



 European
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*Building European capacity to meet
the challenges of the 21st century*

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Post-Conference Report

Making Conventional Arms
Control Fit for the 21st Century

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Preface

The Track 1.5 conference “Making Conventional Arms Control Fit for the 21st Century”, organised by the German Federal Foreign Office and the European Leadership Network in Berlin on 6-7 September 2017, brought together over 150 participants. They included official representatives and public figures from the majority of OSCE participating States, representatives of the OSCE, NATO and other institutions, and members of the expert community. The [opening speech](#) was delivered by German Foreign Minister Sigmar Gabriel. The list of speakers included OSCE Secretary General Thomas Greminger, former NATO Deputy Secretary General Alexander Vershbow and German Federal Government Commissioner for Disarmament and Arms Control Patricia Flor.

The following report has been prepared on the authority of the European Leadership Network and does not necessarily represent the views of any of the conference’s participants. While it tries to convey the main themes, conclusions and recommendations, it is not a full account of the conference’s very rich and productive discussion. It simply aims to highlight the main points of convergence and divergence among the participants and to stimulate further work on modern Euro-Atlantic arms control as a contribution to restoring security and peace in Europe.

Making Conventional Arms Control Fit for the 21st Century

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The challenge

In the context of what could be described as a new Russia-West confrontation or a “new cold war”, there is a real danger that the system of European conventional arms control and confidence and security building measures (CSBMs) will collapse.¹ Under the OSCE umbrella, efforts to modernize the Vienna Document and agree additional CSBMs are being blocked. The Open Skies Treaty’s functioning is marred by disputes over implementation and compliance. There is no way forward on the CFE’s adaptation, and the CFE’s relevance has been sharply diminished following Russia’s suspension of implementation in 2007. Bilateral US-Russia nuclear arms control is also precarious, with serious consequences for Europe if the INF Treaty collapses or New START is not prolonged. Some of the protracted conflicts in the OSCE area present additional direct dangers of military escalation, as does the current conflict in Eastern Ukraine.

There are serious disagreements over the origins of and responsibility for the crisis. The high level of mistrust and increased hostility between the parties makes engagement on arms control difficult, even if a number of common interest areas do exist (such as the avoidance of large-scale war and a wish to stabilise crises).

Nevertheless, there does seem to be a role for arms control in better managing the current tensions. Several dangerous aspects could be addressed through arms control and CSBMs. These dangers include the increased activity of military forces in close vicinity to each other, the higher likelihood of military incidents, the development and deployment of new weapon systems in Europe, potentially destabilising changes in military doctrines and postures, and technological developments that make possible, for example, large-scale precision strikes and more rapid movement and concentration of troops. While conventional arms control cannot resolve conflicts, it

¹ The European conventional arms control system used a combination of legally and politically binding instruments and procedures. Two main legally binding pillars are the 1990 Treaty on Conventional Armed Forces in Europe (CFE) and the 1992 Treaty on Open Skies. In addition, based on the Dayton Peace Accords Annex 1-B, Article IV, a sub-regional arms control regime was established in the Balkans which now involves Bosnia and Herzegovina, Croatia, Serbia, and Montenegro. The OSCE participating States also agreed to implement politically binding Confidence and Security-Building Measures (CSBMs), most significantly the Vienna Document, to increase the transparency of their military postures and activities in Europe.

can prevent the emergence of new tensions and assist in stabilising the situation, including in protracted conflict areas.

The lack of European and transatlantic political leadership and of public understanding of, and support for, arms control initiatives remain constant challenges that hamper any top-down initiatives. The role of arms control is frequently misrepresented or misunderstood: it is either confused with disarmament or seen as a hindrance to pursuing national security interests. The continued de-coupling of arms control from broader discussions about international security remains a serious problem.

General Findings

A number of overarching themes emerged from the conference:

Back to diplomacy. Some insist that the return to full compliance with past arms control obligations by Russia is a precondition for any substantive discussions. On the other hand, there is also strong support for the argument that engagement with Russia increases the likelihood of a return to compliance and agreeing any new arms control measures. This should not be understood as a retreat from a principled position regarding non-compliance. But the alternative would be to allow the security situation to deteriorate further and increase the risk of serious escalation. The Structured Dialogue, launched in the framework of the OSCE, is currently the most positive example of constructive engagement involving all stakeholders. There is also a need to work in the framework of specific conflict resolution mechanisms such as the Minsk process.

Why arms control? Similarly, some argue that efforts to negotiate arms control are pointless while West-Russia trust does not exist. However, there is strength in the argument that arms control is not to be pursued despite the existing lack of trust but precisely because trust is absent.

Small steps or grand architectural designs? Divergent views were expressed as to whether to start merely with low-hanging fruits or to be more ambitious. Some participants were of the opinion that we should strive to reach agreement on a new, coherent and well-organized arms control “architecture” fit for the 21st century (if the architecture metaphor is still relevant at all). But more participants preferred a small steps approach since the chances of successful work on a new, overarching and legally binding arms control arrangement akin to the CFE Treaty, or of initiating a “Helsinki 2.0” process, were considered to be low under current circumstances.

Under the current political circumstances, an incremental and piecemeal approach, building on existing agreements, may be more feasible and productive. The result might be a more flexible construct, an ecosystem of arms control, consisting of different formats and arrangements, encompassing both bilateral and multilateral frameworks. This would allow progress where possible, without creating overly rigid linkages between issues. The OSCE, as the most universal organization active in the Euro-Atlantic space, should retain its leading position, but arms control and CSBM arrangements could also be agreed in other multilateral or bilateral formats.

The importance of established principles. The CFE Treaty, with its narrow scope of Treaty-Limited Equipment (TLE) and underpinning concept of parity between the two blocs, has outlived its usefulness. Nevertheless, conventional arms control in the 21st century should not start from scratch and should be built on basic elements that the OSCE states have already accepted as necessary for effective arms control. These arms control foundations include respect for sovereignty and other principles of the Helsinki Final Act, military restraint, predictability, accountability, transparency, reciprocity, verifiability, as well as specific rules such as host nation consent.

Protracted conflicts. For existing protracted conflicts, past arms control/CSBM measures can provide useful ideas and solutions. Where fighting continues, such measures can contribute to reaching lasting ceasefires and de-escalation of tensions, and later to decreasing the amount of military equipment in the conflict areas. The rudimentary arms control arrangements along the line of control in Donbass can be seen as a positive, albeit insufficient, step. Options for status-neutral measures in disputed territories have already been proposed, including in OSCE documents. Only a lack of political will is preventing them from being applied. But such measures should not become a substitute for existing arms control obligations or serve to “freeze” a conflict without contributing to its resolution.

Linkage with nuclear arms control. The crisis of US-Russia nuclear arms control is worrying enough in itself. But the weakening of the ‘firewall’ between nuclear and conventional weapons has yet to be addressed. The same platforms may be used for delivering nuclear and conventional warheads. Conventional precision-strike systems can challenge strategic stability in a way similar to nuclear weapons. Some countries closely integrate their conventional and nuclear forces. All this suggests that efforts to pursue conventional and nuclear arms control should proceed in parallel.

Findings from panel debates

Sub-regional arms control solutions to sub-regional “arms races” seem unlikely. The downward action-reaction spirals in the Baltic and Black Sea regions deserve particular attention. However, similar increases in tensions, military modernisation and exercising can be observed, for example, in the South Caucasus between Armenia and Azerbaijan.

Sub-regional arms control regimes with restrictions on military holdings, infrastructure, outside deployments and movement, and with pre-agreed zones of application seem to be non-starters for most of the states in the regions concerned. And such regimes would be of limited effectiveness given the potential for rapid deployment of forces from beyond the zone, the capabilities of long-range systems, and ‘extra-territorial’ capabilities such as cyber. Instead, bilateral agreements on additional CSBMs or on aspects of military restraint between the states concerned may be the most feasible way forward.

The consequences of military doctrinal and technological progress have not been fully grasped yet. Whether new categories of weapons should be added to the CFE’s five categories of Treaty-Limited Equipment (battle tanks, armoured combat vehicles, heavy artillery, combat aircraft, and attack helicopters) raises complex questions. Recent military operations have confirmed the importance of TLEs both as means to conquer and hold territory and as instruments of a surprise attack. But new technology such as stealth aircraft or the increased range and lethality of MLRS would complicate the updating of arms control even for existing TLEs. Looking beyond existing TLEs (the numbers of which have been generally reduced throughout European armed forces), any new arms control arrangement would have to include a number of new offensive and defensive capabilities: air and missile defence systems, certain categories of UAVs, electronic warfare assets, major multi-purpose naval platforms, as well as future major autonomous strike systems and prompt global strike systems. How to account for the increased quality of units due to improvements in command and control and network-centric warfare has also not been resolved. And the issue of naval forces limitations and CSBMs, which have previously been left aside as too difficult to implement and verify, would need to be re-visited.

Despite these challenges, it is possible to develop an arms control / CSBM approach for each new category of weapon or new capability, including the exchange of information and basic technical data, limitations on the amount of equipment or

on specific capabilities of 'shooters' or sensors, or geographical limitations on deployments.

Accounting for modern capabilities is possible, but intentions remain hard to verify. To deal with doctrinal and technological progress, transparency and verification measures would have to account for both the quantity and quality of modern armed forces. That would require detailed consideration of the above-mentioned types of weapons and new capabilities. Similarly, assessment of a unit's combat capability might need to go into specific issues such as quality of training, deployability, or supporting infrastructure. Jointness and multinationality of force structures, units and military commands remains an additional challenge for verification. Looking beyond conventional military structures, the use of paramilitary units and private contractors would need to be taken into account. Measuring and verifying capabilities in cyberspace and outer space, while important, would require a specialised knowledge that goes beyond traditional arms control verification.

With regards to verification, there is no substitute for the work done by well-prepared and well-trained professionals, acting within the mandate agreed by participants of a given regime. The utility of non-official forms of "societal verification" done by NGOs or interested individuals remains limited, given the risk of falsification or misinterpretation of data. However, societal verification products, often distributed through social media, may have greater and more immediate political impact than "official" verification products.

Verification of intentions behind the development or deployment of a certain capability can be harder than the verification of numbers and stockpiles. The relative importance of capabilities will usually be a matter of perception and can best be ascertained through greater transparency. Accordingly, more frequent and in-depth military-to-military contacts at bilateral and multilateral levels seem essential to have a correct understanding of intentions.

Political Recommendations

Define shared interests. Arms control initiatives can only be effective if the interests of the parties concerned overlap. We urgently need to define a shared platform for Russia, NATO states, and the "in-between" countries. This might well be limited to increased transparency and predictability on military activities for the prevention of major wars, the avoidance of dangerous incidents, a cessation of fighting in Eastern Ukraine, and the prevention of inadvertent military escalation. But it might also be

possible to identify common interests concerning how to address force imbalances that may have strategic effects, and how to manage the interplay between nuclear and conventional forces.

Build-up trust through dialogue, and deeds. It is hard to make arms control fit for the 21st century unless the stakeholders talk about it, and are willing to adjust their policies in response to such discussions. Given the prevailing mistrust about the intentions of the other side, all doctrinal and technological advances can be interpreted as preparations for war and may trigger a corresponding response. There seems to be a need to de-politicize and intensify the expert and mil-to-mil dialogues on force postures, doctrines and potential arms control arrangements, including in the OSCE and the NATO-Russia Council.

Place an immediate focus on managing the risks of confrontation. There is widespread agreement that the military risks in Europe have risen in recent years. While more ambitious projects can be contemplated and next generation solutions can be discussed, we must urgently address risk mitigation and move at once to introduce better crisis management tools and procedures. Some such steps have been suggested at the expert level or are being discussed at the official level, for example in the context of Vienna Document modernization or through the Baltic Sea Project Team. Voluntary goodwill measures that address the risk of confrontation and that go beyond the accepted obligations are also a way to build up trust. But they should not become a substitute for full compliance with agreed obligations of the Vienna Document and other regimes.

Make progress on Eastern Ukraine. The situation in Eastern Ukraine and full implementation of the Minsk agreements remain the most important benchmarks against which the likelihood of progress on security stabilisation in Europe is being assessed. More ambitious arms control projects have little chance of implementation as long as a lasting ceasefire and de-escalation in Donbass remain elusive. The September 2017 proposals for the deployment of a UN peacekeeping force, alongside OSCE observers, could be developed further, with the ultimate aim of assisting in the full implementation of the Minsk agreements.

Specific Recommendations

The many recommendations offered at the conference included:

Establish undisputed facts and figures through the Structured Dialogue's Mapping Exercise. In the context of mistrust and intensified informational struggle,

not only intentions but also basic facts about military expenditures, capabilities, and postures are being contested. In the open domain, different and sometimes contradicting data sets are available based on different methodologies, as well as the information provided by states themselves. Another set of data is available through official information exchange and notification channels, which remain restricted. A “fact-finding” exercise initiated in the framework of the OSCE Structure Dialogue should help to establish a common factual baseline as a basis for dialogue, especially to assess objectively claims about bilateral, regional and global (im)balances of forces. It could also facilitate discussions on the definition of weapon categories which could become a part of possible future arms control agreements.

Consider multilateral and additional bilateral instruments to deal with hazardous military incidents. A number of bilateral Incidents at Sea and Dangerous Military Activities agreements are in force. Some of these are being modified in response to the recent upsurge in military activity. However, it would be prudent to work in parallel on multilateral approaches, including through expansion of the Vienna Document’s Chapter 3 mechanisms and work on NATO-Russia incident prevention, perhaps building on the recent experience of US-Russia aerial de-confliction over Syria. Equally important is adherence to existing commitments during actual encounters.

Examine the possibility of limiting certain types of military exercises. Military exercises, if done in contravention of existing obligations or with inadequate transparency, can aggravate the current West-Russia confrontation. Merely criticising each other’s exercises as destabilising does not help resolve the matter. It may be advisable to discuss in more detail which types of exercises and which specific training activities, in which areas, each side sees as particularly threatening. This could be a first step towards a possible temporary freeze, for example a 6 or 12 months hiatus on major snap exercises or large-scale pre-planned exercises.

Discuss the 21st century definition of the term “substantial combat forces”. The NATO-Russia Founding Act, which remains in force, includes pledges relating to the non-deployment of new “substantial combat forces”, on a permanent basis, in NATO-Russia border areas. Such forces have been unofficially defined in terms of the basic strength of units and the number of their tanks, APCs, and artillery pieces. In the 21st century, the understanding of “substantial” combat forces may need to be revisited, as it might include, for example, air and missile defence, cruise and ballistic missiles, or other types of forces. A discussion between NATO and Russia on such an updated definition, with the understanding that it would be applicable on

both sides of the border, might help to make progress on the broader challenge of devising new approaches to arms control.

Save the INF Treaty. The fate of the INF Treaty is of direct relevance for conventional arms control and European states have a direct stake in preserving it. If the INF Treaty fails, New START will in all likelihood not be extended. If New START ends, strategic stability between US and Russia will be upset, making any progress on conventional arms control very hard. By the same token, the introduction of INF-prohibited intermediate-range systems would further undermine arms control in Europe.

Initiate in-depth dialogue about the impact of new military technologies.

Advances in military technology are likely to accelerate and present pressing and growing challenges to stability and to traditional approaches to arms control. Upcoming challenges include autonomous combat systems and weapons employing new physical principles. An early start of dialogue on whether or how such weapons could be restrained, using the results from previous expert exchanges, might prevent costly and destabilising arms races.

Conclusions

The political environment for re-launching conventional arms control remains difficult. Some countries seem more focused on gaining an upper hand than on cooperation to mitigate the risks. Yet even in difficult circumstances there is a common interest in enhancing stability, hence this report's focus on incremental and relatively easy to agree steps. A more ambitious framework for a renaissance of arms control remains conceivable and should remain an important goal, but in current circumstances and especially given the lack of top down political direction, it would be very difficult to achieve. Even for incremental steps, such as the options outlined above, informed political judgement will be key to selecting the priorities for immediate action.

At the same time, there is a huge amount of essential preparatory work to be done while waiting for the political interests of the main protagonists to move towards alignment. If we are to move from propaganda to serious negotiations on solutions within a new conventional arms control 'ecosystem' of the 21st century, further work is required to identify the main challenges - especially technology-related - and ways to address them through arms control mechanisms.

About the Author

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