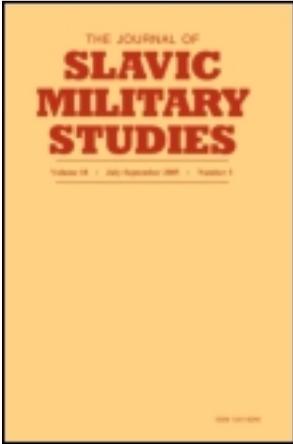


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### Conventional Arms Control 2.0

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## Conventional Arms Control 2.0

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*For more than a decade Europe's once unique arms control acquis is in decline. This pertains foremost to conventional arms control. An assessment of current political North Atlantic Treaty Organization (NATO)–Russia problems and military insecurities on the continent shows that a modern approach to conventional arms control could positively contribute to security and stability. In times of financial austerity, a new framework has to focus on mutual military reassurances, transparency, conflict prevention, and the links to nuclear arms control. To achieve such a goal, U.S. leadership, as well as Europeanization of the Reset policy, is needed.*

Twenty years after the end of the Cold War, the North Atlantic Treaty Organization (NATO) and Russia are again trapped in old agendas. While NATO lacks the coherence to put forward projects for the sought-after strategic partnership that would satisfy Russia's definition of equality, Russia is frantically trying to at least preserve the status quo. From the Russian perspective, any move by NATO to alter the current conditions—be it through missile defense, calls for reductions in non-strategic nuclear weapons (NSNW), or, in a long-term perspective, through NATO enlargement—would be to Moscow's detriment and is therefore considered a threat.<sup>1</sup>

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After having exhausted its initial agenda, the U.S.-led Reset policy can no longer entirely mask these substantial shortcomings in U.S.–Russian and NATO–Russian relations. With President Barack Obama’s re-election, the time has come for the next phase in advancing relations. The vertices of such a policy have to be concrete proposals, a commitment to the concept of cooperative security, and Europeanization of the Reset. The last point, in particular, is of crucial importance since Europe’s arms control *acquis* is suffering from on-going deterioration. The most recent casualty is the Conventional Armed Forces in Europe Treaty (CFE). Its demise could lead to the assumption that there is simply no longer any need for institutionalized arms control arrangements in Europe, not even vis-à-vis Russia.

This article confutes such reasoning and argues instead for developing a modern approach to conventional arms control (CAC) in Europe. Placed under the rubric of enhancing the national security of NATO member states, Russia, and countries in conflict-ridden areas, the approach is guided by the aim of addressing current insecurities. To strengthen stability while retaining current holdings, two general reassurance mechanisms are proposed: one between NATO and Russia and a more general one. Furthermore, the approach suggests a new set of transparency measures against the background of modern warfare. To increase CAC’s role in conflict prevention, a depoliticized approach to the protracted conflicts in Moldova and Georgia will be discussed. Finally, the link to nuclear arms control is given consideration. The article concludes that a CAC 2.0 approach can contribute positively to European security in general and improved NATO–Russian relations in particular.

## THE UPS AND DOWNS OF COOPERATIVE SECURITY

Once again, the NATO–Russian relationship is in a state of flux. Likewise, a change for the better or to the worse is conceivable. At one end of the political continuum, no reason, political will, military strategy, or financial resources exist for a military conflict between the former antagonists. NATO and Russia no longer consider each other to be enemies. At the other end, recent history has shown that conflicting interests, incompatibility of values, inferiority complexes, and political stubbornness have resulted in mistrust, misperceptions, belligerent language, *faits accomplis*, disappointments, and retrogressive agendas. As of now, NATO and Russia do not yet consider each other to be real partners.

The conundrum behind the current state lies in the question of how two former enemies—not yet partners—might overcome the interim period of potential instability. Political will for engagement ranks foremost. The U.S.-led policy of resetting relations with Russia has underscored Washington’s

will for a cooperative security approach. In its wake, the 2010 NATO Lisbon Summit endorsed cooperative security ‘as a new core task in addition to the existing collective defence and crisis management’.<sup>2</sup> The reality is that the politics of cooperative security between NATO and Russia are rooted in Pierre Harmel’s 1967 dyadic concept. Legally binding arms control agreements between the United States and the Soviet Union have most clearly expressed this approach and were a necessary guarantee against cheating. Since the end of the Cold War the term ‘cooperative security’ can be defined as ‘a commitment to regulate the size, technical composition, investment patterns, and operational practices of all military forces by mutual consent for mutual benefit’.<sup>3</sup> Clearly, the multilateral approach of the Organisation for Security and Co-operation in Europe (OSCE) together with its related arms control and confidence building agreements fall under this definition.

The final days of the Cold War produced what has become known as the ‘cornerstone’ of the cooperative security architecture in Europe. Established in 1990, the CFE Treaty helped to untangle the massive troop concentrations in Central Europe and led to the destruction of approximately 70,000 pieces of 5 categories of treaty-limited equipment (TLE).<sup>4</sup> Its aim was to eliminate ‘the capability for launching surprise attack and for initiating large-scale offensive action in Europe’.<sup>5</sup> Adapted to the changing security realities—particularly NATO enlargement—at the OSCE Istanbul Summit in 1999, the resulting Adapted CFE Treaty (ACFE) never went into force due to NATO’s insistence on the fulfilment of Russia’s so called ‘Istanbul commitments’—a number of politically binding pledges<sup>6</sup> by Moscow to withdraw forces and equipment from Moldova and Georgia. Until today, Russia is non-compliant with its ‘Istanbul commitments’. As a result of NATO’s linkage policy, Moscow decided to unilaterally suspend CFE in 2007.

The Russia-Georgia war of 2008 and Moscow’s subsequent recognition of the independence of Abkhazia and South Ossetia further cemented the deadlock. A last-ditch effort to revive the Treaty in the format ‘at 36’—ten rounds of informal talks, incorporating all CFE states parties plus six NATO states not yet party to the Treaty—failed in 2011. On 22 November 2011,

<sup>2</sup> ‘Cooperative Security as NATO’s Core Task. Building Security through Military Cooperation across the Globe’, [http://www.nato.int/cps/en/natolive/topics\\_77718.htm](http://www.nato.int/cps/en/natolive/topics_77718.htm) (accessed 20 December 2012).

<sup>3</sup> A. B. Carter, et al., *A New Concept of Cooperative Security*, Brookings Institution, Washington, DC, 1992, p. 6.

<sup>4</sup> The five CFE weapons categories are battle tanks, armored combat vehicles, artillery, combat aircraft, and attack helicopters.

<sup>5</sup> *CFE Treaty* preamble, <http://www.osce.org/library/14087> (accessed 30 April 2013).

<sup>6</sup> See *Final Act of the Conference of the States Parties to the Treaty on Conventional Armed Forces in Europe* and Annex 14 of the *Final Act, Istanbul Summit Declaration*, Para. 19, in Istanbul Document 1999, <http://www.osce.org/mc/39569?download=true> (accessed 30 April 2013).

Washington, announced that it would ‘cease carrying out certain obligations under the CFE Treaty’<sup>7</sup> vis-à-vis Russia. In concrete terms: Washington, does not accept Russian inspections of U.S. bases under CFE anymore and does not provide Russia with the annual December exchange notifications and military data called for in the Treaty. A few days later, NATO allies and Georgia followed suit. The Chicago Summit Declaration<sup>8</sup> moved CFE down on the list of priorities to paragraph 63, out of 65. Even though it has not officially been announced, CFE is dead.

The demise of CFE was no accident, nor was it an isolated case. Rather, the whole system of cooperative security arrangements in Europe has come under increasing stress in recent years. Parallel to the end of CFE, the Open Skies Treaty and the OSCE’s Vienna Document are also suffering from an inability to come to terms with the renovation of Europe’s cooperative security structures. In 2011, the long overdue update of the Vienna Document resulted in disappointing technical and procedural changes.<sup>9</sup> In January 2012, Russia, for the first time in 22 years, rejected two evaluation visits under the Document with reference to *force majeure*. At the same time, Open Skies is about to fall prey to the controversy between Greece and Turkey about the accession of the Republic of Cyprus and Georgia’s latest refusal to accept Russian observation flights. Finally, the latest OSCE Ministerial Councils in Vilnius (December 2011) and Dublin (December 2012) ended in a diplomatic disaster.

To reach NATO’s declared goal of ‘a true strategic partnership between NATO and Russia’,<sup>10</sup> member states will have to rethink their approach to cooperative security. A potential point of departure is CAC. A number of significant reasons speak for renewed engagement. Among them are reassurance, an increasing lack of transparency, sub-regional conflict prevention, nuclear arms control, and the more general need for better cooperation. But seemingly obvious reasons are not always as clear-cut as they appear. Underlying historical experiences, perceptions, and, particularly, misperceptions, deserve at least the same amount of attention. Therefore, the tailoring of arms control and its ability to address ‘soft variables’, such as perceptions, will decide whether these instruments of cooperative security can regain some of their former value. Based on a fundamentally new understanding

<sup>7</sup> ‘Implementation of the Treaty on Conventional Armed Forces in Europe, Press Statement Victoria Nuland’, U.S. State Department, 22 November 2011, <http://www.state.gov/r/pa/prs/ps/2011/11/177630.htm> (accessed 20 December 2012).

<sup>8</sup> See NATO, *Chicago Summit Declaration. Issued by the Heads of State and Government Participating in the Meeting of the North Atlantic Council in Chicago on 20 May 2012*, [http://www.nato.int/cps/en/natolive/official\\_texts\\_87593.htm?mode=pressrelease](http://www.nato.int/cps/en/natolive/official_texts_87593.htm?mode=pressrelease), (accessed 30 April 2013).

<sup>9</sup> See H.-J. Schmidt and W. Zellner, ‘Confidence- and security-building measures’, in *SIPRI Yearbook 2011*, Oxford, UK, Oxford University Press, 2012, 447–453.

<sup>10</sup> NATO, *Active Engagement, Modern Defence, Strategic Concept for the Defence and Security of The Members of the North Atlantic Treaty Organisation, Lisbon 2010*, [http://www.nato.int/cps/en/natolive/official\\_texts\\_68580.htm](http://www.nato.int/cps/en/natolive/official_texts_68580.htm) (accessed 30 April 2013).

of its purposes, CAC 2.0 should be thought of as an offer in the spirit of equality among non-equals. It is less a tool of balanced threat reduction than of preventive reassurances.

## REASSURANCES

Numerical disparities between NATO and Russian forces are repeatedly raised by Russian officials and academics as a source of concern.<sup>11</sup> According to two recent studies, Russia is outnumbered by NATO by at least 3 to 1 in all 5 CFE categories.<sup>12</sup> The disparity, as such, is not the problem. Only enemies think in terms of balance. However, it is Moscow's assessment of its own conventional weakness, coupled with the possibility of further rounds of NATO enlargement, which creates the perception of a potentially threatening scenario.<sup>13</sup> In reality, the non-inimical NATO–Russian relationship manifests itself in already considerably reduced holdings. There is thus no need for further downsizing NATO forces. Rather, reassurance mechanisms in the spirit of stability should become pillars of a new conventional approach.

One such reassurance mechanism pertains to NATO's general military posture. In order to allay Russian concerns, NATO should, in an act of political symbolism, substantiate how much is sufficient to ensure its legitimate security needs in Europe. Under CFE no country was allowed to have more than a third of the total number of TLE laid down in the Treaty. In 1990, the rationale of this sufficiency provision was to limit the Soviet Union's numerical superiority. Acknowledging the breakup of the Warsaw Pact and the Soviet Union, ACFE stipulated individual national ceilings instead. Revisiting the concept of sufficiency could offer the possibility of addressing Russian threat perceptions without even changing current NATO holdings.<sup>14</sup> That becomes possible by a comparison of current and historical figures. Today, NATO is considerably below the equipment numbers of CFE (in force) and

<sup>11</sup> See *Transcript of Remarks by Russian Minister of Foreign Affairs Sergey Lavrov at the Myrdal Lecture, Geneva, 12 February 2008*, [http://www.mid.ru/brp\\_4.nsf/0/44D42BB592CE7921C32573EE00274E6A](http://www.mid.ru/brp_4.nsf/0/44D42BB592CE7921C32573EE00274E6A) (accessed 30 April 2013); and Alexei Arbatov et al., *NATO–Russia Relations: Prospects for New Security Architecture, Nuclear Reductions, CFE Treaty*, IMEMO RAN, Moscow, 2010, p. 52.

<sup>12</sup> See J. M. Acton, *Low Numbers. A Practical Path to Deep Nuclear Reductions*, Carnegie Endowment, Washington, D.C., 2011, p. 44, table no. 1; A. Khramchikhin, 'DOVSE umer i ne nado ego reanimirovat. On skoree podderzhivaet i podpityvaet vzaimnoe nedoverie NATO i RF' ['The CFE Treaty has Died—No Need to Revive it. Rather, it Supports and Fosters Mistrust between Russia and NATO'], *Voenno-Promishlennij Kuryer [Military-Industrial Messenger]* 6 (2012), p. 2.

<sup>13</sup> See *The Military Doctrine of the Russian Federation approved by Russian Federation presidential edict on 5 February 2010*, [http://carnegieendowment.org/files/2010russia\\_military\\_doctrine.pdf](http://carnegieendowment.org/files/2010russia_military_doctrine.pdf) (accessed 30 April 2013).

<sup>14</sup> See W. Zellner, 'Conventional Arms Control in Europe at the Strategic and Sub-regional Levels: The Balance of Military Capabilities—a Valid Concept?', in Wolfgang Zellner et al. (Eds.), *The Future of Conventional Arms Control in Europe*, Nomos, Baden-Baden, 2009, pp. 477–478.

ACFE (not in force). Germany, for instance, is allowed 4,069 battle tanks under CFE limits. ACFE brought this threshold down to 3,444. According to the U.S. Department of State, Germany reported holdings of 1,201 battle tanks in 2010, most of them stored in depots.<sup>15</sup> A 2011 announcement by the Federal Ministry of Defense foresaw a further downsizing of active holdings of Leopard 2 battle tanks to 225 pieces.<sup>16</sup> In times of austerity, the overall trend moves toward reduced military spending. Counted together, in 2010, the Alliance's CFE member states had reported holdings of 12,395 battle tanks compared to the 22,424 battle tanks allowed by ACFE for national ceilings.<sup>17</sup> An aggregate NATO ceiling would have to allow the Alliance to maintain forces that are both 'commensurate with individual or collective legitimate security needs'<sup>18</sup>—also with a view to future enlargement—and at the same time below the figures provided by CFE and ACFE. Any exact number should be set in the range between current holdings and the aggregate ACFE national ceilings.

Another reassurance mechanism pertains to rapid forces build-ups. It is less pressing for general NATO–Russian relations but more important on the regional and the inter-state level. The Baltics can serve as an illustration for potential regional instability. Here at NATO's most exposed point, Russia has amassed 1,137 tanks in the 3 adjacent oblasts, while Estonia, Latvia, and Lithuania together account for 3 tanks.<sup>19</sup> As already mentioned, general relations between NATO and Russia do not call for disarmament initiatives. A disclosed NATO assessment of the Russian 'Zapad' and 'Lagoda' military exercises of 2009 even came to the conclusion

that Russia has limited capability for joint operations with air forces, continues to rely on aging and obsolete equipment, lacks all-weather capability and strategic transportation means, is not able to conduct network centric warfare, has an officer corps lacking flexibility, and has a manpower shortage.<sup>20</sup>

However, as with general NATO–Russian relations, perceptions matter. Long-standing Baltic calls for an adjustment of NATO contingency planning

<sup>15</sup> See D. Crawford, *Conventional Armed Forces in Europe (CFE). A Review and Update of Key Treaty Elements*, Department of State, Washington, D.C., March 2010.

<sup>16</sup> See 'Minister de Maizière billigt Umrüstung' ['Minister de Maizière approves modification'], [http://www.bmvg.de/portal/a/bmvg/!ut/p/c4/NYuxEsIgeET\\_iIPGOHZiGgsb44zGjhCGnBJgLPfY-PFC4e7MK\\_bNwhNko9nQG8YUTYAH9BYPw0cM8-bFK61UvRGgnRxDnnJKSDjG-71OjphU3RcyS4yFnoynEjkrByqWYmKETHCL1WrpZL\\_qO\\_-cjpvtbc07Vlfc\\_z8Qec5Kgj/](http://www.bmvg.de/portal/a/bmvg/!ut/p/c4/NYuxEsIgeET_iIPGOHZiGgsb44zGjhCGnBJgLPfY-PFC4e7MK_bNwhNko9nQG8YUTYAH9BYPw0cM8-bFK61UvRGgnRxDnnJKSDjG-71OjphU3RcyS4yFnoynEjkrByqWYmKETHCL1WrpZL_qO_-cjpvtbc07Vlfc_z8Qec5Kgj/) (accessed 20 December 2012).

<sup>17</sup> Own calculations based on Crawford, *Conventional Armed Forces in Europe*.

<sup>18</sup> *Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation*, 27 May 1997, [http://www.nato.int/cps/en/natolive/official\\_texts\\_25468.htm](http://www.nato.int/cps/en/natolive/official_texts_25468.htm) (accessed 30 April 2013).

<sup>19</sup> See Acton, *Low Numbers. A Practical Path to Deep Nuclear Reductions*, p. 44, table no. 1.

<sup>20</sup> '09USNATO546 2009-11-23 NATO-Russia: NAC Discusses Russian Military Exercises', <http://cablesearch.org/cable/view.php?id=09USNATO546&hl=%22NAC+DISCUSSES+RUSSIAN+MILITARY+EXERCISES%22> (accessed 20 December 2012).

to include the three countries were only heard shortly after the Russian 2009 exercises took place.<sup>21</sup> In addition, NATO's decision to make the Baltic air-policing mission permanent was praised by an Estonian official as 'the biggest international victory [for Estonia] in recent years'.<sup>22</sup> The example shows that historical experiences in combination with current threat perceptions and non-transparency on the Russian side can lead to situations of heightened political tensions. To avoid misunderstandings and to allay concerns, such as in the Baltic States, a new conventional approach should strive to enhance regional stability and thus eliminate the possibility of a rapid upward revision of forces. The starting point from which to proceed already exists.

In the 1997 NATO–Russia Founding Act, NATO committed itself to 'carry out its collective defence and other missions by ensuring the necessary interoperability, integration and capability for reinforcement rather than by additional permanent stationing of substantial combat forces'.<sup>23</sup> In conjunction with the signing of ACFE, Moscow made similar pledges for its oblasts of Kaliningrad and Pskov, bordering the Baltic States.<sup>24</sup> In direct response, the Czech Republic, Hungary, Poland, and Slovakia unilaterally committed themselves to reducing their ground equipment numbers to even below ACFE restrictions and 'not to make use of the general mechanism provided in the adapted CFE Treaty for upward revision of territorial ceilings'.<sup>25</sup> Taken together, these commitments seem fit to limit state's ability for a rapid upward revision of conventional forces—be they national or foreign forces. However, presently, neither NATO nor Russia has officially clarified the term of 'substantial combat forces' with respect to territory, numbers and timeframe.<sup>26</sup>

In order to avoid old 'bloc-to-bloc' thinking, any definition of 'substantial combat forces' should be made universal to all states joining a future CAC

<sup>21</sup> See '09STATE127892 2009-12-15 NATO Contingency Planning for our Baltic Allies', <http://cablesearch.org/cable/view.php?id=09STATE127892&hl=%22contingency+planning+for+our+baltic+allies%22> (accessed 20 December 2012).

<sup>22</sup> Quoted from O. Tammik, 'Ministry Dubs NATO's Baltic Fighter Mission Biggest Victory in Years', 10 February 2012, <http://news.err.ee/politics/c69829c4-bfab-4852-aeb9-786a6f3de9b3> (accessed 20 December 2012).

<sup>23</sup> *Founding Act on Mutual Relations*.

<sup>24</sup> See *ACFE Final Act*, Annex 5.

<sup>25</sup> *Ibid.*, Annexes 1– 4, 7, 9– 11. Also Belorussia and Ukraine made restraining pledges similar to the ones by the Czech Republic, Hungary, Poland, and Slovakia in conjunction with ACFE. *Ibid.*, Annexes 6 and 12.

<sup>26</sup> See Ministry of Foreign Affairs of the Russian Federation, 'Information on the Decree on Suspending the Russian Federation's Participation in the Treaty on Conventional Armed Forces in Europe and Related International Agreements', 16 July 2007, [http://www.mid.ru/brp\\_4.nsf/e78a48070f128a7b43256999005bcb3/ecd9b15ba883d83cc325731a00347449?OpenDocument](http://www.mid.ru/brp_4.nsf/e78a48070f128a7b43256999005bcb3/ecd9b15ba883d83cc325731a00347449?OpenDocument) (accessed 30 April 2013). The Russian Delegation to the CFE Joint Consultative Group in 2008 proposed a substantiation with regards to timeframe (no more than 42 days a year), numbers (equivalent in size to a brigade), and territory (new NATO members after the signing of the Founding Act). See *Statement by the Russian delegation at the Joint Consultative Group, July 15, 2008* (JCG.JOUR/669, Annex 8). Taken from A. Anin and R. Ayumov, 'Conventional Forces in Europe: Yesterday, Today... Tomorrow?... (Part II)', *Security Index: A Russian Journal on International Security* 17 (2011), p. 23.

agreement. Any such approach would have to be carefully negotiated with Russia in order to not repeat historic mistakes that singularize Russia through the application of specific zonal limits on Russian forces and in light of the country's pure geographic size.

The advantage of this solution is two-fold. First, the already existing commitments could serve as points of departure. Second, the rationale would again not be to reduce existing holdings, but to foster predictability on an equal footing. A mutual reassurance mechanism against rapid forces build-ups would help to increase stability, not only in the NATO-Russia context but particularly between conflictual states such as in the South Caucasus.

### TRANSPARENCY

The characteristics of NATO's conventional forces, as outlined by the Alliance's Deterrence and Defence Posture Review of 2012, are flexibility, interoperability, and the ability to 'be rapidly deployable and sustainable'.<sup>27</sup> All three characteristics point to complex military capabilities in the qualitative dimension of modern warfare. Whereas during the times of the Cold War, sheer numbers impacted scenarios and operational planning, today's high-tech forces obtain their effectiveness primarily through a sophisticated interplay of command, control, communications, computers, intelligence, surveillance, and reconnaissance (C4ISR) systems. Beyond question, NATO, and particularly the United States, has a substantial, qualitative lead in complex capabilities, whereas Russia is only now acquiring initial capabilities. The Russian–Georgian war of 2008 plainly revealed the outdated state of Russia's conventional forces, which relied on numbers and not sophistication.<sup>28</sup> As a part of its on-going military reform, Moscow is striving to equip its forces with state-of-the-art assets and technological know-how. However, it remains unclear if Russia has the financial resources, available knowledge, or a realistic assessment of the time horizon to fulfil its aspirations.<sup>29</sup>

Today, military cooperation agreements between individual Allies and Russia exist to further the reform of Russia's armed forces.<sup>30</sup> At the same time,

<sup>27</sup> NATO, *Deterrence and Defence Posture Review*, 20 May 2012, [http://www.nato.int/cps/en/natolive/official\\_texts\\_87597.htm?mode=pressrelease](http://www.nato.int/cps/en/natolive/official_texts_87597.htm?mode=pressrelease) (accessed 30 April 2013).

<sup>28</sup> See Ronald D. Asmus, *A Little War that Shook the World. Georgia, Russia and the Future of the West*, Palgrave Macmillan, New York, 2010, p. 179 et seq.

<sup>29</sup> See R. N. McDermott, *The Reform of Russia's Conventional Armed Forces. Problems, Challenges and Policy Implications*, The Jamestown Foundation, Washington, D.C., 2011, p. 360 et seq.

<sup>30</sup> See the French–Russian Mistral Deal and German Minister of Defence, Thomas de Maizière's deliberations to sell a state of the art field exercise center to Moscow, <http://www.reuters.com/article/2011/06/17/russia-france-mistral-idUSLDE75G1K520110617> (accessed 30 April 2013). See M. Gebauer, 'De Maizière will Russland bei Armee-Reform helfen' ['De Mazière Wants to Help Russia with its Military Reform'], *Der Spiegel*, 15 September 2011, <http://www.spiegel.de/politik/>

Russia's modernization seems not ultimately geared toward countering an old 'bloc-style' threat.<sup>31</sup> These quite benevolent conditions offer the possibility of increased transparency and cooperation as parts of CAC. A new conventional approach should address the qualitative dimension through a genuinely new set of transparency measures.<sup>32</sup> Beyond the usual elements of data exchange and on-site inspections, NATO and Russia should seek transparency means that directly address the 'human dimension' in connection with hardware and command and control capabilities. One possible option for conceptualizing such an approach is the establishment of a regular military-to-military exchange mechanism for a number of designated facilities, such as field exercise centers. The NATO–Russia Interoperability Framework Program on military cooperation could serve as a starting point. Furthermore, capabilities, such as air lift, channels of supply, and time-critical elimination of air defenses, should be discussed, as well.

In addition, transparency measures should be established for relevant hardware. A new protocol of existing types of hardware would have to clarify which systems would qualify as central elements for networked warfare. One such element could be unmanned aerial vehicles (UAVs) and unmanned combat aerial vehicles (UCAVs), particularly since military reliance on this comparably cheap weapons category has rapidly increased in the last decade. Furthermore, unmanned systems become vital in conjunction with time-critical reconnaissance missions prior to a rapid deployment of substantial combat forces. NATO's most recent decision to procure five RQ-4B Global Hawk Block 40 UAVs as the air segment of the new Alliance Ground Surveillance system is a good example. Designated as unarmed surveillance and reconnaissance items, the Global Hawk 'can also provide imagery intelligence directly to forward-based personnel through direct line-of-sight datalink systems'.<sup>33</sup> Whereas the CFE Treaty does not specify whether a combat aircraft should be defined in terms of manned or unmanned,<sup>34</sup> a new conventional approach should at least seek to apply transparency measures or codes of conduct for the regional use of UCAVs, which can perform combat missions equal to those performed by a manned combat aircraft. Transparency on UAVs and UCAVs would also have the political advantage of closing a long-existing arms control loophole.

A transparency approach on complex military capabilities and related equipment would help to foster stability in NATO–Russian relations and

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ausland/kurzvisite-in-moskau-de-maiziere-will-russland-bei-armee-reform-helfen-a-786487.html (accessed 20 December 2012).

<sup>31</sup> See McDermott, *The Reform of Russia's Conventional Armed Forces. Problems, Challenges and Policy Implications*, p. 366.

<sup>32</sup> Germany is consulting NATO partners on transparency on complex capabilities. So far, no information about the state of consultations is available.

<sup>33</sup> 'Global Hawk High-Altitude Long-Endurance Unmanned Aerial System (RQ-4)', <http://www.dote.osd.mil/pub/reports/FY2011/pdf/af/2011globalhawk.pdf> (accessed 20 December 2012).

<sup>34</sup> See *CFE Treaty*, Art. II, Letter K.

could thus become the nucleus of a new understanding of political-military relations based on the concept of cooperative security. Doing so would require a high degree of mutual confidence or, at the very least, a strong political will. However, transparency as such would certainly not risk forfeiting NATO's clear qualitative lead. The Alliance could always decide which systems and programs should become subject to which transparency measures. One more reason for a new transparency agenda is that complex military capabilities become critical in conjunction with rapidly deployable and sustainable substantial combat forces. A universal application of the 'substantial combat forces' rule, as outlined earlier, only becomes relevant if bolstered by transparency measures on complex capabilities.

### CONFLICT PREVENTION

Europe's protracted conflicts have an on-going potential for escalation beyond the sub-regional level. The 1999 Kosovo conflict and the Russian–Georgian war in 2008 have demonstrated how quickly NATO and Russia could clash over such conflicts. Future escalations, for instance, between Armenia and Azerbaijan, cannot be ruled out. Although NATO enlargement to states directly involved in protracted conflicts is no longer an immediate political goal, a cooperative security approach vis-à-vis Russia must find ways to eliminate their damaging potential for escalation as well as with respect to NATO–Russian relations. Two options are on the table. NATO member states could continue a modest policy of not irritating Moscow in the former Soviet space. This avoidance strategy has most often been pursued during the last three years. Such a strategy could continue to work as long as the conflicts remain 'frozen' and no major shift in U.S. foreign policy takes place. If, however, the Alliance decides to engage constructively, CAC and a status-neutral handling of the disputed Russian forces involved could offer valuable tools.

In the context of CAC, the protracted conflicts in the South Caucasus and Moldova were both reasons to constructively engage in conflict prevention and to destructively delay the CFE process. The CFE Treaty allows the stationing of foreign forces 'provided that no State Party stations conventional armed forces on the territory of another State Party without the agreement of that State Party'.<sup>35</sup> This so-called principle of 'host nation consent' was further strengthened with the ACFE Treaty. The Russian forces in the *de facto* independent entities of Transnistria, South Ossetia and Abkhazia are in non-compliance with the principle.<sup>36</sup> The U.S. position on CFE, in particular, remains bound to achieving withdrawal of Russian forces from the three

<sup>35</sup> Ibid., Article IV, p. 5.

<sup>36</sup> In the case of Transnistria, this pertains only to the Russian forces stationed in Tiraspol and in Kolbasna. With regard to the Russian peacekeepers, a joint Russian-Moldovan-Transnistrian statement in 2009 noted 'the stabilizing role of the present peacekeeping operation in the region'. Joint Declaration,

territories. As of today, the U.S. President as well as the Secretary of State must annually report progress to Congress on the implementation of the 'measures agreed to secure the immediate withdrawal of all [Russian] armed forces and military equipment'.<sup>37,38</sup> Provided that Washington, is willing to overcome this link, the question is still how to square the circle and strive for a solution that helps to decouple CAC from the 'Istanbul commitments' of Russian forces withdrawal, without giving up on the general principle of host nation consent.

As an initial measure, states not involved in the conflicts should refrain from choosing sides and rather strive for a maximum of readiness for compromise and non-dogmatic flexibility.

As a second step, states should pursue a status-neutral approach. Only a status-neutral approach toward the Russian forces can guarantee a technical instead of a political handling of the problem and thus help to avoid the trap of choosing sides. In concrete terms, Russian forces in the disputed regions of Abkhazia and South Ossetia must be dealt with for what they really are: Russian forces. As such, limitations and transparency measures under any new conventional approach would apply to these forces. However, this approach would have to be bolstered by transparency measures on irregular forces. In the CFE context, forces in political gray areas such as non-state actors and forces of separatist republics were dealt with as unaccounted for and uncontrolled equipment (UTLE). The shortcoming of the status-neutral UTLE workaround was that the concept failed to apply transparency measures. A new approach should seek to eliminate this shortcoming. One option would be to let the European Union Monitoring Mission in Georgia (EUMM) or the OSCE conduct inspections without conferring status on Abkhazia, South Ossetia, or Nagorno-Karabakh. Beyond the separatist conflicts, the inter-state potential for violent conflict in the South Caucasus should be limited as well. Besides applying the 'substantial combat forces' rule to the South Caucasus region, a new conventional approach should seek to establish equal national ceilings for Georgia, Armenia and Azerbaijan, as was already achieved under CFE.

A third insight pertains to conflict resolution. Policy makers, particularly in Washington, should start to consider the fact that CAC cannot solve the

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Adopted Following Talks between President of the Russian Federation Dmitry Medvedev, and President of the Republic of Moldova Vladimir Voronin and Head of Transdnistria Igor Smirnov, Barvikha', March 18, 2009, <http://www.un.int/russia/new/MainRoot/docs/press/090319eprel.htm> (accessed 20 December 2012). The limitations and transparency rules of the CFE Treaty do not include peace-keeping operations.

<sup>37</sup> U.S. Senate Committee on Foreign Relations, 105<sup>th</sup> Congress 1<sup>st</sup> Session, *Flank Document Agreement to the CFE Treaty (Exec. Rept. 105-1). Report together with Additional Views (To accompany Treaty Doc. #105-5)*, Library of Congress, Washington, D.C., 9 May 1997, here: Resolution of Ratification, Condition 5(D). This link stems from the mid-90s when parts of the U.S. Congress understood conventional arms control as a legitimate means to achieve Russian troop withdrawal.

<sup>38</sup> See U. Kühn, *From Capitol Hill to Istanbul: The Origins of the Current CFE Deadlock*, IFSH, Hamburg, 2009).

protracted conflicts, particularly not if conventional arms control remains in limbo due to the political handling of these conflicts. Instead, the on-going international mediation efforts have to produce credible political results. Conventional arms control can contribute to conflict prevention by providing for more transparency and predictability.

## NUCLEAR ARMS CONTROL

Within the context of the ratification of the New START agreement,<sup>39</sup> the U.S. Congress has bound the U.S. administration to pursue negotiations with Russia ‘on an agreement to address the disparity between the non-strategic (tactical) nuclear weapons stockpiles of the Russian Federation and of the United States and to secure and reduce tactical nuclear weapons in a verifiable manner’.<sup>40</sup> A number of security concerns from the Russian side speak against such an effort. In Moscow’s view, NSNW compensate for the decline in its own conventional capabilities, for NATO’s quantitative and qualitative superiority in conventional weapons and for China’s numerical superiority in the Far East. As a directly related aspect, NSNW are means for the Russian doctrine of nuclear de-escalation where the attacked party (Russia) counters a conventional attack, which its conventional forces cannot repel, through the limited use of nuclear arms.<sup>41</sup> Fielding Russian NSNW to repel NATO forces as part of the 2009 Zapad military exercise underscored the Russian military doctrine of 2010 that clearly states that Russia could utilize nuclear weapons to repel any aggression ‘against the Russian Federation involving the use of conventional weapons when the very existence of the state is under threat.’<sup>42</sup>

From Moscow’s perspective, cuts to NSNW would rather increase the already existing gap between Russian conventional forces and more advanced NATO or Chinese forces. Hence the argumentation of Russian scientists, that ‘at lower nuclear weapon thresholds, the role of the imbalance in conventional weapons and forces, which is quite considerable these

<sup>39</sup> The official title of the Treaty is ‘Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms’, see <http://www.state.gov/t/avc/newstart/c44126.htm> (accessed 30 April 2013).

<sup>40</sup> *Resolution to Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms*, Para 12, A (i), <http://thomas.loc.gov/cgi-bin/ntquery/z?trtys:111TD00005>, (accessed 30 April 2013).

<sup>41</sup> See A. Zagorski, *Russia’s Tactical Nuclear Weapons: Posture, Politics and Arms Control*, IFSH, Hamburg, 2011, p. 23 et seq.

<sup>42</sup> *The Military Doctrine of the Russian Federation 2010*, Para 22. Podvig sees no hard evidence that Russia is indeed relying on NSNW to compensate for the disparity in the capabilities of its conventional forces. See P. Podvig, *Russia’s nuclear forces: Between Disarmament and Modernization*, IFRI, Paris, 2011, p. 22.

days, increases; and Russia will not benefit from this imbalance'.<sup>43</sup> Disparities in conventional capabilities, in particular, have been indirectly mentioned by the Russian Ministry of Foreign Affairs in conjunction with further nuclear disarmament. Refraining, in a verifiable manner, from any increases in conventional capabilities was made an official condition by the Ministry in October 2010.<sup>44</sup> All in all, the declining Russian defense capability and the growing gap in advanced military capabilities make the prospects for an international agreement on reducing NSNW look dim as long as CAC remains in limbo.

Officially, NATO has not addressed Moscow's concerns, particularly not during the CFE talks 'at 36'. The Chicago Summit again failed to ease reservations. Instead, member states made the withdrawal of the reportedly 180 US B-61 gravity bombs from Europe contingent on 'reciprocal steps from Russia';<sup>45</sup> a move that could easily help Russia evade talks on NSNW reductions through simple non-engagement. For the time being, it seems that the force of inertia has gained the upper hand on both sides. This situation is sustainable, but only in the very short-term. The ever-accelerating arguments about missile defense, long-range conventionally armed precision-guided munitions and the weaponization of outer space reveal the diverging positions. On the one hand, it is the Kremlin which is trying to keep at least the status quo, on the other hand, it is the West moving forward on issues of global security—with or without Moscow. If Washington is still interested in negotiating NSNW reductions with Moscow, it should again deal with conventional arms control as an integral and inter-linked part of the cooperative security dialogue with Russia.

The link between conventional and nuclear arms control is obviously there. However, there is a need for bold concepts which address the issues in an equitable and salient manner. Not engaging on CAC could risk producing the next arms control deadlock, this time in the nuclear realm. Therefore, any arms control approach between NATO and Russia should recognize the mutual linkages, build on the willingness to discuss the implications of the linkages and make progress in parallel on all issues.

## CONCLUSION

To end mistrust and suspicion, NATO and Russia must re-engage in the concept of cooperative security. Conventional arms control is one possible

<sup>43</sup> A. Kokoshin, *Ensuring Strategic Stability in the Past and in the Present: Theoretical and Applied Questions*, Harvard Belfer Center, Cambridge, MA, 2011, p. 56.

<sup>44</sup> 'O rossiiskikh podkhodakh k probleme yadernogo razoruzheniya', 9 March 2011 ['On Russian approaches to the problem of nuclear disarmament'], <http://www.mid.ru/ns-dvbr.nsf/8329e2a2d0f85bdd43256a1700419682/77e35c66f48bc072c32577c200342596?OpenDocument> (accessed 20 December 2012).

<sup>45</sup> NATO, *Deterrence and Defence Posture Review 2012*.

way to do so. Its greatest value derives from its systemic positioning between nuclear arms control and regional confidence building. It has thus political and military relevance for the complicated NATO-Russia relationship and for a more holistic approach to European security. The historical irony is that arms control instruments such as CFE (once designed to frame and regulate cooperative security relations), have turned into seemingly insurmountable stumbling blocks. To end the deadlock, the U.S. Reset policy must be given a European perspective. In addition, NATO and Russia need to develop a new and much more realistic agenda. A core aspect of such an agenda must be a commitment to meet the other side half way. NATO member states should acknowledge and consider Russian (mis)perceptions more carefully through means of cooperative security proposals for concrete projects. This concerns the current debates about missile defense, NSNW reductions and CAC. Russia, for its part, needs to work on its complex of orienting each and every foreign and security policy step to whatever NATO and the United States do. Russian policy-makers have to understand that a prosperous and modern Russia is not only in its own interest but also in the interest of the West. The foundations of a confident Russia are more likely to emerge from sustained economic growth coupled with a long-term strategy about where to place Russia in the international arena than from endless competition with NATO.

Reversing the disintegration of Europe's unique arms control *acquis* should be part of a new NATO-Russia agenda. Even if many of the institutionalized instruments of cooperative security date back to the end of the Cold War, it is critical to adjust them to current security needs. A CAC 2.0 approach, as outlined in this article, is absolutely valid for NATO-Russian relations and beyond. Given the volatility of relations, such an approach must focus on reassurance mechanisms, increased transparency, cooperation, and not competition in the realm of sub-regional conflict prevention, and the mutual ramifications of conventional and nuclear arms control.