

# Towards a new Euro-Atlantic Security Architecture

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# 1. The Euro-Atlantic Security Architecture and the contemporary world

1.1. The construction of international and collective security institutions in Europe has the longest history and has its origins in decisions of the 1815 Congress of Vienna which drew a line under the Napoleonic Wars. At some stage, the desire to add a comprehensive nature to newly established mechanisms and formats became the most important tendency in those efforts.

1.2. At present, the density of various institutions for international interaction on security matters in Europe and the Euro-Atlantic region as a whole

is the highest in the world. The main regional structures related, in one way or another, to collective security include the Organization for Security and Cooperation in Europe (OSCE), the Council of Europe, the European Union, the Commonwealth of Independent States (CIS), the North Atlantic Treaty Organization (NATO), the Collective Security Treaty Organization (CSTO) and many sub-regional structures. Two of the above organizations – the OSCE and NATO – are institutions established to serve the structure of international relations in the conditions of the Cold War. Now they are looking for new

## Members of NATO and OSCE



spheres of their activity in the new conditions, but quite often – by their very nature – tend to reproduce the logic of confrontation.

**1.3. Over the past 20 years, multilateral institutions in Europe have solved some of the problems facing the continent.** For example, the OSCE has imposed limitations on military activities in Europe and made them more transparent through exchanges of information on armed forces, weapon systems and plans for their deployment, the conclusion of the Open Skies Treaty, etc. It has also built institutionalized and other mechanisms for crisis alert and danger reduction. The Council of Europe has made its positive contribution, as well.

1.3.1. It is necessary to emphasize the role the European Union plays in strengthening regional security. Its efforts have largely strengthened peace and stability as they rest on the logic of overcoming state nationalism and looking for solutions through compromise and democratic respect for the equality of its member countries. Due to the European Union's success, the larger part of the continent has bid farewell to endless conflicts and wars. In retrospect, one can say that the Treaty of Rome, which established the European Economic Community, served as a

peace treaty that put a final end to World War II for the most of the continent. Europe no longer poses a threat to the rest of mankind.

1.4. In general, the international political landscape of Europe and the Euro-Atlantic space is overloaded with various multilateral institutions. Their functional interchangeability has been growing, giving rise to elements of destructive competition in peacekeeping efforts and counteraction to new security threats. The gap between the global nature of arising problems and the group approach to their solution reduces the effectiveness of efforts by interstate associations and individual countries. At the same time, none of the countries in the region fully complies with the existing international political principles of European security – the so-called Helsinki Decalogue, a code of pan-European political standards of states' conduct.

1.5. Stability in relations between most of the most states of the region is due to their involvement in sub-regional political, economic and military organizations – NATO and the European Union – which ensure a very high level of trust and interdependence between them. The geographical expansion of NATO and the EU has now reached its limit, while it will take the CSTO and the CIS a long time to achieve

### One third of "big Europe"



a comparable level of trust within themselves. So, one-third of the population of “Greater Europe” lives outside the “prosperity and security area,” which only serves to consolidate the explosive split of the Euro-Atlantic space.

1.6. The efforts made by Western countries after 1991 to keep former Socialist countries under their political and economic influence by extending NATO to them played a negative role in the erosion of the European security system. NATO’s eastward expansion, which began in 1994-1995 and which proceeded without Russia’s participation, has put an end – at least for the time being – to opportunities for building a Europe without dividing lines. Simultaneously, it has dealt a blow to Russia’s trust towards the United States and its allies. **Russia’s elite**, which views itself as the victor in the struggle against totalitarian Communism, **has never considered its country defeated in the Cold War. Meanwhile, the West has been trying to treat it as a defeated country, which has laid a deep foundation for a new and potentially rough confrontation. The situation is simple: the Old West will have to either try to “finish off” Russia or to conclude an honorable peace with it and thus finish, once and for all, the “unfinished” Cold War.**

1.7. As a result, 20 years after the formal end of the Cold War, the Euro-Atlantic space has failed to overcome the legacy of the bipolar confrontation and create a stable and efficient system for multilateral interaction to counter traditional and new threats. **The Cold War, which was declared over, has proven to be unfinished.**

1.7.1. First, the existing institutions for international and collective security in Europe have not solved the main problem – that is, the problem of war and peace. Their inability manifested itself and resulted in the NATO attacks on Yugoslavia in spring 1999 and in the conflict in the Caucasus in August 2008. In both cases, the tragic events were caused by the inability of the existing European security institutions to prevent both internal and intra-state conflicts which escalated after the bipolar confrontation was over.

1.7.2. Second, none of the institutional and legal mechanisms existing in Europe ensure compliance with the principle of indivisibility of security which implies a commitment by all countries and inter-state associations not to strengthen their own security at the expense of others. Non-fulfillment of this principle, which was codified in the 1999 Charter for European Security, results in the loss of mutual trust

### Countries that joined NATO since 1994



and in increased attention to military instruments for ensuring national security.

1.7.3. The existing mechanisms and institutions for multilateral interaction on security matters deny Europe the ability to respond to new challenges and threats and to be an adequate participant in international. There is no efficient institutional and legal framework in Europe for cooperation of all states in such matters as countering drug trafficking, terrorism and cybercrime, biosecurity, collective prevention and reaction to emergencies and humanitarian crises, environmental protection, and efforts to meet environmental challenges, including global climate change. The European Union and NATO prefer to address these issues independently, which rules out full-fledged participation of Russia and many other countries in these efforts and which also paralyzes efforts of the OSCE.

Moreover, and this must be said straight out, the possibility of NATO's expansion to Ukraine, which Russia's elite views as a vital threat to its security, has created and maintains – for as long as this possibility exists – a threat of a large-scale war in Europe, which may escalate unpredictably.

1.8 The unfinished nature of the Cold War constantly revives open or hidden suspicions and a

confrontational mentality and rhetoric in Russia and many other European countries. The old geopolitical thinking and the psychology of rivalry are clearly raising their heads in Europe. “Energy security” is a classic example of that. Non-Russian Europe should thank God for the presence of energy-rich Russia at its borders, while Russia should be thankful for having such a wealthy customer. However, natural, albeit hidden differences in the interests of energy consumers and producers, which are easily overcome in open bargaining, almost unconsciously are given a political hue. Energy supply becomes an issue of “energy security” and even acquires a military tint (as follows from the discussion about an “Energy NATO”). Another example, which is quite phantasmagoric, is the farcical military-political rivalry over 25 percent of the world's undiscovered (Sic) energy resources that allegedly are located in Russia's economic zone in the Arctic. One can also recall several EU attempts to prevent a final settlement of the conflict in Transnistria – only because the settlement plan was proposed by Russia. Just as the EU, Russia stood in the way of settlement in Kosovo. Examples of this kind abound.

1.9. None of the existing collective security organizations in Europe can serve as a universal mechanism for cooperation and conflict prevention. The absence of legal obligations for the OSCE member states to

## Ukraine



cooperate on crucial issues is the main reason for the OSCE's inadequacy. NATO's emphasis on maintaining peace and stability inside the Euro-Atlantic community – that is, on preserving the unity of the West – as well as its function as a defensive alliance are becoming an obstacle to the extension of the organization's capabilities, both geographically and functionally. Yet the main problem of NATO is its genetic code, which can be overcome, as practice shows, either by transforming the organization into a collective pan-European political-military union, or by creating a genuine pan-European security system.

1.10. As for the European Union or the CIS, these organizations – regardless of the difference between their policies and weight in the world – are aimed, above all, at the development of multidimensional processes of integration within themselves. The mechanisms they build, such as the European Security and Defense Policy, are primarily intended to unite member states and enhance their individual capabilities, rather than strengthen international security in general. Institutional constraints for the participation of Russia and some other countries in NATO and EU efforts to counter new security threats make these efforts ineffective and unproductive and cause countries to focus on bilateral cooperation, for example between Russia and the U.S., between Russia and individual EU countries, and between the U.S. and Central Asian states.

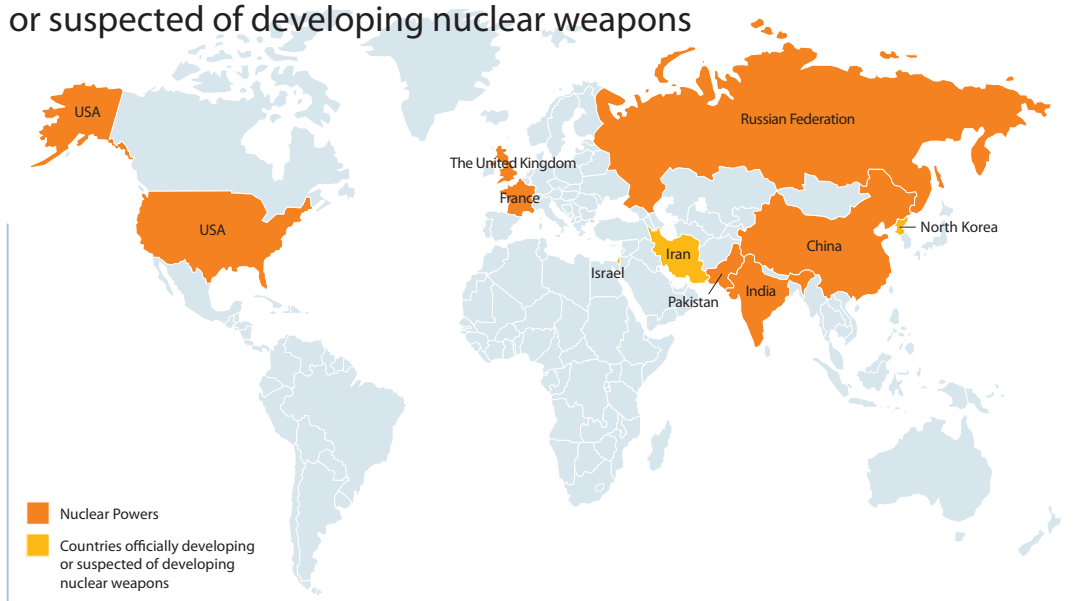
1.11. The evolution of the strategic priorities of Russia and the United States poses a special challenge to the stability of the Euro-Atlantic security architecture. While remaining major actors in the field of “hard security,” these two states now increasingly often set their eyes on other countries and regions.

1.11.1. The United States has long been shifting the focus of its global strategy to Asia – namely, China and India – while viewing Europe as an important, yet secondary ally. Russia now also has a much wider choice of opportunities and partners, compared with the period 1991-2001. Moscow no longer views the European vector of cooperation as an absolute priority over the development of all-round ties and interaction in the Asia-Pacific region.

1.11.2. Faced with the impossibility of its advantageous and equal accession to the Euro-Atlantic space, Russia seems to be inclined to prioritize cooperation with China – even if as a “younger brother,” although a respected one. A partial geostrategic and, especially, economic reorientation to the rising Asia and Great China is necessary and beneficial for Russia. But its alienation from Europe – the cradle of Russian civilization and modernization – threatens Russia's identity and may pose geostrategic risks in the distant future.

1.12. **The present configuration of relations in the Euro-Atlantic region and the state of the security system in it looks dangerously archaic**

### Nuclear powers and countries officially developing or suspected of developing nuclear weapons





**and counterproductive amidst global challenges.** The division of “Greater Europe” and the continuing or even increasing geostrategic rivalry in it hinders an effective response to new security challenges, the main of which is the proliferation of nuclear weapons, which began in the 1990s, and the progressive destabilization of the “Greater Middle East.”

1.12.1. The persistent threat of NATO’s expansion and the present bureaucratic and institutional deadlock in Russia-EU relations add to the estrangement, which may be temporary but has a tendency to strengthen. Even though the two parties have achieved much in their rapprochement, they still do not have clear objectives in mutual relations and only vie with each other for the space that lies between them, instead of jointly developing it.

1.12.2. The growing estrangement between Russia and Europe is rooted not only in the values gap, now growing again, but, most importantly, in their geostrategic rivalry which has now resumed as the Cold War was not finished. If this estrangement keeps growing and if the parties fail to unite on the basis of their cultural proximity and the complementarity of their economies, they will be doomed to play the role of secondary or even tertiary players in the world of the future. Europe will then become a large Venice, a rich but decaying continent and a monument to its former greatness, while Russia will play the role of an agrarian and raw-material appendage

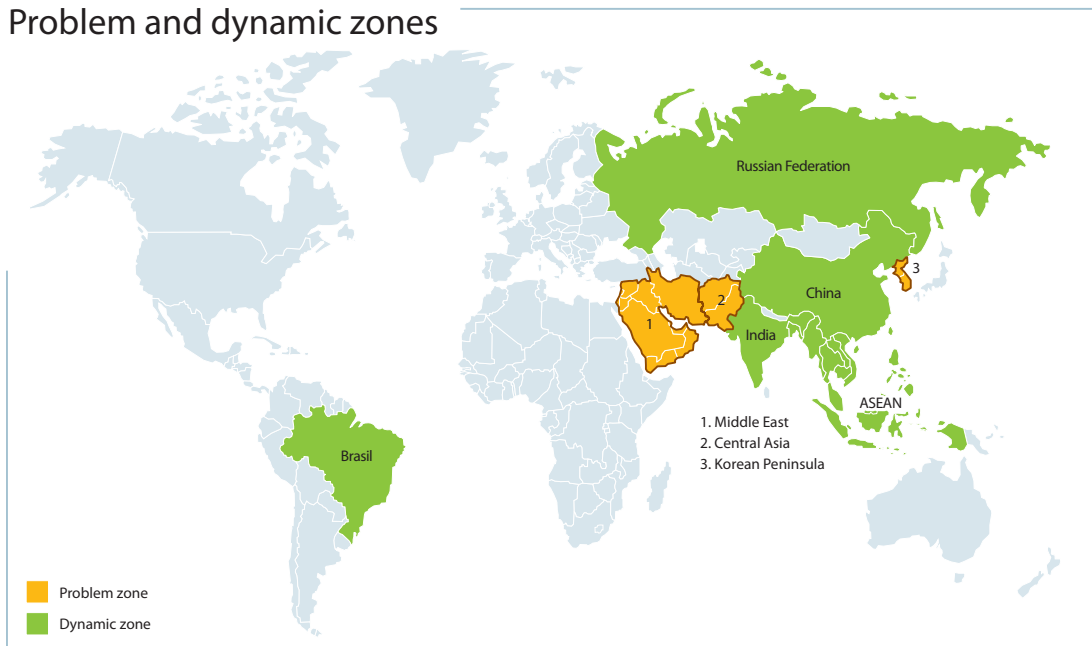
of Great China and other developed economies. If viewed from the position of realism, neither Russia nor Europe reveal an ability for revival and transformation into independent centers of power which would counterbalance and supplement the two main centers of the future world – the United States and China.

1.13. Current discussions about how to reform the Euro-Atlantic security architecture take place in basically new international conditions which differ from the previous historical eras – the period of the “balance of forces,” the Cold War, and the transition period of 1991-2008.

1.13.1. **For the first time in centuries, Europe is not a global center in the system of international relations.** The end of the systemic confrontation between the West and the East, the emergence of new countries on the global political and economic arena, and the shift of the focus of the world economy to the Asian and Pacific regions push the European theater to the relative periphery of international life. The Persian Gulf, the Middle East and Central Asia are now the most troubled region in the world, while East and South Asia is the fastest-developing one.

1.13.2. Europe still plays a major role in the world economy, but its ability to set trends in the development of the global market has been steadily waning. Militarily, most of the countries of “Greater Europe,”

## Problem and dynamic zones



except Russia, the United States and, partly, Britain and France, are of no value. The EU will most likely continue losing its international positions because of its inability for sacrifice for the sake of effective struggle over competitive positions in the world and due to several structural reasons. The ratification of the Lisbon Treaty will hardly slow down this process significantly.

1.13.3. Second, the dynamism of the international environment has markedly increased. New risks and threats are becoming increasingly unpredictable, and requirements have increased for the ability of individual states and interstate associations to promptly respond to emerging challenges. Under these circumstances, the security system in Europe remains static and largely oriented to the situation of 20 to 60 years ago.

1.13.3.1. In these conditions, especially in light of the redistribution of forces in the world in favor of new centers of influence and the waning ability of the West, which is increasingly challenged, to play the role of leader, the United States and its allies in Europe can no longer afford to conduct a dialogue with Russia on European security matters from the positions of superiority. Attempts to conduct it in the old style are becoming increasingly counterpro-

ductive. However, the West cannot give it up completely. As a result, this dialogue is now in a kind of “gray” political zone.

1.13.4. International relations are now becoming renationalized and even remilitarized, and the crisis of global political and economic regulation is deepening. Against this background, direct bilateral interaction is growing between Russia, the United States and key states of NATO and the EU in practical efforts to combat international terrorism and piracy, in peacekeeping operations and in many other areas. This interaction objectively reduces the role of European international institutions and organizations and weakens them still further. NATO-Russia cooperation is doomed to be ineffective, at least until the threat of the bloc’s further expansion to Russia’s neighbors is eliminated.

1.14. It is necessary to clearly identify the problem: Does the West want to continue its geopolitical expansion, proliferating its institutions, above all NATO, to countries bordering on Russia? Or is it ready to put an end to this short-sighted policy? **It is time to stop hypocritical talk about the renunciation of recognition of zones of special interests, used to cover up the expansion of one’s own zones in the most sensi-**

## “Big Europe” and the countries aspiring to join NATO



tive, military-political sphere. This is what NATO is doing. It would be better to avoid such “zones of special interests,” at least in Europe. But then one must give up this expansion in favor of their joint development and renounce rivalry in the name of cooperation. The talk about the desire of part of elites in post-Soviet countries to join NATO to confirm their “European choice” must give way to universal responsibility for security in Europe. This does not mean that Russia can and must impede the social and economic consolidation of the entire Europe around its most efficient center – the EU.

1.15. Another challenge is the philosophy of nuclear deterrence in relations between Russia and the U.S., between Russia and the United Kingdom, and between Russia and France, inherited from the times of the bipolar confrontation. This philosophy can be overcome by gradually reducing excessive nuclear arsenals and means of their delivery, building a joint Euro-Atlantic non-strategic missile defense system, and conducting joint exercises between Russia and Western countries.

1.16. **Summing up, we can conclude that the state of Euro-Atlantic security and its archi-**

**itecture is unsatisfactory in all the existing parameters, except for the number of institutions for multilateral interaction.** This state of affairs can be remedied by resolutely moving the bulk of the existing pan-European commitments codified in documents such as the Charter for a New Europe (1990), the Helsinki Document (1992), the Charter for European Security (1999), and the NATO-Russia Founding Act (1997) from a political into a legal realm. We must build a new collective security system that would unite the whole of Europe; we must fulfill the “legal completion” of the Cold War and thus create prerequisites for a new unification of Europe from Vancouver to Vladivostok.

1.17. Naturally, this configuration would act in a different world compared with the world of the first half of the 1990s when the first theoretical possibility emerged for its creation. Russia will not give up its policy of rapprochement with China and the rising Asia, while the U.S. will continue its reorientation to the Pacific region and China. But such a configuration would benefit all the three major actors in the Euro-Atlantic architecture – Russia, Europe and North America – and the rest of the world would benefit as much.

## 2. The State of Debates

2.1. The discussion of the need for a radical modernization and revision of the political, legal and institutional frameworks of the system of international and collective security in Europe was initiated by Russia in early June 2008. The first Russian proposals were formulated in President Medvedev's speech in Berlin; later they were included in the Foreign Policy Concept of Russia (July 2008) and specified in the Russian President's speeches at the World Policy Forum in Evian, France (October 8, 2008) and the Russia-EU summit in Nice (November 2008). The "Corfu Process," held within the OSCE frameworks, is one more important, although obviously insufficient, component of the discussions of the Russian initiative and the reform of the European security architecture.

2.2. The proposal for drafting a new comprehensive Treaty on European (Collective) Security and its signing by all countries of the Euro-Atlantic space holds center stage in the Russian initiatives. Russia insists that the treaty must be based on the principle of indivisibility of security which implies a legally binding commitment by all the participating countries not to strengthen their own security at the expense of others. Another important aspect of the proposed Treaty could be a requirement for the consent of all the participating countries to decisions made within the frameworks of existing and future military alliances, organizations or coalitions that may affect the interests of other parties to the Treaty. The Treaty could bind the parties to hold consultations on such issues. Politically, the proposed Treaty is intended to put an end to the unfinished Cold War and the geostrategic rivalry in the Euro-Atlantic space and thus release forces for effective cooperation in countering new security challenges. For Russia, the conclusion

of such a treaty would substantially facilitate its democratic modernization.

2.3. **For the time being, the majority of Western countries officially oppose the very idea of a new legally binding treaty.** They only express understanding of Russia's position on its exclusion from the decision-making mechanism in NATO, especially in the context of the alliance's idea of its universal role in ensuring European security.

2.4. The first detailed discussion of the Russian initiative took place in December 2008 at a meeting of the OSCE Ministerial Council in Helsinki. Although statements by Russian officials contain basic principles that Moscow wants to be included in the text of the Treaty, Russia's partners in the West mostly complain that Moscow's proposals are not specific enough and say that Russia should offer a ready draft of such a comprehensive treaty for collective discussion within the OSCE frameworks. Russia has well-grounded concerns that the presentation of such a document would lead to its all-out criticism and would result in the scrapping of the dialogue on the reform of the Euro-Atlantic security architecture in general. Naturally, the Russian expert community has drafts of such a treaty.

2.5. Simultaneously, Russia's partners in the West openly rule out discussing a replacement of the OSCE and NATO by the new Treaty and its probable institutional continuation. Most of the countries participating in the discussions propose conducting them in the OSCE negotiating formats and adapting the role and functions of this organization to the new realities as a practical result.

Attempts are being made to convince Russia that a greater role for the OSCE within the frameworks of Moscow's proposals can allegedly help draw support for them from Western countries. However, Russia remembers well that its formal proposals in the 1990s to transform the OSCE into the main framework for Euro-Atlantic security were harshly torpedoed.

2.6. Complaints are also expressed over Russia's concentration on "hard security" issues and its ignoring the so-called Third Basket issues – that is, democracy and human rights. Moscow, in turn, does not conceal that its proposals are aimed at resolving the main European security problem which, as the events of August 2008 showed, is the problem of war and peace.

2.7. **The underestimation by official Moscow of the importance of the humanitarian component of any new treaty is becoming apparent and erroneous.** This underestimation stems from the non-liberal political regime, now taking shape in Russia, and the conclusion that the slogan of "proliferating democracy" during "color revolutions" and the war in Iraq concealed a desire to broaden spheres of geopolitical dominance. Or, as in the case with part of the elites in Central and Eastern European countries – it was a desire to take revenge for defeats in the past centuries. At the same time it is clear that it is in the long-term interests of Russia to reverse the trend towards curtailing democratic freedoms, which has obviously begun to deteriorate the efficiency of state governance, impede economic modernization due to the systemic proliferation of corruption, and worsen the country's positions in international competition. We believe that Russian society is interested in foreign assistance, even if it is a legally valid political pressure, for improving the human rights situation and restraining the arbitrariness of uncontrolled bureaucracy. Interaction with the Strasbourg Court is telltale evidence of that interest.

2.8. From Russia's point of view, the present OSCE – even though it remains a convenient platform for dialogue in terms of representation of the parties concerned – cannot be viewed as a framework for a Euro-Atlantic security system because of its inability to rid itself of the political ballast of the last few years and to abandon its bloc approach to decision-making. In this connection, Russia for the time being views the increased attention to the

OSCE as attempts to torpedo the entire Moscow-initiated dialogue.

2.9. The discussions indicate that the majority of Western countries are not ready yet to recognize the need to revamp the European security system which suits them well, despite its obvious inefficiency and even notwithstanding the fact that it is becoming increasingly counterproductive. And most importantly, they are not ready to abandon their geopolitical expansion plans which have already led to the war in Georgia and which are undermining the positions of the whole of Europe in the world.

2.10. At the same time, **over the year and a half that have passed since Russia first spoke of the need for a new Treaty on European (Collective) Security, the situation has markedly improved and continues changing.** There is a growing understanding of the inadequacy of the existing system. A broad and substantive dialogue is unfolding both within the Old West and between Russia and Western countries. More and more experts now come to understand, although few of them acknowledge this in public, that the present security system does not meet the interests of not only Russia but, equally, the interests of the whole of Europe, that this system predetermines a resurgence of instability and even military threat and inevitably weakens the Old World's positions in the world. NATO has frozen its enlargement. There is a growing understanding of the inadmissibility of its further expansion. It is sad that the price for this understanding was paid by hundreds of Ossetians, Russians and Georgians who were killed in the August 2008 conflict. But there is hope that these victims will not be in vain.

2.11. Considering that any tangible results of a radical overhaul of the existing Euro-Atlantic security system are unlikely to be achieved earlier than the middle of next decade, the speed of the movement towards the understanding of the need to modernize the present security system is very satisfactory and even impressive. (The possibility of achieving earlier results seems unlikely due to the mutual frustration and mistrust, amassed over the past 20 years, to the different-vectored movement of the parties' value paradigms, to the unrealistically high assessment by Russia and, to an even greater degree, by the EU of their capabilities in the new world, and to the transitional nature of the U.S. strategic objectives.)

## 3. Possible Solutions

3.0. As the result of analytical work and a series of discussions of various drafts the authors came to a conclusion that the Euro-Atlantic security system could develop along five scenarios. The authors favored the fifth scenario – development of a comprehensive on Euro-Atlantic security Treaty. The principles of such a Treaty are laid out in paragraph 3.5 of this Report.

3.0.1. However, already when the text of the Report was ready, the President Dmitry Medvedev put forward an official text of a proposed Treaty. The authors to their great pleasure note that their principles were reflected in the officially proposed document. Though, at this juncture, it has a narrower scope. The authors decided not to change the text of the 3.5 section, but rather to publish the unofficial translation of the text of the proposed Treaty as an Annex.

3.0.2. Naturally, the authors understand, that the proposed text is the most interesting piece for discussion. However this debate is only starting. And the actual treaty or could look differently eventually.

### 3.1. Status quo

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3.1.1. Leaving things as they are will inevitably lead to a hidden or open rivalry between various sub-organizations of European security. In this event, one might expect the unavoidable expansion of the security void in Europe, and mutual weakening of Euro-Atlantic partners. They will be unable to resolve the Iranian or Afghan problems effectively or in cooperation. The joint efforts in their solution will be extremely limited or overly demonstrative. They might only cooperate in a tiny range of issues,

where their interests fully coincide. The parties' participation in rebuffing real challenges of the 21st century will be far less effective. The unrecognized "zero sum" game will continue. In case the West resumes the attempts to expand the zone of its military-political influence into the former USSR, especially Ukraine, the risk of a conflict with unforeseeable consequences will increase.

### 3.2. Status quo plus

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3.2.1. As a second option one might consider the "status quo plus" program, brought forward by some Western experts. This implies a slight expansion of the authority of the Organization for Security and Cooperation in Europe, mostly in the field of resolving "frozen conflicts", the modernization of the existing and the drawing of new accords in arms limitation and reduction. NATO and the European Union would be playing an increasingly important role in ensuring security. Russia would be making unilateral moves to provide for its own security and pursuing the policy towards preventing the strengthening of Euro-Atlantic partners.

3.2.2. The OSCE has a number of advantages compared with other European multilateral bodies. These are: the comprehensive membership, the consensual principle in decision-making, and the complex approach that combines activities in the three basic "dimensions" of the Helsinki Final Act. But, as Western experts note, these principles also act as serious limitations that occasionally paralyze the OSCE's decision-making mechanism.

3.2.3. In case this scenario is realized, the OSCE's role and functions are likely to continue to lose their



potency, even if this organization helps settle the situation in the zones of simmering conflicts and deploy NATO and EU's military and police forces there. If this process is completed, all OSCE functions will be reduced to the Third Basket, which will inevitably mount tensions in Russia-West relations. In the event these conflicts flare up – as happened with South Ossetia – the efforts to settle them will surely lead to a confrontation between Russia and Western organizations.

3.2.4. The removal of the “hard security” issues from the OSCE agenda might result in their unilateral regulation, with a lesser degree of Russia-NATO involvement. There is a possibility that the Collective Security Treaty Organization and NATO act as regulators. The latter option might lead to an increasing division of Europe and the revival of bipolar confrontation, in its truncated version. One must forget about effective cooperation between European states in the solution of the most acute global problems. This will affect, in a most negative way, the capability of both Russia and Western states to resolve such problems as the proliferation of weapons of mass destruction and stabilization of the Greater Middle East.

### 3.3. Creation of a system of special treaties for collective actions

3.3.1. The third possible scenario for the development of the security architecture in the Euro-Atlantic space is to divert the collective efforts of countries and international organizations from the possibly difficult attempts to work out a universal political-legal format of a new European Security Treaty. **The European expert community offers a compromise: Euro-Atlantic countries and organizations could draw a package of interstate agreements on removing part of their concerns in ensuring national security and creating more effective tools to combat external threats to Europe.**

3.3.2. This approach might draw a line between traditional and new threats to security in Europe. Whereas in the sphere of traditional threats, the parties are expected to renounce unilateral and uncoordinated moves in the military-political sphere, the issues of new challenges and threats mean creating mechanisms for European countries' collective moves to rebuff the most important global challenges.

3.3.3. An “umbrella” treaty on creating a single (collective) security space from Vancouver to Vladivostok – which would formally put an end to the Cold War in Europe – would act as the political superstructure of such a system of accords. The signing of the document containing provisions on indivisibility and mutual security guarantees and the universal commitment to observe human rights, maintain the supremacy of law, territorial integrity and inviolability of borders, settle disputes peacefully, would help close the chapter on the split of the continent in the 20th century.

3.3.4. One might suggest the following key multilateral sectoral documents:

3.3.4.1. An agreement on the OSCE, to confirm the key role of this institution as a framework interstate organization and the symbol of a re-united Europe, and ensure equitable representation of all Euro-Atlantic states without exception, in discussing the most important challenges and problems facing them. The OSCE must become a regional organization of united nations, although it would be based on more democratic principles than those of the UN.

3.3.4.2. An agreement on indivisibility and mutual security guarantees, to ensure the predictability of actions by states and unions in the sphere of national security. It should envision the setting up of an international institution, with the sole function of monitoring and settling the problems of potential threats of actions by each of the signatories with respect to each other. The main element of such an agreement would be the signatories' commitment to resolve their security problems through this organization, using the mechanisms envisioned by the agreement, as well as through the UN Security Council.

3.3.4.3. An agreement on energy security, to spell out the general understanding of the trends and priorities for European states in this field and lay groundwork for integration between the energy sectors of Russia and Europe. A single interconnected system of pipelines ensuring uninterrupted supplies even in case of terrorist attacks would facilitate such integration. The main element of this agreement should be a legal basis for the leading energy companies to exchange assets and set up a common regulator for all the signatory states, possibly along the lines of a modified Energy Charter.

3.3.5. The list of new agreements could include:

- an agreement on security guarantees and territorial integrity of neutral and non-bloc states,
- an agreement on fighting terrorism and cross-border crime,
- an agreement on combating drug-trafficking,
- an agreement on combating piracy,
- an agreement on combating cyber terrorism and cyber crime,
- an agreement on counteracting the threats to human life and human environment (biosecurity),
- an agreement on the prevention of militarization of outer space,
- an agreement on collective struggle against natural and man-made disasters,
- an agreement on cooperation in issues of climate change,
- an agreement on joint peacekeeping operations,
- an agreement on joint development of the Arctic region.

The common features of all these documents should be their legal binding force, the availability of clear interaction procedures, specialized agencies and mechanisms of control, and – in some cases – the parties' financial obligations.

**3.3.5.1. The Agreement on Prolonging the Transparency and Confidence-Building Measures, envisioned by the Treaty on Conventional Armed Forces in Europe appears to be as important. At the same time, it would be extremely inexpedient to prolong or modernize this treaty.** It became obsolete even before it was signed, and carries and generates the Cold War mentality. New talks over this treaty are fraught with the re-militarization of the European politics and reanimation of old fears and suspicions. Lastly, the very concept of a balance (parity) of armed forces and armaments in Europe has been and remains a challenge to the common sense.

3.3.6. This package of agreements must be complemented with a new Russia-EU framework agreement and a series of sectoral accords. These accords should envision, above all, creation a single human space in Europe with visa-free travel; a single energy space with cross ownership of mining, transportation, processing and distribution companies; and a single legal space (through a modernized Energy Charter – in the form of a treaty, if possible).

3.3.7. The interested countries and international associations might find it easier to reach accords in each of these fields and monitor the implementation

of the commitments each of them takes if they create appropriate institutions and agencies. The Euro-Atlantic countries may consider other pressing fields that require mechanisms of collective actions.

3.3.8. A network of interstate agreements in which individual countries, associations or unions might participate, will provide not only for removing the main threats and challenges inside Europe – that stem from the incompleteness of the Cold War – but also give the European countries a more flexible and faster system of response to the challenges of the increasingly complex global environment. It will enable each participant to have complete support from other Euro-Atlantic states in the protection of its national interests.

3.3.9. The pros of this plan are the relative ease to reach an agreement in a given sector, a potential to flesh out cooperation in European security with real achievements, and an improvement of the general political atmosphere, much poisoned in the recent years.

3.3.10. But if these agreements are not pan-European, and only concern blocs of states, any member-state in these blocs (CSTO or NATO) might block progress and aggravate the general situation. This option looks preferable or possible only if they bring together all European states. NATO and the CSTO (to a lesser extent) might regard these agreements as a threat to their integrity.

3.3.11. From Russia's point of view, the success of this process will depend on the signing of a basic agreement on indivisibility and mutual security guarantees that would rule out the threat of NATO's further enlargement and the threat to Russia's vital interests. It would be very difficult for Moscow to sign sectoral agreements until it has received guarantees that this threat will not re-emerge.

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## 3.4. Russia's accession to NATO

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3.4.1. The fourth scenario is Russia's ascension to NATO under the old French scenario (without joining the bloc's military organization). It is only after Russia's gains membership that the bloc could enlarge by inviting other former Soviet republics.

3.4.2. This option looks quite attractive. Contrary to the widespread belief, Article 5 of the North Atlantic



Treaty does not envision any automatic security guarantees. The military-technical obstacles to NATO membership are grossly exaggerated. Membership in the alliance does not rule out participation in other military-political associations. For example, Russia and China could set up a security union, if necessary, or **the Shanghai Cooperation Organization could boost its security elements.**

3.4.3. The advantages of this option are obvious. The confrontation and the Cold War in Europe will come to an end. NATO will become an effective and persuasive tool to maintain peace in the world (in cooperation with other great powers, above all China and India). Russia will become more powerful within the community of developed countries with similar cultures, with the increase of external impulses for further modernization.

3.4.4. Such a scenario was quite possible in 1991-1994, before NATO began to enlarge. At present, it looks the least likely, but cannot be ruled out entirely. The world is developing unpredictably fast and requires radical changes in policies. Such changes do occur sometimes, for example, when Barack Obama announced changes in the U.S. strategy. If Obama's policies holds, thrives and adheres to the announced objectives, this scenario will not appear all that impossible. Therefore, it must be taken into account.

3.4.5. A special case within the fourth scenario is a military-political union between Russia and the U.S., proposed by some Russian scientists and public figures. But it has not been worked through in detail, and seems fantastic at this point. Still, it cannot be ruled out in the contemporary world.

### 3.5. Preparation of a new comprehensive European Security Treaty.

3.5.1. **A new comprehensive European (Collective) Security Treaty would be the best option. It might include all states and the key international organizations (the EU, NATO, the CIS, and the CSTO), operating in the Euro-Atlantic space, although it might be open for all the interested states.** The countries which are not members of the EU, NATO, the CIS or the CSTO may participate in the treaty as nation states. The signing of the treaty only by the interested countries

appears to be the best option, while organizations might sign after all their members have reached an accord.

3.5.1.1. The most attractive aspect of this solution is the possibility to make the parties' commitments in the field of collective security legally binding. 3.5.2. The objective of the treaty is to strengthen peace and increase stability and predictability of actions by certain states and interstate associations on the basis of the parties' international legal commitments. The treaty's contents might include:

3.5.2.1. The key principles of relations between the states, which should be based on meeting the existing international commitments under the UN Charter, the Helsinki Final Act, the Charter for European Security and other documents, and their uniform interpretation and observance.

3.5.2.2. These key principles are: the sovereign equality of all states, the respect for their territorial integrity, political independence and inviolability of borders, and the possibility to change borders only in line with international law, peacefully and under accord.

3.5.2.3. Certain provisions of the treaty should confirm the commitments taken by the OSCE members (in the Charter for European Security) and the Russia-NATO Council not to ensure one's own security at the expense of the security of others, support the integrity of the common security space, and respect the right of any state to sovereignty. The international organizations must confirm that they have no exclusive rights to maintain peace and stability in the Euro-Atlantic space.

3.5.2.4. Another commitment is not to view each other as opponents, refrain from participation in military alliances, coalitions or organizations whose activity is aimed against one or several signatories to the treaty, or if the objectives of these associations contradict it. Under the treaty, the signatories pledge not to inflict damage to the security of other states, and adhere to the principle of equal and uniform security. In working out their national policy, they should take into account all the aspects of ensuring security in the Euro-Atlantic region, and must not ensure their own security at the expense of the security of other signatories to the treaty.

3.5.2.5. The treaty must confirm that no signatory or a group of countries have priority in the respon-

sibility to keep peace and stability in the Euro-Atlantic space, or the right to consider any part of the region as a sphere of their influence; it must confirm the supremacy of the UN Charter and the UN Security Council in maintaining international peace and security; and its exclusive right to sanction the use of force.

3.5.2.6. The treaty should uphold:

- the universal principles in settling conflicts, the unequivocal inadmissibility of solutions by force and the clear rules to be applied to all crises, in accordance with the UN Charter;
- the basic principles to develop arms control regimes and confidence-building measures on the basis of reasonable sufficiency in military construction, including a clear definition of the notion “considerable combat forces,” as well as measures to enhance transparency with respect to military forces and military activities;

3.5.2.7. The treaty should contain concrete principles and mechanisms of interaction between the states and organizations in confronting new challenges and threats, such as the proliferation of weapons of mass destruction, international terrorism, drug-trafficking and other kinds of cross-border crime.

3.5.2.8. Under the treaty, the participant states take the commitments to observe democratic rights and civil liberties, and establish the legal mechanisms to lift the restrictions on the movement of citizens within the space where the treaty is effective. Of course, this set of provisions should occupy a prominent place in the document. But the Second, or Economic Basket – if we use Helsinki Act notions – should not play a key role in the treaty. Considering the present stage of Russia’s development and involvement in the global economy, these relations should be confined to the World Trade Organization or Russia-EU interaction.

3.5.3. It is necessary to consider including in the treaty of elements inherent in collective defense organizations (the protection of one members by

the force of all other signatories), as well as broad economic problems, such as cooperation in energy security. Under the treaty, any armed attack on one or several signatories to the treaty should be viewed as an attack on all; and the document must envision clear mechanisms of urgent consultations over the issue.

3.5.4. The treaty might set up a new monitoring organization: a collective security organization with a permanent Secretariat. In theory, the OSCE might evolve into a new organization, but this development appears unlikely.

3.5.5. Despite the fact that this option is obviously preferable, it requires very long and difficult efforts to bring together numerous and often contradictory interests, create a whole complex of solutions for the elements of the agreement, crucial for each participant. This process might take a long time, during which the security situation in Europe might steadily deteriorate.

3.5.6. To avoid this, in case of a decision is made to move towards such a treaty, one might adopt a declaration (agreement) stating such readiness and the basic principles of the treaty. The agreement should contain the commitments to refrain from actions – for the period of drawing the treaty – which might be interpreted as detrimental to the signatories to the future treaty, in particular the enlargement of the existing military-political alliances. In these conditions, the very process of drawing the treaty, despite all the difficulties, could become a powerful tool to build up confidence and cooperation, and strengthen the parties’ international positions and international peace.

3.5.7. The new treaty should not rule out the participation of member-states in other security agreements, or create obstacles to it, such as the U.S.-Japanese security alliance or the Shanghai Cooperation Organization, as the latter acquires the functions related to the sphere of hard security. On the contrary, the new treaty should become the most important unifying framework of international security.

## Annex

# European Security Treaty

*(Unofficial translation)*  
*Draft*

*The Parties to this Treaty,*

Desiring to promote their relations in the spirit of friendship and cooperation in conformity with international law,

Guided by the principles set forth in the Charter of the United Nations, Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (1970), Helsinki Final Act of the Conference for Security and Cooperation in Europe (1975), as well as provisions of the Manila Declaration on the Peaceful Settlement of International Disputes (1982) and Charter for European Security (1999),

Reminding that the use of force or the threat of force against the territorial integrity or political independence of any state, or in any other way inconsistent with the goals and principles of the Charter of the United Nations is inadmissible in their mutual relations, as well as international relations in general,

Acknowledging and supporting the role of the UN Security Council, which bears the primary responsibility for maintaining international peace and security,

Recognizing the need to join efforts in order to respond effectively to present-day security challenges and threats in the globalized and interdependent world,

Intending to build effective cooperation mechanisms that could be promptly activated with a view to solving issues or differences that might arise, addressing concerns and adequately responding to challenges and threats in the security sphere,

Have agreed as follows:

### *Article 1*

According to the Treaty, the Parties shall cooperate with each other on the basis of the principles of indivisible, equal and undiminished security. Any security measures taken by a Party to the Treaty individually or together with other Parties, including in the framework of any international organization, military alliance or coalition, shall be implemented with due regard to security interests of all other Parties. The Parties shall act in accordance with the Treaty in order to give effect to these principles and to strengthen security of each other.

### *Article 2*

1. A Party to the Treaty shall not undertake, participate in or support any actions or activities affecting significantly security of any other Party or Parties to the Treaty.
2. A Party to the Treaty which is a member of military alliances, coalitions or organizations shall seek to ensure that such alliances, coalitions or organizations observe principles set forth in the Charter of the United Nations, Declaration on Principles of International Law concerning Friendly Relations

and Cooperation among States in accordance with the Charter of the United Nations, Helsinki Final Act, Charter for European Security and other documents adopted by the Organization for Security and Cooperation in Europe, as well as in Article 1 of this Treaty, and that decisions taken in the framework of such alliances, coalitions or organizations do not affect significantly security of any Party or Parties to the Treaty.

3. A Party to the Treaty shall not allow the use of its territory and shall not use the territory of any other Party with the purpose of preparing or carrying out an armed attack against any other Party or Parties to the Treaty or any other actions affecting significantly security of any other Party or Parties to the Treaty.

#### *Article 3*

1. A Party to the Treaty shall be entitled to request, through diplomatic channels or the Depositary, any other Party to provide information on any significant legislative, administrative or organizational measures taken by that other Party, which, in the opinion of the Requesting Party, might affect its security.

2. Parties shall inform the Depositary of any requests under para. 1 of this Article and of responses to them. The Depositary shall bring that information to the attention of the other Parties.

3. Nothing in this Article prevents the Parties from undertaking any other actions to ensure transparency and mutual trust in their relations.

#### *Article 4*

The following mechanism shall be established to address issues related to the substance of this Treaty, and to settle differences or disputes that might arise between the Parties in connection with its interpretation or application:

- a) Consultations among the Parties;
- b) Conference of the Parties;
- c) Extraordinary Conference of the Parties.

#### *Article 5*

1. Should a Party to the Treaty determine that there exists a violation or a threat of violation of the Treaty by any other Party or Parties, or should it wish to raise with any other Party or Parties any issue relating to the substance of the Treaty and requiring, in its opinion, to be considered jointly, it may request consultations on the issue with the Party or Parties which, in its opinion, might be interested in such consultations. Information regarding such a request shall be brought by the Requesting Party to the attention of the Depositary which shall inform accordingly all other Parties.

2. Such consultations shall be held as soon as possible, but not later than (...) days from the date of receipt of the request by the relevant Party unless a later date is indicated in the request.

3. Any Party not invited to take part in the consultations shall be entitled to participate on its own initiative.

#### *Article 6*

1. Any participant to consultations held under Article 5 of this Treaty shall be entitled, after having held the consultations, to propose the Depositary to convene the Conference of the Parties to consider the issue that was the subject of the consultations.

2. The Depositary shall convene the Conference of the Parties, provided that the relevant proposal is supported by not less than (two) Parties to the Treaty, within (...) days from the date of receipt of the relevant request.

3. The Conference of the Parties shall be effective if it is attended by at least two thirds of the Parties to the Treaty. Decisions of the Conference shall be taken by consensus and shall be binding.

4. The Conference of the Parties shall adopt its own rules of procedure.

#### *Article 7*

1. In case of an armed attack or a threat of such attack against a Party to the Treaty, immediate actions shall be undertaken in accordance with Article 8(1) of the Treaty.

2. Without prejudice to the provisions of Article 8 of the Treaty, every Party shall be entitled to consider an armed attack against any other Party an armed attack against itself. In exercising its right of self-defense under Article 51 of the Charter of the United Nations, it shall be entitled to render the attacked Party, subject to its consent, the necessary assistance, including the military one, until the UN Security Council has taken measures necessary to maintain international peace and security. Information on measures taken by Parties to the Treaty in exercise of their right of self-defense shall be immediately reported to the UN Security Council.

#### *Article 8*

1. In cases provided for by Article 7 of this Treaty, the Party which has been attacked or threatened with an armed attack shall bring that to the attention of the Depositary which shall immediately convene an Extraordinary Conference of the Parties to decide on necessary collective measures.
  2. If the Party which became subject to an armed attack is not able to bring that to the attention of the Depositary, any other Party shall be entitled to request the Depositary to convene an Extraordinary Conference of the Parties, in which case the procedure provided for in Para. 1 of this Article shall be applied.
  3. The Extraordinary Conference of the Parties may decide to invite third states, international organizations or other concerned parties to take part in it.
  4. The Extraordinary Conference of the Parties shall be effective if it is attended by at least four fifths of the Parties to the Treaty. Decisions of the Extraordinary Conference of the Parties shall be taken by unanimous vote and shall be binding. If an armed attack is carried out by, or a threat of such attack originates from a Party to the Treaty, the vote of that Party shall not be included in the total number of votes of the Parties in adopting a decision.
- The Extraordinary Conference of the Parties shall adopt its own rules of procedure.

#### *Article 9*

1. This Treaty shall not affect and shall not be interpreted as affecting the primary responsibility of the UN Security Council for maintaining international peace and security, as well as rights and obligations of the Parties under the Charter of the United Nations.
2. The Parties to the Treaty reaffirm that their obligations under other international agreements in the area of security, which are in effect on the date of signing of this Treaty are not incompatible with the Treaty.
3. The Parties to the Treaty shall not assume international obligations incompatible with the Treaty.
4. This Treaty shall not affect the right of any Party to neutrality.

#### *Article 10*

This Treaty shall be open for signature by all States of the Euro-Atlantic and Eurasian space from Vancouver to Vladivostok as well as by the following international organizations: the European Union, Organization for Security and Cooperation in Europe, Collective Security Treaty Organization, North Atlantic Treaty Organization and Community of Independent States in ... from ... to ....

#### *Article 11*

1. This Treaty shall be subject to ratification by the signatory States and to approval or adoption by the signatory international organizations. The relevant notifications shall be deposited with the government of ... which shall be the Depositary.
2. In its notification of the adoption or approval of this Treaty, an international organization shall outline its sphere of competence regarding issues covered by the Treaty. It shall immediately inform the Depositary of any relevant changes in its sphere of competence.
3. States mentioned in Article 10 of this Treaty which did not sign the Treaty during the period indicated in that Article may accede to this Treaty by depositing the relevant notification with the Depositary.

#### *Article 12*

This Treaty shall enter into force ten days after the deposit of the twenty fifth notification with the Depositary in accordance with Article 11 of the Treaty.

For each State or international organization which ratifies, adopts or approves this Treaty or accedes to it after the deposit of the twenty fifth notification of ratification, adoption, approval or accession with the Depositary, the Treaty shall enter into force on the tenth day after the deposit by such State or organization of the relevant notification with the Depositary.

*Article 13*

Any State or international organization may accede to this Treaty after its entry into force, subject to the consent of all Parties to this Treaty, by depositing the relevant notification with the Depositary. For an acceding State or international organization, this Treaty shall enter into force 180 days after the deposit of the instrument of accession with the Depositary, provided that during the said period no Party notifies the Depositary in writing of its objections against such accession.

*Article 14*

Each Party shall have the right to withdraw from this Treaty should it determine that extraordinary circumstances pertaining to the substance of the Treaty have endangered its supreme interests. The Party intending to withdraw from the Treaty shall notify the Depositary of such intention at least (...) days in advance of the planned withdrawal. The notification shall include a statement of extraordinary circumstances endangering, in the opinion of that Party, its supreme interests.