

## Conventional arms control in Europe: is there a way out of a deadlock?

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Military deterrence and conventional arms control regime that have existed in Europe for more than two decades since the end of the Cold War continues to endure today an acute crisis. Out of three major mechanisms (instruments) which this regime is based on – the 1990 Treaty on Conventional Armed Forces in Europe (CFE), the Vienna Document on Confidence- and Security-building Measures (VD2011) and the Open Skies Treaty, – the first and the most important one – the CFE – which most of experts and politicians call “a cornerstone of the European security”, virtually does not work. In 2007, the Russian Federation suspended its participation in the treaty and stopped to fulfil its obligations under the CFE. Without participation of the largest European military power this agreement cannot perform its key function – limiting the holdings of the main conventional arms systems in Europe<sup>1</sup>.

Russia's suspension the CFE Treaty led finally to the ‘ground-up’ review of the situation in conventional arms control in Europe by all the state parties including the US. In 2010-2011, at the time of very positive dynamics in the US-Russian relations, Washington initiated a new negotiating process on ‘conventional arms control modernization in Europe’ that was held in the informal ‘at 36’ format (30 parties to the CFE Treaty and 6 NATO members that are not parties to the treaty). Due to a number of controversial issues<sup>2</sup> the process came to an end in 2011 without any result; so a new mandate for negotiations on conventional arms control in Europe was not agreed upon. The forth CFE review conference held in September 2011 brought about no valuable efforts to revive the CFE regime either.

*Historical background.* In March 2015, Russia suspended its participation in meetings of the CFE Joint Consultative Group<sup>3</sup> and since then Moscow has adhered to the principle that the return to the CFE ‘is impossible’<sup>4</sup>. Since 2011, consultations on conventional arms control in Europe have been generally conducted only at the expert level (see, for example, the 2013 CSS Analysis or 2016 report of the Deep Cuts Commission<sup>5</sup>) except for separate statements of the

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<sup>1</sup> According to 2016 data, the ratio of military personnel in NATO countries and in Russia (in Western and South military districts) is 1:2.8. The ratio of different types of the treaty-limited equipment (TLE) in the NATO countries and Russia is 1:2.7 in armored vehicles (battle tanks and armored combat vehicles); 1: 2.7 in artillery systems; 1:2 in military aviation (combat aircraft and attack helicopters). Calculated by: Vehicle&Aircraft Holdings within the scope of the Conventional Armed Forces in Europe Treaty 2016. Document from the website of the Ministry of Defence of the Great Britain. Published 25 February 2016. As the Russian official data on the treaty-limited equipment was last time provided on 1 January 2011, it was used in calculations of the military vehicles and equipment for Russia.

<sup>2</sup> For example, Russia rejected a proposal on transparency and verification measures to be implemented during the period of negotiations by all 36 participants.

<sup>3</sup> Director of the Department for Non-Proliferation and Arms Control Mikhail Ulyanov's interview with Interfax, 11 March 2015. <[http://www.mid.ru/en/web/guest/obycnye-vooruzenia/-/asset\\_publisher/MIJdOT56NKIk/content/id/1090147](http://www.mid.ru/en/web/guest/obycnye-vooruzenia/-/asset_publisher/MIJdOT56NKIk/content/id/1090147)>.

<sup>4</sup> <[http://www.mid.ru/obycnye-vooruzenia/-/asset\\_publisher/MIJdOT56NKIk/content/id/1089925](http://www.mid.ru/obycnye-vooruzenia/-/asset_publisher/MIJdOT56NKIk/content/id/1089925)>, 10 March 2015; <[http://www.mid.ru/obycnye-vooruzenia/-/asset\\_publisher/MIJdOT56NKIk/content/id/2422300](http://www.mid.ru/obycnye-vooruzenia/-/asset_publisher/MIJdOT56NKIk/content/id/2422300)>, 05 September 2016.

<sup>5</sup> The Future of Conventional Arms Control in Europe. CSS Analysis in Security Policy. December 2013. <<http://www.css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/CSS-Analysis-146-EN.pdf>>, Back from the Brink. Toward Restraint and Dialogue between Russia and the West. Third Report of the Deep Cuts Commission, June 2016 <[http://www.imemo.ru/files/File/ru/events/2016/DeepCuts-ThirdReport-June2016-RZ\\_UK.pdf](http://www.imemo.ru/files/File/ru/events/2016/DeepCuts-ThirdReport-June2016-RZ_UK.pdf)>.

European politicians – in particular, of the former minister of foreign affairs, now president of Germany Frank-Walter Steinmeier<sup>6</sup>.

The termination of the dialogue was a result of a large number of problems accumulated on these issues and related both to changes in military-political context and more broadly in the balance of forces on the European continent in the 1990-2000s. Thus, the principle of military parity between the blocks of participating states (the NATO members vs the Warsaw Treaty states) lost its validity in the early 1990s soon after the breakup of the Warsaw Pact and the start of the NATO expanding process. By the mid 1990s, Russia had raised the issue of reviewing the agreed flank restrictions to the political level which strongly limited its options<sup>7</sup>. In 1999, at the OSCE summit in Istanbul the CFE members signed the Agreement of Adaptation in which the treaty's original bloc-to-bloc and zonal limits were replaced with a system of national and territorial 'ceilings'. But this agreement was neither implemented nor ratified by all the state-parties<sup>8</sup>. Meanwhile 'profound disagreements' between Russia and the NATO only grew and deepened – regarding a 'complete' withdrawal of Russia's troops, equipment, and munitions from Georgia and Moldova, NATO enlargement (fourth, fifth and sixth rounds of enlargement in 1999, 2004 and 2009, respectively), plans of developing the US anti-missile system in Europe, new US military units in Bulgaria and Romania (so-called 'light' military bases). Officially Russia's rejection of further implementation of the CFE treaty was caused by two main reasons: a) NATO's 1999 and 2004 enlargement increased alliance's military holdings above the treaty limits but NATO members did not agree to lower overall NATO ceilings on TLE; b) NATO members did not ratify the adapted CFE treaty despite Istanbul summit obligations.

The 2008 Russo-Georgian war after which Russia recognized the independence of Abkhazia and South Ossetia, and then 2014 Ukraine crisis that resulted in Crimea joining the Russian Federation and in armed conflict (war) in south-east Ukraine caused further increase of military and political tension in Europe as well as a massive build-up of arms and armed forces in these regions and its border areas. Both Georgian and Ukrainian crises were followed by suspension of the NATO-Russia relations, practical co-operation within the framework of the NATO-Russia Council (NRC), termination of talks and phone contacts between high rank military representatives of the NATO and Russian Federation. As Russia contested the status of Abkhazia and South Ossetia Republics as parts of Georgia and Crimea as a part of Ukraine, these decisions led to new intractable collisions in the frames of CFE<sup>9</sup>.

*Old and new problems.* The regime for conventional arms control in Europe has been in a crisis (deadlock) for many years, and this fact raises further important issues – how to develop a dialogue on European security and conventional arms control in the future and is it possible to overcome the current crisis? And thus it is quite necessary to define what conditions and steps are needed to adapt the conventional arms control system to the military realities of the 21st century in Europe. And certainly, in this respect a whole range of problems in Russia-US and

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<sup>6</sup> See his interview: Steinmeier, F.-W. Mehr Sicherheit für alle in Europa - Für einen Neustart der Rüstungskontrolle // Frankfurter Allgemeinen Zeitung. 26 August 2016. <[http://www.auswaertiges-amt.de/DE/Infoservice/Presse/Interviews/2016/160826\\_BM\\_FAZ.html](http://www.auswaertiges-amt.de/DE/Infoservice/Presse/Interviews/2016/160826_BM_FAZ.html)>.

<sup>7</sup> As a result, in 1996 a so-called Flank Agreement was signed. According to it, Russia was allowed to have 700 battle tanks, 580 armored combat vehicles and 1280 artillery weapons in regular regiments on its flanks – in Leningrad and North-Caucasus military districts.

<sup>8</sup> The adapted treaty would enter into force when all 30 states-parties have ratified it.

<sup>9</sup> Thus, it remains unclear towards which side to count the arms and ammunitions deployed on these territories.

Russia-NATO relations must be taken into account – such as the sanctions, different approaches to settlement of conflicts in Europe, disputes on other important problems of arms control, i.e. implementation of the INF Treaty, future of the New START Treaty, missile defense in Europe, etc.

Notwithstanding all remaining roadblocks and obstacles the answer to this question may be positive. Moreover, the problem of resumption of negotiations on conventional arms control measures is more urgent than ever in today's Europe. In this regard the following key arguments can be adduced.

1. Despite a number of difficult issues and disagreements regarding the CFE, this treaty has met almost all its initial goals—it has prevented groups of countries from amassing forces for a blitzkrieg-type offense, promoted sustainable reductions of holdings of conventional arms, and reduced the level of military tension in Europe. If we compare the levels of treaty-limited equipment that the NATO and the Warsaw Pact countries had during the period of negotiations over the CFE (in 1989) and the levels of TLE that the CFE state-parties including Russia have nowadays in Europe, it turns out that the former were at least four times higher than the latter in each category of military equipment<sup>10</sup>. It means that progress in the sphere of conventional arms control is possible, regardless of all disagreements, and that the CFE treaty mechanisms do have high potential.

2. Today western countries do not have confirmed (through inspections) data on Russian conventional arms (TLE), and Russia – the similar data on TLE of the NATO countries. At the same time instruments of the 2011 Vienna Document (notifications on military exercises and other types of military activity) appear to be insufficient to support the necessary level of confidence between the parties<sup>11</sup>. Only the mechanisms of verification and inspections similar to those that were established by the CFE would allow to prevent uncontrollable build-up of arms and military equipment in any of the European countries and regions.

3. The Ukrainian crisis instigated in the West a spike in negative perception of the Russian military threat unprecedented since the end of the Cold War that ended in strengthening of the alliance's military presence at its 'eastern flank'. At the summit in Wales NATO adopted the Readiness Action Plan that beefed up the NATO Response Force (NRF) to 40,000 people and established a new 6,000-strong Rapid Deployment Force within the framework of NRF. It was followed by the decision of the Warsaw summit on deployment of almost permanent (officially–rotational) presence of alliance's multinational forces in the Baltic states and Poland (4 battalions each consisting of 800-1000 troops, or in total one military brigade).

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<sup>10</sup>According to NATO data, in 1988 both military blocks in Europe had more than 80 thousand tanks, more than 144 thousand infantry combat vehicles and other armored vehicles, more than 64 thousand artillery systems and more than 26 thousand combat aircraft and attack helicopters. See: NATO Conventional Forces in Europe: The Facts (Brussels: NATO Press Service, 1988). In early 2016, all 30 CFE countries (including Russia) had in Europe approximately 17-18 thousand battle tanks, 34-35 thousand combat armored vehicles, 22-23 thousand artillery systems (no more than 100 mm in diameter), and 6.5 thousand combat aircraft and attack helicopters. Counted by Vehicle&Aircraft Holdings within the scope of the Conventional Armed Forces in Europe Treaty 2016.

<sup>11</sup>Even with rather high thresholds for prior notification on military activities (9000 troops according to VD99 and then VD2011) the Western countries criticize Russia for violation of some of their provisions. For example, one of the issues that caused disagreements is a so-called 'sudden checks of combat readiness of troops' being conducted by Russia since 2013 which do not fall under restrictions of VD11 because of the short term of their implementation.

The USA has taken an obligation to unilaterally place in Europe the equipment for one more mechanized brigade, while the countries of Visegrad Group in 2016 completed the formation of 3000-strong V4 battlegroup under the Polish command that became a part of the EU battlegroup and in 2015 initiated a formation of 4500-strong joint Polish-Lithuanian-Ukrainian brigade. In 2016, Poland and Lithuania made decisions to procure various new weapon systems: Lithuania will buy 170 M577 armored command post vehicles and NASAMS-2 medium range air defense systems, Poland will purchase 70 JASSM-ER 'air to surface' cruise missiles for F-16 aircraft<sup>12</sup>.

Besides, after 2014, the deployments of Russian forces at its 'western' and 'southern' flanks have become much more massive. Since 2014, a brigade of marines, brigade of coastal defense and two anti-aircraft regiments strengthened by S-300 systems have been created in Crimea. In April 2016, the new army corps was formed within the Baltic Fleet. In 2016, a new (1<sup>st</sup>) tank army consisted of two divisions and two brigades was formed in the Western Military District, as well as another brigade in the Southern Military District. In addition, in the Western Military District the 20th army was reconstituted and thus reinforced<sup>13</sup>.

The Ukrainian crisis has also spurred growth in a number, scale and intensity of the military exercises held by both Russia and the NATO, and an increase in number of dangerous military incidents involving Russian and NATO aircraft and ships that raises concern.

All these examples demonstrate that the arms race between Russia and the NATO countries seems to become more prominent in recent years. Negotiation of a new treaty on conventional arms in Europe would certainly help to stop and reverse these trends.

4. One more argument for a new conventional arms control treaty is as follows. In recent years countries all over the world including Europe, have been actively developing weapons for cyber- and electronic warfare, drones (UAVs), and robotic systems. There is a growing understanding in expert community that it is necessary to study the impact of these new technologies and systems on arms control and military stability, on the one hand, and the ways to sooner or later cover them by some arms control measures, on the other hand. As F.-W. Steinmeier pointed out in his piece, we should take into account new possible scenarios of use of these technologies and systems, their high-paced deployment, and the fact that they are not covered by existing verification regimes<sup>14</sup>.

*Recommendations.* From the perspective of the conventional arms control negotiation process, positions of Russia, the USA and NATO countries will play a very important role. For instance, many Western analysts currently hold the opinion that since 2011 Russia through its army reform has fundamentally changed its position on conventional arms control in Europe and 'is no longer interested either in force ceilings and the exchange of deployment figures' or in an interim solution of the problem<sup>15</sup>. On the other hand, some experts think that the new American administration will neither show interest or take any initiatives on conventional arms control. However, all these estimations do not negate the fact that new modern mechanisms of

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<sup>12</sup> Additionally, Poland is also going to buy at least several dozens of F-16 fighters from the USA.

<sup>13</sup> Gundarov V. Troops are brought up to the western borders. <[http://nvo.ng.ru/nvoevents/2016-06-10/2\\_zapad.html](http://nvo.ng.ru/nvoevents/2016-06-10/2_zapad.html)> (in Russian).

<sup>14</sup> Steinmeier, F.-W. Mehr Sicherheit für alle in Europa - Füreinen Neustart der Rüstungskontrolle.

<sup>15</sup> The Future of Conventional Arms Control in Europe. CSS Analysis in Security Policy.

conventional arms control are necessary for today's Europe to decrease military-political tensions and better military transparency on the continent. Thus the framework of such mechanisms has to be developed.

Most likely, consultations on these issues can be conducted in the '36 countries' format, while the principles of national ceilings in arms counting can form a basis for negotiations (as it was in the 1999 Adapted CFE Treaty). It would be also expedient to preserve and transfer to the new agreement (with the necessary adaptation) key elements of compliance implementation system established by the CFE, including inspections and verification measures, as the treaty accumulated extensive experience in this regard.

Considering extreme danger of increasing military-political tensions between Russia and the West such negotiations should be preceded by some arrangements on measures aimed at easing of such tensions in Europe. The most important of them seem to be the following: a) to reduce the intensity of maneuvers, abstain from maneuvers near borders; b) to take measures to prevent incidents and dangerous military activities. For this purpose, some instruments of the Vienna Document may be used and, if necessary, Russia and the NATO might work out an agreement on prevention of dangerous military activities. Russia and the US should also reaffirm their obligations according to the 1989 Agreement Between the Government of the USSR and the USA on the Prevention of Dangerous Military Activities and 1972 Agreement Between the Government of the USSR and the Government of the USA on the Prevention of Incidents On and Over the High Seas.

As for the process of developing a mandate for negotiations on new conventional arms control treaty, it should be noted on the basis of experience of the 1970-1980s (negotiations on Mutual and Balanced Force Reductions, MBR, that were held in 1973-1989 till the new mandate was agreed in the framework of the OSCE) that such a mandate should not be too wide, i.e. cover too many areas, otherwise harmonization of controversial issues can take many years. But at the same time, it should cover new types of armaments and technologies, including possible mechanisms of arms control.

In conclusion I would like to mention several key issues which may provoke most acute contradictions and become the most important bones of contention if Russia and the NATO countries manage to start discussions on the new mandate on conventional arms control negotiations. First, it is an issue of zones of conflict, including Nagorno-Karabakh, Abkhazia, South Ossetia, Crimea, Donetsk and Luhansk self-proclaimed republics. The Ukrainian conflict remains among the most acute ones; to settle it the Russian and Ukrainian sides and authorities of LPR and the DPR need to successfully implement Minsk-II agreements. Second, it is an issue of lowering the thresholds for prior notification on exercises in accordance with the 2011 Vienna Document to 5000 troops (from today's 9000) and making some other changes in VD2011. The problem is that Russia blocked the lowering of the thresholds during negotiations within the framework of the OSCE in 2011 and since then has expressed no sign that its position may change. Third, another important issue is the problem of working out details and specific parameters of the obligation on limitation of 'permanent stationing of substantial combat forces' that the NATO countries took under the 1997 NATO-Russia Founding Act. Russia has raised this question practically at all negotiations on arms control and NATO-Russian relations in

recent years. It is obvious that Russia and the NATO can reach mutual compromises on all of these three issues.

Possible ways of solving the problem of the self-proclaimed and separated territories may be either taking them out the framework of a new arms control treaty (perhaps, for some period of time), or working out specific provisions (statements) on each of the conflicts – similar in form, for example, to unilateral statements regarding the 1972 ABM Treaty between the USA and the USSR<sup>16</sup>.

At the same time, one should not forget about the manifestations of an arms race, deficit of mutual trust, increase of military spending and overall high level of instability in today's Europe. These tendencies will develop further if the crisis in relations between Russia and the NATO countries intensifies. That is why it may not be a reasonable approach to wait for more favorable political situation in Europe or some favorable changes in the US-Russian relations in order to start consultations on conventional arms control.

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<sup>16</sup>Treaty Between The United States of America and The Union of Soviet Socialist Republics on The Limitation of Anti-Ballistic Missile Systems (ABM Treaty). <<https://www.state.gov/t/avc/trty/101888.htm#agreed>>.