



A New Security Architecture for Europe? Russian Proposal and Western Reactions

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After the disbandment of the Warsaw Pact, Russia pinned its hopes on the dissolution of NATO and on the OSCE becoming the major regional security organisation in the Euro-Atlantic area. However, taking advantage of Russia's weakness, NATO went through several enlargement rounds, even incorporating parts of the former Soviet Union. Russia has now recovered and considers that the era of unipolarity is giving way to a "polycentric international system". The war in Georgia and the financial crisis have demonstrated that sufficient critical mass has been achieved to transform the international system. Russia is proposing to fix de jure the political commitments undertaken within the OSCE and the NATO-Russia Council. Russia wants a legally binding document, a European Security Treaty. The question is to what extent this is in the interest of the West?

In Berlin in June 2008 the Russian president Medvedev made a first proposal for a new European security architecture in the form of a legally binding treaty.¹ After the war in Georgia,

¹ The English version is available at, http://www.kremlin.ru/eng/speeches/2008/06/05/2203_type82912type82914type84779_202153.shtml

Russia began promoting a new approach in security more actively. In October 2008, in Evian, Medvedev proposed an international conference to discuss security questions in Europe.² Although Russian diplomacy in the meantime referred several times to these proposals and Medvedev repeated them in Helsinki in April 2009,³ they remained extremely vague until Russia presented a comprehensive and coherent proposal on the subject at the OSCE Annual Review Conference in Vienna (23 – 24 June 2009).⁴

Why does Russia want to change the existing security architecture in Europe?

Russia considers that the era of unipolarity is giving way to a "polycentric international system" with new centres of economic growth and political influence.⁵

² The English version is available at, http://www.kremlin.ru/eng/speeches/2008/10/08/2159_type82912type82914_207457.shtml

³ The English version is available at, http://www.kremlin.ru/eng/speeches/2009/04/20/1919_type82912type82914type84779_215323.shtml

⁴ Address by Russian Minister of Foreign Affairs Sergey Lavrov at the Opening of the OSCE Annual Security Review Conference, Vienna, June 23, 2009, *Hard security challenges in the Euro-Atlantic region. The role of the OSCE in creating a sustainable and effective security system*, http://www.mid.ru/brp_4.nsf/c78a48070f128a7b43256999005b_cbb3/9eb56f1ecaad3ab5c32575df00362cc9?OpenDocument

⁵ Address by Russian Minister of Foreign Affairs Sergey Lavrov for the European business Association in Russia, Moscow, December 10, 2008, *The Role of Russian-EU co-operation and of their*

The war in Georgia and the financial crisis have demonstrated that sufficient critical mass has been achieved to transform the international system.

The major conflicts during the last years, from the Balkans to the Caucasus, were systemic breakdowns of the existing security architecture. The existing system suffers from several serious shortcomings. Firstly, the West still has a “*bloc approach*” to security in Europe; the CFE controversy is the most illustrative example of this attitude. Furthermore, Russia cannot accept that a single group of countries – NATO, under American leadership – has exclusive rights to shape European security. Secondly, the West continues to approach security *ideologically*. Russia does not accept the western moral approach to international politics; it uses the concept of *sovereign democracy* to underline its independence from and moral parity with the West. And finally, a plethora of security organisations and arrangements have sprung up over the last decennia so that some restructuring is overdue.

The main systemic shortcoming is the infringement on a basic principle of the *1999 Charter for European Security* and of the *NATO-Russia Council (NRC)*, viz the principle of the indivisibility of security – the commitment not to strengthen one’s security at the expense of the security of other States.

In the nineties Russia had hoped for the dissolution of NATO following the disbandment of the Warsaw Pact. The OSCE would have become a fully-fledged regional collective security organization within the terms of Chapter VII of the UN Charter. Instead NATO expanded, first absorbing the former Soviet satellites, and then encroaching upon parts of the former Soviet Union. This not only divided societies but also encouraged some countries to embark on military adventures.

Russia also observes a collision between pan-European and intra-bloc approaches. Within the framework of the OSCE the West professes the indivisibility of security from Vancouver to

business communities under conditions of the financial and economic crisis and an assessment of the potential in the intermediate term of interaction on the European continent. The Russian version is available at, http://www.mid.ru/bnp_4.nsf/0/F54FF6DCD2C14E6DC325751B00501E13

Vladivostok. However, in NATO this becomes from Vancouver to Brest-Litovsk on the Belarusian border. Furthermore, whereas in the OSCE the principle of the indivisibility of security is a political commitment, in NATO it has legal force. Therefore, pan-European commitments should also acquire legal force through a legally binding treaty, involving not only individual states but also relevant international organizations within the Euro-Atlantic area.

Another systemic drawback of the present security system is the global character of emerging threats and the narrow group approach to their solutions. These threats stem from lack of trust, national and religious grounds, and non-state actors.

Furthermore, there is overlap and duplication, and even competition between the many sub-regional organizations active in the OSCE space. Coordination is needed. A framework of cooperation exists already in the *Platform for Cooperative Security* adopted at the OSCE Summit in Istanbul in 1999, but its potential remains unused.

Another problem is the inconstancy of priorities, not defined on the basis of international obligations but of political expediency. For instance, previously the West considered the *CFE Treaty* the cornerstone of European Security. Once the reduction of the heavy weapon holdings of the Warsaw Pact had been carried out, ratification of the Adapted Treaty was postponed indefinitely. Another example is The *Vienna Document of the Negotiations on Confidence- and Security-Building Measures* that has not been updated the last ten years and whose provisions are moribund. And finally, the West wields double standards with regard to conflict settlement; Kosovo has been recognized by most Western countries whereas Abkhazia and South Ossetia haven’t.

Russia’s proposals at the OSCE Annual Review Conference 23-24 June 2009

Russia proposes a European Security Treaty restricted to the field of hard security.⁶ The Russian

⁶ The Helsinki Final Act encompassed three main sets of recommendations, which are often referred to as ‘baskets’. These three baskets are; questions relating to security in Europe; co-operation in the fields of economics, of science and technology,

proposal at the *OSCE Annual Review Conference in Vienna* in June 2009 reiterates the need to create a reliable collective security system in the Euro-Atlantic Area based on the principles of *polycentrism*, the rule of international law, the central role of the UN, the unity and indivisibility of the security of all states, the inadmissibility of the isolation of any state or the creation of zones of different levels of security.

A first part would confirm the basic principles of relations between states. Central to the agreement would be that no state should ensure its own security at the expense of others. Unilateral security at the cost of third parties is unacceptable; actions that undermine common security – i.e. military alliances – must be removed; and expansion of existing military alliances is unacceptable if this goes contrary to the interests of another party. Each country could call upon this principle of the indivisibility of security even if a sovereign country wishes to become a member of a security or defence organisation. The treaty should reaffirm that no single state or international organization could have exclusive rights of maintaining peace and stability in the Euro-Atlantic area. This is clearly aimed at the US and NATO. For Russia the US and NATO are the main obstacle to a return to the status of major power in Europe.

A second part would address arms control, confidence-building, restraint and reasonable sufficiency in military doctrine.

A third part would deal with conflict settlement and provide principles to be applied uniformly to all crisis situations. It emphasizes the development of mechanisms of collective coordination for conflict prevention and settlement. In order to avoid double standards and to prevent conflicts from getting out of hand, the use of force is inadmissible, parties should come to an agreement themselves and settlement of conflict should be gradual.

And finally, a fourth part would be dedicated to countering new threats, including proliferation of weapons of mass destruction, international

and of the environment; and co-operation in humanitarian and other fields.

terrorism, drug trafficking and transborder organized crime.

The treaty would explicitly limit its scope to hard security issues because Russia “*believes a critical number of irritants have accumulated precisely in the field of hard security*” and “*the last two baskets did not suffer from erosion of the fundamental principles*”.⁷

Finally negotiations on a European Security Treaty should be launched by a meeting of heads of state and heads of intergovernmental organisations *operating in the field of the Euro-Atlantic security, i.e. OSCE, NATO, EU, CIS and the Collective Security Treaty Organisation (CSTO)*.⁸ This could take place in the framework of the *Platform for Cooperative Security*. The Treaty should focus on politico-military security.

At the *Informal Meeting of OSCE Foreign Ministers on the Future of European Security* at Corfu on 27-28 June 2009 the *Corfu Process* was launched. Ways for a more structured dialogue will be explored. The participating states see no alternative to the restoration of the concept of indivisible, cooperative and comprehensive security. On the other hand they reaffirmed the validity of the whole set of commitments in all three OSCE dimensions and agreed on the necessity to fully implement these commitments.

Summing up the Russian proposal

Russia will remain an independent international player. It considers that NATO and EU enlargements have practically reached their limits. Some countries will remain for a foreseeable future outside the framework of the EU and NATO. Therefore, a treaty is necessary for these non-EU and non-NATO states that need a reliable, legally-binding security architecture.

⁷ Address by Russian Minister of Foreign Affairs Sergey Lavrov at the Opening of the OSCE Annual Security Review Conference, Vienna, June 23, 2009.

⁸ On the 7th of October 2002, the Presidents of Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia and Tajikistan signed a charter in Tashkent, founding the Collective Security Treaty Organisation (CSTO) or the Tashkent Treaty. Georgia and Azerbaijan were members of the former Collective Security Treaty of the CIS, but did not join the CSTO.

Russia is asking the members of the OSCE to fix de jure the political commitments undertaken within the OSCE and the NRC. Russia wants a legally binding document, a European Security Treaty.

Central to the Treaty would be the issue of the indivisibility of security and the principle of restraining one's own security at the expense of the security of other states. Russia insists that its proposal is not aimed at undermining NATO. On the contrary, it is meant to enhance coordination and synergies among the existing international organizations.

Western Reactions

The West and Russia have no alternative but to engage each other in European security matters. This engagement should reach further than mere discussions and result in concrete cooperation. From a Western point of view, the background to any security dialogue remains the close association between the European Union and the Atlantic alliance and the need to reconstruct a partnership with Russia.

From the outset, the Russian proposals were received with suspicion in the West although several countries did not want to reject them out of hand.⁹ They feared the aim was to provoke discord, on the one hand within Europe and on the other hand between Europe and the US. Initially only the US, the UK, the Baltic States and Poland openly showed their rejection, other countries such as Italy, Germany and France expressed interest to a more or lesser degree. Russia skilfully exploits the vision of some European countries for a larger role for the European Union in a multipolar world. By doing so Russia hopes to weaken the transatlantic link. The European security architecture would then be supported by three pillars; Russia, the EU and the US. Russia would gain considerable relative weight and could hope for support of the EU against the US in some disputes.

Russia considers itself as the counterpart of the US. It is paradoxical that Russia on the one hand sees a

need for a new security architecture because of the *ideological bloc-approach* by the West and on the other hand proposes a structure which ultimately risks to result in two blocs centred on the US/NATO/EU and Russia/CIS/CSTO.

Evaluation of the Russian proposals

Events in the last 15 years have indeed demonstrated that there is a need for improvement of the existing security architecture. Several questions arise with regard to the Russian proposal. Firstly, can progress be made within the existing framework, or has a *new* architecture to be created? Secondly, is a *legally binding* treaty indispensable, or is a political commitment sufficient? Thirdly, should such an agreement or treaty be limited to *hard security*, or is it essential that all three baskets of the Helsinki Final Act should be part of it? Furthermore, security being a comprehensive concept, are there some *other elements* that should be part of or linked to an overall deal? Fourthly, is it acceptable that, under the guise of the indivisibility of security, a country or group of countries can veto decisions of sovereign states to join a defence organisation?

Is there a need for new security architecture in Europe?

Russia certainly has a point when it identifies as one of the main problems the large number of European security organisations and the lack of coordination between them. However, creating one more is perhaps not the most efficient way to solve the problem. The OSCE and its related instruments have all the prerequisites to continue to serve as the main collective security organisation in the Euro-Atlantic area where a renewed security dialogue can take place. Overlap and duplication will not be solved by adding another tier to the European Security Architecture.

Is there a need for a legally binding treaty?

The main Russian argument seems to be that NATO and the EU offer their members a legally binding treaty to guarantee their security and that non-NATO and non-EU members are left out in the cold.

⁹ For possible Russian hidden objectives of this proposal see, Marcel H. Van Herpen, *Medvedev's Proposal for a Pan European Security Pact, its Six hidden Objectives and how the West should respond*, Cicero Working Paper WP 08 – 03.

The OSCE is a regional collective security organization responsible for security issues between its members. It consists of a set of political commitments although legally binding treaties exist within its framework, e.g. the CFE Treaty. NATO, on the contrary, is originally a collective defence organisation consisting of allies who are prepared to defend each other against an outside threat. The EU, through the Lisbon Treaty, also covers its members with a legally binding defence clause.¹⁰ Moreover, the main principles of collective security are already included in a legally binding document, viz the Charter of the United Nations.

No mention, however, is made in the Russian reasoning of the CSTO. Article 3 of the CSTO Charter states: “*The purposes of the Organization (CSTO) are to strengthen peace and international and regional security and stability and to ensure the collective defence of the independence, territorial integrity and sovereignty of the member States, [...]*”. So, technically the countries that are not protected under any legally binding Treaty are Switzerland, the states of the Former Yugoslavia (except NATO members Slovenia and Croatia), Ukraine, Moldova, Azerbaijan, Georgia and Turkmenistan.

Striving for a legally binding European Security Treaty, therefore, seems superfluous and would certainly water down its contents in order to be acceptable to the major powers. However, specific agreements could, of course, be legally binding.

Should an agreement or treaty be limited to hard security?

In his speech of April 2009 Medvedev placed his proposal in the continuation of the Helsinki process, as a Helsinki-plus adapted to the security challenges of the 21st century. However, human rights, democratisation or rule of law and cooperation in other fields would not be part of the

¹⁰ Art 49.c.7. of the Lisbon Treaty: “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.”

agreement. To refer to Helsinki seems therefore more for appearances’ sake.

Security is a comprehensive concept. The three baskets of the Helsinki process are inseparable. The Russian point of view that *the last two baskets did not suffer from erosion of the fundamental principles* is flawed. It is not convincing to argue that the principles of cooperation in the fields of economics, environment and in the humanitarian issues do not have to be updated. It is, therefore, essential to safeguard the Helsinki *acquis* and to insist that the other baskets, adapted to the present environment, should be part of comprehensive security architecture.

Russia’s main concern is – understandably - in the field of hard security. However, energy security is also at the centre stage of geopolitical thinking, in Russia as well in Europe and the US. If security is to be comprehensive, energy security should be part of any European security architecture. It would, therefore, be advisable to require in parallel an agreement on energy security. For years Russia has refused to ratify the Energy Charter. In Davos in January 2009 Prime Minister Putin called for a new energy charter. The outcome of discussions on this topic should be linked to the broader talks on European security.

Veto power?

According to the Russian viewpoint, each country could call upon the principle of the indivisibility of security even if a sovereign country wishes to become a member of a security or defence organisation. Concretely this means that a situation similar to the last stages of the Cold War would come about. Spheres of influence would be legally demarcated by treaty. US/NATO/EU and Russia /CIS/CSTO would become separated by a scaled-down buffer zone of neutral countries, viz the states that are not part of NATO, the EU or the CSTO. Such a power to veto sovereign countries to choose their alliances and defence arrangements is unacceptable as it would lead to a new scaled-down Yalta rather than to a new Helsinki.

Proposals

The West should be prepared to constructively engage in a European Security Dialogue (ESD).

However, from the outset it should be made clear that certain basic principles are not open for discussion. Firstly, there is no need for a new tier in security organisations, the existing organisations and mechanism should be preserved and adapted. Secondly, the transatlantic link is not negotiable; it remains the keystone of our security. Thirdly, the Helsinki acquis in all its three dimensions has to be preserved and to be an integral part of any agreement. And fourthly, no state can veto the decision of any other state to choose its alliances: no new Yalta.

The OSCE, as the repository of a comprehensive set of commitments including democracy, the promotion of human rights and fundamental freedoms and a wide range of politico-military, economic and environmental commitments, seems the obvious main forum for an ESD. The OSCE should be strengthened as the forum for broad dialogue on comprehensive security.

This should be done by revitalizing discussions in the politico-military dimension and giving a new impetus to conventional arms control. The OSCE's conflict prevention capacity should be increased and if necessary new mechanisms should be created for prevention, mediation and post-crisis management. Furthermore, the OSCE's potential to address new challenges like the financial, economic, climate and energy aspects of security should be explored. An agreement on energy security, a mutual commitment not to endanger each other's energy supply, should be part of a final agreement. Essential is the enhancement of cooperation against common threats such as terrorism and proliferation of weapons of mass destruction.

Therefore, when engaging in an ESD all elements of security, also new ones like energy security and new threats, have to be discussed in parallel.

However, work in the OSCE should be complemented and reinforced through discussions in other forums, such as NRC, NUC, and EU-Russia, US-Russia and even in the Council of Europe. Full use should be made of the Platform for Cooperative Security, “*in order to strengthen cooperation between the OSCE and other international organizations and institutions, thereby making better use of the resources of the international community*”. Extensive

and continuous consultation and coordination within NATO and EU will be of the utmost importance.

Fruitful discussions on a new European Security Treaty or architecture suppose a minimum of trust. Russia should honour its commitments under existing agreements, above all those involving respect of sovereignty and territorial integrity. Restoring trust requires willingness to fulfil those commitments.

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The Security Policy Brief is a publication of Egmont, the Royal Institute for International Relations

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