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MAKING A COMPREHENSIVE ARMS CONTROL AGREEMENT FOR EUROPE IN TIMES OF CRISIS: RATIONALE, STRUCTURE, AND OUTCOMES***

Resume

The war in Ukraine reflects the culmination of two international crises – one of the European security architecture and the other of strategic stability. This paper aims to examine how these crises influence the feasibility of future arms control in Europe. The authors claim that the current situation is an opportunity for a comprehensive arms control agreement for Europe. They begin by providing a theoretical framework of international crises and explain the current state of the arms control regime. Through a content and discourse analysis, they consider the positions of the main actors in relation to the key elements of future

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arms control and, based on this, by using a comparative method, consider the possible common ground that would serve as the bedrock for a new European comprehensive arms control regime. The article concludes that by going comprehensive, arms control can provide grounds for trade-offs between the parties, settling most issues of concern in a multi-track process.

Keywords: arms control, international crisis, Europe, war in Ukraine, strategic stability

INTRODUCTION

Arms control agreements create arms control regimes, important international institutions that foster strategic stability, predictability, risk reduction, and confidence-building among the potentially and previously conflicting sides. However, for the last two decades, it has undergone a crisis, culminating in the collapse of almost all arms control instruments concluded between the two greatest nuclear powers, the USA and Russia, as well as those designed for Europe specifically. The authors claim that a two-fold crisis is at play: 1) a crisis of the European security architecture from 1991 onward, which is related to the conventional arms control regime in Europe (underpinned by the Conventional Forces in Europe Treaty [CFE Treaty], the Open Skies Treaty and the Vienna Document); and 2) a crisis of strategic stability from 2001 onward, which is related to the defensive and offensive strategic and intermediate- and short-range nuclear forces and their respective arms control regimes (Kostić Šulejić and Stefanović 2023, 290). Despite the differences in their principal causes and trajectories of development, these two crises are closely interlinked and have culminated in the 2022 Russian invasion of Ukraine. As with every other international crisis, this one also comes with a potential for resolution, including forging a new arms control agreement for Europe, thereby contributing to stabilising European affairs. This agreement would need to be comprehensive in scope and content to cover all relevant issues of nuclear and conventional arms control in Europe and all other salient issues. That said, the main research question of this article is whether the crisis mentioned above is also an opportunity to think about and develop a new comprehensive arms control regime for Europe. If so, what would be the rationale, structure, and outcomes of such an endeavour?

About the first question, the authors claim that the current crisis could be conducive to discussing a comprehensive arms control agreement for Europe and that this could, in turn, even provide beneficial effects for all actors and international security as a whole. To address the second question, the authors provide a theoretical framework of international crises and continue by describing the current crisis of the arms control regime in Europe. Through discourse and content analysis of main arms control propositions and responses, they highlight the positions of the main actors toward the most conspicuous elements of the arms control regime that are fading away. In reflecting on the key elements of the former arms control arrangements and national positions comparatively, the authors reach a conclusion about the possible common ground and the structure and content of a future European comprehensive arms control regime. The article concludes that by going comprehensive, the arms control regime can provide a wider ground for trade-offs between the parties, settling all issues of concern in one or potentially a multi-track negotiation process and adopting an agreement that could provide a possible basis for the potential multilateralization of strategic arms control. In a subsequent stage, this could also lead to China's possible inclusion in strategic arms control. Likewise, it could provide a leading role to the EU in shaping its own security, thus creating a more stable Europe with greater ownership of the arms control architecture. In such a fashion, the comprehensive arms control treaty would strongly contribute to reconciling and resolving both crises, de-escalating the Russo-Ukrainian war, and preventing its eventual escalation into a nuclear one.

In the following sections, the paper will first conceptualize the notion of the current international crisis, then present the positions on arms control of the main actors in Europe, and finally delve into the rationale, structure, and outcomes of the possible comprehensive arms control agreement for Europe.

CONCEPTUALIZATION OF THE CURRENT INTERNATIONAL CRISES

At the outset, the authors seek to outline the theoretical understanding of the concept of crises in international politics, to set the groundwork to better comprehend the current strategic environment in Europe. Here, the components of international crisis are identified, as well as its nature, root causes, and potential outcomes.

Generally understood, a crisis is not a normal or stable situation. Rather, it refers to an urgent situation that breaks the routine processes in a system (Isyar 2008, 1–2). In international politics, crises are recurrent and influential phenomena that develop into highly politicized clashes, often clearly visible in the flow of international politics as watershed moments (Young 1968, 3–5). In this sense, an international crisis is a situation in which normal or ordinary patterns of interaction between nations change significantly. It is an acute transition in the state of a system and a turning point after which relationships are quantitatively altered compared to the pre-crisis stage (Isyar 2008, 6–7; Young 1968, 6–7, 14).

The roots of a crisis are frequently present for some time before the onset of the crisis, and there is generally a period of build-up to a crisis (Young 1968, 13). Every crisis is rooted in a historical context from which it cannot be divorced without losing much of its meaning (Lebow 1984, 23). The perception of crises is also essential, as various actors may perceive the same sequence of events differently: one may place the beginning of a crisis at different times than others or, in extreme cases, perceive no crisis. The differences in perception can ultimately have far-reaching effects, as parties might perceive each other's activities antagonistically and thus approach each other in a hostile fashion. Therefore, parties might experience difficulties cooperating with each other (Isyar 2008, 19; Young 1968, 20).

A crisis *per se* is unlikely to disrupt the international system, but a *severe or acute crisis* involving great powers or a series of interlocking crises represents one of the most plausible ways for the stability of the international system to be seriously challenged (Young 1968, 4). The onset of the crisis is generally accompanied by a pronounced rise in the perceived prospects that violence will break out, as the use of force becomes much more attractive than in normal conditions, especially if other ways of resolving the dispute are exhausted (14). Crises also carry the potential to resolve outstanding issues, facilitate the end of the conflict, and even establish more stable relations between the parties, thus reducing the possibility of future conflict (Lebow 1984, 309). This could be achieved even if the relations among the participants are still not cordial, and many substantial issues remain unresolved (Young 1968, 16). The major war is understood as a culmination of an international crisis, thus representing an extreme end or a turning point after which the existing relations or arrangements can no longer be the same.

The current state of arms control, in general, has been described in terms of a questionable future (Kulesa 2020, 1), deterioration (Stefanović 2021), demise (Krepon 2021), crisis (Kühn 2021), collapse (McGraw 2019), vanishing nuclear taboo (Tannenwald 2018), running on fumes (Bollfrass and Herzog 2022), and even its end (Brooks 2020) and death (Kühn 2023). No nuclear and conventional arms control aspect has been left intact (Arbatov 2015, 3). Affairs in arms control were not conducted in isolation but have taken place in the context of broader international developments and are part and parcel of the changing relationship between Russia and the West since the end of the Cold War (Kulesa 2020, 5). In that regard, two international crises today permeate the current strategic environment in Europe: one is the crisis of the European security architecture, and the other is of strategic stability. The first international crisis can be described as an adaptation crisis to the post-USSR and post-Warsaw pact environment, NATO out-of-area operations and enlargement of NATO and the EU since the 1990s. The end of the Cold War was greatly manifested in the arrangements for a unified Germany and the conventional and strategic arms control agreements based on the balance between the NATO and Warsaw Pact and between the USA and USSR. After the USSR and Warsaw Pact collapsed, new concerns emerged regarding the desired structure of a new European security order, given the significant power vacuum that materialized in the East, coupled with a multitude of transitional crises and even armed conflict. The answer conceived at that time by the West was the integration of all the new countries in Eastern Europe into Western structures, with even Russia joining NATO's Partnership for Peace program in 1994. However, the shifts in the domestic political landscape and the resurgence of communists and nationalists led Russia to redefine its position and strive for a renewed recognition of its great power position on par with the US (Kostić 2021).

As early as 1993, the new Russian president, Boris Yeltsin, sent numerous messages and signals to the West objecting to the planned eastward enlargement of NATO (Kostić 2019, 169–204). The Russians understood the spirit of the agreement on the reunification of Germany, particularly the provisions regarding the prohibition of deploying foreign troops within the eastern parts of the country in such a way as to exclude the possibility of NATO expansion to the East (NSA 1993). Like Gorbachev's before him, Yeltsin's vision and Medvedev's after him was that of a pan-European security system (Kostić Šulejić 2022). Contrary

to this, NATO argued that Gorbachev was never promised that NATO would not expand toward the East since this issue was not on the agenda during the two-plus four negotiations on the unification of Germany and during the existence of the Warsaw Pact (NATO 2014). In the midst of contested interpretations of the future of European security, the relations between NATO and Russia were at an all-time high, and in 1997, they concluded the Founding Act on Mutual Relations, Cooperation and Security. However, unlike the West, which hailed the Act as a milestone that would end the Cold War rivalry and even a signal of Russia's consent to further NATO expansion, the Russian side was clear from the very outset that the Act contains an obligation not to deploy NATO combat forces permanently near Russia, and warned of potential undermining of relations if NATO decided to expand to the former Soviet Republics. The US discarded such interpretation out of hand, announcing not only that the Act had no impact on NATO enlargement but that the door to membership would remain open to all emerging European democracies (White House 2023). It was also argued that the Act was not legally binding and, as such, did not limit NATO's ability to act independently nor constrained its military policy (Mendelsohn 1997). Against the Russian wishes, the Alliance welcomed Poland, the Czech Republic, and Hungary as its newest members in 1999, causing NATO-Russia relations to plummet. This year also marked another detriment to their relations, engendered by the bombing of the former Federal Republic of Yugoslavia, circumventing the UN Security Council and a likely Russian veto. This represented the first NATO out-of-area military intervention, which augmented Russian concerns regarding how NATO would use force in the future. At the same time, following the break-up of the USSR, Russian troops remained abroad in some areas of the former USSR – namely, in regions of Moldova and Georgia, where the Russian population was majority.

The relationship, however, improved in the context of the War on Terror since 2001 but was significantly worsened after 2004, and many so-called colour revolutions took place in the Russian neighbourhood that Russia perceived as conducted against its interest in the region. It was followed by the Russian interventions in Georgia in 2008 and Ukraine in 2014 and the invasion of Ukraine in February 2022. These developments had strong repercussions on the conventional arms control regime in Europe, culminating in the Russian withdrawal from the CFE Treaty in May 2023, but they also contributed to the strategic stability

crisis, climaxing in the Russian suspension of the last bilateral nuclear arms control treaty – the New START Treaty. As a response to the Russian withdrawal from the Treaty, the United States and its NATO allies also suspended their participation in it. This war has also been showing many instances of the use of new and disruptive technologies (Ђорић и Глишин 2023), thus expressing the need to contemplate their future control.

The strategic stability crisis became evident when President George W. Bush released the US from all existing constraints in the missile defense domain, resulting in the 2002 withdrawal from the ABM Treaty (Wolfstahl 2020, 106). This occurred due to missile defense being identified as a key US national security objective, particularly after 9/11, and the rise of new asymmetrical threats and actors. The strategic stability crisis was, in this sense, the result of adaptations to new security threats and greater pressure from third parties. The US withdrawal signalled a major break from the practice of arms control, marking the start of a new arms race, albeit qualitative rather than quantitative (Tannenwald 2018; Wolfstahl 2020, 60). The new strategic arms control agreement signed in 2002 (the SORT, or Moscow Treaty) offered only a false sense of security, as it was void of any compliance provisions and entirely reliant on the START I verification (Kühn 2021a, 328–329). At about the same time, the CFE Treaty was further weakened, as NATO members refused to ratify the Adapted CFE Treaty until Russia withdrew its troops abroad without the host countries' consent. In response, Russia discontinued its participation in the original CFE Treaty in 2007, first by suspending its implementation, withdrawing from its Joint Consultative Committee in 2015, and officially approving withdrawal in 2023. Problems ensued for the two other European conventional arms control instruments, the Open Skies Treaty and the Vienna Document, the implementation of which encountered difficulties. The Open Skies Treaty was essentially rendered void after the withdrawal of the US in 2020, with Russia following suit in 2021, while the Vienna Document ceased producing expected confidence-building effects in the lead-up to the war in Ukraine, with a final blow being struck by Russia in 2023, which refused to submit information regarding its armed forces.

The revival period, manifested in signing the 2010 New START Treaty, was short-lived. In light of US concerns about Russian non-compliance and violations, the Donald Trump administration decided to withdraw from the Intermediate-Range and Shorter-Range Missiles

(INF) Treaty, which was signed in 1987 and led to the elimination of these missile systems in Europe, in August 2019 and subsequently from the Open Skies Treaty in November 2020. With the cancellation of arms control agreements and the impeding eastward expansion of NATO, Russia was convinced it was stripped of its parity status *vis-à-vis* the US and excluded as a key player from the European security architecture. Moreover, Russia perceived these actions as directly turned against her. In such circumstances, and after the rejection of its proposals for a new European security architecture on two occasions (in 2008/2009 and 2021/2022), the Russian leadership might think that the only option left at its disposal to affirm its status and stop the perceived NATO encirclement was to wage a war. The new U.S. President Joseph Biden's entry into office, the last-minute prolongation of the New START until February 2026 and the June 2021 Biden-Putin Summit in Geneva provided only an ephemeral glimmer of hope but did not lead to the revival of arms control and could not thwart the onset of the war in Ukraine.

From the very outset of the Russo-Ukrainian war, the issue of the possible use of nuclear weapons has been considered, with Russia issuing several nuclear threats to both Ukraine and NATO countries that might militarily support Ukraine, including raising the alert level of its strategic forces. (Bollfrass and Herzog 2022, 7; Meier 2022). In addition, a few months into the conflict, Russia announced the intention to deploy some of its nuclear weapons on the Belarusian territory, marking a departure from its former stance against nuclear sharing and representing another watershed moment in the European security landscape (Sokov 2023). A year into the conflict, in February 2023, Russia further declared the decision to suspend its participation in the New START, arguing that there cannot be an agreement on strategic arms control if the West wants to see Russia "strategically defeated" in Ukraine and conditioning the future Treaty activities with the US cutting off support for Ukraine and bringing France and the United Kingdom into arms control talks (ACA 2023) (See Kostić 2021, 27–56).

The crisis of arms control and strategic stability, having separate yet closely related root causes and trajectories of development, are intertwined and have culminated in the 2022 war in Ukraine. This turning point in history is not merely a regional armed conflict but a war of larger, arguably global consequences, where the potential inclusion of new actors and a looming escalation, including through the use of nuclear weapons, might have indescribable effects. Likewise, it might be an opportunity

to find a resolution for both crises, including crafting a comprehensive arms control agreement for Europe. The feeling that we are on the brink of total nuclear war should lead to the development of new rules and procedures, i.e. a comprehensive arms control agreement, to manage the crises and provide strategic stability. An arms control agreement is needed even against the background of new centres of emerging powers, on account of Russia and the US still being the greatest possessors of nuclear weapons, and thus crucial for European security. A crucial problem in this regard is whether all parties share the same perception that the world is on the brink of a nuclear war. This is particularly salient considering the view held by some stakeholders that the Russia-Ukraine war is a regional conflict despite the considerable financial aid and military assistance provided by NATO member states. Even if the war in Ukraine is perceived to be a regional conflict of concern only to European security architecture, nevertheless, coupled with the strategic stability crisis, its outcomes invariably have a global dimension.

POSITIONS ON ARMS CONTROL OF THE MAIN ACTORS IN EUROPE

The main actors on the European continent – the US, Russia, NATO, and most of the EU countries (all except Austria, Ireland and Malta) reject nuclear weapons ban and support non-proliferation and arms control as a possible way of mitigating mutual relations among them and stability on a global scale (Stefanović and Kostić 2024). However, they have different security concerns, disagree in their outlook on the security and geopolitical situation on the continent, and therefore have divergent views regarding the content of a future arms control agreement and the inclusion of specific topics. This chapter surveys the most salient elements of the main actors' positions on arms control and the potential proposals for a future agreement.

From the Russian proposals on European security architecture from 2008/2009 (Draft treaty NATO-Russia 2009; Draft treaty Russia-MS NATO 2009) and 2021/2022 (Draft treaty USA-Russia 2021; Draft treaty Russia-MS NATO 2021), as well as official statements, we can conclude that the responsibility for the “miserable” state of arms control and the diminishing security architecture was pinned on the US and NATO, and their “deliberate” destructive actions. Special emphasis was given to military exercises conducted in the proximity of Russian borders, and

also the denial to provide the Russian Federation with legally binding security guarantees, i.e. commitment that there would be no further NATO expansion, that they would refrain from establishing military facilities on the territories of former Soviet republics, and the obligation for NATO's military capabilities to be brought back to the 1997 level (UN 2022). Maintaining bilateral strategic stability is seen as crucial, as Russia and the US remain the largest nuclear weapons states and have a special responsibility for preserving world peace and security (ACA 2020). A critical component is a dialogue based on indivisible security that would minimize the accumulated conflict potential, only after which arms control would be viable and effective (UN 2023). Therefore, there is readiness on the Russian part to work on arms control, but based on "a new security equation" that would cover the key factors of strategic stability and thus embrace the entire spectrum of nuclear and conventional offensive and defensive arms with strategic effects (Ryabkov 2021). Likewise, the return of the US nuclear weapons from European countries that are not possessors of nuclear weapons is seen as essential. Also, a call is issued for a moratorium on deploying INF missiles in Europe (UN 2022). For offensive arms, particular focus is placed on nuclear and high-precision conventional systems that could be used in strikes against the other side's territory with the view to weaken or even neutralize its deterrent. For nuclear weapons, attention should be given to deployed parts of arsenals that pose a direct threat. On defensive systems, stress is put on the principle of the inseparable relationship between strategic offensive and defensive arms, this link being the crux of strategic stability (Ryabkov 2021). With regard to limitations and reduction in offensive strategic weapons, the firm stance is that the bilateral arms control has been exhausted and that further progress requires the involvement of other nuclear weapon states, foremost the UK and France (ACA 2020). Regarding emerging and destructive technologies, cybersecurity and the prevention of weaponization of space occupy a significant place.

The US and NATO approach can be read from their responses to the 2021 Russian proposals (*El Pais* 2022), as well as official statements and those of member states. The US and NATO reiterated their stance that they are a defensive Alliance and pose no threat to Russia but rather strive for peace, stability, and security in the Euro-Atlantic area. On the other hand, Russia was accused of military build-up in Ukraine's vicinity, as well as for breaching the very values, principles, and commitments which underpin NATO-Russia relations. Despite this, readiness was

expressed to engage with Russia, calling for a predictable relationship between the two, which is in their joint interest. When it comes to European security, especially Ukraine, calls were made to Russia to refrain from using force and for the respect of the right of states to choose their alliances and determine their foreign policy freely. In light of this, NATO's open-door policy was reaffirmed, while Russia was called upon to withdraw its forces from Ukraine, Georgia, and Moldova, where they are stationed without these states' consent. With respect to arms control, it was stipulated that NATO remains open to meaningful arms control discussion and dialogue with Russia on reciprocal transparency and confidence-building measures. More specifically, the following arms control proposals were listed: maintaining channels of communication to promote predictability and transparency and reduce risks; constructive engagement to modernize the Vienna Document; increasing the transparency of exercises by lowering notifications and observation thresholds; prevention of dangerous incidents of a military nature; reduction of threats in the cyber domain; full compliance with international obligations in arms control, disarmament, and non-proliferation; Russia to return to the implementation of the CFE Treaty; with regard to nuclear arms control, Russia was invited to conclude with the US an arms control agreement encompassing all nuclear weapons, including non-strategic nuclear weapons, non-deployed warheads, as well as nuclear-armed intercontinental delivery vehicles, and to engage with the US on ground-based INF missiles and their launchers.

In the US *non-paper* (El Pais 2022) accompanying the NATO response, readiness was reiterated to reach an understanding with Russia on security issues of mutual interest while at the same time expressing support for NATO's open-door policy. Readiness was indicated to discuss security's indivisibility and the concept's different interpretations. With regard to specific issues, there is an inclination to consider reciprocal transparency measures and commitments to refrain from deploying offensive ground-launched missile systems and permanent forces with a combat mission. As in the NATO response, further modernization of the Vienna Document was an important way to enhance military transparency and reduce the risk of misunderstanding and miscalculation. With respect to INF systems, the US expressed willingness to discuss within the Strategic Stability Dialogue arms control formats for ground-based INF and their launchers, noting the earlier concerns regarding Russia's material breach of the INF Treaty. With regard to the earlier

commitments in relation to Russia, it was acknowledged that NATO was in full compliance with the commitments assumed with the Russia-NATO Founding Act, particularly with regard to refraining from placing additional permanent, substantial combat forces and nuclear weapons in the Eastern European States. *Vis-à-vis* strategic nuclear arms control, preference was given to including new kinds of nuclear-armed intercontinental-range delivery vehicles in the arms control agreement to follow up the New START, as well as to cover all US and Russian nuclear weapons, including non-strategic nuclear weapons. It was concluded that progress could be made on these issues only in an environment of de-escalation and subduing of threats against Ukraine.

In the face of the ongoing war in Ukraine, the US made it clear that it was willing to pursue the negotiations of new arms control arrangements, seeing arms control with Russia as a necessity. In its arms control agenda, the US focuses on limiting Russia's non-strategic nuclear weapons, inclusion of Russia's new nuclear weapons delivery systems, as well as to pursue the expansion of arms control to China, which has thus far unwaveringly denied participation in any kind of bilateral, or trilateral arms control talks, given the sheer differences in size of nuclear arsenals (Bugos 2022).

The EU has been gradually developing its role in arms control, but it still lacks internal unity, as some member states are parties to the newly established Treaty on the Prohibition of Nuclear Weapons (TPNW), others are part of NATO, some even hosting US nuclear weapons on their territory, with one member state in possession of nuclear weapons. The EU is also not equipped with appropriate instruments to deal with the crisis of arms control (Portela 2021, 2). This situation is, unfortunately, paradoxical, as the demise of arms control agreements would have the most direct impact on the territory of the EU (Kostić 2021a, 141).

The EU is not a party to any of the European arms control agreements that form(ed) part of Europe's security architecture, although its member states were. Not being a party, the EU lacks influence in preserving these treaties and protecting its security interests in this framework. Despite the lack of formal inclusion and participation, other means of reinvigorating and reviving arms control have been identified, such as keeping arms control issues at the top of EU's Common Foreign and Security Policy, ensuring greater internal coordination and unity, and laying the groundwork for the next arms control era (Portela 2021, 2, 40–42). European states can pressure the nuclear powers to retain

existing rules and advance reductions in their nuclear arsenals. In this way, the European states can shape global nuclear governance in a manner far greater than is currently the case and thus improve their own security (Bollfrass and Budjeryn 2020, 4). Unlike calls for greater strategic autonomy *vis-a-vis* the US or adopting the nuclear abolitionist option, the best alternative to advance European security, at least in the immediate future, would be to have and advance an arms control agenda, and from this perspective to pressure the US and Russia (Bollfrass and Budjeryn 2020, 2). This is why the EU could be the first to develop a comprehensive arms control agreement for Europe and then offer it to other parties of concern. In such a manner, the EU could assume the leadership role in shaping its own future regarding arms control. At the same time, the EU policy in this domain will undoubtedly continue to be confined by the horizontal nature of the issues at hand and the struggle over competencies between the EU's supranational authority and inter-governmental institutions driven by its member states (Kostić 2021a, 153).

As is the case with the US and NATO, the EU sees Russia as the perpetrator and aggressor who has brought war back to Europe. In this complex security environment, increased tensions, and continued proliferation crises, the EU underscores the need to preserve, implement, and further strengthen instruments of disarmament, non-proliferation, and arms control that contribute to peace, security, and stability (EEAS 2023). The EU holds the New START in the highest regard as a crucial contribution to European security through mandating reductions in deployed nuclear weapons, thus increasing predictability, confidence, and strategic stability on one hand and limiting competition on the other. It was asserted that the Russian suspension of the New START undermines the European security architecture and sets back arms control efforts (EEAS 2023a). The US and Russia, as the world's largest nuclear powers, are seen as holding special responsibility in disarmament and arms control. They are encouraged to seek further reductions in their arsenals, including strategic and non-strategic, deployed and non-deployed nuclear weapons. They are also called upon to pursue discussions on confidence-building, transparency, risk reduction, and verification and lay the groundwork for even more robust and ambitious future arms control agreements (EEAS 2023a).

RATIONALE, STRUCTURE, AND OUTCOMES OF THE POSSIBLE COMPREHENSIVE ARMS CONTROL AGREEMENT FOR EUROPE

Rationale for adopting a new arms control agreement for Europe

Arms control has gone through periods of crisis, stagnation, and setbacks. However, the current state is different in that the level of disintegration is unprecedented, with not only the entire system of arms control being under threat but also virtually all channels of dialogue and negotiations being deadlocked (Arbatov 2015, 4–5). The consequences thereof are the most dire for Europe, given the absence of rules regarding the balance of conventional forces, the dismissal of means to sustain and enhance predictability, transparency and confidence, the danger of a new missile crisis emerging, the announced deployment of new nuclear weapons on the continent, and the growing significance of nuclear weapons in military doctrines as the crisis in Europe escalates (Stefanović 2021, 61). Against this background, the revival of arms control is desperately needed.

The discussions about a new and comprehensive arms control system in Europe might seem to be ill-timed and even unreasonable, having in mind the ongoing war in Ukraine, which shows no signs of abatement, let alone a truce or peace agreement being reached any time soon (Greco 2023). Still, any talk of future long-term peace and security in Europe invariably needs to consider potential arms control arrangements as fundamental pillars of a future security order. Indeed, it is difficult to imagine a stable security environment in Europe without a new set of arms control agreements and measures (Greco 2023). Undoubtedly, the experience gained from the war in Ukraine emphasizes the importance of revisiting the fundamental tenets of arms control: negotiating agreements between competitors to avoid war and escalation, balancing competition and cooperation with enough flexibility to adapt to the changing geopolitical and technological landscape (Williams and Adamopoulos 2022, 4). This does not, of course, mean that constructing a new arms control regime would be an easy feat – on the contrary, it is not an understatement to say that it will prove to be a tiresome and tedious mission, not just because existing arms control agreements have crumbled and those remaining are in deep crisis, but also for reasons

of deep mistrust and lack of predictability. Moreover, agreeing on any future arms control agreement(s) inevitably has to include, implicitly at minimum, the recognition of the security interests of all parties, including Russia's, something which is admittedly hard to imagine at the present moment, yet crucial for future peace and security in Europe. No matter how hostile the prevailing sentiment might be, it is all too clear that the alternative is heightened instability, a global arms race, and the increased likelihood of war and new divisions in Europe (Bugos 2022). It is true that some arms treaties are possible without the prior resolution of major political issues. Nonetheless, other agreements inherently involve political settlements, and a potential comprehensive European arms control would arguably be such.

At this point, it is worth restating that arms control is not an "exercise" between friends and allies but takes place in an adversarial relationship. The essence of arms control is "mutual restraint, collaborative action, or exchange of facilities" between potential enemies in the interest of reducing the likelihood of war, the scope of war if it occurs, or its consequences (Schmitt 2018, 272; Schelling and Halperin 1961, 77). Even though trust is important in arms control negotiations, they do not require particularly friendly political relations from the start (Graef and Thies 2022, 7). In this sense, strategic rivalry is no obstacle to arms control *per se* but only sets the parameters for what kind of arms control might be feasible (7). It is also necessary to remember that arms control succeeds only when the respective interests of the potential parties in restricting and managing military competition sufficiently overlap (Graef and Thies 2022, 5). In this view, for arms control to be successful there needs to be a fleeting confluence of factors which can be directed toward achieving a diplomatic accord. For sure, in reality, these instances are rare and sometimes can occur only after a close encounter with Armageddon, which was the case with the agreements adopted in the wake of the Cuban Missile Crisis (Krepon 2021, 257).

European arms control will, in one sense, be a reverberation of strategic arms control efforts. Furthermore, European arms control would also have to accommodate Russia's military potential and even contemplate, according to it, a status in the future system resembling that of the USSR (Dunay, Krasznai, Spitzer, et al. 2004, 12). On the other hand, the mere continuation of strategic arms control, despite being consequential to and even conditional upon, is not sufficient for the accomplishment of European security and arms control, which requires

agreements on several pertinent issues falling outside of the scope of strategic arms control *stricto sensu*.

Lastly, it is paramount to understand that arms control must not be limited only to formal agreements. In this sense, the comprehensive arms control agreement the authors are exploring does not necessarily have to be a single document nor legally binding in its entirety. Rather, it could be composed of a series of agreements, informal and tacit conclusions, and soft measures covering all issues of European arms control, forming a European arms control *acquis* of sorts. As much as the new comprehensive arms control agreement in Europe does not have to be a single document, it also does not have to be negotiated in a single forum.

The Structure of a European Arms Control Agreement

Given the overall political and security situation in Europe, the salience of issues relating to a successful arms control regime, and the necessity of auxiliary measures, a comprehensive arms control agreement for Europe might include the following areas, where commitments might be made based on converging positions of the parties: principles and political commitments, conventional arms control, nuclear arms control, missile defence, and a segment on confidence and security building measures, especially regarding new technologies.

Parties and the area of application. Given the different sets of commitments and issues at stake, a comprehensive arms control agreement could arguably have different layers of membership. Agreements or segments containing provisions on nuclear arms control would invariably have to include all four nuclear weapon states in the Euro-Atlantic region – the US, Russia, as well as the UK and France. The participation of the two latter states in European arms control would not imply their automatic incorporation in strategic nuclear arms control. In the conventional arms control segment, it would be necessary for all European NATO member states to become parties, as well as the US, Russia, Ukraine, and Belarus. In respect to general commitments pertaining to European security and stability, it would be beneficial for all OSCE participating States to sign up. The area of application of the agreement would be confined to the European continent, from the Atlantic to the Urals. Requesting to include the entire territory of Russia would only be detrimental to bringing the agreement to life.

Principles and political commitments. The political and military settlement of the war in Ukraine would be helpful for any arms control agreement. Also, parts of this settlement could be devoted to arms control. Preferably, the parties would reaffirm their commitment and adherence to the principles of the UN Charter, the Helsinki Final Act, and the Paris Charter, foremost those pertaining to the sovereignty and territorial integrity of all states in Europe, their political independence, and the illegality of the threat and use of force. It would also be useful for Russia and NATO members to reaffirm the NATO-Russia Founding Act, particularly the provisions on the indivisibility of security of all states in the Euro-Atlantic region, but with a clear understanding of what this principle entails.

Further on, having in mind that the current crisis of arms control is a crisis of both strategic stability and European security, the best option to start with is: 1) renewing the commitment to the non-proliferation norm (cap on all nuclear weapons) and the principle that nuclear war must never be fought, not because it cannot be won, as famously put in the proverbial Gorbachev-Regan recital, but because of the humanitarian consequences it would have for the whole humanity. This would mark the departure from the Cold-War mentality, and a new era of erasing earlier lines of confrontation; the following steps would include pledges to; 2) end nuclear testing with explosions (with a commitment to ratify the Comprehensive Test Ban Treaty by those who have not done so); 3) limit strategic defence alike to the ABM restraints; 4) remove INF systems from Europe and introduce caps on sea- and air-launched non-strategic nuclear weapons for Russia, as well as caps on the French and the UK strategic forces; 5) freeze the current state of conventional armed forces in Europe thus, establishing a parity among the European NATO members and Russia; 6) negotiate a new strategic offensive arms control treaty between the US, Russia and China (as Russia might be satisfied with the caps on French and British forces; 7) establish strong confidence- and security- measures in all relevant fields, particularly for new types of weapons, the outer space, and the cyber domain (which could be widely discussed in global forums such as the UN). In this way, the comprehensive arms control agreement for Europe would reconcile both crises, which is the original intent and its purpose.

With regard to political commitments, it is all too clear that Russia would retain its non-compromising stance with regard to any potential eastward NATO expansion. However, it would be equally unsurprising

if NATO would not want to give up on its “open door policy”, and continue to accept Ukraine’s membership in the Alliance. This led us to imagination of two possible scenarios 1) a deployment of a NATO-led mission in Ukraine, together with the freeze of Russian moving beyond the lines of Donbas (or four annexed regions) while negotiating an arms control agreement, and 2) NATO pledge not to deploy any new substantial NATO forces beyond the infamous 1997 line, while in return Russian would withdraw its forces from Ukraine (it is questionable whether this would cover Crimea as well), and from Moldova and Georgia,

Nuclear arms control. In the domain of nuclear arms control, preservation of the New START is of special importance in the first, initial phase of negotiation of a comprehensive arms control agreement. All states should renew the commitment to the non-proliferation norm, the principle that nuclear war must never be fought because of the humanitarian consequences it would have for the whole of humanity, ratify the CTBT by those who have not done so, limit strategic defence alike to the ABM restraints, remove INF systems in Europe and introduce caps on sea- and air-launched non-strategic nuclear weapons for Russia, as well as caps on the French and the UK strategic forces; and negotiate a new strategic offensive arms reduction treaty between the US, Russia and China.

The prime suspect for a potential remedy for the dismantlement of the INF Treaty would be to introduce a moratorium on the deployment of INF missiles in Europe, made through a no-first-deployment pledge, i.e. a commitment not to deploy new land-based INF missiles on the continent (with only the European part of Russia being covered). A more complex option would be the separation of nuclear warheads and launch vehicles on both sides, which would entail storing nuclear warheads verifiably several hours away from the launch system (Kühn 2021, 367). As was the case with the INF Treaty, the new moratorium on the deployment of land-based INF missiles would have to be underpinned by other instruments to address sea- and air-launched nuclear systems.

Non-strategic nuclear weapons could be tackled in a wholesome manner through a novel approach to nuclear arms control. In the meantime, in the European context, it would be important to cap and then reduce their numbers. It is true that the Russian leadership rejected earlier calls to fold non-strategic nuclear weapons under a new nuclear arms control treaty. This position has maybe even hardened, given that the prolongation of the war in Ukraine has most likely led Russia to place even greater importance

on tactical nuclear weapons as a hedge against a potential failure of its conventional forces (Pifer 2023). At the same time, the Russians would like to see the realization of the national principle by which the non-strategic nuclear forces would be repatriated from some NATO member states in Europe back to the US, which in the current circumstances of war in Europe has attained even greater significance in deterring attacks (Pifer 2023). Given these factors, when reaching agreements on the non-deployment of INF missiles, they could be accompanied by a pledge of moratorium on the deployment of tactical nuclear weapons. On the other hand, setting aggregate caps on non-strategic nuclear weapons would be hard to achieve, given the asymmetry between the two countries. A further option that might be explored would be a potential withdrawal of tactical warheads stationed on foreign soil. In this scenario, NATO would pull back its nuclear weapons from some NATO members, while in exchange, Russia would withdraw its deployment in Belarus and cut down its tactical nuclear weapons stationed in the European part of its territory. It is, however, worth mentioning that the best solution for non-strategic nuclear weapons would be to agree on aggregate limits on all nuclear warheads in a comprehensive nuclear arms control agreement. In this case, the two countries might exchange information on the total size of their respective nuclear arsenals, the types of weapons they possess, delivery systems, and locations where they are deployed (Brooks 2020, 93).

Conventional arms control. Unlike nuclear arms control, the revival of conventional arms control in Europe in its current form would be a lot more difficult, as its regimes are contested to a point that they no longer provide a feasible basis for a new system (Charap, Lynch, Drennan 2020, 2; Kulesa 2018, 80). Furthermore, it is even argued that the rationale of the CFE Treaty is no longer relevant today, as the CFE-limited equipment is not seen as the primary threat to stability in Europe in light of the military-technological development that took place since the early 1990s (Charap, Lynch, and Drennan et al. 2020, 2–3). On the other hand, the beneficial influence of the CFE Treaty cannot be underestimated, as its implementation led to the destruction of tens of thousands of weapons and military equipment and provided detailed information exchange. However, it has not prevented the war. Advancing conventional arms control would be difficult, if not impossible to agree in the absence of achieving cooperative security within the broader strategy of relations between the West and Russia (Zellner 2019, 107). Moving forward in assuaging their relationship, a number of risk reduction and confidence-building measures

could be taken, primarily those revolving around military transparency, much like efforts aimed at modernizing the Vienna Document. In this vein, agreements could be reached on lower thresholds for notifying military exercises and activities and providing states with more opportunities to verify exchanged data, such as through inspections and evaluation visits (104). The limitation of additional substantial combat forces in NATO members and no deployment of permanent forces in the Russian districts of Kaliningrad and Pskov could also be part of the deal. Furthermore, the parties could agree on limitations on deploying permanent combat forces and the accompanying infrastructure and on refraining from conducting military exercises in locations designated as sensitive in a strategic sense (presumably, these would be those surrounding the Baltic States, Belarus, and Ukraine). In the agreement, these limitations could be spelt out as ceilings for numbers of troops and equipment, much like the CFE Treaty, or even envisaging the prohibition of stationing above a certain percentage of a country's troops in a sensitive region (Charap, Lynch, Drennan, et al. 2020, 58).

Missile defence. Since the demise of the ABM Treaty, missile defence has been the most contentious issue in US-Russia arms control talks. Russia's patience was further tested by the plans for the "Phased Adaptive Approach" in Europe, and its crucial component, the Aegis missile defence system, designed to intercept short-, medium-, and intermediate-range ballistic missiles launched from Iran (ACA 2022). However, Russia has expressed concern that this system might have the ability to target Russian ICBMs, as well as that its launchers might be used to launch offensive missiles (Acton, MacDonald, and Vaddi 2021, 6). A way out could be to reach a deal, in a legally binding form, to exchange and regularly update plans for the number and location of future missile defence deployments (Brooks 2020, 93). Furthermore, the Russian side could be invited to observe a flight test of interceptors, including before their deployment. The US could also reaffirm to Russia that the missile defence is exclusively for defence purposes and that it would refrain from loading offensive capabilities on launchers, as well as from modifying launchers to become capable of launching offensive missiles (Acton, MacDonald, and Vaddi 2021, 6). If a satisfying conclusion might not be reached on inspections of only external features, the US could even allow the Russians to inspect the inside of launchers to verify and address their concerns (6). In such a way, both sides could be content, as the US

could keep the missile defence system in Europe, while Russia would have first-hand assurances that the system does not threaten it.

Confidence-and Security-building measures for EDTs. Legally binding rules might be supplemented by provisions on information exchange relating to nuclear and non-nuclear sea-launched cruise missiles, especially in the cyber security domain. This would address Russian concerns regarding the US conventional strategic precision strike, as well as US concerns relating to ground-and sea-launched hypersonic missiles, especially considering that these types of delivery systems might bypass existing rules and verification mechanisms. Even though Russian hypersonic boost-glide weapons have been counted under the New START, this precedent might not be followed, and hypersonic missiles might not be covered by its verification provisions (Lissner 2021, 12). The records show that the US at the New START negotiation even made diplomatic declarations that it would not fold its conventional hypersonic glide vehicles under the New START (Gottmoeller 2021, 128). In relation to other EDTs, such as cyber, AI and autonomous weapons systems, given that there are no universal rules to govern them and the international community is still struggling to keep up with technological development, the parties could reach an agreement to employ a behavioural approach, that is to aim to regulate them based on their intended use. Of special importance are risk reduction measures in the domain of nuclear weapons use, but also avoiding incidents at sea and air (Вулетић 2019, 60).

CONCLUSION

The current strategic environment is marked by two closely related crises: the crisis of strategic stability and the crisis of European security architecture. Despite their distinct causes, origins, and trajectories of development, they have collided and reached a boiling point in the war in Ukraine. As outlined, within every crisis lies the potential for its settlement, and the two contemporary crises are no different. The authors showed that in their resolution arms control emerges as an indispensable tool to address the pressing challenges. Arms control is a crucial pillar of the future European security order, serving to prevent war, reduce risks, and foster confidence. While achieving agreements on arms control may seem difficult in the face of diverging views of the main actors, and the hostile atmosphere surrounding the Ukrainian

conflict, it is precisely like arms control to be used between adversaries in a competitive environment.

In materializing new arms control in Europe, the authors argue that the agreement (or agreements) need to be comprehensive, encompassing a wide range of issues, spanning from nuclear and conventional arms control to missile defense systems and confidence- and security-building measures for emerging and potentially disruptive technologies. Likewise, it is imperative for the agreement to start off by settling the fundamental political and security issues in Europe, including the withdrawal of forces from sensitive areas, the future non-deployment of troops, and even pulling the armies back to predetermined lines in order to create safeguards and ensure that the parties would not be engaging in conflict again.

A comprehensive structure for the arms control agreement would also enable potential trade-offs between actors with differing perspectives on its content, paving the way for the resolution of both the strategic stability crisis and the crisis of European security. It represents a crucial step towards creating a more secure and stable Europe, one built upon trust, transparency, and cooperation. Likewise, it would clear the way for greater European ownership of the European arms control regime and a more prominent role of the EU in such processes.

The authors acknowledge that achieving such goals would by no means be easy but would rather be complex and challenging. Nevertheless, it is underscored that such an endeavor is key to addressing the underlying causes of conflicts in Europe and forging a path towards a more stable and cooperative Europe. In conclusion, given the tumultuous times the world, and especially Europe, are heading through, it is of salience to recognize and put into use the potential of arms control not only in establishing guardrails on nuclear and conventional forces and norms of responsible behavior, but also in settling more fundamental issues of contention. In such a way, a foundation for lasting peace and security could be built, and the EU could find a stronger voice in the future arms control regime in Europe.

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СТВАРАЊЕ СВЕОБУХВАТНОГ СПОРАЗУМА О КОНТРОЛИ НАОРУЖАЊА ЗА ЕВРОПУ У ПЕРИОДУ КРИЗЕ: РАЗЛОЗИ, СТРУКТУРА И ИСХОДИ***

Резиме

Рат у Украјини одражава кулминацију две међународне кризе – једне европске безбедносне архитектуре и друге стратешке стабилности. Упркос њиховим различитим узроцима, пореклу и путањама развоја, оне су се укрстиле и достигле кулминацију у рату у Украјини. Будући да у свакој кризи лежи потенцијал за њено решавање, овај рад је настојао да истражи могућности за стварање свеобухватног споразума о контроли наоружања за Европу као инструмента остваривања стабилности и поверења међу главним актерима и начина изласка из обе кризе. Рад је представио теоријски оквир за разумевање међународних криза, изложио тренутно стање контроле наоружања у Европи и понудио разлоге и обресе могућег новог инструмента о контроли конвенционалних и нуклеарних снага у Европи. Иако постизање споразума о контроли наоружања може изгледати као тежак задатак с обзиром на различите ставове главних актера и непријатељску атмосферу која окружује украјински сукоб, управо је у природи контроле наоружања да успостави договор између противника у конкурентском окружењу и омогући минимални ниво стабилности. У раду смо разматрали могућност да овај споразум за Европу буде свеобухватан, да обухвата широк спектар

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питања, од контроле нуклеарног и конвенционалног наоружања до противракетних система и мера за изградњу поверења и безбедности за нове и потенцијално разорне технологије. Предуслов за овакав споразум је почетак дијалога о спорним питањима попут утврђивања минималне количине снага, крајњих линија њиховог размештања и безбедносних интереса свих укључених. Алтернатива оваквом дијалогу је даља ескалација сукоба између Русије и НАТО или појединих њених чланица и наставак трке у свим врстама наоружања. Свеобухватна структура споразума о контроли наоружања би могла омогућити потенцијалне компромисе између актера са различитим перспективама о његовом садржају, отварајући пут за решавање и кризе стратешке стабилности и кризе европске безбедности. То представља кључни корак ка стварању сигурније и стабилније Европе, изграђене на поверењу, транспарентности и сарадњи. Исто тако, то би отворило пут за веће европско власништво над европским режимом контроле наоружања и значајнију улогу ЕУ у таквим процесима.

Кључне речи: контрола наоружања, међународна криза, Европа, рат у Украјини, стратешка стабилност

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