

## Does Europe Need a New Security Architecture?

### *Introduction*

The question of whether Europe and the world need a new transatlantic or global “architecture” of security is a recurring item on the security agenda. The fundamental internal transformation of many Central and Eastern European states that shed Soviet domination after the break-up of the Soviet Union, the end of the Cold War, and the bipolar world offers a point of departure for reflection and the search for a new, holistic-comprehensive arrangement of the international system. This matter has been the subject of many serious analyses and studies.<sup>1</sup>

On 8 October 2008, the President of the Russian Federation, Dmitry Medvedev, presented an initiative at the World Policy Conference in Evian, organized by the French Institute of International Relations. After analysing and assessing the development of the global political situation since the collapse of the bipolar system, Medvedev proposed a new comprehensive European Security Treaty. The aim of the Treaty, declared the Russian president, would be to introduce “uniform rules of the game” across the transatlantic area.<sup>2</sup> The agreement would be legally binding and would provide security guarantees for all its signatories. A draft of the European Security Treaty was presented on 29 November 2009 and addressed to all the NATO, EU, and OSCE member states. Russia was thus proposing a new security architecture. It was by no means the first Russian initiative to this end. Indeed, Russia has a long record of promoting comprehensive security concepts.

### *Adam Czartoryski's 1803 Memorandum*

The first Russian initiative that aimed at achieving a comprehensive settlement of security issues and the establishment of a European order guaranteed by the great powers was proposed over two hundred years ago. The author of

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1 See, for example: Hans-Joachim Giessmann/Roman Kuzniar/Zdzislaw Lachowski (eds), *International Security in a Time of Change: Threats – Concepts – Institutions*, Baden-Baden 2004, a collection of essays that includes contributions by prominent researchers of security issues from Europe, the United States, and Russia. See also an interesting report published under the auspices of the European Institute of the Russian Academy of Sciences: Vladimir F. Petrovsky, *The Triad of Strategic Security of the Global Community*, Moscow, December 2007.

2 President of Russia Dmitry Medvedev, *Speech at World Policy Conference, Evian*, 8 October 2008, at: [http://www.kremlin.ru/eng/speeches/2008/10/08/2159\\_type82912type82914\\_207457.shtml](http://www.kremlin.ru/eng/speeches/2008/10/08/2159_type82912type82914_207457.shtml). This initiative was presented for the first time by Dmitry Medvedev on 5 June 2008.

the concept, Duke Adam Jerzy Czartoryski, was a Polish aristocrat whom the Tsar Alexander I of Russia had put in charge of a newly established Ministry of Foreign Affairs. Initially, the young Russian monarch did not intend to address European affairs. As Adam Czartoryski wrote in his memoirs: “The Emperor spoke of Catherine’s wars and of the despotic folly of Paul with the same disgust.”<sup>3</sup> Yet, as the foreign minister of the Russian Empire, Czartoryski believed that Russia’s isolation was causing it to lose influence in Europe and suffer a humiliation that public opinion could never stand.

Russia, wrote Czartoryski in an 1803 memorandum for the Tsar,<sup>4</sup> is not by nature an aggressive power. Her territory is too vast as it is. The future of Russia, he argued, should rely on the development and exploitation of her own lands rather than on new conquests. Yet Russia must play a role befitting her potential: Her policy must be “magnanimous, just and sober, worthy of her position and her power”.<sup>5</sup> Her future should be shaped by the process of taming her giant territory rather than by further conquests. Yet isolation would be a proof of her weakness – hence Czartoryski’s conclusion that Russia’s geographic situation and its might forced it, as it were, to conduct an active foreign policy. In his context, he suggested concrete steps towards liberating the Slavonic nations in the Balkan Peninsula, for whom Russia should act as protector.

Czartoryski saw Britain as a unique and invaluable trading partner and potential ally, for, while intent on establishing security in Europe, the UK was also the last bastion of liberalism, which had been effectively banished from continental Europe. This is how Mikhail Heller summarized the gist of the Czartoryski concept: “If Russia and England come to terms, their policy will be law for the entire continent.”<sup>6</sup> By this logic, an alliance with Britain was to be the foundation of Russia’s foreign policy programme. According to Czartoryski’s memorandum, there was no conflict of interests between Russia and France. Czartoryski believed that, to challenge the French revolutionary ideals, liberalism needed to be promoted and French public opinion won over against the tyranny of Napoleon.

Predictably, the cause of Poland figured prominently in the Czartoryski concept. Following the partition of Poland, Austria and Prussia had become Russia’s neighbours. The author of the memorandum warned the Tsar against the dangers that this proximity engendered – for instance, a potential attack on Russia by German states could not be ruled out. For this reason, he argued, the rebirth of a united Poland would ensure Russia’s security. The memorandum contained concrete proposals for Russia’s policy towards Tur-

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3 Mikhail Heller, *Istoriya Rossiyskoi Imperii* [History of the Russian Empire], Moscow 1997, p. 253 (author’s translation).

4 This document, never published in Russia, was discovered by Marian Kukiel in the 1930s in the archives of the Czartoryski Museum in Kraków and presented in his work *Czartoryski and European Unity, 1770-1861*, Princeton 1955.

5 *Ibid.*, p. 32.

6 Heller, cited above (Note 3), p. 257.

key (Czartoryski held that the Ottoman empire was in a terminal stage of decline), a recommendation that an independent Greece be created, plans for the unification of the Balkan Slavs and of Italy and, last but not least, a proposal for the establishment of a confederation (following the Swiss pattern) or federation (modelled upon the United States) of western German states independent of Austria and Prussia.

The plan met with the Emperor's enthusiastic support. Adam Czartoryski was appointed Russian minister of foreign affairs. Acting on the memorandum, Alexander I signed a set of "secret instructions" and handed them, in September 1804, to Nikolay Novosiltsov, who was dispatched on a special mission to London. The essence of Novosiltsov's mission was this: Two great powers, Russia and England, were to decide the future of the European continent, drawing the borders and determining the institutions and political systems of those states that would find themselves in a Russian-British condominium rather than under Bonaparte's rule. The talks Novosiltsov conducted in London dealt with two issues: on the one hand, the formation of a special body to oversee the protection and preservation of peace in Europe and, on the other, the drawing up of new borders for existing states and the creation of new states following Napoleon's defeat.

In other words, as Polish historian Marian Kukiel wrote, "it would be the common task of Russia and Britain to ensure [Europe's] stability. [...] [They] should make proper use of their joint power for establishing equilibrium and imposing real and durable peace."<sup>7</sup>

As we know, history took a different course. The logical, bold, and innovative thinking of the Czartoryski plan did not impact upon European reality in any meaningful way, and neither did it determine Russia's place and role in Europe and in the world. Shortly thereafter, war broke out between Alexander I and Napoleon. The great Russian victory in the battle of Borodino and Napoleon's defeat failed to secure Russian hegemony in Europe. Russia's attempt to achieve a position that would enable it to hold sway over the fate of Europe fell flat. Nearly two hundred years later, Alexander Solzhenitsyn asked, in his assessment of Alexander I: "Why did we meddle in European affairs?"<sup>8</sup>

#### *A New "Triple Concert"*

A different take on this issue was presented by the Minister of Foreign Affairs of the Russian Federation, Sergey Lavrov, who, in his lecture inaugurating the 2007-2008 academic year at the Moscow State Institute of International Relations (MGIMO), made the following observations: "[...] the

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7 Kukiel, cited above (Note 4), pp. 34-35.

8 Alexander Solzhenitsyn, "Russkiy vopros" k kontsu XX v. [The "Russian Question" at the End of the 20th Century], in: *Novyj mir* 7/1994, p. 146.

conditions of freedom dictate the necessity of collective leadership by the key states of the world. This may be called a ‘concert of the powers for the 21st century.’ [...] It wouldn’t hurt the part of the world customarily known as the Euro-Atlantic region to have a triple understanding – between the US, Russia and the European Union. [...] I agree that such a ‘troika’ could ‘steer the global boat into untroubled waters.’ Within this ‘triangle’ there are things on which Europe is closer to the US, but on a number of strategic issues it has more similarity with Russia. Take the theme of use of force and other forms of coercion, as also the attitude to international law. Despite differences in the ‘troika’, we must seek to arrive at the maximally possible common denominator. Anyway, if some people think that it’s impossible to do without a concept of containment, then this kind of ‘triple concert’ is the best, and most importantly – a non-confrontational and non-cost form of mutual containment. Perhaps it is time to think of a new definition of Atlanticism that does not exclude Russia.”<sup>9</sup> This concept was later developed by Vladimir Putin and elaborated by the Russian President, Dmitry Medvedev, on 5 June 2008 and at the above mentioned Evian World Policy Conference in October 2008.

The political philosophy behind Russian policy is based on a new interpretation of the old concept of the balance of power, which, according to the Russian foreign minister, has not changed: “Russia has now borne a considerable share of the burden of equilibrium maintenance in European and world politics for 300 years.”<sup>10</sup> According to Lavrov, the element of continuity in Russia’s foreign policy has greater significance than the fundamental changes that have taken place on the European and world stages. The formula of the balance of power in international politics is based, according to Lavrov, on “peaceful coexistence, reliance upon international law, collective security, and the politico-diplomatic settlement of conflicts”.<sup>11</sup> In this respect, the statements of President Vladimir Putin were more overt. Their guiding motive was not the search for a balance of interests as much as recognition of the new Russia as a global power – with a position in the world equal to that of the United States. In other words, it is a policy aimed at Russia’s recovery – in a radically changed world – of the rank once occupied by the Soviet Union in the bipolar system. In reaching these aims, the decisive factors that have influenced Russia’s changing approach to global issues have not been world developments so much as the changing situation in Russia itself.

Two factors are of key importance in Russia’s new approach to resolving current and future problems in the world and in Europe: its possession, along with the United States, of one of the world’s largest arsenals of nuclear

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9 Speech given by Russia’s foreign minister, Sergey V. Lavrov, at the inauguration of the new academic year at the Moscow State Institute of International Relations (MGIMO), Moscow, 3 September 2007. For the full text of the speech, see: [http://www.sras.org/sergey\\_lavrov\\_speaks\\_at\\_mgimo](http://www.sras.org/sergey_lavrov_speaks_at_mgimo).

10 Ibid.

11 Ibid.

weapons and delivery systems<sup>12</sup> and its enormous energy resources (gas and oil), for which world demand is rising. These strategic resources are not renewable. Increased demand, along with increasingly difficult access to them, has caused their prices to skyrocket (fivefold in five years, from 2003 to 2008). Access to them is also becoming an important lever in the security policy of states, as well as an instrument of pressure and blackmail.

The European Security Treaty proposed by President Medvedev on 29 November 2009 is not a new idea. It recalls to some extent Gustav Stresemann's way of thinking, as reflected in the Locarno Treaties of 1925. Stresemann, the Foreign Minister of the Weimar Republic, aimed to re-establish the position of Germany after defeat in the First World War. To some extent, this is the main motive behind Russia's recent initiative: to institutionalize the global power position of Russia after defeat in the Cold War.

### *A Search for a New Concert of Powers*

The European security concept put forth by Vladimir Putin, Dmitry Medvedev, and Sergey Lavrov rests on an assumption that a new security architecture will be based on decisions taken by the great powers. In its essence, this concept draws upon the 19th century formula of a European order, as established and upheld by the Holy Alliance – a pact among the monarchies that had defeated Napoleon. That concert of European powers stabilized the situation on the continent for several generations. The outcome of World

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12 In 2007, the nuclear states had a total of over 26,000 nuclear warheads, of which the United States had about 10,000 (including 5,045 issued to the army and kept in a state of alert), and Russia about 15,000 (including about 5,700 kept on alert, and 9,300 kept in warehouses and designated for destruction). See: *SIPRI Yearbook 2007: Armaments, Disarmament and International Security*, Oxford 2007, Appendix 12A, Table 12A.1. At the beginning of 2008, eight nuclear weapon states possessed almost 10,200 operational nuclear weapons. Of the total number of deployed warheads, Russia has 5,189 and the USA 4,075. See: *SIPRI Yearbook 2008: Armaments, Disarmament and International Security*, Oxford 2008, Chapter 8. As of January 2009, the USA maintained an estimated arsenal of ca. 9,400 warheads of which ca. 5,200 are in Department of Defense stockpiles (ca. 2,700 operational and ca. 2,500 in reserve) and 4,200 warheads are scheduled to be dismantled by 2022. The total Russian inventory contains ca. 13,000 warheads, of which 8,166 are in reserve or awaiting dismantlement. See: *SIPRI Yearbook 2009: Armaments, Disarmament and International Security*, Oxford 2009, Chapter 8, p. 346. The United States and Russia undertook to reduce their strategic nuclear potential to the level of 1,700-2,200 warheads by 31 December 2012. The destruction of the Russian nuclear potential (and of other weapons of mass destruction) is financed from a special fund under the Global Threat Reduction Initiative to the amount of 20 billion US dollars, ten billion of which were provided by the United States, the remaining ten billion by other Western states. According to the Evans-Kawaguchi Report of the International Commission on Nuclear Non-Proliferation and Disarmament (ICNND) of November 2009 there are at least 23,000 nuclear warheads still in existence. The US and Russia have over 22,000, and France, the UK, China, India, Pakistan, and Israel around 1,000 between them. Nearly half of all warheads are still operationally deployed, and over 2,000 of the US and Russian weapons remain on dangerously high alert, ready to be launched immediately. See: Gareth Evans/Yoriko Kawaguchi, *Eliminating Nuclear Threats. A Practical Agenda for Global Policy Makers*, ICNND Report. November 2009.

War I was to cause a fundamental shock to the then European system. Three great monarchies, Austria-Hungary, the German Empire, and Tsarist Russia, collapsed, as did the vast Ottoman Empire. The victorious powers – the United States, France, and the United Kingdom – dictated the terms that shaped a new system. This was reflected, in politico-legal terms, in the Treaty of Versailles, an integral part of which was the Covenant of the League of Nations, considered as the institutional form of a new collective security system.

In practice, the system did not pass muster for a number of reasons – not so much because of the institutional weaknesses of the League of Nations (which were many), but because of the absence of the United States (who did not ratify the Treaty) and the effective repudiation of the Versailles Treaty by Germany and Russia. In both these states, the form of governance had changed fundamentally: The German Empire had been succeeded by the Weimar Republic, and the Russian Empire had come under the rule of the Bolsheviks and was renamed the Union of Soviet Socialist Republics (USSR) in 1922. Yet in the external policies of both powers, continuity and efforts to regain former greatness dominated. The Weimar Republic openly defied the Versailles system. This first became manifest in its attempts to establish special relations with Russia (Russian-German Treaty of Rapallo, 1922), then in the Locarno Treaties of 1925, which, while ensuring the security of Germany's western neighbours, left it free to resume the policy of eastward expansion. On Hitler's coming to power, the Third Reich no longer observed the constraints imposed on Germany by the Versailles Treaty. The Saarland came back under German rule as the result of a plebiscite, and the remilitarization of the Rhineland followed in 1936. Then came the *Anschluss* of Austria (March 1938), the severing of the Sudetenland from Czechoslovakia under the Munich Treaty (September 1938), the establishment of the Protectorate of Bohemia and Moravia and the dismantling of the Czechoslovak state (March 1939) and, finally, the secret protocols of the Molotov-Ribbentrop Pact (August 1939) and the invasion of Poland (1 September 1939), two weeks before the onslaught and seizure by the Red Army of the eastern territories of the Second Republic of Poland. The aggressors, Hitler and Stalin, had agreed to terminate the existence of an independent Poland, which the Soviet signatory of the treaty, Vyacheslav Molotov, took the opportunity of calling "that bastard of the Versailles Treaty".

#### *Litvinov's Collective Security Concept*

Hitler's Germany openly repudiated the Versailles Treaty, proclaimed a revision-of-borders policy and heralded each new act of aggression in the east as the final step towards "lasting peace and security". Hitler's officially declared aim was to establish a "new order" in Europe. Stalin's Soviet Union,

for its part, officially flaunted its peaceful intentions and promoted the need to build a collective security system in Europe. The chief architect of a comprehensive concept of European collective security in the 1930s was Maxim Litvinov, the then Soviet Commissar for Foreign Affairs. Addressing the 16th session of the League of Nations, which was devoted to the attack on Abyssinia by Mussolini's Italy, Litvinov outlined a concept of the indivisibility of peace and the strengthening of collective security. Speaking in Geneva on 1 July 1936, Litvinov argued as follows: "If we are yet unable to rise to such heights of international solidarity, we should make it our concern to have all continents and, for a start, at least all Europe covered with a system of regional pacts, on the strength of which groups of States would undertake to protect particular sectors from aggression; and the performance of these regional obligations should be deemed equivalent to the performance of the covenanted obligations and should enjoy the full support of all members of the League of Nations."<sup>13</sup>

The substance of Litvinov's idea was that the principle of collective security should be put into practice and that, far from being an abstract notion, this principle was a practical means of ensuring security for all nations, i.e. of recognizing the indivisibility of peace. These words of Litvinov's are worth recalling because deliberations on a new architecture of security inevitably invite a question: Do proclaimed purposes reflect true intentions, or are they merely rhetoric or propaganda?

### *Words and Deeds*

In order to illustrate what I have in mind, I would like to recount a personal experience. It happened in Stockholm on the morning of 14 December 1992, just as Sweden's then Minister of Foreign Affairs, Margaretha af Ugglas, was opening a meeting of the Council of Foreign Ministers of the Conference on Security and Co-operation in Europe (CSCE). My seat was near that of Polish Minister of Foreign Affairs Krzysztof Skubiszewski. I had been invited to the Council meeting to submit a preliminary report on a mission entrusted to me, namely to look for a political solution to the conflict triggered by the secession of the self-proclaimed Transnistrian Moldovan Republic from the Republic of Moldova. Suddenly, Andrei Kozyrev, then the Minister of Foreign Affairs of the Russian Federation, raised a point of order and requested to speak on matters not on the agenda. He explained that he had received instructions to make a brief statement before the meeting proceeded with its business. At the time, as we know, Russian President Boris Yeltsin

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13 Maxim M. Litvinov, Speech on the Indivisibility of Peace and the Strengthening of Collective Security Delivered at the XVI Plenum of the League of Nations, 1 July 1936, in: Maxim M. Litvinov, *Against Aggression: Speeches*, New York 1939, pp. 35-45, here: p. 44.

and Kozyrev, his Minister of Foreign Affairs, were declaring their unequivocal and unreserved commitment to the policy of rapprochement and close cooperation with the community of democratic Western states.

I was sitting less than a metre away from Minister Kozyrev, who reached into his coat pocket, smoothed a crumpled sheet of paper, and read out the following statement:

I am obliged to introduce corrections in the general direction of Russian foreign policy. I wish to inform you briefly about these to the extent that they concern CSCE problems.

First: While fully maintaining the policy of entry into Europe, we clearly recognize that our traditions in many respects, if not fundamentally, lie in Asia, and this sets limits to our rapprochement with Western Europe.

We see that, despite a certain degree of evolution, the strategies of NATO and the WEU, which are drawing up plans to strengthen their military presence in the Baltic and other regions of the territory of the former Soviet Union and to interfere in Bosnia and the internal affairs of Yugoslavia, remain essentially unchanged.

Clearly, sanctions against the FRY were dictated by this policy. We demand that they be lifted, and if this does not happen, we reserve our right to take the necessary unilateral measures to defend our interests, especially since the sanctions cause us economic harm. In its struggle, the present Government of Serbia can count on the support of the great nation of Russia.

Second: The space of the former Soviet Union cannot be regarded as a zone of full application of CSCE norms. In essence, this is a post-imperial space, in which Russia has to defend its interests using all available means, including military and economic ones. We shall strongly insist that the former USSR Republics join the new Federation or Confederation without delay, and there will be tough talks on this matter.

Third: All those who think that they can disregard these particularities and interests – that Russia will suffer the fate of the Soviet Union – should not forget that we are talking about a state that is capable of standing up for itself and its friends. We are, of course, ready to play a constructive part in the work of the CSCE Council, although we shall be very cautious in our approach to ideas leading to interference in internal affairs.<sup>14</sup>

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14 (First) Statement by the Russian Foreign Minister Andrei Kozyrev at the Stockholm Meeting of the CSCE Council on 14 December 1992; source: CSCE Secretariat, Prague (author's translation from the Russian).

He wound up his statement by adding: “I reserve the right to speak again on specific items.” The audience was struck dumb. After a moment, Foreign Minister af Ugglas announced a coffee break. There was a commotion among the delegates. The foreign ministers of the great powers met with the Russian representative. After twenty minutes we returned to the conference room. Foreign Minister Kozyrev resumed the floor as the first speaker and explained that his previous speech had been a rhetorical gambit intended to bring home to Europe and the world what Russian policy could be like if President Yeltsin lost power. “I would like to assure you and all others present that neither President Yeltsin, who remains the leader and guarantor of Russian domestic and foreign policy, nor I myself, as Minister for Foreign Affairs, would ever agree with what I read out in my previous statement [...] The text which I read out previously is a fairly accurate compilation of the demands of the opposition, and not just the most radical opposition in Russia. On this note [...] I would like to conclude this rhetorical part of my statement.” He finished by explaining that “it was simply a device aimed at bringing home the danger of an alternative course of events”.<sup>15</sup>

If truth be told, what Kozyrev called a rhetorical gambit has long been reality. Georgia was told to forget about the principle of territorial integrity of states as far as it was concerned – a fact driven home by Moscow’s recognition of the legality of the secession of two Georgian provinces, Abkhazia and South Ossetia. As for non-intervention or non-interference in internal affairs, this principle (much invoked and yet heavily abused in the Soviet period, when it was used as a shield to enable the violation of human rights, the suppression of democratic opposition, and the restriction of freedom of expression, and when the totalitarian one-party state was identified with the state under the rule of law) is once again being used as a shield to camouflage the fact that the legal procedures and institutions which by rights should be safeguarding civil rights, freedoms, and liberties are merely a façade.

While lip service is paid to universal values (human rights, civil liberties, freedom of expression), there are no procedures and mechanisms to ensure that Russia fulfils the international commitments it has entered into under the auspices of multilateral security institutions (such as the OSCE and the Council of Europe).<sup>16</sup> Kozyrev’s rhetorical gambit, meant as a warning and a self-defeating prophecy, turned out in fact to be a harbinger of things to come. And come they did – along a much broader front than the author of that long forgotten statement could have foreseen.

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15 (Second) Statement by the Russian Foreign Minister Andrei Kozyrev at the Stockholm Meeting of the CSCE Council on 14 December 1992; source: CSCE Secretariat, Prague (unofficial translation from the Russian). As the result of later developments, the Russian position at many later meetings (e.g. Istanbul 1999, Vienna 2000) was frequently close – in terms of both of the arguments used and the manner in which they were expressed – to that of Kozyrev’s initial statement in Stockholm.

16 Cf. Igor M. Klyamkin (ed.), *Rossiya i Zapad. Vneshnyaya politika Kremlya glazami liberalov* [Russia and the West. Kremlin Foreign Policy in the Eyes of Liberals], Moscow 2009, pp. 46f.

Shaping a system of European security is a policy goal of practically all European states – Central, Northern, Eastern, Western, and Southern. In addition, transatlantic security is a concern of the United States, Russia, France, the UK, Germany, and Poland. Politicians throughout the region speak about European security, and when they do so, they generally have in mind the security of their own states. It follows that the effectiveness of the system depends not so much on the form (alliance, treaty, declaration, or other undertaking) and nature of commitments (be they legal or moral-political) as on the harmonization of interests, values, and the political will of the states to create the system. The security of one state or group of states cannot be constructed to the detriment of the security of others.

The collapse of the bipolar world prompted policy makers and experts to look for new security formulas based on *common security* or *co-operative security*. These concepts differ from those of the Cold War by their new axiology: *Common security* and *co-operative security* are based on a political philosophy of *inclusiveness* rather than *exclusiveness*. Arrangements made in the name of common or co-operative security may also be less rigid than legal commitments, as evidenced, for example, by the process that commenced in Helsinki and led to the establishment of the Organization for Security and Co-operation in Europe (OSCE).

The OSCE encompasses, without exception, all the states in the transatlantic area: Europe, Russia, the United States, Canada, the states of the Caucasus, and the Central Asian states. The strength of this structure lies not only in its universality of membership, but also in the *comprehensiveness* of its commitments, which extend to practically all dimensions of life: political (including military aspects), social, economic, and cultural-civilizational (human contacts, information, culture, education). The main weakness of the OSCE is that it provides more of a deliberative forum for consultations, debates, and reviews than a basis for operational activity. Even then, the flexible nature of the OSCE institutions and their capacity for ad hoc conflict prevention activities is not without significance. The effectiveness of this approach depends chiefly on a degree of mutual confidence among states. The OSCE has an advantage over other security institutions in that it has instruments and mechanisms to shape and monitor situations *within* states rather than merely *between* them. After the end of the Cold War, major threats and risks of conflicts within the transatlantic area have tended to arise from internal developments rather than from conflicts of interest and tensions between states. These conflicts, which have been predominately ethnic, national, and religious, call for a qualitatively new approach to crisis management, different from instruments designed to prevent wars between states. The system of military confidence- and security-building measures (CSBMs), for example, is inadequate to meet certain new challenges and threats. De-

signed to prevent conflicts between states, the CSBMs have not been adjusted to regulate intra-state situations and, for this reason, they failed to perform as intended either in the Russian North Caucasus or in the Balkans, when wars broke out between one-time republics of the former Socialist Federal Republic of Yugoslavia following its collapse.

The North Atlantic Alliance established a network of security institutions, including the Partnership for Peace (PfP), the Euro-Atlantic Partnership Council (EAPC), the NATO-Russia Council, the NATO-Ukraine and NATO-Georgia Commissions, and others. They represent another category of the security system that emerged after the end of the Cold War. Broadly construed, a security system for the 21st century should take into account the human dimension of security, which encompasses both human (individual) rights and the rights of minorities. This broad conception of security implies a commitment to respect the principles and values of the state under the rule of law, which include political pluralism, free markets, respect for freedom of the press, and other civic and political liberties. Respect for these norms and principles is a cornerstone of European security and binding on all EU member states. The member states of the Council of Europe are also bound to observe these norms. The legal instruments that the Council of Europe has at its disposal are considered a European code of conduct that guides the behaviour of the signatory states both towards their own citizens and towards the other signatories of the conventions adopted under the auspices of the Council of Europe.

This brief review of security organizations, structures, and institutions raises the question of the need to agree upon a new document to create, under international law, a basis for building a European or transatlantic security system. One thing is for certain: Europe is not short of institutions, norms, procedures, and regulations. Indeed, we have more than enough. This being the case, when initiatives concerning a treaty on a European security system are proposed, it is worth finding out what their “added value” is supposed to be.

The Russian proposals are hardly new. Suffice it to recall Mikhail Gorbachev’s initiative from the late 1980s to build, as part of the *perestroika* policy, a united democratic Europe: “our common European home”. Recent public statements made by Russian leaders – Vladimir Putin, Dmitry Medvedev, and Sergey Lavrov – demonstrate continuity in Russian political thinking rather than efforts to find answers to the changes that have occurred in Europe in the past twenty years.

After the collapse of the USSR, Boris Yeltsin, the President of the Russian Federation, radically changed Russia’s position on respecting human rights within the framework of the process commenced in Helsinki. In actual fact, however, this shift and the process of getting closer to the policy of the democratic community of Western states had been prepared and launched by Mikhail Gorbachev. As a result, many fundamental documents could be

agreed, including the *Charter of Paris for a New Europe* (1990)<sup>17</sup> and a fundamental document adopted at the 1992 Helsinki Summit, *The Challenges of Change*.<sup>18</sup>

### *Russia and the NATO Enlargement Concept*

The eastward enlargement of the North Atlantic Alliance has also been a matter of debate since the end of the Cold War, and is something of which Russia has consistently been critical. While the rhetoric of official Russian documents drew directly on Soviet propaganda, in his correspondence with the Western leaders, Boris Yeltsin used very different language. In his letter to Bill Clinton of 15 September 1993, the Russian president wrote: “The main threat to Europe is now posed not by the East-West confrontation, but by inter-ethnic conflicts of a new generation. [...] We understand, of course, that a possible integration of East European countries with NATO will not automatically produce a situation where the Alliance would somehow turn against Russia. We do not see NATO as a block opposing us. But it is important to take into account how our public opinion may react to such a step. Not only the opposition, but the moderates, too, would no doubt see this as a sort of neo-isolation of the country as opposed to its natural introduction into the Euro-Atlantic space.”<sup>19</sup>

In other words, Yeltsin was arguing that while NATO was not an aggressive pact, propaganda would have its effect, and the president of Russia had to take account of this. On 15 September 1993, he wrote in a confidential letter to the four leading Western powers (the USA, the UK, France, and Germany): “And generally, we favor a situation where the relations between our country and NATO would be by several degrees warmer than those between the Alliance and Eastern Europe.” He went on to suggest that “NATO-Russia rapprochement, including through their interaction in the peace-making area, should proceed on a faster track”.<sup>20</sup> He continued: “For example, we would be prepared, together with NATO, to offer official security guarantees to the East European states with a focus on ensuring sovereignty, territorial integrity, inviolability of frontiers, and maintenance of peace in the region.” Russia was thus seeking, on the one hand, to use institutional means to prevent the enlargement of the Alliance and, on the other, to become a guarantor of the independence of states in the Central and Eastern European

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17 Charter of Paris for a New Europe, Paris, 21 November 1990, in: Arie Bloed (ed.) *The Conference on Security and Co-operation in Europe. Analysis and Basic Documents, 1972-1993*, Dordrecht 1993, pp. 537-566.

18 CSCE Helsinki Document 1992: *The Challenges of Change*, Helsinki, 10 July 1992, in: *ibid.*, pp. 701-777.

19 The full text of this letter was published as an annex to a chapter by Adam Daniel Rotfeld, Europe: towards a new regional security regime, in: *SIPRI Yearbook 1994: Armaments, Disarmament and International Security*, Oxford 1994, pp. 205-274, here: pp. 249-250.

20 *Ibid.*

region. This would create a grey zone, or a security belt, separating Russia from NATO. This plan presupposed that the states in this corridor would have limited sovereignty, the degree of their independence to be determined by the guarantors, notably Russia and NATO. This approach was not acceptable either to Poland or to other states in the region.

#### *A Security Model and a Treaty Initiative*

In the new situation, Russia set out to use the OSCE structures and institutions to rebuild the entire system of relations among European, North American, and Central Asian states. On the initiative of the Russian Federation, the participating States decided at the OSCE Budapest Summit (5-6 December 1994) to develop a common and comprehensive security model for Europe.<sup>21</sup> In the subsequent twelve months, over 200 documents and proposals on this matter were submitted for consideration by the ministers of foreign affairs.<sup>22</sup> Intensive debates lasting years failed to produce a new European security system. Andrey Kozyrev proposed a “road map” for arriving at a common model. Stage one would cover conceptualization of the model based on following assumptions: the indivisibility of peace; comprehensiveness and a complex approach; mutually complementary efforts by individual states and multilateral security institutions; bridge-building at different levels, and subsidiarity – the complementarity of the bilateral, regional, and transatlantic dimensions. Stage two, focusing on the “division of labour” among various security institutions, would cover the shaping of the model. The third and final stage was meant to be crowned with the enshrining of comprehensive security in a Great Treaty under international law.

This proposal, discussed fifteen years ago at a dozen conferences and meetings of experts and diplomats is now forgotten. Moreover, at the 2007 Munich Conference on Security Policy (now the Munich Security Conference), Vladimir Putin severely criticized the same Organization for Security and Co-operation in Europe of which Russia had been the initiator and main proponent ten years earlier. On 10 February 2007, Putin declared in Munich: “I am convinced that we have reached that decisive moment when we must

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21 Budapest Document 1994, Budapest, 6 December 1994, in: Arie Bloed (ed.), *The Conference on Security and Co-operation in Europe*. Basic Documents, 1993-1995, The Hague 1997, pp. 145-189, here: p. 173.

22 Cf. Fifth Meeting of the Council, Budapest, December 1995, Decision No. 2, A Common and Comprehensive Security Model for Europe for the Twenty-First Century: A New Concept for a New Century, in: Bloed (ed.), cited above (Note 21), pp. 215-228, here: pp. 223-227. For a critical review and evaluation of that initiative, see: Adam Daniel Rotfeld, Europe: towards new security arrangements, in: *SIPRI Yearbook 1996: Armaments, Disarmament and International Security*, Oxford 1996, pp. 279-308, here: pp. 303-306.

seriously think about the architecture of global security.”<sup>23</sup> The principal aim of the Russian president was to question the global dominance of the USA in the political, economic, and military spheres. He also used the opportunity to criticize institutions that have made significant contributions to the peaceful transformation of the international system. Thus, he accused Western countries of transforming the OSCE into a “vulgar instrument designed to promote the foreign policy interests of one or a group of countries” at the expense of others.<sup>24</sup> He questioned the rationale behind the deployment in Europe of the US missile defence shield. Several months later, on 4 June 2007, in a conversation with journalists from G8 member states, President Putin predicted a new arms race,<sup>25</sup> while at the same time rejecting that Russia was responsible for it by “improving [Russian] strategic nuclear weapons”. Missile defence, Putin explained, disrupts the strategic balance. “In order to restore that balance without setting up a missile defence system we will have to create a system to overcome missile defence, and this is what we are doing now.”<sup>26</sup>

Underlying this reasoning was the anachronistic idea that reverting to the doctrine of mutual deterrence could ensure security. Inevitably, the consequence of this doctrine is an arms race. A common US-European anti-missile defence system, achieved in co-operation with Russia, would be much more promising. However, such an alternative approach will not result from a decision-making process in which the military and general staffs have the final word. What is needed is a new political philosophy corresponding to 21st century requirements. It would neutralize potential threats which are not – and will not be – targeted at Russia from the West, but from the South. It cannot be ruled out that Putin’s belligerent tone and the confrontational rhetoric were dictated by internal needs and did not reflect the essence of Russia’s new assertive long-term strategy for relations with the outside world.

#### *President Medvedev’s Plan*

On 8 August 2008, a war lasting several days broke out between Russia and Georgia. It resulted in the secession of two rebel Georgian provinces, South Ossetia and Abkhazia. Russia recognized them as independent states, ignoring the principle of territorial integrity and the inviolability of Georgia’s

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23 *Putin’s Prepared Remarks at 43rd Munich Conference on Security Policy*, Russian President, Delivered 10 February 2007, Transcript, Washington Post, at: <http://www.washingtonpost.com/wp-dyn/content/article/2007/02/12/AR2007021200555.html>.

24 *Ibid.*

25 “We will absolve ourselves from the responsibility of our retaliatory steps because we are not initiating what is certainly growing into a new arms race in Europe.” Russian President Putin’s Interview with G8 Newspaper Journalists, *Information Clearing House*, at: <http://www.informationclearinghouse.info/article17855.htm>.

26 *Ibid.*

frontiers. This broke three principles of the Helsinki Final Act: inviolability of frontiers (III), territorial integrity (IV), and non-intervention (VI).

Two months later, on 8 October 2008, Russia's President, Dmitry Medvedev, made the following statement in Evian: "Force divorced from law unavoidably breeds unpredictability and chaos when everyone starts fighting each other, as happened in Iraq. Any selective application of the basic provisions of international law undermines international legality."<sup>27</sup> In this context, the president of Russia mentioned Iraq because it was the Americans who mounted the armed intervention there. Medvedev outlined, in five points, the essence of a proposed European Security Treaty that would set common ground rules for the whole transatlantic area, from San Francisco and Vancouver to Vladivostok and Kamchatka.

First, the Treaty should confirm the basic principles of security in international relations and the readiness to apply them in good faith. Medvedev counted among these principles respect for sovereignty, the territorial integrity and political independence of states, and respect for all the other principles set out in the United Nations Charter.

Point two addressed the inadmissibility of the threat or use of force. The Treaty should establish the procedures and mechanisms for peaceful resolution of disputes.

Third, the Treaty should guarantee equal security – without prejudice to other states, without new lines of division, without the development of military alliances that would infringe upon interests of other signatories of the Treaty (in this context, the Russian president emphasized hard security).

Fourth, no state or international organization can have exclusive rights in respect of maintaining peace and security in Europe.

Fifth, basic arms control parameters and reasonable limits on the development of military programmes. This extends to new procedures and mechanisms for co-operation in preventing the proliferation of weapons of mass destruction and drug trafficking. The existing structures should be reviewed in terms of their effectiveness to address new tasks and counter contemporary threats and challenges.

Understandably enough, Russia's partners, to whom this plan was addressed, responded by asking themselves what purpose the new Russian initiative was intended to serve. Europe lacks neither institutions and procedures, nor mechanisms and legal instruments for ensuring security. The shortage of institutions, principles, and norms is not the real problem.

One may ask what the real motives are that prompted Russia to propose a new European Security Treaty. Certainly, the political motivation is the desire to prevent further enlargement of the North Atlantic Alliance, and in particular to block NATO entry for Ukraine and Georgia. The Russian Federation also presumably wants to agree on the creation of new instruments: As the legal successor of the Soviet Union, Russia would prefer to replace or

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27 Medvedev, Speech at World Policy Conference, cited above (Note 2).

renew the norms negotiated under different conditions by another state, i.e. the USSR.

There can be no doubt that Russia is seeking to enhance its position in the world. This is normal, natural, and understandable. What remains uncertain is what choices the new Russian political elites will make. In matters of internal development, a discernible shift has occurred away from the democratic direction first taken in the time of Mikhail Gorbachev's *perestroika* and continued by Boris Yeltsin after the collapse of the USSR and towards authoritarianism. The latter has a long tradition in Russia: from Ivan the Terrible's despotism in the 16th century to Peter the Great's policy of opening Russia to Europe and Catherine the Great's empire-building in the 17th and 18th centuries. Attempts at reforming Russia undertaken in the late 19th and early 20th centuries by the governments of Prime Ministers Sergey Witte and Pyotr Stolypin went hand in hand with neither democracy nor the building of a state under the rule of law. Autocracy dominated. This form of rule enables the concentration and mobilization of resources, in particular for the needs of the military, but it impedes substantially the employment of intellectual potential – a major factor in the accelerated modernization necessary in the era of information technology and biotechnology.

On 18 May 2007, the OSCE delegation of the Russian Federation distributed the draft of the OSCE Charter in Vienna.<sup>28</sup> The aim of this Russian initiative was “to finalize the transformation of the OSCE into a fully-fledged international organization”.<sup>29</sup> The Charter was intended to grant the OSCE international legal personality and legal capacity. One aim was to establish a new formalized institution based on the existing loose structure rather than to strengthen the effectiveness of OSCE activities. The weaknesses of the OSCE are not rooted in the lack of bureaucratic structures. They originate rather in the unwillingness of the participating States to make proper use of existing institutions and advantages offered by decisions taken ad hoc.

It seems that the real motives behind the Russian concept of a new security architecture were reflected both by President Medvedev in his statement at the annual meeting of ambassadors of the Russian Federation (Moscow, 15 July 2008) and in the lecture delivered by Sergey Lavrov at the MGIMO University (Moscow, 1 September 2008).<sup>30</sup> They attempt to formalize and legitimize Russia's new understanding of security, which is based on the balance of power and a recognition of “zones of privileged interests” in the post-Soviet area. With regard to the self-proclaimed new semi-independent States (Abkhazia and Southern Ossetia), Lavrov made an interesting comment: “It should be understandable that South Ossetia and Abkhazia did not seek independence in general, but precisely independence

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28 Cf. OSCE Document PC. DEL/444/07, Vienna, 18 May 2007.

29 Ibid.

30 Cf. Transcript of Speech by Russian Minister of Foreign Affairs Sergey Lavrov at the Foreign Ministry's MGIMO University on the Occasion of the New Academic Year, 1 September 2008, at: [www.mid.ru](http://www.mid.ru).

from the Georgia whose leadership for some reason has always tended to be chauvinistic towards ethnic minorities.”<sup>31</sup> One may interpret this as a conditional independence: one that is justified as long as chauvinists hold on to power in Georgia.

President Medvedev proposed to convene a pan-European summit, the aim being to initiate the process of drafting the Treaty on European Security. The agenda, explained Lavrov, would focus on the crisis around CFE, the US installations in Central-Eastern Europe, and more general issues.

At the Munich Security Conference (8 February 2009), Javier Solana, the EU High Representative for the Common Foreign and Security Policy, directly addressed the new Russian policy, saying: “Some principles underpinning European security are non-negotiable:

- that we do it with the US;
- that countries are free to choose their alliance; and
- that we reject notions such as spheres of privileged influence.”

“Russia knows all this,” Solana continued, “just as it knows that there are many elements we can work with: the primacy of international law is one. Calls for legally binding instruments and more transparency are good too. Not just in political and military terms, but also for energy and gas.”<sup>32</sup>

Solana’s reply was short, simple, and to the point: The European Union is ready to talk, provided the talks are serious and to the point, rather than overly general or mere propaganda exercises. Russia’s pursuit of a new architecture of security is dominated by an abstract (formalistic or legalistic) approach compared to the Western attitude, which is more pragmatic, praxis-oriented, and concrete.

In his book on the history of the CSCE/OSCE process,<sup>33</sup> the former head of the Soviet delegation to the CSCE Vienna meeting, Ambassador Yuri Kashlev, made clear that the aim of the Soviet Minister for Foreign Affairs, Andrey Gromyko at the Conference on Security and Co-operation in Europe in Helsinki (1973-75) was to conclude a treaty under international law and confirm the results of the Second World War, including recognition of new borders and the partition of Germany. The intention was to sign a kind of delayed multilateral “peace treaty”. As a compromise, the Declaration on principles guiding relations between participating States was included in the CSCE Final Act.<sup>34</sup>

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31 Ibid.

32 Dr. Javier Solana Madariaga, *Speech at the 45th Munich Security Conference*, 7 February 2009, at: [http://www.securityconference.de/konferenzen/rede.php?menu\\_2009=&menu\\_konferenzen=&sprache=en&id=235&print=&](http://www.securityconference.de/konferenzen/rede.php?menu_2009=&menu_konferenzen=&sprache=en&id=235&print=&)

33 Yuri Kashlev, *Khelsinski protsess 1975-2005: Svet i teni glazami uchastnika* [The Helsinki Process 1975-2005: Light and Shadow in the Eyes of a Participant], Moscow 2005, p. 6.

34 Cf. *The Road to Helsinki. The Early steps to the CSCE*. Selected documents from the National Archives, the Gerald Ford Library and the National Security Archive. Docu-

More than 30 years on, the time is ripe to rethink some principles and definitions. This is especially true with regard to the principles of the sovereign equality of states (Helsinki Principle I), non-intervention in internal affairs (VI), and the self-determination of peoples (VIII). They need to be changed to ensure they reflect the new realities and fundamental changes in the security environment.

### *The International Security System and a New Concept of State*

The key distinguishing feature of the new security environment is the erosion of the institution of the state. The role it has played for over 350 years as part of the Westphalian system is being changed in a fundamental way. The classical definition of the state includes three elements: a defined territory, a population, and effective authority (government).<sup>35</sup> In terms of international law, as founded in the United Nations Charter, territorial sovereignty and the principle of the sovereign equality of states prevent any intervention in matters that are within the internal competence of any state.<sup>36</sup> In reality, there have been several significant changes since the UN Charter was signed in 1945. The three classical criteria for the definition of a state should be amended to include some additional requirements (and in essence they already have been, via the adoption of treaties and conventions): a) state authority has to be not only effective, but its execution pursuant to internal law has to rest on rules and norms arising from obligations under international law (this applies particularly to respecting human rights and the rights of minorities); b) states are subject to appraisal and accountability by their own societies and by international institutions (such as the UN Human Rights Council, at the global level, or the OSCE and the Council of Europe, in a regional context) and are accountable to them. State authorities cannot circumvent this obligation by reference to the principle of non-intervention in internal affairs. The world in our time is thus based on new principles: It is ruled by additional mechanisms and procedures that complement the classical legal order of the Westphalian system in important ways.

Awareness of this state of affairs is making difficult headway among those leading elites that wish to maintain the status quo and are seeking to counter the changes that are unfolding. It is also only slowly gaining a foot-

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ments compiled for the Machiavelli Center for Cold War Studies and the Cold War International History Project by Hedwig Giusto, Mircea Munteanu, and Christian Ostermann. Florence, 29-30 September, 2003.

35 Cf. Karl Doehring, State, in: Rudolf Bernhardt (ed.), *Encyclopedia of Public International Law*, Volume IV, Amsterdam 2000, pp. 600-605.

36 This sovereign privilege follows from Article 2, section 7, of the Charter of the United Nations, according to which "nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter [...]".

hold among significant segments of the population in various countries and regions where these changes are undermining the sense of certainty and stability regarding the traditional organization of society.

Also as a result of the erosion of the state, the current international security system is confronted with a new family of threats and challenges. These are not posed by aggressive powers (such as North Korea and Iran) but by an increasing number of weak, failing, and failed states. The new international security order needs to offer an adequate response to these new risks in a pragmatic and operational sense rather than constructing new models.

The concept of state presented by President Medvedev (Yaroslavl, 14 September 2009) at the conference on The Modern State and Global Security is a quite different and rather traditional one. In Medvedev's view, it is the state and not the international community or multilateral security institutions that has to take responsibility for protecting its own security and stability, and the lives of its citizens both within its borders and beyond them.<sup>37</sup> But, as we have seen, the current situation is more complex and should not be based on any oversimplified models.

Models are useful in the pure sciences. But international politics and European security operate by different rules. In relations among states in the 21st century, ensuring the security of states has to be harmonized with respect for the universal values of the rule of law in internal governance.

### *Closing Remarks*

The present situation is unique: Europe is enjoying a stability it has not known in nearly 300 years, while no European country poses a direct threat to its neighbours. This is due to a number of concurrent factors, including the memory of the two world wars, which were a disaster for Europe, and democratic governance and the rule of law, which, far from encouraging conflicts among states, offer optimal conditions in which to look for solutions based on compromise and political settlement. Two great European institutions (NATO and the EU) have become a new centre of gravity for all the continent's states. Besides ensuring security, they are a practical and appealing example of how national animosities and quarrels can be overcome. They also create external conditions that promote optimal internal development and accelerated modernization. It is not without consequence either that the transatlantic security institutions have been capable of successfully promoting universal values and preventing internal conflicts potentially capable of evolving into wars between neighbouring states.

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37 Cf. Speech of the President of the Russian Federation Dmitry Medvedev at the Plenary Session of the International Conference "The Modern State and Global Security", Yaroslavl, 14 September 2009.

In the view of a group of leading Russian researchers and experts, by implementing Medvedev's initiative for a new architecture of European security, at least three strategic objectives could be attained:

- firstly, the stabilization of the international political situation in Europe and the reversal of the emerging threats that Russia faces;
- secondly, the boosting of co-operative interaction in Europe; and
- thirdly, the "narrow[ing of] the difference in the interpretation of political and legal aspects of ensuring Euro-Atlantic security".<sup>38</sup>

The Russian report published on the issue suggests that: "The summit should be not the final but the opening line in the endeavor. The document it would adopt could, for instance, be essentially a declaration containing the main reference points of the emerging creative process."<sup>39</sup> In other words, the proposed new architecture should not be seen as a single act, but a long, open-ended process, one which aims at setting new political rules – a kind of code of conduct rather than a treaty under international law.

Under the present circumstances, the line separating the internal and the external is becoming blurred. A number of norms and principles agreed in Cold War times need to be redefined. This applies in particular to the principle of the sovereignty of states and the principle of non-intervention in their internal affairs. These principles should be interpreted in the context of the universal commitment to respect the rule of law and democratic governance and to observe human rights and the rights of minorities. If the proposed new security architecture gave these commitments the form of a treaty concluded under international law, it would certainly be endorsed by all the democratic member states of the transatlantic community. The West and Russia have a unique chance to improve their relations and construct a new security order based on trust, co-operation, and respect for both the legitimate security interests of all parties and observation of fundamental universal values. The key element is not one of form (legal or political), but content: how to reconcile the often contradictory national interests of individual states and the universal values of the community of post-modern states. The new administration in the United States has demonstrated it has the courage to "reset" its relations with Russia, which has opened the way for a new beginning. President Obama's efforts will only be effective, however, if Russia demonstrates the reciprocity and political will needed to construct the new security system based on respect for universal principles both *among* the states and *within* them. Otherwise, the historical momentum will decline and the opportunity will be lost. The time is ripe to construct it together – for and not against each other.

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38 Igor Yurgens/Aleksander Dynkin/Vladimir Baranovsky (eds), *The Architecture of Euro-Atlantic Security*, Moscow 2009, pp. 73-75.

39 *Ibid.*, p. 75.