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Diplomacy vs Brinkmanship¹

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For an observer who has enough time and stamina to follow the political and diplomatic marathon launched by Russia's December initiative on security guarantees, the situation is close to surreal. On the one hand, there have been multiple signs that significant achievements and agreements on the diplomatic path are possible. However, this dimension is almost eclipsed in the eyes of the general public by the dimension of vicious propaganda and a ratchet effect of muscle flexing on all sides.

Since the Geneva summit held in June 2021 between Vladimir Putin and Joseph Biden, a lot has been done to let diplomats do their job. The bilateral dialogues on the prospects of strategic stability and cybersecurity have seen moderate success so that expectations were high by the end of 2021 that these tracks were going to gain further momentum. The working groups within the delegations were formed ready to plunge into details. Cooperation between the US and Russian experts in cyber made it possible to halt malicious activities of hackers, including those who could be responsible for the attack on SolarWinds. In January, the US-Russia consultations in Geneva and the meeting of the NATO-Russia Council in Brussels have produced the preordained dose of frustration as much as some important signals of goodwill.

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Naturally, these signals were enveloped in a thick veil of standard finger-pointing and recriminations; in fact, though, some would-be breakthroughs were in the making. Russia's assertive political and diplomatic stance has produced a possibility to initiate talks on the moratorium on deployment of intermediate land-based missiles in Europe, both nuclear and conventional, such as hypersonic systems – all in a course of just two months. Russia put forward this idea as far back as in 2019 but until recently it had been ignored by the West. Besides, the US and NATO have let it be known that they are ready to discuss further measures to avoid military incidents and reactivate confidence-building measures in a serious manner. After Russia received written responses from the US and NATO to its proposals on January, 27, the meaning of the first official reaction in Moscow was that at least the American document has valuable points to negotiate.

Negotiations to defuse the Ukrainian crisis, until recently in the doldrums, have given signs of life due to the recent meeting in Paris of the political advisers to the leaders of the Normandy Four. Right after that long-awaited event, the Russian negotiator Dmitri Kozak announced at the press conference that the following meeting would take place early in February in Berlin. Since December, there has been the impression that the US may be willing to press Kiev to recommit to the Minsk 2 agreements, especially after Anthony Blinken's recent visit to Kiev and his public confirmation that Minsk 2 has no alternative.

Taken together, these developments seem to point to a significant reservoir of time, which the sides are ready to allocate for further talks.

There is a key issue of fundamental points, or Russian red lines, which have so far been ignored by the West – a legally-binding obligation to stop the expansion of NATO and to withdraw NATO troops and infrastructure from the countries where they have been deployed since 1997. But on the expansion issue the expert debate has started. Officially the US and NATO are adamant that the “open door” policy is sacrosanct and a reply is a defiant no. Still, there are more and more voices in Europe and the US calling for a rational discussion and ways to resolve Russia's demands and to moderate NATO's intransigence.

The majority of such views revolve around three ideas, which may help to strike compromises: 1) a moratorium on the expansion for a significant amount of time (20-25 years); 2) a validity of the precedent when the former territory of the GDR was absorbed by West Germany on the condition that NATO infrastructure and military forces would not move in (Two Plus Four treaty); 3) and a positive legacy of military non-alignment and different variants of neutrality, exemplified in the first place by Austria, Finland, Sweden or Switzerland.

1) Indeed, a moratorium is not a legally-binding guarantee to repudiate the “open door” policy forever. However, any international agreement has a clause on its termination and there can never be a guarantee that – once reached – such an agreement could not be withdrawn from by one of the parties at any point in time (observing a period of notification). From this point of view, a legally-binding moratorium may be in some ways more effective for settling the problem of a hypothesised further expansion. It is more acceptable for NATO than a full stop to enlargement due to a limited timeframe of the “freeze”. At the same time, it may have some attractiveness for Russia as such a moratorium would kick the can of the expansion

down the road of a strategic time horizon. In other words, it will neutralise the problem for enough to make it impractical for the present generation of politicians. A fall-back position may be a politically-binding NATO moratorium, which might also be acceptable for Moscow if balanced by a significant set of other legally-binding agreements in the sphere of arms control and CBMs.

2) The GDR legally-binding precedent may also be highly instrumental in cutting the Gordian knot of the expansion issue, taking into account that at the time of signing of the treaty the GDR was a sovereign and internationally recognised state and not yet part of West Germany. There is another far-reaching ramification of this option if to make the GDR precedent retrospective. For example, like the eastern part of present Germany, the Baltic states and Poland can stay NATO members but withdraw NATO integrated military infrastructure and NATO integrated troops from their territory. In return, for example, Belorussia could agree to proclaim its military neutrality but preserve relations with the Collective Security Treaty Organisation akin to Finland-NATO and Sweden-NATO relations and Russia's Kaliningrad could be demilitarised under legally-binding international guarantees. More uniform and bigger in scope decision could be a demilitarisation of the Baltic region, with present configurations of military alliances memberships staying intact.

3) The option of military neutrality of Ukraine and Georgia (and reconfirmation of military neutrality of Moldova, currently enshrined in its Constitution) relies on the positive European legacy of neutrality, which has played an outstanding reconciliatory role in the era of the Cold War and ever since. It is hard to deny that security of those European states that pursue different forms of non-alignment are higher than security of some NATO members. So, why not recognise the obvious – there are other ways to provide national security than NATO membership. As to Ukraine, the July 1990 Declaration of the state sovereignty – the reference point in all other consequent constitutional documents of the country, including the amended Constitution of 2019, declared the intention to become a permanent neutral country, which does not participate in military blocks. Even in the amended Constitution of 2019 there is no direct reference to NATO (or the EU): it mentions the “irreversibility of the European and Euro-Atlantic course of Ukraine”. On a new basis the non-alignment status of Ukraine may be legitimatise by the decision of the UN General Assembly.

In spite of the semblance of total intransigence of the West to the aforesaid options, they are credible and fair. They are grounded in a rational and utilitarian understanding that Russia has the right to raise the issue of indivisibility of security. Indeed, for any unbiased mind, it is impossible to deny that from 1975 Helsinki Final Act to 1990 Paris Charter to 1997 Russia-NATO Founding Act to 1999 Charter for European Security to 2010 Astana Declaration there is a constant theme of equal security and an obligation not to strengthen one state's security at the expense of the security of other states. At present, the West pretends to overlook this concept but such a position is hardly defensible. Importantly, Moscow is ready to give its counterparts some more time to remember this obligation and to balance the “open door” policy with recognition of legitimate security interests of Russia. On 28 January the Russian foreign minister Sergei Lavrov announced that he was sending a letter to all OSCE members with a request to clarify their views on the principle of indivisibility of security.

Besides, the issue of timing needs to be addressed. A common question asked is why Moscow

launched its security guarantees in December 2021 and if these were emotions of the Russian leadership, which led to the current situation. Not at all. Apart from the banal fact that USSR/Russia since 1990 has been against any NATO enlargement, there are clear practical factors. In fact, the window of opportunity to redress the configuration of the European security taking into account legitimate Russia's interests is narrowing. Although there is a bipartisan and deeply entrenched anti-Russian consensus in the US Congress, the policy of the White House towards Russia has substantial differences in comparison to the times of D. Trump, J. Bolton, M. Pompeo and alike. There is still chance to avert a military conflict between two nuclear superpowers, which may be inflicted on two great nations because of hubris or misperceptions.

But a number of strategic documents are in the pipeline in 2022. For example, if NATO Strategy 2030 to be approved at Madrid NATO summit in June 2022 designates Russia as the main military threat to the West and the everlasting *raison d'être* for NATO's existence than it may become impossible to preserve strategic stability and save the European security from total collapse. Against the background of the Russia-US-NATO diplomatic efforts, the European Union tries to remind the world about its own stake in the European security. But if the Strategic Compass, which is expected to replace the EU Global Strategy of 2016 and to be passed at the EU summit in April, becomes an early version of an anti-Russian NATO strategy, what is the chance that Brussels will be able to produce a positive agenda with Russia for years to come?

Another time constraint is the domestic US political agenda. In November 2022, the country goes into mid-terms and the Republicans may prevail in both Houses of Congress. This may bury any rudimentary arms control instincts of the Democrats. Let's not forget that there are vocal groupings in both parties who call for an immediate membership of Ukraine and Georgia in NATO. 2024 is also not far away and with it – the probability of a hawkish Republican candidate becoming the next American president. It is relevant to remember that had Trump won a second term, we would now live in a world without the New Start, without the Geneva summit and without the P5 Declaration on preventing nuclear war and avoiding arms races.

At present, we are in a situation when tentative diplomatic steps forward are coupled with a show of force and absurd accusations. It seems that Washington and some of its allies have decided to combine the US and NATO written responses to the Russian initiative on security guarantees with another round of harsh rhetoric and provocative military actions. The flow of military equipment and lethal weapons to Ukraine continues as well as threats to send more American and NATO troops to Eastern Europe. By doing that, the West doubles down on its initial refusal to accommodate Russian demands to stop the "military cultivation" of Ukraine and amassing NATO infrastructure on the Russian borders. As a response, there are increasingly heard voices in the Russian parliament calling for shipments of lethal weapons to the rebels in Donbas and for recognition of the self-proclaimed republics.

The political leadership in Moscow and Washington should stay clear-headed and continue to provide opportunities on the path of negotiations. If they fail and yield to the fever of warmongering, the "credibility of deterrence", something that the parties are so willing to demonstrate to the other side, may turn from a buttress of diplomacy to its kiss of death.

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