



NATO-RUSSIA: IS THERE A FUTURE?

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Incredible as it may seem, NATO does not have a Russia strategy. Except for defending against Russia and supporting Ukraine to do the same, the wider strategic dimension is missing. Does NATO aim to return to dialogue with Russia when conditions permit? Or does it aim merely to contain and contest Russia militarily? As in the past, does NATO aim to push arms control as part of a policy of limiting military competition with Russia? At the very least, does it aim to preserve the NATO-Russia Council, which met, more or less regularly, from 1997 to 2021, as a forum for dialogue or, more frequently, disagreement? Perhaps most ambiguously, what is now the status of the NATO-Russia Founding Act¹, the comprehensive agreement signed in 1997 at the high point of NATO-Russia optimism about future partnership and cooperation? These questions are all unanswered.

NATO has been divided over Russia

That Act was signed by NATO and Russian leaders at the height of optimism for Russia-NATO cooperation. In return for accepting, albeit grudgingly, the forthcoming enlargement of NATO, Russia managed to prise significant military concessions from NATO, before the first wave of new members joined. These concessions included nuclear restraints on NATO which NATO still abides by. Eastern allies believe that NATO should abandon the NATO-Russia Founding Act with its one-sided military constraints, implying a second-class status for the “new members”, and its presumption of dialogue with Russia.

Since Russia’s invasion of Ukraine, some eastern allies (most significantly the Baltics, Czechia and Poland but backed by the UK) have argued for a wider policy discussion on Russia. Eastern allies were aiming for a clear repudiation of the 1997 NATO Russia Founding Act. In short, in urging a debate about a NATO policy toward Russia, Eastern European allies wanted to establish that there could not be a return to the status quo ante.

Opposed to opening a debate on the NATO-Russia Founding Act were the US, Germany and several Western European allies. They opposed a debate on NATO’s longer-term Russia policy on the ground that such a policy cannot be discussed, let alone determined, before knowing how the conflict in Ukraine is concluded.

¹ Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation signed by Boris Yeltsin and NATO leaders at the NATO Summit in Paris, 27 May 1997.



The US stance has caused suspicions among eastern European allies. They fear that the US might be tempted to settle the Russia-Ukraine conflict on terms over the heads of allies to satisfy US electoral imperatives while sacrificing the interests of eastern allies.

This difference with NATO is changing. Now there seems to be a consensus that NATO's Washington Summit in July should initiate a wide-ranging discussion on what the wider relationship with Russia should look like. In a nutshell, containment and confrontation versus deterrence and dialogue, the classic NATO approach².

NATO made concessions to Russia to secure its acceptance of NATO Enlargement

At the heart of this differences within the Alliance has been the status of the 1997 NATO-Russia Founding Act 1997. At the time, the NATO-Russia Founding Act was considered a triumph of US diplomacy. Signed at a NATO summit in Paris in May 1997, NATO effectively made important military concessions to Boris Yeltsin's Russia in return for Russian acceptance that NATO would enlarge for the first time since the end of the Cold War. Despite persistent Russian accusations of NATO betrayal by enlarging in 1999, Russia in 1997 accepted the principle of NATO enlargement, albeit reluctantly. In return, Russia extracted restraints from NATO on the forward deployment of nuclear and conventional forces on the territory of future new members.

Therefore, with the full knowledge and hesitant acceptance of Russia, NATO duly enlarged in 1999 with the first wave of former Warsaw Pact countries, the Czech Republic, Hungary and Poland. In addition to the promise of NATO military restraint, Russia also got the establishment of the NATO Russia Council and a commitment by NATO to cooperate closely with Russia in all significant security issues affecting Europe. This Council met more or less regularly from 1997 to December 2021, the eve of Russia's invasion of Ukraine.

² The 1967 "Report of the Council on the Future Tasks of the Alliance", also known as the Harmel Report, was a seminal document in NATO's history. It reasserted NATO's basic principles and effectively introduced the notion of deterrence and détente, setting the scene for NATO's first steps toward a more cooperative approach to security issues.



Peace in our time: NATO's grand vision for cooperation with Russia

The Founding Act was a blueprint for NATO's future cooperation with Russia. Its ambitions were laudable, particularly the mutual commitment to address jointly the peacekeeping and peace-making challenges of Europe in the post-Cold war era. Russia had already participated in NATO's peacekeeping operation in Bosnia and Hercegovina, and had a General at NATO's strategic military HQ for this purpose. President Clinton had done everything possible to secure the re-election of Boris Yeltsin as Russian president in 1996. NATO and Russian relationships were on a roll. The US vision of a "Europe whole and free" seemed to have been realised with the NATO-Russia Founding Act³.

The devil is in the military detail

The document itself can be considered to consist of three substantial elements. The first was the set of political and declaratory statements pledging both Russia and NATO members to respect the various agreements and principles that shaped the post-Cold War era. Each side had its cherished principles reflected in the text. For example, Russia got in the idea that security in Europe was indivisible: in other words, that NATO's security could not be achieved at the expense of Russia. By all accounts⁴, the political, declaratory and procedural elements of the text were settled amicably and without too much difficulty. And that included a Russian acceptance of the right of all states in Europe to choose their own security path. Both Russia and NATO reiterated their commitment to the principle of:

"Respect for sovereignty, independence and territorial integrity of all states and their inherent right to choose the means to ensure their own security"

All the familiar European political principles, such as respect for territorial integrity, non-use of force to resolve disputes etc, were easily reaffirmed by Russia and NATO in 1997.

The document also contained far reaching procedural arrangements for the NATO Russia Council (initially called the NATO-Russia Permanent Joint Council) to meet regularly and persistently at various levels to further the goal of "consultation, cooperation joint decision making and joint action". In words, though not deeds⁵, NATO promised to consult closely with Russia on their mutual security concerns.

³ The US goal of a "Europe whole and free" was first spelled out in "Remarks to the Citizens in Mainz by President George Bush. Mainz, Federal Republic of Germany, May 31, 1989.

⁴ Based on the author's discussion with an official closely involved in the drafting.

⁵ The NATO intervention in Kosovo in 1999 was an instance when the Russians felt that NATO had not consulted them adequately.



In its military restraints, the NATO-Russia Founding Act was deliberately one sided

It was the third element of the Act, the military dimension, where the negotiations were the toughest, necessitating expert military views from generals on both sides. Despite the hard discussions, the Act contained some militarily significant commitments by NATO, in the form of what later became known as the three nuclear “noes”. NATO assured Russia that its members had:

- no intention, no plan and no reason to deploy nuclear weapons on the territory of new members.
- no need to change any aspect of NATO's nuclear posture or nuclear policy.
- no intention, no plan, and no reason to establish nuclear weapon storage sites on the territory of future new members .

As significantly, NATO stated in the Act that “in the current and foreseeable security environment, the alliance will carry out its collective defence and other missions by ensuring... that it would rely on reinforcement rather than the additional permanent stationing of substantial combat forces in the new member states.” In other words, NATO did not see that there would be a requirement to move substantial conventional forces or infrastructure forward onto the territory of the future new members. In effect, Russia received assurances that NATO enlargement would not result in an eastward basing of substantial conventional or nuclear forces.

In its military restraints, the NATO-Russia Founding Act was one sided. Russia accepted no similar or reciprocal limitations, except for some vague commitment to restraint. After all, Russia was not expanding eastwards. On the contrary, it had retracted westwards. Despite President Putin’s 2023 announcement of stationing Russian nuclear weapons in Belarus, NATO maintains the nuclear stance detailed in the 1997 Founding Act⁶.

⁶ “Putin: Russia to station nuclear weapons in Belarus”, James Gregory, BBC News website, 23 May 2023.



Ambiguity of Status

The NATO-Russia Founding Act's current status is ambiguous. NATO has not formally renounced it. According to the NATO Secretary General in March 2022, "Russia has walked away from the NATO-Russia Founding Act. They have violated it again and again."⁷

More formally, NATO 's 2022 Strategic Concept declares that "we cannot consider the Russian Federation to be our partner". It seems therefore that NATO, without formal renunciation, regards the Act as overtaken by events. Russia also appears to regard NATO as having reneged on its commitments. In their proposal of December 2021 for an agreement with NATO, Russia proposed effectively putting the clock back to 1997, in terms of NATO infrastructure, before the admission in 1999 of the three new NATO members.

But why did NATO in 1997 make military concessions to a Russia which was weak and not considered a threat? The answer lies in the inevitability of NATO enlargement. The US had already determined that NATO should accede to the increasingly irresistible demands from the Czechs, Poles and Hungarians to join NATO, in accordance with its post-Cold War vision of "a Europe whole and free". Russian acceptance or, at least acquiescence, of NATO enlargement was considered essential if the process of eastward expansion were not to result in the return to the bloc-to-bloc division of the Cold War.

The NATO-Russia Founding Act marked the high point of ambition and optimism in terms of NATO-Russia relations. More than that, it set out a number of principles that provided a framework for a partnership that endured with difficulty, but functionally, over the next 25 years. In the words of the agreement, "This Act defines the goals and mechanism of consultation, cooperation, joint decision-making and joint action that will constitute the core of the mutual relations between NATO and Russia." Despite its high-sounding title, the Founding Act was not a legal document but a political document which each side undertook to respect.

⁷ "Russia has walked away from the NATO-Russia Founding Act", NATO Secretary General Jens Stoltenberg", https://www.youtube.com/watch?v=lg_fciPKjUQ



The US Goal of “A Europe Whole and Free”

The US as the sole superpower exercised its unique authority in the aftermath of the Cold War. It had even grander ambitions for Europe than mere NATO collective defence, which in any case it discounted as a possibility against a much-weakened Russia. In effect, the US had the ambition to remake and integrate Europe by bringing Russia in from the cold, on the one hand, and enlarging NATO, on the other. The US viewed NATO enlargement and Russian partnership as part of an overall European integration strategy that would transcend the old Cold War divide and would project stability eastward.⁸

NATO was therefore willing to reassure Russia that its nuclear and conventional infrastructure would not move further eastwards because of enlargement. To the contrary, the US maintained that, by means of the NATO Russia Founding Act, Russia was moving westwards to take its rightful place in a new and integrating Europe. As Madeleine Albright, the US Secretary of State at the time, repeatedly stated: Russia would have a voice in NATO counsels, but not a veto.

In keeping with NATO confidence that it no longer faced a tangible threat from Russia, there were no reciprocal restraints in the Act expected from the Russian Federation. From NATO's perspective the concessions weren't seen as concessions at all. In NATO's 1995 study on enlargement⁹, the alliance made it clear that its function of collective defence could be fulfilled in ways that did not involve moving forces or nuclear infrastructure towards Russia. Norway and Denmark, for example, had self-declared restraints on the presence of nuclear weapons on their territory and in their ports. Other existing allies did not have NATO forces or infrastructure on their territory. NATO therefore considered that the absence of nuclear weapons or substantial conventional forces on the territory of future new members did not materially affect NATO's ability to reinforce and defend future new members in the event of a threat.

From a NATO perspective, and of course driven by US interest in a Europe “whole and free”, the Founding Act was an essential precondition for NATO enlargement. From a Russian perspective, NATO enlargement was a problem, but containable as long as Russia could hold the Alliance to its promises of partnership and cooperation. The day after the signature of the Act, NATO began the discussion of the formalities of enlargement, by which Czechia, Hungary and Poland joined in 1999, in time to participate in the Kosovo conflict.

⁸ Ronald D. Asmus, “Opening NATO's Door”, Council on Foreign Relations, p239, and passim for a full account of the significance of NATO enlargement in US policy for remaking Europe after the Cold War.

⁹ “Study on NATO Enlargement”, NATO, 3 September 1995



Over the years, politically, NATO and Russia maintained a functioning relationship, albeit far from the easy and close cooperation envisaged in the Act. The NATO-Russia Council met many times (it even went through a superficial upgrade in 2002). Before 2014 there was close and mutually productive cooperation in relation to Afghanistan. However, since Russia's annexation of Crimea in 2014 the relationship has been fitful and distant, with the NATO-Russia Council turning into a forum for NATO members accusing Russia of violating the very Act that provided the basis for dialogue and cooperation between the two.

NATO-Russia – the Future

NATO is set to have a discussion of its wider relationship with Russia after its Summit in July 2024. There will be those who will want to reject the Founding Act in its entirety, even the potentially useful forum of the NATO-Russia Council. This would be short-sighted. There is too much value in the NATO Russia Founding Act to abandon it completely. At some stage, the conflict in Ukraine will end, probably without either side satisfied with the outcome. NATO collectively will then face a choice, whether to try to contain Russia or to try painstakingly to reconstruct a *modus vivendi* with it. Russia will also face a choice: whether to build up its military capability even more at ruinous expense, or to try to limit the inevitable military competition to the lowest possible level of armaments by engaging in arms control and confidence building measures.

It will take a long time even to restart dialogue, let alone make progress towards a renewal of arms control and restraint. The best that can be hoped for eventually is a *modus vivendi*, accompanied by a fitful and accusatory dialogue. The NATO promise to Ukraine on membership will be repeated at NATO's July 2024 Washington Summit, albeit "when conditions are met". This open-ended promise will reinforce the stand-off with Russia, irrespective of how the current conflict ends. But it is worth the effort to salvage some elements of the NATO-Russia relationship to avoid the alternative – perpetual competition and confrontation. NATO so far has abided by "the three nuclear noes" set out in the Founding Act. However long it takes, perhaps a reiteration of a willingness on both sides to maintain nuclear restraint in Europe would help to set the ball rolling. Regrettably, Sisyphus comes to mind.