

SWP Comment

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NATO-Russia Tensions: Putin Orders Invasion of Ukraine

With the European Security Order in Shambles, Further Escalation Must Be Prevented

Wolfgang Richter

After military maneuvers near the borders, Moscow started a full-scale invasion of Ukraine on 24 February 2022. Before that, it has denied such an intent. It had been accusing Kiev of escalating the situation in the Donbas and the West of encouraging Ukraine to do so by taking sides in a biased manner. In mid-December 2021, it made clear in two draft treaties what it is after, namely preventing a further expansion of NATO to the east and obtaining binding assurances to this end. In doing so, it is invoking the NATO-Russia agreements of the 1990s. Moscow voiced fears that Ukraine's accession to NATO in particular would endanger Russia's security and the strategic balance with the US. The US and NATO had signaled a willingness to engage in dialogue on arms control issues, but they were not prepared to revise the principles of the European security order. Obviously, Moscow did not accept this and resorted to the use of force. It ignored the chance to embark on a new dialogue as an opportunity to de-escalate the situation and restore military predictability through arms control without abandoning principles.

On 17 December 2021, Moscow submitted two draft treaties to stop the continuation of NATO's eastward expansion. At the same time, it wanted to prevent the alliance from stationing troops on Russia's borders or deploying in European states long-range missiles that could threaten Russia. To this end, Moscow demanded that NATO withdraw its 2008 summit declaration, in which it held out the prospect of Ukraine and Georgia joining the alliance. Instead, it should declare in legally binding terms that it will renounce any future expansion – especially in the post-Soviet space – and

withdraw troops stationed in Eastern Europe after May 1997. In doing so, Moscow was invoking the 1997 NATO-Russia Founding Act and the European Security Charter.

In January 2022, the proposals were discussed bilaterally with the US in Geneva as well as multilaterally in the NATO-Russia Council and with the OSCE. The West rejected Russia's calls for an end to NATO enlargement and demanded that Moscow withdraw its troops from the borders with Ukraine. Many Allies, however, expressed openness to continuing dialogue and reviv-



ing arms control. Moscow ignored that and used force.

Russia's Military Options

As it had in the spring of 2021, Moscow conducted maneuvers east of Ukraine for two months. Since 2015, three Motorized (Mot) Rifle Divisions have been permanently stationed there: in Yelnya near Smolensk (250 km northeast of Ukraine), Boguchar (50 km east of the Donbas), and Novochoerkassk (150 km southeast of the Donbas). They are subordinated to two army headquarters in Voronezh and in Rostov-on-Don. They have about 47,000 soldiers, 650 battle tanks, and 950 infantry fighting vehicles. Together with the Black Sea Fleet units in Crimea, a total of about 75,000 Russian troops are permanently stationed at a distance of 50 to 250 km from Ukraine.

In addition, formations from Southern and Central Russia were practicing on firing ranges at a distance of 50 – 170 km from the Ukrainian border. Some formations also moved to field camps closer to the border of Ukraine. Western estimates had put Russian troop strength around Ukraine as being above 100,000.

On 26 December 2021, Moscow announced a reduction of 10,000 troops. This did not confirm predictions by US intelligence agencies that Moscow would increase its troop strength to about 175,000 by January 2022 to launch an invasion of Ukraine. However, a joint exercise between Russian and Belarusian troops started in Belarus on 10 February 2022, bringing the combined troop strength to about 130,000.

Moscow has insinuated that Kiev wants to resolve the Donbas conflict by force. In that case, with the forces available, Russia would have been able to support the pro-Russian rebels in the Donbas and prevent the opponent from concentrating additional forces there. On 21 February, it recognized the independence of the People's Republics of Donetsk and Luhansk. It was doubtful, however, whether Russian forces would be able to crush the Ukrainian army

with a large-scale attack without substantial reinforcements.

With a full-scale invasion, the Kremlin is taking high risks. The Ukrainian armed forces are far more combat-ready today than they were in 2014. Then, it was not material equipment shortfalls in what is nominally Europe's third-strongest army that hampered defense readiness, but rather its lack of fighting morale. About two-thirds of Ukraine's land and naval forces in Crimea defected to Russia's Black Sea Fleet, even though they were superior on the ground. When the new Kiev leadership launched an "anti-terror operation" against the pro-Russian rebels in the Donbas, it could muster only 6,000 troops. It had to rely primarily on lightly armed volunteer units.

In the meantime, Kiev's armed forces have grown to more than 250,000 active soldiers and over 900,000 reservists. NATO has helped to improve command and control capabilities; the US provided reconnaissance assets, artillery radars and — as did the UK — anti-tank missile systems. From Turkey, Kiev received Bayraktar TB2 combat drones. Kiev used them effectively against separatists in the summer of 2021. Canada, the UK, Poland, Lithuania, and the US had stationed 470 trainers in the Lviv region of Western Ukraine.

Moscow's 900,000 active troops, 3,300 main battle tanks (Kiev: 1,000), and 1,330 combat aircraft (Kiev: 125) clearly outnumber Ukraine's, but the comparison is not meaningful for a sub-regional assessment. Russia has the largest land area in the world. With an army strength of about 280,000, it has to cover several strategic directions, from the Arctic to the Black Sea, from the Caucasus to Central Asia, and from the Baltic to the Pacific.

Nevertheless, during a conflict, Moscow must reinforce the periphery with reserves from other parts of the country. Its ability to conduct parallel operations on multiple fronts is limited. To be sure, it can rapidly deploy light airborne forces by airlift. For high-intensity operations, however, Moscow needs armored formations and extensive

logistics that must be transported by rail. Regional concentrations of forces weaken the troop presence elsewhere and cannot be sustained for long.

The large-scale attack by Moscow on Ukraine carries high military and political risks, despite clear Russian air superiority. After eight years of war, the Ukrainians' will for national self-assertion has grown, especially since the parts of the population with an affinity for Russia live predominantly in Crimea and the Donbas. The Ukrainian armed forces are more battle-hardened and morally more stable than in 2014, so the Kremlin is facing high-intensity battles, guerrilla operations, and street fighting in cities, which is slowing operations and causing heavy casualties. Also, the question of political responsibility for a war among "brother nations" carries explosive force in Russian domestic politics.

In foreign policy terms, the Russian leadership now has to prepare itself for worldwide isolation, harsh sanctions, and the further deployment of NATO troops on Russia's borders. More of Russia's European neighbors feel threatened and could seek protection in NATO. Moscow will achieve the opposite of what it wants, which is to protect its own security from further NATO advances.

Moscow's Strategic Goals

Russia sees its security being threatened above all by NATO's expansion to the east. Moscow already demonstrated in 2014 that Ukraine has a key role to play in this. The annexation of Crimea was less about "protecting Russian compatriots" than about securing the bases of the Black Sea Fleet. In the Donbas, by contrast, the Kremlin, while strengthening the rebels, had been sticking to the Minsk Agreement for the past eight years. Moscow had assumed that the victorious Maidan movement would seek Ukraine's rapid accession to NATO — a goal that now has constitutional status.

Moscow is fixated on the US as the leading NATO power. With it, Russia maintains

a nuclear strategic balance based on a mutually assured destruction capability. It is anchored in bilateral arms control treaties, most recently in the New Start Treaty, which both sides extended by five years in February 2021. It limits the number of those nuclear weapons and carriers with intercontinental range that can be used to threaten targets in the territories of the two potential adversaries from their own territory or from submarines. The agreed balance is intended to guarantee the nuclear second-strike capability of both sides and thus deter a strategic nuclear attack ("first strike").

The agreed "strategic stability" has been threatened by recent developments. These include new delivery systems not governed by the New Start Treaty, long-range conventional precision and hypersonic weapons, strategic missile defense, and anti-satellite weapons. Both sides fear that the combined application of this potential could undermine second-strike nuclear capabilities and enable a disarming first strike. This is being discussed in bilateral strategic stability talks.

From Washington's perspective, moreover, China's growing nuclear capabilities have altered the strategic balance and the regional balance in the East Asia-Pacific region. They challenge the "extended deterrent" of the US that benefits its East Asian allies. Washington therefore wants to engage Beijing in arms control.

With the US far from the theater of conflict in Europe, Moscow finds itself at a disadvantage, that is, it is facing additional security risks in Europe. These include the nuclear weapons of France and the UK, as well as the deployment of US sub-strategic nuclear weapons in Europe and NATO's conventional forces on Russia's borders.

Moscow also fears a future threat from new US intermediate-range weapons in Europe. They could reach strategic targets in the European part of Russia should Washington and NATO partners decide to deploy them.

NATO's expansion has created more potential deployment areas in Central and

Eastern Europe. For the Kremlin, therefore, NATO is primarily an instrument of the US to advance geopolitical interests to the detriment of Russia's security. To this end, according to Moscow, the West had broken earlier agreements and now wants to remedy this with new draft agreements.

The West sees the drafts as an attempt by Moscow to change the European security order. It counters this by invoking the right of states to freely choose their alliances. However, European security arrangements are more complex. They also bind alliances.

European Security Order

In the 1975 Final Act of the Conference on Security and Cooperation in Europe (CSCE Final Act), all states of NATO, the then Warsaw Pact, and the neutral and non-aligned states of Europe agreed on principles for implementing obligations relating to international law under the conditions of the Cold War in Europe. These include the renunciation of force and the peaceful settlement of conflicts; respect for the sovereignty and territorial integrity of states; non-interference in their internal affairs and the inviolability of borders; as well as the commitment to the right of peoples to self-determination.

After the Cold War and the unification of Germany, the CSCE states agreed in 1990 on the Charter of Paris as the basis for a new European security order. There, they committed themselves to common political norms, democracy, and the rule of law, as well as to comprehensive security cooperation. The members of NATO and the then Warsaw Pact promised to no longer regard each other as adversaries, but for the future to seek a security partnership for a common Europe.

In the Two plus Four Treaty of 12 September 1990, it was agreed that the unification of Germany should not lead to a geopolitical zero-sum game. Therefore, Germany committed itself not to station nuclear weapons or foreign troops in Berlin and the new federal states, from which Soviet (Rus-

sian) troops would be withdrawn. Thus, no military eastward shift of NATO took place. As agreed, Russian forces left Germany by 1994 and, beyond that, Poland, Czechoslovakia, Hungary, and the Baltic states.

To achieve this historic change of paradigm, arms control played a key role. It ensured respect for mutual security interests through a network of intertwined arms control treaties. As early as 1987, the US and the Soviet Union stipulated in the bilateral Intermediate-Range Nuclear Forces (INF) Treaty that they would eliminate their land-based intermediate- and shorter-range ballistic and cruise missiles with a range of between 500 and 5,500 km. By 1991, all of the approximately 2,700 intermediate-range systems had been destroyed in accordance with the treaty.

Based on an informal understanding, Russia and the US also reduced a large portion of their tactical nuclear weapons stockpile. Russia withdrew them completely from the stationing countries; the US left a small amount in NATO Europe in order to ensure extended deterrence, including by means of "nuclear sharing" with four European states.

Under the 1990 multilateral Treaty on Conventional Armed Forces in Europe (CFE Treaty), member states of NATO and the then Warsaw Pact pledged to establish a military balance at lower levels and eliminate collective capabilities for regional surprise attacks or large-scale aggression. By 1996, nearly 60,000 major weapons systems had been dismantled. Thus, the reduction commitments had already been largely fulfilled. The main burden was again borne by Russia, followed by Germany.

The CFE Treaty had only come into force in 1992, after the Warsaw Pact and the Soviet Union had dissolved. But even from Moscow's point of view, it continued to have strategic importance for the stability of Europe because it limited NATO to its geopolitical status of 1990 and safeguarded its geographical distance from Russia.

This changed only after the withdrawal of Russian troops from Germany, when NATO began negotiating membership pros-

pects for Poland, the Czech Republic, Slovakia, and Hungary. Moscow initially saw this as a breach of earlier agreements and feared a return to geopolitical rivalry. NATO denied this, stressed the importance of a stable political anchoring for the four accession candidates, and offered Moscow assurances that military restraint would be maintained.

In the NATO-Russia Founding Act of May 1997, the Allies and Russia pledged to deepen their security cooperation, strengthen the OSCE as a joint security organization, and adapt the CFE Treaty to the new geopolitical situation. The obsolete military bloc balance was to be replaced by national and territorial ceilings for each state party. They would also limit the number of stationed troops. NATO would not undertake any “additional permanent stationing of substantial combat forces.” In addition, NATO noted it had no reason, no intention, and no plan to deploy nuclear weapons in the accession countries or to prepare logistically to do so.

These agreements overlaid oral statements made in 1990 by US Secretary of State James Baker and German Foreign Minister Hans-Dietrich Genscher that NATO did not intend to expand further eastward after German unification. These statements reflected the situation at the time of the Two plus Four Treaty, when the end of the Warsaw Pact and the Soviet Union was not yet in sight. Russia agreed to the first NATO enlargement of 1999 under the conditions set out in the 1997 NATO-Russia Founding Act.

Despite disgruntlement over NATO’s Kosovo war against Serbia, these agreements were initially implemented. After a brief interruption, the Permanent Joint Council of NATO and Russia (renamed NATO-Russia Council in 2002) discussed a broad range of issues in the common security interest. The two sides cooperated on the implementation of the Dayton accords on arms control in the former Yugoslavia.

At the 1999 OSCE Istanbul Summit, the CFE States Parties signed the CFE Adaptation Agreement (ACFE). In parallel, all OSCE participating States adopted the Charter for

European Security. In it, they reaffirmed their commitment to the goal of creating a common area of equal and indivisible security. No state or organization could claim primary responsibility for the preservation of European security or assert special zones of influence. Nevertheless, every state had the right to join an alliance or to remain neutral. However, states should respect their mutual security interests and not strengthen their security at the expense of other states.

Arms control and confidence-building measures were core elements in ensuring security and stability in the OSCE area. Their “cornerstone” was the CFE Treaty. Its adaptation would take into account the change in basic geopolitical conditions, enable the accession of further European states to the treaty, and thus contribute to improving military stability in Europe. Moscow is accusing NATO of expanding eastward without complying with the agreements.

Erosion of the Agreements

The ACFE has not entered into force, although Russia ratified it in 2004. Within the alliance, the US blocked ratification of the ACFE after George W. Bush took office as president in 2001. He wanted to secure the withdrawal of Russia’s remaining stationed forces from Georgia and Moldova in preparation for the accession of Ukraine and Georgia to NATO.

The US justified this on the basis of Russia’s bilateral supplementary agreements with Georgia and with the OSCE, which were brought to the attention of the CFE States Parties during the OSCE summit in Istanbul and referred to in the CFE Final Act. However, there was no consensus within NATO as to whether the withdrawal commitments also applied to Russian peacekeepers in the conflict areas of Abkhazia and Transnistria, since they had UN and OSCE mandates. Even when Russia had withdrawn all CFE-relevant weapons systems from Transnistria in 2002 and all

stationed troops from Georgia in 2007, the US position on the ACFE did not change. Germany did not share this view, but it did not want to break alliance solidarity.

Although the ACFE had not entered into force because of the US blockade, states that did not belong to the CFE Treaty regime joined NATO starting in 2004. This created potential alliance deployment areas on Russia's borders, namely in the Baltic states, which are not subject to legally binding arms control rules.

Furthermore, the US prevented the commitment not to permanently station additional "substantial combat forces" from being defined jointly with Russia. This would be important, however, if only because Russia had agreed to identical commitments for the border areas with the Baltic states, Poland, and Finland.

Instead, the US created a permanent military presence on the Black Sea in 2007 without prior consultations in the alliance or the NATO-Russia Council. The US described its "rotating" combat forces in Romania and Bulgaria as "not substantial." However, both states are part of the "flank area of the Eastern Group" of CFE States Parties, to which special limitations and consultation obligations apply.

In response, Russia has declared its own flank limitations obsolete, which limit the size of Russian forces in the High North and the Caucasus. Moscow had already been eyeing with suspicion the development of Georgian-American military cooperation (Train and Equip Program) since 2002, which established a US military presence on Russia's unstable Caucasus border. Whereas Moscow had initiated sanctions against the separatist regime in Abkhazia as recently as 1996, it now began to informally prop up the republics that had broken away from Georgia.

Moscow viewed the US withdrawal from the Anti-Ballistic Missile Treaty in 2002 as a threat to strategic stability. That intensified when the US bilaterally agreed with Poland and the Czech Republic in 2007 to deploy missile defense systems there. Washington's rationale of having to counter the Iranian threat was questioned by Moscow.

Moscow criticized the US attack against Iraq in 2003 as a breach of international law. Although there was no consensus in NATO for the war, Washington was able to rely on a "coalition of the willing," which consisted primarily of the new Eastern European allies. As early as 1999, Moscow had denounced NATO's war against Serbia as an illegal war of aggression and a violation of the ban on the use of force.

At the Munich Security Conference in February 2007, President Vladimir Putin criticized this development as a breach of the 1997 and 1999 agreements and accused the US of engaging in geopolitics to Russia's detriment. At the end of 2007, he suspended the CFE Treaty, whose bloc balance of forces concept had become obsolete.

When Western states recognized Kosovo's unilateral declaration of independence in February 2008, borders in Europe were changed for the first time since the Charter of Paris and the Dayton Peace Accord after prior use of force and without Security Council approval. Moscow responded by upgrading its informal relations with Abkhazia and South Ossetia. Their political status has been negotiated under the lead of the UN and the OSCE since the 1990–1994 wars.

The breaking point in NATO's relations with Russia proved to be its Bucharest decision in April 2008 to offer Ukraine and Georgia the prospect of joining the alliance. With the support of Eastern European states, President George W. Bush wanted to achieve this goal quickly, but Germany and France prevented a concrete Membership Action Plan. They doubted that the candidates' domestic political conditions would meet NATO standards. They also feared a destabilization of Ukraine, since the majority of the population rejected joining the alliance. In addition, they warned not to cross Moscow's "red lines" so as not to endanger regional stability and the security of Europe and the alliance.

Nevertheless, Georgian President Mikheil Saakashvili felt emboldened by his strategic partnership with the US to attack Ossetian militias and Russian peacekeepers in the

South Ossetian town of Tskhinvali on 7 August 2008. The Russian counterattack drove the Georgian army out of South Ossetia and opened a second front in Abkhazia. Moscow's recognition of the two breakaway regions as "states" after the ceasefire was seen by the West as an illegal change of borders by force and a violation of Georgia's sovereignty.

With Moscow's annexation of Crimea in violation of international law and its support for the rebels in the Donbas, the erosion of the European security order reached its culmination. With Russia's invasion of Ukraine, it has collapsed. But the erosion had already begun in 2002 with the growing potential for conflict between Washington and Moscow. The geopolitics of President George W. Bush played a considerable role in this. His successor, Barack Obama, was unable to heal this, despite the partial successes of his "reset" policy.

A Lost Chance: Negotiated Solutions

The erosion of security arrangements for Europe points to a deeper root cause of the Ukraine conflict. Moscow is concerned with strategic parity with the US and with preventing geopolitical disadvantages that might result from NATO enlargement. In particular, Ukraine's NATO accession would rupture traditional ties with pro-Russian ethnic groups in the east of the country, create more NATO stationing areas in close proximity to Central Russian regions, and expand the US military presence in the Black Sea region to the Don River. Moscow sees its actions as legitimized, like those of the US in the 1962 Cuban missile crisis, to protect strategic security interests.

Russia's December 2021 draft treaties also served this purpose, with Moscow seeking to prevent new NATO accessions that would allow the alliance, and the US in particular, to create additional stationing areas on Russia's borders. Moscow is also demanding assurances that NATO will refrain from stationing troops near its bor-

ders and deploying missiles and nuclear weapons within striking distance. In this regard, Moscow is fixated on the strategic balance with the US. However, the geopolitical asymmetry between the insularity of the US and Russia's centrality in the Eurasian continent posed political and conceptual challenges to negotiations. The fact that the Kremlin subordinates the security interests of its European neighbors to its own security needs is unacceptable from a European perspective.

Thus, the question arose as to how the principles of the European security order could be implemented in such a way that both Russia's security and that of its neighbors and their right to choose their own alliance could be preserved. This was achieved in 1990–1999, when stationing limits were agreed upon for the accession countries. But the security guarantees were not implemented. Thus, neither arms control was adjusted nor was the OSCE strengthened as the center of the European security order.

The Russian treaty proposals therefore suggested two sets of negotiations that differ fundamentally in their political quality: A revision of the agreed principles of the European security order, such as the free choice of alliances, would never be agreeable. However, reciprocal security guarantees, especially through arms control, are also part of the agreed security order. Therefore, deployment limitations would have been certainly negotiable, provided they do not create zones of diminished security.

On the other hand, Moscow's demand that the alliance retract its 2008 declaration holding out the prospect of NATO membership to Ukraine and Georgia is unrealistic. However, the Allies may find that a *de facto* accession moratorium has been in place since then and that it will continue for the foreseeable future because the accession criteria — political maturity of the candidates, increased security for the alliance, and consensus within it — are not being met. The alliance, however, cannot guarantee that this situation will never change.

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SWP
Stiftung Wissenschaft und
Politik
German Institute for
International and
Security Affairs

Ludwigkirchplatz 3–4
10719 Berlin
Telephone +49 30 880 07-0
Fax +49 30 880 07-100
www.swp-berlin.org
swp@swp-berlin.org

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Nevertheless, the right of states to choose their alliances freely does not establish a right to join NATO, because the alliance is subject to special obligations it has committed to as part of the strategic balance of interests. Its nuclear dimension — and the leading role of the US in particular — imposes upon it a special responsibility for strategic stability in Europe.

To this end, it would make sense to agree on a moratorium on the deployment of new INF weapons in Europe, provided that verification of the range of disputed systems can be ensured.

Moscow's demand that the US withdraw tactical nuclear weapons (TNWs) from Europe is a subject for a New Start follow-up agreement. In the NATO-Russia Founding Act, NATO had pledged not to move such weapons eastward. This still carries some value, provided Russia does not station TNWs with its dual-capable forces in Europe or Belarus.

The Founding Act does not justify Moscow's demand to withdraw from NATO accession countries all those troops that were stationed there after May 1997. Rather, the formula of refraining from the "additional permanent stationing of substantial combat forces" could have been mutually defined and Russia's reciprocal obligations called in.

Russian proposals to establish a conventional stability regime, to avoid incidents on and over the high seas, and to allow and verify exercises in border areas only up to the maximum size of an army brigade could also have been in the interest of the West.

The End of the Security Order of Paris

With Moscow's invasion of Ukraine, Putin has deliberately destroyed these chances for negotiated solutions, and with them the cooperative European security order of Paris. The NATO-Russia Founding Act, the European Security Charter, and the Minsk Agreement are obsolete. Putin's new narra-

tive of a non-existent Ukrainian nation and its historic impetus of returning to Russia the territories of a former empire now seems to superimpose security concerns in order to justify the use of force for domestic consumption.

However, the Russian president has obviously underestimated the Ukrainian determination to resist and the resolve of the West. He will now achieve what he wanted to avoid, namely a more united Ukrainian nation, a more united and stronger NATO and EU, and an unprecedented military strengthening of NATO's eastern flank. In addition, he will have to face significant economic, financial, and political isolation with serious long-term effects. If Russian forces get bogged down in nasty and time-consuming street fighting in Ukraine's cities while their losses mount, Putin will also face a dramatic loss of reputation internally, with unpredictable consequences.

At the dawn of a new era, there seems to be little prospect for any new agreements. As long as the future of Ukraine is unclear, the outlines of a future inclusive European security order, its principles, borders, and spheres of influence will not appear. However, a new military confrontation between Russia and the West along a fortified contact line will carry high risks of military incidents, miscalculations, and further escalation. Therefore, stabilizing measures such as direct communication between military headquarters, tight rules for incident prevention, as well as de-escalation, transparency, and restrictions of military movements will be needed even more urgently to prevent the worst. This will require new talks and security arrangements once the fog of war has cleared.

Colonel (ret.) Wolfgang Richter is a Senior Associate in the International Security Division at SWP.