Rethinking
Conventional Arms Control in Europe:
A Transparency-Centred Approach

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Conventional arms control in Europe is not functioning as it should, which has led to a lower level of military predictability and confidence on the continent. There is a need for new thinking on how to restore a functional conventional arms control mechanism and update it to the current realities. It is worth thorough consideration whether the modern conventional arms control system can be based solely on transparency measures without any numerical, qualitative or geographical limitations. Such a transparency-centred approach may offer a promising path forward to building an enduring platform that would maintain trust in Europe.

Conventional arms control has been one of the main stabilising elements of the European security landscape since the end of the Cold War. The Treaty on Conventional Armed Forces in Europe (CFE) from 1990 was regarded as the cornerstone of European security. It led to the elimination of more than 72,000 pieces of military equipment (tanks, armoured combat vehicles, artillery, combat aircraft, and attack helicopters) making it virtually impossible for there to be a large-scale offensive operation or massive surprise attack. Through more than 5,500 intrusive onsite inspections and detailed annual exchanges of military data, it provided confidence and predictability, and enhanced politico-military cooperation in Europe. CFE was supplemented by a set of confidence- and security-building mechanisms. The Open Skies Treaty facilitated quota-based overflights of European states. The 2011 Vienna Document enabled inspection and observation of certain military activities and required advance notification.

The good old days of conventional arms control, however, are gone. Currently, the level of predictability and confidence in Europe is much lower than it was a decade ago.[1] In 2007, Russia suspended implementation of the CFE Treaty. In response, NATO members in 2011 ceased accepting Russian inspections and providing Russia with annual notifications and military data. But even if the CFE Treaty were still working without flaws, it would not reflect the current political and military realities. All efforts undertaken to adapt the CFE Treaty to post-bloc, 21st century realities have failed, including the 1999 Adapted CFE Treaty (ACFE), which never entered into force. The CFE Treaty was not terminated because it still plays some roles outside of the NATO–Russia context.[2]

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[1] R. Gottemoeller, "Remarks at the NATO–Russia Council Ambassadorial Annotated Agenda," Brussels, Belgium, 24 July 2013, www.state.gov/t/us/212489.htm.

[2] The treaty still provides some confidence about the forces among NATO member states, Belarus and Ukraine, and has a role in the Armenia–Azerbaijan conflict over Nagorno-Karabakh.

Confidence- and security-building mechanisms in Europe do not fill the gap, and there is no agreement to adapt them to the new realities. The Vienna Document provides neither data comparable to the CFE Treaty on the structure of military forces nor transparency on military activities conducted below a very high threshold. Enforcement of overflights under the Open Skies Treaty relies on Cold War-era aircraft and sensors and its Consultative Commission is at an impasse.[3]

The Risks of the Status Quo

The NATO members and Russia agree on the need for preserving, strengthening and modernising conventional arms control. It does not seem, however, to be high on their priority lists. Conventional arms control does not have as much public and global appeal as nuclear arms control. In contrast to missile defence, it is not presented as a possible "game-changer" in NATO–Russia relations.

The lack of an effective conventional arms control regime does not ring alarm bells as there is a general feeling that the NATO–Russia relationship is stable. Within NATO, there is a perception that in the foreseeable future there is no threat of a large-scale conflict with Russia, and even a small-scale conflict resembling the 2008 Russia–Georgia war is unlikely. Russia is also in no rush to change the situation with conventional arms control. Instead of discussing constraints on its forces, it concentrates instead on the expansion and improvement of its war-fighting instruments. It also seems to enjoy some of the remaining benefits that the CFE Treaty still provides.[4]

The security environment and NATO–Russia relations will not worsen overnight. However, a continuation of the status quo may lead to unforeseen negative consequences. The more the current stalemate becomes a matter of routine, the greater the danger that the arms control mechanism will not be available when needed. In a couple of years from now, gaps in the knowledge of NATO members and Russia about their military capabilities and deployment abilities will widen. Any benefits of the CFE Treaty that still remain would vanish with new developments in military technology and a further decline in the role of the five categories of military equipment limited by the treaty.[5] Intelligence data do not provide a level of confidence similar to that received from the official data exchange and verification mechanisms. Mutual trust may incrementally deteriorate, leading to misconceptions about the other side's intentions, worst case assessments and a military build-up.

The Need for New Thinking

Working on improving conventional arms control would take some time. At the current stage there are many divergent perspectives on how a modernised conventional arms control regime should be designed to enhance stability in Europe. There are different views on:

- what kind of specific threat perception the new mechanism should address;
- the proportion of transparency measures and quantitative limits;
- which types of military equipment should be taken into account;
- to what extent it should reflect the qualitative aspects of military capabilities;

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[3] G. Delawie, "Enhancing Security Cooperation in Europe, Vienna, Austria," 20 June 2013, www.state.gov/t/avc/rls/2013/211055.htm.

[4] It is possible that annual military data provided by NATO to other CFE Treaty parties is made available to Russia via countries such as Belarus, Armenia or Kazakhstan. Also, as soon as Russia's suspension of the CFE Treaty was declared, Belarus intensified its inspection schedule and received additional financial resources and equipment to do so. See: I. Francois, "Conventional Arms Control Regime in Europe and Related Regional Security Concerns," *Issue Brief*, Atlantic Council, December 2012, p. 2; P. Schulte, "Overview: What Can Conventional Arms Control Do for the Euro-Atlantic Security Environment," paper prepared for the Conference on Conventional Arms Control and the Euro-Atlantic Security Environment, Wilton Park, 11–12 October 2012, p. 3, www.osce.org/secretariat/100454.

[5] Tanks, armoured combat vehicles (ACVs), heavy artillery, combat aircraft, and attack helicopters.

- the relationship and weight of pan-European and subregional mechanisms;

- the extent to which the future regime should use the text of the CFE/ACFE treaties, or whether it should be built on the Vienna Document and the Open Skies Treaty or if it is just better to build something from scratch;

- whether it should be set up as one-off negotiations or a long-term process;

- whether it should be legally or only politically binding; and,

- which countries should take part in future negotiations.

With so many questions, there seems to be confusion on where the process of modernising conventional arms control should start. An even more profound obstacle to any progress is that many European states have entrenched themselves in long-held positions. There seems to be limited openness to new ideas and concepts. In many European capitals there has not been a thorough reassessment as to which arms control instruments are a matter of the past and whether some alternative means may be of greater value.

If extensive groundwork on a new conventional arms control agreement were not to start, new concepts would never be fully developed and the divergent perspectives of the various countries will never converge. The political disagreements that blocked progress would also not disappear. Without the lack of developed concepts and options, the momentum for conventional arms control may never come or may come too late.

Benefits of a Transparency-Centred Approach

A good option of starting to think anew about conventional arms control is to test whether the new system can be based solely on transparency measures. With such an approach, the CFE Treaty would be replaced by a system of transparency measures that are verifiable, legally binding and go beyond measures encompassed in the existing confidence- and security-building measures. Crucially, the new conventional arms control mechanism would not include any numerical, qualitative or geographical limitations.

For a variety of reasons, the transparency-centred approach offers a promising path forward to building an enduring platform that would maintain predictability, confidence and stability in Europe.

The Value of Transparency in a Time of Constant Military Transition

At the time when the CFE Treaty was signed, the five categories of military equipment reflected the relative military strength of the CFE parties. However, with dramatic reductions in the 1990s, their weight gradually decreased. Other military capabilities have gained importance. These include unmanned aerial vehicles (UAVs), naval surface forces such as cruisers and destroyers equipped with cruise missiles (especially given their value in the U.S. Air-Sea Battle Concept), precision-guided munitions, including air- and sea-launched cruise missiles; and short-range ballistic missiles. However, the impact of some of these capabilities, for example UAVs, on the conduct of offensive operations is hard to assess. Also, European countries are still considering the mix of future conventional capabilities and hope to modernise their forces during a more favourable economic period. The understanding of military stability in Europe is changing. At present, it seems overly demanding, if not impossible to set multilateral limits on military equipment. Transparency measures seem more practical when an understanding of military stability is in flux.

Transparency measures have greater potential for adaptation to the new developments in military technology and doctrine than do limits. Once limits on certain military equipment are set, it is extremely hard to agree on limits on additional categories. The CFE Treaty's "Protocol on Existing Types" of military equipment was updated only once, even though it was meant to be updated regularly.[6] Transparency

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[6] D. Crawford, "Tactical Nuclear Weapons and NATO: A Conventional Arms Control Perspective," in: T. Nichols, D. Stuart, J.D. McCausland (eds.), *Tactical Nuclear Weapons and NATO*, U.S. Army War College, 2012, pp. 443–444.

measures also offer more long-term operational flexibility than do limits, as countries are free to adjust their force posture to changing military requirements. After an agreement on limits is concluded, the introduction of any new military capability could be seen as being against the spirit of the agreement.

The focus on transparency measures is valuable as countries base their threat assessments and perceptions on the capabilities of other armed forces to perform specific tasks and then to a lesser degree on numbers. Transparency measures offer opportunities for a closer approximation of the quality of military capabilities. They could enable a country to evaluate and verify what military forces can and cannot do, including deployment speed and network-centric warfare, intelligence and reconnaissance capabilities.[7] Also, only transparency measures can grasp the changing quality of military capabilities. Confidence derived from numerical limits may be illusive.

Advantages of Transparency over Codified Pan-European and Subregional Military Balance

Numerical limits seem to be of constant value to Russia as it has complained about the imbalance in conventional forces with NATO. However, this concept of military balance seems obsolete after the end of the Cold War. The military forces of the NATO members are not designed to counter one particular threat, including from the East. They are prepared to take part in various contingencies, including out-of-area missions. Also, Russia's forces are not shaped to deal exclusively with NATO forces.

Practical obstacles to establishing a balance (not necessarily numerical equality) between NATO members and Russia further complicate the idea. How could such a balance be designed, taking into account the divergence in military capabilities and quality?

Instead of trying to codify a balance of forces, in current circumstances it seems more useful for NATO members and Russia to agree on transparency measures that would enable them to keep track of overall military capabilities and their evolution, the introduction of new equipment, organisational structures and doctrines and exercises that test their military capabilities in practice. A comprehensive picture of military forces would provide both NATO members and Russia with predictability and an early-warning mechanism about a rapid build-up of forces.

Limits may still be seen as valuable to alleviate the concerns of Russia and its NATO neighbours. For Turkey, the flank regime seems to be the best tool to prevent a concentration of forces near its borders. Some numerical constraints may alleviate the anxieties of Central and Eastern European states about Russia's regional superiority. Russia may see a role for limits in constraining the deployment of NATO combat forces to neighbouring countries. Russia has advocated for an agreement with NATO on a definition of "substantial combat forces" that would set the maximum number of outside NATO member forces that could permanently station on the territories of countries that have joined NATO since 1999.

However, any numerical constraint at the subregional level faces the same problems as pan-European limits. Military balance at the subregional level is hard to establish. Even if limits are set, the introduction of a new capability or some qualitative change may alter the situation. Subregional ceilings are of decreasing importance compared with the growing mobility of military forces. The significance of subregional thresholds is offset by the fact that "compact special forces units capable of operating at a distance has today greater significance than the choice of the disposition of forces and number of tanks assigned to specific military districts."[8] Similarly, subregional measures would not be sufficient as Russia becomes more reliant on forces that can be deployed rapidly from any part of its territory.[9] Even if a way to establish

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[7] H.-J. Schmidt, "Verified Transparency: New Conceptual Ideas for Conventional Arms Control in Europe," *PRIF Report*, no. 119, p. 18.

[8] "Speaking Notes of Deputy Defence Minister of the Russian Federation H.E. Anatoly Antonov (NRC Ambassadors, 24 July 2013)," http://natomission.ru/en/security/article/security/artnews/153.

[9] R. Kaljurand, K. Neretnieks, B. Ljung, J. Tupay, "Developments in the Security Environment of the Baltic Sea Region up to 2020," *RKK/ICDS*, September 2012, pp. 21–22.

regional ceilings were found, it would not prevent regional conflict. During its war with Georgia, Russia's forces remained below the CFE/ACFE flank ceilings.[10]

More extensive subregional transparency arrangements that supplement general transparency-based conventional arms control mechanisms could be more useful in alleviating some subregional concerns than subregional limits or thresholds. There is a variety of options for enhanced subregional transparency measures: evaluation and verification of readiness of forces in specific areas; lowering the threshold for notification and observation of military activities; prior notification for the deployment of any new units or major weapons systems as well as information about their role in military doctrine; exchange of visits to military bases and/or exchange of military personnel; and a broader list of the types of military equipment and capabilities subject to transparency measures (for example, extensive transparency measures on short-range ballistic missiles located near a border).

The other benefit of subregional arrangements free of any limits is that it could remove some political blockages to reinvigorating conventional arms control in Europe. A focus on transparency measures could eliminate disagreements between NATO members and Russia about flank limits and the need for a definition of "substantial combat forces." While Turkey wants flank limits, Russia adamantly opposes them along with any restrictions on its freedom to deploy its forces and equipment within its own borders. Meanwhile, Central and Eastern European states oppose defining "substantial combat forces" because of their anxieties about being treated as second-rate NATO allies and their need for visible reassurances.

The Broader Context

A transparency-centred approach could allow for de-linking conventional arms control from talks on non-strategic nuclear weapons. Treating conventional and nuclear forces as part of one negotiations package or as issues not officially linked but influencing each other increases the risk that progress can be blocked in both areas.

Focusing on transparency related to conventional armaments avoids the risk of treating conventional arms control as a tool that paves the way for progress in NATO–Russia talks on non-strategic nuclear weapons based in Europe. The New START Treaty between the U.S. and Russia showed that a single agreement does not necessarily lead to talks on the next agreement. Also, considering limits on NATO's conventional capabilities as a way of mitigating Russia's concerns about a conventional forces imbalance do not have to pay off. An imbalance in conventional forces is only one of many factors that influences Russia's reluctance to further nuclear talks.[11]

Finally, a transparency-centred approach to conventional arms control in Europe may in the long term contribute to the creation of the foundations of a broader European security system. Although it seems currently unlikely, both NATO members and Russia may in the future find common ground and agree on transparency measures related to non-strategic nuclear weapons and missile defence. Conventional arms control could be used as the first step in this direction.

Challenges

A transparency-centred focus could provide predictability, confidence and stability in periods of an uncertain or changing military balance, both on the pan-European and subregional levels. It could allow for a means to bypass some practical and political problems linked with numerical limits.

Moving ahead with a discussion on a transparency-centred approach would require, however, that policymakers consider some of the uncertainties and risks that such an approach may entail. Concrete transparency measures applied to various types of military equipment and capabilities are still far from being

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[10] "Conventional Arms Control and the Euro-Atlantic Security Environment," conference report, Wilton Park, WP1208, 11–12 October 2012.

[11] "Interview with Ambassador Alexander Grushko, Permanent Representative of the Russian Federation to NATO," *ITAR-TASS News Agency*, 9 July 2013, http://natomission.ru/en/security/article/security/artnews/152.

developed.[12] There is a need to determine how much transparency would be enough. The cost-effectiveness of the measures also needs to be examined.

Another question is how to tune in overall European transparency mechanisms to more extensive subregional arrangements: What if there were to be divergent positions among the interested states about the need for or scope of subregional arrangements, and should the acceptance of an overall agreement be contingent upon subregional arrangements?

It is also possible that to provide greater reassurance in the near term, an agreement on transparency measures would have to be supplemented with a set of unilateral political statements that would pledge restraint in the deployment of some military capabilities in specific geographic areas. However, such self-imposed unilateral constraints would not be equivalent to the establishment of any thresholds or numerical limits.

While transparency measures may be appropriate in the NATO–Russia context, they may be insufficient in areas where hostile intentions are visible and there is a risk of direct military confrontation, as in the case of the conflict between Armenia and Azerbaijan over Nagorno-Karabakh. Numerical limits where there is an immediate threat of war can play a stabilising role.

Progress in conventional arms control has been blocked in the past by the disagreement between Russia and NATO over Russian troops stationed on territories in Georgia and Moldova without the consent of either state. The issue is complicated further with Russia's recognition of the independence of Abkhazia and South Ossetia. It might be argued that arms control should not be hostage to inter-state territorial conflicts and these two issues should be de-linked. Still, NATO has invested significant political capital in defending the sovereignty of Georgia and Moldova and the principle of host state consent to the stationing of foreign troops within internationally recognised borders. As long as the political solution is not available, there might be reluctance to think in a more open-minded way about conventional arms control. Status-neutral solutions to territorial disputes offer some way of moving forward.[13]

A transparency-based solution may provide additional benefits in this context. Transparency measures related to Russian troops and military equipment stationed in Georgia and Moldova may be less problematic politically than even status-neutral limits. Transparency measures would only enable monitoring the Russian presence and in contrast to limits would not even indirectly send a message that some particular level of presence is acceptable.

The Importance of Transparency for Poland

Poland is interested in modernising conventional arms control in Europe. Its attempt to play a more proactive role in the process and think anew on the subject are reflected in a trilateral initiative with Denmark and Germany. According to a joint op-ed by the countries' foreign ministers, the new system "should particularly focus on trust-building measures and increased transparency" and should "provide instruments tailored to subregional needs, for instance by developing reinforced transparency measures for certain geographical areas."[14]

It would be valuable if Poland, along with Denmark and Germany, were to thoroughly assess the value and risks of transparency measures as a basic instrument in meeting their conventional arms control needs. Such an assessment by Poland, given its geographic location, is especially important since if it finds a transparency-focused approach viable it could provide a boost for assessments by other NATO members in this direction.

A transparency-centred arms control mechanism may be beneficial for Poland. It may alleviate Polish anxieties connected with uncertainty about Russia's ambitious military modernisation plans. Poland may

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[12] So far, such ideas have been developed by Germany. Some basic ideas of "verified transparency" measures are included in: H.-J. Schmidt, "Verified Transparency," *op. cit.*

[13] U. Kuehn, "Conventional Arms Control 2.0," *Journal of Slavic Military Studies*, vol. 26, no. 2, 2013, p. 199.

[14] R. Sikorski, G. Westerwelle, V. Søvndal, "European Security Needs an Upgrade," *International Herald Tribune*, 3 July 2013.

also consider an idea for reinforced transparency mechanisms for Central and Eastern Europe with the participation of the Baltic States, Russia, Belarus and other states willing to join. For Poland, the establishment of such mechanisms may decrease concerns related to Russia's military capabilities in Kaliningrad Oblast.

There is a great need for establishing some arms control mechanism that would provide predictability and confidence to Central and Eastern Europe. There is no guarantee that the current situation, even if relatively stable, will exist for the foreseeable future. With further anxieties related to the possible presence of Russian nuclear weapons in Kaliningrad, with Russia establishing military countermeasures if the U.S. implements its missile defence plans in Europe and the modernisation of armed forces in the region, there is a risk of re-militarisation of the Central and Eastern European security landscape. There is a need for work on mechanisms that may decrease such a risk by instilling some basic confidence, thus transparency may be an attractive option to consider.