

BULLETIN

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The Russian Approach towards Revival of Conventional Arms Control Regime in Europe

by Jacek Durkalec

In the course of this year, efforts towards revival of a conventional arms control regime in Europe have been restarted. A number of political and military premises indicate that Russia will not be willing to return to it in its current form and on terms proposed until now by NATO. The only chance of escaping from the impasse seems to be the entering of both sides into talks in which all disputed issues would be negotiated separately but in a parallel manner (distinct baskets).

Current status. Formally, the Treaty on Conventional Armed Forces in Europe (CFE) from 1990 remains the only legally binding document limiting conventional arms in Europe. It is implemented by all state-parties, except Russia, which suspended it in 2007. The Adapted CFE Treaty (ACFE), signed in 1999, modifies provisions of CFE, and has been already ratified by Russia, Belarus, Kazakhstan and Ukraine. NATO member states have set as a condition of ratification the implementation by Russia of the so-called Istanbul commitments, which are politically binding declarations concerning the withdrawal of Russian forces from Georgia and Moldova.¹ According to NATO's stance, which was presented in the 2008 Parallel Actions Package, only after Russia moves forward with making these commitments and ACFE comes into force would NATO examine other Russian postulates regarding the shape of the CFE regime (which thus far has met with NATO opposition or reluctance). The Russian postulates include: the liquidation of flank limits, a further limitation on the military equipment of all NATO members, and the development of a common understanding of the term "substantial combat forces."

In the course of this year, endeavours towards resuscitating the European conventional arms control system have been restarted. Several bilateral as well as multilateral meetings (using the formula 30+6 — 30 CFE members and 6 non-CFE NATO members) took place. Russia and NATO submitted new proposals on escaping the deadlock, although statements from both sides indicated that despite their efforts agreement has not been reached and chances of achieving it in a short timeframe are faint. Furthermore, a number of political and military factors indicate that Russia will not be willing to return to the CFE regime if kept in its current form and if NATO does not resign from some of its postulates.

Political factors. For several reasons, Russia will not agree to a withdrawal of its forces from Georgia and Moldova as a prerequisite to the coming into force of ACFE and/or the further modernization of the CFE system. First, agreeing to this NATO condition would not guarantee Russia that its postulates regarding further modification of the CFE would be addressed. The beginning of negotiations regarding its concerns would not by itself automatically mean NATO would be ready to meet Russian demands in a way it would perceive as satisfactory. Second, agreement with NATO's stipulation could question hitherto Russian policy towards Abkhazia and South Ossetia. Russia, in contrast to NATO members, formally recognizes them as independent states. As a result, Russia cannot agree with the NATO argument that the presence of Russian forces in these territories is contrary to the principle of host-state consent to the stationing of foreign forces on its territory because it is doing so without the permission of Georgia (this is the basic NATO argument justifying the need for Russia to fulfill its Istanbul commitments). The withdrawal of Russian forces from these

¹ More, see: M. Madej, *Traktat o siłach konwencjonalnych w Europie – geneza, istota, perspektywy*, „Biuletyn” PISM, no 25 (439) from 5 June 2007.

territories could be perceived as the de facto revocation of international recognition of Abkhazia and South Ossetia. For Russia, this would constitute a prominent defeat and could jeopardize its political credibility.

Conceivably, Russia does not strive for finding prompt compromise on the future of the CFE regime, counting on that its bargaining position would strengthen in the longer term. NATO members currently do not have access to detailed information regarding Russian armed forces provided by the CFE. NATO's endeavours towards greater transparency could also grow with further progress in the implementation of reform of Russian armed forces, which is currently underway. Another point not to be excluded is that the Russian position in CFE negotiations would strengthen if potential talks begin on limiting Russian tactical nuclear weapons. Although most probably those talks would not be directly linked with conventional arms control, Russia could set as a condition to concessions the fulfillment of its postulates in the conventional sphere.

Russian military calculations. Provisions of both treaties — CFE as well as ACFE — do not address Russia's long-term interests for three reasons. First, they do not provide Russia with a favorable and legally sanctioned proportion between its armed forces and overall NATO member-state military capabilities. For instance, according to ACFE, a sum of the national ceilings for Treaty Limited Equipment of 22 NATO CFE members is 92,678 (TLE), while in the case of Russia it is 28,216 TLE. It does not matter for Russia that the actual level of armament in these countries is less than the limit. For example, in 2007 the sum included 61,281 TLE in contrast to 23,266 TLE possessed by Russia. According to the Russian government, even if non-CFE NATO members join ACFE (the Baltic States, Slovenia, Albania and Croatia) and the perceived Russian risk of an unconstrained NATO buildup in those territories could be eliminated, the disproportion between NATO and Russia would grow. Apart from this, ACFE limits only five types of military equipment. It does not take into account naval forces and unmanned aerial vehicles, whose significance in military operations is growing and in which NATO has an advantage.

Second, in the longer perspective, preserving flank limits also could be disadvantageous for Russia. The limits could hamper the flexibility of relocating Russian military equipment within Russia territory, which would be especially important in case the need arises to increase the number of Russian forces in the unstable Caucasus region (for instance, in the case of a conflict within Russia territory similar to the Chechnya wars). In the Russian view, flank limits are discriminatory as constraints regarding moving forces within one's own territory were not imposed on any NATO member state. To make matters worse, NATO has an advantage over Russia in the flank zone.

Third, the CFE regime in its present form does not guarantee that "substantial combat forces" would not be deployed to the territories of "new" NATO member states. In Russia's opinion, this term should include forces not bigger than a brigade. The need for a precise definition stems from Russian endeavours to clearly specify the maximum number of foreign forces that could be deployed in the territory of countries that have joined NATO since 1999. It is related to the Russian interpretation of a NATO political commitment included in the 1997 NATO-Russia Founding Act, which, however, does not specify countries in territories where NATO would refrain from the "additional permanent stationing of substantial combat forces." Apart from the political dimension if NATO were to move forces closer to its borders, Russia is anxious that the lack of any constraints could result in the future deployment to these countries of large NATO forces with offensive potential that could threaten Russia's security.

Conclusions. The return of Russia to the CFE regime in the near-term, and on terms hitherto proposed by NATO, seems from the Russian point of view to be unprofitable. The most advantageous approach to Russia is to strengthen its bargaining position vis-à-vis NATO to a level in which at least some of Russia's postulates would be accepted without the necessity to meet NATO demands regarding the withdrawal of Russian forces from Abkhazia and South Ossetia. The only solution to the current impasse acceptable to Russia as well as to NATO seems to be the entering of both sides into negotiations in which all disputed issues would be negotiated separately but in a parallel manner without prerequisites for their beginning and without creating linkages between different issues of discontent. Only such an approach will limit the number of contentious points. The stationing of Russian forces in Georgia most probably will remain the problem that is the most difficult to solve. However, reaching a consensus in other areas could strengthen the resolve of both sides to escape from the deadlock in that field. Although the perspectives for the revival of the CFE regime in the near-term are murky, the NATO-Russia Council summit in Lisbon as well as the OSCE Summit in Astana could create a political momentum towards finding new solutions.