



# A New Security Architecture for Europe? Russian Proposals and Western Reactions Part II

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Part II of the Security Brief on the Russian proposals for a *New Security Architecture for Europe* focuses on the Russian drafts for a “*European Security Treaty*” and for an “*Agreement Governing Relations among NATO-Russia Council Member States in the Security Sphere.*” It questions what added value, if any, these proposals have for enhancing security in the Euro-Atlantic region. It argues that the Corfu process seems a more realistic way forward. It should focus on pragmatic adaptations of existing institutions, procedures and instruments in order to overcome Cold War stereotypes that still survive two decades after the implosion of the Soviet Union.

The previous brief on the Russian proposals for a new security architecture in Europe appeared in November 2009.<sup>1</sup> Since then, Russia presented two documents. On 29 November 2009, Russia introduced a draft *European Security Treaty*<sup>2</sup> to all OSCE member states. Immediately afterwards, it proposed a draft *Agreement on Basic Principles governing*

*Relations among NATO-Russia Member States in the Security Sphere* to its NATO partners.

On 5 February 2010, President Medvedev signed *The Military Doctrine of the Russian Federation*.<sup>3</sup> On 6 February, at the 46<sup>th</sup> Munich Security Conference, the Russian Minister of Foreign Affairs Sergey Lavrov made yet another attempt to sell Russia’s proposal for a new European security architecture.

## THE DRAFT EUROPEAN SECURITY TREATY

The Draft Treaty is limited to one principle, **indivisibility of security**, and to some generalities on **crisis management**.

The Russian proposals put forward at the *OSCE Annual Review Conference on Security* in June 2009 focused only on the first OSCE dimension, viz. hard security. However, within this constraint, it proposed to address the whole spectrum of hard security challenges. This is no longer the case for the Draft Treaty. The second and fourth blocks of the June proposal are not addressed.<sup>4</sup>

<sup>3</sup> Voyennaya Doktrina Rossiyskoy Fyedyeratsii, [http://news.kremlin.ru/ref\\_notes/461](http://news.kremlin.ru/ref_notes/461)

<sup>4</sup> The first block covered the basic principles of relations between states; the second block addressed arms control, confidence-building, restraint and reasonable sufficiency in military doctrine; the third block dealt with crisis prevention and

<sup>1</sup> The first part appeared as Egmont Security Policy Brief # 3 on 29 November 2009.

<sup>2</sup> <http://eng.kremlin.ru/text/docs/2009/11/223072.shtml>

The central theme is indivisible, equal and undiminished security. *“Any security measures taken by a Party to the Treaty individually or together with other Parties, including in the framework of any international organization, military alliance or coalition, shall be implemented with due regard to the security interests of all other Parties.”* (Art 1).

*“A Party to the Treaty shall not undertake, participate in or support any actions or activities affecting significantly the security of any other Party or Parties to the Treaty. No signatory will allow the use of his territory or use the territory of another signatory to launch an armed attack against one or more parties to the Treaty”* (Art 2).

*“A Party to the Treaty shall be entitled to information on any measure taken by the other Party that might affect its security”* (Art 3).

Furthermore, the Draft Treaty provides for general procedures for crisis prevention and crisis management to settle differences or disputes that might arise between the Parties. It proposes *Consultations among Parties* if a party determines that there exists a violation or a threat of violation of the Treaty by any other Party or Parties. Any participant to the consultations could convene a *Conference of the Parties* *“to consider the issue that was the subject of these consultations”*. In case of an armed attack or the threat of an armed attack, the Party under attack or under threat shall bring it to the attention of the depository who will convene an *Extraordinary Conference of the Parties* (Art 4-6).

The Draft also provides the possibility for each Party to consider an armed attack against any other Party as an attack against itself. It shall be entitled to render the attacked Party assistance, including armed support, according to its right of self-defence under article 51 of the UN Charter (Art 7).

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management; and the fourth block was dedicated to measures to counter new threats, including proliferation of weapons of mass destruction, terrorism, drug trafficking and transborder organized crime (See Security Policy Brief # 3).

## THE DRAFT AGREEMENT GOVERNING RELATIONS AMONG NATO-RUSSIA COUNCIL MEMBER STATES

Practically immediately after presenting the Draft Treaty to the OSCE members, Russia introduced a draft *Agreement on Basic Principles Governing Relations among NATO-Russia Council Member States in the Security Sphere*. This proposal attempts to provide Russia with a say in NATO’s decision-making, defence planning and military deployment.

Once again, the basic principle is equal and indivisible security. Members shall not enhance their own security at the expense of the security of others.

The Parties shall set up and maintain mechanisms to harmonize measures to prevent and settle conflicts. They will exchange their assessments of current threats and challenges on a regular basis. They will agree on measures to counter these threats and challenges without violating legitimate security interests of other states. Any Party can convene an extraordinary meeting of the NATO-Russia Council in case of threats to security or of the use of force against one of the Parties.

The Parties shall not regard each other as opponents. Military capacity will be proportionate to their legitimate security requirements. The Parties will *“perform defense planning in a way that it does not threaten the security of other parties.”*<sup>5</sup> Parties will hold consultations on defence planning to avoid incidents ensuing from military actions.

All parties will abstain from stationing sizeable forces permanently in countries that were not members of NATO before 27 May 1997.<sup>6</sup> The limits proposed by Russia are very low, namely at the level of one brigade, wing or attack helicopter battalion. “Permanent basis” includes temporary deployment of more than 42 days. Exceptionally, in case of a threat to the security of one or more Parties, and with

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<sup>5</sup> James G. Neuger, *NATO to Rebuff Russian Bid for Separate Treaty, Officials Say*, Bloomberg.com, 18 January 2010, <http://www.bloomberg.com/apps/news?pid=20601109&sid=aMDbZTRCWIGQ#>

<sup>6</sup> Date of the *Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation*, signed in Paris.

the consent of all Parties, larger deployments may take place.

Furthermore, all Parties should cooperate in arms control. However, no more details are provided.

In other words, Russia wishes to have a say in the Alliance's defence planning and deployment of military forces. Furthermore, it would have to be consulted if NATO wishes to undertake actions.

### LAVROV'S SPEECH AT THE MUNICH SECURITY CONFERENCE

The Russian Minister of Foreign Affairs Sergey Lavrov addressed the 46<sup>th</sup> Munich Security Conference on 6 February 2010.<sup>7</sup> He reiterated most of the arguments already put forward on previous occasions, such as in President Medvedev's speeches, his own intervention at the OSCE Annual Review Conference in 2009, and the drafts submitted in the OSCE and the NATO-Russia Council.

However, he gave some additional arguments, mainly to counter criticisms that had arisen since the presentation of both draft documents.

With regard to human rights, Lavrov explained the Russian contention formulated at the Annual Review Conference on Security in Vienna in June 2009 that *"the last two baskets did not suffer from erosion of the fundamental principles"*. He underlined that the lion's share of the OSCE programmes does not reflect a comprehensive approach to security, but concentrates on humanitarian affairs to the detriment of the other baskets. Human rights, however, already have a legally binding framework in the Council of Europe constituting *"a single, common legal humanitarian space of the continent. [...] In other words, it is in the realm of 'soft security' that a pan-European structure has long been established and works quite well,*

*ensuring compliance with the commitments in the field of human rights and freedoms"*.<sup>8</sup>

Lavrov also explains the limited scope of the hard security issues addressed in the Draft Treaty. Initially Russia wanted to include all major aspects of politico-military issues, such as arms control, confidence-building measures, conflict resolution and responses to contemporary threats and challenges. The reason it limited the Draft to the principle of the indivisibility of security and some general ideas on crisis management is that, after having *"listened to our colleagues, we agreed to include them in the Corfu Process. [...] And in the Draft Treaty we have left no practical things, but only one principle – the principle of the indivisibility of security"*.

Soon after the launch of the Corfu Process, the Russian Permanent Representative to the OSCE had already stressed that Russia considers its proposal regarding a European Security Treaty and the Corfu Process as complementary:

*"as mutually overlapping but not mutually replaceable approaches. The difference is simple: the Treaty on European Security is a document drawn up with the involvement of all the international structures of the Euro-Atlantic region, while the 'Corfu Meetings' are discussions within the framework of the OSCE covering a broad agenda that includes the enhancement of the Organization's effectiveness and its three 'baskets'"*.<sup>9</sup>

Lavrov concludes by putting the onus for adapting to a globalized, polycentric and increasingly competitive world, and strengthening the position of European civilization, on the West. He considers the acceptance of the Russian proposal as *"a kind of a test of the Euro-Atlantic 'family' for maturity, for their ability to adequately perceive what is happening in the world"*. Not accepting the Russian proposals

<sup>7</sup> [http://www.mid.ru/brp\\_4.nsf/e78a48070f128a7b43256999005bcbb3/93d5f2c4bfa144dec32576c4005a77f8?OpenDocument](http://www.mid.ru/brp_4.nsf/e78a48070f128a7b43256999005bcbb3/93d5f2c4bfa144dec32576c4005a77f8?OpenDocument)

<sup>8</sup> On 18 February, Russia signed Protocol 14 on the reforms of the European Court for Human Rights, opening the way to reforms of the Court.

<sup>9</sup> Statement by Vladimir Voronkov at the Joint Meeting of the OSCE Forum for Security Co-operation and the OSCE Permanent Council, 15 September 2009, [http://www.osce.org/documents/fsc/2009/09/39603\\_en.pdf](http://www.osce.org/documents/fsc/2009/09/39603_en.pdf)

would prevent a single pan-European space developing and would lead to “*spheres of influence and areas in which different standards apply in terms of military and political security, humanitarian obligations, access to markets and modern technology*”.

## EVALUATION OF THE RUSSIAN DRAFT PROPOSAL

### The Draft Treaty

As argued in the previous security brief on this subject, it is questionable what the benefit would be of a legally binding treaty. Anyhow, the content of the Draft Treaty is disappointing. It is difficult to see what problems could be solved by the proposal. On the contrary, it would open up the possibility for any Party to the Treaty to enter into endless discussions in the name of the principle of the indivisibility of security.

Furthermore, if the Draft Treaty were to be enacted as proposed, it would place itself above the existing treaties whose members would have to place their allegiance to the European Security Treaty above their duties to other organizations and treaties. In fact, the ultimate objective seems to be to neutralize other treaties or at least their security and defence clauses. This does not seem a realistic prospect in any near future. A European Security Treaty, as proposed by Medvedev, would more likely end up, if not in oblivion then as documents with little practical value, like the 1990 Paris Charter for a New Europe and the European Security Charter of 1999.<sup>10</sup>

In this respect, it would be interesting to apply the Draft Treaty by way of trial to the war in Georgia. The many appeals by Georgia in the years before 2008 to change the composition and terms of reference of the peacekeeping force should have been dealt with by consultations and a conference. Immediately after the outbreak of hostilities, a special conference should have been convened. However, should this have been in August or

earlier, when incidents were becoming more frequent? Furthermore, one could argue that members of the OSCE could have rendered (armed) assistance to Georgia, especially once Russian troops crossed the boundary of the South Ossetian part of Georgia, penetrated deeper into Georgian territory and attacked targets in the whole country.

### The Draft Agreement within the NATO-Russia Council

Most of the proposals of the Draft Agreement are already part of the Founding Act of the NATO-Russia Council.<sup>11</sup> However, the new proposal would give Russia a say in *NATO's decision-making* and restrict deployment of its armed forces. This is unacceptable not only for NATO, but also for the EU.

Consultations and exchange of threat assessments are already part of the NATO-Russia Council's work. However, consultations on defence planning would open up a completely new area for endless discussions.

Furthermore, the statement that the Parties shall not consider each other as opponents seems completely at odds with *The Military Doctrine of the Russian Federation* signed by President Medvedev on 5 February 2010. Article 8 of the Military Doctrine singles out NATO as the major external danger.<sup>12</sup> It identifies explicitly as the foremost danger NATO's aspiration to take on a global role in halting the infringement of the norms of international law. Other dangers emanating from NATO are the approaching of its military infrastructure to the borders of the Russian Federation and NATO expansion.<sup>13</sup> Furthermore, it mentions the expansion of

<sup>11</sup> Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation, [http://www.nato.int/cps/en/natolive/official\\_texts\\_25468.htm](http://www.nato.int/cps/en/natolive/official_texts_25468.htm).

<sup>12</sup> In Russian terminology, military danger does not automatically imply a clear threat. The *Military Doctrine* makes a distinction between threat and danger: “a military danger is a condition of intergovernmental or interstate relations characterised by a set of factors, capable under certain conditions to lead to the occurrence of a military threat”. A military threat is “characterised by a real possibility of occurrence of military conflict” (Art 6.b).

<sup>13</sup> President Medvedev downplayed casting NATO in the role of the main danger to Russia in an interview to *Paris-Match*, 18 February 2010, [http://eng.kremlin.ru/text/speeches/2010/02/25/0900\\_type82\\_916\\_224466.shtml](http://eng.kremlin.ru/text/speeches/2010/02/25/0900_type82_916_224466.shtml).

<sup>10</sup> Dmitri Trenin, *From a “Treaty to Replace All Treaties” to Addressing Europe's Core Security Issues*, Carnegie Moscow Center, 30 November 2009,

<http://www.carnegie.ru/en/pubs/media/83465.htm>.

military contingents of foreign states and groups of states in territories adjacent to the Russian Federation and the territories of its allies, as well as in adjoining maritime areas. Less direct, but nevertheless relating to NATO and the US, is the mention of attempts to destabilise conditions in separate states and regions and to undermine strategic stability, among others by means of *strategic antimissile defence*. (Sec II, Par 8).<sup>14</sup>

The second main area of interference in the internal affairs of the Alliance would be in limiting deployment in the territories of “*new*” members. Russia often mentions NATO’s promise not to station troops on the territory of new members in exchange for accepting the unification of Germany and the former East Germany joining NATO. However, the only written commitment by the Allies in the Founding Act of the NATO-Russia Council relates to nuclear weapons. Yet, the Founding Act also states that “*in the current and foreseeable security environment, the Alliance will carry out its collective defence and other missions by ensuring the necessary interoperability, integration, and capability for reinforcement rather than by additional permanent stationing of substantial combat forces. However, reinforcements may take place in event of threat of aggression and missions in support of peace consistent with the UN Charter and the OSCE governing principles, as well as for exercises consistent with the Adapted CFE Treaty and the 1994 Vienna Document*” (Section IV, Par 11). This does not, however, imply any right of interference for Russia in NATO’s affairs.

The Russian proposals in the NATO-Russia Council would also have a negative impact on the CSDP. Defence planning within the EU is closely linked to that in NATO. Moreover, it would be unacceptable that, once the CSDP matures, the EU could not deploy forces of its NATO-members wherever it deemed necessary on the whole territory of the Union, of course taking into account existing

agreements on arms control, and security and confidence-building measures.<sup>15</sup>

## CONCLUSIONS

The draft documents submitted by Russia make it clear that it is proposing a new tier to the European security architecture that stands above all existing security arrangements. Furthermore, it is attempting to get a say in NATO’s affairs.

A European Security Treaty would take precedence over existing defence and security agreements. For this reason, the proposal for a European Security Treaty seems a non-starter. Furthermore, any general accord that would only come about in order to placate Russia, would not contribute anything tangible to peace and security.

The only really new proposals in Russia’s draft for an Agreement in the NATO-Russia Council — those on decision-making, defence planning and deployment — are unacceptable, not only for NATO but also for the EU.

The main security issue in the Euro-Atlantic area remains the lack of trust. The West suspects Russia of imperialist motives in its near abroad and of trying to regain influence in Central Europe. Russia, in turn, cannot accept Western attempts of gaining influence in the former Soviet space. Especially NATO-enlargement and NATO-infrastructure approaching the Russian border are unpalatable. Before any real progress can be made in the field of security, trust has to be rebuilt and Cold War stereotypes, which still survive two decades after the implosion of the Soviet Union, have to overcome.

Russia views its proposal for a European Security Treaty and the Corfu Process as complementary. Nevertheless, adapting existing structures, procedures and instruments through the Corfu process seems a more

<sup>14</sup> This identification of NATO as the main military danger, or at least putting NATO on top of the list of dangers, is also in contradiction with the Founding Act of the NATO-Russia Council (Par 2).

<sup>15</sup> Article 42 of the Lisbon Treaty states that “1. The common security and defence policy shall be an integral part of the common foreign and security policy. [...] 7. If a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter. This shall not prejudice the specific character of the security and defence policy of certain Member States”.

realistic way forward than a new European Security Treaty. The recommendation formulated in the previous Security Brief remains valid. The West should participate sincerely in order to reach concrete results enhancing security in the Euro-Atlantic region. However, it should not fall for the ploy of linking a European Security Treaty with a “*test of the members of the Euro-Atlantic ‘family’ for maturity [...]*”.

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