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Modernising conventional arms control: An urgent imperative

GLOBAL SECURITY
POLICY BRIEF

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The European Leadership Network (ELN) is an independent, non-partisan, pan-European NGO with a network of nearly 200 past, present and future European leaders working to provide practical real-world solutions to political and security challenges.

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Restoring order, certainty and stability

The demise of the Intermediate-Range Nuclear (INF) Treaty has been a severe blow to already fragile relations between Russia and the West, posing a challenge to the maintenance of security and stability in the Euro-Atlantic area. It also represents a further setback for arms control. Hopes of maintaining a degree of control and restraint in the continuing development of armed forces are rapidly fading, just as the Russia-NATO confrontation is intensifying. The Treaty's focus was nuclear forces. However, its demise has inevitably served to draw attention to the unsatisfactory situation in conventional forces where the first spark of miscalculation and consequent conflict would most likely occur. In its initial response to the demise of the INF Treaty NATO has implicitly recognised the linkage to conventional forces seeking to adjust and improve the entire panoply of Alliance deterrence and defence capabilities¹.

In such a volatile and ever-changing political and military environment, what measures can be taken to restore a degree of order, certainty and stability to the Europe-Atlantic area? This paper is conceived as "food for thought": a contribution to the ongoing debate on modernising conventional arms control which is being conducted in Vienna² under the auspices of the Organisation

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for Security and Cooperation in Europe (OSCE). It proposes twelve innovative measures to reverse the negative trend of increased military confrontation, looking in detail at the most immediately worrying situation in the Baltic area. We argue that there is now an urgent imperative for both NATO and Russia to accept both increasingly restrictive measures on military flexibility and improvements in military transparency. We also address the question of implementation of the necessary measures. While this is an issue for all OSCE states particular responsibility must lie with members of NATO and the EU, on the one side, and Russia, on the other, to ensure Conventional Arms Control (CAC) measures occupy a prominent place in their security policies.

Conventional arms control regime no longer fit for purpose

For two decades following the Cold War, stability and security in Europe were underpinned by a conventional arms control regime. This was initially designed to minimise the possibility of surprise attack by means of a Conventional Forces in Europe Treaty (CFE) that set numerical limits on key capabilities. The CFE treaty was complemented by confidence and security-building measures (CSBMs) set out in the Vienna Document³ to enhance transparency, predictability and confidence. This regime has long fallen into abeyance leaving Europe with a patchwork of largely unconstrained armed forces at varying stages of development in a fluid environment punctuated by pockets of instability and dominated by an increasingly hostile relationship between NATO and Russia.

Returning arms control to a more prominent position in bolstering European security and stability will require revisiting principles that have underpinned the arms control regime to date. How many remain valid and how many are past their sell-by date; how many need adjustments to contemporary trends, including technological, or to specific regional needs and pockets of insecurity; and how many will require changes in approach, attitude and priority?

Arms control has always faced the dilemma of balancing the search for stability through predictability and transparency with the need to preserve military effectiveness through the maintenance of maximum flexibility. The tendency has been to give priority to military needs and a reluctance to accept measures which constrain military flexibility. If inroads are to be made into producing greater stability, particularly in sensitive areas, progress can only be made if attitudes change. This applies particularly to the Vienna Document, necessitating measures that seek to address those ground-level activities which are a potential cause of conflagration.

To a degree, some of the factors identified as needing special consideration are already covered by the Vienna Document. However, the Vienna Document is only partially respected. Moreover, there is a general acceptance that the current document does not adequately capture contemporary and potentially destabilising activities. The Document needs considerable strengthening and tightening. Adapting the Vienna Document will mean inevitably going deeper and further down the avenues long recognised as providing the indispensable foundation for stability in Europe – openness, transparency and predictability.

This, in turn, will mean a greater willingness on the part of member states to accept more intrusive measures as in providing more detailed information on key capabilities, accepting more inspections and observations and setting more effective limitations and thresholds for military activities. This degree of intrusion will pose the traditional dilemma: the gain for security in terms of greater confidence through improved transparency and predictability has to be balanced against the potential loss in military effectiveness through increased transparency and reduced flexibility. These are considerations all member states must balance in the search for greater stability and security.

Military activities must be constrained in sensitive areas

It is generally agreed that numerical limits such as those set by the CFE Treaty have their limitations except in certain regional situations and which concern capabilities specifically seen as most relevant to instability. Efforts to define and constrain destabilising capabilities are fraught with definitional problems. Weapons themselves are neither inherently offensive nor defensive; it is their configuration and location which indicates their intent. This places a premium on developing measures

that provide detailed information concerning their characteristics and which regulate their movement and location. The focus must be on diminishing the risk posed by the introduction of such systems into sensitive areas.

The aim of reducing or eliminating the possibility of conflict through misunderstanding can only be achieved through greater and verified transparency concerning key capabilities and activities, particularly in sensitive locations. Sensitive areas that require special treatment should be defined - such as the NATO-Russia zone of contact in the North or the Baltic area itself and vigorous measures applied to cope with deep-rooted suspicion and mistrust.

Constraining and regulating exercises, particularly those held on limited notification, must be a priority. As noted, a part of the remedy lies in achieving greater transparency and predictability by all available means - provision of information, acceptance of inspections and evaluations, and prior notifications. Clarification of intent minimises the scope for suspicion.

The underlying logic of stabilising and confidence-building measures is first preventative by regulating and constraining activities that could lead to instability, and then indicative by signalling that unusual activity is in fact taking place. Accordingly, this paper makes practical proposals for restricting the movement or actions of

military forces in sensitive areas which could otherwise be seen as giving cause for suspicion and reaction.

The measures outlined below to deal with potentially destabilising military movements or actions all lie in the same realm of transparency, predictability and restraint: the emphasis is on minimising the threat potential of these activities. This is particularly true of exercises held under short notification, or no notification at all (the so-called “snap exercises”, which are of such concern to NATO⁴). Measures which seek real constraints on military actions, rendering them more predictable and transparent will not always be welcome by the military (of all sides) as they inevitably impinge on the confidentiality and flexibility essential to military effectiveness.

NATO – Russia: The changed dynamics of escalation

Before turning to potential conventional arms control measures which could reduce the scope for “unintentional” NATO-Russia escalation, it is important to understand how NATO’s concept of collective defence has changed since the end of the Cold War, and, particularly, how the specific risk of escalation has changed since the Cold War.

The Cold War was a war of perceptions. NATO’s military structure and organisation was marked by predictability – the certainty, that if NATO was attacked, it was able and willing to defend itself. Predictability was built into the system; every military unit committed to NATO had a precise role in what was termed the “General Defence Plan”. The only element of unpredictability derived from the uncertainty that NATO deliberately fostered about when and how nuclear weapons would be used if a conventional attack against NATO territory could not be stalled by conventional means alone. Today, it is largely forgotten that for all its military might in the Cold War, NATO could only do one thing with the 4.5 million troops purportedly committed to it⁵, defend and deter against an attack from the Warsaw Pact. There was no flexibility, or alternative scenarios, envisaged.

In the 1990s, NATO dismantled the linear defence that had characterised its conventional military posture in the Cold War, and increasingly adapted its procedures and capabilities for crisis management and intervention. Arguably, NATO gained the ability to intervene in the Balkans and elsewhere at the expense of collective defence against Russia, which was not considered a priority, or even a likely threat, in the years following the Cold War.

Faced with an assertive and strengthened Russia, NATO has in recent years, and explicitly since NATO's Warsaw Summit in 2016, re-prioritised collective defence⁶. NATO's post-Cold War enthusiasm for Crisis Management and large-scale crisis intervention is on the wane. The prolonged and seemingly endless engagement in Afghanistan has soured the appetite of many European allies involving themselves in large-scale NATO operations and missions on the ground whose outcome and benefits to themselves are uncertain, or even negligible.

Lower thresholds for military intervention

Initiatives such as NATO's recently established Very High Readiness Joint Task Force (VJTF), within the broader NATO Response Force, are designed to boost collective defence and introduce a degree of certainty in NATO's response to the defence of exposed allies in the east. And since NATO's 2016 Warsaw Summit, there have been contingency plans developed, named "Graduated Response Plans", which seek to identify an illustrative and possible list of forces which would be needed and could be made available for the defence of a particular ally, in addition to an ally's home defence forces and NATO's high readiness forces. But the certainty of an effective response that there was in the Cold war has been lost: the

pre-commitment of forces to NATO is limited and there is no overall plan for the defence of the North Atlantic area as a whole. Instead, NATO would react selectively to threats to individual allies.

NATO's collective defence is being progressively renewed and strengthened. But it bears little resemblance to what existed in the Cold War, relying on rapid response to a developing crisis in a specific region, rather than a total mobilisation of NATO forces as a whole. Similarly, Russia has adapted its forces for limited and rapid interventions aided by its experiences in Syria and Ukraine. This makes the problem of avoiding unintentional or mutually reactive escalation all the more difficult: CSBMs under the Vienna Document, designed to limit the possibility of unintended and reactive escalation, were designed for a different era. The threshold for military intervention has been lowered in recent years, and significantly so when compared to the Cold War, with military force being seen on both sides as a tool of crisis management, rather than as an eventuality to be deterred at all cost.

The need for asymmetry – Russia and NATO’s different regional potentials need to be addressed and constrained

A central issue in developing new CSBMs concerns their selective or universal application. CSBMs represent generic recipes to minimise destabilising situations. As such and being applied equally and generally to all without distinction of geography or capability, they are in origin largely oblivious to real-world conditions and obstacles. However, it has always been obvious that some OSCE member states are reluctant to agree some CSBMs which they assess as intruding on military preparedness and against the interests of national security. This attitude, a significant Cold War overhang, needs to change.

If CSBMs are to have a real effect in limiting or triggering notifications of escalatory activities, they cannot be entirely neutral of real-world conditions and the surrounding political context. A form of differentiation, including asymmetrical measures, is therefore in order. In other words, where there are significant regional military imbalances or potentials, the side which has the advantage should be constrained to a greater degree than the other. To date, all CSBMs have been developed to apply equally irrespective of

conditions or advantages on the ground. The willingness to develop and adopt asymmetrical CSBMs would mark a significant step towards the modernisation of conventional arms control and its adaptation to contemporary conditions in Europe.

When looking at possible measures to limit or constrain the risk of military escalation, the need for asymmetrical measures should, therefore, be acknowledged from the outset. Because of geography, constraints on NATO’s ability to reinforce rapidly may result in military advantage for Russia. This could be addressed by differentiated measures which would have an equitable effect on both sides. For example, NATO and its partners could be constrained in their ability to rapidly reinforce an exposed ally, for example in the North, in return for Russia accepting real constraints in its military activities at a specified distance from a sensitive border region. Asymmetric measures would have the effect of limiting or counteracting the destabilising effects of the different fears that drive a potential military confrontation: the Russian fear of US/NATO rapid and massive reinforcement to their border area, and NATO’s fear of Russia’s regional conventional superiority on the NATO, specifically Baltic, side.

Measures for constraining military effectiveness, improving military transparency

The following are a list of ideas that could form the basis of a modernisation of the Vienna document to include real constraints and limitations on the effectiveness of military forces.

1. Designate specific NATO - Russia border areas as “sensitive”. No military deployments above a certain level, in any sensitive zone, up to say, 50k, on either side of a designated border. From 50 – 100 km (the “grey zone”) either side of a sensitive border area, military exercises and designated activities allowed with prior notification. Thresholds have to be significantly reduced for notification and inspection.
2. Deployment of ground-based air or maritime defence systems banned within a specified sensitive zone (up to 50 km). New deployments to be notified in the grey zone.
3. Dual capable aircraft to be subject to a special notification regime. No exercising within specific sensitive areas on either side of the border. Consideration of military aircraft exclusion zones. Air policing to be subject to a specific regime.
4. Limitations on the number of naval vessels participating in joint maritime/ land/air exercises.
5. Voluntary renunciations of forward deployment of stealth aircraft except in the context of notified exercises.
6. Storage sites for equipment for reinforcing or activated forces to be declared in the Annual Exchange of Military Information (AEMI) – Chapter I if the Vienna Document.
7. Thresholds for inspections and notifications to be reduced in “grey zone”. No salami slicing of exercises in time and space to avoid notifications.
8. Ban the deployment of certain capabilities (surface to surface missiles, dual-capable aircraft) in notified exercises in “grey zone”, that is limit the capabilities that are permissible even in permitted and notifiable exercises.

9. Extended “grey zone” banning live-fire exercises.
10. New measures to notify the movement forward of very high readiness units (into countries or zones (Military Districts for Russia) containing designated sensitive areas. In terms of asymmetry, Russia would have to have an extended grey zone for notifications of deployments and mobilisation of rapid reaction forces.
11. Reinforcing and reception countries jointly to declare changes in strength of-in place forces over a certain percentage (say 50%). Very High Readiness forces to be declared as such in the Annual Exchange of Military Information (AEMI).
12. More effort should be put into ensuring that signatories reply consistently and coherently to the Annual Exchange of Military Information (AEMI) prescribed under Chapter I of the Vienna Document. The OSCE should also publish the responses annually and publicly, opening up the data to independent analysis.

The importance of transparency in defence plans and planning

The latter point on transparency and publicity for national defence plans is very important. It is difficult for even well-informed non-government outsiders to assess which of the Vienna Document signatories is taking its obligations seriously. Signatories are obliged to submit detailed information on their defence plans and planning under Chapter I of the Vienna Document in an Annual Exchange of Military Information (AEMI). In an era where there is renewed antagonism and competitive military build-ups between Russia and NATO and its partners, Chapter I has great scope for clarifying and exposing to scrutiny the defence plans of countries within Europe in general, and NATO members and Russia in particular, and, perhaps optimistically, dispelling misconceptions between the two.

Russia and NATO bear special responsibility

What then is our key conclusion? NATO members and Russia bear special responsibility in the drafting and implementing of the updated Vienna Document because their military build-ups and pursuit of zero-

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sum security contribute significantly to the renewed potential for military miscalculation and conflict in Europe. The Baltic region represents the core concern within the Euro-Atlantic area. Any successful search to reduce tensions in the region will almost certainly involve an acceptance by all of asymmetric measures and restrictions on military effectiveness. This runs against military instincts and the ingrained approach that seeks to impose maximum constraints on others while minimising the impact on own forces. This paper seeks to break out of the traditional mindset that military effectiveness takes priority over arms control. On the contrary, we argue that in order to defuse tensions and reduce the mounting costs of military escalation, arms control should come first. This requires a serious change in approach for all concerned.

Endnotes

1. Statements by NATO officials indicate that NATO's response will be in the context of maintaining the credibility of deterrence and defence through a variety of military and political options
2. Negotiations are in progress in Vienna to update the Vienna Document 2011 (VD11). VD11 is composed of politically binding confidence and security-building measures (CSBMs) designed to increase openness and transparency concerning military activities conducted inside the OSCE's zone of application (ZOA), which includes the territory, surrounding sea areas, and air space of all European (Russia from the western border to the Ural Mountains) and Central Asian participating States. A variety of information exchanges, on-site inspections, evaluation visits, observation visits, and other military-to-military contacts take place according to VD11 provisions.
3. The Vienna Document is an agreement between the participating states of the Organization for Security and Co-operation in Europe which was intended to implement confidence and security building measures (CSBMs). It was originally adopted on 17 November 1990, building upon and adding to the CSBMs contained in the Document of the Stockholm Conference 1986. The Vienna Document has been revised periodically. The current version is the 2011 version.
4. "... NATO Allies and our partners have agreed on proposals for the most comprehensive modernisation package of the Vienna Document since 1994. To reduce the risk of miscalculation and accidents on land, at sea and in the air. To give greater transparency to snap exercises, by allowing snap inspections." Speech by NATO Secretary General Stoltenberg at the High-level NATO Conference on Arms Control and Disarmament, 23 October 2019.
5. According to "NATO and the Warsaw Pact. Force Comparisons". NATO Information Service, Brussels, 1984.
6. "Russia's aggressive actions, including provocative military activities in the periphery of NATO territory and its demonstrated willingness to attain political goals by the threat and use of force, are a source of regional instability, fundamentally challenge the Alliance, have damaged Euro-Atlantic security, and threaten our long-standing goal of a Europe whole, free, and at peace ... (paragraph 5 of NATO's Warsaw Summit Declaration July 2016).



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