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## **THE EUROPEAN SECURITY TREATY AFTER CORFU**

The informal ministerial meeting in Corfu convened under the Greek OSCE Chairmanship has become a significant landmark in the implementation of the ideas by President Dmitry Medvedev on conclusion of the European Security Treaty (EST). In brief – our Euro-Atlantic partners participated in the event devoted solely to this topic and set forth their own proposals, hence, by these very facts proving that the Russian concept is topical, demanded for and efficient.

The initiative was preceded by the thorough analysis of trends in the development of Euro-Atlantic area and the reasons for systemic failures in the sphere of hard security. There are a number of issues that undermine mutual confidence – among them are the NATO operation against Serbia, the recognition of Kosovo, the crisis over the CFE Treaty and over other arms control and confidence-building mechanisms. Besides, one may remember repeating attempts to isolate Russia, neglect of Moscow's concerns related to the NATO enlargement, the approaching of NATO military infrastructure to our borders, the intention to deploy the U.S. missile defense in Eastern Europe, etc. Only a strong remedy, such as the tragedy of August 2008 in the South Caucasus, forced our Western partners to reconsider the situation in the Euro-Atlantic zone, in order to prevent its further deterioration.

Unbiased analysis enables us to formulate a few major factors ensuring the demand for the idea of the EST.

There is a sea change in the role of Russia in the Euro-Atlantic area. Nowadays Russia perceives itself as a subject, not as an object of the EU and NATO policies.

Such approach differs substantially from the 1990s. We were not kneeling to the West at that time either. Russia was not really weak; it was rather seeking – as any new state – its own place in the world. Such search for identity took place under the influence of the dominating trend in the Euro-Atlantic zone at that time – the willingness of the majority of post-Communist nations to join NATO and the EU.

Today the reality is different. Russia has realized its capabilities and regards itself as an independent international factor. Some Western analysts argue from time to time that the current global crisis will make Russia return to the policy of the 1990s. It is a big mistake. Whatever oil prices and demand are, Russia is deeply integrated in the global economy and is able to maintain internal sustainability. Yes, there are problems, but we see them and solve them – sometimes in cooperation with Western countries on equal and mutually beneficial terms.

However, our partners in the West also face problems related to expansion. NATO has already engaged all nations possible, including Albania. Other states cannot expect membership or do not seek it. The situation with the EU is even more complicated – the organization invents more and more new criteria and barriers for the candidates (at least, that's the way they see the situation). Let us speak frankly – the EU, especially in the times of crisis cannot merge with new members without detriment for itself. The only exceptions would be Iceland and, at best,

Croatia. It means that many countries in the Euro-Atlantic area in the new future, or even in the next few decades, will not be covered by the NATO and the EU framework.

It is difficult to make forecasts whether these non-EU and non-NATO states will have alternatives in the future other than joining the aforementioned alliances. After all, this is their unalienable right. As far as Russia is concerned, in the foreseeable future it will certainly keep its status of an independent foreign policy factor. Nonetheless, Russia and these non-aligned states need reliable, equal, legally-binding security architecture. This is why the Russian side puts an emphasis on focusing the EST on hard security issues, many of which are a matter of serious irritation. By finding solutions to them, we and the West will avoid wasting additional resources on expensive mechanisms inherited from the Cold War arsenal and will create the atmosphere of trust and mutual understanding for sustainable development.

It took about one year to pass the evolution. Our Western partners demonstrated cautious, if not suspicious (all hard security efforts by Moscow are allegedly aimed at destroying NATO and widening the gap between the EU and the United States) attitude to the Russian proposal, but eventually declared their commitment to start practical work on the treaty. We were not pushing them ahead, bearing in mind that the EST, as any new idea, should be first carefully analyzed and tested for efficiency.

The Russian diplomatic community, political experts were active in explaining and promoting the “constructive agenda for the European security” (as it was named by President Dmitry Medvedev in his blog on June 4. Russia speaks about new *software* and new comfortable *interface* for the existing security structures, so that we may avoid *not responding message* in case of crises. The treaty was broadly discussed at the OSCE ministerial meeting in Helsinki (December 2008), at the Security Conference in Munich (February 2008), at the joint meeting of the Forum for Security Cooperation and the OSCE Permanent Council and at the winter session of the OSCE Parliamentary Assembly in Vienna (February 2009), and at the Brussels Forum (March 2009). The Russian and Western political community was also dwelling on the idea. A number of academic conferences were held by the Institute of Modern Development (Igor Yurgens), the Council on Foreign and Defense Policy (Sergey Karaganov), the European College at the MGIMO (Mark Entin), the Institute for Strategic Assessments and Analysis (Vagif Gusseinov), and the PIR Center (Vladimir Orlov). In the West the leading role in discussing the EST proposal is played by the East-West Institute (Greg Austin), which on the eve of the ministerial meeting in Corfu issued a detailed report with specific recommendations on further promotion of the EST – *The Euro-Atlantic Security: One Vision, Three Paths*.

A step forward in the EST debate was the official presentation of the Russian proposals at the Annual Security Review Conference in Vienna on June 23-24, 2009. During his speech at the forum Russian Foreign Minister Sergey Lavrov urged the participants to answer the key question – whether they were ready to fix *de jure* the political decisions of the OSCE and the NATO-Russia Council (NRC), which contain the principle of indivisibility of security and the commitment to refrain from strengthening one’s own security at the expense of the security of others. According to the minister, the common sense implies that there can be no first-class or second-class reliable security. In the OSCE the principle of indivisibility of security is a political commitment, while in NATO it has a legally binding form. Such collision occurred in 1999 when the NATO countries ignored their political commitments and conducted (contrary

to their pledge not to use force against the OSCE member states) the military operation against Yugoslavia.

Sergey Lavrov presented four major elements of the EST.

The first of these would affirm the basic principles of relations between States. It is the matter of the good-faith implementation of existing international commitments, namely respect for the sovereignty, territorial integrity and independence of States, non-interference in internal affairs, equal rights and the right of peoples to determine their own fate. An important element has to do with the guarantees that these principles will be uniformly interpreted and observed. The treaty must reaffirm the inadmissibility of the use of force or the threat of its use both against the territorial integrity or political independence of any party to the treaty and in any other way incompatible with the aims and principles of the Charter of the United Nations.

States and international organizations must also reaffirm – but now in a legally binding manner – commitments previously undertaken within the OSCE and the NRC framework, notably:

- Not to seek to ensure one's own security at the expense of the security of others;
- Not to allow within military alliances or coalitions actions whose effect would be to weaken the unity of the common security space, including prohibiting the use of one's territory to the detriment of the security of other states and to the detriment of peace and stability in the Euro-Atlantic area;
- Not to allow military alliances to evolve to the detriment of the security of other parties to the treaty;
- To respect the right of any State to neutrality.

Lastly, the Treaty is designed to reaffirm, again in a legally binding manner, the provision of the Charter for European Security to the effect that no single State or international organization can have exclusive rights to maintain peace and stability in the Euro-Atlantic area.

In the second block, we would propose setting out the basic principles for the development of arms control regimes, confidence-building, restraint and reasonable sufficiency in military doctrine. This includes the principles of non-offensive defense and abstention from the permanent additional stationing of substantial combat forces outside one's territory. We will also have to clearly define what specifically we all mean by the term "substantial combat forces". We are also proposing that there be a reaffirmation of the commitment to continue the arms control process on the basis of negotiations and that the possibility of adapting arms control and confidence-building mechanisms be clearly stated.

The third block must, in our view, be concerned with the principles of conflict resolution. An objective of the Treaty is to set out clear rules that would be uniformly applied to all crisis situations and to enshrine uniform approaches to the prevention and peaceful resolution of such crises on the basis of negotiations. This section should also set out conflict resolution procedures and mechanisms in conformity with the principles of the Charter of the United Nations.

Above all, this refers to the inadmissibility of force as a means of settling conflicts. The parties themselves must come to an understanding. It is essential that everyone be obliged to respect the negotiation and peacekeeping formats that have been agreed by the parties. Conflict resolution must take place in stages: commitments to abstain from the use of force, confidence-building measures and the initiation of dialogue between the parties. The protection of the civilian population in conflict zones, efforts to prevent their isolation and the ensuring of their humanitarian and socioeconomic needs are absolute conditions. Any provocations against peacekeepers operating under a mandate agreed upon by the parties are absolutely unacceptable.

The fourth conceptual block of the future treaty would be a section dealing with arrangements for cooperation between states and organizations to counter new threats and challenges, including the proliferation of weapons of mass destruction, international terrorism, illicit drug trafficking, and other forms of transnational organized crime.

Sergey Lavrov pointed out that the Russian proposal was not aimed at undermining NATO or any other organization dealing with the security issues. On the contrary, we stand for enhancing the coordination and synergies among the existing international structures. We believe that no state or organization in the Euro-Atlantic zone should act against one another, but rather work together on preventing new common challenges. Europe has already experienced the era of the *holy alliances* and it would be disastrous and senseless to return to the principle of “either with us or against us.” Those who try to revive this idea today provoke the building of new dividing lines and walls in Europe and should recognize the responsibility that they will have to bear for that.

In elaboration of the EST debate Russia suggested to hold the summit of the leaders of the key international organizations – the OSCE, NATO, EU, CIS, and the Collective Security Treaty Organization (CSTO). Such meeting could be convened on the basis of the Platform for Cooperative Security approved by the OSCE in 1999. It could compare the security strategies of all of these structures and this could be an important step forward in developing unified approaches towards the establishment of single and indivisible security space in the Euro-Atlantic zone.

The principal outcome of the discussions at the OSCE annual conference is the need to continue deep and sincere dialogue on security issues aimed at overcoming the existing differences. None stands against such approach. Moreover, the ideas on potential substance of the EST were set forth by the United States, Germany, France, and Finland. There is a certain difference in our and Western approaches towards the substance and the tactics of elaboration of the document.

First of all, we would like to focus the treaty on politico-military security – this is the area of grave violations of the Helsinki Final Act provisions and other OSCE basic documents. Our partners regard the principle of indivisibility of security as the compliance with all three baskets of the Helsinki Final Act – politico-military, economic and environmental, as well as human rights. In our opinion, the last two baskets did not suffer from erosion of the fundamental principles – they could be simply reiterated.

Secondly, the Western proposals imply that the discussion on security architecture should take place at the OSCE platform. We believe that this would be enough due to, at least, two circumstances. The OSCE is an inept organization from the point of international law and, hence, it has no right to undertake legally-binding commitments. Besides, it is not the only and, perhaps, not the most important Euro-Atlantic structure in the area of hard security. So to get the fully fledged product of talks, we should maintain inclusive negotiations, engaging NATO, the EU, the CSTO, and the CIS.

Finally, the Western nations play cunning – the ratification of the EST as a legally binding document is allegedly extremely complicated and, hence, unreal, so let us confine ourselves to political commitments. They can be reaffirmed in the decision (or declaration) of another OSCE ministerial meeting. Thus, it is suggested that we should return quickly to the pre-EST situation again. Obviously, we cannot agree to such attempts of neglecting our concerns. There are also some brusque offers of totally unacceptable linkages – you withdraw the recognition of South Ossetia and Abkhazia, and we will then speak about the EST. We harshly criticize such attitude.

The contradictions became clear during the OSCE informal ministerial meeting in Corfu. This was not a surprise for us – the understanding of the new and harmonization of international efforts related to the new is always a complicated and non-linear process. It is important that the ministers of 56 OSCE member states agreed to continue the informal dialogue (the Corfu process), in order to find the common points on modern European security agenda, including the EST context. Summing up the results of the meeting, Greek Foreign Minister Dora Bakoyannis, who chairs the OSCE, formulated the following next steps. Further consultations should concentrate on basic principles of comprehensive and indivisible security; existing commitments within three OSCE baskets should be strengthened and further implemented; the need for strengthening the cooperation on arms control, crisis management and countering of new challenges. Even though the Russian initiative is more specific and is targeted at solving the most topical issues for the Euro-Atlantic zone (i.e. politico-military matters), we are still open for the broader dialogue. Meanwhile, we realize that the EST and the Corfu process are two separate political events, but they do not contradict the common goal – higher confidence in the Euro-Atlantic region from Vancouver to Vladivostok.

It is seemingly the time to formalize Russia's proposals on the EST and to fix them in the draft of the treaty. As far as the Corfu process is concerned, there are rumors at the OSCE about the readiness of Finland to hold the OSCE summit next year, in order to commemorate 35 years of the Final Act. Then the dialogue on the most topical security issues in the Euro-Atlantic zone would directly involve the national leaders. Such negotiations are ripe and it is good that the process has started.