

**STATEMENT BY PROFESSOR VYACHESLAV KULEBYAKIN  
AT THE 2009 ANNUAL SECURITY REVIEW CONFERENCE**

**Working Session II. Politico-military aspects of security:  
Arms control arrangements and confidence- and security-building  
measures in the OSCE area**

**Collective security or new confrontation. Who is choosing what?**

The walls of this splendid palace are adorned with a slogan that speaks of “joint concerted efforts”. A little more than 20 years ago that slogan was translated into reality when the delegations of 23 States representing two opposing politico-military alliances sat down at the negotiating table in order to find common paths leading to the establishment on the European continent of a collective security system. And that was no accident. The world was becoming increasingly aware that genuine security could be achieved only through joint efforts aimed at curbing a dangerous confrontation.

The result of those difficult and tense negotiations was an unprecedented Treaty on Conventional Armed Forces in Europe (CFE Treaty). To be honest, for me, as a direct participant in those negotiations and as one of the authors of the very first treaty draft, it is bitter to acknowledge that the hopes invested in that document, whose importance far transcends the boundaries of the OSCE’s area of responsibility, have not been justified.

If we are to answer the question why this happened and what is to be done about it in the future, we must honestly and without evasion look at the causes of the situation that has arisen.

Go back to the period extending from the late 1980s to the early 1990s. The Cold War is drawing to an end. Ideological barriers are collapsing. An unprecedented “window of opportunity” is, it would seem, opening up for a new kind of co-operation between States that for decades had been opponents. History, however, has shown that the hopes of the Soviet and later of the Russian leaders were nothing more than naïve illusions.

The disintegration of the USSR and of the Warsaw Treaty Organization was regarded in certain circles as *carte blanche* for global domination and for the taking of unilateral decisions on the use of force everywhere in the world at one’s own discretion, including preventive and pre-emptive strikes, in the absence of an armed attack and without the consent of the United Nations Security Council. This course was enshrined in strategic doctrines. Recent decades have witnessed the persistent pursuit of a policy aimed at preserving and solidifying global military superiority relying on a military presence as a resident power in key regions of the world, primarily those connected with the extraction and transport of energy resources, and also on advanced space technologies of a military nature, including the deployment of anti-missile defence systems, and on the creation of the world’s most powerful air force, navy and land army.

In response to the consistent display of good will, whether in the question of the unification of Germany or of the withdrawal of armed forces from the territories of the

Eastern European States, there followed three waves of expansion by the North Atlantic Alliance, which is now prepared, as emerges from the 1999 NATO strategic concept, to use force outside the borders of the bloc's participants at its own discretion, among other things without the approval of the United Nations Security Council.

NATO has *de facto* embarked on a path of converting itself into a global corporate security organization, in direct competition with the United Nations. The widely proclaimed "transformation of NATO", including the bloc's expansion, in point of fact so far means not its conversion into a political alliance bringing stability to the world, but purely military preparations for the waging simultaneously of a series of joint military operations of varying scale beyond the borders of the NATO members under the slogan of repelling contemporary threats and challenges to their security.

In the Mandate for Negotiation on Conventional Armed Forces in Europe we read: "The objectives of the negotiation shall be to strengthen stability and security in Europe through the establishment of a stable and secure balance of conventional armed forces, which include conventional armaments and equipment, at lower levels; the elimination of disparities prejudicial to stability and security; and the elimination, as a matter of priority, of the capability for launching surprise attack and for initiating large-scale offensive action. Each and every participant undertakes to contribute to the attainment of these objectives".

In response to the question as to whether these aims have been achieved we are compelled to answer in the negative. Both the CFE Treaty currently in force and the adapted Treaty are concerned with establishing a stable and secure balance of armaments. But what kind of balance can one speak of if the North Atlantic Alliance today has gone far beyond even those levels of armaments that were laid down for it under the CFE Treaty of 1990?

There is at present a commonly held view to the effect that the group approach is a kind of relic of the past that is no longer appropriate to present-day realities. From a formal point of view, this may in fact be the case since one of the politico-military blocs has ceased to exist. But the other bloc has remained and is consistently building up its power, something that is in direct contradiction to the fundamental principle of European arms control, in accordance with which no one State just as no one organization must be dominant in the military strategic sphere. It is obvious that this principle has been violated in the most overt possible manner. Is it not for this reason that more and more often we hear statements regarding the decline of European arms control? Efforts to act as if nothing special has happened can only be characterized as undisguised hypocrisy.

The Treaty on Conventional Armed Forces in Europe represents one of the most important elements of the arms control system that was established at the end of the Cold War, thanks to the efforts of many members of the international community and, it must be said, at the cost of extremely intensive work, and that covered both strategic and conventional armaments, but which today is being rapidly dismantled. That is happening not so much because of some objective reasons (although that factor is also present) as because of a systematic policy on the part of those forces that are attempting to put into place their own system of global security subordinated to the interests of a relatively small group of countries.

The situation that is emerging provides no grounds for any particular optimism, although I am also convinced that it is in no way hopeless. The inertia of recent years can

unquestionably be overcome through joint efforts on the part of all States interested in ensuring confidence, stability and predictability in Europe. To that end, the first need is to abandon the policy of seeking unilateral advantages in order that the principle, unobserved today, of ensuring equal security may be unconditionally restored and observed by all parties to the CFE Treaty. Quite remarkable in this context is the statement by the Minister for Foreign Affairs of the Federal Republic of Germany, Frank-Walter Steinmeier, who on 4 March 2008 called for work on the creation of a “pan-European peace order encompassing both our transatlantic allies and our eastern neighbours” on the basis of “dialogue and co-operation, trust, mutual respect and understanding...”.

The present differences of opinion in the positions of the parties to the CFE Treaty are to be found, for the most part, in the fact that, albeit it with rather considerable delay, the Russian Government has raised the question of ensuring that the legal norms of the CFE Treaty be brought into alignment with the actual state of affairs that has arisen in the political and military sphere in Europe. It would be naïve to imagine that all those processes that I have just mentioned will not elicit a counter-reaction. As regards the CFE Treaty, that reaction was a moratorium on the implementation of the obligations under the original Treaty. However, this might easily have been avoided if Russia’s Western partners had acted quickly to ratify the Agreement on Adaptation of the CFE Treaty. One cannot but be amazed at the short-sightedness of those who imagined that by dragging out the ratification process they could exert some sort of pressure on the Russian Government. To all appearances, Russia is by no means more interested than its Western partners in the entry into force of the adapted CFE Treaty. It is no secret that in many Russian circles there is a sceptical attitude towards the adapted Treaty.

Having chosen to proceed through unilateral actions in the security area, our Western partners, speaking figuratively, “have taken out a great many loans” and now find themselves facing the dilemma of either “paying back those loans”, by accepting the restoration in Europe of a system of collective security, or of continuing the old policy, which will inevitably lead to the emergence in Europe of new lines of division and, as a result, to fresh confrontation, with all its disastrous consequences for all States.

The draft of the “package solution”, with which you are familiar and which is being drawn up by Russia and the United States of America, could become the basis for a comprehensive document on the restoration of the viability of the conventional arms control regime in Europe. This will require substantive and qualitative adjustments. The need is to ensure that the draft, which must provide for “parallel” or, more accurately, reciprocal actions by the parties concerned, be of a balanced nature. All aspects without exception that are the cause or may be the cause of disagreements must be properly sorted out, and not at some unspecified point in the future but directly as part of the “package” itself and in such a way that excludes the possibility of varying interpretations and the tearing up of the agreements reached.

An absolutely essential precondition for the achievement of a “package” understanding is the abolition of the discriminatory territorial subceilings for the Russian Federation, which are utterly unjustified following the accession to NATO of a number of flank region countries and which pose an obstacle to the effort to combat terrorism.

While limitations of this kind may have made some sense when applied to the Soviet Union, as applied to Russia they can only be regarded as a deliberate effort to weaken that country's ability to combat terrorism in the North Caucasus. We all know that the most uncompromising stand on this problem has been taken by a participating State that enjoys a privileged regime in the form of the presence on its territory of a so-called exclusion zone, something that also, incidentally, is explained by the presence of separatists and terrorist threats. Unless the flank question is resolved, one cannot rule out the possibility that the question of abolishing this zone may be raised.

Agreement must be reached on lower levels of armaments for the NATO member countries, levels that would come into force on the day the adapted CFE Treaty begins to be applied on a provisional basis. The relevant figures must be attached to the "package".

Another essential annex to the "package solution" must take the form of concrete conditions for the accession of new NATO member countries to the CFE Treaty.

There is no need whatsoever to put off agreeing on a definition of "substantial combat forces". Such a definition must also be attached to the draft.

As part of the "package", a decision should be taken to the effect that immediately after the entry into force of the adapted CFE Treaty the States Parties will begin negotiations on its further modernization. Such a decision might also contain a sample list of questions that the countries should like to see examined at these negotiations.

With regard to regional aspects, one proposal might be that the Russian Federation could consider certain transparency issues as part of the "package", provided that that package is genuinely balanced. This refers both to Moldova and to the Trans-Caucasus, with due account being taken of the actual situation in those regions.

The Russian Federation can be expected to resume implementation of the CFE Treaty once the Agreement on Adaptation has entered into force or begins to be applied provisionally, as provided for in the "package solution". This requires the most reliable guarantees possible that the Agreement on Adaptation will be ratified within the agreed time-frame, including the submission of the ratification instruments to the depositary. Since ratification is a matter for parliaments to decide and cannot be guaranteed by the executive branch, the arrangements for the provisional application of the adapted CFE Treaty would have to be clearly set out. A two-stage approach could be applied here: During the first six months the States Parties would be guided by a political commitment to act in accordance with the objective and aims of the adapted CFE Treaty, observing its ceilings, after which, if by that time the Agreement on Adaptation had not entered into force, its provisional application would begin.

Now let me say a few words about the Vienna Document of 1999. Here I want to immediately make the point that for all its importance, just as in the case of the Treaty on Open Skies, this document cannot replace the arms control regime contained in the adapted CFE Treaty. The reasons for this are obvious, one of the major ones being the complementary nature of these documents.

It is perfectly clear that many of the provisions of the VD 99, which has not been updated over the last 10 years, are manifestly out of touch with today's requirements. The

document needs to be modernized, but this process is being blocked by a number of countries. To ask why this is happening is a rhetorical question. The answer is obvious. A group of States that are joined together in a politico-military alliance, having achieved a dominant position, obviously see no need to make any changes, including in the area of confidence- and security-building measures (CSBMs). However, this kind of position runs the risk that the VD 99 may, just like the CFE Treaty, lose any link with reality and ultimately share that document's fate. But it may be that this is precisely the conscious approach of those who have chosen a path other than that of collective security in Europe.

We know that a number of countries are concerned that an updating of the VD 99 could result in opening up all its provisions for discussion and would require a great deal of work. I don't think we need fear this. Not that many proposals have been made, and they deal for the most part with an exchange of information on naval forces and multinational rapid-reaction forces. Another group of proposals has to do with verification activities. An analysis of Chapter IX shows that that chapter is one of the most important sections of the VD 99; on the whole, it is being implemented successfully, but there is room for improvement. As for the other parts of the Vienna Document, specifically Chapters V to VIII, there is no need for any particular changes here. We could make do with an agreement on obligatory notification of major military activities. It goes without saying that a careful look will again have to be taken at issues having to do with the more complete and correct implementation of other VD 99 provisions. In the final analysis, it is in fact the implementation that is the most difficult part of translating this important document into reality.

Modern history knows of examples, although not many, when in the face of a harsh reality the international community has acted decisively and in solidarity on a radically new basis. To some degree, the reaction to the current global financial crisis is one such example. Countering the risks of a globalizing world and of a globalizing security environment calls for the building of the broadest possible coalitions. However, curiously enough, in the Euro-Atlantic area the objective need for radically new approaches to ensuring security has not been sufficiently backed up by real actions to put into place a genuinely collective security system.

A "resetting" of the Euro-Atlantic security matrix along with an intensification of the strategic dialogue within the Russia-European Union-United States "triangle" affords an opportunity for rethinking the situation in our common space. This opportunity can be exploited by following up on the Russian initiative calling for the conclusion of a Treaty on European Security.

The section of that treaty dealing with arms control might contain the following basic provisions.

The beginning of the section might set out the commitment of all States Parties to the establishment over the long term within the Euro-Atlantic space of an integral and effective system of interlinked and complementary legal and political obligations having to do with arms control.

There might then follow three main conceptual blocks.

The first block could reflect the basic objectives set for themselves by the States Parties to the Treaty on European Security as part of the elaboration of arms control arrangements:

- Ensuring both security and stability in the Euro-Atlantic region at lower levels of armed forces as well as the non-provocative nature of military activities;
- Enhancing regional stability, among other means by not allowing military domination by any State or group of States;
- Assisting in the stabilization of specific crisis situations;
- Enshrining in the military doctrine of the States Parties the principle of “reasonable sufficiency” (non-offensive defence), including the abandonment of the practice of permanently stationing additional substantial combat forces on the territory of other States.

The second block could contain a list of the principles to guide the States Parties in their negotiations to draw up new agreements and understandings on arms control and on CSBMs:

- Arms control, confidence-building, restraint and reasonable sufficiency in military doctrine are of key importance for strengthening politico-military stability and security in the Euro-Atlantic region;
- Agreements and understandings in this sphere are reached by the States Parties on a voluntary basis through negotiations in which they participate as sovereign States with equal rights, regardless of their membership of politico-military alliances or associations;
- Arms control negotiations are conducted in a way that at that every stage respects and takes into account the security interests (concerns) of all the States Parties to the Treaty on European Security.

The third block could consist of a list of criteria (requirements) that must be met as part of the new understandings:

- Balance and reciprocity;
- Military significance;
- Increased transparency with respect to armed forces and military activities;
- Avoidance of related financial and economic burdens, coupled with a long-term positive economic effect;
- Verifiability;
- Adaptability.

There is already much talk about this treaty, and I assume that many of you are already familiar with the provisions I have mentioned. We often hear that these provisions to some degree lack specific detail. Those involved in negotiations know that what frequently lies behind statements of this kind is an unwillingness to examine constructively a proposal that has been put forward. As soon as the specific detail is produced, the axiom “the devil is in the details” comes into play and the negotiations become bogged down in quagmire of specific considerations. So, let’s deal with everything in its proper order: first, questions of principle, followed by attention to detail.

Despite the fact that security problems are interdisciplinary in nature, priority rests with the problem area of “hard security”, on which the pan-European security climate depends to a decisive degree. Pronouncements regarding supposed fears that all of this will have a negative effect on the human-rights and other aspects of security are contrived and merely one more indication of an unwillingness to get down to serious work.

The most important thing is the achievement of the slogan with which I began my statement. “Hard security”, just like energy security, cyber-security and the effective combating of terrorism, cannot be ensured without a pooling of efforts on the part of all the players. If we continue to focus on maintaining total freedom of action when adopting decisions that potentially affect the interests of other countries within the Euro-Atlantic space, or if these countries’ access to the decision-making process is based on a purely selective approach, then dividing lines will only multiply and appear in other security dimensions. The United States plans to establish a third deployment area for its global anti-missile defence system in Europe have resulted in just such a dividing line. This is also true of co-operation having to do with energy resources, something that for decades has been at the heart of European security, having been removed from the context of ideological differences so that it operated reliably and without disruption even during periods of the most acute political tension. We cannot allow this positive interdependence in the energy sector to be simply cancelled out as result of politically motivated considerations.

It is extremely important that the Russian initiative does not contemplate the dismantling of existing institutions or the abandonment of security agreements and arrangements already in force. In particular, the “disarmament” section of the new treaty does not and is not intended in any way to replace the CFE Treaty, the Treaty on Open Skies or the Vienna Document 1999.

Let me conclude by saying a few words about the role of the OSCE. The policy of unilateral steps is essentially aimed at sidelining the OSCE from a role in dealing with security issues in Europe, something that runs directly counter to the CSCE Final Act of 1975, the Charter of Paris for a New Europe of 1990 and the Charter for European Security of 1999. This is also the cause of the stagnation experienced by the OSCE’s negotiation forums in the area of security.

The OSCE must be one of the appropriate international platforms for discussions on the Treaty on European Security, but not the only one. The Organization might become a forum for the discussion of urgent problems of pan-European security and for the formulation of major decisions whose effect will be to set the course for the development of international relations throughout our common space. This function, thanks to which the OSCE in fact originally gained the authority that it did, should be revived. Against this, a continuation of

discussions of what are for the most part peripheral issues will in no way help to improve the image of the Organization.

The positions taken in this report reflect the purely personal views of the author.