International Workshop

Conventional Arms Control in Europe: New Approaches in Challenging Times

23 – 24 April 2015, Berlin

Wolfgang Zellner (Ed.)

Hamburg, September 2015

CORE Working Paper 26

Contents

Foreword

The international workshop, "Conventional Arms Control in Europe: New Approaches in Challenging Times", jointly organized by the German Federal Foreign Office and the Centre for OSCE Research (CORE) at the Institute for Peace Research and Security Policy at the University of Hamburg (IFSH), was a successful meeting in several respects. More than 80 participants from about a dozen countries, roughly two-thirds governmental representatives, one-third experts from think tanks, showed that there is still considerable interest in the issue. Even more: As the discussions showed, the war in Ukraine has created a new sense of urgency about conventional arms control in Europe. And perhaps the most surprising experience of the workshop was that, with a few understandable exceptions, the atmosphere of the debate was frank, professional and sober – almost unexpected against the background of the current conflicts.

We thought that it would be productive for future discussions to produce something in writing out of this workshop. Thus, we asked all speakers and presenters whether they would be prepared to give us their speeches or speaking notes for publication – on a strictly voluntary basis. The echo was encouraging: Most of the speakers – 13 persons – sent us their texts for publication. Some of them are speaking notes and some are fully elaborated articles, even with footnotes. Apart from very light editing and a native-speaker language review, we left all texts in their original versions as works-in-progress, and made no attempt to harmonize them in style or form.

I express my sincere gratitude to all of those who contributed to this successful workshop and, specifically, to all authors who made this working paper possible.

Wolfgang Zellner

Agenda

CENTRE FOR OSCE RESEARCH
ZENTRUM FÜR OSZE-FORSCHUNG

Auswärtiges Amt

22.04.2015

INTERNATIONAL WORKSHOP

CONVENTIONAL ARMS CONTROL IN EUROPE: NEW APPROACHES IN CHALLENGING TIMES

23 – 24 April 2015, Berlin

WORKSHOP PROGRAMME

Venue:
Red Town Hall (Rotes Rathaus), Louise Schroeder Room
Rathausstraße 15, 10178 Berlin

22 April 2015	
	Arrival of participants
7.00 pm	**Informal welcome dinner** hosted by the Federal Foreign Office and the Centre for OSCE Research **Welcome:** **Mrs Susanne Baumann** Deputy Federal Government Commissioner for Disarmament and Arms Control, Federal Foreign Office, Berlin **Dr Wolfgang Zellner** Deputy Director of the Institute for Peace Research and Security Policy at the University of Hamburg; Head of the Centre for OSCE Research (CORE), Hamburg
Venue:	**Restaurant Foreign Affairs** at the Hotel "Arcotel John F" Werderscher Markt 11 10117 Berlin

23 April 2015	
9.15 – 10.00 am	**Registration and welcome coffee**
10.00 – 10.10 am	**Welcome** **Ambassador Patricia Flor** Federal Government Commissioner for Disarmament and Arms Control, Federal Foreign Office, Berlin **Dr Wolfgang Zellner** Deputy Director of the Institute for Peace Research and Security Policy at the University of Hamburg; Head of the Centre for OSCE Research (CORE), Hamburg
10.10 – 10.30 am	**Keynote speech** **Mr Gernot Erler** Special Representative of the Federal Government for the OSCE Chairmanship in 2016**,** Federal Foreign Office, Berlin
10.30 – 12.00 am	**Session I: Conventional Arms Control in a Changing European Security Environment** ***Chair*:** **Ambassador Patricia Flor** Federal Government Commissioner for Disarmament and Arms Control, Federal Foreign Office, Berlin

Speakers:

Mr Greg Delawie
Deputy Assistant Secretary for European Security, Technology and Implementation, Bureau of Arms Control, Verification and Compliance, U.S. Department of State, Washington

Dr Pál Dunay
Director of the OSCE Academy, Bishkek

Ambassador Tacan İldem
Permanent Representative, Permanent Mission of the Republic of Turkey to the OSCE, Vienna

Mrs Rasa Ostrauskaite
Deputy Director for Policy Support Service, OSCE Conflict Prevention Centre, Vienna

- Which new threats are challenging the European security environment?
- What are the current major challenges for arms control?
- What are the expectations for the future of arms control?
- True or false: "When arms control is possible, it is not necessary; if it is necessary, it is not possible."

12.00 – 1.00 pm **Lunch break**

1.00 – 3.00 pm **Session II: How to Start the Process: Substantive Issues at the European Level**

***Chair*:**

Ambassador Rüdiger Lüdeking
Permanent Representative, Permanent Mission of the Federal Republic of Germany to the OSCE, Vienna

***Speakers*:**

Mr Adrian Gabriel Davidoiu
Director General of the Department for Strategic Affairs, Ministry of Foreign Affairs of Romania, Bucharest

Brigadier General (ret.) Gregory G. Govan
U.S. Army and State Department (retired), Charlottesville

Mr Timo Kantola
Deputy Director General of the Political Department, Ministry for Foreign Affairs of Finland, Helsinki

Colonel (ret.) Wolfgang Richter
Senior Associate, Research Division on International Security, German Institute for International and Security Affairs (SWP), Berlin

- What could a positive political environment for negotiating new approaches to arms control look like and how can it be achieved?
- What steps are needed to initiate substantial debate and formal negotiations?
- Who are the key players, and what are the geographical and political limits of pan-European arms control?
- Lessons learned from Ukraine?

3.00 – 3.30 pm **Tea break**

3.30 – 5.00 pm **Session III: Issues at Sub-Regional Levels**

***Chair*:**

Mr Lucien Kleinjan
Special Envoy for Conventional Arms Control, Ministry of Foreign Affairs of the Netherlands, The Hague

***Speakers*:**

Dr Kornely Kakachia
Director of the Georgian Institute of Politics, Tbilisi

Mr Kjetil Køber
Senior Advisor on Conventional Arms Control, Ministry of Foreign Affairs of Norway, Oslo

Mr Raimonds Rublovskis
Strategic Advisor to the Chief of Riga Police; Associate Fellow of the Latvian Institute of International Affairs, Riga

- What are the lessons learned from existing sub-regional agreements?
- How can we integrate sub-regional agreements in the broader picture of the European security environment and in particular into new arms control approaches?
- Which types of sub-regional scenarios need specific arms control solutions? Small states, large states? Conflict zones after peace agreements? De facto states and disputed areas?
- Are status-neutral approaches desirable? Are they achievable?

5.00 – 6.30 pm **Reception hosted by**

Ambassador Patricia Flor
Federal Government Commissioner for Disarmament and Arms Control, Federal Foreign Office, Berlin

24 April 2015

9.30 – 11.00 am **Session IV: The Link between Conventional Arms Control and Crisis Management**

Chair:

Mr Paul Schulte
Honorary Professor at Birmingham University, Institute for Conflict, Cooperation and Security (ICCS), Birmingham

***Speakers*:**

Mr William Alberque
Head of the Arms Control and Coordination Section at NATO, Brussels

Dr Hans-Joachim Schmidt
Senior Research Fellow, Peace Research Institute Frankfurt (PRIF), Frankfurt am Main

Prof. Dr Andrey Zagorskiy
Head of Department, Institute of International Relations and World Economy (IMEMO), Russian Academy of Sciences, Moscow

- What impact can conventional arms control have during the various phases of a conflict? What impact should it have?
- Which elements of conventional arms control have proven useful in crisis management?
- How can we improve arms control as a suitable crisis management tool?
- Are there potential synergies between CSBMs and crisis management? Does the integration of arms control in ceasefire agreements work?

11.00 – 11.30 am **Tea break**

11.30 – 12.45 am **Final Session: Summary and Conclusions: The Future of Conventional Arms Control in Europe**

***Chair*:**

Prof. Catherine McArdle Kelleher
College Park Professor, University of Maryland; Senior Fellow, Watson Institute for International Studies, Brown University, Providence

***Speakers*:**

Ambassador Prof. Dr István Gyarmati
President of the International Centre for Democratic Transition (ICDT), Budapest

Mrs Małgorzata Kosiura-Kaźmierska
Deputy Director of the Security Policy Department, Ministry of Foreign Affairs of Poland, Warsaw

Ambassador Antje Leendertse
Head of the Taskforce for the 2016 OSCE Chairmanship, Federal Foreign Office, Berlin

12.45 – 1.00 pm **Closing Remarks:**

Dr Wolfgang Zellner
Deputy Director of the Institute for Peace Research and Security Policy at the University of Hamburg; Head of the Centre for OSCE Research (CORE), Hamburg

1.00 – 2.00 pm **Lunch**

Keynote Speech by Gernot Erler

Special Representative of the German Federal Government
for the OSCE Chairmanship in 2016

Ladies and gentlemen, distinguished colleagues and guests,

On behalf of the German government I would like to bid you a warm welcome to Berlin. It is a privilege to host you here at this historical location. Our conference room itself is named after Louise Schroeder, acting mayor of the city of Berlin from 1947 to 1948 and mayor of West Berlin from 1949 to 1951. Those years were the starting point of Europe's postwar recovery. At the same time, they mark the beginning of decades of Europe's fateful division during the Cold War.

However, this room was also a venue for an event that paved the way for ending the separation of our continent: In 1989 and 1990, the Berlin Round Table took place in this room, marking a turning point for Berlin, Germany and for Europe. Today, 26 years after the fall of the Berlin Wall, the visible dividing lines of the Cold War have been mostly erased. However, memories of the Cold War are still very much alive, especially here in Germany – memories of countless conventional weapons deployed on German soil and memories of dangerous stand-offs between the two opposing military blocs that threatened to erupt into open conflict. Bearing this in mind, we are committed to preventing new frontlines from being drawn for the future.

Ladies and gentlemen,

disarmament, arms control and CSBM – (confidence- and security-building measures) were key to overcoming the Cold War in Europe. And, they have long been cornerstones of a stable Euro-Atlantic security architecture. They will remain priorities of German foreign and security policy since we believe in their ongoing relevance.

What brought us together here today is an essential question for all of us: What can conventional arms control do – today and in the future – to help secure peace and stability in the OSCE area? The strong response to our invitation here is encouraging. It underlines our common commitment to discussing European security from all angles. It is a sign that we are willing to continue our efforts to tackle today's challenges to conventional arms control.

Distinguished colleagues and guests,

the present state of affairs in conventional arms control and CSBM in the OSCE gives little reason for enthusiasm. Our interlocking treaty regimes have come under severe stress. Their instruments scarcely meet modern security requirements.

Unresolved regional conflicts remain a serious challenge to peace and security and the application of arms control instruments in the OSCE area. And, to make matters worse, the conflict in Ukraine has developed into the most serious threat for our

overall security. In just over a year, more than 6,000 human lives have been lost. Many more people were wounded. More than a million people are displaced. Ukraine faces a severe humanitarian situation in the conflict region.

The violation of Ukraine's sovereignty and territorial integrity has undermined stability and trust in our region. In short, the security situation in parts of the OSCE area has taken a dramatic turn for the worse.

Distinguished guests,

conflict and bloodshed in the OSCE area require immediate action. It is high time to reverse the cycle of violence and distrust that has once again taken hold of Europe. Germany sees an urgent need to restore trust and transparency as a first step. We must immediately tackle a series of important challenges to the rules-based order in the OSCE area – beginning in Ukraine.

We support all diplomatic efforts to find lasting solutions to the conflict in Eastern Ukraine by peaceful means, respecting Ukraine's independence, sovereignty and territorial integrity. And we call on all actors to swiftly and fully implement the Minsk Agreements and to fully support the OSCE Special Monitoring Mission to Ukraine as well as the OSCE Trilateral Contact Group.

Ladies and Gentlemen,

we believe that conventional arms control can contribute to creating a fertile environment for solutions even in this context. But we should take a fresh look at the basic instruments that served us so well in the past.

We should try to find answers to questions such as: Do we still have the right means and tools to address today's conflict situations in the OSCE area? Does conventional arms control in Europe still function when it matters? What are the root causes of conflicts and threats in the OSCE? Where do our threat perceptions differ and why?

To be quite clear: Our arms control regimes may appear flawed or insufficient under the conditions of modern conflicts. However, they have formed the bedrock of European security and CSBM for decades. They were developed, tested and cooperatively applied by all states parties.

Ukraine is a case in point: the immediate application of arms control mechanisms from the OSCE's toolbox has provided more transparency there. Germany, like many other OSCE countries, supported a series of Vienna Documents and CFE inspections in Ukraine as well as cooperative observation flights under the Open Skies regime. All three regimes – especially when applied in combination – have the potential to enhance transparency and lead to greater predictability. Strategic agreements like these must not fall victim to current political conflict.

However, it is also true that we have witnessed a gradual degradation of these instruments in recent years. We have noticed gaps between word and deed in the implementation and discrepancies between the spirit in which these regimes were concluded and the manner in which they were applied. We were reminded that certain regulations can be exploited or undermined.

While all of this is certainly true, your presence here is an encouraging sign that all of us together are aware of the significant security benefits these instruments can generate for us in the long run. It also signals that we are ready, willing and able to address obvious shortcomings. We need to modernize our regimes to fit them back into today's changed security environment. Hybrid warfare is one catchword in this context.

Distinguished guests,

2015 should have been a year for celebration in the OSCE – a year to mark the 40th anniversary of the signing of the Helsinki Final Act. But reality caught up with us: the founding principles of our security architecture have been called into question. Confrontational rhetoric, stereotypes and prejudices are resurfacing where dialogue should prevail.

We are about to lose the hard-won security gains of the past 25 years and the newly formed partnerships bridging East and West. In these turbulent times, Germany will take over the OSCE Chair next year. In preparation for this challenging job, we are listening closely to the other participating States to understand what their expectations are.

We are consulting with our partners and we are debating amongst ourselves: what kind of contributions can we make to address the conflicts in the OSCE area? We are dealing with many insecurities and the concrete challenges of the near future are not clear today. But what we are certain about is that a renewed political dialogue between all participating States is necessary.

We do not have to start from scratch here. The OSCE is based on a broad acquis of security-related commitments and on the documents in which these are enshrined. All participating States have signed these documents and thereby declared their commitment to the OSCE principles.

These principles – among them, refraining from the threat or use of force, the inviolability of frontiers and the territorial integrity of states – are as relevant today as they were when they were crafted. Maybe their relevance is even higher today – in view of some obvious violations of that shared acquis. These commitments should continue to be the common basis for our work. We need to reassert these principles, restore security in the OSCE area and achieve tangible improvements for our societies, right down to the level of everyday life.

In that sense, we want not only to address today's larger security questions. With a sensible program of topics, events and initiatives, we wish to foster the implementation of the OSCE acquis in all fields.

The OSCE has unique experience when it comes to bridging gaps between different political views. We must now use this experience and draw on our collective determination to tackle Europe's new security questions. In that broad array of themes, conventional arms control has a prominent role to play. Conventional disarmament and arms control as well as CSBMs are of benefit to all participating States of the OSCE and must be part of the solution.

However, let us not forget that all our efforts will hardly succeed unless there is sufficient political will to implement new measures. We need to bring back that

unanimous will to strengthen conventional disarmament and arms control. It is the key to secure undivided security for all the participating States in the OSCE area.

The German Government supports a comprehensive and inclusive approach to analyzing the complex picture of our security situation. We welcome independent, out-of-the-box thinking as much as we appreciate the support of our Parliament, several members of which are present here today. There are obvious flaws in the system of Europe's security architecture. I invite you to frankly address and debate them.

Distinguished guests,

in concluding, I would like to thank you once more for attending this workshop and for offering to share your vast experience. We have a challenging task ahead of us. Commitment, expertise and political will are necessary to make this venture a success.

At this workshop we have the opportunity to talk plainly about the situation of arms control in Europe and the present security challenges. In addition, this workshop should not only show where the challenges are, but also point to concrete opportunities for action and possible solutions. I hope we can carve out ideas on how to restore a peaceful cooperative security environment in the OSCE area.

To kick-start our discussions I would like to offer just a few possible directions:

First, it seems imperative to re-establish a common understanding of the relevance, objectives and limitations of conventional arms control in today's security environment. While this need has been widely recognized, answers remain elusive. What can we do in more concrete terms?

Second: We need to re-establish a comprehensive high-level political and security dialogue among all OSCE participating States – a dialogue that is result-oriented and focused on concrete progress.

Third: Modern wars are still waged largely with conventional weapons. Therefore, we must enhance the effectiveness of conventional arms control regimes in the different conflict scenarios we encounter in the OSCE area. Their profound modernization could be the key to improved transparency and security. But how do we modernize our regimes?

Some might think it is too optimistic to discuss these issues against the backdrop of the current political security situation in Europe. I think it is all the more important to have this debate right now. We must not stand by and watch when parts of Europe are consumed by conflict.

At the same time, we have to be realistic. Many of these conflicts have been years in the making. Solutions will not come overnight. But let me assure you: we will spare no effort in giving concrete and promising ideas and proposals for solutions their rightful place in the political debate. I hope that today’s meeting in this historical place where substantial steps to end the Cold War in Germany were taken 25 years ago will be a fruitful contribution to these efforts.

I wish this workshop concrete results and every success. Thank you for your attention.

Session I:

Conventional Arms Control in a Changing European Security Environment

Chances of Conventional Arms Control in Europe in Light of Current Developments

Pál Dunay

Europe has been exposed to more hot military conflicts since the end of the Cold War than during it. There are various reasons that prevented the outbreak of war between the most powerful states of the world during the Cold War. Was it due to the structure of international relations or the known destructive force of nuclear weapons and, thus, to the success of nuclear deterrence? This also matters for the future in order to know how to avoid the collision of the most powerful military powers. It seems that the possession of nuclear arsenals has both deterrent and self-deterrent effects. States with nuclear weapons have not employed them for nearly 70 years. However, they are getting away with political agendas that are often rather odd and nuclear weapons also provide them with status in the international system. Suffice it to mention that the five first nuclear powers are permanent members of the UN Security Council. The structure of international relations may well have less relevant impact as the structure changed with the end of the Cold War and the bipolar international order. Nevertheless, the two states that have approximately 94 per cent of the world's nuclear arsenals have not engaged in direct military conflict over the last 25 years either.

Despite the greater number of hot conflicts, it was the general perception of most European states and their populations that the security situation had improved and military threats had remained marginal since the end of the Cold War. Many European states used the opportunity and "took strategic holidays", reduced spending on their militaries and paid less attention to their capabilities. For a time, this did not cause any problems. Shrinking arsenals, smaller, allegedly "leaner but meaner" armed forces were the shared impression of many European states. Only those states, that have been traditional power projectors and have, for historical reasons, operated at longer distances, have kept up their military might. This was the case with the U.S., the only genuinely global actor in international politics until recently, and with the British and the French, the two largest post-colonial powers. We have pursued the illusion that economic interdependence and soft power will take care of the rest and Europe will be a continent of peace anyway.

Two years ago in 2013, at the Chambésy roundtable, Wolfgang Zellner quoted Jean Claude Juncker who had stated correctly that Europeans took military security far too much for granted. Still not much happened. This illustrated that states spend on their militaries only when they are facing some kind of perceived credible threat or when they are pursuing a political agenda that can be effectively supported by armed forces. It is sufficient to take a look at the list of those states that spend above two per cent of their GDP to substantiate this. Some countries have put military security in brackets on the basis of their often newly acquired NATO membership. They have demonstrated solidarity with a limited military presence (more often than not in ISAF in Afghanistan) and have believed they have gotten a free ticket without an expiry date. However, militaries are also used even when they are not employed. The military power of a state goes into a toolbox together with other sources of

international influence. However, the EU Europe and most members have believed that other sources of power, particularly if used jointly by the now 28 member-states, are so overwhelming that they have the right to play down the importance of military forces. Indeed, in Europe, military force looked irrelevant at best and unusable at worst.

However, the situation has changed. While we were asleep, the Russian Federation started an ambitious military build-up, increased its defense budget and started a catch-up process that was made necessary due to its perceived (and real) conventional military inferiority. Although Moscow could rely on a huge nuclear arsenal of more than eight thousand nuclear warheads that guaranteed that no state would want to pose a military challenge, the significantly weakened Russian conventional armed forces demonstrated that Russia's capacity is strictly limited if it wanted to start a military adventure. For a while, it seemed that the Russian Federation, under the leadership of Vladimir Putin, only wanted to compensate for the lost years of the times of President Yeltsin, the low level of military investment and the often weak operational performance from Chechnya to Georgia. An important factor was also that Russia wanted to return to the armament markets of the world, which required technological innovation at a rapid pace. Last, but not least, the increase in military allocation meant a contribution to regaining the pride in a national institution and the military leadership. It took longer to understand that Moscow wanted to reintegrate military might with other sources of power on two levels: 1. In the post-Soviet space, in order to refute any challenge in its own backyard, particularly the advancement of the West, or more concretely NATO. 2. In the world at large, as a major player of international politics.

To Russia's credit, since the beginning of the 21st century, it has argued for addressing military security matters in a cooperative environment in Europe. More precisely put, it has advocated some ill-defined exchanges on military security at least or proper conventional arms control talks, at most. The time was never right to discuss those matters in a multilateral framework e.g. in the OSCE or some OSCE-associated forum. Suffice it to mention the Kosovo conflict of 1999, the second Chechnya war of 1999-2000 or the so-called Georgia war of 2008. The latter can be called so as Tbilisi started the hostilities under some Russian provocation. More importantly, the Republican U.S. administration did not want to talk about conventional arms control in Europe. In some sense, rightly so. Conventional arms in Europe played no major role in the strategic equation. However, it seems the West also wanted to deny Moscow a forum where it could have the advantage of being a key player. Contrary to the narrow strategic assessment, this is where Washington got it wrong. A forum for talking would not have damaged anyone's interest, although it would have contributed to the Russian Federation's self-esteem. It would have made sense, even if the talks had not produced any results and had remained inconclusive. In sum, we have arrived, in the mid-2010s, at a situation in which the European arms control architecture has partly fallen apart. The CFE process is *de facto* over and no energy is being invested in the remaining elements, the Open Skies Treaty and confidence- and security-building.

This is all the more troubling as, since early 2014, we have had evidence that military security is not outdated. Europe has not lately faced a threat that is structurally new. It is the same threat that we saw in 2008: An internal conflict that is internationalized by the involvement of an external power. Military force is being used as part of the management, if not the resolution, of the conflict. We had a

somewhat similar situation with different actors back in 1999, when NATO fought the Federal Republic of Yugoslavia for Kosovo. Although it is not unimportant which conflict can be identified as a humanitarian intervention, this category is subject to broad-ranging interpretation. Furthermore, every state is "mainstreaming" its message and refers to humanitarian reasons, the oppression of peoples, minorities or, in extreme cases, to genocide, to legitimize its action.

We face more and more conflicts where the territorial status quo is not generally regarded as acceptable. Dormant or burning, we face more and more protracted conflicts. They are often not resolved, but are simply terminated. This is the case with Abkhazia and South Ossetia and (possibly) in the Donbass as well. The Kosovo and Crimea conflicts are different, as those two cases were the consequences of practicing the right to self-determination. It is the most disappointing of all that those protracted conflicts that have come or have the chance to come to a standstill are the ones in which the stalemate was broken by the use of force.

It presents a problem that the Russian Federation more and more clearly appears as a fake memory of the resurgent Soviet threat. It is still too familiar to many of us and, more importantly, to decision-makers. Hence, we may have the same reflexes that we had during the Cold War. But our starting assumption is not entirely right, as there are major dissimilarities. 1. Russia is not the Soviet Union. It does not have an alternative ideology and does not offer an alternative model. The model it represents now, the combination of authoritarian politics with some type of market economy, is not Russian. 2. The Russian Federation is not a state where the armed forces and the military-industrial complex are central to the state's existence. 3. Russia is part of the world economy and its further development depends on access to modern technology and the world's financial markets. (Domestic production may help overcome the problems in those areas where the products are not sophisticated. This is already the case in the agricultural sector.) However, it will not be possible to produce sophisticated, specialized products in the Russian domestic market for at least a decade, if not more. Moreover, it will not be possible to produce them at competitive prices. 4. Russia with its current "hybrid war" has become far more sophisticated than the Soviet Union ever was. It has started to have some success in dividing the West. It has a more credible propaganda machine - think of Russia Today television - and it is effectively taking advantage of the disunity of its partners, beyond its intention to divide the members of western organizations. 5. However, the Russian people are also very different compared to Soviet times. The "Silence of the Lamb" of the Brezhnev era is very far away. The Russian people do not want to lose all the advantages of the last 15 years or so. When they feel threatened, they have sporadic strikes and demonstrations. They do not want to live in disorder and with (even more) corruption.

However, Russia will not give up and will not give in. It cannot, due to the bicycle principle. If the cyclist does not move forward, he falls off. The Russian Federation went through a tragedy of historical proportions. In a short period of time, Moscow lost everything that it gained over centuries. The current leadership can increase its legitimacy if Russia regains even some portion of the territory once integrated into the Russian empire, which then became constituent elements of the Soviet Union. The Russian leadership needs the legitimacy that can be gained by retaking some territory. Whereas in 2008, the territorial gain (even if this ended up being "independent" puppet states and not parts of the Russian Federation), *added* to the legitimacy of the Russian leadership, that stemmed from economic performance. In

2014-5 it is *instead* of the legitimacy that stems from economic growth, due to stagnation and, increasingly, due partly to western economic sanctions, and contraction.

The West has traditionally been pro-status quo and lived with Soviet/Russian leaderships. Nevertheless, the current leadership in Moscow perceives the world differently and assumes that it is ultimately the objective of the West, first and foremost of the U.S., to achieve regime change in Russia. Even though I think such self-victimization is exaggerated, it indeed seems well-founded that the U.S. would like to achieve a change favorable to pro-democracy forces in some parts of the former Soviet Union. However, it would be good if it were unequivocally clear what the people in those countries want. It seems that U.S. aspirations are not affected by a number of inconclusive adventures, including the one in Iraq. The Russian Federation has difficulty respecting the "new" sovereignties in the post-Soviet space and accepting the choices of nations, which were once part of the Soviet Union. In sum, the moderately hostile perceptions are different, but not entirely unfounded on either side.

The Russian Federation, with its high-profile, determined opposition to un-favorable tendencies of change, has established itself in European affairs despite the fact that Moscow is far less important in Europe than globally. It does not present a model, does not represent the type of modernity that matters much in Europe. It could be and has been a strategic irritant lately with its sphere of influence policy (partly beyond the boundaries of the former Soviet Union), the use of its energy wealth as part of compellence and its attempts to divide the West internally. None of them are particularly positive contributions, even though they may well be legitimized by national interest. Globally, the Russian Federation matters more, as the future of some hotspots, from Syria to Iran and North Korea (remember the so-called six-party talks), depends upon its cooperation. This results in a conundrum: Russia should be more important to the globally operating U.S. than to the regional powers in Europe. However, for some time, we have seen the opposite. When the U.S. noticed that Russia's alienation was not in their interest, Washington revised its position and started to ease the pressure on Moscow. The main underlying reason was not to avoid Russia becoming a strategic irritant in Europe, but to prevent it from building a strategic coalition with China and creating a few other difficulties on the global scene. Overall, the U.S. has become an often ignorant European power. Washington often acts, then sometimes thinks, and seldom corrects the action taken earlier.

The U.S., as the ultimate intimate adversary of the Soviet Union for decades, is the most important reference point for the Russian Federation. Moscow measures itself through Washington as the only (other) global power. However, this is a fundamental misperception that has no other advantage than maintaining, for the Russian electorate, a certain illusion of being a global power. That is why the U.S., with its panoply of sources of power, was so important in this case as well. The U.S. was, in some instances, more ready than the Europeans to integrate military means with the reaction to the Russian activity in Ukraine. Understandably, this was not in the sense of using military force against the Russian Federation, but in helping Ukraine by training its armed forces, supplying non-lethal equipment and indicating its readiness to go further and provide lethal weapons and ammunition. It is not worthwhile guessing about what happened between the EU Europe and the U.S., although some elements of the picture are known. It is notable that when the German

Chancellor, Angela Merkel, visited Washington in February, she persuaded her U.S. counterpart not to support Ukraine with military means, in particular not with a supply of lethal weapons. This resulted in the U.S. stating that the military option "remains on the table". If that statement was made in order to back the more conciliatory European efforts that would have been tactful. If however, it was made so as to demonstrate that the U.S. considered using a different mix of available tools, it would have been a demonstration of discord. As such it would have been detrimental to apply it as a policy to persuade the Russian Federation.

There is another possible reading of the situation. Russia's moves may be read as those of an offensive state that could not accept the status it acquired with the end of the Soviet Union and hence "rebels" against the distribution of power in the international system. For me, the single most important question is whether the West has tried hard enough to engage Russia over the last 23 years or was it Russia that was predisposed to become a revisionist, if not outright revanchist power. Some may ask why the answer to this question matters now. I think it is a question of extreme importance. If the answer is that the western effort to engage with Russia was not determined and sustained enough, then there is some chance to try harder and influence Moscow positively through the means available. If however, the answer is that Russia is doomed to take revenge for its losses, then the only chance is to deter that state and reassure those that feel challenged by its assertive and aggressive policy. This could constrain the scope and the territory of Russia's sphere of influence.

In order to give an informed answer to this question, it is necessary to consider the nature of Russian power and determine what sources of influence affect that country. There is no discussion about the rationality of Russia. Hence, Russia can be influenced by the world at large. It is a question of which means are the most effective. There is no unequivocal answer to this question. It is certain that Moscow tries to influence its partners through a mix of military and economic means – military means when it finds no other effective measures, as the case of Georgia between 2006 and 2008 demonstrated. It could be said that when the Russian Federation speaks about a "red line" that nobody should cross, it means it. NATO accession for post-Soviet states should not be contemplated, as illustrated by the case of Georgia. Among economic means, priority has been given to investment in those sectors where Russia has experience, including the energy sector (hydrocarbon supply, pipelines and nuclear power plants). Russia is not hesitant to invest in other countries, including the use of shady practices, certainly extending to corruption but also to blackmail. In this, the Russian Federation is not fundamentally different from many other countries. Russia also uses it significant and competent diplomacy to influence its partners. Last, but not least, Russia has made a massive investment in soft power lately. This has included the media and other means to reach out to the world (Russia Today, Itar-Tass, Russkiy Mir, various pro-Russian news websites, etc.). This should not be taken as anything but catching up with other world players. Although some of its other steps have undermined those expensive efforts, still Russia has been prepared to use them during the conflict in Ukraine, which has resulted in a so-called hybrid war. Due partly to the state security (including operational intelligence) background of several members of the top leadership of Russia, Moscow used subversive methods extensively in the conflict. It took a long time and the evidence on how and to what extent the Russian Federation provided support to the separatists in south-eastern Ukraine with weapons, ammunition and

military manpower, is still partly inconclusive. But as time goes on, the world is learning more and more details.

Which means of influence are effective on Russia is somewhat more ambiguous. It is clear that the Russian Federation (similarly to many other states) works in a paradigm where norms and values play a lesser role. However, Russia, just as often the West, is hypocritical. Moscow picks out those values that support its arguments and ignores those that don't. It ignores the right to self-determination in Kosovo and insists on it in the Crimea. It insists on territorial integrity in Serbia and has no problem with undermining it in Georgia. Human rights appeal to Russia when it can challenge other countries despite happily living with their curtailment or denial as far as its friends and allies are concerned. Whether Russia is more hypocritical than some other large powers is difficult to determine. As Russia is apparently not hesitant to use hard power (one must not forget that some part of economic power, e.g. sanctions, is also hard power), it will most probably respond in kind when this type of power is used against it. Russia, a country whose foreign policy concept is strongly based on spheres of influences, is very sensitive whenever its self-proclaimed sphere is "intruded" upon. If Russia is not reacting to anything other than power and mostly superior power, then this should be communicated in order to make an impact on the country's position. In this sense the U.S. is possibly right in its low opinion of and limited trust in the Russia of our times.

Even though there is now heavy emphasis on the Russian Federation as a threat, we should also not ignore other sources of threat. Every regional collective or cooperative security system faces the question of how external players affect regional parties. This appears on different levels.

1. For the only global power in the OSCE area, the United States, it is a question of how to relate to extra-European matters and how to measure them against intra-European developments. How much does Europe matter to Washington compared to challenges in the Asia-Pacific, e.g. China, South Korea, or in the Americas? Does the U.S. have a sufficiently sophisticated or nuanced understanding of the current European situation? The prestige of the U.S. is shaky due to the unilateralist policy of the previous administration(s). I think we should not have much of a problem with hawkish rhetoric as long as it complements a conciliatory European attitude. In light of the many challenges the U.S. sees in the world, it is understandable that it does not give priority to European matters. However, this is not favorable when the U.S. interferes shortsightedly.

2. Turkey used to have security problems in Europe. But Turkey's security situation is now totally unimaginable without its non-OSCE neighborhood, Iran, Iraq and Syria. There is a clear link here as some states will make their support to Turkey contingent upon how Ankara "navigates" between various forces and factions, including IS, the Kurds and the institutions of the neighboring states.

3. Russia is also in a peculiar situation due to some of its neighbors. Its geographical spread reaches to the Asia-Pacific where a number of states may present some challenges. Suffice it to mention Japan (and the Russian – Japanese territorial dispute) and China. China and Russia appear to be strategic partners, but it is not clear whether Moscow has some residual concerns about China's rise, now including Beijing's emergence as a military power. It certainly does have some concerns but is strongly disinterested in communicating this. The most important worry for Russia should be an uneven strategic partnership where Moscow becomes the underdog

and is treated like that. The Chinese leadership is certainly smart enough to avoid this.

4. The situation of Ukraine is striking. It has lost the Crimea and had better live with it. As far as the Donbass is concerned, as long as the status of this territory remains ambiguous, Russia will always have a "handle" on Ukraine to undermine it. It would be impossible for Ukraine to give up on the separatist territory now. Even though such a step would make the situation clear, increase the unity of Ukraine and eventually also make its Western orientation more unequivocal. I find it deeply disappointing that some countries, notably at least one, set up Kyiv to go on a collision course for the Donbass and then defected.

As military security has returned to Europe, so may the need for some type of arms control. However, this would require the reconsideration of the fundamentals of our relations and the acceptance of many extrajudicial changes. Frozen or protracted conflicts "killed" several OSCE efforts, including the adoption of the documents of OSCE Ministerial Councils and an ambitious modernization of the Vienna Document, to mention but a few examples.

The Russian Federation has repeated that it wanted to have more of the politico-military dimension in the OSCE for 15 years at the expense of human dimension. We have ignored this demand due to our own short-sighted views and U.S. reluctance. The West denied it as the Republican U.S. administration de-prioritized military security in Europe and also wanted to deny Russia a forum where Moscow would have been a major player. During the latter part of this period, the Russian Federation carried out an intensive defense modernization program. It is not clear to what extent this carries a symbolic message to the world, means catching up with the lost years in military modernization, helps Russia be a more competitive partner in the world's armaments markets and to what extent it results in a better performing armed force as part and parcel of a complex power base. The next time we want to discuss security in Europe with Russia we will certainly be more attentive.

When we speak about the prospects of arms control, we have to take note of the fact that legally binding European arms control is practically ruled out for some time to come. We cannot overcome the matter that limitations and associated information exchange and verification measures require legal clarity – a commodity of which we have less and less. To mention but one problem: Which country should we ask to host an on-site inspection when the territory is occupied by another participating state or is regarded as an independent state by some but not by others? The attempt to overcome this in the last moments when the parties were still talking about CFE, with innovative formulations such as "among the internationally recognized borders" no longer help as there are no internationally recognized borders. In time sequence, Cyprus, Serbia, Georgia, Armenia and Ukraine do not have "internationally recognized" borders. Three of the five states are parties to the moribund CFE Treaty. I only hope that the list of countries without internationally recognized borders will not grow further. In sum, the conditions for talking about arms control are not favorable while there is increasingly broad recognition that with military security regaining its relevance, there may well be a need for arms control again. It is about time to consider where the areas are in which exchanges should start in order to move from arms control ignorance to arms control relevance. The diplomacy that makes addressing arms control in Europe a concession has demonstrated that it is self-defeating.

Among the disturbing signs, suffice it to mention military aircraft flying in international airspace in close vicinity to national airspace, with their transponders switched off. Even though we know that this is a regular practice in an atmosphere of a higher level of military tension, inadvertent mistakes may be interpreted differently than in low tension periods. Naval movements for deterrence or warning purposes, just as much as the temporary concentration of forces and the large exercises conducted with increasing frequency (even though often outside of the area of application of CSBMs) are among the matters to be raised. It is much more the dynamic side (the movement, the concentration) that matters rather than the mere fact of having large and more modern armed forces. We certainly need more transparency and confidence-building in select areas. Where and how are the big questions.

We have arrived at the age of hypocrisy. Parties use camouflaged measures and set up the other party. When the Russian Federation says that no Russian soldiers are in Eastern Ukraine on assignment or if they are there, they are on holiday, the question of whether heavy armor is also on "holiday" arises. An annex to Minsk-2 ordered the withdrawal of a weapons system that has not been in any state's arsenal other than that of the Russian Federation. Furthermore, there are, by now, a number of interviews with Russian soldiers who ended up in captivity in Ukraine, who clearly reported that they were reassigned to eastern Ukraine without a military ID. If it is the primary intention of the main players to mutually prove the guilt of the other party and pull it down into the mud, the mutual trust that would be necessary to overcome the current situation will not develop.

Conventional Arms Control in Europe – A Turkish View

Tacan İldem

In facing current and emerging challenges, such as the one that we are experiencing in and around Ukraine, we have to make full use of our existing mechanisms, including the arms control and CSBM (confidence- and-security-building measures) arrangements. The relevance and value of these instruments have once again been proven in the face of recent events. At the same time, we have identified areas where they need improvements.

Turkey does not favor a complete restructuring of the conventional arms control regime. In our view, we already have effective mechanisms, which need upgrading for increased efficiency in light of the new security environment in Europe. We must continue to build upon our collective acquis. At the same time, we must strive for consistent implementation of the commitments already agreed upon. Turkey will continue, in good faith, to implement the treaties and regimes in the field of arms control, to which it is a party, while looking into ways of revitalizing and modernizing them with a constructive spirit. Given the already complex nature of the matter, we believe that any future process should be carefully handled in a step-by-step manner. Turkey strongly believes that the CFE regime and its components, as well as the vision which inspired its creation, should be reinforced, not replaced. The CFE Treaty, the Vienna Document and the Open Skies Treaty constitute the three main pillars of the conventional security architecture in Europe. All three instruments are mutually reinforcing. They all have their distinctive merits and cannot substitute for one another.

It is true that the security atmosphere has changed since the entry into force of the original CFE Treaty in 1992. Since then, the volatility in the Caucasus and the greater Black Sea region has increased, with the complicated conflicts and the ongoing crisis in and around Ukraine, while stability and security in the rest of Europe has been reinforced. In Turkey's vicinity, the unresolved conflicts negatively affect the level of trust and harbor the risk of military confrontations. Therefore, the priorities and security requirements of Turkey in the modernization process of the Euro-Atlantic conventional security architecture, including the CFE Treaty, may differ from those of the States Parties which are situated elsewhere in Europe.

The current Euro-Atlantic conventional security architecture is built upon the principles of comprehensive, cooperative and indivisible security. Departure from these principles would create a fragmented or multi-tiered architecture in which certain geographies or states would benefit from a privileged status. This would not serve the security interests of anyone. Security objectives expressed here today should, therefore, be pursued in a holistic fashion, without creating a hierarchy among them.

Turkey will be constructively involved in the process of re-engagement when the conditions permit such an effort. We must admit that a satisfactory resolution of problems towards "grey zones" in Moldova, South Ossetia, Abkhazia and the occupied Azeri territories is urgently needed if we are to maintain credible pan-

European security architecture. Though we agree that arms control cannot solve these problems, we believe that any future arrangement should address these conflicts.

The arms control instruments are not designed to solve the protracted conflicts. However, all armaments and equipment in the zone of application, including those deployed in the conflict zones, have to be subject to numerical limitations and transparency measures. Otherwise, it becomes impossible to establish credible conventional security architecture. For instance, due to the grey zones that have been created, the limitations and the transparency measures imposed upon certain States Parties to the Treaty have lost their meaning.

Several geographies in the zone of application host conventional armaments and equipment which are not subject to numerical limitation, transparency or verification measures. Irrespective of the political controversy over "host nation consent", such armaments and equipment deployed in these grey zones continue to undermine the delicate regional military balance, becoming the root cause for additional implementation problems, including excess holdings. Similarly, certain areas were also exempted from the CFE verification measures due to a subjective interpretation of the force-majeure clause, a practice which is not in line with the spirit of the treaty. Pending their solution for many years, these implementation problems have created no less than four major "grey zones" in the North and South Caucasus, thus significantly diminishing the commitment to conventional security and arms control. A satisfactory resolution of these problems is needed if we are to maintain credible pan-European security architecture.

The CFE regime is not confined to limitations, information exchange and verifications. The treaty also comprises main principles, such as state sovereignty, territorial integrity, non-use of force and host-nation consent. If conventional arms control in Europe is to move forward, it can only do so if not just host-nation consent, but all other principles are respected. There is a solid foundation which all of us have worked hard to create and which has undoubtedly proved its functionality and value over the years. Therefore, return to the full implementation of the regime remains a viable option. To this end, we can take the Adapted CFE Treaty as a basis for our future work. Certainly, the requirements emanating from the new security circumstances, together with the developments in technology, should be taken into account during the modernization process. As it stands, the CFE regime is designed for several purposes in consolidating the security of the Euro-Atlantic space. It provides comprehensive security guarantees for all. If the system is abandoned, these security guarantees will also be abandoned.

Turkey does not support the idea of negotiating a new arrangement which would include certain selective elements from the CFE regime. Any arrangement should provide security guarantees to all states in the CFE zone of application on equal and satisfactory terms. At this point, it would be useful to reiterate and emphasize that the Turkish policy on the flank regime is not based on a direct threat perception, but on a much wider political assessment of regional stability and security that necessitate predictability. Naturally, any gap in security and any instability in the region directly affect Turkey, but eventually all others as well. We will, therefore, seek to maintain the following basic parameters in an updated CFE regime. These are: legally binding nature; three pillar system of numerical limitations, information

exchange and verification; and a regional component that preserves the essence of the flank regime.

Some have been arguing for relegating regional and sub-regional security to regional and bilateral formats. This approach negates the very principle of the indivisibility of security. Such efforts risk the shedding of protracted conflicts from our security agenda and would, in this manner, be against our policy of helping to resolve them. Some advocate the idea of a regional CSBM arrangement based on transparency and restraint, which would apply for the sensitive areas or along the borders or conflict regions. Proponents of this idea, like the speakers on our Panel as well, give the Dayton Article IV Agreement as an example to follow. If I may briefly take up this suggestion, I would remind us all of the fact that the Dayton Article IV Agreement is part of a more comprehensive peace treaty, namely the Dayton Peace Accord. Therefore, there is strong political acquiescence by all parties to the fulfillment of its overall goals and its implementation. However, there is no comparable political environment in the flank geography which hosts several armed conflicts. The proponents of a regional CSBM arrangement seem to forget that every military capability is quantifiable and the numerical limitations on armaments and equipment are an essential part of any arms control regime. This idea also foresees a fragmented security architecture in Europe and aims at consolidating the security and stability of certain parts of the continent at the expense of the Caucasus and the Black Sea. Therefore, it runs counter to the principle of the indivisibility of security.

At a time when we are encountering serious violations of basic principles and commitments, there is an urgent need for serious political engagement, preferably at higher levels, in order to create a common understanding of the fundamental tenets of Euro-Atlantic and Eurasian security. Otherwise, any discussion in the absence of a conventional arms control regime could be futile. We cannot just argue that discussions on conventional arms control in Europe are technical. We all know that no matter how much technical knowledge they may require, at the end of the day the topic is very political. Therefore, only after ensuring a functioning high level political engagement for addressing the prevailing challenges to European security, will we be able to initiate a results-oriented dialogue in this field.

Possible New Negotiations on Conventional Arms Control – A Finnish View

Timo Kantola (Speaking Notes)

Post CFE: How to start the process: substantive issues at the European level?

Finland is not a State Party to the CFE. Therefore, special thanks for inviting us to this gathering. We have always been interested in conventional arms control in Europe and we are also interested in the future direction of arms control.

We do realize that it is up to the States Parties to the CFE to find a way out of the current situation with that regime. And we respect this.

One important issue for us is the question of how the non-CFE countries might be included in the process. During the earlier effort some years ago, there were ideas about the possibility of inviting non-states parties to join the negotiations on request. That was fine with us.

If the possibility of joining the process were only available once the future treaty was concluded, the offer would be kind of a *fait accompli*.

To avoid misunderstandings, I need to emphasize that, at this point, we have taken no position on the question of whether we would want to join the negotiations or not. We would first have to see the mandate for new negotiations – what the objectives and other parameters of the mandate were. Then, possible consideration would include both foreign and security policy issues, as well as aspects of national defense.

I was involved with the CFE negotiations 25 years ago. There was also a separate arrangement of monthly information exchange meetings. I recall that in those meetings Finland voiced its support for the goal of concluding the negotiations. We emphasized the need for effective verification and paid a good deal of attention to the flank issues, both with respect to the treaty stipulations, but also with respect to the consequences of the treaty. And, of course, we also closely followed those issues which had clear interface with the negotiations on confidence-and security-building measures – what we now call the Vienna Document – which were underway at the same time on the other side of the Hofburg.

We have understood that such an arrangement on information exchange meetings would most likely not be available if new talks were to commence. In other words, non-states parties have two choices: either to request to be in or to stay outside.

Let me now briefly turn to your questions – just a few points without trying to be exhaustive.

What could a positive political environment for negotiating new approaches to arms control look like and how can it be achieved?

In general, we should avoid setting preconditions for starting the negotiations.

However, I believe there is the political reality that the Minsk implementation, with respect to the crisis in Ukraine, is critical in order to continue efforts to get out of the current stalemate on conventional arms control.

What steps are needed to initiate substantial debate and formal negotiations?

In this context, I would again underline that it is up to the States Parties of the CFE to find a way out.

As to the mandate for new talks, a rather generic and concise mandate may be enough. There are plenty of questions that should be left for proper negotiations. The mandate should include what is necessary, such as key principles and the overall objective for arms control negotiations.

Limitations? Yes, they remain important. Another question is whether they should be included in a possible new treaty – perhaps not.

Lessons learned from Ukraine?

The Ukraine crisis again illustrates that there is a true need to modernize arms control. This should include numbers, numerical ceilings and also weapon categories.

Whereas the CFE has a rather static approach, today there is more need to put emphasis on transfers, deployments, and activities.

And another lessons learned: we saw that the Vienna Document visit policy – short visits conducted one after another – is not an ideal instrument in a conflict situation. A permanent presence is what is needed. There is a toolbox for conflict prevention and crisis management and instruments should be tailored for particular conflict situations. We have concentrated on offering experts to the Special Monitoring Mission and we would also like to see the border monitoring mission expanded.

I would conclude with the following three points:

First, we should all stick to the OSCE´s broad concept of security and to the principles and commitments that remain relevant. Arms control is an essential part of this.

Second, we should all make efforts to promote cooperative security. At this point, there are worries that we are drifting away from cooperative security.

And third, there is the question of political will. Five years ago in Astana the Heads of State or Government of the participating States adopted a joint declaration and in that registered the intention of modernizing conventional arms control as well as confidence- and security-building measures. Since then, not much has happened. At some point, political involvement will be needed to move forward in conventional arms control. The discussion has been around going in circles for many years and that is likely to continue if the political will to act is not there.

Session II:

How to Start the Process:
Substantive Issues at the European Level

Conventional Arms Control in Europe: New Approaches in Challenging Times

Rasa Ostrauskaite / Adam Kobieracki

Over the years, the OSCE has developed an impressive set of interlocking arms control and confidence-and security-building instruments including, the Document on Small Arms and Light Weapons, the Document on Stockpiles of Conventional Ammunition and the Vienna Document (VD). According to some experts, our region has the most elaborate regimes of arms control and confidence-and security-building worldwide. In many OSCE documents, such as the Astana Commemorative Declaration or the Vilnius Ministerial Council Decision it has been recognized that the implementation and further development of arms control agreements are essential for preserving and further enhancing security, as well as military and political stability within the OSCE area.

Conventional arms control (CAC) remains integral to the OSCE's comprehensive and co-operative concept of security. Its state and condition impact the entire OSCE area and all of the participating States.

Conventional arms control and confidence- and security-building measures (CSBM) still matter for European security. They offer important instruments that contribute significantly to security, optimally during "fair weather", but also during "foul weather" conditions. In this respect, arms control should also be viewed as an integral part of conflict prevention and crisis management mechanisms.

Also in this context, the OSCE toolbox, developed over decades, remains highly relevant.

The OSCE region today is no less in need of modern arms control and confidence- and security-building arrangements than it was in previous decades, when the central objective was conflict prevention and early warning. The outcomes of such measures and mechanisms provided an unprecedented amount of transparency that yielded more security.

Today we are facing a situation characterized by decreased transparency and predictability as well as the emergence of divergent security perceptions which have not only reduced trust, but have also challenged conventional military stability in Europe. This is a serious warning sign that should be addressed in a prompt and comprehensive manner in an effort to seek common solutions. Any effort to reverse this trend would first require addressing the principles and norms of the arms control regimes.

Update and Modernization of CAC and CSBMs in Europe

We have come to see the weaknesses and gaps in the existing conventional arms control regime. Although the provisions of the Vienna Document 2011 can be used in a modern way, modernization should still remain a priority. The 24 proposals made

within the Vienna Document are a good start, but maybe it is also time to rethink the rest of the OSCE toolbox.

Conventional arms control and CSBMs do not exist in a vacuum. Political will remains key to redressing the imbalances and imperfections of the current conventional arms control and CSBMs architecture. As the current crisis in and around Ukraine is interpreted by some as a crisis of pan-European architecture, it would be important to reaffirm the underlying principles of arms control.

CSBMs issues should be addressed to reflect the evolving security landscape in the OSCE as well as the role of new technologies and new types of warfare arising from them. However, one of the biggest challenges is related to unresolved regional conflicts, since hardly any instruments are effective at the sub-regional level. The Dayton Accords, as well as the Vienna Document's Chapter X on regional measures, are valuable regional role models.

Another challenge relates to the handling of *non-state actors*. Any such inclusion would require a status-neutral approach. While the 1993 document "Stabilizing Measures for Localized Crisis Situations" contains a useful compilation of possible measures following a status neutral-approach, the document's potential to address the existing security challenges at the sub-regional level has not been utilized.

We should also be aware that, while some CSBMs can be useful in a sub-regional context, it is important to delink regional conflicts from conventional arms control instruments.

The OSCE is the right platform for this endeavor. We all realize that other potential negotiation platforms have become quite rare. It is the OSCE's inclusive approach, allowing for a discussion with all at the table, which is so beneficial, including in informal settings offered by Security Days.

Reinvigorated conventional arms control in Europe is an essential element for rebuilding cooperative security in Europe. If fully implemented, existing arms control agreements, especially the Vienna Document 2011, the Open Skies Treaty and the Code of Conduct, could significantly contribute to transparency, stability and security in Europe.

Conventional Arms Control in the Context of the Crisis in and around Ukraine

It is fitting to mention that the ongoing arms build-up and the crisis situation in Ukraine have demonstrated the continued relevance of CSBMs, particularly the Vienna Document 2011, and have also pointed to the need to reinvigorate conventional arms control tools to rebuild cooperative security in Europe. Furthermore, it has shown that some traditional approaches to conventional arms control no longer seem suitable. While we should study lessons learnt from such situations, we must remain cognizant of the fact that such measures cannot be effective without the political will of the parties.

The OSCE toolbox remains relevant. During the crisis in and around Ukraine, the VD (through chapters 3, 9 and 10) has been used extensively and, as mentioned by some, now, "in a modern way."

Since the beginning of the crisis, the mechanism for consultation under Chapter III has been invoked 18 times, resulting in three joint meetings of the OSCE Forum for

Security Co-operation and the OSCE Permanent Council. Furthermore, 26 countries have decided to send military inspectors and observers in accordance with Chapters IX and X of the Vienna Document, conducting, in total, 19 verification activities in Ukraine so far. In addition, 13 countries have conducted 11 verification activities in the Russian Federation.

The application of the VD has enabled timely and continuous international presence on the ground, starting from the early days of the crisis. However, the application of the existing mechanisms has arguably not yielded the desired results. Other instruments remain at our disposal, although they have not yet been utilized.

It can, therefore, be concluded that the conflict prevention mechanisms within existing arms control agreements should be strengthened. Because risk reduction mechanisms can also significantly reduce the dangers of accidental or surprise attacks between actual and potential military adversaries, further risk avoidance mechanisms could be explored.

Towards a Political Framework for Militarily Significant Conventional Arms Control in Europe

Wolfgang Richter

We are discussing how to revive conventional arms control in the context of growing tensions and mutual threat perceptions in Europe. It is this context in which arms control is most needed and, at the same time, most difficult to achieve. Against this backdrop, it might be helpful to recall that arms control was initiated during the Cold War confrontation in Europe, i.e., in an even less promising environment. Nevertheless, conventional arms control – together with the Charta of Paris – developed into one of the pillars of a new cooperative security order that replaced Europe's political divisions and military confrontation. For almost two decades, the CFE Treaty was labeled the *"cornerstone of European security"*. It had a clear purpose, namely, to ensure reciprocal strategic restraint with the objective of eliminating conventional disparities and offensive capabilities in the context of alliance operations which dominated the European security situation at the time. The treaty maintained an equality of numbers of important weapon categories in the area of application, further limited such numbers in defined geographical zones, and maintained a geographical distance between NATO and Russia.

It might also be useful to recall why the CFE Treaty has unraveled and which lessons should be learned to avoid another failure. After the turn of the new millennium, the CFE Treaty lost its purpose and did not keep pace with the evolving security environment. The more NATO's enlargement advanced, the less the CFE limitation regime, with its obsolete bloc-to-bloc approach, was in line with actual security needs. That is why all of the CFE States Parties agreed to an Adaptation Agreement in 1999 (ACFE). However, for some states, arms control had become less urgent and was deemed an element of political bargaining rather than a pillar of common security. So, ratification procedures were made subject to achieving further political ends. In consequence, the ACFE failed and the "old" CFE Treaty became irrelevant. In the current crisis, a meaningful measure of restraint that is so urgently needed is missing.

Starting a new conventional arms control process in Europe in times of crisis requires States to agree on a common purpose and renew political commitment to cooperative security. In view of global security risks, which challenge East and West alike, the need for cooperation seems evident. That is also true for ending and solving protracted and new territorial conflicts in Europe and restoring good neighborly relations free of fear, threat and use of force. While solutions will not be achieved overnight, further escalation, at least, must be avoided and an imminent spiral of military confrontation must be stopped.

To that end, arms control should provide for transparent and verifiable measures of mutual strategic restraint, which curtail and inhibit offensive options in order to maintain peace in Europe. It should promote early warning and effective crisis response, have the potential to ensure legitimate defense purposes, maintain stability and predictability, and restore trust. A new concept should reflect the politico-

military realities in Europe, respond to growing risk perceptions, and have a clear objective of military relevance. With these goals in mind, let me make five points each on the political process and the military substance of a new agreement.

A. Political framework and process

(1) Although there is a growing sense of confrontation between NATO and Russia, new arms control should not serve to drive another wedge into the European security landscape. Rather than suggesting a political division of Europe, a new concept should have the potential to promote the OSCE objective of creating a common security area without dividing lines and geopolitical zero-sum games. A new bloc-to-bloc approach would not serve this purpose but rather, deepen the split.

(2) In consequence, new arms control should not only be seen in a NATO-Russia framework or be limited to CFE States Parties, but take into account the security interests of all States that have territory or forces in the area of application between the Atlantic and the Urals. Therefore, exploratory talks should be open-ended. The OSCE Chair could take the initiative and work in parallel with states and collective defense organizations.

(3) Unresolved territorial conflicts, as in the past, have the potential to derail the process. Consensus seems attainable only if the principles of international law are not compromised. At the same time, it should be clarified that arms control cannot solve territorial conflicts. However, it can provide 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.

(4) Political psychology plays an important, perhaps even a decisive role. An agreement can only be reached if various national interests are duly taken into account. Since those interests are often contradictory, creating a win-win-situation will be difficult and needs to be put in perspective. The political will to strike compromises – even painful ones – is needed. However, a positive pan-European security environment is better suited to solving territorial conflicts than insisting on confrontational, irreconcilable arguments and producing another stalemate.

(5) To that end, a core group of states that have a vested and genuine interest in a new pan-European arms control regime should carry and steer the process and promote ways out of stalemates that might be caused by individual linkages to further political objectives.

B. Military significance

(1) A bloc-to-bloc approach, striving for an equal balance of military hardware, is politically and militarily unrealistic. What seem more appropriate are stability measures for every States Party (similar to ACFE), which prevent a destabilizing accumulation of forces for offensive purposes at sub-regional levels in Europe.

(2) Transparency and verification are indispensable elements of any regime that is meant to ensure stability and build trust. The question is, whether transparency is enough and what purpose a verification regime should pursue. For objective reasons and taking into account the interests of a number of states, limitations are still needed.

(3) However, what types of limitations are useful and feasible? Most of CFE States Parties have reduced their treaty-limited equipment (TLE) far below CFE ceilings – with the exception of Southeast Europe and the Caucasus area. In all other regions, it is less the overall numbers of TLE which cause concerns but rather, their locations and activities, particularly, with respect to cross-border operations. In general, limitations that have a bearing on military options mean geography (*stationing*) and the quantity of those weapons systems which are deemed to have a significant effect in modern warfare.

(4) Limitations on permanent "forward" *stationing* of additional substantial combat forces, in line with the NATO-Russia Founding Act (1997), could still form a basis for appropriate measures, i.e. rather than negotiating new ceilings, one might take the current numbers as a baseline against which additional forces would be counted. Such thresholds could take ACFE territorial ceilings as an example, but needs to focus on those areas in which accumulations of forces would have destabilizing effects, such as zones of larger alliance operations and zones adjacent to national borders. Beyond such zones, static positioning of ground TLE in garrisons is less relevant than their activities outside the garrisons and, in particular, in the said sensitive geographical areas. Whenever an accumulation of forces in such areas exceeds a threshold subject to definition, particular transparency obligations should be triggered and mandatory multinational verification implemented. (The ACFE, adapted Protocol on Inspection (POI) Section IX has provided the relevant precedent.) One could also consider an upper threshold that may not be exceeded.

(5) Modern net-centric warfare capabilities enable smaller forces compared to Cold War postures to carry out missions with fire support of far-reaching and precise strike potentials. Such capabilities evolve from satellite-based reconnaissance, positioning and communications, advanced sensors and modern computer software, rather than new hardware, and tend to elude meaningful and acceptable transparency and verification. Thus, qualitative arms control will have to be considered, but obviously needs to be subject to compromises. A capability-based approach might help to overcome that problem. E.g., mobile transport and far-reaching strike systems in Europe – no matter in which sub-regions they are stationed – should become subject to information obligations and on-base verification rights.

Session III:

Issues at Sub-Regional Levels

Conventional Arms Control in the South Caucasus

Kornely Kakachia

The South Caucasus as a sub-region presents a complex and troubled security environment that shares a number of common features. The region is made up of economically poor states with fragile political institutions. In addition, the region remains home to numerous unresolved conflicts, involving Nagorno-Karabakh and the separatist areas of Abkhazia and South Ossetia in Georgia. These conflicts, already the subject of involvement by the Organization for Security and Co-operation in Europe (OSCE), are becoming of increasing concern to the European Union (EU) and NATO as well.

The Russian-Georgian conflict, together with the Azeri-Armenian conflict over Nagorno-Karabakh, has created security dilemmas. Russian troops have started the process of demarcation (also known as "borderization") near the South Ossetia-Georgia administrative boundary line and are, meanwhile, gradually advancing the occupation line inside Georgia to enlarge Russian-held territory. While reactions to these provocative activities[1] have varied both nationally and internationally, they are widely considered to be part of a broader Russian strategy of destabilizing Georgia from within.

There are signs that a renewed arms race between Armenia and Azerbaijan may be intensified.[2] According to the internationally respected defense publication, IHS Jane's 360, Azerbaijan's steadily growing defense budget went from USD 175 million in 2004 to a goal of USD 3.75 billion in 2014, for purchases including advanced weaponry from Russia and South Korea[3]. For its part, the International Crisis Group, which tracks conflicts around the world, describes a "dramatic acceleration of what had already been a growing arms race and intensifying strident rhetoric between Azerbaijan and Armenia"[4].

Security pressures are leading to increases in military expenditures in the three countries, and are connected with the role of major powers as suppliers of military aid, in this case, the Russian Federation (and, to a certain extent, Turkey) which is providing weapons to both sides. Due to these circumstances, rather than discussing

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1 EU's Tusk Hails Tbilisi's 'Responsible Reaction' to Russia's 'Provocations'. Civil Georgia. July 21. Available at: http://www.civil.ge/eng/article.php?id=28454

2 See: World Military Spending 2013. Available at: http://www.globalissues.org/article/75/world-military-spending

3 IHS Jane's Intelligence Weekly, Planned highway, increasing ceasefire violation heighten war risks between Azerbaijan and Armenia over Nagorno-Karabakh. Available at: http://www.janes.com/article/35155/planned-highway-increasing-ceasefire-violations-heighten-war-risks-between-azerbaijan-and-armenia-over-nagorno-karabakh;

4 International Crisis Group (ICG), Armenia and Azerbaijan: A Season of Risks. Available at: http://www.crisisgroup.org/en/regions/europe/south-caucasus/b071-armenia-and-azerbaijan-a-season-of-risks.aspx; p. 1

issues related to arms control, the region is becoming heavily militarized. In addition, there is no common vision of regional stability. The three countries have chosen different integration projects. While Georgia signed the Association agreement with the EU and Armenia has become a member of the Eurasian Union, Azerbaijan stands somewhere between.

With the signing of "alliance and integration" agreements with Abkhazia in November 2014 and South Ossetia in March 2015, the Russian Federation started the *de facto* annexation of these two Georgian regions. Both treaties formally placed the respective militaries of the breakaway republics under Russian command, while the agreement with South Ossetia also included provisions integrating its economy with that of Russia. The border between Russia and South Ossetia was also effectively dissolved, with customs being integrated.

With the OSCE absent from the region, the EUMM is trying to fill the gap. However, in violation of the Six Point Ceasefire Agreement, Russia does not allow the EUMM monitors to enter South Ossetia and Abkhazia. Lack of trust is also a huge problem and transparency and verification tools are needed. The report prepared by the National Committee on American Foreign Policy and the Institute for the Study of Human Rights raised concerns that Russia "not only failed to withdraw, it expanded territory under its control beyond the pre-war conflict zones" and Russia "established a troop presence in 51 villages it did not control before the war and conducted military patrols on territory it did not previously hold."[5] The report also describes the Russian military presence in Abkhazia and South Ossetia: "Russia also deployed new weapons systems, such as attack helicopters and tanks, where they did not exist before the war. By October 2010, Abkhazia and South Ossetia became host to 'Smerch' type offensive rockets, 'Tochka-U', and S-21, a tactical rocket that can carry nuclear, cluster, or chemical agents up to 150 kilometers. S-300 surface-to-air missiles were based in Abkhazia. Russia signed 49-year lease agreements with automatic 5-year renewals in Gudauta and Tskhinvali. Russia has built five permanent military bases in South Ossetia, manned by approximately 5,000 security personnel. Another 5,000 are based in Abkhazia. Both deployments include regular army troops, border guards and FSB personnel. Russia's Ministry of Defense revamped its military command in the North Caucasus, linking it to Russian forces in Georgia."

Clearly, by occupying breakaway provinces and establishing military bases from which to threaten the occupation of the rest of Ukraine, Georgia, and Moldova, Russia can influence the actions of these sovereign states. Hence, the underlying premise is that disarmament and arms control measures promote peace and security in South Caucasus.

What can be done?

– The Sarkozy-Medvedev agreement, which enables EUMM to enter occupied territories, must be fulfilled.

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5 See: National Committee on American Foreign Policy and the Institute for the Study of Human Rights. August 2011. Available at: http://www.ncafp.org/ncafp/wp-content/uploads/2011/08/Implementation-Review-Russia-and-Georgia-Aug20111.pdf

- Before discussing arms control, the militarization of the region must be stopped.
- Cross border and cross-regional cooperation should be encouraged to revive mutual confidence.
- With the incoming German OSCE Chairmanship, there is an option to kick off discussions on arms control issues. However in a situation when a regional power (Russian Federation) does not honour its commitments, it is difficult to start any meaningful discussions on regional security issues.
- Potentially, it would be good to start a kind of Caucasus stability pact, which should also include the EU and the US, in the same way that the Balkan Stability Pact was launched.
- The Russian proposal to re-launch a new CFE treaty, based on the so-called "new realities on the ground", is a non-starter.
- It will be a difficult task to initiate discussion on status-neutral issues, but if the principle of the host nation consent is assured, it would still be worthwhile to discuss it with parties involved.

A Sub-regional Approach to Conventional Arms Control in the Baltic Region

Raimonds Rublovskis

The Latvian and the wider Baltic approach to the issue of conventional arms control (CAC) is based on the historical background of the 20th century, geography and smallness of those countries. Security documents of the Russian Federation, especially the Russian Military Doctrines of 2010 and 2014, clearly state the actions which constitute direct military endangerment and direct military threat to Russia. Latvia and other Baltic states, as members of NATO and EU, could be seen by the Russian side as territory which could be used as a source of military threat. Therefore, further development of NATO's military infrastructure in Latvia and other Baltic States, an increase in military exercises and the deployment of military personnel would certainly trigger a Russian response in kind.

CAC is an increasingly important issue which should not be separated from other important global and regional security issues, such as the non-proliferation of WMD, nuclear capabilities and missile defense systems. An increasing lack of openness, mutual trust and confidence between NATO and Russia will further challenge the situation in the Baltic Region. How to address the Baltic sub-regional security challenges through the CAC framework? There are several fundamental challenges – fundamentally different threat perceptions between the Russian Federation and NATO in the Baltic Region. The Russian threat perception is based on the fact that the Baltic members of NATO could be used as territory for a military attack against Russia and, on the other hand, the threat perception of the Baltic States is completely different – there could be a military threat by Russia against the Baltic States. Under such circumstances, there are substantial difficulties for developing a common approach to deal with CAC challenges in the Baltic Region.

Any future CAC agreement has to provide effective means to address sub-regional security and defense issues in the Baltic Region. Therefore, one also has to address the issue of permanent and rapid development of technologies within the military domain. Emerging new types of conventional military capabilities should be included in any future negotiations over the CAC framework.

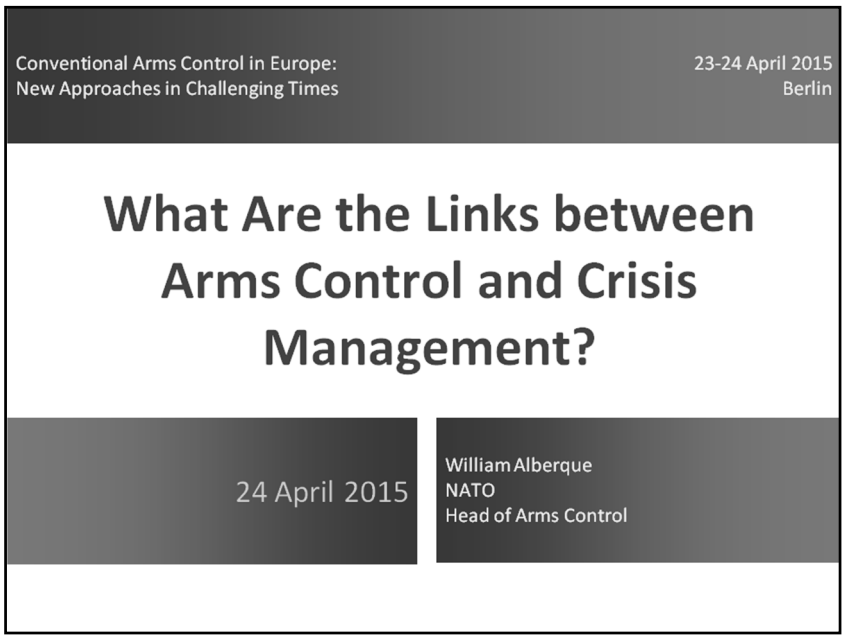
One could conclude that there are several issues which will have a significant impact on any future CAC negotiations and agreements in the Baltics. First, the status of the NATO/US relationships with the Russian Federation will have a profound influence on the region and, therefore, it is definitely important to take into account not only the arguments of the Baltic States, but also Russian security concerns and considerations, within any future CAC framework. It could require the development of special sub-regional CAC agreements for the Baltic region, which would reinforce, politically and legally, the overall CAC agreement. Second, Latvia and the other small Baltic States should be actors in any future CAC negotiations and agreements because the small states are even more interested in openness, transparency, enhanced information exchange, verification and confidence-building measures to improve a future CAC regime. Therefore, any future CAC agreement should be a legally and politically sound and effective instrument to fulfill its tasks, and Latvia should be included as much as possible in any future CAC negotiations.

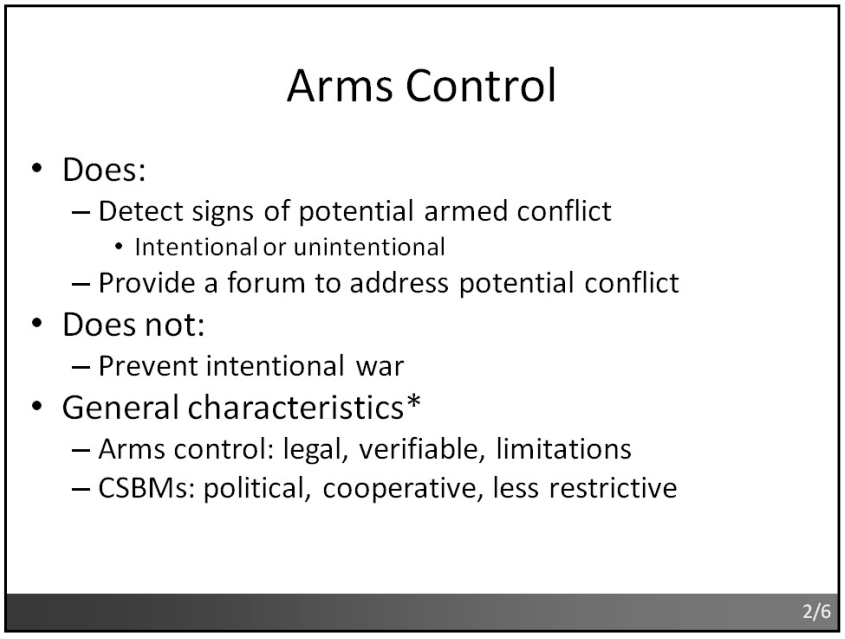
Session IV:

The Link between Conventional Arms Control and Crisis Management

What Are the Links between Arms Control and Crisis Management?

William Alberque





Crisis Management

NATO's Crisis Management Process:

Phase 1: Indicators & Warning
Phase 2: Assessment
Phase 3: Response Options
Phase 4: Planning
Phase 5: Execution
Phase 6: Transition

3/6

Crisis Management and Arms Control

Phase 1: Indicators & Warning Phase 2: Assessment
Phase 3: Response Options Phase 4: Planning Phase 5: Execution
Phase 6: Transition

4/6

Crisis Management and Arms Control

- Indicators and Warnings:
  - Arms control (by definition), along with intelligence, strategic communications, news media
    - CFE, VDOC, Open Skies, GEMI, etc.
- Assessment:
  - Analyze data from all sources, use diplomacy
    - FSC, JCG, AIAM, ASRC, bilateral diplomacy
- Transition:
  - Prevent resumption of hostilities through ceasefire agreements, seek a lasting arrangement (treaty)
    - Dayton

5/6

Improvements

- Arms control cannot prevent deliberate conflict
  - Parties seeking war generally minimize observable indicators and warning
    - Attenuate compliance, avoid transparency, use disinformation to avoid attribution
- So, how to raise costs of conflict?
  - Remove ambiguities in agreements
  - Remove loopholes that avoid transparency
  - Increase set of indicators and warnings
    - Cooperative satellite imagery, air/land/sea monitoring
    - Hybrid war?

6/6

Arms Control and Crisis Management: Putting the Relationship Right

Andrei Zagorski

1. Our discussion on the first day has revealed that, in the context of the Ukraine crisis, the impact of arms control and CSBMs was, to say the least, very limited. Not surprisingly, the decision of Finland's government was mentioned to reallocate resources from conducting inspections under the Vienna Document (VD) in favor of supporting the Special Monitoring Mission to Ukraine (SMM) and border monitoring as a more promising avenue.

2. This led us further in the discussion to the question of whether the performance of those measures in a crisis landscape would improve should the VD be substantially modernized. My response is: NO, although one should differentiate the possible impact of arms control/CSBM measures at different phases of the conflict cycle. But generally, arms control and crisis management provide for different tool sets, and it would be wrong to conceptualize crisis management in terms of arms control measures. In the discussion this fact was pointed out by highlighting the difference between the Dayton Art. 4 Agreement, which was part of a peace deal, and the current arrangements in Ukraine.

3. This is not to say that CAC or CSBMs cannot have a role in conflict prevention and resolution. They may have an important function in early warning by allowing the detection of deviating behavior, and they may become an important part of a peace agreement, should the parties to a conflict agree that those measures are important for settling the conflict.

4. There is another pattern of contemporary conflict in Europe that deserves special attention.

In recent years, we have been confronted with local conflicts which, however, involved the interest of one or more major regional power(s), not least, that of nuclear power(s). We need to acknowledge that the recently increased military activities not directly linked to the Ukraine crisis reveal the danger of an unintended spin-off of spreading the conflict, allegedly even to a nuclearization of this spread.

5. Where can greater synergies between CAC/CSBMs and crisis management be anticipated?

a) Greater synergy can be achieved at the early warning phase. When we discuss the issue from the perspective of generally intensifying the inspections regime, this may be the wrong approach, or an approach which has little to do with conflict prevention. But one should give a thought to possible ways of gradually intensifying inspection and verification at even lower levels once the early warning mechanism is triggered by detecting deviating military activities.

b) It does not make sense to intensify inspections during the armed phase of a conflict, particularly since those measures yield little practical outcome and are often instrumentalized in the interests of parties to a conflict. On the other hand, one

should probably downsize the implementation of inspections after the outbreak of an armed conflict, and give priority to crisis management measures.

c) Arms control may or may not become an integral part of a peace deal ending a conflict.

d) In any case, the difficulties of managing a crisis ought not to be instrumentalized in order to justify an overall modernization of the Vienna Document. Adjustments may need to be made in terms of expanding the eventual effect of CAC and CSBMs in a conflict environment at specific phases, but this need does not justify a comprehensive overhaul of the VD CSBMs.

e) Practical ways need to be explored in order to objectivize VD related inspections and minimize the instrumentalization effects. Multilateralizing inspections under the OSCE auspices for this purpose is one option to establish a common baseline for assessing the developments, although individual assessments may ultimately differ. Should this option be further regarded as unacceptable for different reasons, the question is: Are there other options that could help to objectivize the effects of inspections?

Crisis Management and Arms Control – the Implementation of the Minsk Agreements

Claus Neukirch[6]

From a crisis management perspective, arms control represents a challenging dilemma. On the one hand, elements of arms control, such as the verification of heavy weapon withdrawals, are important to stabilize ceasefires. On the other hand, the introduction and application of any confidence- and security-building measures (CSBM) and, in particular, of quantitative arms control measures are most difficult to achieve during the peak of a crisis. However, during the early phases of a conflict and in the post-settlement phase, chances for successful arms control measures are considerably higher. In the OSCE context, for instance, military CSBMs were developed from the Helsinki Final Act onwards, but it took until 1990 to adopt the more comprehensive Vienna Document. Thus, it was actually only at the end of the Cold War that a breakthrough in arms control was achieved. Another example is the Florence Agreement, according to Art. IV of Annex 1-B of the 1995 Dayton Agreement, for sub-regional arms control, which helped to stabilize the region in the post-settlement phase. Again, arms control was put in place after the political settlement of the conflict, not during the crisis.

A third example: In 2005, the OSCE Mission to Moldova developed a package of CSBMs to reduce tensions and build trust and confidence between Chisinau and Tiraspol. While the political settlement process for the Transdniestrian conflict is frozen, there are no indications that either of the two sides would even contemplate using military force. Still, progress in implementing the package was difficult to achieve and the Mission never came further than organizing a couple of seminars and exchanging views and information on non-sensitive matters, such as disaster relief. Military data exchanges or inspections were seen, especially by the Transdniestrian side, as just too sensitive to engage in.

With these examples in mind, we ask, what the potential for arms control is in the hot phase of a crisis, such as in Ukraine after the September 2014 Minsk Agreements and the subsequent Implementation Plan from 12 February 2015? Nil? Or does the toll of active combat and the urgency to stop fighting actually allow for more dynamism on arms control issues? In a frozen process, for instance, in which military action is widely regarded as unlikely, is it actually *so* unlikely that there is no immediate pressure to engage in serious exchanges on arms control?

The 19 September 2014 Minsk Memorandum foresees the withdrawal of artillery systems over 100 mm from the line of contact, defining clear zones of exclusion for specific weapon systems. The 12 February 2015 Implementation Package confirms

6 The views expressed in this article are solely those of the author and do not represent the official position of the OSCE Secretariat.

this requirement, extending it to "heavy weapons" and modifying the respective exclusion zones for artillery systems. The Package further tasks the OSCE with ensuring effective monitoring and verification of the ceasefire regime and the withdrawal of heavy weapons, using all technical equipment necessary, including satellites, drones, radar equipment, etc.

To fulfill this task, the Chief Monitor of the OSCE Special Monitoring Mission (SMM) to Ukraine requested, from both sides, guarantees of the freedom of movement, safety and security for SMM monitors as well as relevant data, such as detailed information about the military hardware subject to withdrawal, withdrawal routes and assembly areas outside the exclusion zones. While the SMM has never received the requested base-line information, since then, it has been given access to a number of holding areas for heavy weapons outside the respective exclusion zones and has been able to re-visit them. In addition, the SMM is patrolling the conflict zone with ground patrols and uses unmanned aerial vehicles (UAVs) and satellites to detect heavy weapons inside the respective zones. The SMM publically reports on its verification activities, but these reports do not include any sensitive information, such as the number and type of weapons held in the respective assembly areas or the location of these storage sites. The SMM does not share any further information, including UAV or satellite images in order not to compromise the confidentiality of its verification and monitoring activities. But it does report on compliance and non-compliance and, therefore, its reports have become the most important seismograph for the stability of the ceasefire regime.

In addition to the SMM, the Joint Centre for Co-ordination and Control (JCCC), a structure established as a bilateral initiative between the Ukrainian and Russian General Staff, which also includes representatives from the so-called People's Republics of Donetsk and Luhansk ("DPR", "LPR"), registers reports by both sides on cease-fire violations. The JCCC is also the main body for the sides to negotiate the practical terms and timelines of the withdrawal of heavy weapons. However, the body plays no role in the implementation and verification of the withdrawal regime itself. The reasons for the non-involvement of the JCCC and the involvement of the SMM and its strict confidentiality are obvious: As military exchanges continue despite the ceasefire agreements reached in Minsk in September and February, any information on the location and the number and types of heavy weapons is regarded by both sides solely as intelligence the other side could use for a military attack. Therefore, neither side is prepared to authorize a mechanism which would allow the other to acquire such sensitive information.

A verification regime that would not only involve the OSCE as a third party, but would also include the respective sides - as any arms control mechanism intended to increase transparency and build confidence would do - is not implementable under the current conditions. However, such a verification mechanism should remain the ultimate goal.

The Ukraine case shows that, as a crisis management measure aimed at facilitating the way from active fighting to a stable ceasefire, arms control must be exclusively designed as a third party monitoring and verification exercise, which should include reporting to the sides or even to the public, which would address issues of compliance or non-compliance, but would not disclose sensitive information. Trust in the third party, by both sides, is absolutely essential in this phase. Only with a solid political process in place and a consolidated ceasefire can arms control

measures, including military data exchanges and inspections by the sides themselves, be introduced. At least in the beginning, a neutral third party is needed as a part of such a mechanism. Thus, the space for arms control / CSBM grows as the trust between the sides grows. Confidence-building processes, if they are genuine and are taken seriously by both sides, can strengthen themselves by producing more confidence with each successful measure applied. The same logic, however, can turn confidence-building measures into confidence-destroying measures when one or both sides do not engage genuinely in such a process, but try to achieve short-term gains. One should not, therefore, rush into arms control measures which could be potentially misused in crisis situations as military intelligence. Rather, one should start slowly with third party-only measures and non-military CSBMs, before continuing with a step-by-step approach leading to arms control mechanisms involving all sides.

Summary and Conclusions

Wolfgang Zellner

The purpose of this summary is to lay out the major lines of the workshop's discussions and to highlight their deficiencies and strengths. At the same time, it is important to designate areas where further conceptual work might be necessary.

This workshop, with participants from more than two dozen countries, took place during a period of open war in the middle of Europe. Therefore, it is important to mention that there was no less interest in conventional arms control (CAC) than in 2013, when we organized the first workshop of this type. In two respects, there was even more interest in the issue: *First*, as a number of speakers emphasized, the crisis in Ukraine showed the need for arms control. *Second*, from several sides, it was mentioned that the German OSCE Chairmanship in 2016 is raising expectations.

With a few understandable exceptions, the workshop was characterized by rather sober, professional discussions on the substance of conventional arms control. Against the background of what has happened in Ukraine and what emotions this has triggered, this is rather surprising. At the same time, it shows that it is possible to conduct professional, substance-oriented discussions even under the current conditions. This is an important finding.

Keynote Speech by Gernot Erler

The workshop started with a keynote speech by Gernot Erler, Special Representative of the German Federal Government for the OSCE Chairmanship in 2016. Erler acknowledged that the conditions for conventional arms control are anything but bright:

> "[T]he present state of affairs in conventional arms control and CSBM in the OSCE gives little reason for enthusiasm. Our interlocking treaty regimes have come under severe stress. Their instruments scarcely meet modern security requirements. Unresolved regional conflicts remain a serious challenge to peace and security and the application of arms control instruments in the OSCE area. And, to make matters worse, the conflict in Ukraine has developed into the most serious threat for our overall security."

These bad conditions are no reason to renounce conventional arms control. Rather, Erler invited the workshop participants to invest in fresh thinking:

> "[W]e believe that conventional arms control can contribute to creating a fertile environment for solutions even in this context. But we should take a fresh look at the basic instruments that served us so well in the past. We should try to find answers to questions such as: Do we still have the right means and tools to address today's conflict situations in the OSCE area? Does conventional arms control in Europe still function when it matters? What are the root causes of conflicts and threats in the OSCE? Where do our threat perceptions differ and why?"

These positions and questions provided encouragement as well as a good starting point for the workshop's subsequent discussions.

Conventional Arms Control in a Changing European Security Environment

It was repeatedly stressed by several sides that conventional arms control remains relevant. More specifically, it was mentioned that the crisis in Ukraine has raised the level of attention to CAC. One line of thinking emphasized that the relevance of arms control and, particularly of CSBM, has been proven in Ukraine. However, this position was also substantially questioned. For a more detailed discussion, see the paragraph on arms control and crisis management.

More general features of the discussion dealt with the relationship between existing instruments and new ones in future CAC agreements, the political preconditions for opening a new conventional arms control process, i.e. the full implementation of the Minsk Agreement of February 2015, as well as the need to organize a top-down process engaging the highest political leaderships. One speaker reminded the participants of the relevance of the "Framework for Arms Control", adopted at the 1996 OSCE Lisbon Summit meeting. Speakers also stressed the need to integrate conventional arms control into the broader political picture. More specifically and with respect to Ukraine, it was noted that it is necessary to identify deficits and modernization needs, also with respect to new types of (hybrid) warfare, as observed in Ukraine.

How to Start the Process: Substantive Issues at the European Level

With respect to the *process* towards consultations and negotiations on a future agreement on conventional arms control, it was mentioned that there is currently no platform dealing with CAC. Speakers explained that there are basically two options for how to proceed: Either the CFE States Parties would start the process and, at a later stage, invite others to join or, alternatively, an OSCE format could be chosen in which each participating State (with territory in the area of application) could participate. The issue could not be resolved. However, the expectation was raised that the 2016 German OSCE chairmanship would bring the issue of conventional arms control to the attention of high-level decision-makers.

On the *substance*, it was recommended that parallel tracks of consultations and negotiations on CAC and on CSBMs be continued, starting with the modernization of the Vienna Document 2011 – although all attempts since 2010 to do so have not led to anything, apart from some minor technical and procedural improvements.

More in detail, it was mentioned that limitations of key equipment are an important issue. However, it was noted that this question is concerned less with the overall numbers, but far more with the location of the equipment, (i.e. close to borders) and out-of-garrison activities, apparently a lesson learnt from the crisis in Ukraine. Verified transparency, including challenge inspections, was seen as a must. However, it was also made clear that transparency is not enough.

With respect to the *form* of future CAC agreements some states, and particularly the representative of one state, called for a legally binding treaty. Others, however, pointed out that it is almost impossible under the current conditions to achieve a

legally binding agreement. Still others called for more flexibility and suggested a mix of politically binding agreements and unilateral declarations.

Issues at Sub-Regional Levels

In general, it was said that the northern regions, i.e. the Baltic region, and the southern regions, i.e. the (South) Caucasus, have different needs and concerns.

In the North, the main concern was less about equipment and more about activities and the risk that substantially increased activities might lead to misunderstandings and incidents. It was said that this focus on activities instead of static forces constitutes a different situation and requires a different toolbox. The Baltic States share a strong threat perception vis-à-vis Russia. Any military event would have grave consequences. Also mentioned was the fact that small states are even more interested in conventional arms control.

The Link between Conventional Arms Control and Crisis Management

This issue was new and had never before been discussed in this detail. One could clearly distinguish between two positions that came to quite different conclusions.

A number of speakers stressed that arms control is useful or can be made useful for crisis management. Admittedly, arms control is made for peace and cannot prevent wars. But arms control *can* detect indicators of conflicts, particularly if combined with different early warning instruments. Although there are a number of ambiguities and loopholes, improvements are possible that would gain time and raise the costs of war. Arms control instruments worked, with mixed results, in Kosovo and Chechnya. Experiences were also mixed in Ukraine: The regimes worked, there were Vienna Document 2011 inspection and Open Skies flights. The bad news was that there were no CFE inspections in Russia – under the Adapted CFE Treaty there would have been about 30 – and the VD quota was too low by far. It was recommended that the number of inspections and of inspectors be increased, that special inspections in crises be introduced, and that the thresholds for notification and observation under the Vienna Document 2011 be lowered.

The second approach highlighted the fact that arms control instruments had only a very limited effect in Ukraine. According to this view, looking for ways to improve the Vienna Document 2011 to make it fit for crisis management is the wrong approach. Crisis management should be conceptualized in terms of crisis management and not in terms of arms control. However, even the proponents of this position admitted that arms control instruments can be useful for crisis management in certain phases of the conflict cycle, particularly in its early phases and in post-conflict periods. Proponents of both positions agreed on this. However, speakers on the second position stressed that the use of arms control instruments during the conflict is less effective, if not counterproductive: What is seen as transparency in arms control terms, is necessarily perceived as intelligence in a war situation.

The use of arms control instruments could also be beneficial with respect to increased military activities in areas adjacent to the conflict zone. However, specific measures would be needed for that

As the debate on the nexus between arms control and crisis management was new, it has not led yet to conclusive results. However, the discussion is worthwhile continuing and using it to develop further conceptual work.

Final Remarks

The prospects for future conventional arms control in Europe are complicated, to put it mildly. Almost nobody believes that a more comprehensive CAC agreement can be achieved in the foreseeable future. In this situation, two things are encouraging. Despite high tensions between Russia and Western States and an almost belligerent atmosphere, the interest in conventional arms control has not decreased – quite the contrary. And perhaps even more important: The discussions of this workshop have shown that exchanges between government officials and track II experts can remain sober and substance-oriented even under the current conditions. There is every reason to continue this kind of dialogue.

Abbreviations

ACFE	Adapted Treaty on Conventional Armed Forces in Europe
CAC	Conventional Arms Control
CFE	Treaty on Conventional Armed Forces in Europe
CORE	Centre for OSCE Research
CSBM	Confidence- and Security-Building Measures
DPR	People's Republic of Donetsk
EU	European Union
EUMM	European Union Monitoring Mission in Georgia
FSB	Federal Security Service
GDP	Gross Domestic Product
IFSH	Institute for Peace Research and Security Policy at the University of Hamburg
IS	Islamic State
ISAF	International Security Assistance Force
JCCC	Joint Centre for Co-ordination and Control
LPR	People's Republic of Luhansk
NATO	North Atlantic Treaty Organization
OSCE	Organization for Security and Co-operation in Europe
POI	Protocol on Inspection
SMM	Special Monitoring Mission
TLE	Treaty-Limited Equipment
UAV	Unmanned Aerial Vehicle
UN	United Nations
US	United States
USD	United States Dollar
VD	Vienna Document
WMD	Weapons of Mass Destruction

About CORE

The Centre for OSCE Research (CORE), founded in 2000, is the only institute specifically dedicated to research on the OSCE. Located in Hamburg, Germany, within the Institute for Peace Research and Security Policy (IFSH), CORE operates as a politically independent think tank, combining basic research on the evolution of the OSCE with demand-driven capacity-building projects and teaching. Addressing political actors, the academic community and the interested general public in Germany and abroad, CORE strives to contribute to the OSCE's development with analysis and critique that provide insight into the problems faced by and opportunities open to the Organization. For more information about CORE or this paper, please contact:

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