



Deep Cuts Working Paper
No. 11, September 2017

RETURN TO SECURITY COOPERATION IN EUROPE: THE STABILIZING ROLE OF CONVENTIONAL ARMS CONTROL

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Introduction

The European security order as agreed upon in the 1990s has eroded dramatically. The objective of the Organization on Security and Cooperation in Europe (OSCE) to create a common European space of cooperative security without dividing lines has been replaced by new geopolitical zero-sum games, deep rifts, military interventions and protracted conflicts. Cooperative NATO-Russia relations which had been agreed in context with the NATO-Russia Founding Act (NRFA 1997) and the Rome Declaration on the NATO-Russia Council (NRC 2002) have been suspended and replaced by new political and military confrontation. Conventional arms control lies in ruins and the OSCE Confidence and Security-Building Measures (CSBM) are insufficient to stabilize the situation and dispel new threat perceptions.

These developments started long before the Ukraine conflict triggered the second nadir in NATO-Russia relations since the end of the Cold War. Contentious issues have accumulated since the beginning of the new millennium and continue to poison the political atmosphere and the security situation in Europe. The key words are, *inter alia*, military interventions inside and outside Europe in violation of international law; support for break-away regions, separatist regimes and rebels in Europe and beyond; non-implementation of the cooperative security agreements enshrined in the *NATO-Russia Founding Act* (1997) and the *OSCE European Security Charter* (1999) on the creation of a common and undivided security space and continued focus on NATO's eastward enlargement with reference to the right of states to freely choose their alliances; blockade of the entry into force of the 1999 *Adaptation Agreement* to the *Treaty on Conventional Armed Forces in Europe* (CFE) by NATO and suspension of the CFE Treaty by Russia in December 2007; withdrawal by the U.S. from the *Anti-Ballistic Missile Treaty* (ABM) in 2001 and build-up of strategic missile defence capabilities; station-

ing of *Iskander* tactical Short-Range Ballistic Missiles (SRBM) by Russia in Kaliningrad and mutual Russian and U.S. accusations of violations of the *Intermediate-Range Nuclear Forces Treaty* (INF).

The recognition by western states of the independence of Kosovo in spring 2008, the Georgian attack on Zchinvali and Russian peacekeepers in South Ossetia in August 2008¹, the subsequent military intervention and recognition by Russia of the independence of South Ossetia and Abkhazia as well as the warning of the then Ukrainian President Yushchenko to curtail Russian harbour rights on the Crimean Peninsula² foreshadowed future crises. Such events had followed a sharp increase of Georgian-U.S. military cooperation and NATO's offer to Ukraine and Georgia to become NATO member states which was issued during its Bucharest Summit in April 2008.³ However, due to German and French resistance no concrete *Membership Action Plan* was agreed. Since then attempts failed to "reset" security relations between Russia, the U.S. and European allies, and to revitalize conventional arms control.

Perceptions and misperceptions

Against this backdrop, Russia viewed the 2014 Maidan revolt another Western plot against Russian interest. Certainly, the Maidan enjoyed western political support and was partially inspired by an ambiguous, at times polarizing EU trade policy; but its root causes were home-made. Russia based its subsequent decisions to intervene and take control of Crimea on three serious misjudgements which shaped the current stand-off:

The assumption that the victory of the Maidan would result in Ukraine's NATO membership, U.S. military presence at the Don River, in the Crimean Peninsula and Sevastopol, which would pose a direct threat to the strategic position of the Black Sea

Fleet, misinterpreted national positions of NATO member States and alliance proceedings: There was and is no agreement on such further enlargement which would require a consensus decision by the alliance as a whole.

The assumption that a pro-Russian population in East Ukraine would revolt in masses against the Maidan government in Kiev was flawed as well. Therefore, hybrid warfare methods in support of rebels failed to inspire the creation of *Novorossiya* east of the Dnieper River.

The assumption that the West would condone an allegedly “humanitarian” intervention and accept the annexation of Crimea on grounds of the right to self-determination of the people was another illusion. Instead, the official Russian reasoning to protect “countrymen” dramatically increased security concerns in the Baltic States. That triggered NATO’s decisions to establish a persistent forward military presence in the region and enhance rapid reaction capabilities. The EU responded with sanctions. But also Russian allies seem to be worried about foreign interventions which were justified by ethnic affinities or historical bonds. They obviously do not support the Russian intervention.

Also in the West exaggerated threat perceptions hamper de-escalation and a return to security cooperation:

In contrast to frequently published perceptions, Russia did not launch a major conventional offensive operation to establish a land connection between the Donbas region and Crimea or enforce the creation of “*Novorossiya*”. Instead, it has committed to the Minsk agreements⁴ which underline Ukraine’s territorial integrity – though without Crimea according to Moscow’s understanding. Russia’s political objective, however, seems to be decentralizing the political power in Ukraine in order to prevent its accession to NATO and maintain the historical, cultural, economic and political bonds to ethnic Russians or Russia affine populations in Eastern Ukraine. It might therefore continue to support rebels

as long as Kiev does not change the constitution to grant a special status to the Donbas region and hold local elections as required by the Minsk agreements. Furthermore, Moscow seems to link such a local settlement to a solution to the larger crisis of the pan-European security order.

In contrast to studies published by renowned U.S. institutes⁵, Russia has not amassed combat forces at the Baltic borders which are capable of launching successful surprise attacks into territories of NATO allies. The partial return of the Russian army to division structures is currently taking place predominantly at the Russian-Ukrainian border where no larger formations were stationed in peacetime up to 2014. Two divisions are being established in the Voronezh area and at Rostov-na-Donu while one division will be stationed in the Smolensk region close to the border to Belarus.⁶ Such divisions are being created through the merger of brigades that were already existing in the Western and Southern Military Districts, probably with two additional brigade elements shifted from the Central Military District to the Don River.

However, in the areas bordering the Baltic States and Poland which are subject to Russian restraint commitments of 1999 – namely the Pskov and Kaliningrad oblasts – no permanent deployment of additional substantial combat forces has been observed. However, the deployment of Iskander SRBM in Kaliningrad was reported. According to Moscow, such measure was taken in response to the build-up of a U.S. missile defence site in Redzikovo, Poland, which is scheduled to become operational in 2018.

No matter how one might assess sub-regional force balances, the assumption that an aggression against a NATO ally could be limited to a sub-regional war seems flawed. Nevertheless, a narrow focus on sub-regional Russian geographical advantages as to quick movements of land forces has been shaping the western discussion on military response options.

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But launching a deliberate major aggression against an alliance that disposes at superior conventional forces and positive security guarantees by nuclear powers would entail incalculable risks of a global war. This is not a plausible scenario.

This is why the German government and western European allies during the Warsaw NATO Summit⁷ in July 2016 insisted that the purpose of an enhanced forward presence is a limited one: It aims at sending a strategic signal that the alliance cannot be divided rather than trying to engage in an arms race to win sub-regional military superiority. Consequently, they rejected requests to station several heavy brigades and to build-up new military frontlines in contradiction to the restraint commitment enshrined in the *NATO-Russia Founding Act* of 1997.⁸

The true core of the issue is that changing force postures and military doctrines, forward deployment of new units and the increase of military activities such as large scale manoeuvres, snap exercises without prior notification and near border reconnaissance flights are a matter of great concern, especially if accompanied by dangerous brinkmanship which can spin out of control. This concern is all the more relevant since a sense of a new confrontation is dominating political discourses in East and West and the narratives on the root causes of conflict have developed in opposite and incompatible directions.

Diverging narratives: Root causes and strategic dimension of the conflict

Against this background, it is worth recalling that the European Peace and Security Order as agreed in the 1990 Charter of Paris⁹ had replaced the Cold War confrontation by the promise of future security cooperation with the OSCE as the overarching “common house of



Picture: NATO's Spring Storm exercise in May 2016, Link: <https://tinyurl.com/yqpmjur8>, No changes made

Europe”. The Paris security order reunited a divided continent and solved the German question at its centre. Adherence to international law, OSCE values and a balance of security interests ensuring strategic restraint through arms control were regarded as its cornerstones together with the central objective to establish a common space of cooperative security based on equality and reciprocity.

In this context, the German unification was imbedded in a set of concrete measures which promoted such principles: A united Germany would stay within NATO and Soviet (Russian) troops would withdraw from Central Europe on the condition that NATO's military structures would not move forward and allied forces would not occupy positions that Russian forces had left.¹⁰ Close security cooperation and renunciation of geopolitical zero sum-games were promised instead. This example demonstrates that it was possible to make the right of states to freely choose their alliances compatible with the principle of strategic restraint. At that time, all participants felt that in such a “win-win-situation” everybody could keep face and guard strategic interests.

Even after the dissolution of the Warsaw Pact and the collapse of the Soviet Union, Russia and the West agreed that this order should be maintained. While the West wanted to assure stability in a fragmented

post-Soviet space, Russia saw value in preserving the principles of mutual strategic restraint laid down in the “Two-plus-Four-Treaty” and the CFE-Treaty with their concrete limitations and the geographical distance they put between Russia and NATO.¹¹

NATO’s first enlargement thereafter changed this new status quo and required significant efforts to calm Russian concerns. Moscow held that the extension of military alliances contradicted the OSCE objective of creating a common space of cooperative security without dividing lines and geopolitical competition. Nevertheless, through closer NATO-Russia ties (NATO-Russia Founding Act 1997), adaptation of the CFE-Treaty (ACFE 1999)¹² and strengthening the OSCE (European Security Charter 1999)¹³ it was possible to alleviate Russian concerns and lay the foundation for an adapted security order reflecting European realities at the end of the 1990s. Pending the entry into force of the ACFE, allies committed in context of NATO’s enlargement not to station permanently additional substantial combat forces. Russia reciprocated this pledge

for the areas adjacent to the Baltic States and Poland – namely the Kaliningrad und Pskov oblasts, and agreed bilaterally with Norway on a similar restraint in Northern Europe.

After 2001, however, the new U.S. administration under President George W. Bush linked ratification of the CFE Adaptation Agreement (ACFE) to an end of Russian military and political influence in disputed territories in the post-Soviet space and promoted the accession of Georgia and Ukraine to NATO. The U.S. withdrawal from the ABM-Treaty and the build-up of strategic missile defence sites in NATO countries close to Russian borders triggered suspicions that this was an initial step to undermine Russia’s nuclear second strike capabilities. While the entry into force of the ACFE was blocked, NATO’s next enlargement created potential deployment areas close to St. Petersburg without legally binding arms control restrictions. In 2007, the U.S. also stationed rotating combat groups near the Black Sea in the new NATO countries Romania and Bulgaria which belonged to the Eastern Group of CFE States Parties within the



Picture: Georgian soldiers are waiting in the context of the military exercise Noble Partner 15 on 8 May 2015, Link: <https://www.army.mil/e2/c/images/2015/05/08/393381/original.jpg> (photo courtesy to Sgt. Daniel Cole, U.S. Army Europe Public Affairs, No changes made)

CFE “flank region”. They were labelled “not substantial” and Russian requests to negotiate definitions of such terms in the Vienna based Joint Consultative Group of the CFE Treaty were rejected.

At the same time, Russian proposals to provide the OSCE with a legally binding Charter¹⁴, or to conclude a new security treaty¹⁵, were blocked. The OSCE Permanent Council was mainly used to confront Russia with its intransigent role in remaining territorial disputes as well as its democracy and human rights deficiencies, while Russia’s interests in sustaining basic security arrangements and adapting their instruments to a changing security landscape were ignored. Angry Russian accusations of western “double standards” added to an increasingly poisoned atmosphere, indicating that the earlier understanding on strategic cooperation had dissolved and shifted back towards confrontation.

With the recognition of Kosovo by Western States and the Georgian crisis in 2008, relations between Russia and the United States, NATO and the EU reached its first nadir after the Cold War. It is not clear yet why – in the presence of hundreds of U.S. advisors and shortly after NATO’s decision to offer Georgia a future accession option – the Georgian President resorted to a full-fledged attack against South Ossetia militias and Russian peacekeepers. But that has certainly fuelled Russia’s perception that a pro-Western course of neighbouring countries in the near abroad will be followed by U.S. military presence, the enlargement of the Western alliance closer to Russian borders and, eventually, military aggression. Russia’s intransigence on territorial disputes grew with the U.S. presence and reform movements in its immediate neighbourhood. Those territorial conflicts became pawns in a larger geostrategic game.

On the other hand, Russia’s support for separatist movements in break-away regions of post-Soviet states, military intervention

in Georgia and recognition of the independence of Abkhazia and South Ossetia in 2008 added to the fears of Eastern European neighbours which were deeply rooted in history. Subsequently, they requested tangible defence commitments by the alliance. The Ukraine crisis rekindled such security concerns and seems to confirm their long-standing distrust against Russia’s policies. The West regards the Russian intervention in Ukraine a revisionist attack against the principles of the European security order and a direct threat to neighbouring countries, given that Moscow had annexed territory of the Ukraine and justified military action by invoking “responsibility to protect” Russian minorities.

Against this backdrop, NATO decided during the Wales Summit in September 2014¹⁶ to reassure allies by improving crisis response capabilities and stationing small elements of combat and air defence units. NATO’s Warsaw Summit in July 2016 added decisions to station “forward” four reinforced battalion-sized battle groups, i.e. one each in the Baltic States and Poland, though on a rotational basis.¹⁷ In NATO’s interpretation, these decisions did not contradict the NATO-Russia Founding Act where both sides had agreed not to station permanently additional substantial combat forces. This commitment was undertaken in context with the envisaged CFE Adaptation Agreement that aimed at replacing bloc limitations by territorial ceilings for ground forces of every state party. In addition, on a bilateral basis, the U.S. has deployed in Eastern Europe an armoured brigade with 250 armoured combat vehicles and pre-deployed material stockpiles for one additional combat brigade in Central Europe.

Although claiming that such NATO and U.S. action are destabilizing Russia is currently not permanently deploying additional substantial combat forces in the Baltic region. However, the restructuring of Russian ground forces is in full swing.

The OSCE Permanent Council was mainly used to confront Russia with its intransigent role in remaining territorial disputes as well as its democracy and human rights deficiencies, while Russia’s interests in sustaining basic security arrangements and adapting their instruments to a changing security landscape were ignored.

It aims at reintroducing the division structure with a strong permanent presence along the Russian-Ukrainian border. The motive behind is not quite clear yet, but obviously Russia does not exclude a new military escalation and believes that stronger formations are needed to sustain a high intensity battle scenario.

Moreover, both sides have significantly increased the number and sizes of military exercises, including Russian large-scale snap exercises, that cannot be verified by CFE/ACFE mechanisms and also, to a large extent, escape transparency rules of the Vienna Document. In consequence, in the most sensitive geographical areas of new tensions, stabilizing limitations as well as the intrusive (A)CFE information and verification regime are missing given that NATO member states have not ratified the ACFE, Russia has suspended the CFE Treaty and the Baltic States have not acceded to both.

Scattered responses: The lack of a coherent strategy

This background demonstrates the strategic dimension of the Ukraine conflict. In consequence, the solution of sub-regional conflicts seems possible only if the underlying strategic conflict is addressed and the current unfavourable trend reversed. The situation demands a strategic answer beyond local ceasefires. Therefore, a narrow focus on the implementation of the Minsk agreement is not enough to overcome the political rift in Europe which is accompanied by a spiral of military action that entail the risk of escalation. More U.S. presence at Russian borders or arms deliveries to the Ukraine would do nothing to reverse the trend but rather fortify the geostrategic dimension of the conflict. Instead, political and military de-escalation is required urgently. Therefore, in addition to the full implementation of the Minsk Agreement, a return to the foundations and principles of the European security order is needed. It includes cooperative responses to



Picture: NATO's Spring Storm exercise in May 2016, Link: <https://tinyurl.com/ycpmjur8>, No changes made

mutual security concerns and the reestablishment of strategic restraint through conventional arms control and enhanced CSBMs.

However, currently the West does not seem to be in a position to unite behind a coherent strategy in response to the crisis:

- NATO has committed to enhancing defence capabilities for high intensity war scenarios in Europe and increasing defence budgets with a view to reaching by 2024 a share of 2 % of GDPs and an investment rate of 20 % of defence spending.¹⁸
- In addition, several political, military and academic quarters in allied countries strive for a fundamental change of NATO's force postures to create a robust forward defence in "frontline countries" beyond the decisions taken at the Warsaw Summit.
- Although President Trump has corrected his initial critical views on the value of NATO he has made the U.S. defence commitment for Europe contingent upon a sharp increase of allied military budgets to meet the 2 % GDP goal at short date.¹⁹
- However, the U.S. President linked the 2 % GDP goal to the fight against internationally acting terrorism rather than to a European war scenario. On the contrary,

during his election campaign and in the initial stage of his term he had envisaged a bilateral deal with Russia, thereby implicitly calling into question the need for enhancing force postures for European war scenarios.

- At the same time, the OSCE under the Austrian chairmanship 2017 has launched a “structured dialogue” on threat perceptions, military doctrines and force postures in order to deescalate the crisis, return to a rule-based security cooperation in Europe and revitalize conventional arms control. This dialogue was initiated by former German Foreign Minister Steinmeier and taken up by the OSCE Ministerial Council in Hamburg in December last year.

Increasing defence budgets

President Trump’s attempts to strike a deal with the Russian President have come under political pressure by the U.S. Congress while his Secretaries of State and Defence seem to have corrected his ambiguous remarks on the alliance that have caused doubts about U.S. defence commitments. However, in support of the U.S. President, they also have urged allies to increase national defence budgets quickly to reach the objective of 2 % of GDPs.²⁰ Deputy President Mike Pence even warned that the patience of the United States would not be endless.²¹ Such demands are highly contradictory and reveal the lack of a coherent strategy for Europe to overcome the current crisis:

1. The 2% goal is a moving target relative to the economic power of states. For the flourishing economy of Germany, it means that even a steady increase of the German defence budget (currently 1.26 % of GDP) by 7 - 8 % per year over a period of 7 years would result only in a 1.7 - 1.8 % share of the national GDP in 2024 – pending the economic development –, while a shrinking economy with constant defence expenditures could bring about a 2.4 % share of the GDP

like in the case of Greece. However, the question which military purposes such financial increases should serve and which investment should be aimed at remains open if not tied to concrete defence objectives or force goals, e.g. those agreed upon in the alliance defence planning process.

2. Such indiscriminate distribution of grants neglects reasonable planning processes which aim at balancing prudently national defence requirements, agreed alliance contributions and political stability and cooperation criteria in light of disposable resources and overall national tasks. Certainly, that includes assuring the ready availability of adequate military capabilities, necessary procurements of armaments and logistics and high quality training of personnel. And there is no doubt that the German armed forces must be in a position to fulfil national defence tasks and alliance defence commitments also in high intensity battle scenarios. However, such long-term precautionary measures are justified by the constitutional task to maintain national and allied security rather than by the up and downs of various threat perceptions that are geared by political tensions and interests. Against this backdrop, obvious gaps in Germany’s current force structures, such as material and logistical shortages, must be closed, hollow structures filled with the necessary armaments and equipment, and combat capability, reactivity and sustainability of larger formations enhanced. However, such efforts are tied to concrete force goals rather than to a fixed percentage of a fluid GDP.

In contrast, if Germany increased its defence expenditures permanently to 2 % of the GDP it would spend 75 billion USD p.a. in current values, i.e. more than any other nation in Europe including Russia (currently about 60 billion USD)²². To invest such money effectively

Germany had not just to close obvious gaps, but to expand military structures significantly, e.g. create new army formations, air divisions and navy flotillas and invest in hundreds of new battle tanks, armoured combat vehicles, artillery systems and combat aircraft and dozens of navy vessels. Disregarding practical obstacles such as recruiting personnel and increasing industrial capabilities for large procurements, Germany would become the third largest global military power. So far, the question has remained unanswered which politico-military scenarios and purposes would justify such a radical expansion of German military capabilities and which repercussions that would have on European stability.

3. When the U.S. administration threatened to decrease defence commitments if allies did not meet such requests shortly, it connected the relative sizes of budgets with the principles of fairness and solidarity in the alliance. It obviously disregarded the fact that allies showed extraordinary solidarity with the U.S. after 9/11 and deployed tens of thousands of troops in Afghanistan, Iraq, Mali and elsewhere. Almost 1,000 soldiers lost their lives.²³ While the U.S., Germany and the Netherlands in 2014/15 had deployed Patriot batteries to protect Turkey against a perceived Syrian missile threat, European allies together with the U.S. are currently demonstrating solidarity with the Baltic States and Poland in deploying a persistent forward military presence. Alliance solidarity rests in political reliability and adequate military capabilities rather than in relative shares of GDPs.

4. The decrease of military expenditures in Europe since the 1990s was not resulting from a neglect of burden sharing but rather the consequence of a greatly improved security situation based on cooperation with Russia and the implementation of arms control and disarmament obligations. No other country in Europe took more advantage from this enhanced European security than the United States. It withdrew almost all combat ground forces and retained only a small number of aircraft and logistical bases in Europe which were mainly used to support deployments in the Middle East.

Taking the entire U.S. defence budget as a baseline for comparison with European contributions to NATO is a flawed assumption. The U.S. defence budget of more than 600 billion USD demonstrates U.S. ambitions as a global, nuclear, conventional, naval, air, space and cyber power “*second to none*” with commitments all over the globe. If a global comparison should make sense, the defence budgets of other U.S. allies, in particular Japan, (South-)Korea, Australia, Singapore, Taiwan, New Zealand and the Philippines with a combined sum of 130 billion USD²⁴ should be taken into account as well. (In 2016 the combined defence budgets of United Kingdom, France and Germany amounted to 138 billion USD.²⁵)

5. Only a modest proportion of the U.S. defence budget is being spent on the relatively small U.S. military presence in Europe. In the European theatre, the European contribution to conventional forces outweigh by far the U.S. contribution:

Tab. 1 IISS, *The Military Balance 2017 (rounded figures)*²⁶

Figures include armaments of NATO countries in active units only. Holdings of “neutral” EU countries, e.g. Sweden and Finland, are not counted. U.S. figures in brackets refer to CFE information exchanges. APC include transport, command, control and communication vehicles.

	PSC	MBT	AIFV	APC	Arty	Cbt A/C	ATH
European NATO States without Turkey	131	3.550	5.880	12.300	5.100	2.045	300
Turkey	18	2.490	650	4.010	2.190	365	50
USA in Europe	4	(108)	> (476) <		(143)	(170)	(24)
USA/global	103	2.800	4.800		8.000	3.500	900

Tab. 2 CFE Treaty, *Information Exchange 2017 (rounded figures)*²⁷

Figures refer to holdings of NATO countries including armaments in store. ACV refer to combat vehicles only and include AIFV, (combat) APC and Heavy ACV, but exclude “look-alikes” such as transport, command, control and communication vehicles. The CFE Area of Application excludes the south-eastern part of Turkey.

	MBT	ACV	Arty	Cbt A/C	ATH
European NATO States without Turkey	7.560	17.890	9.020	2.405	805
Turkey	1.990	2.750	3.210	305	21
USA in Europe	108	476	143	170	24

Abbreviations:

PSC = Principal Surface Combatants (Cruisers, Destroyers, Frigates); MBT = Main Battle Tanks; AIFV = Armoured Infantry Fighting Vehicle; APC = Armoured Personnel Carrier; ACV = Armoured Combat Vehicles (include AIFV, APC and Heavy ACV); Arty = Artillery Systems with 120 mm calibre or more (incl. tube artillery, multiple-rocket-launchers, mortars); Cbt A/C = Combat Aircraft; ATH = Attack Helicopters

6. NATO’s holdings in Europe also outweigh by far Russian conventional holdings in the CFE Area of Application between the Atlantic and the Urals (AoA). Even Russia’s estimated *global* holdings in *active* units are significantly below the allowed maximum levels of national holdings (MLNH) in the AoA in accordance with the CFE Treaty:

Tab. 3 Russia: CFE MNLH and global holdings 2017

	MBT	ACV incl.	AIFV	Arty	Cbt A/C	ATH
MLNH for Russia ²⁸	6.350	11.280	7.030	6.315	3.416	855
Global holdings ²⁹	2.700	650	4.900	4.320	1.050	350

+ 200 Naval Aviation

According to the geographical distribution of major Russian formations it is assumed that approximately 60 % of the Russian forces are deployed in the European part of the Russian Federation (Western and Southern Military Districts). For realistic threat assessments these facts are as important as sub-regional balances. Currently, NATO's risk perceptions in Europe do not refer to overall numerical equations but focus on sub-regional force balances and operational capabilities in light of geographical disparities, readiness and mobility of forces to enable force concentrations after rapid deployment.

The U.S. demand for a short-term and sustained sharp increase of defence budgets also raises two conceptual problems:

Only a conventional war scenario in Europe involving Russia would militarily substantiate a large expansion of force structures and capabilities resulting from such significant increase of defence expenditures. This seems incompatible with the President's earlier intention to strike a bilateral deal with President Putin, even if the U.S. Congress has thwarted such attempts for the time being. More importantly, a large expansion of NATO's force structures would certainly contradict and undermine OSCE efforts to de-escalate the crisis and return to security cooperation in Europe.

However, if the driving motive behind the U.S. demand is enhancing the fight against internationally acting terrorism or, more specifically, the "Islamic State" (Daesh), such demand becomes even more questionable. It is conventional wisdom that terrorism cannot be rooted out by bombing areas to rubble where terrorists are present. The use of military means is needed to carry out pinpoint attacks, destroy terrorist strongholds and leadership, interrupt lines of communication and protect state structures and civil populations. But an effective strategy against terrorism requires implementing a comprehensive political concept rather than creating new tank armies. It must aim at enabling failed or failing states to regain political control over ungoverned territories and

populations, reinstall effective state functions and enhance proper governance, reform the security sector, allow for participation in public affairs of various ethnic, religious and political groups, provide for humanitarian relief, rebuild economies and ensure social rehabilitation, reintegration and education. It also aims at increasing resilience of own societies such as enhancing national law enforcement and promoting integration of immigrant population. NATO has committed to such a "comprehensive approach". Therefore, also the burdens carried by allies for regaining stability – including after flawed military interventions – need to be subject to further discussions.

Coping with various security challenges, regaining stability and returning to security cooperation requires a "grand strategy" beyond military budget discussions. In such a strategic approach, a focused and measured increase of defence budgets – where conceptually needed – might find its place.

A Structured Dialogue in the OSCE: Return to rule-based security cooperation and revival of conventional arms control

The CFE-Treaty of 1990 was labelled the "cornerstone of European security". But it has ceased to contribute to military restraint and predictability in a profoundly changed European security landscape that is torn by conflicts, a sense of confrontation and dangers of escalation. The CFE objective to maintain an equal force balance between two military blocs in their design of 1990 is obsolete: After several enlargements of NATO, today the CFE central limitation zone consists of NATO countries only. In the southern part of the CFE "flank region" the treaty requires "Eastern Group" countries Romania and Bulgaria to keep a force balance with NATO countries belonging to the "Western Group" of States Parties, and to that end, – contrary to any political logic – cooperate with Russia. In the Baltic area, where military tensions

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between NATO and Russia have caused serious concern, no legally binding arms control measures are being implemented because NATO Member States have not ratified the CFE Adaptation Agreement (ACFE 1999), Russia in December 2007 has suspended the (1990) CFE Treaty and the Baltic States have failed to accede to the CFE regime even after they had joined NATO. In consequence, stabilizing limitations and intrusive transparency and verification are missing particularly in the Baltic and Black Sea areas where they are most needed.

Against this background, the former German Foreign Minister, Frank-Walter Steinmeier, has proposed to initiate a structured dialogue how conventional arms control can be revitalized.³⁰ The initiative enjoys the support of 16 western European states including NATO Members and neutral countries. More countries have expressed their interest in joining the “Group of Like-minded States”. Based on a recommendation of the group of 25 November 2016³¹ the OSCE Ministerial Council Meeting in Hamburg on 9 December 2016 issued a declaration in which all OSCE participating States committed to a “structured dialogue” on the political and military conditions for revitalizing conventional arms control.³² The Austrian OSCE Chairmanship 2017 has taken up this task and initiated the process.

The German initiative has proposed five areas for a new agreement on conventional arms control:

1. Regional limitations, minimum distances and transparency measures in militarily sensitive regions such as the Baltic region;
2. New military capabilities (e.g. mobility) and strategies
3. New weapon systems (e.g. unmanned combat aerial vehicles)
4. Flexible verification that can also be used in crisis
5. Applicability in disputed territories

However, up to now, no detailed concept has been developed as to the military substance that should be regulated and the political and legal framework of future agreements.

Reactions in the OSCE area

Such proposals have elicited both consent and scepticism among OSCE participating States. While the number of states supporting these ideas has increased the U.S. and the Baltic States reacted with reservation. Also experts from NATO headquarters voiced concern that such proposals could potentially undermine the decisions taken at the Warsaw NATO summit in July 2016 to enhance the forward presence of the alliance. In addition, any resumption of conventional arms control talks in the NATO-Russia Council would signal a return to “*business as usual*” and, therefore contradict NATO’s position to normalize relation to Russia only once the Ukraine crisis has been solved in accordance with internal law. In contrast, Russia would continue violating fundamental principles of the European security order. Thus, no basis would exist for new negotiations.

Instead, the proposal was made to maintain existing regimes and modernize the OSCE *Vienna Document* on CSBM. Accordingly, the OSCE should discuss threat perceptions in all three dimensions (including human rights and democracy standards) and focus on military doctrines, force postures and dangerous military activities with a view to improving OSCE instruments of conflict prevention, crisis management and military transparency.³³

Against this background, the text of the OSCE Declaration on initiating a structured dialogue was crafted cautiously to enable consensus. It aims at a rather broad dialogue to clarify political and military conditions for a restart of a conventional arms control process that could bring about new agreements. The latest worsening of the U.S.-Russian relations – with mutual accusations of violating the INF-Treaty and new sanctions imposed by the U.S. Congress – might contradict President Trump’s earlier intentions but have certainly complicated the process. However, new turns of increasingly unpredictable U.S. policies cannot be excluded.

In the Baltic area, where military tensions between NATO and Russia have caused serious concern, no legally binding arms control measures are being implemented [...] In consequence, stabilizing limitations and intrusive transparency and verification are missing particularly in the Baltic and Black Sea areas where they are most needed.

Although Russia differs with western interpretations of the root causes of the European security crisis it has joined the consensus on the OSCE declaration with the caveat that such dialogue on questions of international security and stability must be based on equality and respect for mutual security interests. So far, Moscow is not prepared to take itself any initiative but first wants to see the reaction by those partners that had caused the impasse of conventional arms control.³⁴ Obviously, the Kremlin stays focused on Washington.

Overcoming political obstacles: principles and linkages to territorial conflicts

The new process remains overshadowed by past experiences. President Obama's "reset" policy in 2010/11 had failed to reinvigorate conventional arms control in Europe. That was caused mainly by unsurmountable obstacles regarding the principle of "*host nation consent*" to the presence of foreign forces in context with territorial disputes in Georgia. Up to the "Steinmeier initiative", no new attempt was made to restart a conventional arms control process. To render the new initiative and the OSCE structured dialogue a success it will be important to learn the lessons of past failures. Burdening it now with a hopeless debate on human rights and democracy standards would distract from the political and military substance of arms control and soon be revealed as a recipe for failure.

Also new linkages to unresolved territorial conflicts should be avoided. Certainly it is true that consensus seems attainable only if the principles of international law are not compromised. That includes the principle of "*host nation consent*" to the stationing of foreign forces on own sovereign territory. However, since the sovereignty in territorial conflicts is disputed no progress will be made as long as states involved use the blockade of arms control processes as a mechanism to enforce preferred solutions to such conflicts.

Therefore, it should be clarified that conventional arms control itself cannot solve territorial conflicts. However, it can provide for a secure and transparent environment, which is indispensable for negotiating peaceful solutions and preventing the parties involved from resorting to violence. To that end, a new approach should refrain from prejudging eventual political solutions and creating respective political linkages but leave such undertaking to established fora tasked with conflict resolution. However, a positive pan-European security environment is better suited to solving territorial conflicts than insisting on confrontational, irreconcilable arguments and producing another stalemate. Establishing an area of cooperative, undivided and equal security free of geopolitical zero-sum games and zones of preferential influence might be conducive to reaching solutions to territorial conflicts since no party has to fear geopolitical losses if agreeing on local compromises.

In contrast to counterproductive linkages, a sober discussion of threat perceptions, military doctrines and force postures seems a necessary step towards defining a clear purpose of new agreements and pertinent provisions. However, the reservation that a new start for arms control would signal a return to "*business as usual*" and security cooperation with Russia and thus contradict NATO positions is misleading: *First*, in NATO's Warsaw Summit declaration the alliance has committed to conventional arms control.³⁵ *Second*, it aims particularly at modernizing the *Vienna Document* which is a key OSCE document promoting security cooperation. In light of the consensus principle any changes to the document require Russian support. Furthermore, the wish to reinstall the principles of the European security order cannot neglect conventional arms control which has been recognized as its most important corner stone.

In order to attain broad political acceptance for a new arms control accord the Helsinki principles should be recalled and the principles of "*equal security of states*", "*reciprocity of regulations*" and "*assured defence*" must be

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firmly anchored in its political framework and military substance. The impression that the initiative wants to trade a new understanding with Russia at the cost of the defence of the Baltic States must be avoided. Instead, the central objective should be underlined to *prevent destabilizing force concentrations* in sensitive geographical areas that could be used for offensive cross-border operations.

Furthermore, to avoid irritations and maintain the credibility and sustainability of the European arms control initiative it seems paramount to clarify as soon as possible its principles, objectives and military significance.

Military substance of new conventional arms control agreements

The CFE experience suggests that arms control arrangements lose relevance if they do not respond to political realities and changing security needs. Thus, a new conventional arms control regime needs to respond to a European security landscape that has profoundly changed since 1990/92.

The dissolution of the former Eastern bloc, the collapse of the Soviet Union and conflicts between its successor states and autonomous entities as well as NATO's enlargement to the East have rendered the CFE bloc-to-bloc limitation regime obsolete. Any attempt to return to an equal force balance between two blocs would be unrealistic. Instead of fortifying bloc divisions in Europe a new conventional arms control concept should promote the OSCE objective of creating a pan-European security space without dividing lines and exclusive spheres of influence.

Such a new regime must also take into account new technologies which brought about more capable force multipliers, precise long-range strike systems, advanced command, control, communication, surveillance and guidance systems and extended operational capabilities. In addition, intra-alliance cooperation has created larger multinational formations and promoted combined capabilities and synergetic effects.

Regional limitations

A new European arms control regime should strive for preventing destabilizing force accumulations at the sub-regional level that could be used for cross-border offensive operations. In particular, it will be important to reduce tensions and stabilize the situation in sensitive areas of special political and strategic relevance, such as areas with protracted conflicts and regions with direct borders between NATO member states and Russia or Belarus. Therefore, border regions should stay in the focus.

To that end, limitations of permanent deployments of combat forces and geographical minimum distances between such forces as well as follow-on forces in adjacent areas seem to be of political and military significance. Such limitation zones should cover realistic sizes which take into account potential reinforcements from outside including their mobility in light of geographical disparities.

In this context, the mutual restraint commitment contained in the NATO-Russia Founding Act and the CFE Final Act of 1999 should be maintained and taken as a starting point. Since clear definitions were not agreed so far, current holdings there should serve as a baseline against which additional forces could be counted. A limited flexibility to allow for temporarily exceeding such thresholds might be needed for exercises and crisis reaction. However, in such cases particular transparency obligations should be triggered and mandatory multinational verification implemented.³⁶

Modern operational capabilities and new weapon systems

Beyond such regional limitations static positioning of ground forces in garrisons is less relevant than their activities outside garrisons, in particular when operational manoeuvre groups in full combat readiness are deployed in connection with capable air mobility and logistical preparations. Therefore, such

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exercises and quick deployment capabilities, which allow rapid concentration of forces in sub-regions of concern, e.g., by strategic air transport, should become subject to intrusive transparency and verification.

Furthermore, precise, long-range strike capabilities of modern weapon systems including those deployed far outside limited sub-regions should be taken into account and placed under special transparency and verification requirements. They should only be fielded in line with the principle of *sufficiency* subject to negotiations. Such long-range capabilities might include air, sea- and ground-based assets and require expanding the scope of traditional Treaty Limited Equipment (TLE) as defined by the CFE Treaty. Since a number of long-range systems are sea-based one could consider at least Europe's littoral sea areas for inclusion in the area of application.

The operational impact of new weapon systems such as combat drones in high intensity battle scenarios need to be considered as well. So far, they were used in asymmetric and low-intensity warfare scenarios only in which no strong air defence hampered their operations. In European high intensity warfare scenarios which necessitate conventional arms control regulations, however, combat drones would have to be integrated in combined arms operations including suppression of enemy air defence. Technically, combat drones could be covered by existing CFE definitions of combat aircraft. However, hyper-sonic long-range combat drones used for global strategic purposes might not be reasonably dealt with in European regional scenarios only but rather belong to the category of strategic arms control.

Cyber operations and electronic warfare could hamper command and control as well as guidance systems pending resilience of own assets. However, cyber operations are subject to technical counter-measures and by no means do they replace force movement and fire power on the ground, in the

air or at sea. Such multi-purpose dual-use technologies with predominantly civil applications escape negotiable and verifiable military restrictions. Therefore, conventional arms control is not suited to curtail cyber operations and respective counter-measures. Instead, specific CSBM instruments or codes of conduct for such activities in the internet are required.

Modern net-centric warfare capabilities do not rely on a significantly higher firepower of small units as such; they rather enable smaller forces to carry out their missions with the fire and air support of long-range and precise strike potentials located far outside the combat zone. Such capabilities evolve from satellite-based reconnaissance, positioning and communications, advanced sensors and modern computer software rather than new military hardware, which tend to elude meaningful and acceptable transparency and verification. That will curtail qualitative arms control efforts.

In no case, do modern force multipliers render traditional TLE irrelevant. Such TLE defined in the CFE Treaty are still used as the central elements of combined arms warfare in high intensity warfare which are able to seize and hold terrain, delay enemy advances, secure wide areas or, in low-intensity conflicts, carry out stabilizing operations.

Verified transparency

Transparency and verification are indispensable elements of any new regime which is to ensure military predictability. They should pursue the objectives of monitoring whether agreed military restrictions are observed and whether new technological or structural developments might have destabilizing effects. Comprehensive information on military structures, holdings of relevant weapon systems, defence planning and military activities as well as intrusive verification on the ground are essential to rebuilding trust and restoring security.

Verification rules should be robust and flexible enough to permit gaining reliable information on the military situation also in times of crisis in order to enable early warning and contribute to de-escalation. To that end, verification rules should provide for obligatory multinational observation once and as long as agreed thresholds for permanent stationing in defined sub-regions subject to special limitations are temporarily exceeded.

Status-neutral arms control in disputed territories

In disputed territories under the control of entities which are not recognized as states the use of inter-state agreements is generally not accepted by internationally recognized central governments, since such undertaking would lend status to non-state actors and allow their assumption of state functions. Thus, international agreements can be applied only in the unlikely case that consensus exists between all parties to the conflict. In most cases, however, special sub-regional arrangements will be necessary to stabilize the situation. They should aim at increasing transparency and predictability of all military and para-military forces present in the sub-region, however, in a “status-neutral” way. Such sub-regional arrangements might be best tied to local ceasefire agreements and incident prevention regimes.³⁷

Summarizing Key Messages

The cooperative European Security Order and its instruments have eroded dramatically. Territorial conflicts, military interventions and new politico-military tensions between NATO and Russia, which are aggravated by assertive policies, military brinkmanship, exaggerated threat perceptions, a new sense of confrontation and diverging narratives on its root causes, entail risks of unwanted escalation.

This background demonstrates the strategic dimension of the Ukraine conflict. In consequence, a comprehensive solution to sub-region-

al conflicts seems possible only if the underlying strategic root causes are addressed. Therefore, a sub-regional arms race or arms deliveries to the Ukraine and military support of break-away entities would be counterproductive and rather fortify the geostrategic dimension of the conflict.

A narrow focus on the implementation of the Minsk agreements is not enough to overcome the political rift in Europe. In addition to their full implementation, returning to the foundations and principles of the European security order is urgently required to reverse such dangerous trends. Security cooperation and strategic restraint which are ensured by conventional arms control and enhanced CSBMs are its core elements.

Coping with various security challenges inside and outside Europe, regaining regional stability and returning to security cooperation in Europe requires a “grand strategy” beyond military budget discussions. In such a strategic approach, a focused and measured increase of defence budgets – where conceptually needed – might find its place.

The current “structured dialogue” in the OSCE on threat perceptions, force postures, military activities and doctrines with a view to returning to security cooperation and revitalizing conventional arms control and CSBM in Europe points at the right directions. However, this dialogue needs a more vigorous support by governments and should aim at bold steps forward to produce tangible results.

In particular, it is paramount to clarify as soon as possible the principles, objectives and military substance of the European arms control initiative that is carried by like-minded countries under German chairmanship and with the support of the Austrian OSCE chair. Further delay could cause irritations and undermine the credibility of the process.

A new arms control process should be based on the principles of international law but avoid establishing preconditions such as preferred solutions to territorial conflicts. For disputed

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territories status-neutral approaches might be useful as interim measures until the deeper root causes of the underlying larger strategic conflict are addressed.

Modern arms control should reflect political realities to maintain relevance and promote the OSCE objective to establish an undivided security area without geopolitical zero-sum games. New concepts must ensure military significance, reciprocity of provisions and legitimate defence requirements in light of geographical disparities and be compatible with the principle of sufficiency.

Conventional arms control concepts should pursue the objective to prevent destabilizing force accumulations in Europe that could be used for offensive cross-border operations.

In light of this objective, (sub-) regional limitations are required.

While the CFE armament categories (TLE) are still highly relevant in high intensity conflict scenarios the CFE scope should be widened to reflect modern force capabilities such as strategic mobility, multinational formations and precise long-range conventional strike systems deployed in or to Europe or adjacent sea areas.

Transparency and verification of military structures, holdings of relevant weapon systems, defence planning and military activities are indispensable elements of any new regime which is to ensure military predictability, rebuild trust and restore security. Verification rules should be robust and flexible enough to permit gaining reliable information also in times of crisis in order to enable early warning and contribute to de-escalation.

Modern arms control should reflect political realities to maintain relevance and promote the OSCE objective to establish an undivided security area without geopolitical zero-sum games.

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³ NATO: Bucharest Summit Declaration, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Bucharest on April 3, 2008 (= NATO PR(2008)049)

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⁹ Charta von Paris für ein Neues Europa vom 21.11.1990, in: Auswärtiges Amt (Hrsg.): Von der KSZE zur OSZE. Grundlagen, Dokumente, Texte zum deutschen Beitrag 1993-1997, pp. 103-133

¹⁰ Vertrag über die abschließende Regelung in Bezug auf Deutschland (12 September 1990), Art. 3, in: Bundesgesetzblatt 1990 II, p. 1318 (labelled „Two-plus-Four-Treaty“)

¹¹ Treaty on Conventional Armed Forces in Europe in Europe, www.osce.org/library/14087, signed on 19 November 1990. Entry into force on 9 November 1992 with 29 States Parties (30 States Parties since 12 January 1993).

- 12 Agreement on the Adaptation of the Treaty on Conventional Armed Forces in Europe, in: OSCE Istanbul Summit 1999 (Istanbul Document). (PCOEW389), ed. OSCE (Istanbul OSCE, January 2000), pp. 118-234
- 13 OSCE: Charter for European Security, Istanbul, November 1999, in: loc. cit., pp. 1-13
- 14 Draft Charter of the Organization for Security and Cooperation in Europe submitted to the Permanent Council by the Russian Federation, PC.DEL/444/07, May 18, 2007.
- 15 European Security Treaty, Draft of November 29, 2009, in: President of Russia, Official Web Portal, <http://eng.kremlin.ru/text/docs/2009/11/223072.shtml>; accessed December 3, 2009
- 16 NATO: Wales Summit Declaration, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Wales, Press Release (2014) 120, Sept. 5, 2014, in particular Nos. 1, 16-23
- 17 NATO: Warsaw Summit Communiqué. Loc. cit. (Fn 7), No. 40
- 18 In NATO's Wales Summit Declaration allies have pledged to „reverse the trend of declining defence budgets, to make most effective use of our funds and to further a more balanced sharing of costs and responsibilities (!). ... Increased investments should be directed towards meeting our capability priorities ... Allies whose current proportion of GDP spent on defence is below this level (of 2 % of GDP with a 20 % investment rate) will halt any decline in defence expenditure; aim to increase defence expenditure in real terms as GDP grows (!); aim to move towards the 2 % guideline within a decade with a view to meeting their NATO capability targets and fill NATO's capability shortfalls." NATO: Wales Summit Declaration. Loc. cit. (Fn 16), No. 14
- 19 Cf. Frankfurter Allgemeine Zeitung, 15 February, 2017, p. 5
- 20 Remarks by Secretary Mattis at the Munich Security Conference in Munich, Germany, Feb. 17, 2017; <https://www.defense.gov/News/Speech-View/Article/1087838/>
- 21 Cf. Frankfurter Allgemeine Zeitung, 21 February, 2017, p. 1
- 22 The International Institute for Strategic Studies (IISS): The Military Balance 2017, London 2017, Chapter Two, p. 19
- 23 Cf. Speech by NATO Secretary General Jens Stoltenberg at the Munich Security Conference, 18 Feb. 2017 (updated 20 Feb. 2017) http://www.nato.int/cps/en/natohq/opinions_141632.htm?selectedLocale=en
- 24 Cf. The International Institute for Strategic Studies (IISS): The Military Balance 2017, loc. cit., Chapter Ten, Table 18, p. 555
- 25 The International Institute for Strategic Studies (IISS): The Military Balance 2017, loc. cit., Chapter Two, p. 19
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- 28 Cf. Jahresabrüstungsbericht, loc. cit., Tab. 2, p. 94
- 29 IISS, The Military Balance 2017, loc. cit., p. 212-224
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- 34 Cf. The Ministry of Foreign Affairs of the Russian Federation, Comment by the Information and Press Department on the article by German Foreign Minister Frank-Walter Steinmeier published in the Frankfurter Allgemeine Zeitung on August 26, 2016. 5 September 2016, No. 1533-05-09-2016. www.mid.ru/en/foreign_policy/news/-/asset_publisher/ckNonkIE02Bw/content/id/2422300; see also: The Ministry of Foreign Affairs of the Russian Federation: Remarks by Mikhail Ulyanov. Director of the Foreign Ministry Department for Non-Proliferation and Arms Control and Representative of the Russian Federation at the First Committee of the 71st Session of the UNGA, within the General Debate, New York, 4 October 2016, No. 1818-05-10-2016
- 35 NATO Warsaw Summit Communiqué, loc. cit., no. 69
- 36 The ACFE, adapted Protocol on Inspections Section IX has provided the relevant precedent.
- 37 Cf. Sergi Kapanadze, Ulrich Kühn, Wolfgang Richter, and Wolfgang Zellner, „Status-neutral Arms Control: Promises and Pitfalls", in: OSCE Security Community 3 (2016), <http://www.osce.org/node/285606>



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The Deep Cuts project is a research and consultancy project, jointly conducted by the Institute for Peace Research and Security Policy at the University of Hamburg, the Arms Control Association, and the Institute of World Economy and International Relations of the Russian Academy of Sciences. The Deep Cuts Commission is seeking to devise concepts on how to overcome current challenges to deep nuclear reductions. Through means of realistic

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Impress:
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