in periods of international tension and crisis. By averting worst-case assumptions and fostering behavioral restraint, such measures can avoid arms build-ups and unintended escalation of military confrontations. Whenever parties to a conflict seek a settlement, arms control and transparency provide appropriate tools for achieving a verifiable de-escalation.

The Ukraine crisis itself and the responses it elicits increase the danger of unintended military incidents, which can trigger a dangerous chain reaction. For example, the risky practice of turning off transponders of military aircraft increases the risk of potential accidents. Mutual threat perceptions in conjunction with ambiguous military maneuvers lead to heightened tensions. Poorly thought-out calls for increased nuclear commitments under NATO, in order to guarantee the security of the Alliance's easternmost European members, have surfaced in the United States. The result could be a new, costly and dangerous arms race between NATO and Russia against the background of diminished transparency and falling mutual confidence if stabilizing arms control measures are no longer available.

In order to achieve a verified termination of the violent conflict in Ukraine and arrest the slide of NATO and Russia toward a potentially more dangerous situation, it will be necessary to employ a broad set of arms control and confidence-building measures in several areas. This report will

concentrate on the nuclear and conventional arms control issues that must be addressed to contain unintended spill-over effects from the current crisis on the broader European region and on nuclear stability at the global level.

From April 27 to May 22, 2015, the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) will take place in New York. The overall atmosphere of the NPT Review Conference will be affected by steadily growing support for the initiative on the humanitarian impact of nuclear weapons, last convening on December 8-9, 2014 in Vienna. The increased state representation at the Conferences on the Humanitarian Impact of Nuclear Weapons suggests a new challenge to the arguments of the nuclear weapons states for justifying nuclear deterrence. The prospect of hardened political positions in Washington and Moscow towards further nuclear disarmament measures and the devaluation of negative security assurances in the nuclear realm are likely to further complicate the achievement of a harmonious outcome to the NPT Review Conference.

At the same time, positive achievements from arms control agreements and institutions continue to serve the interests of global security and stability. The Organization for Security and Co-operation in Europe (OSCE) remains the indispensable forum for all states from Vancouver to Vladivostok. Washington and Moscow remain committed to implementation of the 2010 New START Treaty. U.S.-Russian cooperation on a range of non-proliferation issues continues. In particular, success in eliminating Syrian chemical weapons and in advancing the P5+1 Talks on Iran's nuclear program demonstrates that Washington and Moscow can successfully work together in spite of the current crisis. The P5 Process of the five nuclear-weapon states recognized under the NPT advances slowly but steadily, laying the groundwork for the inclusion of third countries

in the process of negotiating reductions in nuclear arms at some future point.

Against the background of these divergent developments, one of the prime lessons from the Cold War still holds true: arms control can help avoid worse developments. This includes both managing crises and preventing arms races. In times of confrontation, parties to arms control agreements can help to stabilize difficult political relationships by making use of the communication channels these arrangements provide. This aspect of arms control becomes more important during times of crisis. Parties to such agreements can use their consultative and informational instruments to help contain crises, and under some circumstances, even generate the basis for establishing more intensified dialogue in the future. Moreover, at a time of greater tension between the United States and Russia, the numerical limits and transparency provided by the New START Treaty provide both sides assurance that their strategic nuclear relationship remains constrained.

The following policy approaches all need to be treated as matters of increased urgency and will be discussed further in the following sections of this report: (1) the elements of the European security architecture need re-engagement; (2) the U.S.-Russian dialogue on strategic nuclear arms and missile defense needs new impetus; (3) the INF Treaty compliance debate requires creative but practical problem-solving; (4) all of the other nuclear-weapon states must also be engaged in the nuclear disarmament process in some manner despite the current lack of a U.S.-Russian New START follow-on negotiation; and (5) the NPT Review Conference should commit to strengthening mechanisms for increasing nuclear transparency.

Hamburg, Moscow, Washington
April 2015

Executive Summary

In the year since the first report of the *Deep Cuts Commission* was published, the Ukraine crisis and broader deterioration in West-Russia relations pose acute threats of unintended clashes between Russian and NATO military forces and continue to deflate hopes for significant near-term progress in nuclear arms control. Yet the past year has also shown that some vital arms control treaties are holding, and the aggregate global number of nuclear weapons continues slowly to decline. Despite serious tensions between Moscow and Washington, the two largest nuclear powers have sustained successful political cooperation on some key vectors of weapons of mass destruction (WMD) nonproliferation.

During a second year of operation, the *Deep Cuts Commissioners* from Germany, Russia and the United States have continued to meet, to hold informative and collegial discussions, and to probe for practical solutions to the security problems confronting the international community. Protecting and nourishing these lines of communication have had independent value, but the analyses and recommendations in the ensuing five chapters are also intended to share more widely the ideas generated by the *Commission* for managing current crises and setting the stage for rapid movement toward a safer world at a later date.

The report's conclusions are summarized below:

- While resolving the Ukraine crisis on the basis of due respect for Ukraine's sovereignty and territorial integrity remains the prime objective, Russia and the West should take immediate steps to prevent any unintended military incidents and restrain military activities where such incidents may occur. For this purpose, NATO, its member states and Russia should, *inter alia*, avoid activities which may be seen as provocative by the other side, and re-establish military-to-military communications. While doing so, they can build upon the experiences gathered on the basis of existing bilateral arrangements, such as the U.S.-Russian Incidents at Sea and Dangerous Military Activities Agreements, which set down rules to regulate the operation of the sides' military forces when operating in close proximity to one another in order to reduce the risk of accidents or miscalculation. In order to avoid incidents, particularly with civilian aircraft, military aircraft should turn on their transponders while on non-combat mission.
- Participating States of the Organization for Security and Co-operation in Europe (OSCE) should explore what kind of conventional arms control, including Confidence- and Security-Building Measures, would be appropriate to reverse the current dynamic, and what future measures should be considered in order to reflect the new security landscape in

Europe. States could initiate focused dialogue within the OSCE Forum for Security Co-operation with the purpose of identifying the appropriate scope and format for resumption of consultations on Conventional Arms Control in Europe.

- While continuing to implement New START, the United States and Russia should resume a comprehensive dialogue across the whole spectrum of strategic stability issues. To prepare for such a dialogue, both should make increased use of low-key Track 1.5/2 formats, concentrating on how to achieve further cuts in the New START limits on strategic offensive forces and addressing the issues of how missile defense and conventional strategic arms impact nuclear arms reductions.
- The United States and Russia should remain committed to the Intermediate-range Nuclear Forces (INF) Treaty and should supplement high-level political discussions with the involvement of technical experts, addressing INF Treaty compliance issues as well as considering adapting the Treaty in light of evolving weapons developments. Such discussions could negotiate agreed definitions and procedures for distinguishing armed drones from prohibited ground-launched cruise missiles (GLCMs), and could devise transparency measures regarding the alleged GLCM-launch capabilities of U.S. missile defense installations in Europe as well as the alleged Russian testing of an intermediate-range GLCM.
- The P5 states (China, France, Russia, the United Kingdom and the United States) should intensify their efforts in pursuit of nuclear disarmament by undertaking discussions on the effects missile defenses and long-range precision-guided conventional strike systems have on regional and global stability. All nuclear-weapon states should provide increased transparency regarding their nuclear postures, and the United Kingdom, France and China should unilaterally pledge not to increase their nuclear force levels as long as the United States and Russia are reducing the size of their nuclear arsenals.
- States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) should make the 2010 NPT Review Conference's Action Plan the point of departure and point of reference for any nuclear arms control initiatives at the 2015 NPT Review Conference. They should commit to increased nuclear transparency, for example, by building upon the legacy of the Trilateral Initiative (Russia, the United States and the International Atomic Energy Agency) for IAEA monitoring of fissile material stockpiles.

1. Re-engaging on European Security

The war in Ukraine has brought West-Russian relations to their lowest point since the end of the Cold War. A difficult-to-manage mix of divergent interests, institutional shortcomings, and a lack of common understanding of the principal European security structures combine to impede much-needed re-engagement on European security issues.

What had been thought to be commonly-shared principles and norms of European security are now seen as different understandings, reinterpretations, and, at worst, deliberate violations. These are not only symptoms of a mere temporary downturn in relations. These are clear indications of a structural deficit, which will not vanish with an end to the fighting in Ukraine. They point to the larger question of where and how Russia fits into the European security order.

The existing security institutions have not been able to deal effectively with the renewed confrontation. In reaction to the events in Ukraine, NATO member states decided to suspend all practical civilian and military cooperation between NATO and Russia. The NATO-Russia Council (NRC) has been suspended below and above the Ambassadorial level – a decision which is at least debatable at a time when increased dialogue to prevent potentially dangerous military misunderstandings is urgently needed. The Conventional Armed Forces in Europe (CFE) Treaty was already politically deadlocked long before the current confrontation. Russia in March announced suspension of its participation in the Joint Consultative Group of the Treaty. The Vienna Document (VD; see also Box I) on relevant military confidence- and security-building measures lacks mechanisms to address the current crisis appropriately. The

Organization for Security and Co-operation in Europe (OSCE) has played a useful role in providing monitors in Ukraine and has performed as the single most helpful tool to put into practice decisions reached in relevant political formats – particularly the so called Normandy format (Germany, Russia, Ukraine and France) and the Trilateral Contact Group (Ukraine, Russia and the OSCE Chair). However, the OSCE alone cannot solve the Ukraine conflict.

The effects of dangerous military brinkmanship harden existing mutual threat perceptions. While Moscow continues to see NATO in general, and the United States in particular, as a challenge to its national security, Russian military activities in conjunction with the war in Ukraine have heightened threat perceptions, especially in NATO's easternmost member states. Large, non-transparent military maneuvers involving the simulated use of nuclear weapons in the past and recent close encounters involving NATO and Russian military and civil aircraft and warships are dangerous and reinforce mutual threat perceptions. It is time to break this vicious cycle.

Containing the current crisis calls for focusing urgent attention on four objectives: (1) stabilizing the situation in Ukraine; (2) preventing dangerous military incidents between NATO and Russia; (3) concluding stabilizing measures in the realms of Confidence- and Security-Building Measures (CSBMs) and Conventional Arms Control (CAC) in Europe; and (4) initiating a comprehensive discussion on the essentials of European security.

First, the basis for a serious re-engagement on European security should be stabilizing the Ukraine situation on the basis of the

Minsk Protocol of September 5, 2014 and the supporting agreements of September 2014 and February 2015, specifying in greater detail the way forward in implementing the Protocol. These documents provide for a ceasefire, the complete and verifiable withdrawal of heavy weaponry, and continuous monitoring of the demilitarized zone by the OSCE, followed by implementation of the political, economic and humanitarian elements of the accords. The overall goal should be resolving the current crisis with due respect for the sovereignty and territorial integrity of Ukraine.

Second, beyond Ukraine, there is an urgent need to prevent dangerous military incidents and to begin rebuilding transparency and predictability in the military activities of Russia and NATO countries in Europe on a bilateral and multilateral level. It is worth exploring whether and to what extent the NRC can contribute to this objective. Alternative venues and options for initiating debate on how dangerous incidents or accidents can be avoided should be explored as well.

- One such venue could be to draw on bilateral agreements, such as the U.S.-Russian Incidents at Sea (INCSEA; signed in 1971) and Dangerous Military Activities (DMA; signed in 1989) Agreements, which set down rules to regulate the operation of the sides' military forces when operating in close proximity to one another in order to reduce the risks of accidents or miscalculation. If the United States and Russia have serious concerns about what they consider provocative military actions, they should articulate them in the appropriate fora. Direct feedback from counterpart professionals is essential to prevent miscalculation or accidents.

- Another option could be to multilateralize INCSEA and DMA (and similar agreements between Russia and other NATO members) by making it the priority project of a reinvigorated NATO-Russia Council. Such an option could be supplemented by establishing a more formalized, regular, and operational-level communications channel between the Russian General Staff and NATO Headquarters – e.g., to increase information exchanges on exercises and redeployments or reacting to eventual incidents or situations of conflict.

- Western officials could also raise with Russia the seriousness of what they consider to be provocative Russian military actions, emphasizing the necessity of exercising mutual restraint, and the need to support the work of the NRC and bilateral bodies in minimizing dangerous military activities. As an urgent measure in that regard, the dangerous tendency of military aircraft being flown with transponders turned off should end. NATO has already committed itself in a March 2015 statement not to follow such practices.

Third, while the CAC regime is deadlocked, the remaining CSBM instruments based on provisions of the OSCE Vienna Document 2011 (see Box I) are insufficient to provide the necessary level of predictability and transparency, particularly regarding the kind of military activities which currently create concern. There is no common understanding whether states shall work on designing a new CAC instrument or, instead, shall concentrate on a substantial modernization of the Vienna Document and develop a new generation of CSBMs that would more effectively address contemporary challenges.



Box I: The Vienna Document

The Vienna Document on Confidence- and Security-Building Measures was established in 1990 between OSCE participating States and was updated in 1992, 1994, 1999 and 2011. The politically binding document aims at enhancing transparency with regard to military activities through means of, *inter alia*, the annual exchange of military information and annual calendars; the exchange of specific data relating to major weapon and equipment systems; information on the plans for the deployment of major weapon and equipment systems; a mechanism for consultation and cooperation as regards unusual military activities; the voluntary hosting of visits to dispel concerns about military activities; and the prior notification and observation of certain military activities (such as maneuvers).

For the time being, the OSCE Forum for Security Co-operation remains the single multilateral platform for substantive dialogue, including among military experts, on the purpose, scope and eventual participants of possible new CAC arrangements, as well as on the major directions for improved CSBMs. The dialogue should concentrate on urgent measures needed to maintain a sufficient level of predictability and transparency in states' military activities, particularly during crisis situations.

While addressing the issues listed above, states can draw from a large menu of different (and some, controversial) proposals and recommendations on the negotiating table in Vienna or brought forward by nongovernmental experts. These include, *inter alia*:

- States could consider reducing the threshold established by the Vienna Document (VD) for notification and observation of military maneuvers and increasing observation

quotas on a more balanced NATO-Russia basis, taking into account and possibly addressing the greater number of table exercises on the part of NATO which would not fall under the reduced threshold. They could also consider increasing the number of inspections and assessment groups, as well as the duration of verification missions and could devise more, smaller and more flexible inspections under the VD to confirm when units are out of garrison, or that there are temporary deployments in areas near international boundaries.

- States could consider extending CSBMs under the VD to certain naval activities, providing for prior notification of foreign troop deployments and transits, providing for regular exchange of information concerning activities of rapid reaction (response) forces, and reducing the VD's emphasis on numerical limitations while putting more emphasis on what declared forces are doing. In that regard, they could consider the idea of devising delineation of and transparency measures appropriate for declared sensitive areas under the VD, with the aim of keeping these to a geographic and numerical minimum. The aim would be to get parties to be unambiguous about where they do not want military activity of certain types, or where they do not want interference by others (including intrusive transparency measures) in their military activities.
- States could also consider systematically reviewing the practices and effectiveness of the implementation of established CSBMs, especially in crisis situations. They could as well strengthen the mechanism for dealing with allegations of non-compliance under the VD by creation of a working body that reports to the Forum for Security Co-operation of the OSCE, composed of a moderator

and directly concerned parties plus a small number of other concerned and/or neutral parties.

- States could consider creating a multilateral OSCE capability to support OSCE monitoring missions by technical means of a deployable unmanned aerial vehicle (UAV) surveillance capability. Here, one option could be an OSCE-owned stand-by surveillance capability.
- States could additionally consider establishing, under OSCE auspices, a European Verification and Monitoring Agency, which could conduct observation and inspection missions under the VD by relying on contributing states' capabilities, in order to provide full transparency of the findings and a common baseline for discussions within the OSCE Forum for Security Co-operation in particularly controversial cases.

Apart from strengthening multilateral CSBMs, states can develop individually tailored bilateral or regional measures, e.g., to notify and allow for observation of their military activities in order to address reciprocal concerns. Bilateral CSBM agreements such as the ones in place between Poland and Belarus as well as between Poland and Ukraine are good examples of such measures.

The recent surge in military activities on both sides of the NATO-Russia border, particularly in Central Eastern Europe, has triggered reciprocal concerns. Although all sides, so far, adhere to their earlier pledges under the 1997 NATO-Russia Founding Act and the 1999 CFE Final Act not to permanently station additional "substantial combat forces," the security landscape in the region is changing. Apart from the remaining task for both NATO and Russia to come back to the initially anticipated

agreed definition of what "substantial" combat forces means, NATO and Russia should address the new emerging situation along their common border, too. This can involve cooperative arrangements to be considered within the NRC but, also, specific measures, such as agreeing on a reciprocal basis to keep heavy conventional weapons, including those in storage facilities, away from the NATO-Russia border.

Fourth, once the Ukraine crisis has been stabilized, all states in the Euro-Atlantic area should initiate, in an open manner, a reinvigorated discussion, including within the framework of the OSCE, on the essentials of European security. Such a dialogue could start with a frank discussion of divergent views with no preconditions and with no side having the right to veto discussion of any issue raised by the other. It could be pursued first at the ambassadorial and later at the ministerial level. The West and Russia need to clearly and openly state their respective views of the confrontation and of the reasons, which have led to the current state of affairs. As a possible outcome of these discussions, the participants could seek to negotiate a document, to be endorsed at a high-level meeting, re-confirming the fundamental principles on which European security is based and proposing improved instruments and institutions in service of those principles, but adapted to current circumstances. The discussion should not avoid putting tough questions on the agenda, such as:

- respect for the territorial integrity of states, equal rights and self-determination of peoples, the right of states to be or not to be a party to bilateral or multilateral treaties, including the right to be or not to be a party to treaties of alliance, and the right to neutrality, as well as all other principles

of the 1975 Helsinki Final Act, which all are of primary significance and shall be interpreted taking into account all other principles; the role of non-state actors in conflicts; issues of economic integration and separation; and the external financing of domestic opposition groups as well as the use of the media and other issues.

Germany can play an important role in promoting such a focused discussion, being a member of both the European Union and NATO, traditionally maintaining a constructive relationship with both the United States and Russia, and taking on the OSCE Chairmanship in 2016. The German Chairmanship presents a good opportunity to launch and

pursue a dialogue on these difficult matters. Germany should not shy away from making bold proposals in this regard. In particular, Berlin should strongly lobby for jointly strengthening the political role and the financial situation of the OSCE as well as push forward the issue of giving the OSCE a legal personality.

The latest Swiss initiative for a Panel of Eminent Persons, who would explore options for re-engagement, is an important starting point. The panel could help explore ways and means for giving stronger effect to the commonly shared Helsinki principles. In order to achieve meaningful results, the panel needs strong and continuous political commitment of all major powers.



Key recommendations

- States should commit to fully support all efforts to resolve the Ukraine crisis on the basis of due respect for Ukraine's sovereignty and territorial integrity. Russia and the West should take immediate steps to prevent any unintended military incidents and restrain military activities in areas where such incidents may occur. NATO, its member states and Russia should, *inter alia*, avoid activities which may be seen as provocative by the other side, and re-establish military-to-military communications.
- OSCE participating States should initiate a focused dialogue within the OSCE Forum for Security Co-operation with the purpose of exploring what kind of conventional arms control, including CSBMs, would be appropriate to reverse the current dynamic, and what future measures should be considered in order to reflect the new security landscape in Europe.
- OSCE participating States should initiate a targeted discussion of diverging national viewpoints on the essentials of European security, reconfirming fundamental OSCE principles and spelling out measures to give stronger effect to them. With its OSCE Chairmanship in 2016, Germany is positioned to lead such efforts.

2. Preserving and Strengthening Strategic Stability

The renewed confrontation between the West and Russia has a nuclear dimension. Regrettably, recent months have seen unhelpful rhetoric regarding nuclear threats, suggestions by civilian experts for the possible forward deployment of nuclear weapons in NATO's easternmost member states, and official suggestions that implementation of important nuclear arms control agreements might be reconsidered. NATO member states and Russia need to avoid provocative statements and actions and should not overreact to such actions or statements. In any case, an escalation and possible nuclearization of any potential military incident must be avoided.

Therefore, both sides should reinstate military-to-military discussions on practical measures to avoid possible dangerous incidents between their military forces, particularly incidents involving nuclear-capable forces. One possible option could be to review the status of – and possible new issues for – the Nuclear Risk Reduction Centers (set up in 1987) and the U.S.-Russia Strategic Stability Talks. One topic for discussion might be keep-out zones for bomber training flights.

An important element of preserving strategic nuclear stability is the New START Treaty (see Box II). Implementation of the Treaty is well underway, and both sides have expressed their firm commitment to meeting the agreed time lines and limits. Both should continue to implement New START and should begin exploring follow-on treaty options as soon as possible. Particularly in times of crisis, the stabilizing effects of agreements such as New START cannot be overstated. The Treaty's limits and transparency measures provide important constraints on the strategic nuclear competition and thus help to avoid worst case assumptions and provocative weapons developments at a time of broader U.S.-Russian

tension. The joint implementation of the Treaty's verification provisions, including through on-site inspections, have become even more important under current circumstances.

Box II: The New START Treaty

Under the New START Treaty, the United States and Russia must meet the Treaty's central limits on strategic arms by February 5, 2018. Each must reduce its strategic nuclear forces to no more than:

- 700 deployed intercontinental ballistic missiles (ICBMs), deployed submarine-launched ballistic missiles (SLBMs) and deployed heavy bombers equipped for nuclear armaments;
- 1,550 strategic warheads on deployed ICBMs, deployed SLBMs and deployed heavy bombers equipped for nuclear armaments (counting each such heavy bomber as one warhead toward this limit);
- 800 deployed and non-deployed ICBM launchers, SLBM launchers and heavy bombers equipped for nuclear armaments.

Beyond New START, the United States and Russia should explore President Putin's offer to resume a comprehensive dialogue across the entire spectrum of strategic stability issues. In his October 24, 2014 Valdai speech, the Russian President stated: "the less nuclear weapons we have in the world, the better." In a recent address to the Geneva Conference on Disarmament, Russian Foreign Minister Lavrov stressed his country's continuing commitment to nuclear disarmament. These ideas echo U.S. offers, including President Obama's June 2013 proposal to reduce the New START limits by up to one-third.

Until the Ukraine crisis is stabilized, it may be difficult to agree on an agenda for New START follow-on negotiations. Washington and Moscow should therefore make increased use of low-key Track 1.5/2 formats to explore possible areas of mutual interest, making use of table-top exercises and conducting joint studies. Such formats could draw from the following menu for a possible re-engagement in the strategic realm between the United States, NATO and Russia:

- The United States and Russia should begin discussions on further strategic nuclear force reductions, aimed at reducing the New START limits to, for example, 1,000 deployed strategic warheads, 500 deployed strategic missiles and bombers and 550 deployed and non-deployed strategic missile launchers and bombers.
- The United States and Russia should resume consultations on planned missile defense capabilities and concerns about potential threats they could pose to the other's strategic offensive forces. Regarding the relationship of missile defense to strategic offensive forces, the United States and Russia should: (1) reaffirm the interrelationship between missile defense and strategic offensive forces; (2) acknowledge that, if defenses become capable against sophisticated strategic offensive forces, then reductions in such forces below some level might be difficult to achieve without an accompanying set of agreed limits on strategic missile defenses; (3) agree that, at the current stage, the gap between offense and defense is such that the United States and Russia can address the interrelationship through transparency and confidence-building measures (e.g., annual declarations of missile defense numbers and projected numbers for the subsequent ten years).
- NATO should continue to remain committed to its official position that the European Phased Adaptive Approach (EPAA) for missile defense in Europe is not tied to or aimed at Russia and thus will not be affected by ups and downs in Russia's relations with the West. NATO could indicate that, were the talks with Iran to reach a final agreement with Teheran on its nuclear program – and particularly were Iran to restrict the further development of its ballistic missiles – NATO would reconsider the schedule and scope of EPAA.
- NATO should complete formulation by 2016 of its overdue proposal for achieving non-strategic nuclear weapons transparency and accountability and invite Russia to join the United States in discussions on non-strategic nuclear weapons confidence-building measures, which is part of their NPT Article VI obligations.
- The United States and Russia could initiate consultations on the implications of conventional strategic arms, and, in particular, hypersonic boost-glide vehicles for strategic stability and on how such capabilities might be constrained in an arms control context. So far, such systems, which do not fly a ballistic trajectory and which are not yet subject to arms control agreements, are only under development.



Key recommendations

1. The United States and Russia should continue to implement New START and should explore resuming a comprehensive dialogue across the whole spectrum of strategic stability issues. To prepare for such a dialogue, both should make increased use of low-key Track 1.5/2 formats.
2. NATO and Russia should avoid provocative statements and actions in the nuclear realm and should reinitiate military-to-military discussions on practical measures to avoid possible dangerous incidents between their military forces, particularly between nuclear-capable military forces, for instance by reviewing the status of – and possible new issues for – the Nuclear Risk Reduction Centers and the U.S.-Russia Strategic Stability Talks.
3. The United States and Russia should begin discussions on further strategic nuclear force reductions below the New START limits, try coming to an understanding on missile defense, and begin discussing definitions and limits on conventional strategic arms, particularly hypersonic, boost-glide vehicles.

3. Strengthening the INF Treaty

The Treaty on Intermediate-range Nuclear Forces (INF; see also Box III) has recently come under stress due to mutual U.S. and Russian allegations of non-compliance. Russia had complained for a number of years that the United States was using intermediate-range missile target vehicles in missile defense tests, allegedly in violation of the INF Treaty's Article VI prohibition on testing ground-based intermediate-range ballistic missiles of a "new type". In 2014, Washington publicly accused Moscow of being "in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles."

The U.S. government concern is that Russia flight-tested a GLCM of intermediate range although, to date, the U.S. government has publicly provided no details about the characteristics and status of the Russian system tested or details regarding the tests, including their number or frequency. Russia rejected these allegations and, in addition to the complaint about U.S. ballistic missile defense target vehicles, reiterated previous charges about U.S. development of armed drones with intermediate-ranges and the planned deployment of ballistic missile defense launchers in Poland and Romania that are allegedly capable of launching GLCMs prohibited by the INF Treaty.

Both U.S. and Russian officials have reaffirmed their commitment to the Treaty. Their commitment to and support for the Treaty is in the national interest of both countries as well as in the interest of European nations, China and other Asian countries. (It should be noted that Beijing views missiles of this range as strategic systems.)

Box III: The INF Treaty

The 1987 Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the INF (Intermediate-range Nuclear Forces) Treaty, required destruction of the Parties' ground-launched ballistic and cruise missiles with ranges of between 500 and 5,500 kilometers, their launchers and associated support structures and support equipment within three years after the Treaty entered into force. The Treaty entered into force in June 1988. By June 1991, the United States and the Soviet Union had eliminated all of their INF missiles and missile launchers. Article XIII of the Treaty established the Special Verification Commission (SVC). The SVC serves, amongst other functions, as a forum for discussing and resolving implementation and compliance issues. After the dissolution of the Soviet Union, multilateralization of the Treaty took place. Since then, the five official members of the SVC have been the United States, Russia, Belarus, Kazakhstan and Ukraine. In 2007, a joint U.S.-Russian statement at the General Assembly of the United Nations called upon other states to eliminate their INF missiles.

One option for overcoming the current compliance debate is to supplement high-level bilateral discussions with the engagement of technical experts at the working level, as was done previously with the treaty's Special Verification Commission. Placing the discussion of the relevant issues into the appropriate forum would allow discussion of steps, including transparency measures that could address concerns voiced by the parties. Although the compliance

allegations are serious, time has not yet run out for resolving them. The GLCM that Russia has allegedly tested has apparently not been deployed. Likewise, the U.S. ballistic missile defense launchers Russia sees as non-compliant are not yet operational (though the launchers in Romania are scheduled to become operational by the end of 2015).

Beyond the on-going compliance debate, both sides should address the issue of adapting the INF Treaty by taking account of technological and political developments that have occurred since the Treaty's entry into force. From a technical point of view, the United States and Russia could discuss the issue of ballistic missile targets for missile defense testing in relation to a potential violation of the INF Treaty, recognizing the similar testing needs both countries are likely to have in the future. They could also address the issue of armed drones by working out possible new definitions and verification measures to distinguish armed drones from prohibited GLCMs. In addition, Washington could consider offering transparency measures regarding the hardware of its missile defense MK-41 vertical launchers to be deployed in Romania and Poland, in order to demonstrate that those launchers could not launch an intermediate-range GLCM; Washington might make this offer in return for Russian transparency to resolve U.S. concerns about the alleged Russian GLCM tests.

A further option would be for the United States and Russia to consider expanding the treaty's GLCM ban by negotiating a ban on nuclear-armed SLCMs as well. Given the declining role of nuclear-tipped cruise missiles in maintaining the U.S.-Russian strategic balance, and the high costs of the impending modernization of all three legs of the two countries' nuclear triads, both Moscow and Washington might find such a ban in their national interest, assuming the difficult verification issues could be addressed. Such a ban would be consistent with the political commitments undertaken by the United States and Russia to remove all naval non-strategic nuclear weapons from submarines and surface ships under the Presidential Nuclear Initiatives in 1991-92, but would take a step beyond them by creating a legal and verifiable treaty obligation.

From a political point of view, Moscow and Washington should renew joint efforts to expand the stabilizing benefits of verifiable constraints on intermediate-range ballistic missiles to regions outside of Europe, such as establishing range limits on ballistic missiles in the Middle East. For example, banning ballistic missiles in the Middle East with ranges in excess of 3,000 km could head-off one of the world's most worrisome sources of nuclear and missile proliferation, without negatively affecting the security of the two countries that currently possess systems in this category – Saudi Arabia and Israel.



Key recommendations

1. The United States and Russia should remain committed to the INF Treaty and should supplement high-level political discussions with the involvement of technical experts.
2. U.S. and Russian technical experts should address compliance issues of the INF Treaty as well as consider adapting the Treaty in light of evolving weapons developments; discussing the issue of ballistic missile targets for missile defense; distinguishing armed drones from prohibited ground-launched cruise missiles (GLCMs); and offering transparency measures regarding U.S. missile defense installations in Poland and Romania, perhaps in return for Russian transparency to address U.S. concerns about the alleged Russian testing of an intermediate-range GLCM.
3. The United States and Russia could consider options for negotiating a ban on their nuclear-armed SLCMs and for using INF Treaty precedents to promote negotiations on banning missiles of greater than 3,000 km in regions outside of Europe.

4. Engaging Third Nuclear Powers

The United States and Russia continue to possess over 90 percent of the roughly 16,000 nuclear weapons worldwide. The magnitude of their arsenals gives them the prime responsibility to lead global nuclear disarmament efforts, even more so since both share legally-binding commitments to nuclear disarmament. Nevertheless, both principal avenues of nuclear disarmament – further cuts in U.S. and Russian nuclear arsenals and enhancement of the multilateral disarmament dialogue under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) – imply engaging third-country nuclear powers.

In 2013, President Obama proposed negotiated cuts with Russia of deployed strategic nuclear weapons by up to one-third below the limits in the New START Treaty. Such cuts, if they were to happen, would bring the number of each state's deployed strategic warheads down to about 1,000. Moscow has until now not taken up the U.S. initiative; Russian officials have stated that any further nuclear cuts should take place in a multilateral format, including third-country nuclear powers. At the same time, Article VI of the NPT commits all States Parties, including the five officially recognized nuclear weapons possessors, "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control." This is a legally-binding commitment. For both reasons, engaging third-country nuclear powers over the mid- to long-term is important for nuclear disarmament efforts.

The P5 Process (see Box IV) is a useful format for pursuing dialogue on nuclear disarmament beyond the established U.S.-Russia framework. So far, the talks have made progress in establishing a Glossary of Key Nuclear Terms, likely to be

released at the 2015 NPT Review Conference in April. The additional steps listed in the latest "Joint Statement from the Nuclear-Weapon States at the London P5 Conference" of February 6, 2015 are important in encouraging the on-going dialogue among the five states, but they lack specificity in how nuclear disarmament will be pursued. More targeted efforts in that direction should be pursued with intensified and concrete engagement, particularly since the P5 Process has so far stopped short of significantly advancing the core goal of nuclear disarmament.

In order to better live up to their disarmament commitments under the NPT, the P5 states should intensify and broaden their discussions on nuclear issues. In concrete terms, they should enter into discussions on the effect their nuclear postures have on regional and global stability and on the effects their individual development of missile defense and long-range precision-guided conventional strike systems are likely to have on the nuclear postures of others.

Box IV: The P5 Process

The so-called "P5 Process" was launched in 2007. For the first time, the five countries that the Nuclear Non-Proliferation Treaty recognizes as nuclear-weapon states (China, France, the Russian Federation, the United Kingdom and the United States) examined what nuclear transparency and confidence-building measures they could jointly pursue. Since 2009, those five states, which are also the five permanent members of the United Nations Security Council, have met six times to review progress towards fulfilling the commitments made under the 64-point 2010 NPT Review Conference Action Plan. Among other commitments, that Action Plan called on the five states to "accelerate concrete progress on the steps leading to nuclear disarmament."

In order to broaden the nuclear disarmament process, the United States and Russia should seek unilateral commitments from the United Kingdom, France and China not to increase their nuclear force levels as long as the United States and Russia are reducing. While the United Kingdom and France have articulated their current maximum warhead numbers (short of a no-increase commitment), China has only stated that it will not engage in a nuclear arms race. It could openly, or at least privately, explain that this statement means “no increase.” In addition, the United Kingdom, France and China should weigh the option of providing greater transparency regarding their nuclear arsenals and their respective nuclear postures. China could make an official pledge not to increase its fissile material stockpile. The United Kingdom and France could also start internal and bilateral discussions about adopting some of the kinds of confidence-building measures the United States and Russia practice under the New START agreement. China might later adopt similar measures.

In parallel with these measures, the P5 could also be used as a forum to develop common standards of nuclear security and safety for countries possessing nuclear weapons. This could include the exchange of best practices on emergency response, including discussion of the kind of international cooperation that this could require (e.g., in the event of an accidental detonation). Such an effort

could also be presented as an input into wider international discussions on the humanitarian impact of nuclear weapons, which will most likely be a main point of reference on disarmament at the upcoming NPT Review Conference.

Beyond the current P5 format, P5 states should consider the option of a P5+2 Process, bringing India and Pakistan into discussions of strategic stability and mutual restraint. Such discussions might be especially relevant to efforts to give new momentum to a Fissile Material Cut-Off Treaty (FMCT). A P5+2 group might be able to focus more intensively on the obstacles to such a treaty than larger fora such as the Geneva Conference on Disarmament.

P5 states should also make briefings and discussion sessions with non-nuclear-weapon states and civil society a regular practice. One option in that regard could be a structured exchange with the Non-Proliferation and Disarmament Initiative (NPDI), a twelve-member coalition of non-nuclear weapon states, thus building on the recent briefings provided to NPDI and the exchanges with civil society at the P5 London meeting. Further on, the P5 states should explore the merits of projects regarding disarmament verification implemented by professional civil society groups. The recently launched International Partnership for Nuclear Disarmament Verification could be a starting point for such discussions.



Key recommendations

1. The P5 states should intensify their efforts in pursuit of nuclear disarmament by undertaking discussions on the effects their nuclear postures have on regional and global stability, and the effects missile defenses and long-range precision-guided conventional strike systems have on regional and global stability.
2. The United Kingdom, France and China should unilaterally commit not to increase their nuclear force levels as long as the United States and Russia are reducing the size of their nuclear arsenals.
3. The P5 states should also consider the option of inviting India and Pakistan to join in a “P5+2” process, giving new momentum to achieving the goal of a Fissile Material Cut-Off Treaty.

5. Building on the NPT Regime

In April 2015, the fourth NPT Review Conference after the Treaty's indefinite extension in 1995 will take place in New York. The 2010 Action Plan set 64 goals for both nuclear- and non-nuclear-weapon states. So far, states have not advanced significantly in implementing those goals. The non-nuclear-weapon states at the 2015 Review Conference will most likely seek to hold nuclear-weapon states accountable on their obligations and commitments. The absence of visible progress on most points of the 2010 Action Plan complicates consensus on further strengthening the nuclear non-proliferation regime. The multi-stakeholder initiative, concentrating on the humanitarian impact of nuclear weapons use, will most likely continue to lobby for an international ban on nuclear weapons should its proponents perceive the results of the 2015 Review Conference as insufficient. Against this background, States Parties to the Treaty should diligently seek to prevent any backsliding on already agreed-upon measures and should make the 2010 Action Plan the prime point of departure and point of reference for any discussion on nuclear arms control. In that regard, the NPDI states should jointly call on all nuclear-weapon states to fulfill their disarmament obligations.

In order to build upon the commitments undertaken by all Parties under Article VI of the NPT, efforts aimed at contributing to the proclaimed goal of nuclear disarmament should have the support of all states. Although the virtues of transparency are regarded differently among NPT nuclear-weapon states, it is clear that significant and enduring deep nuclear cuts cannot be achieved without it. All nuclear-weapon states should therefore commit to declarations of total nuclear stockpile numbers. Such a commitment could be underscored by a supporting P5 statement on measures aimed at increasing nuclear transparency.

In addition, the realm of verification of all aspects of nuclear disarmament – including nuclear materials production, control of facilities, the production of warheads, their deployment, storage, dismantlement, and disposition as well as detecting clandestine nuclear materials and facilities – is of crucial importance in order to make the process of disarmament “waterproof” and irreversible. Strengthening verification capabilities is not just of interest to the United States and Russia or third-country nuclear-weapon states. In fact, all states – nuclear- and non-nuclear-weapon states – have a shared interest in advancing existing approaches to verification or developing future monitoring techniques which contribute to this joint endeavor.

One of the previous achievements in establishing verification norms is the Trilateral Initiative. The Initiative – launched by the International Atomic Energy Agency (IAEA), the United States and the Russian Federation in 1996 – aimed at investigating the feasibility of and requirements for a verification system under which the IAEA could accept and monitor nuclear warheads or nuclear warhead components pursuant to the NPT Article VI disarmament commitments of both states. Although the Trilateral Initiative was terminated in 2002, the parties succeeded in negotiating a Model Verification Agreement and in overcoming significant technical challenges related to national secrecy concerns.

Any nuclear-weapon state could make use of the Model Verification Agreement as a basis to begin negotiations with the IAEA with the aim of establishing agency monitoring of its unclassified or classified forms of fissile material. The first state to conclude such an agreement could set the precedent for all other nuclear-weapon states to follow. Because of its comparatively more transparent approach

regarding its weapons stockpile, the United Kingdom might be in the best position to set such a positive precedent. As a first step in that direction, States Parties to the NPT should consequently recall the achievements of the Trilateral Initiative in a visible form at the upcoming 2015 Review Conference to the Treaty.

Another option would be for non-nuclear-weapon states with a strong commitment to nuclear disarmament policies – such as Austria, Germany, Norway or Switzerland – to engage on strengthening verification capabilities by calling for the creation of an international center for nuclear disarmament research, development, testing and demon-

stration regarding fissile material. Such a center could be operated under the auspices of the IAEA in Vienna so as to be available to the Vienna nuclear diplomatic community, civil society groups, the IAEA and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO). Ideally, the concept could get the support of the U.S. initiative for an International Partnership for Nuclear Disarmament Verification launched in 2015. Beyond the United States, all nuclear-weapon states should be encouraged to contribute to and cooperate with the center. At the 2015 NPT Review Conference, States Parties could lobby for the establishment of such a new center.



Key recommendations

1. States Parties to the NPT should make the 2010 NPT Review Conference's Action Plan the point of departure and point of reference for any nuclear arms control initiatives at the 2015 Review Conference and should commit to increased nuclear transparency.
2. At the upcoming 2015 Review Conference to the Treaty, States Parties to the NPT should recall the Trilateral Initiative's Model Verification Agreement on IAEA monitoring of fissile material holding, building on it to negotiate their own fissile material verification arrangements with the IAEA.
3. States Parties to the NPT should call for the creation of an international center for nuclear disarmament research, development, testing and demonstration of fissile material.

The Deep Cuts Commission

The trilateral German-Russian-U.S. Deep Cuts Commission seeks to devise concepts on how to overcome current challenges to deep nuclear arms reductions. Through means of realistic analysis and specific recommendations, the Commission strives to translate the already existing political commitments to further nuclear reductions into concrete and feasible actions. The Commission is coordinated in its deliberations by the Institute for Peace Research and Security Policy at the University of Hamburg (IFSH), the Arms Control Association (ACA) and the Institute of World Economy and International Relations of the Russian Academy of Sciences (IMEMO, RAN) with the active support of the German Federal Foreign Office and the Free and Hanseatic City of Hamburg. All Commissioners endorse this report's underlying assumptions, though they do not necessarily agree with every finding or recommendation and do not sign on to every single aspect of this report. Institutions are noted for affiliation purposes only and do not constitute institutional endorsement of this report.

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The Ukraine crisis and broader deterioration in West-Russia relations pose acute threats of unintended clashes between Russian and NATO military forces and continue to deflate hopes for significant near-term progress in nuclear arms control. At the same time, arms control is key to avoiding undesirable and unintended consequences of current tensions. In order to achieve a verified termination of the violent conflict in Ukraine and arrest the slide of NATO and Russia toward a potentially more dangerous situation, it will be necessary to employ a broad set of arms control and confidence-building measures in several areas. This report concentrates on the nuclear and conventional arms control issues that must be addressed to contain unintended spill-over effects from the current crisis on the broader European region and on nuclear stability at the global level. It contains fifteen key recommendations and identifies a number of additional measures, which could foster confidence in and maintain focus on the goal of further nuclear disarmament.

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