Russia and the West, the West and Russia

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Introduction

A Round-Table workshop took place at the Diplomatic Academy of the Russian Foreign Ministry, Moscow on 2 October 2001. It was co-sponsored by the Academy and the Geneva Centre for Security Policy (GCSP), and brought together academics, negotiators and experts from Europe and the United States, as well as several senior officials from the Ministries of Foreign Affairs and Defence in Russia.

The theme of the Round Table, "Russia and the West, the West and Russia", covered a number of issues critical for European and global security, which ranged from the role of the United Nations in the evolving international setting, to the lessons of Kosovo, to NATO's new strategic concept and the future of the ABM Treaty. Although the meeting's agenda was conceived before the September 11 terrorist attacks in the United States, the fundamental policy changes provoked by these events shaped the discussion to a considerable extent.

The report which follows contains complete texts of presentations made by invited speakers, as well as summarized discussions on each of the five topics of the agenda. Unless indicated otherwise, the opinions expressed by the speakers are their own, and do not represent the views of their governments or institutions to which they are affiliated.

The meeting was co-chaired by Ambassador Yuri E. Fokine, Rector of the Diplomatic Academy, and Ambassador Ulrich Lehner, Director of the GCSP. The programme of the Round Table and list of participants are annexed to this report.

Chapter 1

European Security: What Are the Roles of the UN Security Council, OSCE, CIS, EU and NATO?

1.1 Towards a Multi-Institutional System for Europe

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The first topic chosen for discussion is and will remain, in the foreseeable future, a crucial international security issue. It is a fact of life that Russia is part and parcel of the European continent, and Europe stands at the top of its foreign policy priorities. The security of one country cannot be guaranteed at the expense of another. We are doomed to living together.

The international community enters the 21st century as it sheds the legacy of a bi-polar world based on ideological rivalry and military confrontation. We believe that the new security architecture should have a multi-polar nature. With the end of the Cold War a conceptual consensus developed regarding the need to widen and deepen cooperation among international organizations that play an active role in security issues. This stems from an awareness that the multi-faceted nature of security challenges has necessitated a multi-institutional response. Change has already started, and we are beginning to discern the preliminary outlines of a new security system. Although the process of building a multi-polar world follows a bumpy road and encounters many obstacles along its way, we are convinced that there is no alternative from a historical perspective. Global stability, security and sustainable economic and social development could be achieved, if and when different international institutions succeed in merging, and if necessary, in ensuring some kind of division of labour.

This approach is particularly important for Europe, where we observe the growing role of international players like NATO, EU, OSCE, Council of Europe, CIS and a large number of subregional organizations. In our view, however, the primary responsibility for maintaining peace, security and stability rests with the United Nations.

The UN's half a century of existence has confirmed its primary role in the search for solutions to global and regional problems. The UN enjoys a unique legitimacy and universal character, and in its lifetime has been proven to possess the necessary capabilities to mobilize and coordinate the efforts of its members. It is a widely shared view that in the 21st century the United Nations should continue to provide a collective framework for codifying international relations. The principles embodied in its Charter, though elaborated over 50 years ago, retain their validity, and they should remain a guide for the interaction of states and international organizations.

In this era of globalization respect for human rights is no longer an exclusively internal issue. Russia unconditionally condemns massive and flagrant violations of human rights, irrespective of the perpetrator. On the other hand, we strongly believe that the international community should react to humanitarian crises only through a solid legal framework, i.e., the UN Charter. No doubt, effective crisis prevention and crisis management require swift and resolute action. However, this should not justify the use of emergency power methods that bypass the existing international legal mechanisms, in particular, the basic principles and norms of the UN Charter. Combating lawlessness without due respect for international law is a sure way to reproducing acts of violence, perpetuating instability in world politics and undermining the foundations of law and order.

A multi-polar system would require the urgent adaptation of United Nations mechanisms to new demands. This task should be carried out without delay. Presumably, there is a need to improve the UN peacekeeping potential, in particular, the planning and logistics of peacekeeping operations and their prompt deployment. From a political point of view it is essential to respect strictly the mandates issued by the Security Council, and those should be crystal-clear, implementable and supported by adequate resources.

Russia is in favour of conferring on the United Nations the function of coordinating and harmonizing the activities of regional organizations. Their cooperation should be mutually supportive and based on a rational division of labour and complementarity.

The OSCE, among all regional organizations, occupies a unique place today. This derives from its broad membership, a comprehensive approach to security, the availability of conflict prevention instruments, an established tradition of open dialogue and consensus building, shared standards and values of participating states, and well developed patterns of cooperation with other organizations and institutions. Initially, the OSCE was conceived as a response to the objective need to create a common space of equal security, democracy and economic prosperity, from Vancouver to Vladivostok. It was agreed at the 1992 Helsinki Summit that the CSCE was a forum for dialogue, negotiation and cooperation, providing direction and impetus to the shaping of a new Europe. Russia has persistently implemented these agreements. In 1994 the Conference was declared an organization. Russia took the initiative to negotiate and adopt

the Charter of European Security. Thus, certain progress has been achieved in further strengthening the OSCE's authority and capabilities.

To our regret, expectations that the OSCE, in this era of transition, would play the central role in fostering and managing change in our region, have not come to fruition. Despite the agreements reached in the 90s, there is a growing trend to preserve the OSCE as a "flexible framework" devoid of a charter, an internationally recognized status, or rules of procedure appropriate to full-fledged international organizations. As a matter of fact, the OSCE focuses on operational and field activities that are geographically limited to the post-Soviet and Balkan areas, and in functional terms to the human dimension. As a result, the OSCE is changing its nature from a universal mechanism of implementation of the collective will of its members to a tool for exerting influence upon states, which diplomats in the Vienna corridors have christened "the Eastern periphery". There is a danger that the rule first formulated by George Orwell in "Animal Farm" (all animals are equal, but some are more equal than the others) might replace the principle of cooperative security, which until recently has been a cornerstone of the OSCE. In effect, this might lead to a different status for different member-states, as subjects or objects of action.

There is a risk that along with the process of enlargement and further strengthening of NATO and the European Union this trend could lead to new dividing lines in the OSCE region.

The current developments have prompted Russia to draw several practical conclusions. First, we continue to believe that the unwillingness of some participating states to confer upon the OSCE a central, key role in fostering a European security system does not mean that this concept will not prevail in the long run. Second, today we accept the OSCE as it is, with all its strengths and weaknesses. Russia needs the OSCE as much as other countries do. And third, our approach to the OSCE is and will remain a pragmatic one: we will make use of its positive potential in such a way that will be in harmony with Russia's national interests.

Let me now touch upon the place of NATO in European security, as we see it. Objectively speaking, NATO plays an important and ever growing role in all aspects of security and stability in Europe. Interaction with NATO, be it in a bilateral context or at the level of international organizations, is becoming a key issue. While not denying that NATO could occupy an appropriate place in the future security system, we proceed from the premise that the Alliance is not the only decisive factor for establishing such a system. It would be grossly mistaken to associate the interests of NATO with the interests of all Europeans. In our view, a common denominator of the European interests may be found in the OSCE. This is not the case, unfortunately, at least for the time being.

I do not intend to speak in detail about NATO enlargement, as highly qualified experts will deal with the issue under a separate topic. I will limit myself to a single question: will enlargement strengthen the role of universal organizations like the

United Nations and the OSCE? According to our assessment, it will not. On the contrary, it will result in their weakening. The enlargement of the Alliance should be seen not only in terms of geographical expansion, but of acquiring a new leadership role in European affairs as well. This aspect will be decisive in determining our relations with NATO. If NATO tries to adjust itself to the requirements of a collective security system, this is one thing. But if the Alliance intends to play the simultaneous role of "supreme judge" and "law enforcement officer", it is quite another.

Russia's involvement as an equal participant in decision-making on all aspects of European security is singularly important. In addition to politico-military issues they include, for example, the economy, environment, energy, judicial issues, combating terrorism. With this in mind, we pay particular attention to developing partnership relations with the European Union. The EU today has not only taken the lead in economic, financial, social and cultural integration, but has made considerable progress in implementing a joint security and defence policy. Its membership is increasing and may exceed twenty in the nearest future. In other words, the EU is expanding both its prerogatives and geographic area. This process has a growing impact on the dynamics of the situation in Europe and explains why other European countries, which are not EU members, closely follow the evolution of the Union. Russia is aware of its transformation, and tries to build partnership relations that reflect this new reality. We believe that interaction and cooperation with the EU will influence the final shape of the future European order that is currently under construction.

Last, but not least, the Commonwealth of Independent States, which will mark its tenth anniversary in December, has not yet taken a place in the European security structure, as compared to other international organizations. It is undeniable, however, that it has aided the former Soviet Republics in their transition to national sovereignty and independence.

One must admit that in its initial stages the CIS lacked dynamism, decisions were not always implemented, and executive and consultative bodies did not meet regularly. On the other hand, it would be wrong to say that it was a waste of time. The CIS succeeded in establishing appropriate legal instruments, and created consultation mechanisms at different levels. The main difficulty that the CIS experienced, and to a certain extent continues to face, is the wide range of political and economic priorities of its members.

What guides the policy of Russia toward the CIS? It is vital for Russia to develop a space of good neighbourly relations and cooperation along its borders. Practical links with each of the CIS member-states are structured with due regard for reciprocal openness to cooperation and a readiness to take into account, in an appropriate way, the interests of Russia, including guaranteeing the rights of Russian diasporas.

Proceeding from the concept of multi-speed and multi-level integration within the CIS framework, Russia determines the parameters and nature of its interaction with CIS members, both in the organization as a whole and in narrower groupings,

primarily the Customs Union and the Collective Security Treaty. A priority task is to strengthen the Union of Belarus and Russia as the highest, at this time, form of integration of two sovereign states.

We attach special importance to joint efforts toward resolving conflicts in CIS member-states, and to the development of cooperation in the politico-military area and in the sphere of security, particularly combating international terrorism and extremism.

Strong emphasis is put on the development of economic cooperation, including the creation of a common free-trade area and the implementation of programmes of joint sustainable use of natural resources. Russia is negotiating a status for the Caspian Sea that would enable the coastal states to engage in mutually advantageous cooperation in the use of the region's resources on fair terms, with due account for the legitimate interests of all.

Summing up, I would like to stress the following. Russia has always been and remains an independent pole in the European security structure, without which the structure could hardly maintain stability. We are ready to co-operate closely with all our partners in Europe, while preserving our national interests. Attempts to push Russia to the periphery of European political and integration processes would only result in slowing the latter down, thus inevitably increasing tensions and leading to negative implications, which nobody needs. We count on the common sense of our partners and the positive experience gained through joint actions of the recent past. Numerous statements expressing readiness to take Russian interests into account cannot replace real progress on the issue. We must enter the new Millennium as one team, capable of jointly solving the problems facing European and world security.

1.2 The Changing Role of (Some) Institutions in European Security

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1.2.1 The Transformation of the European Security Landscape after the Cold War

Europe is the continent where the largest number of international institutions exists, closely connecting many countries. Their effective functioning makes Europe unique in the international system. In other continents regional institutions also play a role in shaping international relations. But the number of inter-governmental organizations is smaller, they have less influence on inter-state cooperation, their activity is less regulated, and the enforcement of their decisions is much less effective. In spite of the importance of these factors, an analysis of the European security landscape should not start simply with the role of different institutions.

International organizations have always been the servants of their masters, i.e., states that established them. This does not mean that they have no independence whatsoever; rather their independence is limited. The self-interest of the organization and its international bureaucracy is necessarily constrained. It is for these reasons that an analysis should start with a brief overview of the transformation of power relations in the Euro-Atlantic area.

Since the end of the Cold War inter-state relations altered and acquired certain stability. The most important change is that the confrontation of two opposing blocs and two superpowers came to an end. Though political interests of the European countries continue to differ on many major issues, unlike the Cold War years, states now share the same declared values, and do not reject the value systems of others. This is a common political foundation of the continent in the post-Cold War era.

The Euro-Atlantic area that was the source and hub of confrontation between East and West moved rapidly in the direction of a global unipolar system. The United States, as the only remaining superpower, identified with its new role swiftly, and did not waste time in declaring this. As President Bush pronounced early in 1992, "We are the United States of America, the leader of the West that has become the leader of the world."[1] Indeed, the US has succeeded in developing a very complex power base. Notwithstanding the size of its population, it is undeniably a country that cannot be challenged by any rival in the foreseeable future. It accounts for more than 20 per cent of the world's GDP and for over a half of global spending on research and development. Its military force is highly developed technologically, and it spends more on defence than the next nine countries combined. The US was the world's benign hegemonic power in the 1990s, and will continue in this position for decades to come.

It goes without saying that such a concentration of power has compound implications. The country's excessive power is curtailing the democratic functioning of the international system. Its views have become decisive in passing judgement on other countries, be it positive or negative. It is for this reason that most countries seek to establish special relationships with the US, and those who share its democratic values try to board Washington's bandwagon. Those who disagree with the US seldom challenge it, and never confront it directly. These factors have resulted in a situation where the United States has often been ignorant in its foreign policy and arbitrary in its actions. In sum, it is largely the responsibility of the US that the post-Cold War world has become a system of democracies, but not a democratic system. One should remember, however, that any other state that enjoyed the same opportunities would have probably pursued a similar policy, if not a worse one.

The adjustment of the US to its new role as sole superpower, or "hyper-power", to use Hubert Védrine's expression, has been only partially successful. Its enormous influence alienated some countries, and led to reservations among others, including friends and allies. It is for a fact, however, that the US was not the only country that had adaptation problems after the end of the East-West conflict. Every state whose status changed significantly within a short time span faced the same challenge. The largest successor-state of the Soviet Union, the Russian Federation, went through the same process. Moving from superpower status to that of a regional great power was painful, and the Russian leadership rejected the notion. It was not ready to accept the changes it had not approved. The Kosovo operation of the Atlantic Alliance was most painful of all, where the opinion of Russia was disregarded until a fairly late stage. The People's Republic of China has also been facing an adaptation problem, though most of the process is still ahead for Beijing. It is fascinating to observe the behaviour of those countries whose status starts to ascend or to decline, within a historically short period.

1 State of the Union Address. President Bush Outlines New World Order, Economic Plans. (Washington, D.C., 29 January 1992), p. 4.

1.2.2 The Potential of the United Nations

The bipolar world order was not particularly favourable for the effective functioning of multilateral institutions. Suffice to mention that the United Nations, in particular the Security Council, as the body which carries the primary responsibility for international security, was paralyzed by the five permanent members, who were casting vetoes frequently. Characteristically, the UN functioned properly and effectively towards the end of the Cold War, when the superpowers enjoyed a cooperative relationship in the Organization. This was due to a new Soviet posture in the UN. Understandably, the United States welcomed the new non-veto based Soviet policy. Bearing in mind that Moscow was still a formidable partner and held several other countries under its sway, Washington had an interest in the United Nations. It is not clear whether those in charge of the new UN policy of the Soviet Union were aware in 1987 that the world status of Moscow was eroding, and the UN, with its strong "constitutional" essence stemming from the Charter, was a forum that could be used to counter the decline. During this period, from 1987 up to the end of the Gulf War, the UN could address conflicts effectively. Not much later the US, as mentioned above, became aware of the strengthening of its position, and gradually lost interest in the UN. A "unipole" will regard an organization where lesser powers have equally strong positions as a nuisance. Reliance on it should be confined to cases where the support of other permanent members is foreseeable and guaranteed.

It is open to question whether this assessment of the UN will change in a lasting manner in Washington in light of the terrorist attacks against the US. Will the US, now vulnerable, conclude that UN forums may become the pivot of multilateral cooperation? It may be taken for granted that sufficient support could be mustered in the UN for the fight against terrorism. In spite of this, there are no grounds to assume that the UN will enjoy its "golden years" in the near future, as the constraints that stem from the current structure of international relations will remain dominant. Hence, any revival of the United Nations will be temporary.

The marginal role of the UN could be discerned in several major conflicts of the post-Cold War era. The Dayton peace accord that ended the war fought over Bosnia-Herzegovina was concluded by a group of great powers, including four permanent members of the Security Council. The parties then turned to the Security Council to approve their intention to establish a peace operation under NATO auspices. In the case of the Kosovo crisis, the members of the Atlantic Alliance, including three permanent members of the Security Council, did not request a vote in the UN body. Rather than proving that the organ is unable to live up to its responsibility and take a decision on the humanitarian crisis that clearly threatened international peace, the Alliance decided on unilateral enforcement by 19 countries. Whereas in the case of implementing the military part of the Dayton Agreement the ability of the UN was obviously missing, in the case of Kosovo the willingness of some parties to grant authority to the UN was missing as well. It is another interesting development of the 1990s that states,

which disregard UN authority, tend to establish bodies that embrace the most important parties, but lack the legitimacy of the United Nations.

1.2.3 The Limits of the OSCE

When the Paris Charter marked the end of the Cold War and the participating states agreed upon commitments unimaginable a few years before, including market economy and multi-party democracy, there were high expectations about the future of the CSCE. In 1992 it became the second institution – next to the United Nations – that was entitled to mandate traditional peacekeeping operations. At the same Summit meeting the functions of the CSCE High Commissioner on National Minorities were established. It turned out to be a lasting success of low profile diplomacy. In 1994, the OSCE became a regional organization, and not much later it could dispatch an observer mission to the first Chechnya war, an operation that was taking place exclusively in the territory of a participating state. In light of these achievements the OSCE has turned out to be a success story of institutionalising international relations in Europe.

When one speaks of failed promises, rather than the successes of the Organization, some tacit assumptions are obvious. It is an inclusive structure, and this can be regarded as an advantage and disadvantage at the same time. It is certainly a disadvantage, so far as no state can be influenced through the "value" of belonging to the Organization. In addition to its shortcomings the OSCE has bureaucratic weaknesses. Namely, the Organization is headed by a Chairman-in-Office, the Foreign Minister of a participating state. As the chairmanship rotates annually, so does the Chairman-in-Office. It is difficult to combine the two functions, as the participating state in charge also has national interests and certain sensitivities.[2]

More often than not, success and failure are relative in international affairs. This has been the case with the OSCE as well. Some of the problems are very much in evidence. First and foremost, it is an organization that can apply "soft" measures, but lacks enforcement mechanisms. Second, it was discredited a number of times. The most notable example was when the so-called "Kosovo Verification Mission", headed by a US diplomat, was used to trigger an enforcement action against Yugoslavia.[3] Third, and probably most important, the structure of the interests of the participating states has changed. Whereas in the early 1990s the CSCE was the most important inclusive channel of communication on European affairs, this is no longer the case. Institutions that served as political communication (and decision-making) centres for countries of

2 It is suffice to mention that Romania, chairing the OSCE in 2001, found the whole Transdnistria problem so sensitive that it handed the matter over to Portugal, the next Chairmanship country.

3 In order to avoid any misunderstanding, I emphasize that I regard the enforcement action that started on 24 March 1999, as necessary. I do not agree that an OSCE participating state or a group of members marginalized the Organization by arbitrarily deciding when to conclude the KVM. US Ambassador Walker who was in charge of the Mission recommended to wind it up, since the OSCE observers were the only ones who were not armed at the time.

the West have expanded their activities to the former East. They offered membership to some states, and special communication channels to others. The Council of Europe is a good example, as it has almost an all-European structure with 43 member-states. OECD and NATO have also taken in some new members from the so-called "former Socialist countries". The European Union belongs to the category of institutions that for the time being have offered communication channels to nearly every European state, short of membership. One has to take into account that in the case of NATO and the EU, this extends to countries that would like to join the respective organizations, and other countries as well. There are states that have links with the two organizations through other channels. The western Balkans belong to this category, as the EU has established close links through the implementation of the Stability Pact. It may be politically more important that Russia and Ukraine have also developed special channels with NATO in the Permanent Joint Council (PJC) and the NATO-Ukraine Commission, respectively. Russia has considerable informal influence with the Alliance, and has intensified her cooperation with the EU as well. At present, Moscow has fairly extensive special channels with the EU, including two annual Summit meetings, similarly to the US. In light of these developments there is reason to conclude that the OSCE has, in practice, lost its privileged role as a communication forum for European security. Fourthly, the OSCE, as mentioned above, was conceived as a mandating institution in 1992. Since then it did not mandate a single peacekeeping operation. It is important to emphasise that the OSCE is entitled to mandate classical peacekeeping, but not complex peace support operations. In some cases participating states are not keen to get a mandate, in other cases they seek it from the United Nations. As four of the five permanent members of the UN Security Council are also participating states of the OSCE, the difference would be the vote of the People's Republic of China. If there were reason to expect that an operation in Europe would be opposed by China, it is not inconceivable that the OSCE, rather than the Security Council, would mandate it. Some countries are of the view that the OSCE should be retained to serve as an instrument of the participating states, whenever necessary.

1.2.4 The Growing Weight of "Western" Institutions

The post-Cold War era demonstrated the influence of institutions that had linked the West until the late 1980s, like the European Union, NATO and the Council of Europe. It is appropriate to ask why have they amassed so much influence and attracted so many countries willing to join them. First of all, these are institutions that embrace strong and stable states. Due to poor performance and the modification of power relations at the end of the Cold War, the East did not present a viable alternative. To some extent the West proved its viability throughout the Cold War. In the case of NATO, it was its success to deter certain plans of the East that provided proof. In the case of the EU, it was primarily the prosperity of the member-states that could sway the population of other countries. In the case of the Council of Europe, it was democracy that was found attractive as a model by member-states and other countries as well. One must not forget that the revolutions of Eastern and Central Europe were driven by the desire

of the populations of the region to live in democracy. Hence, an institution committed to the promotion of human rights and democracy was an evident choice of the new regimes that came to power after the system changed.

It is a general assumption that military alliances dismantle themselves, when adversaries cease to provide them with an enemy image. It was not a coincidence that Georgi Arbatov warned, in the mid-1980s, that the Soviet Union would deprive the West of its enemy image. During the Gorbachev era it certainly achieved that. Concrete steps backed the words of the Soviet leadership, most importantly by Moscow's readiness to accept the changes in Eastern and Central Europe.

However, in spite of the scaling-down of the enemy image, the Atlantic Alliance continued and was regarded as a success in shaping European security. Not long after the transformation in Eastern and Central Europe calls were heard for a simultaneous dissolution of the Warsaw Treaty Organization and NATO. Then Czechoslovak President Vaclav Havel was one of those voices. If it was a politically motivated move to make the termination of the Warsaw Pact possible, the truth has never been revealed. Havel revised his position a decade later: "Very soon, however, I came to understand that something like that [i.e., the simultaneous dissolution of the two alliances – P.D.] would be not only unrealistic, but also, for a number of reasons, very costly, impractical and, indeed, outright dangerous. The only viable course of action was to transform NATO – a functioning and time-tested organization – and to gradually enlarge it. On the one hand, NATO had to avoid remaining entrenched in the form it had taken in the 1980s and turning into a club of Cold War veterans, but on the other hand, allowing it to disappear from the map of the world would have amounted to creating a security vacuum in the entire Euro-Atlantic region for the lengthy period of time that would have been needed to build a new structure."[4]

It is worth proceeding from Havel's statement in order to understand why NATO has survived, and what were the functions of the Atlantic Alliance since the end of the Cold War. Havel is of the view that NATO had to change and make a break with its Cold War past. This is appropriate to some extent, as NATO operated in a very different environment in the '80s. It needs to be emphasised, however, that this break did not have to be fundamental. The structures of the Alliance were focused on both political and military cooperation in the period of East-West conflict. This was particularly true for the reason that the Organization was not wholly affected by the shrinking threat. The military situation had to be re-assessed, and political cooperation had to continue. Furthermore, NATO had been the centre of transatlantic cooperation, and continued to fulfill that function. The need to maintain a permanent transatlantic forum with the US was a priority. Bearing in mind that over decades the US-European policy was NATO-centric, it was probably best to maintain this structure. The emergence of the US as the unchallenged leading power also contributed to the importance

4 Address by Vaclav Havel, President of the Czech Republic, at the Conference "Europe's New Democracies: Leadership and Responsibility", Bratislava, 11 May 2001, p. 3. http://www.hrad.cz/president/Havel/speeches/2001/1105_uk.html.

of the link. These factors together strengthened the continuing political relevance of the Alliance.

The end of the Cold War was accompanied by uncertainty about the future security of Eastern Europe. This was partly due to little familiarity with the situation there, and partly to genuine destabilization in some areas, like the former Yugoslavia. As a consequence, the security issues that the Atlantic Alliance was supposed to address did not vanish overnight. They evolved gradually between 1986 and 1992. This factor also contributed to NATO's relevance throughout the process of fundamental political change. The adaptation was swift, and the North Atlantic Cooperation Council launched its activities already in 1991.

The extent that the redefinition of the Alliance's external relations contributed to NATO's legitimacy has not been closely studied. No doubt, the forums established to reach out to other parts of Europe and the desire of many countries to join NATO have certainly confirmed that this was an organization in demand. Countries that had no wish to join NATO and had reservations regarding the activities of the Alliance also sought to define their relations with it. The Russian Federation and Yugoslavia may be mentioned in this context.

NATO found a new function that contributed to its continuing relevance, i.e., conflict management in a broader Europe. This function was present since the first shot was fired in the former Yugoslavia, and it gained strength in the Dayton peace accord and the subsequent launching of IFOR. The Kosovo operation set a different example. It demonstrated the ability of the Alliance to coerce and maintain formal consensus on a divisive issue. The deep doubts concerning the formal legality of that action, and hence the reservations of several European members of the Alliance, point in two opposite directions. On the one hand, there was the will of the US Administration to ignore the importance of a mandate from an organization that had the authority to issue it. On the other, whatever the reservations expressed, it was the first such operation, and similar coercive actions may be carried out any time, anywhere.

The events that followed the September 11 terrorist attacks in the United States, the invoking of Article 5 (the collective defence provision) of the Washington Treaty for the first time in over four decades, and retaliation against the country hosting terrorists, also offer some lessons. Invoking Article 5 could be assessed in a variety of ways. Under the circumstances, it was unnecessary, as the United States did not need its allies to carry out military counter-measures. This was an overt demonstration of the unity of the Alliance, which offered assistance to the US. This was a welcome demonstration that Article 5 did exist, and was still the essence of NATO. To member-countries that had been somewhat doubtful concerning the value of collective defence, this was a reassuring message.

The United States, which seems to be more committed to multilateral cooperation since the terrorist attack, found ways her allies could contribute to its efforts. First, they could free the US military from other missions, like peacekeeping in the Balkans

and aerial monitoring of US airspace. Later on, the US understood it could benefit more from its allies' readiness to co-operate, and some countries started to deploy forces in the vicinity of the zone of operation.

Thus, the survival and relative strengthening of the Atlantic Alliance was due to several factors. Among them, the fact that it was not an exclusively military alliance, the importance the US attributed to it, the role it acquired in conflict prevention and management, and last but not least, the willingness of many states to establish and maintain relations with it.

The other organization whose role has strengthened in relative terms is the European Union. The roots of this are similar to those mentioned with respect to NATO. The European Community was on its way to broaden its agenda when the East-West conflict came to an end. This was reflected in the Maastricht Treaty that established the three pillars of the Union, and thus departed from an organization dealing exclusively with broad economic issues. The EU could not have remained focused exclusively on economic matters, and shied from becoming a major political actor, with approximately 20 per cent of the combined world GDP produced by its 15 members, and being the world's largest trading bloc. The end of the East-West conflict also prompted the redefinition of the EU's external relations. It was no longer a small number of democratic neutral countries that maintained close links with the EU. Several countries wished to establish relations, many with the intention to achieve membership in the foreseeable future. The EU never had so many candidates for membership than at the turn of the century. The EU also started playing a major role in the extra-European environment. It contributes massively to the economic stability of some areas, e.g., the Palestinian Authority. It has taken responsibility for the economic strength and (hopefully) prosperity of the western Balkans in the so-called "Stability Pact". It has built special relations with Russia, with 40 per cent of the latter's exports going to the EU. One may say that all this does not qualify the EU as a security institution. This would be true if one accepts a narrow, traditional definition of security. Security was interpreted broadly, particularly since the end of the East-West conflict. Quite often it is equated with stability and prosperity. Consequently, irrespective of the weaknesses of the Common Foreign and Security Policy (CFSP) and the Common European Security and Defence Policy (CESDP) the EU has, in practice, become a major security actor. The classical observation that the EU is an economic giant and a political dwarf is obsolete. CESDP, a project launched by the Union in the late 1990s, is an indirect recognition of the facts explained above. It was a timely decision of the 15 EU governments to give more substance to the second pillar (cooperation), and, in effect, more teeth to the EU. The CESDP aims at reaching certain goals in military conflict management, international policing, etc. It is premature to predict the direction the evolution of CESDP will take in the future. The current seemingly heavy emphasis on the military side of conflict prevention and management is not necessarily the one that fills an existing niche. The shortage of competence and resources is more keenly felt in areas of international policing and other non-military forms of conflict management. A reorientation of the project in that direction would be certainly welcome, partly to

contribute more effectively to European security and to shed redundant capabilities, partly to lift US suspicions about its objectives. If it had an orientation that would give a good excuse to the US to reduce its commitment to Europe, it would lose support of a number of EU members, e.g., the UK and some others.

After an ambitious beginning the process has slowed down and certain problems have surfaced, ranging from the availability of NATO assets and capabilities to headquarters arrangements, etc. It is premature to draw conclusions beyond the evident prospect of the project becoming a useful corollary of the European security landscape. It may contribute to the implementation of the so-called "Petersberg Tasks" of the EU/WEU, but will clearly be insufficient to go beyond them for many years to come.

1.2.5 Conclusions

International organizations have a particularly important role to play in Europe, where a web of institutions connects states. This does not mean, however, that the latter would determine the dynamics of European security. Long-term trends show that it is still the states that are masters of international politics. The European security landscape changed fundamentally in the 1990s. The division of Europe came to an end. Certain institutions of the former East, e.g., the Warsaw Treaty Organization and the Council for Mutual Economic Assistance, were wound up. For a while it seemed that there would be a clear distinction between those organizations that can mandate and legitimize international action, be it traditional peacekeeping or coercive measures, and those that carry out their decisions. The actual developments in the second half of the 1990s have revised this conceptual differentiation and increased the role of institutions, which attract the particular affection of strong states and leading powers in the West. The world at large co-ordinates its policy with them. The underlying power relationships are highly unlikely to change soon, and the former Western institutions will be the heavyweight players of the European political landscape for long into the future.

1.3 Discussion

Starting off the discussion, Ambassador Vladimir V. Shustov, Russian Ministry of Foreign Affairs, pointed out that a number of international organizations, other than mentioned by the speakers, also relate to European security. He stressed that following the tragic events of September 11 in the United States a new model of security is emerging, characterized by pluralism and a multi-layered structure, with growing cooperation among many organizations. Each plays its own role, and their interaction must be made more cohesive. Some ten years ago the West did not favour the expression "collective action", but now it has found its way into the recent Security Council resolution on terrorism. The emerging anti-terrorist coalition is a good example of a collective response to the new challenges to security, though national and geopolitical interests of states will, naturally, remain. Certain conditions must be observed, Shustov went on, to allow the positive processes to develop. These are: 1) strict observance of the UN Charter, 2) compliance with the decisions of the UN Security Council, the only international body that can sanction the use of force in situations that threaten international peace and security, 3) using the potential of all international organizations, and 4) eradication of the deep-lying causes of conflict. In this connection, Shustov referred to Dunay's observations on the events in Kosovo, and stressed that the so-called "humanitarian bombing" of Yugoslavia was an open violation of the UN Charter. He recalled Western arguments defending the attack on the grounds that no proper decisions were expected from the Security Council. However, Security Council resolution 1244 was not implemented, and it specifically called for disarming the UCK (KLA) and creating conditions for the return of refugees to Kosovo. There were possibilities at the time to put stronger political pressure on Belgrade, and this in fact was recommended by the OSCE Mission (of which Shustov had been a member). Unfortunately no one, including officials in Moscow, paid attention to that recom-

mendation. The OSCE potential was not realized at the time. Today the Organization is being marginalized, and past hopes for its role have evaporated.

Dunay agreed with Shustov that tactically it would have been better to take a vote in the Security Council on the Kosovo situation, at least in order to see if the Council was paralyzed or not. In fact it was, he stressed, because of Russian and Chinese opposition. Countries that experience problems with maintaining their territorial integrity do not have a positive view of developments that undermine the territorial integrity of other UN member-states. True, there was a violation of the UN Charter. But, Dunay wondered, what could the international community have done? Several international missions went to Belgrade, but there was no delivery from the Yugoslav leadership. How long can one continue a "one step forward, two steps back" policy? Nobody was happy about the bombardment, but how does one apply certain emerging rules of international law, if there is no enforcement?

Androsov raised a clarification point on the OSCE role in the Kosovo crisis. The decision to set up the Kosovo Verification Mission was a collective one, he said, but the decision to withdraw was made exclusively by the Mission Head. No definite conclusion was reached on whether the Mission had actually fulfilled its function, or if any chance remained to resolve the crisis by political means.

Ambassador Roland M. Timerbaev, Co-Chairman, PIR (Political Research in Russia) Council, reminded the participants that the security structure in Europe was established at the time of the Cold War, with the UN itself a product of confrontation. Now, with the Cold War over, only some remnants of confrontation remain. He wondered whether the present multi-layer security system in Europe corresponds to the new geopolitical environment. Clearly, there were many complaints regarding what happened in Kosovo or elsewhere, because of the unipolar situation of the last decade. However, if international terrorism continues, we will have a common enemy to deal with. He posed a question for the speakers: if, following successful action, this enemy disappears, will the present international architecture remain or be transformed into something else?

Joining the discussion, Army General Mahmut A. Gareyev, President of the Academy of Military Sciences, highlighted the disturbing trend to resolve international problems through sanctions imposed by NATO or individual countries, in circumvention of the United Nations. He expressed his doubts that the United States and Britain could achieve their aims in Afghanistan without the UN Security Council. Gareyev recalled his experience as adviser to the Afghan Government, and the negotiating history of the settlement in Afghanistan. According to the agreement reached at the time between the parties, the USSR (and later Russia) withdrew its troops. The other side undertook to ensure that no terrorist training camps remained in Pakistan, but failed to implement the agreement and started arming the Taliban. Despite UN assurances of safe passage from the country for President Najibullah, the Pakistani special services (not the Taliban) arrested and executed him. The Geneva agreements on Afghanistan have never been implemented, and UN authority was flaunted. If we shirk our

responsibility for the United Nations, said Gareyev, such practices will continue and terrorism will flourish. Looking further back, the Yalta and Potsdam Agreements have been violated, and to a large extent the 1975 Helsinki Final Act. He concluded by saying that the very foundations of European stability are now being destroyed, and this dwarfs other issues.

Dr. Nadezhda K. Arbatova, Senior Researcher, Institute of World Economy and International Relations, suggested that the debate underestimated the impact of the September 11 events on European security. In fact, they have drastically changed the landscape. None of the existing institutions is equipped to cope with new non-traditional security threats. She reminded the audience of the euphoria felt in NATO countries after air strikes against Yugoslavia, the feeling that this strongest Alliance was able to solve any problem. It is worth noting, however, that bad as M. Milosevic was, the bombing did not provoke terrorist counterattacks against the US or its allies. What will happen after the retaliatory air strikes against Afghanistan, we do not know, the speaker remarked. As for NATO, it is expanding to the most prosperous and stable region of the post-Communist Europe, while still battling its enemies of the Cold War years, instead of addressing new challenges. Arbatova took issue with Dunay, who apparently thought that Russia was involved in NATO activities. Russia is not happy with its purely symbolic role, she stressed, and it was high time for NATO to look to Russia. September 11 has shown that the international community is unable to fight terrorism without Russia, but its involvement in the anti-terrorist coalition will depend on the terms offered. September 11 has also shown that unilateralism is fraught with new dangers, because it asserts the predominance of one country, and its allies and other members of the international community are becoming hostages to its policies. In our scenarios, said Arbatova, the US will always be willing to fight terrorism, but if the attacks continue and entail heavy losses, the population will accuse the government of failing to protect it. It might demand that the Administration rethink its commitments in the Middle East and Europe. In that case Europe might be left on its own, she concluded.

Dr. Dmitri A. Danilov, Head of European Security Department, Institute of Europe, offered the view that Europe lacks a common security structure. On the one side there is an integrated "Greater Europe" with NATO and the EU, and on the other there is Russia which is not a player in the integrated space. This model has become the main problem for European security today. If the West thinks it is important that Russia conduct a predictable security policy, how precisely does it intend to manage its new relationship with Russia? Russia has made its choice for integration into Europe. The speaker wondered why Western colleagues objected to Russia playing an equal role in decision-making. This logic must be changed: unless one wished to keep Europe divided and bipolar, new common mechanisms for decision-making and action must be established.

Replying to Arbatova, Dunay said that there were two fundamentally different views of the Permanent Joint Council (PJC). Basically, it is more difficult for NATO

than for Russia. Whatever item Russia wants to put on the agenda to be discussed, it gets, be it NATO nuclear infrastructure, or the social situation of retired servicemen in Russia. However, the PJC has an established role: it has contributed to eroding the "cold warrior" atmosphere after Kosovo, and while some countries may not like it, Russia does play an important role in the structure. Dunay agreed with Arbatova that US isolationism was a danger. He hoped that the US would draw the conclusion from its recent behaviour and experience (its Middle East policy and its withdrawal from the Durban conference against racism, both not success stories), that more international engagement was necessary. As to the situation in Europe, he thought the sources for a bipolar division are not there, because the players are no longer of equal strength, not only in military terms, which are least important in this case, but in their economic status as well. The important question is whether the players understand their true weight, which is different from 15 years ago. While all have to recognize that Russia is important for the West, she will have to recognize that its room for manoeuvre has become confined, Dunay concluded.

Arbatova concurred with Dunay that there are different assessments of the PJC. It is clear, however, that it did not pass the first test in the Kosovo crisis, though being originally conceived as an instrument for NATO–Russia consultations.

Referring to Dunay's last remark, Shustov stressed that every country, even the United States, has certain confines. He then raised a point about the possibility of Russia joining NATO. He ventured a guess that the chances for joining are no better today than at the time V. Molotov first announced the idea. In fact, he cannot conceive of this happening, despite some pronouncements by Russian leaders: the very day Russia joins NATO the latter will cease to exist. Russia is bound to remain a political, rather than a military partner for NATO. True, the country's economic situation is not easy, but it is bound to improve, and Russia will become stronger. In any case, ignoring Russia's views will draw NATO into a difficult situation.

Co-Chair Lehner thanked the presenters and others speakers for widening the range of the discussion beyond the Round Table agenda, which was set before the events of 11 September 2001.

Chapter 2

NATO's New Strategic Concept and its Implications for European and World Security.

Have We Learnt any Lessons from Kosovo?

Before introducing the next speaker, Co-Chair Fokine observed that the 1999 NATO Summit in Washington led to changes in strategies, including views on disarmament issues. The reassessments made in Moscow at the time were almost immediately proven to be correct by events in Kosovo. Europe was free from military actions since 1945 and throughout the Cold War, but paradoxically, with the Cold War seemingly over, a war situation erupted in Europe. The lay public is inclined to judge in black and white, Fokine said, and in this sense it differs from politologists. However, one will recall that feelings ran high in Europe, and particularly in Russia, on account of what happened in Yugoslavia. He invited the speakers to go beyond retrospective thinking and consider today's developments that question (and here he agreed with Timerbaev) the respective roles that various organizations, including NATO, may or should play. The September 11 events in the United States he stressed, have clearly overshadowed the strategic and tactical thinking of politicians and politologists both in the West and East, and this has connotations for the Round Table discussion of NATO's new strategic concept.

2.1 NATO's New Strategic Concept: A View from Moscow

Dr. Vladimir S. Kotlyar, Senior Researcher, Diplomatic Academy

The adoption in April 1999 of NATO's new strategic concept formalized a major turn in Western policy. For the first time since the end of the Cold War and with the radical changes in the former USSR and Eastern Europe, the United States and its allies presented a new comprehensive vision of the role of NATO and its place in the post-Cold War world, with most of the world immediately objecting to that vision. Why has this happened?

The cornerstone of the new strategic concept is its provision regarding the self-assumed right of NATO to undertake military operations outside the territory of its member-states without authority from the UN Security Council – a provision that opens the door to violations of international law stemming from the concept. No matter how often the concept proclaims the loyalty of the Alliance to the UN Charter, this provision alone means, in practical terms, that NATO seeks to formally revise the present system of international and European security anchored to the UN Charter and OSCE decisions, and to establish a new NATO-centric security system. However, while both the United Nations and the OSCE are universal, global or European organizations, NATO is a regional one with a limited membership of 19 (or somewhat more, with prospective member-countries). Yet the new concept seeks to put NATO on an equal footing with universal organizations, although other European states, to say nothing of the rest of the world, have never delegated to NATO the right to speak or act on their behalf.

The present global security system is based on such principal provisions of the UN Charter as the non-use of force, peaceful settlement of disputes, respect for sovereign equality, territorial integrity of states and for human rights, the maintenance of

peace as the primary responsibility of the UN Security Council, which, if necessary, can call upon regional organizations (like NATO, EC or CIS) for military assistance to deal with crises around the world. To replace the present system the new concept proclaims the central role of NATO for the maintenance of peace in the Euro-Atlantic area, as well as a new "broad" approach of the Alliance to ensuring its own security. While Article 5 of the North Atlantic Treaty of 1949 limits NATO's military operations to mutual assistance for the purpose of self-defence in case of aggression against a NATO member-state in Europe or North America, the new approach is interpreted in the 1999 concept as the right of NATO to undertake military intervention at will, both within and outside the Euro-Atlantic area (its geographical limits, incidentally, have never been specified).

The declared purpose of such interventions would be to deal with military or non-military threats for NATO, and it would always be Brussels (in fact, Washington) that would decide on the matter, with authorization from the UN Security Council or without it, if Russia and/or China did not share the view of the US on the need for such action. And if it happens to be a legitimate government of a sovereign member-state of the United Nations which caused the displeasure of the Alliance, so much the worse for the wrongdoer, as the new concept envisages the possibility of armed invasion and war against the regular army of that particular state.

The list of threats for NATO contained in the concept makes instructive reading. It starts with the existence of powerful nuclear states outside NATO (in itself not illegitimate). It includes the proliferation of weapons of mass destruction and means of their delivery, terrorism and organized crime, all of which could indeed, under certain circumstances, as we saw it on September 11 in New York, pose a threat to the security of NATO members. But it also includes serious economic, social and political difficulties, ethnic or religious rivalry, territorial disputes, insufficient or failed attempts at reform, violation of human rights, dissolution of states and even the interruption of the flow of vital resources (which would normally be a function of international trade), or uncontrolled movements of large masses of people, especially as a result of armed conflict. All of them, according to the concept, could destabilize international relations and thus create a risk for the security of NATO members. In practice, the new concept seeks to put NATO in control of international developments, to replace the United Nations or the OSCE, as they were originally designed.

Since many of these "threats" are, unfortunately, part of everyday life in quite a number of multiethnic states around the globe, including Russia and the CIS – not because of their evil nature, but due to serious internal political or economic problems – no wonder that NATO's self-appointed role of combined global prosecutor, judge, executor of the proscribed punishment and inspector of the behaviour of states released on parole by NATO, did not enjoy much support outside the Alliance.

Dr. Dunay, of course, spoke from within the Alliance, so it was no surprise that he welcomed NATO's new function of conflict management. It would be quite legitimate for NATO to exercise this function within the Alliance. Otherwise, the right to

perform this role outside the Alliance was not delegated to NATO by anybody. As to such an aspect of "conflict management" as the bombing of Yugoslavia, which was termed as "self-invited", it is uncomfortably close to explanations for the destruction of the World Trade Center that are expressed, unfortunately, by quite a number of countries, which claim that this terrorist attack was also "self-invited". I find it a bit cynical in both cases.

NATO's new concept was viewed in Moscow as an attempt to establish a quasi-legal basis for military intervention and interference in the internal affairs of the rest of the world under various humanitarian pretexts, and in fact with a view to achieving its geopolitical objectives.

It should be mentioned, that at the drafting stage of the new concept the Foreign Ministers of France and Germany, clearly uneasy in anticipation of a predictable and natural reaction of the rest of the world, initially objected to "the establishment of a global NATO of a new type", as H. Vedrine put it, and insisted that in all cases, except self-defence, NATO should obtain authorization from the UN Security Council before undertaking so-called "non-Article 5" military operations beyond the territory of its members. However, both later succumbed to pressure from Washington.

NATO's military invasion in Kosovo was meant as the first practical application of the new concept, a precedent and a prototype for similar future operations. A. Vershbow, the current US Ambassador to Moscow, then Permanent Representative to NATO, stated in Brussels in May 1999 that it was the defence of common democratic values which had motivated NATO's decision to take action in Kosovo, and this would guide the Alliance also in future, when confronted with similar threats to the security of the Euro-Atlantic area. "Indeed, he continued, Kosovo is a metaphor of many aspects of NATO in the 21st century proclaimed at the Summit meeting in Washington. Kosovo underlines a vital role for NATO in solving crises in Europe and around it".

But as NATO's "defence of common democratic values" was progressing, killing in the process two thousand Yugoslav civilians, devastating the infrastructure of the country (which will take billions of dollars to rebuild, much more than the amount promised by the West in exchange for M. Milosevic) and multiplying the flow of both Albanian and Serb refugees, old doubts began to resurface in European capitals. They were reinforced by revelations that influential Western mass-media, with help from NATO intelligence services and extremist Albanian leaders, had published false reports about mass killings of Albanian civilians by Serbs. These reports were supposedly the last drop for NATO's patience that pushed it to the final decision to bomb Yugoslavia. The doubts were further reinforced by the aggressive separatist policy of the UCK (KLA) leaders. The latter were unabashedly using the legitimate need for protecting human rights of the Albanian population of Kosovo as a cover to achieve the secession of Kosovo and other border areas of Yugoslavia with a mixed Albanian-Serb population, in order to establish a Greater Albania. As soon as NATO helped them seize power in Kosovo, they started their own ethnic cleansing there, this time of the Serb

population, to make the province virtually independent from Yugoslavia in violation of UN Security Council decisions.

While the war was still raging, high-ranking West European diplomats in informal discussions here, in this Academy, were stressing that NATO's military action against Yugoslavia should not be viewed as a precedent, since "it was a consequence of unique circumstances". L. Dini, Italian Foreign Minister, stated that "it would be impossible to repeat today the intervention similar to the one undertaken in Kosovo, without the UN mandate". J. Fischer, his German colleague, spoke along the same lines.

The refusal of most of the world to agree with the concept of unilateral military action by the United States and NATO was also reflected in the 1999 Annual Report by the UN Secretary-General, which opposed the trend to denigrate the primary role of the UN Security Council in the maintenance of peace and to engage in enforcement without its decision, a trend which threatens the essence of the system of maintaining international security based on the UN Charter, and transforms the prevention of conflicts into a field of competition between the UN and regional organizations.

In the end, NATO clearly had to read the lips of the world and react to this change of general atmosphere, which resulted from persistent criticism against the first practical application of its new strategic concept in Yugoslavia. NATO Secretary-General G. Robertson, while continuing to justify NATO's aggression in Kosovo, declared in his Paris speech in May 2000 that "Kosovo was not a precedent for future NATO actions", that it was "a unique" occasion, that NATO "was not turning into a crusader fighting for universal values", that NATO members also valued predictability in international relations, etc. However, Robertson's statement does not revoke the new NATO strategic concept formally, and unless it is replaced by a more reasonable one it will guide the policy of the Alliance in future as well.

The same response apparently applies the second question of our topic: "Have we learnt any lessons from Kosovo?"

As the events in Macedonia confirm (and Albanian extremist leaders are employing the same scenario they have successfully used in Kosovo earlier) the short answer is "yes and no" or, rather, "partially yes, mostly no". The good news is that NATO has not bombed Skopje yet, in order to defend the human rights of ethnic Albanians, though both NATO and the EU have been applying the strongest pressure on the Macedonian Government and threatening it with political and economic sanctions. Thus, the blunder that NATO committed in Kosovo has not been repeated full scale in Macedonia.

The bad news is that NATO has not yet realized that the first practical application of its new strategic concept in Kosovo and its invasion in support of Albanian extremist leaders directly provoked the subsequent events in Macedonia.

The main lesson to be drawn from the Kosovo adventure is the following: a regional organization with limited membership, especially a military-political group

like NATO, should never unilaterally take responsibility for using force, except in self-defence. Apart from the fact that such actions violate international law, the judgement of limited membership organizations, by definition, will never be balanced and objective, or take into consideration to an equal degree the views of all parties to a conflict, and these organizations will always tend to take sides and follow their own geopolitical aims. This was amply confirmed by NATO's operation in Kosovo and by its consequences in Macedonia.

Unfortunately, this first practical application of NATO's new concept taught the world a different lesson, i.e., aggressive separatism pays. That it was well taken was since demonstrated not only by the same Albanian extremists in Presjevo and Macedonia, but also by a new wave of aggressive separatist thrusts around the globe, including Corsica and the Basque Region, by the revival of old separatist disputes in the Balkans involving Hungarians and Romanians, Bulgarians and Turks, etc.

This lesson was even more effectively driven home by the fact that in Macedonia NATO repeated, and even developed further, its disastrous approach to major ethnic conflicts, when the aggressor (the illegitimate armed extremist movement of Albanian separatists) and the victim (the legitimate Government and the majority of the population) are put on an equal footing. Moreover, the pressure that NATO and the EU have brought to bear upon the government of Macedonia, was by far stronger than the pressure so timidly used on Albanian separatists.

Yet, even by Brussels' standards the original situation in Macedonia was totally different from that in Yugoslavia. Unlike the disastrous ethnic policy of M. Milosevic, Macedonians always treated local Albanians fairly. In 1999, Macedonia sheltered around half a million ethnic Albanians who fled Serb commandos and NATO bombings, and some 80 thousand Albanian refugees chose to stay there.

KFOR was dispatched to Kosovo after the war in conformity with a Security Council resolution. It was supposed to disarm the UCK and to patrol borders to prevent their penetrations into Serbia and Macedonia. In fact, the UCK surrendered only a part, and by far not the best one, of its armaments, and KFOR under NATO command never insisted on full disarmament as demanded by the Security Council resolution. This undermined one of the key provisions of the resolution, namely that Kosovo remains a part of Yugoslavia. And since NATO's "Essential Harvest" in Macedonia seems to be a carbon-copy of the KFOR operation in Kosovo, there is no reason to believe that it will be more successful and thus create conditions for a political solution and a return to stability in the region.

KFOR was supposed to patrol Kosovo's borders. In fact, while NATO and the European Union pressed Skopje to hold back, and Ukraine as well – to stop arms deliveries to the legitimate government of Macedonia – KFOR proved unable to prevent armed UCK units and transports with advanced weapons from crossing from Albania into Kosovo and further on to Macedonia, and then trying to populate areas in Serbia and Macedonia with ethnic Albanians.

Moreover, the CIA and the Pentagon, as well as NATO and the EU pretended not to notice that dozens of retired US Army officers were recruited to serve in the UCK as mercenaries, or volunteered to do so through a semi-clandestine American organization, Military Professional Rescuers, Inc. The retired US Army "Rescuers" continue to be closely associated with the Pentagon, and they were responsible for a number of sensitive missions in the Balkans, including the well-known victorious blitzkrieg of the Croat Army against Serb Kraijna in the autumn of 1995, which resulted not only in its reunion with Croatia, but also in the sweeping ethnic cleansing of Kraijna of 200 thousand ethnic Serbs who lived there for centuries. Three years later it was again the "Rescuers" who formed and trained the UCK and served as instructors during the first testing of the new NATO doctrine in Kosovo. Later the same year the "Rescuers" participated in UCK attempts to capture Presjevo and other border areas of Yugoslavia, and in the new war the UCK unleashed against Macedonia.

The President of Yugoslavia V. Kostunica was therefore entirely correct when he said in Bucharest in June 2001 that "the settlement of the conflict in Macedonia lies in removing the source of violence and extremism in Kosovo". He pointed out that KFOR played along with terrorists, and they felt free to act at will. "The events in Macedonia, he summarized, leads one to the conclusion that we deal there not so much with violations of national minority rights, as with ambitions of a national minority to control the territory of another state". "We witness an attempt to implement a plan to establish a large state which will be called either Greater Albania, or Greater Kosovo", he concluded. Naturally, NATO and the EU refuse to see it this way for the simple reason that they will have to regard the first practical application of NATO's new doctrine as a blunder of colossal dimensions, which assisted and reinvigorated the source of violence and aggressive ambitions that President Kostunica referred to.

The adoption of NATO's new strategic concept has put the world at a cross-roads. Henceforth, the international community will have to choose one of two paths open to it.

The first path leads to the growth of competitive centers of world power with unpredictable consequences. The United States and NATO have made a claim to global leadership and actual control over the international community. The consequences of following this path are well illustrated by the so-called "Rumsfeld Doctrine", which accompanies the new NATO concept and aims at a radical revision of major international agreements, from the ABM Treaty to the Kyoto Protocol, because the world's strongest state has no wish to be bound by treaty limitations. Today the US is indeed the world's most powerful nation, but not the only one possessing power. Russia, China and India as well as many other countries have disagreed with the new NATO vision. This may well drive them to closer cooperation and mutual assistance.

The second path leads to global cooperation in the field of security. To embark upon it the international community should urgently elaborate a common view of the main parameters of a European and international security system. This system must rest squarely on the UN Charter and the Security Council prerogatives. Nothing short

of that will find support of the majority of countries. Any military mission, except in self-defence, should be undertaken under the guidance of either the Security Council or the OSCE, both of which have access to the military potential of NATO, the EU and the CIS. Any major decision by NATO or the EU which might affect global or European security must be first agreed with Russia – and, of course, the other way around.

It has become fashionable to criticize the United Nations and its Security Council as "ineffective", but there is no other international body which enjoys universal support and is more efficient. An attempt by any regional organization with limited membership, NATO or any other, to substitute the United Nations or its Security Council will never be supported by the world at large and will be doomed to failure, as Kosovo has demonstrated. So far as NATO is concerned, it remains a military-political Alliance (despite earlier promises to the contrary) established during the Cold War, which reflects in its policy the judgements and political traditions of the US and a part of Europe. As such, it will never be viewed by outsiders as an organization called upon to defend common values on behalf of the world. This image of NATO may change only if it becomes a universal European (or Euro-Atlantic, if you wish) institution. But then, of course, it would not be the NATO we know today.

It has also become fashionable to dismiss the OSCE as ineffective and cumbersome, but it was the NATO members' initiative to accord it a secondary role after the USSR had ceased to exist, because they wanted to keep NATO in a central position in Europe and now, it seems, in the world as well. Instead of maintaining its statutory role of safeguarding security and promoting cooperation in Europe, there is a trend to restrict it to that of a chief inspector of the human rights situation in Eastern Europe and the former USSR. I doubt if Russia will ever agree with this role for the OSCE.

It has furthermore become fashionable to criticize the present norms of international law as outdated, as reflecting events that occurred between 1945 and 1999, while they should reflect the post-Cold War realities. Indeed, some of the norms of international law and UN Charter provisions may need to be modified. But we do possess a mechanism to do this, if that is what the international community wants: through the UN General Assembly, its Sixth Committee and the International Law Commission. Let those who have new ideas, table their proposals through this universal mechanism, rather than unilaterally assume this or that right in relation to other states and impose their vision on the international community.

There is, however, at least one point among NATO's arguments that, in my view, is fairly taken. Namely, the international community should work out a procedural solution for situations when permanent members of the UN Security Council have radically divergent views on humanitarian catastrophes that require urgent action. It may not be easy, but still possible to find a solution. Again, unilateral actions by impatient permanent members are certainly no way out.

The preceding analysis was written before 11 September 2001. Therefore, the big question is not only "have we learnt any lessons from Kosovo?" but rather "have we learnt any lessons from the New York tragedy?"

Most analysts say that on September 11 we entered a new world. Wrong. In fact, we entered a new world over a decade ago, with the dissolution of the USSR and the end of the post-war bipolar control of world developments by two superpowers. For better or for worse, that control existed for over 40 years, and the two had been able to contain – not 100 per cent perhaps, but still to a large degree – global or regional conflicts, by acting separately or together, within their respective spheres of influence.

Two alternatives were open to the international community after 1991. The first was competition, and the second cooperation. The US and NATO chose the first one, no matter how often they proclaimed the end of the Cold War and their friendship with Russia. They were not confronted by any competitors and failed to foresee that sooner or later those would inevitably surface. Washington and Brussels have made a claim to global leadership and to actual control over the international community. The new NATO strategic concept is an instrument to achieve this goal.

However, after September 11 the US and the West began to realize that no country, no matter how powerful, not even a regional military-political bloc could alone guarantee its own security in this world of interrelationship and interdependence. Terrible as the New York tragedy was, it offered the United States, the West and Russia a second chance to stop and review their approaches to international security, and to embark on the path of global cooperation.

Russia did stop and reflect, and President V. Putin told the world on 24 September 2001 that Russia was ready to enter into far-reaching cooperation with the West in the field of international security. Foreign Minister I. Ivanov in his UN statement on 26 September strongly urged against a unilateralist approach to international security, and called for the continued key role of the UN Security Council.

There are signs that the West is starting to understand that a unilateralist approach in world affairs offers no solutions. Thus, the US has started a wide-ranging process of consultations before taking action, has cooperated in the adoption of the important UN Security Council resolution on terrorism, and paid half of its debt to the UN. The recent extraordinary EU Summit supported the establishment of a global anti-terrorist coalition that will act under the aegis of the UN. A realistic approach, and this was confirmed the next day by B. Rabbani, President of the Northern Alliance in Afghanistan, who said that his Government would agree to foreign operations on land, but only under the UN aegis.

Yet, those are only initial signs, and it is too early to say that the proponents of global cooperation have prevailed in Washington over numerous and influential supporters of unilateralism, messianic messages and Russo-phobia à la Brzezinski, and of the "Rumsfeld Doctrine". Or over those who would gladly take this opportunity to bomb Washington's list of pariah-states out of existence. For the proponents of global

cooperation, it will not be an easy task, because this time double standards would be out of the question. A terrorist is a terrorist is a terrorist, no matter whether he comes from Afghanistan, Chechnya or Albania, all the more so that they have funds, arms, mercenaries and instructors from Ben Laden, among other sources. If the emerging anti-terrorist coalition wishes to bring pressure to bear upon Algeria, Libya, North Korea, Syria, Iran or Iraq so as to rupture their ties with extremist religious sects and terrorists, then similar pressure should be brought against Turkey, Georgia, Poland, Latvia, Estonia, Saudi Arabia and some Gulf States that support Chechen terrorists in one way or another. It might be worthwhile for the West to listen to the statement of a foreign policy aide to President Putin, who noted that at least four of the terrorists who participated in the September 11 attacks had practiced their "skills" in Chechnya. Again, one discerns signs of a more differentiated approach in the West to the developments in Chechnya, though it is too early to say whether the West has really appreciated that the terrorist destruction of apartment buildings in Moscow is a crime as heinous as the obliteration of the World Trade Center in New York.

The West would also do well to review its support for Albanian separatists who, incidentally, were quite correctly termed "terrorists" in the Western mass-media as early as six months before the NATO invasion in Yugoslavia, but then suddenly became "militants". Suffice to mention that since 1993 Ben Laden, with the help of the Albanian Diaspora in the US, was financing the UCK through US-based charity funds, and then using this money-in-place to finance terrorist acts in New York, as CNN informed the world on 26 September.

This time the West should keep its promises, if it wishes Russia to trust it. Twice in the past decade it did not, the first time when the Berlin Wall came down and the US and Germany promised no NATO enlargement, and the second time in 1999 when Russia, at the West's request, helped with a political solution of the military conflict in Yugoslavia, and the West promised to contain Albanian separatists.

There should be no illusions that the establishment of an anti-terrorist coalition will be an easy task. It is a possibility, however, given political will. After all, we did join together against a common enemy in the Second World War.

2.2 Operation 'Allied Force' and NATO's New Strategic Concept: An Expected Evolution towards NATO Autonomy

Dr. Thierry Tardy, Faculty Member, GCSP

2.2.1 The US, NATO and the UN

It is not possible to talk about NATO's strategic concept without addressing American policy towards both NATO and the United Nations. The important issue here is US policy towards peace operations, or what the US calls "Military Operations other than War" (MOOTH).

In the second half of the 90s, American policy towards peace operations was considerably influenced by the operation in Somalia, its failure on the American side, and the American perception of institutions that may implement peace operations, in the first instance the UN and NATO.

The operation in Somalia led the US to question its policy of "Assertive Multilateralism" as developed when Bill Clinton assumed office in early 1993. This led to the adoption of Presidential Decision Directive 25 in May 1994, which defined stringent criteria for American participation in a UN operation, without questioning, at that point, the very utility of the UN.

The UN, however, is regarded by the US as a legal constraint that does not fit its security needs – it is obviously not a key tool for crisis management. As to the necessity of a UN mandate for a collective security operation, the US makes it very clear that if a UN Security Council resolution has to be sought, it cannot be imperative. When American national interests are at stake the US is ready to act on its own, if necessary,

and is very clear about this eventuality. Even during the Gulf War, the US Administration was prepared to act without UN approval.[5]

As far as NATO is concerned, the Americans have always wanted to maintain its autonomy *vis-à-vis* the UN. NATO is *not* a regional arrangement in the sense of Chapter VIII of the UN Charter, and all NATO documents of the 90s insist on NATO intervening under the authority of the UN on a case-by-case basis, and in accordance with its own procedures. NATO and the US exclude any kind of subordination to the UN. While NATO is involved in the Balkans in the implementation of Security Council resolutions, it shall not become the armed fist of the United Nations.

In this context, a debate was going on in the US on a possible NATO action without Security Council approval. In 1993, an internal NATO document was circulated by the US, "With the UN whenever possible, without when necessary".[6] The title lucidly summarizes the American approach to the United Nations. The US was clear that it was ready to bypass the UN if circumstances demanded, although it accepted that a UN mandate was always better and increased the chances of success. The US has always tried to demistify the UN mandate,[7] arguing that it could not be tied up by a Chinese or Russian veto; there could not be a *Froit de regard* by any non-NATO state concerning NATO's policy in the field of crisis management.

2.2.2 Operation "Allied Force" and the New Strategic Concept

It is against this political context that we should consider the operation "Allied Force" and the adoption of the new strategic concept in April 1999.

In October 1998, the North Atlantic Council issued an ultimatum to the Federal Republic of Yugoslavia (FRY) to comply with the UN Security Council resolution 1199. Non-compliance with the ultimatum would entail military action. For the first time in its history, NATO issued a threat to resort to force without UN approval. However, neither resolution 1199 (of 23 September 1998) nor resolution 1203 (of 24 October 1998) could be considered as a legal basis for NATO's coercive action. The threat was reiterated in March 1999, after the failure of the Rambouillet negotiations, but this time it led to operation "Allied Force", launched by NATO members without UN authorization, i.e., with no clear and accepted legal basis.

5 In his introduction to "A National Security Strategy of Engagement and Enlargement", The White House, February 1996, President Clinton stated: "When Iraq moved forces towards Kuwait, we reacted swiftly and dispatched additional, large-scale forces to the region under the authority of the UN – but were prepared to act alone, if necessary". He added: "When our national security interests are threatened, we will, as America always has, use diplomacy when we can, but force if we must. We will act with others when we can, but alone when we must".

6 See Patricia Chilton, Otfried Nassauer, Dan Plesch and Jamie Patten, "NATO, Peacekeeping, and the United Nations", BASIC and Berlin Information Centre for Transatlantic Security, September 1994, chapter 7.

7 Ibid., p. 57.

These episodes have provoked an extensive legal debate on NATO's military action. The NATO operation was arguably not based in law, and the violation by the FRY of resolution 1199, adopted under Chapter VII of the UN Charter, cannot be considered as legal ground for coercive action. The question of legitimacy is another issue, and the link between legitimacy and legality is to be further explored.

Having made these considerations, and having in mind the American approach to the UN and NATO throughout the 90s, whatever analysis we make about NATO's action against the FRY, we cannot deny some coherence in US policy. The US and its allies were confronted with a situation that was seen as a threat to their national interests, and legal constraints could not have presented any obstacle to action.

2.2.3 New Strategic Concept

The new strategic concept is not very clear on relations between NATO and the UN. First, it clearly states that, "The United Nations Security Council has the primary responsibility for the maintenance of international peace and security and, as such, plays a crucial role in contributing to security and stability in the Euro-Atlantic area." But it stipulates further that "NATO will seek, in cooperation with other organizations, to prevent conflict, or, should a crisis arise, to contribute to its effective management, consistent with international law, including through the possibility of conducting non-Article 5 crisis response operations." Here, the expression "consistent with international law" has been preferred to any reference to the UN Charter. The document further states that "NATO recalls its offer, made in Brussels in 1994, to support on a case-by-case basis in accordance with its own procedures, peacekeeping and other operations under the authority of the UN Security Council or the responsibility of the OSCE".

One may conclude from these three sentences that although: 1) NATO recognizes the primary responsibility of the Security Council in the maintenance of peace and security, and 2) NATO is ready to support some UN operations; 3) the new strategic concept does not exclude a NATO-led operation outside of the UN political and legal framework.

As a matter of fact, it appears that the first sentence on the primacy of the UN was added at the request of European NATO members, whereas the US was advocating a more ambiguous expression.

2.2.4 Have we learnt any lesson from Kosovo?

I would like to address several points related to the developments since the Kosovo operation and the adoption of the new strategic concept. The first point is the following: "was it a precedent?" (i.e., NATO issuing its own mandate). Two aspects are important here: was it a precedent for NATO and was it a precedent for other countries?

As far as NATO is concerned, the Kosovo episode can be considered as *not being* a precedent in the sense that NATO members will never acknowledge that a NATO action could set a precedent, and many are still very much aware of the need for a UN mandate for any operation. Furthermore, "Allied Force" has not led to the emergence of a doctrine based on the operation. But at the same time, "Allied Force" is not a precedent until… it happens again. The debate that occurred in NATO countries, and the spirit of the new strategic concept clearly demonstrate that NATO will do it again, if circumstances demand it. This raises the issue of the conflict between legal constraints and the strategic necessity to act.

If we set aside the United States, the European NATO members are genuinely committed to a solid legal basis for any collective security operation, especially a coercive one. At the same time, states are well aware of the limits of this commitment, that it cannot prevent an operation if it is considered as strategically necessary. It is interesting to note that countries such as France and Germany,[8] which strongly insisted on acting under a Security Council mandate, eventually easily bypassed the UN when they realized that refusing to do so would have been too costly.

As far as other states are concerned, one cannot exclude that "Allied Force" could constitute a precedent for some non-NATO members, such as China or Russia, which could invoke the "Kosovo case" to take coercive action without UN approval. This is the "bad example" argument, as David Yost puts it in his latest book on NATO.[9]

The second issue is the weakening of the UN. With the operation "Allied Force" and the adoption of the new strategic concept, the UN is once again circumvented. In this case, however, it was the legal role of the UN that was questioned. In the second half of the 90s, in the wake of operations in Somalia and Bosnia and Herzegovina, the operational and political roles of the UN were challenged, but the legal role was still crucial, especially for the European states. In spite of the role given to the UN in peacebuilding activities after "Allied Force", the Kosovo episode was a major blow to the UN as a central actor in the field of international security.

This raises the issue of UN reform, and of the Security Council in particular, although this process is highly unlikely to succeed in the coming years.

Thirdly, the question of the legal need for a UN mandate has still to be addressed. It is broadly accepted that any collective security operation should be authorized by a UN Security Council resolution, and every peacekeeping operation in the 90s was legally created by the Council. Ever since Kosovo this need is debated, irrespective of the operation. Of course, a Security Council resolution is more than just a legal basis; it bestows legitimacy; it allows the intervening states to act on behalf of the "international community". But legally speaking, is a UN resolution always imperative?

8 See David Yost, *NATO Transformed. The Alliance's New Roles in International Security,* Washington D.C., USIP, 1998, pp. 253–254.

9 Ibid., p. 253.

It is now often argued that there are two possibilities for an operation to be launched without a UN Resolution.

The first case is an operation led with the agreement of all states concerned, all parties that were previously involved in a conflict. The legal basis here is the sovereign right of the host state to ask for external intervention. For this eventuality, there needs to be a state, which is not always the case. Two recent examples illustrate this: the British intervention in Sierra Leone, and the NATO "Essential Harvest" operation in Macedonia.

The second case is a military intervention on the basis of article 51 of the UN Charter (right for individual or collective self-defence). States may, individually or collectively, provide military assistance to a country that invokes this right. This could have been the case for Kosovo, but NATO members would have had to recognize Kosovo as a sovereign state before invoking the UN Charter. This might be the case in Macedonia in the coming years.

The two alternatives are not perfect, and they should be considered as the last resort. When the contemplated operation is coercive, many European states will favour a UN-mandated operation, and will not easily resort to other options. But the possibilities should not be excluded.

Within the UN itself, one concern related to the ESDP is the way EU-led operations are going to be launched, with or without a UN mandate. The UN has been asking EU members to clarify their position. EU official statements refer to the necessity for any action to have a UN mandate (or an OSCE one), but EU members are not entirely clear on this, partly because they realize that this mandate could be circumvented, if circumstances demand it.

Fourthly, it has to be kept in mind that relations among international institutions are influenced by cooperation as much as by competition. The Kosovo episode ("Allied Force") is an illustration of this competition. The NATO action in Kosovo and the formulation of the strategic concept are moves made at the expense of the UN posture. Here we are very much in a situation of "power politics", where the stance of different actors (international organizations in this case) depend on their strengths and comparative advantages. In the second half of the 90s, the UN is not considered by states as a central player in the field of international security; it is rather a subsidiary actor.

NATO, on the other hand, has proven to be a major political and military actor, strong enough to lead a military operation without the UN's blessing. This problem will be addressed by the EU itself, when it achieves full autonomy in the field of crisis management.

There is a divide between the logic of cooperation among state-actors, the promotion of international law and the UN Charter on one side, and the "natural ability" to sidestep international legal instruments, when states deem it necessary. This is related to what the Russians call "the non-demilitarization" of international relations.

As a matter of fact, the Kosovo operation was to a certain extent an illustration of power politics between the US and Russia. The US clearly thought that Russia had not enough cards in her game to oppose the American will to bypass the UN.

Finally, the Kosovo episode has had major repercussions for relations between Russia and the Alliance. For Russia, what happened there was a) a violation of the provisions of the UN Charter by a military alliance, and b) the integration of this violation into the newly adopted strategic doctrine of NATO. The Kosovo operation and the new strategic concept are addressed in Russia's National Security Concept of January 2000, its Military Doctrine of April 2000, and Concept of Foreign Policy of June 2000. For Russia, the Kosovo operation is a symbol of the failure of cooperation with NATO, and it gave rise to concerns that NATO might act similarly in the area of the former USSR.

However, these concerns and Russia's hostility towards the Alliance in the wake of the Kosovo episode have not fundamentally altered the way the US and its allies conceive security issues in Europe. This could be regarded as another lesson of Kosovo.

2.3 Discussion

Dr. Michael P. Shelepin, Director, Security and Disarmament Centre, Diplomatic Academy, said he wanted a straight answer from Dr. Tardy, if he thought it possible that the Yugoslav experience would be repeated in Europe, in the sense that NATO would attack a European country.

Dr. Tardy confirmed that as an outside observer he could not exclude such a possibility, if circumstances demanded, and this has been corroborated by NATO and EU officials. If a powerful state or a coalition like NATO consider that a certain situation threatens their security, they might resort to means that are not in accordance with international law. While a believer in the UN Charter, he was not sure that such situations may be prevented with legal instruments alone. Some countries are more powerful than others, and may do what others cannot. He conceded that though cynical, this appraisal is a more realistic one than the humanitarian argument in Kosovo, where the NATO operation was carried out for reasons other than responding to a humanitarian threat.

Timerbaev asked the speakers for insight on why the 1999 review of the role of nuclear deterrence, led by Canada and joined by Germany and several other European NATO members, ended in a routine formula on nuclear weapons use?

Richard Davison, Faculty Member, GCSP, volunteered a response by saying that the review resulted in a reaffirmation of the existing approach to nuclear deterrence. The feeling was that if the question of the utility of nuclear weapons was reopened, it was not clear how one would ensure the same stability that existed in the preceding decades.

Prof. Yuri A. Matveyevski, Moscow State Institute of International Relations, drew the attention of the participants to global challenges beyond the military field. A mechanism is needed to deal with the economic, financial, trade and environmental aspects of globalization. He asked Dr. Tardy for his view of the role of the UN in addressing challenges that cannot be resolved by regional organizations, even strong ones like NATO.

Dr. Tardy replied that the UN underwent a period of discreditation, after UNPROFOR and Somalia. Between 1994 and 1998 not a single UN peacekeeping operation was launched, except for some observer and civilian missions. Several were launched in Africa after 1998. The UN is not considered by Western countries as an appropriate tool to deal with crises management and conflicts in the world. The Brahimi Report, released in August 2000, suggested major reform of peacekeeping, which envisaged a political, diplomatic and military operational role for the UN. All countries welcomed the Report. The problem was the lack of political will in the West to implement it, i.e., to use the UN, whether reformed or not. No Western state wishes to be dragged into a mission in Africa, for example. It is unlikely that even if most recommendations are implemented, the US and the EU would be ready to use the United Nations in a crisis. Dr. Tardy went on to suggest that a negative reply should be given to the question, whether the UN is operationally able to lead a complex Chapter VII peacekeeping operation, and the Brahimi Report recognized this. On a political plane, states that usually play important roles in crisis management (France, for instance) would be unwilling to go through the UN in a crisis situation, preferring the most appropriate tools at their disposal. European countries are clearly in favour of employing regional bodies, like NATO. Another tool to be used are "coalitions of the willing". Referring to the OSCE, the speaker expressed his view that it has a role to play in Eastern Europe and Central Asia, though not in complex crisis management.

Shustov took up the point regarding the role of the UN Security Council. It is indicative, he said, that the permanent members considered the veto as an important right, with the United States using it more frequently than the others did. After the recent terrorist attack the US itself asked for a Security Council resolution. Turning to peacekeeping operations, Shustov recalled that the Brahimi Report focused on strengthening the peacekeeping potential of the UN. He disagreed with Tardy's view that countries would not want to make use of its recommendations, because one cannot predict what happens tomorrow. Taking Africa as an example, an operation there may be supported materially and financially by those countries that are not prepared to send troops. As to the operations in Yugoslavia, they were unsuccessful and, in fact, led to the emergence in Kosovo of a criminal entity peddling drugs and arms. A peace operation should never be associated with just one state, but be a collective action, he concluded.

Jan Hyllander, Faculty Member, GCSP, offered the view that the Brahimi Report was not a revolutionary document, it rather confirmed the hard lessons learnt during the 90s. It failed to address the implications of its own findings that have to do with

actual capabilities and political will. There are dilemmas within the UN system: while it is easy to talk about supporting the UN, very often some members ask for support specifically from Western countries, and on other occasions they criticize them, for fear of Western dominance of the UN. We have seen this over the years in attempts to strengthen the Department of Peacekeeping Operations (PKOs) in the UN Secretariat, to develop standby resources, or standby headquarters elements. This all is part of the reason for Western countries' hesitation.

Co-Chair Lehner invited Shustov, as a member of the Brahimi group, to comment on this.

Shustov recalled that the report of the group took into account both positive and negative lessons learnt. It introduced a broader definition – "peace operations", rather than "peacekeeping operations". This was seen as a more appropriate reflection of UN operations, since they have become more complex, embracing a wide range of actions, such as building democratic institutions, legal issues, police activities, post-conflict reconstruction, etc. Turning to the problem of combating terrorism, Shustov insisted that when a new convention against terrorism is elaborated, the experience of all countries must be taken into account, not only September 11. He called for promoting a culture of respect for the UN.

Co-Chair Lehner agreed, and said that from Switzerland's domestic perspective it was important to project a positive image of the UN, since the population will take a vote next year on joining the Organization.

Ambassador Alexei L. Nikiforov, former Russian Representative in the Contact Group on FRY, turned to the lessons of Kosovo, which in his view, were not exclusively linked to the new strategic concept of NATO. Kosovo was a failure of diplomacy. The EU failed to pursue the line it took from the beginning, and caved in under US pressure, with the United States obtaining a joint NATO decision. The stubbornness of M. Milosevic was also a factor. As for Russia, it was not properly prepared for the developments, and the Russian military acted rashly in making an adventurous dash to Pristina. Finally, said Nikiforov, Kosovo has demonstrated that surreptitious support to separatists who use terrorist methods is fraught with dangerous consequences.

Chapter 3

Crisis Management and Peacebuilding in and around Europe

3.1 Preventing Armed Conflict and Peacekeeping in Europe, against a General UN Backdrop

Ivan G. Zolotov, Acting Head of Section, Department of International Organizations, Russian Ministry of Foreign Affairs

Conflict prevention is one of the main tasks of the United Nations, and yet far too often we find ourselves dealing with effects of conflict, rather than its roots. I am satisfied that work is being done currently to deal with the latter, in the G-8 format as well. The case for prevention hardly needs restating, it is cost effective in human and financial terms. However, arguments can always be found for refusing or delaying prevention in a particular case, if the crucial element of political will is lacking. Those involved may be unwilling to see the danger, or resent outside interference. This is especially true of states threatened with internal conflict. Some parties may believe that the conflict serves their interests. Outsiders, for their part, may well believe that the proposed action is unnecessary or will make matters worse.

The agenda of this meeting covers a pertinent range of issues. I shall share my thoughts on the Russian position on preventing armed conflict and on peacekeeping in Europe, against a general UN backdrop.

A key role in preventive diplomacy rightly belongs to the United Nations, which possesses substantial capabilities in this sphere. The main facets of preventive strategy, as well as the political monitoring of its implementation must remain exclusively within the purview of the UN Security Council. This approach coincides with the conclusions drawn by the UN Secretary-General in his recent annual Report on the Work of the Organization, to the effect that undermining the primary role of the Security Council in maintaining international peace and security casts doubt on the very foundations of international law, such as the United Nations Charter.

In fulfilling its Charter role as the body that bears this responsibility, the Council has the right – either at the request of states or on its own initiative – to employ a broad set of instruments established within the framework of the UN to prevent disputes from erupting into armed conflict.

However, Russia is convinced that preventive services to member-states must be provided exclusively with their consent and with due account for the principle of non-interference in internal affairs. Only the unequivocally expressed agreement of the host country to preventive action can serve as a legal and political basis for relevant measures, and as a guarantee of their effectiveness.

Of special significance is the observance by states involved in a dispute of their obligations under Chapter VI of the Charter, which provides for the means of settling disputes peacefully.

In the last two or three years the international community has been paying excessive attention to the use of force and conditions for its use. In my opinion, we need to look at the available instruments. They may be inadequate ones, and I agree with criticism of the UN, but it is the only universal body we have. We need to provide collective answers to the following questions: what is to be done when the Security Council is blocked, and who authorizes the use force. For Russia the answers lie in the Charter, but for those who are in doubt, I suggest that we get together and discuss what is missing.

The Security Council can play an important role in preventing armed conflict by enhancing the effectiveness of arms embargoes. As Russia has repeatedly emphasized, an arms embargo full of holes can only aggravate military confrontation between conflicting parties.

Preventive measures should also include steps to demobilize and disarm former combatants and reintegrate them into peaceful life, which might be an effective means for ensuring the irreversibility of peace processes in former hot spots.

The topic of preventive action is inextricably linked to the problem of uncontrolled proliferation of small arms and light weapons in regions of crisis. Russia is interested in stepping up the campaign against the illegal spread of such weapons. We support the involvement of the United Nations in these efforts, if relevant states agree and an appeal for assistance is made to the Organization.

Russia also favours a more effective involvement of a civilian component of multifunctional peacekeeping operations on behalf of the United Nations, in particular of civilian police (CIVPOL), with a view to monitoring observance of human rights, the maintenance of order and rule of law. At the same time, we disagree in principle with the notion of endowing such a component with enforcement powers. The condition for guaranteeing the efficiency of UN CIVPOL is the maximum possible decoupling of its functions from those of the military peacekeeping contingents.

An essential element of early warning are the efforts undertaken by the Secretary-General to enhance the preventive capabilities of the United Nations. Regional organizations and subregional structures are playing an important role in early warning and in preventing conflicts. However, their activities must strictly comply with the provisions of Chapter VIII of the Charter. The recommendations of the Secretary-General on a more rational division of labour between the United Nations and regional organizations should be studied on the basis of that particular Chapter. Emphasis should be placed on the advantages of using political, diplomatic and legal means.

A few words about peacekeeping, in particular, UN peacekeeping operations. Obviously, compared with the capabilities of NATO, UN peacekeeping lacks "panache". It is also clear that serious work has been done on improving the UN capabilities, with the resolution of the Security Council on the Brahimi Report.

An unprecedented demand for UN PKOs in various parts of the world proves that UN-led operations remain an effective tool for crisis resolution and promotion of global and regional stability. Russia's position regarding PKOs is to encourage UN peacekeeping and enhance its legal basis in strict conformity with the provisions of the UN Charter, the resolutions of the Security Council and norms of international law. We are suggesting clearly formulated mandates of PKOs, and regard neutrality, impartiality and non-intervention in the internal affairs of parties to the conflict as basic PKO principles.

Experience drawn from the PKOs in Kosovo, East Timor and other hot spots clearly demonstrates the growing importance of these principles, irrespective of variable environments or specifics of a given operation. The operation in East Timor is a positive example of UN peacekeeping in recent years. The timely reaction to the crisis in East Timor made it possible to launch a multifunctional operation.

Experience has shown that the issue of "coalition operations" is particularly topical to contemporary peacekeeping. We are convinced that in most cases the advantages of UN-led PKOs versus "coalition operations", or operations launched by multinational forces, are compelling. Naturally, against the backdrop of limited UN resources, interested states are justified, in specific circumstances, in carrying out such operations by "ad-hoc coalitions" or multinational forces. "Coalition actions", however, should be conducted in full conformity with the purposes and principles of the UN Charter and be strictly accountable to the Security Council.

Last year's developments have highlighted peacekeeping operations with a humanitarian profile. In the course of our meeting we touched upon "humanitarian intervention", i.e., unilateral use of force in circumvention of the Security Council.

Russia cannot agree to attempts to introduce the concept of "humanitarian intervention" into international practice, as it allows the use of unilateral enforcement by a state or group of states without the approval of the Security Council and in violation of the UN Charter. Such a policy contradicts the fundamental principle of the Charter that the Security Council bears the main responsibility for maintaining international

peace and security. A policy of unilateral use of force is fraught with undermining the whole system of world security and can lead to chaos and anarchy in international relations. Russia and the majority of UN members do not support this alternative, even in extraordinary circumstances, as it undermines the very nature of the rule of law.

Russia proceeds from the premise that any UN response, including in humanitarian situations, must be undertaken pursuant to the Charter and through a decision of the Security Council. On the other hand, we do recognize that the world is changing, that certain humanitarian threats exist, and the UN needs to address such emergencies. World trends point in the direction of developing norms of international law and adapting them to new realities. However, we stress that such work must be carried out collectively on the sound basis of the Charter, which would enable us to elaborate agreed decisions whose legitimacy would not be subject to doubt.

The world community cannot, of course, ignore flagrant violations of human rights and of international law. However, recourse to force as a response to humanitarian crises must be employed only following a Security Council decision, with due respect for the principles of sovereignty and territorial integrity of states.

The existing international legal mechanisms provide for a response to humanitarian catastrophes, including the use of force, but only in cases when force is really necessary, which means exceptional circumstances, when all other non-coercive means have been exhausted. We concede that these means require strengthening and improvement. But this should be explored through broad debate, primarily in the framework of the United Nations, leading to collective decisions. We wish to be actively engaged in this process.

The peacekeeping experience of the last few years has proven the importance of developing cooperation between the United Nations and regional security arrangements. With political and financial considerations in mind, regional organizations should make more use of their capacities in preventive diplomacy, post-conflict peacebuilding and, where appropriate, peacekeeping for the sake of decentralizing efforts.

A major condition for conducting peacekeeping operations by regional organizations or arrangements is the rational distribution of responsibility, functions and tasks between them and the United Nations, as well as strict compliance with universally recognized principles of international peacekeeping.

Given that most current peacekeeping operations are multifunctional, the tasks of improving the performance of different components of PKOs, of coordination of planning and implementation, the establishment of close cooperation between different peacekeeping components become ever more pressing. While addressing the important problem of coordinating PKOs with the activities of humanitarian institutions, one should take into account that some of them (UNHCR, ICRC, UNICEF, WFP etc.) have their own mandates, which often are not directly linked to the purposes and objectives of UN peacekeeping.

The UN reaction to crises is a major issue. In this connection Russia has repeatedly spoken out in favour of developing a UN stand-by arrangements system, and is prepared to provide various specialized units (medical, engineering, transport and other).

Despite certain failures the overall balance in UN peacekeeping is certainly a positive one. The UN has accumulated such experience that no other organizations possess. I am happy to note the improvement of NATO – Russia PKO cooperation, most recently in Brussels, on the safe return of refugees.

Russia is playing an active role in building up the UN anti-crisis potential. We believe that in order to reform peacekeeping, one must focus on increasing its field capacity, rather than swelling the ranks of bureaucracy.

Russia has put forth an initiative to revitalize the Military Staff Committee of the UN Security Council. It is an instrument already in place, though dormant since its inception. It could be used to improve the planning of UN peacekeeping operations and to streamline the mechanism of consultations with troop-contributing countries. We believe that our proposals heed contemporary realities, and we will contribute to enhancing the UN field capacity and the efficiency of the Security Council. The proposals are also aimed at raising the level of military expert support to UN decisions on conflict prevention and resolution, as well as at providing for increased involvement of troop-contributing member-states in peacekeeping. The growing UN interest in the Russian initiative confirms our premise that the revitalization of the Military Staff Committee may turn out to be an adequate response to the growing demand for UN peacekeeping.

Russia has also suggested a few other ideas, like the participation of the five permanent members of the Security Council in all peacekeeping operations, as this will add credibility to the operation, rather than associating it with one country or a group of countries. Peacekeeping does not involve simply sending troops, but may include other contributions, like transport or intelligence, or liaison. Incidentally, Russia is participating in 11 of the 15 current UN PKOs.

A significant increase in the number of peacekeeping operations and their personnel has dramatized the problem of peacekeepers' safety. The tragic figures – 1614 peacekeepers killed since 1948 – speak for themselves. It is difficult to overstate the importance of the 1994 Convention on the Safety of the UN and Associated Personnel, which Russia has ratified. Finally, a few words on financing peacekeeping. Russia supports increasing the efficiency of controls over the rational use of material and technical means in the conduct of peacekeeping operations, the strengthening of the role of the UN Advisory Committee on Administrative and Budgetary Questions at all stages of compiling and implementing the budgets of the UN armed forces.

3.2 Crisis Management and Peacebuilding: Activities, Actors and Trends

Dr. Thierry Tardy, Faculty Member, GCSP

Before delivering his presentation, Thierry Tardy made three remarks related to the debate.

He first explained the difference between the terms "peacekeeping" and "peacekeeping operations". The first one is traditional, as employed during the Cold War, and it embraced Chapter VI non-coercive settlement of disputes with the consent of the parties, creation of buffer zones, neutrality of the operation, etc. The second term is employed in the broad sense of the word, as "peace operations" (actually a better term) suggested in the Brahimi Report.

Secondly, on revitalizing the Military Staff Committee, Tardy recalled that the UN Security Council Resolution[10] on the Brahimi Report said that the idea would be considered in the future, though some Western countries were not happy with it.

Thirdly, Tardy said that during the Cold War the PKOs, to be credible, did not include the permanent members of the Security Council. It is interesting that now, to be credible, their involvement is needed, although France and the UK, for example, would prefer not to increase their participation.

10 UNSC Resolution 1327, 13 November 2000.

3.2.1 The Evolution of Crisis Management and Peacebuilding since the end of the Cold War

Crisis management and peacebuilding activities have undergone major changes in the 90s. All have been well researched. Their evolution is particularly important in Europe, where a considerable number of crisis management operations were launched, with many participating actors.

Crisis management covers activities led by state or non-state actors (NGOs) aimed at bringing military and non-military responses to a crisis, or at dealing with the consequences of a crisis. Crisis management has to be distinguished from war, which implies fundamentally different patterns. I therefore exclude the operation "Allied Force" against the Federal Republic of Yugoslavia from this presentation. The operation was a war, even if it was not considered as such by the countries involved. The multifunctional operations deployed in Kosovo from June 10, 1999 onwards belong, of course, to the category of crisis management.

Crisis management has several distinctions.

1) It is multifunctional.

   It combines military and civilian activities, which range from preventive action to peacebuilding, including traditional peacekeeping, peacemaking, humanitarian activities, institution-building, police reform, electoral supervision, etc. Crisis management is becoming ever more complex, because the nature of conflicts (the roots) and of the activities (the response) are complex, and because of the growing number of intervening actors, with mixed motives.

2) It is multinational ("multiorganizational").

   Most of crisis management operations, if not all, involve more than one state. This multinational dimension is important because it explains some of the difficulties encountered. The operations involve many organizations, state-actors (international organizations) or non state-actors (NGOs, Churches, private diplomacy, etc.).

3) Crisis management operations are responses to situations that are not seen as direct threats to the national interests of the intervening states. The situations at hand have to be dealt with, but the responses rarely match the requirements of the conflict. The responses are often half-measures: they show what the intervening states are ready to do, but also what they are not ready to do.

4) Post-conflict operations.

   Contrary to the operations of the early 90s (Bosnia and Herzegovina), crisis management operations today are more frequently deployed in post-conflict environments. Hence the importance of peacebuilding activities.

This evolution is directly linked to the policies of states regarding crisis management, especially policies of Western countries that view operations in an on-going conflict with increasing reluctance. In this respect, UNPROFOR is an example of what should *not* be done, whereas the post-Dayton operations in Bosnia and Herzegovina are an example of the way operations should be conducted (which does not mean they are crowned with success). For the Western states, to be involved in a crisis management operation, a peace agreement or at least a cease-fire is required.

Peacebuilding is part of crisis management, and means activities conducted after peace has been achieved, at least "negative" peace (as opposed to "positive" peace, which requires much more than a mere end to fighting).

According to the Brahimi Report, UN peace operations entail three activities: conflict prevention and peacemaking; peacekeeping; and peacebuilding.

In most cases, peacebuilding activities fit into three categories: security aspects (disarmament, demobilization of forces, police reform, etc.); political aspects (electoral processes, promotion of a democratic system, etc.); economic aspects (rebuilding of infrastructures, economic reform, transition to a liberal system).

At all levels, peacebuilding policies are very much inspired by what some scholars call 'International Liberalism'[11]. At the political and economic levels, the idea is to build a Western-type democracy and a market economy, irrespective of the political and economic situation of a state. This is why some observers regard peacebuilding as neo-colonialism.

3.2.2 Actors of Crisis Management and Peacebuilding in and around Europe

Crisis management activities have changed in the last decade. Government views have changed as well, especially in the West. After the operations in former Yugoslavia, states became reluctant to be involved in military operations, where their strategic interests were not at stake. In the field of crisis management, therefore, they have favoured engagement in the post-conflict phase, rather than in the on-going conflict; peacebuilding activities have been preferred for operations deployed in a war environment.

On a broader plane, defence and/or security organizations that have played a role in Europe in the field of crisis management – the UN, NATO, the European Union, the WEU, or the OSCE – have all went through a period of deep transformation in the past decade. The changes have affected the role of each organization, their relationships, and policies conducted by states within the organizations. As a matter of fact, the general failure of the UN in implementing its overall mandate, as well as the experience gained by regional organizations and by states, have all led to major changes in the prerogatives of each organization in the field of crisis management in Europe, as described below.

11 See Roland Paris, "Peacebuilding and the Limits of International Liberalism", *International Security*, vol. 22, no. 2, fall 1997.

1) The failure and setting aside of the UN. When the Dayton Peace Agreement was signed in November 1995, the players had already changed. The UN was discredited, and was no longer considered as the most appropriate instrument/tool for crisis management, especially when it came to multifunctional and coercive operations, as was the case in Bosnia and Herzegovina. We therefore face, to a certain extent, the setting aside of the UN in its operational role in Europe. States initiate the business of policy development and demonstrate a strong willingness to favour mechanisms other than the UN in the field of crisis management. I, of course, refer here to Presidential Decision Directive 25 in the US and to some theoretical documents in France and the UK. When it gets to multifunctional crisis management, and when the particular operation involves a high degree of risk and/or is established under Chapter VII of the UN Charter, Western states prefer to set the UN aside and resort to either a regional organization, or a "coalition of the willing". The idea is for states to regain their political authority and to re-nationalize their policies, to the detriment of the UN logic. At the same time, UN legitimacy is still in demand, through a Security Council resolution.

2) Increased role for regional organizations. The second trend is the will expressed by European regional organizations to play a more important role in the field of crisis management. This is true for NATO, for the OSCE, and more recently, of course, for the European Union. As a consequence, since 1995 onwards, the UN played in Europe what I call a subsidiary role in the field of crisis management. In principle, the UN still intervenes at the legal level, through Security Council resolutions, and can play an important role in the coordination of peacebuilding activities (UNMIK is one example). However, it delegates the implementation of most operations (with the exception of UNTAES in Eastern Slavonia) to regional organizations or coalitions of the willing. In any case, the military role of the UN is no longer seriously contemplated in Europe. We saw in the spring of 1999 in Kosovo that even the legal role was not always imperative, and this was an episode that led to an intricate but necessary debate on the role the UN should be accorded. If the whole spectrum of crisis management activities is considered, one can observe that with the exception of the legal role, the overall coordination of peacebuilding activities (UNMIK) and intervention as regards to refugees (through the UNHCR), it is the European regional organizations that have now taken the lead in crisis management activities. If we take as an example the role of the UN regarding police activities in Kosovo, it is likely that in the future these functions will be assumed by other organizations (the EU or OSCE).

NATO is undoubtedly the organization that has displayed the greatest capacity in crisis management. In Bosnia and Herzegovina and in Kosovo, largely thanks to American political and military support, NATO has been able to implement the military side of the peace agreements in hostile environments, so far quite successfully. NATO has also proven to be a central player at the political level. But one can also argue that as far as

the peacekeeping/peace enforcement aspect is concerned, NATO has never been seriously tested. It is also broadly accepted that the military aspects of the peace processes in Bosnia and Herzegovina and in Kosovo are not the most difficult to deal with. Anyway, NATO has played a leading role in the two most important peace operations in the Balkans and in "Essential Harvest" in Macedonia.

The role of the OSCE is, of course, important since it is the only European regional arrangement in the sense of Chapter VIII of the UN Charter. The OSCE has established itself as the organization specializing in matters relating to institution and democracy building and human rights, and also in conflict prevention. Since the Istanbul Summit of 1999, the OSCE wished to be the flexible framework for subregional cooperation ("Platform for Cooperative Security", part of the "Charter for European Security"), and has taken a number of initiatives in this field. One of the problems with the OSCE is that it deals essentially with civilian aspects of crisis management and lacks political support of the Western states.

As far as the European Union is concerned, we know that much has been done since the 1998 Saint-Malo Declaration, but a lot remains to be accomplished before the EU is able to play a major role in peace operations in Europe. If one looks at comparative advantages of organizations, the EU advantage is to encompass, theoretically, all activities in the field of crisis management, especially military and civilian, which is not the case for NATO. Crisis management is even more multifunctional today than it was 10 years ago. When these multifaceted activities deal with post-conflict situations, civilian aspects become paramount.

3.2.3 Some of the Difficulties encountered and long-term Prospects

Crisis management and peacebuilding activities are harshly criticized for their inability to effectively respond to conflicts.

1) Question of coordination. The relationship between the UN and regional organizations, and coordination between all organizations and institutions is one of the difficulties. NATO, the OSCE and the European Union work together in the same theatre, and in most cases within the same operations (in Bosnia and Herzegovina, Kosovo and in Macedonia). But who coordinates their actions? Is there a well-defined burden-sharing arrangement? Not really, but to a certain extent existing abilities determine the field in which each organization may intervene.

2) Competition. European organizations that work in the field of crisis management also compete with each other. Each of them has to demonstrate its capacity to play a role and its specificity. This also means that each organization has to define its policy, its conception of its role, and has to demonstrate its comparative advantages in the field of crisis management and peacebuilding.

3) Legal issues and the respective roles of international organizations. The legal framework of crisis management operations is crumbling: a UN Security Council resolution appears to be less necessary for launching an operation. If we set Kosovo aside, operation "Essential Harvest" in Macedonia was launched on the basis of an agreement between NATO and the Macedonian State. Operation "Amber Fox" was not formally created by a Security Council decision, since resolution 1371 only "strongly supports the establishment of a multinational security presence in the Former Yugoslav Republic of Macedonia at the request of its Government." Even the EU is not very clear about the need to have a UN mandate in all cases. The legal role of the UN regarding coercive action in so-called "humanitarian operations" is also an issue to be addressed.

4) The role of Russia in a changing environment. So far Russia has not been a major participant in the construction of the European security architecture in crisis management, except, perhaps, within the OSCE. With NATO and the European Union emerging as the two main actors of crisis management in Europe, Russia may remain isolated and ignored as a driving force in the political debate. From a European point of view, one must acknowledge that the Russian position has been decidedly neglected, and the Europeans have not been able to respond to Russian concerns. There are at least four reasons for this misunderstanding.

   – Russia is not seen as an actor that can make a constructive contribution to crisis management; when Russia is associated with Western initiatives, it is more because of the fear of a Russia that would be isolated than because of the need, at an operational level, to involve Russian military and civilian assets;

   – The European security organizations have undergone major changes in the 90s and the overall architecture is imprecise. In this changing environment the Western states have been busy dealing with "internal issues", rather than trying to see how Russia could be integrated into the process.

   – The third reason stems from the nature of one of the organizations involved in crisis management in the 90s, i.e., NATO. Considering its nature, it has been very difficult for NATO to regard Russia as a full partner.

   – The fourth reason is the question of the ability and will of Russia to fully participate in peace operations in Central Europe, at both the political and military levels. Russia is clearly more involved in crisis management operations in the former Soviet Union area, than in areas where Western security organizations are already engaged.

3.3 Discussion

Addressing the two speakers, Shelepin wanted to know if they thought the 1992 Helsinki provisions on PKOs in the CSCE zone required revision, in view of changed circumstances in Europe (similar to adapting the CFE and CSBM arrangements). Perhaps, he suggested, this is the moment to modernize the document, in line with the Brahimi recommendations.

Zolotov replied that from the UN perspective there were no substantial technical differences between PKOs in Europe or elsewhere. As long as the operation is legitimate and properly structured the aegis matters little. He quoted Teng Hsiaoping, that "the colour of the cat is unimportant, as long as it catches mice".

Tardy observed that whenever crisis management is discussed in Western capitals the OSCE is rarely on the agenda, and the Helsinki document is never taken as a point of reference. Though the OSCE plays a considerable role in institution-building, electoral supervision and in missions in the former Soviet Union, it is not considered a central actor in peacekeeping. This may be unfortunate, but such is the reality. Tardy disagreed with Zolotov about "the colour of the cat": the UN, NATO and the EU approaches to peace operations are different, and they vary even within NATO and the EU. The WEU Petersberg Declaration of 1992, since incorporated in EU documents, defines crisis management activities by three categories: rescue tasks and humanitarian actions, peacekeeping, and use of combat troops in crisis management activities, including peacemaking, i.e., enforcement (Chapter VII operations). According to the UN's "Agenda for Peace", "peacemaking" means Chapter VI activities, i.e., negotiation and other peaceful means. Common definitions are hard to come by, noted Tardy, and the specific institution or country matters a lot when definitions are involved.

Hyllander remarked that the Swedish view of crisis management is not too different from other EU countries. The term "peacemaking" that was introduced in the UN "Agenda for Peace" created confusion, because it was meant to embrace political means, as well as peace enforcement. Later the UN attempted to rectify the mistake in an amendment to the Agenda, but the damage was done and this concept stayed on and was planted, unfortunately, in WEU terminology.

Evgeni N. Efimov, Head of NATO Section, Department of European Cooperation, Russian Ministry of Foreign Affairs, in reply to Shelepin's question, observed that the 1992 Helsinki Document does not work because it contains a clause that OSCE peacekeeping operations may not entail enforcement action.

Dr. Andrei M. Vavilov, Senior Researcher, Diplomatic Academy, suggested that any discussion of crisis management must encompass other dimensions, like the economy and the environment, which are also potential sources of conflict. He said that wars might erupt in the next decade in Central Asia over access to scarce water resources. One has to look at the roots of conflict, and be prepared to shift the focus from traditional "balance of power", political or military issues to the deep-lying causes like poverty or cultural grievances. He agreed with Arbatova's point that NATO is expanding to affluent countries, and this, he thought, is a dangerous trend. As the recent G8 Summit in Genoa showed, the restricted clubs of the rich are becoming hazardous, even for their members. They are increasingly unable to address global issues like terrorism, when it is not fomented by North Korea or others states, but rather grows like a cancer inside rich societies. One must take a hard look at some unnatural models of development, which are driving the majority of the world's population to desperation. As to Russia and NATO, the speaker argued that Russia is bound for a long time to remain, for the West, an unfathomable Empire, whether in the guise of the Tsardom of Peter the Great, the Soviet Union, or the Russian Federation.

Chapter 4

NATO and EU Enlargement

4.1 Why NATO Enlargement

Evgeni N. Efimov, Head of NATO Section, Department of European Cooperation, Russian Ministry of Foreign Affairs

The main issue facing Europe today is the creation of an undivided "Greater Europe" which will prosper in an environment of sustained and common security characterized by stability.

In its European policy Russia proceeds from the necessity of establishing intensive interaction and reciprocal relations among various security organizations. The route that will take Europe into the 21st century depends to a great extent on the dynamics of Russia-NATO relations. We believe that no one can honestly reproach Russia for lack of political will or desire to cooperate with an entity of such importance as the North Atlantic Treaty Organization. Russia has contributed a great deal to overcoming hostility and distrust generated by NATO's role in the history of Europe, which includes concerns raised by the new strategic concept of the Alliance, its military action against Yugoslavia, and eastward expansion.

If we could build our relations on a basis of trust, transparency and constructive interaction, this would be a substantial contribution to European stability and ensure our own security. Our position on NATO expansion remains unaltered, we consider it erroneous and unacceptable. The logic of expansion essentially contradicts the objective needs of states in terms of European security. It is hard to explain today, when threats to NATO from elsewhere have ceased to exist. Clearly, neither Russia's security, nor the security of the Alliance and of its new members, nor of other countries, would benefit from the enlargement. The Cold War and the policies of threats and counter-threats belong to the past.

New risks and challenges to security require the elaboration of new approaches, rather than the erection of new stumbling blocks.

We strongly believe that the expansion of any military-political alliance cannot serve as a basis for fortifying European security. This is why the claim that NATO expansion leads to the extension of a stability zone in Europe continues to raise misgivings.

The integration in NATO of even a single state that emerged following the dissolution of the USSR is fraught with the most serious consequences. Currently, there are nine countries aspiring to membership in NATO, including three Baltic States. The desire of the latter to strengthen their security is understandable. However, the improvement of their security is conducted by reforming their military infrastructure and bringing their armed forces in line with NATO standards, rather than creating a system of multilateral security in the broadest sense of the word.

If the expansion of NATO proceeds without any consideration for the legitimate interests of other countries of the continent, including Russia, new schisms will be created, and the system of arms control that currently exists in Europe will be endangered.

The experience of the "first wave" of expansion makes us aware of the consequences. At first, the Alliance proclaimed the necessity of providing the aspiring members with access to "Euro-Atlantic values", and later on NATO demanded that the candidates make "an adequate contribution" to collective self-defence, in accordance with Article 5 of the Washington Treaty. This has led to increased defence expenditures, rearmament and the creation of an infrastructure suitable for the deployment of military potential, including the army corps.

From a political point of view, the enlargement project does not address the genuine needs of Europe. What is the point of demanding that candidates increase their military budgets to two per cent of GNP, or make their armed forces conform to NATO standards? How do these requirements correlate to the assertion that the threat of an armed attack in Europe is relegated to the past? Unanswered questions abound.

In recent years, Russia has accomplished a great deal to bring its military strength in conformity with the new military and political reality. In particular, we have reduced our military forces in the North and the Baltic region by almost 40 per cent. We comply with obligations regarding tactical nuclear weapons. We are withdrawing our forces from Georgia and Moldova. In line with the process of adapting the CFE Treaty, we have agreed to include the regions of Kaliningrad and Pskov in a zone of stability in Central Europe. We have cut down our forces substantially in the Leningrad Military Region. Besides, we have proposed a programme to introduce confidence-building measures in the Baltic region. Some elements of this programme have already been implemented in bilateral agreements with Estonia, Lithuania and Finland on improved transparency of armed forces. These include provisions on hosting visits above the quotas established by the Vienna document.

Russia is not in a position to ignore the consequences that NATO expansion might bring for the adaptation of the CFE Treaty. Apparently, some of our partners utterly disregard this aspect. The incorporation of countries that aspire to join NATO will constitute a fundamental change of circumstances (*clausula rebus sic distantibus*) for the application of the CFE Treaty, along with the legal consequences this entails.

In Istanbul, the Heads of State and Government referred to the Treaty as a cornerstone of European security. However, we do not discern any concern about the Treaty, nor any intention to create favourable conditions in order to accelerate its coming into effect.

The expansion of NATO, accompanied by attempts to establish the right to deploy foreign forces in new lands, by militarizing incorporated territories, and by increasing defence expenditures, resurrect the model of adversity typical of the Cold War, albeit at a lower level of armaments.

We cannot help feeling unease regarding the turn the discussion on NATO expansion is taking. In effect, it revolves around three main principles: an "open door" policy will continue; decisions will be taken as soon as candidates comply with NATO requirements; external factors (such as the possibility of veto) will not be taken into consideration. But how does this mostly internal philosophy match up with the need to ensure security in Europe? This is the main issue we wish to highlight.

One must be realistic about the problem. It is a decade since new independent and democratic states appeared on the map of Europe. Practically all of them have gained in strength and are determined to follow the path of democratic reform. If there exists a threat to their sovereignty and territorial integrity, it is from within. Their political independence and sovereignty are not in jeopardy. Moreover, the security and prosperity of many of them – the Baltic countries, Slovenia, Slovakia, Austria, are not related in any way to military self-sufficiency. Why would one want to make them comply with the provisions of the Washington Treaty? The contemporary European architecture provides every state with an opportunity to satisfy its political and economic interests, and to guarantee that its voice will be heard and its ideas heeded. This does not require any alteration of military or political status.

Naturally, Russia cannot dictate to the members of NATO, nor veto the sovereign decisions of states, nor prescribe the means by which Europe would ensure its security. But it is also clear that stubborn determination and a NATO-centric policy will not provide a better security system. Rather, it will complicate the situation, introduce unnecessary and dangerous obstacles to the process of European cooperation, and draw new dividing lines in the continent.

As for the specific military contribution to international peacekeeping efforts, this can be done in different ways – through the structures of the UN and OSCE, through the security and defence mechanism of the European Union, or the "Partnership for Peace" programme. One of the major provisions of the Founding Act, relevant to Russia and NATO, defines the OSCE as the only European organization that has a

leading role to play in maintaining peace and stability in Europe. Russia and NATO have committed themselves to cooperate for the purpose of preventing any possibility of a return to a divided Europe.

During his visit to Finland President V. Putin reiterated the essence of Russia's approach to NATO enlargement. He recalled that NATO was created as a response to the so-called "Soviet threat". But the Soviet Union no longer exists. Therefore, there is no objective reason for enlargement. The real threat emanates from an enemy of a new type. In order to fight this enemy we must try to unite the entire world community within universal international organizations. NATO is guided solely by the Washington Treaty, and its new strategic concept does not offer effective tools for fighting international terrorism. The expansion of NATO's borders and the strengthening of its war potential in the territories of the newly incorporated countries do not prevent acts of terrorism, nor provide for the defence of member-states. NATO enlargement is not an answer to the new challenges to European and international security.

This does not mean that we tend to ignore or underestimate the role that NATO plays in European affairs. Our assessment of the role of the Alliance is an objective one, and we affirm that cooperation with NATO is a key factor of safeguarding security and stability in the continent. However, the effectiveness of our cooperation depends on the resolve of both sides to respect the legitimate security needs of each other and to observe international law, in particular the principle of refraining from the use and threat of force. We believe that political methods of settling disputes and conflicts should be a priority, as opposed to resorting to military force.

May I turn now to the enlargement of the European Union.

Despite some obstacles this process is well under way. As a result, the issue of EU enlargement and its consequences has become vital for Russia. We acknowledge the fact that enlargement is an internal affair of the Union and its potential members. However, this also concerns our traditional links with Central and Eastern European countries that belong to a region which remains of great importance to Russia. That is why consultations with the EU are essential in order to prevent damaging Russia's interests. Our concern is that the enlargement of the European Union must be accompanied by increased economic cooperation between Russia, the EU members and the potential member-states.

The list of Russia's concerns related to EU enlargement was submitted to the European Commission on 25 August 1999. Consultations have been taking place in the working groups of the Russia–EU Cooperation Committee. They will continue alongside the negotiations between the EU and the potential members on their future accession. The consultations must come to fruition and be meticulously documented, before the actual enlargement occurs. So far the process has been fragmentary, which impedes an evaluation of the whole picture. Our main proposal is to include the consequences of EU expansion for Russia in the agenda of the upcoming meeting of the

Cooperation Committee. This may be discussed as a comprehensive issue, with a view to elaborating a "package" decision.

The expected enlargement of the EU has brought new controversial issues. What has been mentioned above applies directly to "the problem of Kaliningrad". The future evolution of relations between Russia and the EU depends on how this problem is resolved. This includes the freedom of transit by all means of transport to the rest of Russia, energy supply, customs procedures, visa rules for the population of the region, and fishing rights. Deliberations on these issues will permit us to judge the true resolve of the parties to take practical steps. Unfortunately, the dialogue that recently started has failed our expectations so far. Many of our concerns have not yet met with understanding from our partners. There is a certain stagnation at the level of experts. Much will depend on customs cooperation with Poland, Lithuania and Latvia. The visa regime has been included in our consultations agenda with the European Union, and they must not be postponed. Similar consultations might be arranged on the issue of transit. Our requests have already been communicated to the European Union and the potential member-states.

4.2 The Enlargement of NATO and the European Union

Dr. Pal Dunay, Faculty Member, GCSP

4.2.1 The End of the East-West Conflict: The Need to Enlarge

The decades of the Cold War can be characterized in different ways. Rather than making a general survey, we will focus exclusively on their institutional aspects. The global rivalry of the two superpowers, and to a lesser extent of the Alliances led by them, curtailed the activity of some institutions and prevented the United Nations from fulfilling its original function. In the European context, this resulted in a fragmented process of regional institution-building. East and West established their own organizations, which operated on different principles. The West had NATO and the European Community/Communities, and the East had the Warsaw Treaty Organization and the Council for Mutual Economic Assistance (COMECON). The parallel organizations had practically no direct interaction for most of their life span. As a consequence, there was very little need to regulate their relationship.

The end of the Cold War meant, among other things, that the multilateral links of the East also came to an end. Many members of the relevant organizations did not wish those links to continue. First *de facto,* and later *de jure,* the two important institutions ceased to exist. Their demise meant that the countries of Eastern and Central Europe were left without an integrating framework. This was no tragedy, however. There are many countries in the world that do not belong to integration structures in the formal inter-governmental sense. Even though the globalization trends of recent decades provide evidence that integrated entities are often more competitive in a global environment, this is not a foregone conclusion.

It is necessary to bear in mind the specific features of Eastern and Central Europe. Our starting point is that geography lasts longer than alliances, allegiances,

integration or other political phenomena. A closer look at the region reveals that it is composed of several small and medium-size countries. Great powers are absent from the region. This stems partly from the fact that for many centuries it was exposed to the rivalry of continental great powers. Most of their rivalries were not peaceful. The decline of some of those entities, like the Hapsburg Empire, failed to bring more stability to Eastern and Central Europe. On the contrary, the area became the breeding ground of two World Wars. This combination of the absence of great powers and an often tragic history has resulted in a remarkable situation. Ever since the end of the East-West conflict the countries of Eastern and Central Europe attached great importance to avoiding the zone of instability. They have also been aware of the impossibility to provide for their own security individually. Hence, they believed that some form of lasting security cooperation would serve their interests.

Focusing on the narrowly defined security interests of Eastern and Central European countries (but not their broad political orientation) has been the single major analytical blunder that experts have made in trying to understand their motives. The true interests of these countries warrant a broader look. Their origins lie in their situation of the late 80s and early 90s. Their efforts appear to consist of four major elements: 1) they have always felt that they belonged to the European civilization, irrespective of the short-lived democratic periods in their histories. Most of them have no other roots than those connecting them to European civilization and (Western) Christianity. Furthermore, democracy has been the model that the majority of the population was willing to follow. 2) The region west of Eastern and Central Europe was economically more developed. Hence, they were convinced that a "return to Europe" would foster economic development. This process has been well under way. Following a major diversion of their foreign trade and expansion of economic ties, these countries have been benefiting from direct investment from the West. A major part of their imports and exports are linked to the European Union. Not to mention that EU accession means joining the world's largest trading bloc, and this may provide the small countries of the region with a significant advantage. 3) The West has had institutional links, and has demonstrated considerable stability during half a century after World War II. 4) The West was linked together by a rigorous security web, which includes the United States, the strongest military power.

Each of these four factors was present when the countries of Eastern and Central Europe strove to join the West. Western analysts share this view. According to one, this process implies "rejoining the cultural, normative and religious mainstream of Europe, joining European institutions such as the Council of Europe and the EU, integrating into the European economy, and participating in the Transatlantic and West European security community".[12]

I believe it is important to emphasize that this "Western choice" was less due to the prospect of integration into the Western security community, than to being con-

12 Adrian Hyde-Price, *The International Politics of East Central Europe* (Manchester – New York: Manchester University Press, 1996), p. 188.

ditioned by complex motives. Consequently, politicians who identify the broad integration process with a drive to join NATO have little chance of understanding the intricacies of the process and the determination of the Eastern and Central European countries to carry it into effect.

4.2.2 The Dilemmas of the Region's Integration into NATO

It is evident that the countries of Eastern and Central Europe find their security better guaranteed when integrated in an alliance. The only alliance taken seriously is NATO. Consequently, it is the primary aim of the countries of the region to join the Atlantic Alliance. The Czech Republic, Hungary and Poland did that in 1999. Most others intend to join at the earliest. The evidence concerning the enlargement process is ambiguous, however. The one and only eastern enlargement wave has shown that the door of the Alliance is open. However, the abstract commitment to enlargement does not prove whether it will be realised or not. It is not possible to answer the question at this stage, whether the enlargement of 1999 was the first phase of a process soon to be continued, i.e., a phased integration, or the first wave was a onetime event.

It is necessary to take a look at the essential conditions of enlargement.

1) Expressed or tacit consent must be present. This was the case in the first wave of enlargement. The Federal Republic of Germany in 1993 and the US in 1994 took the lead, and other member-states followed. The commitment of the two countries proved to be sufficient to build a consensus. It is open to question whether necessary support could be generated for a second wave. As the commitment to continue the enlargement process has been reiterated at high-level NATO meetings, there is no reason to assume that the willingness to enlarge exists *in abstracto.* The more important question is whether sufficient momentum could be generated to put it into practice. There are some countries that are interested in the enlargement process for specific reasons. It is doubtful, however, whether these will be enough. After the first wave, the US has to be more convincing as to why enlargement contributes to an improved defence capability of the Alliance. Even though the decision to continue the process would be political, military considerations will certainly play a more important role than in the first wave. Germany will probably not have the same say as before. The first eastern enlargement guaranteed that its neighbours in the East became allies. Its role as the eastern periphery of NATO came to an end. It has also "paid" its historical debt, by contributing to the integration of Poland, the Czech Republic and Hungary, the country that played a prominent role in launching German unification in August-September 1989. It is difficult to claim similar vital interests in the case of the second wave. The list of candidate countries that are not controversial is very short. Consensus can be easily built around the accession of Slovakia and Slovenia. If, however, Slovakia would no longer be an appropriate candidate,

for domestic political reasons, it is highly unlikely that the process would be launched for the benefit of a single small state.

2) Russia vehemently opposed NATO's initial eastern enlargement. But behind the facade of rhetoric it played a calculated, rational game, after realizing it's inability to block the process. It wished to minimize the damage and to maximise the benefits it might gain. The former meant reducing the number of successful candidates, and impressing upon NATO the need to couch the prospect of further enlargement in terms that are as vague as possible. The latter meant a long wish-list, ranging from Russia joining the G-7 to transform it into the G-8, securing Western support for its accession to the World Trade Organization, to adapting the CFE Treaty and aiding Russia's return to the world armaments market. Russia was placated through the adoption of the NATO-Russia Founding Act and the establishment of the Permanent Joint Council, its privileged channel of communication and influence. Ever since taking office, President Putin was toying with the idea of Russia joining the Alliance. There is reason to believe that statements to that effect are tactical, and to some extent are propaganda, particularly in light of conditions attached to an eventual Russian accession to NATO. The toning down of Russian opposition to the second wave of enlargement may mean, however, that it may be less controversial than the first one. It may also mean that the Russian leadership has realized it must not place its opposition to NATO enlargement too prominently on the agenda. If the process continues unabated in the face of Russian opposition, as happened with the first wave, this may result in new humiliation. Moreover, it is unclear how Russia can influence the enlargement process. It may well be that following the warming of relations with the United States due to a common interest in fighting terrorism, Russia's opposition will be expressed quietly, but still be heard. This may mean a longer wait for the Baltic States. The two other candidates, Slovenia and Slovakia, are a very small group. Slovakia faces elections before the Prague summit of November 2002, which is supposed to extend invitations for accession talks. In case the forces around Vladimir Meciar return to power, it is highly unlikely that Slovakia would be invited. It is furthermore unlikely that Slovenia will be invited on her own. In sum, Russian opposition may be less vehement than in 1996–1997, and may be more successful in 2001–2002. Opposition, or at least hesitation on the part of the Alliance members may be far more effective in blocking the continuation of eastern enlargement than loud protests from Russia. This fact seems to have been recognised by the current leadership in Moscow.

3) In the first wave, the major issue was keeping the so-called "have-nots", i.e., those countries which expected but failed to receive an invitation, on track. It seems in retrospect that concerns that they would turn their backs on NATO or the West generally, were largely exaggerated. It was clear that those countries would retain their motivation to join the Alliance. There is no reason to assume that the situation will evolve differently this time. The philosophical

question remains, though, whether the desire to join will remain in the long-run, in the face of continuous rejection.

4) Another sensitive question is the cost of enlargement, and who will bear it. Estimates were made even before the Alliance extended an invitation to the first former Warsaw Treaty members. Those prepared by the Rand Corporation and the Congressional Budget Office (CBO) were basically prohibitive,[13] and came up to around $100 billion for full interoperability of the four so-called "Visegrad States". After invitations were extended to the Czech Republic, Hungary and Poland, the US State Department and NATO itself issued their own estimates. The projected burden was surprisingly light for the Alliance and its sixteen members. It was "enlargement on the cheap". The lingering impression was that the new estimates served to justify the enlargement. It is possible to draw a different conclusion, however. Senior NATO officials pointed out that the Alliance estimates were moderate for the reason that they used minimum interoperability requirements as a benchmark, rather than going for "gold-plated" alternatives. Last but not least, NATO experts visited several military facilities in the candidate countries. Thus, while preparing its report about the costs of enlargement NATO had a reliable idea about the ability of the three states to host reinforcements and carry the burden of upgrading. The costs of NATO accession will remain an issue in the future, however. Due to the poor military performance of the three new members and the difficulty in convincing them to make greater efforts to achieve interoperability, some member-states, primarily the US, and the International Military Staff of the Alliance have pressed the candidates for the second wave of enlargement to achieve a minimum level of interoperability before accession. The experience of the first wave was that it is far easier to influence prospective members, than new members after accession.

5) The enlargement of the Atlantic Alliance is a political process. In the first wave the predominance of political considerations was such that very little attention was paid to military aspects. When at a later stage the importance of military matters increased, they focused almost exclusively on budgetary considerations. It boiled down to the extent the new members were ready to increase their defence budgets. Unfortunately, there is no direct correlation between the amount spent on defence and a country's military performance. An approach that focused upon input, rather than the output of the defence sector, proved to be wrong. Consequently, it is likely that in the second and further waves of enlargement more emphasis will be made on improving the armed forces of the candidates before accession. That is the purpose of the Membership Action Plan (MAP) adopted at the NATO Washington Summit in April 1999. In light of this, even though the predominantly political

13 For an assessment of these early estimates see August Pradetto and Fouzieh Melanie Alamir (eds), *Die Debatte über die Kosten der NATO-Osterweiterung* (Baden-Baden: Nomos Verlag, 1998). It contains the text of three reports on the costs in an appendix. See pp. 261–278.

> nature of the project remains unquestionable, the significance of military considerations has increased. It can be expected that NATO will take on board countries that are better prepared militarily, and this will not undermine the political importance of the enlargement process.

The three former Warsaw Treaty members of the Atlantic Alliance have, of course, taken note of the dissatisfaction over their performance. It would be too simple to conclude that they failed to perform at all since accession. They have compensated for the disappointment felt in a number of ways: 1) They have all demonstrated their loyalty to the Alliance and an awareness of their weight relative to the great powers of NATO. Their loyalty was such that they have not interfered with NATO's decision-making process in any measurable way. This was most visible during the Kosovo operation, when decisions were taken just as smoothly by 19 members as would have been by 16. Loyalty was also reflected in their contributions to SFOR and KFOR, the two major NATO-led peace operations. 2) They have contributed to the tasks of the Alliance by providing their airspace, airfields and other military facilities, whenever necessary. For Hungary, which neighbours three successor states of former Yugoslavia, including Serbia, this meant a particularly active engagement. 3) Thanks to the strategic location of the new members and their perceptions of their important neighbours, they have contributed to the common knowledge of the Alliance. They have also participated actively in intelligence cooperation. 4) Last but not least, the new members tried to compensate for their weak performance in a number of fields by the promises they made, and have become extremely skillful in this, though seldom making good on the promises. When they did, the delivery was belated and was due to pressure from different quarters in the Alliance. This has resulted in permanent dissatisfaction with the performance of the three countries. The United States and the International Staff were particularly vocal on this account.

Ever since the idea of eastern enlargement was entertained, NATO kept reminding the countries of Eastern and Central Europe that they were not joining the "old NATO", i.e., a classical military alliance with an identifiable powerful adversary. They were joining a "new Alliance" that contributed to the stabilization of Europe and eventually of its periphery, and whose agenda was dominated by conflict management. That was the primary objective. Consequently, the allies should have adequate power projection capabilities. Their armed forces must be based on specific capabilities, rather than on perceived or real threats. The defence of national territory plays a residual role, and is no longer decisive.

My personal impression is that efforts at improving territorial defence by the member-states have been *de facto* de-legitimised. The Eastern and Central European countries have realized that the alliance they wished to join did not give priority to territorial defence, as proved by their involvement in peace operations and their contribution to allied power projection. It is not through lack of understanding that they are not ready to accept the almost exclusive emphasis on power projection. Their national interests are based on a perception of international security that results in a balance

between territorial defence and power projection, as well as between threat-based and capability-based armed forces. Certainly, other Eastern and Central European countries willing to join the Alliance in the future share this approach. Consequently, if the number of member-states from the region increases, so will the emphasis, to some extent, on the traditional function of the Alliance.

The importance of collective defence was regularly reiterated in NATO Council documents. Since Article 5 of the Washington Treaty was not invoked for five decades, its value was not put to a test. More precisely, it was a constant factor during the Cold War, when the collective defence of the Alliance and the link between US and European security played an effective deterrent role. It was less evident what role Article 5 has played from the early 1990s. In September 2001, after the terrorist attacks in the United States, NATO invoked Article 5 for the first time in its history. Following this, the European allies provided certain military assistance to the US. Most importantly, they helped the US to free its forces from other duties in order to concentrate on its action in Afghanistan. This included replacing US forces in the Balkans, as well as contributing to the monitoring of US airspace. Within a short period of time the US upgraded its homeland defence and redefined its security priorities. Two factors require attention here: 1) The heavy emphasis on defending the national territory of the most powerful member of the Alliance probably helps the Eastern and Central European countries to argue their case for territorial defence. 2) For these countries, invoking Article 5, even in special circumstances, meant a reaffirmation of its viability.[14] Certainly, the manner in which the US and NATO reacted to the terrorist attack did not run counter to the interests of the Eastern and Central European NATO members and candidates.

4.2.3 The Quest for EU Enlargement

After the end of the Cold War, priority was given to security in the region. As the notion was used interchangeably with stability and prosperity and carried a broad meaning, the prevailing desire was to join not only the stable, but the prosperous West as well. There was little understanding of the enormity of requirements for becoming eligible for membership. Those politicians of the region who were not particularly well informed assumed that accession to the European Union would be easier than joining NATO. This was based on the assumption that EU membership depended on the effective transformation of the economy of a given Eastern and Central European country, whereas NATO membership would depend on the world political constellation. This assumption proved to be erroneous, as the resistance to NATO enlargement did not prevent it from happening, whereas meeting EU enlargement criteria was far more demanding than expected by some.

14 See Invocation of Article 5 Confirmed. 2 October 2001. http://www.nato.int/docu/update/2001/1001/e1002a.htm

It is impossible to understand the enlargement of the European Union in the narrow sense of the word, confining it to the accession talks with 12 candidate countries. It is more appropriate, in line with NATO's case (the "opening" of the Alliance), to speak of redefining the role of the EU in world affairs. When the Berlin Wall came down, the EU had not much of a role to play beyond Western Europe. Its formal relations with the East were practically nonexistent, except for trade agreements. It had just embarked on cooperation with the current and future neighbours of the Union and the CIS countries. The situation was similar beyond Europe. Its role as a donor in the Middle East was not so prominent in the late 80s, as it is nowadays. Its dialogue with the Far East started in the latter half of the 90s. As to the US, the dialogue has become more intensive and was recently formalized. In some parts of Latin America the EU is now the number one (or number two) external investor. The EC was present as a donor in Africa since the mid-1970s through the first Lomé Convention. Its activities have become far more extensive through subsequent agreements. The EU became a world political player *per se* in the 90s, and it will not discard this role.

As the East was largely unknown terrain for the EU, its reaction to the willingness of the former COMECON countries to establish relations began with familiarization. Political dialogue and economic relations intensified. The first major step in the process was taken in December 1991, when the three Visegrad countries (Czechoslovakia,[15] Hungary and Poland) signed the so-called "Association Agreements" with the EU. It was important that the agreements, contrary to requests from the candidates, did not contain any promises concerning future accession to the EU. It did recognise, however, their wish to become members of the Union some time in the future. Other Eastern and Central European countries signed similar agreements at a later stage. The number of Eastern and Central European candidate countries increased from three to ten between late 1991 and June 1996, and they now include Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.[16]

The Copenhagen meeting of the European Council in the spring of 1993 represented a turning point. The EU proposed conditions under which it would take in new members.[17] They combined political and economic requirements. The membership of the Central and Eastern European countries is accepted, provided they possess

15 The agreement with Czechoslovakia was renegotiated before its entry into force due to the dissolution of the country.

16 This paper does not address the three other candidates for membership. Cyprus and Malta, which have negotiated their accession to the Union and Turkey, which is the only non-negotiating candidate.

17 The Copenhagen decision was reflected in association agreements, which were concluded after the Council meeting. They gave recognition to the prospect of accession: "Recognizing the fact that the Czech Republic's ultimate objective is to accede to the Community, and that this Association, in the view of the Parties, will help the Czech Republic to achieve this objective". See Europe Agreement Establishing an Association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part. Agree.Cz/C.01b. Last paragraph of the preamble.

"stable institutions (guarantee of democracy, rule of law, human rights, minority rights); functioning market economy; capacity to cope with competitive pressures inside the EU; ability to adopt the acquis; accepted aims of political, economic and monetary union"; and also provided that "the EU has capacity to absorb new members without endangering the momentum of European integration".[18] The political requirements are very similar to the ones put forward by other organizations. The economic ones, bearing in mind the emphasis of EU activities, are more specific. The request regarding a functioning market economy is obvious. The ability of the candidates to cope with competitive pressures is understandable, particularly in light of past experiences with less developed countries. The EU and its member-states cannot be involved in contributing to the collapse of a new member's industry after accession. Fortunately, there is no such danger, as in accordance with the Association Agreement a free trade zone is to be established between the EU and the candidate countries by the end of 2001.[19] Hence, those industries of the candidate country, which were not competitive, would already have collapsed before accession. Consequently, no major shock is expected on this front after accession. Last but not least, the requirement that the accession process must not undermine the momentum of European integration is a reflection of the debate on "widening versus deepening". Enlargement will have to take place without producing a backlash in the integration process. The institutional reforms adopted by the Nice Treaty in December 2000 take care of this problem.

Bearing in mind that the EU is the world's largest trading bloc and one of the best performing economic entities if the world, it is easy to understand why one would wish to join the Union. It is also important that the candidate countries are small or medium-size, without exception. Integration for them is a means to enter the international arena. Not to mention the fact that the EU is much more than a trading bloc. It has an impressive central redistribution system contributing to the making of "an ever closer Union" through fostering the development of the poorer member-states. Apparently, this is appealing to the candidate countries, as every one of them has per capita GDP considerably smaller than the EU average. The most important consideration, however, is that the EU will significantly contribute to the candidates' economic stability and prosperity. This will hopefully bring the long awaited stability to the region as a whole.

Understandably, the EU wanted to know precisely how the candidate countries performed. In 1997, the Commission issued "Agenda 2000", that dealt extensively with the prospect of enlargement. It gave a detailed assessment of the candidates' performance. Politicians in Eastern and Central Europe tend to forget that "Agenda 2000" clearly stated that none of the candidates were ready for membership. Using the document's diplomatic wording, "The Commission considers that none of them fully satisfy

18 Copenhagen Council 1993, Cited by Ulrich Seidelmeyer and Helen Wallace, "Policies Towards Central and Eastern Europe", In Helen Wallace and William Wallace (eds), *Policy-Making in the European Union* (Oxford: Oxford University Press, 1996), p. 374.

19 Except for agricultural products.

all the criteria at the present time."[20] Politicians usually referred to the next sentence, which stated that some of them could be ready for membership in the medium term. Others, by implication, could not. That is how the candidates were divided into two groups. Five Eastern and Central European countries (the Czech Republic, Estonia, Hungary, Poland and Slovenia) and Cyprus belonged to the category of hopeful candidates, whereas others (Bulgaria, Latvia, Lithuania, Romania and Slovakia) required an unspecified period of preparation.

Economic performance was the reason why some countries would be obliged to wait longer, with one exception. Slovakia under the leadership of V. Meciar was assessed not to have met political criteria, like democracy and respect for human rights, and its economic record was not found reassuring either.

The member-states of the Union were divided on the issue whether every candidate should be regarded eligible for entering accession talks, and thus they deferred the question as to which particular countries were to join earlier. This was the so-called "regatta" approach, advocated most vocally by France. Other EU member-states were of the view that negotiations should start only with candidates that had a chance of completing the accession negotiations within a reasonable period of time. That was why they started with the six countries that were assessed in 1997 to be eligible in the medium term. This was the so-called "Luxembourg Group", named after the venue of the EU Council, where conclusions were drawn from "Agenda 2000". Even though the "regatta" approach was discarded in 1997, the European Council revised its position at the Helsinki meeting, and decided that all 12 candidates, except for Turkey, should negotiate for membership.

Since 1997, the European Commission issued performance assessments for each candidate country. They detail the candidate's progress toward accession. The reports carry the message to the candidate about areas where it should make further progress, so as to be eligible for membership. The reports often stir domestic political controversy. The opposition criticizes the government because of the shortcomings noted, which are regarded as negative assessments coming from an independent influential "observer". It is fairly difficult to ignore the opinion of the Commission.

Due to the piecemeal nature of accession negotiations it is very hard to sustain public attention to the upcoming EU enlargement. The candidates have noticed this, and they try to keep the interest of the public alive. They have developed communication strategies. These, unfortunately, have not prevented public support of EU membership from shrinking in some cases. This is true when talks advance closer to actual membership, as the strata of the population negatively affected by enlargement have reason to oppose it. This is fully understandable, because candidate countries have always started from the most optimistic scenario. Declaring early dates for membership was a means to put the EU under pressure. Consequently, declared expectations were not fulfilled, and deadlines came and passed without being met. It is open to question

20 *Agenda 2000 For a Stronger and Wider Union* (Brussels: European Commission, 1997), p. 57.

whether the candidate governments, by emphasizing deadlines, do not contribute indirectly to lagging public support for enlargement.

Early on, the prospective members insisted on learning the date of accession. Politicians and analysts raised different ideas. Until June 2001, the Union resisted declaring an expected official date of accession. Agreement was reached at the Gothenburg Summit that the EU would take in the first new members in 2004. This requires concluding the accession talks by the end of 2002. Bearing in mind that some of the most controversial chapters are still on the negotiating agenda, it seems very uncertain that the deadline will be met. It is clear, however, that the EU will enlarge in the foreseeable future. Whether it takes place 15 or 20 years after the end of the East-West conflict, this is still a historically short time span for the Union and the candidate countries.

The deadline issue has been combined lately with the highly controversial matter of forming an adequate group of candidate countries. This is the subject of wide-ranging speculations in practically every country. It is official EU policy that the performance of the candidates is considered individually. At the same time it is obvious that accession be in groups. First, it is impossible to convince the legislatures of the member-states to ratify a dozen accession protocols separately. Furthermore, the state of preparedness of some candidates is largely similar. Judging from the regular country reports and proceeding from common sense, the candidates that perform better would like to see the above EU policy implemented. They say that they are unwilling to wait for other candidates to live up to membership requirements. Recently, worries have centred on the progress of larger countries towards meeting membership criteria. Most notably the problem was raised in connection with the accession of Poland – the largest candidate. Poland was warned by the Presidency that even if there will be no first wave of eastern enlargement without it, the whole process may be delayed if Warsaw does not take vigorous steps to meet the requirements. A larger group of new members taken in simultaneously does not only affect the date of accession, but has other implications as well. If poorer countries with lower per capita GDP join early, some Eastern and Central European states will look richer and hence not eligible (or eligible only for a short period of time) for the benefits of structural funds. These considerations are grounds for rejecting the so-called "big bang" approach by some more developed candidate countries. Their interests may well be similar to those of the poorer members of the EU 15.

As mentioned above, it has become harder to convince the EU members of the advantages of enlargement. It has to be borne in mind that enlargement is taking place in the era of globalization. The more than 100 million citizens of the 12 negotiating candidates would increase the population of the EU by nearly 30 per cent, but would add only 11 per cent to its combined GDP. This would make the EU a community of nearly half a billion people. However, according to different forecasts Eastern and Central Europe will be a prosperous part of Europe in the coming decades. It may contribute to increasing the economic output of the Union and to its success as a competitive producer. It is also necessary to consider the contribution of the candidates in other

areas, for instance, in internal security, filtering illegal immigration, fighting organized crime in cooperation with the EU structures. Enlargement, if implemented effectively, may be a positive sum game where everybody wins.

4.2.4 Conclusions

The eastern enlargement of institutions, which used to be the cornerstone of Western cooperation during the Cold War, is a long-term historical project. It evolves in phases, and its conclusion is still far off. For the time being, it is impossible to predict whether it will result in a genuine European unification, or in a new divide, this time further to the east than during the Cold War. Opposing the process in its early phase produces the impression that it may end up in a new divide, rather than unify the continent. It is the common responsibility of the actors to regard this project as carrying the potential for unification. No doubt there are many problems on the way. For a historically significant period of time the gradual enlargement of institutions like NATO and the EU will be fraught with division. The collective defence commitment of the Atlantic Alliance will continue to extend exclusively to its members. It will be rather difficult, on the basis of traditional military thinking, to understand that an alliance is not necessarily directed against any potential adversary, and thus its enlargement should not be regarded automatically as a hostile act. In the case of the EU, certain repercussions of enlargement, like the introduction of a visa regime by the candidate countries *vis-à-vis* states further to the East, may produce a similar impression. It is necessary to take into account, however, that the welfare gap that might result from eastern enlargement may be bridged through successful economic and social policies of those countries whose record was not reassuring since the end of the East-West conflict.

4.3 Discussion

Co-Chair Fokine made several observations on the topic. He said he had never been convinced by the arguments for NATO expansion. Any military alliance is always directed against somebody, and the question "against whom?" cannot be evaded. The issue has deeply disturbed Russian society at a politically sensitive stage, and NATO, in fact, has managed to bring about a national consensus in the country against expansion. It would be wrong to say that Russia does not mind EU enlargement, if one thinks of its consequences. Fokine quoted several examples to illustrate his point. When Finland joined the EU, Russian-Finnish trade plummeted from 25 per cent to 5 per cent. When, as Ambassador in London, he mentioned this fact to the UK Secretary of State for Trade and Industry, the latter agreed that this was a serious issue to be taken up in the EU councils. When Lithuania became independent, traditional trade between its eastern provinces and St. Petersburg, Kiev, Pskov and Moscow was disrupted, because of government policies. Thus, Lithuania lost an important market for its agricultural products, which nobody in Western Europe would buy. The message, stressed the speaker, is that one cannot afford to be shortsighted, and EU officials and politicians must decide if Russia is sufficiently important as a trade partner. Finally, Fokine posed several questions for the participants: when countries which are close to Russia in terms of history, geography, economy, culture and language, join the EU, what will be the result of that exercise in the broader European context? Will European security be strengthened or eroded after NATO enlargement? Why would one wish to push Russia to the East or South, when it wants to be part of Europe (not next to Europe), and contribute to security and cooperation in the continent?

Dunay reacted to Fokine's statement, which he found most reasonable. He agreed that trade between Russia and the countries of Central and Eastern Europe had fallen sharply. The root causes, in his view, go back to the change from the transferable ruble

to convertible currency in 1990. More important was the deficit, because the region was an importer of energy and other resources, and Russia was not willing to buy its finished products. The idea of EU President Prodi to move bilateral trade to euro-based trade to eliminate, in particular, the risks involved with fluctuations of the US dollar, may boost trade. In general, the EU is interested in increasing trade with Russia. On the NATO-EU enlargement linkage, Dunay said that it was no longer in the minds of people in Eastern and Central Europe. In fact, countries different from those that negotiated with the EU were invited to join NATO. NATO is not enlarging against anybody, stressed the speaker. Due to their size, the security perceptions of the Central and Eastern European countries are different from the great powers. The desire to keep out of the gray zone motivates their attitude to NATO enlargement. He concluded by saying that he disagreed with Fokine on one point, that NATO had provoked consensus in Russia regarding its enlargement. The Establishment and the media in Russia should have been more responsible in explaining to the public the reasons for NATO enlargement. If that is not done, Dunay warned, Russian frustrations may erupt again at the next round of enlargement in November 2002.

Chapter 5

The US Anti-Missile Defence Concept and the Future of Strategic Arms Control

Introducing this last topic, Co-Chair Lehner noted that anti-ballistic missile defence has become a controversial issue in recent years. After September 11 it reemerged, with the discussion focusing on what can missile defence do in the event of a terrorist attack, i.e., what is the high-tech solution to a low-tech threat. The debate is bound to continue, and, in his view, it would be a mistake to expect the US to renounce its initiative.

He invited Richard Davison, former Principal Director for Nuclear Forces and Missile Defense Policy in the Office of the Secretary of Defense, now with the GCSP, to present his views.

5.1 Defences Against Strategic Ballistic Missiles

Richard Davison, Faculty Member, GCSP

5.1.1 Introduction

Speaking in a personal capacity, I will focus my remarks on the issue of missile defence, about which there is currently the greatest controversy, i.e., defences against long-range ballistic missiles. Much less dispute surrounds theatre missile defences, which are possessed (or are being acquired) by a number of countries, and which are not constrained by the Anti-Ballistic Missile (ABM) Treaty. This distinction between strategic and theatre missile defence is in itself an artificial one, a remnant of the Cold War.

My remarks will address the emerging ballistic missile threat, the purpose of strategic missile defences, the approach now being taken by the Bush Administration, and the implications of this approach for the ABM Treaty.

First, however, I would like to address very briefly the argument that the terrorist attack of September 11 demonstrates the uselessness of pursuing defences against strategic ballistic missiles, since such defences could be circumvented by other means of attack. Quite to the contrary: this attack demonstrated the terrible price of vulnerability. It underscored the need to defend against all types of attack, including missile attack. Fortunately, terrorists do not yet possess long-range ballistic missiles; if they ever acquire them, effective defences will clearly be critical. It should also be noted that despite the existence of other means of attack, at least two countries of concern are expending scarce resources to develop long-range ballistic missiles. I will now discuss this, and explain the possible motivation behind such development.

5.1.2 Emerging Ballistic Missile Threat

The United States has adopted a multi-faceted approach in addressing the problem of the emerging threat of ballistic missiles that can carry weapons of mass destruction. This approach combines diplomatic and political efforts to stop proliferation; "counter-proliferation" measures to deal with the threat or consequences of use of weapons of mass destruction; traditional deterrence provided by offensive forces; and missile defences.

The United States and many other countries have been collectively trying for years to stem proliferation. These non-proliferation efforts remain extremely important, and the US and others must continue to pursue them.

Despite these efforts, however, the proliferation of ballistic missiles and weapons of mass destruction has greatly expanded over the past few decades. Countries that used to be importers of such technologies have now become exporters, with North Korea being a prime example in the area of ballistic missiles. Even if constraints are agreed, there is no guarantee of compliance. While Iraq was a party to the Non-Proliferation Treaty as a non-nuclear weapons state, and was considered to be in good standing with the International Atomic Energy Agency in 1990, the extent of the Iraqi program to develop nuclear weapons became clear after the Gulf War.

As a result, diplomatic and political measures alone no longer suffice to address the growing problem of proliferation. Defences are now required as an additional measure to deal with this problem.

Three years ago, a Congressionally mandated bipartisan commission reported on the emerging ballistic missile threat to the United States. The commission concluded that certain countries, in particular North Korea and Iran, could threaten the US with ballistic missiles carrying weapons of mass destruction within as little as five years of deciding to acquire such a capability. The commission also judged that the United States might not become aware of such a decision for several of those years.

The impact of this report, released in mid-July of 1998, was tremendously amplified by North Korea's launch, the following month, of the Taepo Dong 1 missile. The US intelligence community was taken completely by surprise by the presence of a third stage on that missile: it had been expecting the test of a two-stage missile, not a three-stage one.

Although the launch failed to put a satellite into orbit, it demonstrated that North Korea had made significant progress in dealing with the challenges of developing a multi-stage missile. The launch also demonstrated the potential to deliver a small payload to an intercontinental range. While North Korea has subsequently observed a moratorium on launching long-range missiles, it continues development of a larger, more capable Taepo Dong 2 ballistic missile.

As already noted, North Korea has become an exporter of ballistic missile technology. The Iranian Shahab 3 missile, which has been tested three times, is essentially

the North Korean Nodong missile, which has a range of 1300 kilometers. The Iranian defence minister originally announced the development of the Shahab 4 as a more capable ballistic missile, but later referred to it a space launch vehicle. Plans for a Shahab 5th have also been mentioned.

In light of such programs, the United States decided that it needs to begin development of limited defences to address the threat posed by such programs. Because development and deployment of missile defences takes many years, the United States cannot responsibly wait until countries of concern have deployed ballistic missiles before beginning this process. Indeed, only this year will the United States begin deployment of the Patriot Advanced Capability 3 – the system designed to defeat the Scud missiles used in the Gulf War a decade ago.

5.1.3 Purpose of Strategic Missile Defences

The deployment by the United States of defences against strategic ballistic missiles would fulfill three basic functions. First, and most importantly, they would be intended to reassure friends and allies, and to make clear to potential regional aggressors, that the US will fulfill its security commitments around the world.

The United States is not unduly concerned about the possibility of a surprise attack by another country using strategic ballistic missiles. The source of such an attack could be easily determined, and the certainty of an overwhelming and devastating US response should be enough to deter such an attack under most circumstances.

Instead, there is concern that North Korea and Iran may be developing long-range ballistic missiles not so much as weapons of war, but instead as tools of political coercion or blackmail. The leadership of these countries may believe that in the absence of US defences, possession of long-range ballistic missiles and weapons of mass destruction (with either an implicit or explicit threat of their use) could deter the United States or its allies from coming to the aid of other countries in a regional conflict.

For example, if Saddam Hussein had been able to threaten major European capitals with destruction within minutes, would it have been possible to put together the coalition that liberated Kuwait in 1991? Similarly, given that the vote in the US Senate supporting offensive action in the Gulf War passed by only a slim margin, would this decision have come out differently if US cities were potentially threatened with destruction by ballistic missiles?

Deployment of missile defences will thus help counter any attempt by a regional aggressor to decouple the United States in this manner from its friends and allies. It should help prevent miscalculation on the part of an aggressor by making clear that possession of long-range ballistic missiles will not deter the United States from fulfilling its defence commitments to others. In this manner, missile defences will make the US a better ally – not a worse one, as some critics initially argued.

Missile defences would also serve two additional roles. They would hopefully persuade countries of concern that there is little to gain by developing or acquiring long-range ballistic missiles. If the United States and its allies are no longer vulnerable to ballistic missile attack, the incentive to devote scarce resources to invest in these expensive systems should decline significantly. In addition, in the unlikely event that deterrence fails – and ballistic missiles carrying weapons of mass destruction are used in an attack against a city – defences would be absolutely critical for protection of population. The absence of effective defences would be catastrophic in such a case.

5.1.4 The Approach of the Bush Administration

The Bush Administration has made clear that its goal is to develop and deploy limited missile defences capable of protecting the United States, its allies and friends, and its forces overseas against the emerging threat just described. Such defences should be deployed as soon as possible, using the best available technologies.

The new Administration has taken pains to explain that this effort is not a replay of the Reagan Administration's Strategic Defence Initiative, which was intended to defend against thousands of Soviet ballistic missile warheads. It has repeatedly emphasized that it is pursuing limited defences that could protect against "handfuls of missiles, not hundreds," and that such defences would not call into question the effectiveness of Russian nuclear forces at or below the levels of warheads considered for a START III agreement.

The Bush Administration's approach to strategic missile defence differs from that of the Clinton Administration in a number of respects. First, it has made clear that defences must be able to protect allies and friends, as well as the United States. The term "national missile defence" has thus been largely dropped from use, in favor of the broader term "missile defence."

Second, the Clinton Administration focused primarily on a system designed to defeat incoming strategic ballistic missile warheads in the middle phase, or "mid-course," of flight. The new Administration has added a second focus of effort on development of systems that could defeat strategic ballistic missiles in the first few minutes of flight, during the "boost phase," while the rocket motors are still burning and before deployment of re-entry vehicles.

Third, while the last Administration focused mainly on a ground-based system, the new Administration is also investigating options for sea-based and air-based systems. The inherent mobility of sea-based and air-based systems, which could be deployed to areas of greatest concern, could be particularly applicable to the defence of friends or allies.

Fourth, rather than focusing on a single system architecture, the new Administration has indicated that it intends to pursue the broad range of technologies just mentioned, to determine which approaches have the most promise. Development of

different systems would also allow capabilities to be combined, or "layered", to increase the overall effectiveness of the defence.

Finally, the Bush Administration has stated that if tests are successful, systems used for such development and testing could be employed to provide a very limited initial operational capability, if needed. This stands in contrast to the last Administration's approach, which was to identify immediately and pursue a specific system for deployment, the ground-based system in Alaska, separate from development and test assets.

5.1.5 Implications for the ABM Treaty

The approach to missile defence just described is completely incompatible with the ABM Treaty on a number of grounds. The Bush Administration has thus emphasized the need to move beyond the ABM Treaty in order to pursue effective strategic missile defences.

First, the very purpose of the ABM Treaty was to prevent the defence of population and national territory against attack by long-range ballistic missiles – precisely the kind of defence now needed in response to the proliferation of ballistic missiles and weapons of mass destruction.

Second, the Treaty prohibits the transfer of strategic missile defences to allies and friends, or the deployment of such systems outside of national territory. This stands in direct conflict with the Bush Administration's stated goal that missile defences must be capable of protecting allies and friends, as well as the United States.

Third, the Treaty prohibits development and deployment of mobile defences, including the sea-based and air-based defence technologies the new Administration wishes to explore.

Fourth, it prohibits giving theatre missile defences the capability to counter longer-range strategic ballistic missiles; such systems could not be upgraded or improved to defend against longer-range threats.

Finally – and perhaps most fundamentally – the whole premise of the ABM Treaty, i.e., the need to ensure the capability for "mutual assured destruction" between the United States and the Soviet Union, no longer makes sense in the post-Cold War world. The world of 2001 bears very little resemblance to that of 1972, when the Treaty was signed.

In 1972, the United States and the Soviet Union were bitter ideological adversaries. Europe was divided, and NATO and Warsaw Pact armies faced each other across a tense intra-German border. This rivalry, and the possibility of a conventional military conflict that could escalate to a massive nuclear exchange between the two superpowers, posed the greatest threat to peace.

All this has changed. The Soviet Union and the Warsaw Pact no longer exist. The United States and Russia are not adversaries. Europe is no longer divided, and Germany has reunited. The greatest threat to peace is not a US-Russian nuclear exchange (the likelihood of which is extremely remote), but instead terrorism and the continuing proliferation of weapons of mass destruction and the means of their delivery. Indeed, the ABM Treaty never contemplated the kinds of threats that are emerging today.

For all these reasons, the Bush Administration has emphasized the need to move beyond the ABM Treaty. This Treaty, whose very function was to codify the ability of the Soviet Union and the United States to destroy each other with long-range ballistic missiles, stands in the way of the more open and cooperative relationship the United States seeks with Russia. It is time to recognize that the Cold War is finally over, and to be free of outdated constraints that would prohibit defences that are needed to address new threats.

The Bush Administration has also underlined the need to move beyond Cold War postures in the area of offensive nuclear forces as well. It has declared its intention to make significant reductions in US nuclear forces, to the lowest level consistent with the security needs of the United States and its allies. The decision to retire the Peacekeeper ICBM force has already been announced, as has the decision to convert two Trident ballistic missile submarines for conventional missions. Decisions on additional reductions and measures in nuclear forces were expected in the next month or two, although the events of September 11 may affect that timetable.

The new Administration has also emphasized its desire to work cooperatively with Russia in this overall endeavor, including the area of missile defences. For several months, senior US and Russian officials have been meeting every two weeks or so to discuss these issues. Hopefully, this process will bear fruit, and will build upon a number of cooperative efforts already underway between the United States and Russia, including:

- joint theatre missile defence exercises (the third in this series was held in Colorado Springs early this year);
- the Russian American Observation Satellite (RAMOS) program (a joint program to put up two satellites to investigate sensor technologies related to early warning and missile defence); and
- establishment of a Joint Data Exchange Center in Moscow (for sharing of early warning data, though implementation of this effort has been recently stalled because of taxation and liability issues).

A new spirit of transparency and cooperation between the United States and Russia should allow expansion of these types of activities.

5.1.6 Conclusion

While political and diplomatic efforts to stop proliferation remain essential, development of defences against long-range ballistic missiles is also necessary to address the proliferation that continues to take place despite those efforts. Because missile defences require years to develop and deploy, the United States needs to engage in this activity now; it cannot afford to wait until countries of concern have completed development and begin deployment of long-range missiles.

The strategic missile defence the United States is pursuing is limited in nature – geared towards protection against "handfuls of missiles, not hundreds" – and would not undercut the Russian nuclear deterrent even at START III levels or below. Such a limited defence would help make clear that the United States remains a reliable ally, and will not be deterred from fulfilling its security commitments to its allies and friends.

The ABM Treaty is fundamentally incompatible with such defences, for it prevents development and deployment of systems to protect populations against strategic ballistic missiles; prohibits such defences from being extended to allies and friends; and perpetuates the premise that even in today's world, codification of the US-Russian capability for "mutual assured destruction" remains essential to stability. The Treaty thus represents a remnant of the Cold War that needs to be set aside. The United States and Russia need to find a cooperative manner in which to move beyond the Treaty in order to address the new ballistic missile threats that are emerging.

5.2 START, ABM, and NMD

Vitali A. Lukyantsev, Senior Counsellor, Department of Security and Disarmament Issues, Russian Ministry of Foreign Affairs.

I am grateful for this opportunity to explain the official position of the Russian Government on the ABM Treaty, though I will be speaking in my personal capacity.

May I comment first on the remark of the previous speaker, who said that the New York ABM agreements of 1997 were artificial, and are remnants of the Cold War. In actual fact, the initiative to conclude the agreements came from the US in 1993, long after the end of the Cold War.

In its dialogue with the United States on START and ABM-related questions Russia proceeds from the objective linkage that exists between strategic offensive weapons' reductions and limitations on missile defence systems. Originally the parties accepted this linkage as a basis for the 1972 Anti-Ballistic Missile Treaty. That approach made it possible to reduce strategic offensive arms of the two countries, maintain a balance of forces and ensure strategic stability at each stage of reductions. Russia's dedication to the integrity and inviolability of the ABM Treaty rests on this basic position.

The view held by Washington today is different. While the Clinton Administration agreed to the linkage, it assumed, however, that further offensive arms reductions should be made on the basis of a modified ABM Treaty. This was tantamount to foregoing the limitation of ABM systems. At that time Americans were seeking Russian consent on adapting the ABM Treaty for national missile defence (NMD) deployment. The present Administration believes it is possible to carry out unilateral and non-verified strategic offensive weapons reductions, with the ABM Treaty abrogated. In doing so, the US suggests that it would be appropriate for both countries to do it jointly, otherwise it threatens with unilateral withdrawal.

The US Administration considers missile defence as a crucial link in its new strategic concept, and has stepped up preparations for its deployment. Today it does not draw any distinction between strategic and non-strategic missile defences. It is considering a multi-layered system with components of any kind of deployment, with capabilities to intercept ballistic missiles of any range and at any phase of their flight trajectory. At the same time, Americans have not yet arrived at a specific position on NMD, nor made a definitive selection of a system, nor announced a decision to deploy.

The need for NMD deployment is substantiated by references to changes that occurred in the strategic situation in the world, because of the emerging missile threats against US territory from the so-called "rogue states" (though the term "countries of concern" is more frequently used today). This argument is open to question and is not accepted by prominent experts, who stress the difference between missile threats and missile risks. Besides, the argument contradicts data provided by official sources, such as US intelligence reports made public in September 1999 and December 2000. The first one stressed that the main threat for the US in the near future will come from ballistic missiles of Russia and China, and the second acknowledged that if there is any threat for the US, it emanates not from ICBM's, against which NMD is planned, but from short and intermediate range missiles.

Russian experts do not agree that there are current or future threats against US territory from countries that raise American concern. The countries that are cited as potential sources of danger have no political, economic or military incentives whatsoever to threaten the United States. Moreover, it may be possible to achieve results comparable to those of a missile attack by staging a terrorist act using weapons of a mass destruction. As US Congressman Tom Allen puts it, "An attack is more likely to come in a boat, truck or backpack, against which an NMD system provides no defence". The above reports do not rule out the possibility of delivery by sea, and the launching of a short-range missile attack off the US coast. The terrorist acts against the United States on September 11 proved that a possibility indeed exists to attack targets by other means than missiles. Those acts have also shown where the real challenge to security lies, and the focus of efforts by the international community. This is not a question of so-called "rogue states", but of terrorist forces that have no borders, no national identity nor national interests, for that matter. To counter such activities countries must act jointly, rather than unilaterally, while complying with existing agreements, rather than abrogating them.

The abrogation or revision of the ABM Treaty contradicts Russia's security interests. NMD deployment would constitute a direct threat to its nuclear deterrent. In fact, the US does not renounce its own nuclear deterrence strategy, the concept of Mutually Assured Destruction (MAD), nor its right to first-use of nuclear weapons. On the contrary, the US will strengthen its strategic posture by developing missile defences, which in conjunction with strategic offensive weapons would tilt the balance in the current strategic relationship and give it a unilateral military advantage. More-

over, the United States would obtain a powerful political tool that could be used for pressure or blackmail.

Clearly, if the situation deteriorates Russia will be obliged to take appropriate counter-measures. Such an option is provided for in relevant international agreements and in Russian domestic legislation. The statement made by the Soviet side on 13 June, 1991 on the linkage between reductions of strategic offensive arms and compliance with the ABM Treaty did stress, in particular, that the START I Treaty may be effective and viable only if the ABM Treaty is complied with. Extraordinary events that jeopardize the supreme interests of a Party, referred to in Article XVII of the START I Treaty, encompass events related to a withdrawal by one of the Parties from the ABM Treaty, or related to its substantive breach. The Federal Law of May 4, 2000 on the ratification of START II stresses Russia's sovereign right to withdraw from that Treaty if the United States withdraws from the ABM Treaty, or violates it or the related agreements. In other words, Russia would consider itself free from obligations under earlier nuclear disarmament accords. This course of action, however, would not be welcome to Russia. It would not be consistent with its new foreign policy doctrine, would contradict its national security concept, and be a heavy burden for its economy.

Most countries realize that if the NMD policy prevails, it will have a negative impact on global stability and security. It will lead to the collapse of the ABM Treaty and of the entire system of nuclear disarmament agreements. The strategic offensive arms reduction process would be disrupted, and the NPT and CTBT Treaties would be undermined. The postures of many countries regarding nuclear disarmament and non-proliferation would be affected. Inevitably, a chain reaction of counter-measures will follow, since countries that are in possession of appropriate weapons would hardly tolerate the emasculation of their military capabilities. An impetus would be given to missile proliferation. The arms race will acquire a new dimension by escalating into outer space. Clearly, these developments would be most detrimental to strategic stability. The negative effects of the collapse of the ABM Treaty can in no way be compared to the advantages sought through NMD deployment.

True, the international situation is in a process of change, and Russia is willing to take the new trends into account. It is pursuing diplomatic and political solutions, as distinct from military enforcement methods offered by the US. These solutions lie first and foremost in preserving the existing structure of arms control treaties and agreements, in developing new and effective agreements, and in reducing the strategic balance levels.

President V. Putin set the Russian position forth in his statement of 13 November 2000. The proposals were outlined to the American side in the course of recent bilateral consultations. They provide for joint steps, including reductions of strategic nuclear warheads to 1500 by 2008, for both Russia and the US, and possibly to lower levels in the future, under agreed control and compliance with the ABM Treaty as it stands today. Such reductions, provided other countries refrain from increasing their strategic nuclear arsenals, would result in bringing down the overall world levels

to about 4000 warheads. This would encourage other countries to reduce their own nuclear stocks.

Reductions of Russian and American offensive nuclear forces should be implemented jointly, under strict verification and on the basis of legally binding agreements. Russia believes that unilateral and non-verifiable reductions, as suggested by the US, would entail the risk of increasing nuclear capabilities at any given moment and of maintaining a smoldering tension, which is particularly hazardous in a crisis situation.

The objective of safeguarding the framework of strategic stability and international security is reflected in the suggestion by Russia to reduce and limit missile proliferation, specifically by developing a Global Control System for Non-Proliferation of Missiles and Missile Technologies, to keep outer space free of weapons by initiating a comprehensive agreement on non-deployment of weapons in space on a multilateral basis, including the non-use of force or threat of force in and from space. Foreign Minister I. Ivanov explained this proposal at the current UN General Assembly session

It would be premature at this stage to debate, however tentatively, any possible solutions. Despite deep differences between Russia and the US, they continue intensive discussions of START and ABM-related issues at various levels. The contacts that took place have not yet produced change in the respective positions. After the meeting in Genoa the US seems to be unprepared for a substantive discussion of the interrelated issues of strategic offensive arms and missile defence systems. The American side has not presented any new arguments that would convince Russia to relinquish its position of principle. All we hear are offers to abrogate the ABM Treaty, because the US wants freedom of hand. This is nothing less than an invitation to a new arms race.

Some US officials admit that Washington is not yet ready to seriously discuss further offensive weapons reductions, since a strategic review is still in progress. It is likewise not yet ready to discuss the NMD architecture, because it does not have a full picture of the future system. We hope that by the end of the year the parties can discuss the substance of ABM and strategic arms reductions.

The Russian-American Summits to be held in October in Shanghai and in November in the US are expected to contribute to the search for possible solutions. Efforts must be multiplied to preserve the ABM Treaty, and with this in view we intend to introduce a resolution at the UN General Assembly on the ABM Treaty and hope it will be passed, as on previous occasions.

5.3 Discussion

Co-Chair Lehner remarked that on this final topic the meeting has heard two speakers who delivered the official positions of their governments, though in their private capacity.

Ambassador Yuri K. Nazarkin, Faculty Member, GCSP, said that both speakers have confirmed their countries' widely differing positions. Clearly, the US regards the ABM Treaty as an obstacle to the deployment of NMD. For Russia, the basic provision of the Treaty is Article I, p. 2, which prohibits the deployment of ABM systems for a defence of the territory of the Party. There were hints that Russia may agree to some changes in the Treaty, but not in this basic provision. Russia has an interest in safeguarding the essence of agreements for the sake of upholding the strategic balance. For the US, withdrawing from the ABM Treaty will be politically difficult, and after September 11 it realized that it could not go it alone in international relations. This all might lead to a possible compromise, Nazarkin suggested. One element of a compromise would be that Russia agrees to diverge from Article I, but would be assured of strict limits on the American NMD, so that the overall strategic balance is maintained. Another element would be US willingness to reduce strategic offensive arms. With START II apparently dead, the parameters of a START III treaty could be developed. MIRVed (3 to 5 warhead) ICBMs could also be permitted. Thus, these mutual concessions could form the basis for a compromise. Nazarkin concluded by highlighting the US insistence on unilateralism, which he regarded as a dangerous trend. A unilateralist approach will undermine the whole structure of arms control agreements, since unilateral reductions cannot be verified, stressed the speaker.

Timerbaev suggested that either party to the Treaty might be permitted to test ABM systems without prejudice to its main provision against deployment. He asked

Davison to comment on the debate in the US Congress on cutting appropriations for NMD testing and deployment, and how this may affect planning in the Pentagon.

Shelepin asked for clarification from Davison on whether the US now wanted to abrogate the ABM Treaty or to modify it.

Davison responded to questions posed by the participants. Referring to Lukyantsev's comment, he said that the 1997 demarcation agreement was indeed an outcome of the Cold War, the reason for it being the need to differentiate strategic and theatre ballistic missile defences. The Clinton Administration, rather than attempting to strengthen the ABM Treaty, wanted to get Russia's agreement that the theatre missile defence systems the US was developing were in compliance with the Treaty. The speaker wondered why would Russia be worried about the ABM Treaty, since it insists that there are ways to overcome missile defences. In fact, Russia already has penetration aids, tested and deployed, so it would not have to counter American actions, and there will be no arms race. Moreover, the US intends to reduce its offensive weapons. The speaker noted that in 1972 seven countries possessed ballistic missiles, now there are 27, and that is another reason why the US needs ballistic missile defences. As far as North Korea is concerned, he reminded the audience that it has nearly 1 million men under arms close to the demilitarized zone. Its population is starving, while at the same time it is building a long-range ballistic missile. The US is concerned that the real objective is to threaten the United States, and to keep the US from supporting South Korea, if it comes under attack. As to Russia pulling out of START I, it is it's right, though the US would regret such a decision. Likewise, however, extraordinary events, such as in terms of proliferation, may cause the US to invoke the withdrawal clause of the ABM Treaty. Davison went on to say that he found interesting Nazarkin's suggestion that missile defence testing be allowed without changing the ABM Treaty provisions on deployment. Personally, it would not bother him if Russia wanted to retain MIRVed ICBMs, or MIRVed its SS-27s. The difficult thing would be to quantify a US missile defence capability that would not present difficulties for Russia. As to abrogation or amendment of the ABM Treaty, while the Clinton Administration wished to modify it, the Bush Administration is saying that this alone will not work. The Treaty was a product of the Cold War. The reason why the US has not yet identified a specific system is because it cannot do the required testing under the Treaty's provisions. On cutting appropriations, Davison explained that in the aftermath of September 11 the money was restored to the defence authorization bill, so as not to hold it up, since the sponsors of the move did not wish to impose a divisive debate in Congress, but they intended to present a separate provision on ABM testing. As to the terrorist attack affecting the Congressional debate, he believed that politically it would be very difficult to claim that vulnerability is a good thing, if the appropriate technology for defence is available.

Timerbaev agreed that penetration of the US NMD would not be a problem. He stressed, however, that both countries are entering a new era of relations, while seeking

ways of finding common interests all over, and they should try hard to find a solution on both ABM and offensive weapons.

Lukyantsev, reacting to Davison, remarked that if the Americans in South Korea needed protection, it can be provided with theatre missile defence (TMD), rather than with NMD. However, the US does not wish to involve Russia in TMD, though the latter is ready to help. The Standing Consultative Commission was created, in particular, to consider changes in the strategic situation, but the US has blocked its work, and only agreed to a short session in early December, which is insufficient for a serious discussion. The RAMOS project is not as innocent as described: it is a first step to violate the Treaty, by placing radar-equipped satellites to track ballistic missile launches. Referring to the Joint Data Exchange Center in Moscow, Lukyantsev recalled that it was still not commissioned, because the US wanted to exempt its staff from Russian jurisdiction. As for a limited "thin" ABM system, he said that to kill a missile one must have a global command and information system based in space, which is again a violation of the Treaty.

Chair's closing remarks

Rounding up the discussion, Co-Chair Lehner thanked the Round Table participants for their contributions, and expressed his satisfaction with an interesting and instructive debate on a theme that could be revisited at another time.

In his closing remarks, Co-Chair Fokine said that the speakers helped to improve our understanding of the issues involved. The theme of the Round Table was well covered, and he was satisfied with a time well spent. He thought that the framework employed was useful, and expressed his hope that similar events would be sponsored jointly in the future by the Diplomatic Academy and the GCSP.

Annex

1 Round Table "Russia and the West, the West and Russia"

Diplomatic Academy of the Russian Foreign Ministry and the Geneva Centre for Security Policy

Tuesday, 2 October 2001

(Diplomatic Academy Conference Hall, ul.Ostozhenka 53)

Program

9.00 – registration
9.30 – commencement of session

Topic One: **European Security – what are the roles of the UN Security Council, OSCE, CIS, EU and NATO?**
Presentations – Andrei S. Androsov and Pal Dunay
– discussion
11.30 – tea/coffee

Topic Two: **NATO's new strategic concept and its implications for European and world security. Have we learnt any lessons from Kosovo?**
Presentations – Vladimir S. Kotlyar and Thierry Tardy
– discussion
13.00–14.30 – luncheon with Ambassador Yuri E. Fokine, Rector, Diplomatic Academy (Academy restaurant)

Topic Three: **Crisis management and peacebuilding in and around Europe**
Presentations – Ivan G. Zolotov and Thierry Tardy
– discussion
15.30 – tea/coffee

Topic Four: NATO and EU enlargement
Presentations – Evgeni N. Yefimov and Pal Dunay
– discussion

Topic Five: The US Anti-Missile Defense concept and the future of strategic arms control
Presentations – Richard Davison and Vitali A. Lukyantsev
– discussion
17.30 – end of session
19.00 – dinner with Ambassador Ulrich Lehner, Director, GCSP (Pushkin Café)

2 Round Table "Russia and the West, the West and Russia" (Moscow, 2 October 2001)

Participants list

Co-Chairs:

Ambassador Yuri E. Fokine, Rector, Diplomatic Academy, Russian Ministry of Foreign Affairs (MFA).

Ambassador Ulrich Lehner, Director, Geneva Centre for Security Policy (GCSP).

Main speakers:

Andrei A. Androsov, Principal Counsellor, Department of European Co-operation, MFA.

Richard Davison, Faculty Member, GCSP.

Dr. Pal Dunay, Faculty Member, GCSP.

Evgeni N. Efimov, Head of NATO Section, Department of European Cooperation, MFA.

Dr. Vladimir S. Kotlyar, Senior Researcher, Security and Arms Control Centre, Diplomatic Academy.

Vitali A. Lukyantsev, Senior Counsellor, Department of Security and Disarmament, MFA.

Dr. Thierry Tardy, Faculty Member, GCSP.

Ivan G. Zolotov, Acting Head of Section, Department of International Organizations, MFA.

Other participants:

Dr. Nadezhda K. Arbatova, Senior Researcher, Institute of World Economy and International Relations.

Dr. Dmitri A. Danilov, Head of European Security Department, Institute of Europe.

Army General Mahmut A. Gareyev, President of the Academy of Military Sciences, Ministry of Defense of Russia.

Jan Hyllander, Faculty Member, GCSP.

Prof. Yuri A. Matveyevski, Moscow State Institute of International Relations.

Ambassador Yuri K. Nazarkin, Faculty Member, GCSP.

Ambassador Alexei L. Nikiforov, former Russian Representative, Contact Group on FRY.

Colonel Alexander N. Konygin, Deputy Department Chief, Foreign Relations Directorate, Ministry of Defence of Russia.

Dr. Michael P. Shelepin, Director, Security and Arms Control Centre, Diplomatic Academy.

Ambassador Vladimir V. Shustov, MFA.

Ambassador Roland M. Timerbaev, Co-Chairman, PIR (Political Research in Russia) Council.

Dr. Andrei M. Vavilov, Senior Researcher, Security and Arms Control Centre, Diplomatic Academy.

Secretariat

Andrei V. Aliaev, Senior Researcher, Security and Arms Control Centre, Diplomatic Academy.

Natalia B. Lutsenko, Researcher, Security and Arms Control Centre, Diplomatic Academy.

Pyotr A. Razvin, Principal Researcher, Transatlantic Studies Centre, Diplomatic Academy.

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Special Issue Andrei M. Vavilov and Joanna M. Schemm: Russia and the West, the West and Russia. March 2002