



## United States Department of Defense

### **Working Session II: Conventional Arms Control and Confidence- and Security-Building Measures: Problems and Prospects**

As delivered by Deputy Assistant Secretary of Defense for Russia, Ukraine, & Eurasia  
Dr. Michael R. Carpenter  
to the OSCE Annual Security Review Conference  
Vienna, June 29, 2016

Mr. Chairman, Excellencies, Ladies and Gentlemen: thank you for the opportunity to contribute to a discussion of Conventional Arms Control and Confidence- and Security-Building Measures (CSBMs) at this year's Annual Security Review Conference. This is an important topic that deserves thoughtful reflection and an honest exchange of views, particularly at this time of great uncertainty and unpredictability about what the future holds in store.

#### **The Current Security Context within the OSCE Region**

Russia's occupation and attempted annexation of Crimea, and its ongoing destabilizing and aggressive activity in and around Ukraine – activity that takes place even as we speak – have undermined peace, security, and stability across the OSCE region. Indeed, Russia's aggression in Ukraine and Georgia have violated the bedrock principles upon which the European security order was built: sovereignty, territorial integrity, and the inviolability of borders. These basic principles can be found in the UN Charter, Helsinki Final Act, Charter of Paris for a New Europe, and the NATO-Russia Founding Act. Regarding the NATO-Russia Founding Act, which some at this conference have been fond of quoting in very selective terms, it is worth remembering that NATO and Russia committed in that document to strengthening the OSCE based on their shared commitment to:

- refraining from the threat or use of force against each other as well as against any other state, its sovereignty, territorial integrity or political independence in any manner inconsistent with the United Nations Charter and with the Declaration of Principles Guiding Relations Between Participating States contained in the Helsinki Final Act;
- respect for sovereignty, independence and territorial integrity of all states and their inherent right to choose the means to ensure their own security, the inviolability of borders and peoples' right of self-determination as enshrined in the Helsinki Final Act and other OSCE documents.

In light of Russia's egregious violations of these international norms, its selective implementation of arms control agreements and CSBMs such as the Vienna Document and Open

Skies Treaty and long-standing non-implementation of the Conventional Armed Forces in Europe (CFE) Treaty have had the effect of significantly weakening the web of arms control instruments within the OSCE region. Implementation concerns and questions that might have otherwise been discussed with a degree of confidence in the other side's good faith effort to arrive at a mutually satisfactory resolution now appear as part of a larger, less constructive whole. Russia's recent violation of the Intermediate-Range Nuclear Forces (INF) Treaty only compounds this problem. In short, the foundations of the post-Cold War security order in Europe and Eurasia have been shaken. I would venture to say that it will be no easy task to solidify them.

Even during the Cold War, NATO and Warsaw Pact nations were able to agree that it was in their mutual interest to build confidence and trust, provide early warning when tensions were rising, and be transparent about military plans, doctrines, and postures. As the Cold War receded and statesmen on both sides of the Atlantic spoke of a new vision of a Europe, whole, free, and at peace, a great deal of effort was put into building and strengthening the existing web of arms control agreements and CSBMs. Indeed, OSCE instruments provided us with the tools to reduce the size of our military forces in Europe after 1991. This was a process in which Russia and other post-Soviet nations took part collaboratively, with benefits accruing to all participating States in the form of greater transparency, predictability, and trust. Indeed, even today, the multilateral, reinforcing, and interlocking web of OSCE CSBMs and conventional arms control agreements that was built up over the last several decades remains the most robust of any region in the world, and provides a model for other regional organizations. The CFE Treaty resulted in the elimination of over 72,000 pieces of military equipment. The OSCE Forum for Security Cooperation (FSC) Small Arms and Light Weapons agreements have eliminated dangerous and destabilizing stockpiles of ammunition and explosives consisting of thousands of tons of munitions. Taken together, the CFE Treaty, Vienna Document, Open Skies Treaty and other agreements provided an unprecedented degree of openness and access, improving mutual understanding between our nations and providing greater confidence among our armed forces about the intentions and capabilities of other states.

### **The Status of Conventional Arms Control and CSBMs Today**

Unfortunately, the arms control and transparency framework that we have meticulously and painstakingly built up over the last few decades has been steadily eroding. Four years ago at this conference, my predecessor and friend, Dr. Celeste Wallander, noted then that each OSCE instrument is a "thread" in a larger web of arms control agreements, and as each thread is weakened, the entire web is weakened, undermining confidence and security in Europe writ large. She urgently called for full implementation of arms control agreements to restore faith in the basic principles of our mutual security. Four years later, this message has only become more urgent. The security environment has worsened considerably and, in some instances, the track record on implementation has gotten worse. Let us consider the three key agreements relating to

conventional arms control and CSBMs in the OSCE region: the CFE Treaty, Vienna Document, and Open Skies Treaty.

Russia's decision to unilaterally cease implementing the CFE Treaty while in the midst of a massive military modernization effort is one frayed thread in our web of arms control agreements. Without CFE's intrusive and legally binding inspection regime and the regular, annual exchange of data on Russian force structure, other States Parties lack a good understanding of Russia's new units, force structure, and capabilities. This makes meaningful dialogue more difficult and trust harder to establish.

Incomplete implementation that violates the spirit, if not the letter, of the Vienna Document weakens a second key thread in the web. For example, the reintroduction of large-scale "no-notice" or "snap" exercises that appear structured to evade existing reporting requirements results in the exclusion of the largest exercises in Europe in over 20 years. The conflict in Ukraine has also highlighted some significant shortcomings of our current system of CSBMs. Large force buildups along Ukraine's border, which numbered in the tens of thousands of troops, were not subject to inspections. Russia repeatedly claimed (though it did not explain why) that these buildups did not trigger Vienna Document notification or observation thresholds. As has been the case for a number of years, in the spring of 2014 the number of inspections and evaluation visits available in Russia was exhausted early in the year, and Russia did not allow additional inspections. Russia also boycotted meetings in April 2014 that were called under the Vienna Document's Chapter III provisions claiming that the massive conventional buildup underway was not an "unusual military activity."

The Open Skies Treaty is another agreement that has seen incomplete implementation. Restrictions on flights over the Kaliningrad region, Moscow, the Russian-Georgian border, and until recently Chechnya, have limited the ability of states parties to use the treaty as originally envisioned. We aim to continue to work through these issues in a spirit of pragmatism and with an aim to resolving these concerns, but there is no doubt that these restrictions further weaken another thread in our arms control framework and need to be seen holistically in conjunction with other developments. This is unfortunate since Open Skies flights have proven their value over time; for example, they were used in the spring of 2014 and provided some important images confirming Russia's buildup of forces along the Ukrainian border. However, because of its advance notification timelines and resolution limits, the Open Skies Treaty was not made to monitor force movements in a crisis situation and therefore cannot replace on-the-ground access.

Finally, the OSCE web of CSBMs also consists of various risk reduction measures that have been designed to reduce the possibility of unintentional conflict. These measures have also been weakened by recent instances of unsafe, unprofessional military activities that call into question the willingness of some participating States to actually pursue risk reduction as an objective. In these circumstances, it is not so much a new agreement that is needed to regulate

these unsafe activities, but rather political will to genuinely pursue confidence- and security-building in the OSCE region.

### **U.S. Forces in Europe**

In response to Russia's capabilities, posture, exercises, open threats, and unpredictable behavior, the United States has invested in deterrence and defense capabilities for our Allies and at home. This includes augmenting our conventional force presence in Europe. Let us recall, again, that today there are thousands of Russian regular soldiers inside Ukraine supporting tens of thousands of separatist troops trained in Russia and equipped in Russia. Moreover, more than a year since the Minsk Package of Measures and almost two years since the Minsk Protocol was signed, Russia has yet to fulfil the first three commitments listed in those documents: ceasefire, withdrawal of heavy weapons from proscribed zones, and unhindered access for OSCE monitors to the entire territory of the Donbas. The diplomacy to solve the Ukraine conflict continues apace, and the United States remains committed to trying to find solutions to this and other European security challenges. Unfortunately, however, the reality of today's security environment requires that we augment our force posture in Europe to provide the credible deterrence and defense capabilities that are aimed at preventing another conflict from erupting in the OSCE region. We do not do this with any great joy; let us recall that in the spring of 2013, we celebrated pulling our last tanks out of Europe. Nevertheless, even as we augment our rotational force posture in Europe with an armored Brigade Combat Team, it must be stressed that our reinforcements are purely defensive. To claim otherwise is to ignore simple mathematics given the stationing of entire divisions with tens of thousands of troops on the other side of NATO's eastern border.

### **Way Forward – Full Implementation of Conventional Arms Control in Europe**

The good news is that the way forward is not difficult to describe. Full implementation of all the mechanisms that are part of the OSCE Framework for Arms Control will increase confidence, build trust, promote transparency, and strengthen European security. This means focusing on the three pillars of conventional arms control in Europe: the Vienna Document, Open Skies Treaty, and CFE.

First, the Vienna Document offers valuable transparency for large scale force movements in Europe, yet loopholes in the agreement have been exploited to forego notification for some of the largest exercises in Europe in over 20 years. It is time to follow through on 2010 Astana Summit commitments to modernize Vienna Document in a substantive and meaningful way. A number of useful proposals are on the table, and I urge states to negotiate seriously on them. The United States and others have advocated for increased opportunities for access on the ground, improvements to risk reduction provisions, and enhanced transparency to mitigate the erosion of confidence posed by large-scale snap exercises and other activities that raise security concerns.

Our Heads of State have already committed to meaningful Vienna Document modernization, and it is time for OSCE participating States to deliver.

Second, the contributions of the Open Skies Treaty are undermined when restrictions are placed on observation missions either through lack of material support or in areas where increasing militarization raises concerns. Arms control agreements cannot build confidence and stability if they are not reciprocal. We recognize that this is a difficult multilateral treaty to implement and encourage serious discussions to address what we believe are resolvable implementation and compliance concerns to put this agreement back on track.

Third, CFE is undermined when all states but one honor their commitments. Russia has unilaterally ceased implementing CFE without following the legal requirements for withdrawal. The current security environment and Russia's refusal to commit to honor basic principles of Host Nation Consent make new negotiations highly unlikely in the near term. CFE parties must ensure that the upcoming CFE Review Conference this autumn provides a venue to carefully examine the value CFE provides to its States Parties and to honestly assess how Russia's non-participation in the Treaty harms our understanding of Russian activities and undermines European security.

### **Conclusion – Mutual Accountability for Common Security**

Conventional arms control agreements and CSBMs will only remain viable so long as we, as OSCE participating States, are honest with each other about the root causes that are undermining further cooperation toward mutual security. The United States is open to pragmatic solutions to current problems with compliance and implementation and we agree in keeping open all OSCE channels for security dialogue. We must also use those channels to hold each other accountable. Our exchanges must reinforce our common commitments to transparent military activities that foster peace and stability in our region. This year's 20th Anniversary of the OSCE Framework on Arms Control, much like last year's 40th anniversary of the Helsinki Final Act, presents an opportunity to reflect on our current trajectory and to redouble efforts to drive full implementation of our collective commitments and to ensure a robust FSC contribution – ideally in the form of a substantively updated Vienna Document – to the Hamburg Ministerial Council this December.

Thank you and I look forward to the exchanges in our working session.