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ENGLISH only

Speaking Notes for the  
2008 ANNUAL SECURITY REVIEW CONFERENCE

Working session II:  
The present state of arms control arrangements,  
CSBMs and the Security Dialogue in the OSCE area

(Vienna, 1-2 July 2008)

SUMMARY

Today, the adapted Treaty is still not in force, and the implementation of the original one has been suspended by one State Party. The entire CFE regime is shaking, although so far its basic provisions – different limits on conventional arms – are being de facto observed. However, information exchange and verification mechanisms are not functioning, at least not in full.

What does it mean for European security? What kind of long-term implications it may have? Trying to contribute to possible answers to those questions, I will share with you my strictly personal views and ideas, first of all as a former CFE negotiator.

One must, however, remember another obvious thing: this unique arms control regime was born under specific politico-military circumstances. It also proved to be an invaluable tool for managing deep changes and strategic transition in Europe. It was then modified with a view to adapt its provisions to new politico-military realities and thus to provide for its continued functioning. And now it seems to be almost collapsing.

We should also keep in mind that the CFE Treaty has been all the time rightly seen as a part and parcel of the overall OSCE framework, alongside inter alia CSBMs and Open Skies Treaty. In other words, we simply cannot look at the future of the CFE regime in any kind of splendid isolation.

Leaving aside all the political tensions and heated debates about never-ending ratification process of the adapted Treaty and than its suspension, let me try to sum up where we are in European conventional arms control nowadays.

We have limits on conventional arms established by the original Treaty, which are well over what CFE State Parties have and need to have. We have no military transparency, as information exchange and verification mechanism have been at least partially suspended. We have adapted Treaty ready for ratification, but not ratified, although its basic provisions, including national limits, are being de facto complied with. We have no flank limits de iure, though, for the time being at least, they are being observed. Most importantly, the overall military culture of openness and co-operation, established under the terms of the Treaty, is now at least questionable.

In general terms, there are serious political implications of the current CFE crisis for the whole of Europe, although no immediate military threats to European security as such. On the other hand, on the southern flank there might be serious military implications, affecting security there, at any time.

Altogether, at least theoretically there are two ways ahead for CFE, judging by the positions and views being expressed by the States Parties so far.

The first is selective renegotiation of (most probably) both the original Treaty and the Agreement on Adaptation, as suggested by the State Party which has suspended the implementation of the Treaty. The logic behind this suggestion points out to the new politico-military developments affecting security and strategic perceptions in the OSCE area.

The second is to address those concerns, but as a part of the process leading to the ratification and entry into force of the adaptation agreement. The logic here seems to be that since adaptation negotiation addressed already at least some of the new politico-military realities, there is no need to repeat this exercise, as its outcome could be at best uncertain.

Unfortunately, doing nothing about CFE now is not an option. The longer political and tactical divergencies persist, the more likely factual and irreversible erosion of the European conventional arms control regime will be.

In my humble view, a primary task of pivotal importance should be to save the CFE regime for the future. Not because of all its achievements in the past, but first of all because of its highly stabilizing effect on European security as a kind of a safety net and because of its fundamental contribution to military transparency. The latter to me is probably even more important, as transparency is a sine qua non condition for confidence, and confidence in turn is absolutely necessary in uncertain times of “asymmetry of strategic perception”.

Obviously, there might be different ways of saving the CFE regime. Let us, however, try to focus on the arms control substance here, apart from all kinds of possible political arguments, for which time will come later.

The overall risk here is primarily a gradual erosion of trust, confidence, openness and transparency, which are both highly valued in international relations, and were not easy to achieve in the military field in Europe. Security threats are somewhat different today, than in 1990, there is no risk of surprise large scale offensive action in Central Europe, but limits on armaments are not just aims in themselves, they were and are a foundation for far more complex arms control mechanism. The same is true for the southern CFE flank, except that limits on arms have clear additional value there.

In my view, conventional arms control in Europe nowadays:

- should and could be more co-operative than restrictive;
- must provide for predictability, openness and first of all military transparency;
- could incorporate even more confidence-building instruments than in the past;
- has to be a little bit more flexible, i.e. any limits on armaments or use of forces should have built-in mechanism for their adjustments in case of rapidly deteriorating security situation, due to e.g. terrorist threat;

- may not be based on out-dated notion of numerical balance of forces between any groups of States, which was right in bipolar world, but cannot continue to apply in the situation where membership of different groups (institutions, organizations) is changing, the role and functions of such institutions are changing, and the relations between States inside and outside of those organizations are changing.

Could the above rough set of principles of modern arms control be of any use in our efforts to save the CFE regime?

I think it could. Provided there will be a common understanding that neither selective renegotiation, nor conservative (no changes) approach offer a viable option for the long-term future.

Politicians and diplomats – civilian and military – I am sure could find the trick to make sure that basic CFE provisions (limits, information exchange, verification) will for now continue to be observed and respected, either de facto or de iure by all State Parties. That in turn could be a starting point for the CFE II negotiation, this time possibly involving more partners, maybe even OSCE-wide. It may include a horrible task of harmonizing politically binding CSBMs with legally binding arms control provisions, and – who knows? – even with the Open Skies regime.

Such an effort could not, however, start from the scratch. It should build on the CFE achievements so far.

As to the formal aspects, it might be a new document, or an annex to existing ones. However, it would need to address possible security concerns of all those involved and should aim at creating sound, co-operative arms control pillar of the OSCE, providing for military transparency.

THE VIEWS EXPRESSED IN THIS STATEMENT ARE STRICTLY PERSONAL.