

**Documentos entregados por la OTAN y EE UU en respuesta al tratado que les presentó Rusia el 17 de diciembre de 2021.**

# **Respuesta de la OTAN**

## NATO-RUSSIA RESTRICTED

1. NATO is a defensive Alliance and poses no threat to Russia. We have always striven for peace, stability, and security in the Euro-Atlantic area, and a Europe whole, free, and at peace. These remain our goals and our abiding vision.
2. We firmly believe that tensions and disagreements must be resolved through dialogue and diplomacy, and not through the threat or the use of force. Considering the substantial, unprovoked, unjustified, and ongoing Russian military build-up in and around Ukraine and in Belarus, we call on Russia to immediately de-escalate the situation in a verifiable, timely, and lasting manner. We reaffirm our support for the territorial integrity and sovereignty of Ukraine, including Crimea, within its internationally recognized borders. The resolution of the conflict in and around Ukraine, in accordance with the principles enshrined in the Minsk agreements and through agreed formats, would significantly improve the security situation and the prospect for stability in Europe.
3. NATO remains firmly committed to the fundamental principles and agreements underpinning European security. We regret Russia's breach of the very values, principles, and commitments, which it helped develop and which underpin the NATO-Russia relationship. NATO Allies believe that Euro-Atlantic security can be best enhanced for the benefit of all when all nations reaffirm their adherence to the purposes and principles of the United Nations Charter, rules-based international order, and the instruments, in their entirety, to which they freely committed: the 1975 Helsinki Final Act, the 1990 Charter of Paris, and the 1999 Istanbul Charter for European Security. Russia shares equal responsibility for the implementation of these principles and instruments.
4. A stable and predictable relationship between NATO and Russia is in our joint interest. During the NATO-Russia Council (NRC) on 12 January 2022, we had a first discussion where all present raised their security concerns. NATO Allies proposed to continue dialogue in the NRC on ways to strengthen the security of all. Allies are prepared to discuss security concerns with Russia. Our dialogue would have to proceed on the basis of reciprocity, be based on the core principles of European security, and strengthen the security of all.
5. Noting the proposals on security presented by Russia and reflecting our own concerns, NATO Allies have identified areas where we can engage constructively in meaningful dialogue. Our aim is to achieve concrete and reciprocally beneficial outcomes. We support the proposal made by the Chair of the NATO-Russia Council to hold a series of thematic meetings to discuss the state of NATO-Russia relations; the security situation in Europe, including in and around Ukraine; and issues related to risk reduction, transparency, and arms control.
6. Euro-Atlantic security can be enhanced by taking forward the following proposals:

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7. State of NATO-Russia Relations

- 7.1 Making full use of the existing military-to-military channels of communication to promote predictability, transparency, and reduce risks.
- 7.2 Re-establishing NATO's and Russia's mutual presence in Moscow and in Brussels respectively.
- 7.3 Working on the Russian proposal to establish a civilian telephone hotline to maintain emergency contact.

8. European security, including the situation in and around Ukraine

- 8.1 All states respecting and adhering to the principles of sovereignty, inviolability of borders, and territorial integrity of states, and refraining from the threat and use of force.
- 8.2 All states respecting the right of other states to choose or change security arrangements, and to decide their own future and foreign policy free from outside interference. In this light, we reaffirm our commitment to NATO's Open Door Policy under Article 10 of the Washington Treaty.
- 8.3 Russia withdrawing forces from Ukraine, Georgia, and the Republic of Moldova where they are deployed without host-nation consent.
- 8.4 All parties engaging constructively in various conflict resolution formats to which they belong, inter alia the Normandy Format, the Trilateral Contact Group, the Geneva International Discussion, and the 5+2 talks.
- 8.5 Russia refraining from coercive force posturing, aggressive nuclear rhetoric, and malign activities directed against Allies and other countries.

9. Risk Reduction, Transparency, and Arms Control. NATO Allies have a long track record of contributing to arms control, disarmament, and non-proliferation. We remain open to meaningful arms control discussions and dialogue with Russia on reciprocal transparency and confidence-building measures, including by taking forward the following proposals:

- 9.1 Continuing the practice of exchanging briefings on Russian and NATO exercises in the NATO-Russia Council with the view to promote predictability, transparency, and reduce risks.

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- 9.2 Engaging constructively on modernizing the Vienna Document in the OSCE;
- 9.3 Increasing transparency of exercises and snap exercises by lowering notification and observation thresholds;
- 9.4 Preventing dangerous incidents of a military nature via increased transparency and risk reduction efforts.
- 9.5 Holding reciprocal briefings on Russia's and NATO's nuclear policies and elaborating on further potential reciprocal strategic risk reduction measures.
- 9.6 Consulting on ways to reduce threats to space systems, including through efforts to promote responsible behaviour in space; and Russia refraining from conducting anti-satellite tests, which create large amounts of debris.
- 9.7 Promoting a free, open, peaceful, and secure cyberspace by consulting on ways to reduce threats in the cyber domain, by pursuing efforts to enhance stability by adhering to international legal obligations and voluntary norms of responsible state behaviour in cyberspace; and all states desisting from malicious cyber activities.
- 9.8 Consulting on concrete ways to prevent incidents in the air and at sea with a view to rebuild trust and confidence and increase predictability in the Euro-Atlantic region.
- 9.9 All states recommitting to full implementation of and compliance with the letter and spirit of all of their international obligations and commitments in the area of arms control, disarmament, and non-proliferation, including full implementation of the Chemical Weapons Convention and Biological Weapons Convention.
- 9.10 Russia resuming the implementation of the Treaty on Conventional Armed Forces in Europe (CFE), returning to participation in the Joint Consultative Group, and providing detailed CFE Treaty-required annual data and information.
- 9.11 In light of Allies' concerns about Russia's State Armament Programme, including its stockpile of non-strategic nuclear weapons as well as the growing number and types of its intermediate- and shorter-range missiles and launchers, encouraging Russia:
  - i. To negotiate with the United States on future arms control and disarmament agreements and arrangements that encompass

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all US and Russian nuclear weapons, including non-strategic nuclear weapons, non-deployed nuclear warheads, as well as all nuclear-armed intercontinental-range delivery vehicles.

- ii. To engage seriously with the United States on ground-based intermediate- and shorter- range missiles and their launchers as part of a broader discussion, including with all Allies about next steps, and in the NATO-Russia Council.

10. For more than 30 years, NATO has worked to build a partnership with Russia. At the 1990 London Summit, as the Cold War was coming to an end, the Alliance extended the hand of friendship, offering dialogue and partnership in place of confrontation and distrust. In the years that followed, NATO created the Partnership for Peace, and NATO and Russia signed the NATO-Russia Founding Act and established the NATO-Russia Council, which remains a unique framework and symbol of the Alliance's openness to engage with Russia. No other partner has been offered a comparable relationship or a similar institutional framework. Yet Russia has broken the trust at the core of our cooperation and challenged the fundamental principles of the global and Euro-Atlantic security architecture.

11. We continue to aspire to a constructive relationship with Russia when its actions make that possible. We encourage Russia to engage in meaningful dialogue on issues of concern to all members of the NATO-Russia Council in order to achieve tangible outcomes. The reversal of Russia's military build-up in and around Ukraine will be essential for substantive progress.

12. NATO does not seek confrontation. But we cannot and will not compromise on the principles upon which our Alliance and security in Europe and North America rest. Allies remain firmly committed to NATO's founding Washington Treaty, including that an attack against one Ally shall be considered an attack against all, as enshrined in Article 5. We will take all necessary measures to defend and protect our Allies, and will not compromise on our ability to do so.

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**RESPUESTA DE EE UU**

## Areas of Engagement to Improve Security

### *Introduction*

The United States is prepared to work toward reaching an understanding with Russia, along with our Transatlantic Allies and partners, on security issues of interest. We are ready to consider arrangements or agreements with Russia on issues of bilateral concern, to include written, signed instruments, to address our respective security concerns. In response to Russia's request that the United States provide a direct written response to Russia's draft bilateral treaty proposal, and in keeping with our pledge to raise our own issues of concern, below are issues on which the United States is ready to discuss reciprocal commitments or actions, and the fora in which each should be considered. Some issues will require more than one forum to ensure appropriate participation of Allies and partners.

We are ready to engage with Russia bilaterally in the U.S.-Russia Strategic Stability Dialogue (SSD), at the NATO-Russia Council (NRC), and at the OSCE in pursuit of concrete improvements in European security. As part of these dialogues, the United States is open to discussing security issues of concern to Russia, the United States, and our Allies and partners. Issues related to NATO, including those that are raised in Russia's proposed treaty with NATO, will be addressed separately by the Alliance. The United States will discuss all issues that affect the security of Europe with our Allies and partners. The United States continues to firmly support NATO's Open Door Policy, and believes that the NRC is the appropriate forum for discussions of that issue (Russia's proposed bilateral treaty Article 4).

The United States enters this process in good faith and with the goal of improving Euro-Atlantic security. Russia, meanwhile, has deployed over 100,000 troops on Ukraine's border, occupied Crimea, and fueled conflict in the Donbas. In its proposed treaties, Russia made certain demands that undermine principles Russia has committed to in prior documents. It is imperative that discussions take place on the basis of the core founding documents on European security, including the Helsinki Final Act, NATO-Russia Founding Act, and the Paris Charter as well as the United Nations Charter, which enshrine the principles of sovereignty, territorial integrity, and every state's right to choose its security arrangements and alliances, in addition to respect for human rights and fundamental freedoms, including freedom of expression, freedom of peaceful assembly, and freedom of religion (Russia's proposed bilateral treaty Article 2).

We are also prepared for a discussion of the indivisibility of security – and our respective interpretations of that concept – as raised in Article 1 of Russia's draft bilateral treaty. We note that this is one concept in the rich context of the many commitments OSCE participating states have made to each other and cannot be viewed in isolation. We take seriously the mutually agreed concept of comprehensive, cooperative, equal and indivisible security as outlined in the 2010 OSCE Astana Summit Commemorative Declaration, where both the United States and Russia also reaffirmed the inherent right of each and every participating state to be free to choose or change its security arrangements, including treaties of alliance.



Throughout this process the United States will not deviate from our values, our obligations under international law, or internationally accepted principles. The United States, along with our Allies and partners, will continue to raise additional concerns about Russian activities that affect security in the Euro-Atlantic area.

- **Force Posture in Ukraine** (Proposed fora: SSD, OSCE, and Normandy format)
  - **U.S. Position.** The United States is willing to discuss conditions-based reciprocal transparency measures and reciprocal commitments by both the United States and Russia to refrain from deploying offensive ground-launched missile systems and permanent forces with a combat mission in the territory of Ukraine. We will continue to consult with Ukraine on these discussions.
  - **Concerns.** The United States is concerned about Russia's units and equipment in Ukraine, including its further build-up of military forces in Crimea and on Ukraine's borders. The United States is also concerned that Russia has contravened its commitments under the Budapest Memorandum, wherein Russia committed, *inter alia*, to "respect the Independence and Sovereignty and the existing borders of Ukraine" and to "refrain from the threat or use of force against the territorial integrity or political independence of Ukraine." Russia has proposed limitations on deployments of intermediate- and shorter-range land-based missiles (Russia's proposed bilateral treaty Article 6).
- **Military Exercises** (Proposed fora: SSD, NRC, and OSCE)
  - **U.S. Position.** The United States, in consultation with our Allies and partners, is prepared to discuss measures to increase confidence regarding significant ground-based exercises in Europe, including, but not limited to, notification commitments and modernization of the Vienna Document. We and our Allies and partners made clear in our proposals for Vienna Document modernization at the OSCE that we support enhanced military transparency, which is important to reduce the risk of misunderstanding and miscalculation. The United States, in consultation with our NATO Allies and partners and on the basis of equivalent commitments by Russia, is also prepared to explore, in the appropriate context, an enhanced exercise notification regime and nuclear risk reduction measures, including strategic nuclear bomber platforms.
  - **Concerns.** The United States and NATO Allies and partners have made clear our concerns about Russia's large military exercises and other activities that are conducted without prior notice or appropriate transparency. Russia's failure to fully honor its Vienna Document commitments has eroded security in Europe. Russia has proposed limits on military activities and improving mechanisms to prevent dangerous activities (Russia's proposed bilateral treaty Article 5).
- **Military Maneuvers** (Proposed fora: SSD, NRC, and OSCE)
  - **U.S. Position.** The United States, in consultation with our Allies and partners, is prepared to explore additional measures to prevent incidents at sea and in the air

- that do not erode the core precepts of international law, including by discussing enhancements under Incidents at Sea Agreement (INCSEA) and establishing additional mechanisms for bilateral de-confliction. The United States and our NATO Allies and partners remain willing to discuss proposals for enhancing the risk reduction provisions of the Vienna Document.
- **Concerns.** The United States has concerns about Russia's unsafe maneuvers around U.S. and Allied ships and aircraft in international waters and airspace. The United States also has concerns about Russia's actions that have disrupted navigational rights and freedoms as well as international commerce in the Black and Azov Seas. In addition, Russia's failure to fulfill its commitments under the risk reduction section of the Vienna Document is a matter of concern to the United States and our other OSCE partners. Russia has proposed limits on military activities and improving mechanisms to prevent dangerous activities (Russia's proposed bilateral treaty Article 5).
  - **Intermediate and Shorter-Range Ground-Launched Missiles (Proposed forum: SSD, with additional consultation in NRC)**
    - **U.S. Position.** The United States, in close consultation with our Allies, is prepared to begin discussions within the SSD on arms control for ground-based intermediate and shorter-range missiles and their launchers.
    - **Concerns.** The United States and our Allies and partners are concerned about Russia's material breach of the Intermediate-Range Nuclear Forces Treaty (INF) when it was in force, and Russia's continued production and deployment of the SSC-8 (9M729) missile system, as well as other Russian intermediate- and shorter-range missile systems. Russia has proposed limitations on deployments of intermediate- and shorter-range land-based missiles (Russia's proposed bilateral treaty Article 6).
  - **U.S., NATO, and Russian Force Posture (Proposed fora: SSD, NRC, and OSCE)**
    - **U.S. Position.** U.S. and NATO current force posture is limited, proportionate, and in full compliance with commitments under the NATO-Russia Founding Act. We have continued to refrain from the "additional permanent stationing of substantial combat forces" as well as from placing nuclear weapons in Eastern European states. U.S. forces in Europe are one-quarter of their level at the end of the Cold War. **Further Russian increases to force posture or further aggression against Ukraine will force the United States and our Allies to strengthen our defensive posture.** The United States is prepared to discuss where we disagree and explore how we can discuss conventional forces concerns, including enhanced transparency and risk reduction through the Vienna Document, to alleviate mutual concerns.
    - **Concerns.** The United States and our Allies and partners have concerns about Russia's growing multi-domain military build-up, more assertive posture, novel military capabilities, and provocative activities, including near NATO Allies'

borders, as well as its large-scale no-notice exercises, the continued military occupation and build-up in Crimea and near Ukraine's eastern borders, the deployment of modern dual-capable missiles in Kaliningrad, and repeated incursions into NATO Allied airspace. Russia has proposed limits on military activities and improving mechanisms to prevent dangerous activities (Russia's proposed bilateral treaty Articles 5).

- **Aegis Ashore** (Proposed forum: SSD, with additional consultation in NRC)
  - **U.S. Position.** The United States is prepared to discuss, in consultation with and, where appropriate with the consent of, Allies, a transparency mechanism to confirm the absence of Tomahawk cruise missiles at Aegis Ashore sites in Romania and Poland, provided Russia offers reciprocal transparency measures on two ground-launched missile bases of our choosing in Russia. We must consult with NATO Allies, including Romania and Poland, on this issue.
  - **Concerns.** Russia has proposed limitations on deployments of intermediate- and shorter-range land-based missiles (Russia's proposed bilateral treaty Article 6) and previously claimed that the United States could launch Tomahawk intermediate-range cruise missiles from Aegis Ashore sites.
- **Follow-on to New START** (Proposed forum: SSD)
  - **U.S. Position.** We share the goal of sustaining limits on intercontinental-range delivery vehicles currently subject to New START – ICBMs, SLBMs, and nuclear-equipped heavy bombers. In addition, we must include new kinds of nuclear-armed intercontinental-range delivery vehicles in follow-on arms control agreements. We also must address non-strategic nuclear weapons and non-deployed nuclear warheads. We propose to begin discussions immediately on follow-on measures to New START. The United States is ready through the SSD to discuss how future arms control agreements and arrangements would include all U.S. and Russian nuclear weapons, including so-called “non-strategic nuclear weapons.” We have also expressed readiness through the NRC to exchange reciprocal briefings on Russia's and NATO's nuclear policies, and to promote transparency and risk reduction efforts.
  - **Concerns.** The United States, along with our Allies and partners, are very concerned about Russia's large and unconstrained non-strategic nuclear weapons inventory, and development of novel intercontinental-range nuclear weapons delivery systems not currently accounted for under the New START Treaty. The United States and NATO Allies have further concerns over Russia's efforts to diversify and expand its nuclear stockpile, and its deployment of modern dual-capable missiles and non-strategic nuclear weapons near NATO Allies' borders. Russia has proposed banning deployments of nuclear weapons outside of national territory (Russia's proposed bilateral treaty Article 7). Russia has expressed concerns over the United States' readiness to begin negotiating a follow-on agreement to the New START Treaty.

*Conclusion*

Along with our Allies and partners, the United States supports efforts to improve the security of the Euro-Atlantic area and believes a dialogue on matters of concern has the potential to produce meaningful outcomes. Such dialogue must take place within the appropriate formats, including OSCE and the NATO-Russia Council, and must uphold the foundational principles of European security embodied in foundational documents such as the Helsinki Final Act. It is the position of the United States government that progress can only be achieved on these issues in an environment of de-escalation with respect to Russia's threatening actions towards Ukraine.

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