



MILITARY SECURITY DIALOGUE BETWEEN RUSSIA AND THE WEST: WHAT ROLE FOR THE EU?



SUMMARY

This policy brief argues that the EU should become more active in the dialogue about military security issues with Russia. Even though EU member states continue to share an interest in de-escalating tensions, the central Euro-Atlantic institutions for engaging Moscow have become dysfunctional. Existing bilateral formats risk undermining the development of a coherent transatlantic outlook. The brief reviews previous engagement between the EU and Russia in terms of military transparency, risk reduction and dialogue and illustrates existing constraints and opportunities.

Based on this analysis the brief outlines three concrete policy recommendations for improving the EU's agency and capabilities. It suggests that EU member states should work towards the creation of a regional aerial observation regime that includes Russia and pursue a direct security dialogue with Moscow on an expert level. In the long-run, the EU could set up a European Centre for Crisis Prevention and Risk Reduction in order to gain independent capabilities for monitoring and analysis of military security risks on the continent.

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1. Introduction

Since the annexation of Crimea in March 2014, the European Union (EU) has shifted the focus in its relationship with Russia. Instead of strategic political co-operation and long-term partnership, the main emphasis is now on deterring Moscow's aggressive behavior and constraining its ambitions through economic sanctions and improved Western defence co-operation. Individual EU member states have also taken initiatives to make their institutions more resilient in light of interference and hybrid threats.

Nevertheless, the five guiding principles for the EU's Russia policy, introduced in 2016, still foresee engagement on selected issues of mutual interest. Existing ideas tend to come in the form of a laundry list of issues without explicit strategic considerations, ranging from migration to counter-terrorism and climate change.¹ Notably missing are military topics and perspectives aiming at greater stability and predictability in security relations.²

The absence of these topics and perspectives is no accident. The Common Security and Defence Policy (CSDP) focuses primarily on conducting missions in Africa and the Western Balkans and aims at enhancing member state co-operation, coherence and operability. By contrast, when it

comes to Russia, the EU has chosen to concentrate almost exclusively on socio-economic issues and objectives. Military security dialogue with Moscow, however limited, remains outsourced to NATO and the Organization for Security and Co-operation in Europe (OSCE), or takes place on a bilateral level.

This policy brief argues that the EU should become more active in the dialogue about military security issues with Russia, for three reasons:

First, although perceptions of Russia as a military threat diverge considerably among EU member states,³ the latter share an interest in finding 'ways to de-escalate current tensions by identifying measures to increase transparency and reduce the risk of misunderstandings and miscalculations', as the European Parliament recently put it in its recommendations for shaping the direction of EU-Russia political relations.⁴

Second, notwithstanding the strategic impasse in these relations, both the US and individual EU member states continue security consultations with Moscow. While such consultations are an important instrument in managing bilateral engagement, they also risk undermining the development of a coherent transatlantic outlook towards Russia.

1 "Remarks by High Representative Federica Mogherini at the press conference following the Foreign Affairs Council," March 14, 2016, https://eeas.europa.eu/headquarters/headquarters-homepage/5490/remarks-by-high-representativevice-president-federica-mogherini-at-the-press-conference-following-the-foreign-affairs-council_en.

2 European Commission, "Joint Communication to the European Parliament, the European Council and the Council on EU-Russia relations – Push back, constrain and engage," June 16, 2021, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021JC0020&from=EN>.

3 Barbara Roggeveen, "Mapping the fault lines: EU member states' attitudes toward Russia," 2022, Foundation for European Progressive Studies (FEPS).

4 European Parliament, "European Parliament recommendation of 16 September 2021 to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the direction of EU-Russia political relations," September 16, 2021, www.europarl.europa.eu/doceo/document/TA-9-2021-0383_EN.pdf.

Third, the central Euro-Atlantic institutions for engaging Moscow on military security have become dysfunctional. NATO-Russia relations are in disarray and no longer provide a platform for military-to-military consultations. Debates about confidence- and security-building measures (CSBM) within the OSCE, too, are stuck in a political stalemate.

The second section of this policy brief takes stock of the EU's current role within the framework of co-operative security structures in Europe. I focus on the positions of EU member states within NATO and the OSCE.⁵ The third section highlights previous and existing forms of co-

operation between EU member states and Russia in terms of military transparency, risk reduction and (bilateral) consultations.

Based on this analysis, the fourth and final part outlines three concrete policy recommendations for improving the EU's agency and capabilities in these three areas. I suggest that the EU should work towards the creation of a regional aerial observation regime that includes Russia and pursue a direct security dialogue with Moscow on an expert level. In the long run, the EU could set up a European Centre for Crisis Prevention and Risk Reduction in order to gain independent capabilities for monitoring and analysis.

2. EU, NATO and OSCE: the security triangle and Russia

Over the previous five years, the EU has taken several steps to promote European defence co-operation by launching a series of initiatives. These include the Permanent Structured Cooperation (PESCO), the Coordinated Annual Review on Defence (CARD), and the European Defence Fund (EDF). By establishing the Military Planning and Conduct Capability (MPCC) as part of the EU Military Staff (EUMS), which provides the European External Action Service (EEAS) with military expertise, the EU has also created a permanent command and control structure responsible for operational planning and the conduct of non-executive military missions outside its borders.

Despite these improvements, the EU still lacks supranational competencies in both the Common Foreign and Security Policy (CFSP) and the CSDP. The Lisbon Treaty from 2009 only tasks the

European Council with identifying the strategic interests, objectives and general guidelines for the CFSP, 'including for matters with defence implications'.⁶ Moreover, in decisions with military or defence implications, the European Council and the Council of the EU (Foreign Policy Council) are both required to act unanimously, with minor exceptions related to the European Defence Agency (EDA) and PESCO.

More importantly, the CSDP currently does not extend to territorial defence. Even though the Treaty contains a mutual assistance clause,⁷ the list of tasks for which the EU can draw on civilian and military assets of member states is limited. It includes humanitarian and rescue operations, conflict prevention and peacekeeping, crisis management (including peace making), joint disarmament operations, military advice

5 All EU member states are participating states in the OSCE. Only six EU member states (Austria, Cyprus, Finland, Ireland, Malta, and Sweden) are not members of NATO.

6 European Union, "Consolidated Version of the Treaty on

European Union, Official Journal of the European Union," Art. 26(1), May 9, 2008, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12008M/TXT&from=EN>.

7 Ibid, Art. 42(7).

and assistance, and post-conflict stabilisation.⁸ The Treaty also has the requirement to 'respect the obligations of certain Member States' under the North Atlantic Treaty and acknowledges existing commitments and co-operation within NATO.⁹

Hence, the NATO-Russia Council (NRC), in which each state acts on its own behalf, has remained the main forum for military security dialogue between EU members and Russia. In the past (that is, before 2014), the level of co-operation has been, at times, quite extensive. Meetings took place at various levels ranging from heads of state and government to ministers and ambassadors.¹⁰ At the expert level, NATO and Russia were engaged in more than 25 working groups and committees between 2002 and 2014.¹¹ For example, in 2002 the NRC set up the Cooperative Airspace Initiative (CAI). It enabled both sides to exchange air traffic information and co-ordinate their interaction in case of incidents 'through real-time exchange of radar tracks and a shared picture of air traffic'.¹² As late as September 2013, several NATO members and Russia held a joint counter-terrorist exercise (Vigilant Skies) in order to test CAI traffic controllers in a live scenario.¹³

8 Ibid, Art. 43(1).

9 Ibid, Art. 42(2) and Art. 42(7).

10 Simon Lunn, "The NATO-Russia Council: Its Role and Prospects," Policy brief, European Leadership Network, November 29, 2013, 5, www.europeanleadershipnetwork.org/wp-content/uploads/2017/10/The-NATO-Russia-Council-Its-Role-and-Prospects_Simon-Lunn_November-2013.pdf.

11 "About NRC", accessed November 2, 2021, www.nato.int/nrc-webseite/en/about/index.html

12 Thomas Frear, "Cleared for Takeoff: Dangerous Brinkmanship and the Case for the Cooperative Airspace Initiative," Policy Brief, European Leadership Network, June 20, 2016, www.europeanleadershipnetwork.org/wp-content/uploads/2017/10/CAI-Op-Ed.pdf.

13 North Atlantic Treaty Organization, "NATO and Russia hold joint counter-terror exercise 'Vigilant Skies'," September

However, after military escalation in Ukraine began, NATO suspended all practical civilian and military co-operation with Russia, including the CAI.¹⁴ Since then, discussions have been limited to occasional and relatively formal meetings at ambassadorial level. The last Council meeting during which NATO member states and Russia also discussed transparency and risk reduction, among others, took place in July 2019.¹⁵

Moreover, Moscow has had no permanent representative to NATO since January 2018.¹⁶ After NATO expelled eight 'undeclared Russian intelligence officers' in October 2021,¹⁷ Russia decided to put an end to diplomatic relations by recalling the remaining staff of its mission from Brussels. It also suspended the work of NATO's military liaison office in Moscow, and required the NATO Information Office at the Belgian Embassy to cease its operations.¹⁸

As a consequence, the OSCE has become the only forum for multilateral security dialogue between EU member states and Russia.

26, 2013, www.nato.int/cps/en/natohq/news_103663.htm.

14 North Atlantic Treaty Organization, "Statement by NATO Foreign Ministers," April 1, 2014, www.nato.int/cps/en/natohq/news_108501.htm.

15 North Atlantic Treaty Organization, "NATO-Russia Council meets in Brussels," July 5, 2019, www.nato.int/cps/en/natohq/news_167682.htm.

16 "Russia's Grushko Out As NATO Envoy, In As Deputy Minister," January 22, 2018, www.rferl.org/a/russia-grushko-nato-deputy-foreign-minister/28989720.html.

17 Robin Emmott and Andrew Osborn, "NATO expels eight 'intelligence officers' from Russian mission to alliance," *Reuters*, October 6, 2021, www.reuters.com/world/nato-says-expelled-eight-members-russian-mission-alliance-2021-10-06/.

18 "Foreign Ministry statement on response measures to NATO decisions regarding the Russian Permanent Mission

2.1 Engaging Russia in the OSCE

Since 2006, the EU has been represented in all OSCE decision-making bodies (and seated next to the delegation of the participating state holding the EU Presidency), including the Permanent Council and the Forum for Security Co-operation (FSC).¹⁹ The EU's legal and political basis to express views within these bodies, however, is limited to common positions agreed in advance by EU member states in Vienna.

Practical co-operation between the EU and the OSCE predominantly evolves around EU financial sponsorship and support of OSCE field missions. In June 2018, however, the two organisations agreed to strengthen co-operation in all three OSCE security dimensions (human, economic and environment, politico-military).²⁰ A number of high-level meetings followed.²¹ While the military conflict in Ukraine has brought the OSCE as a security actor back into the spotlight, existing political cleavages and diverse threat perceptions impede its ability to take consensual decisions.

At the OSCE, engagement on military security issues with Russia comes in two forms: the Structured Dialogue and ongoing discussions

about the Vienna Document on CSBM within the FSC.²² The former was established in December 2016 at the OSCE Ministerial Council meeting. It was a direct outcome of the German initiative to relaunch multilateral conventional arms control debates.²³ The Dialogue is intended to encourage co-operative security policy by creating the necessary prerequisites rather than undertaking a complete restructuring of European arms control. It takes place within an Informal Working Group (IWG) focused on threat perceptions, military doctrines, and the efficacy of CSBM.

To date, however, the participating states have been unable to agree on any substantive shared positions. The attitudes of EU member states towards the Structured Dialogue vary. A first so-called 'liked-minded group', which now includes more than 20 states, represents the core of supporters.²⁴ They continue to hold additional meetings in order to drive conceptual progress and include, among others, Austria, Belgium, Bulgaria, Finland, France, Germany, Italy, the Netherlands and Spain.

to NATO in Brussels," October 18, 2021, www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4907931.

19 "Rules of Procedure of the Organization for Security and Co-Operation in Europe," MC.DOC/1/06, November 1, 2006, www.osce.org/files/f/documents/5/0/22775.pdf.

20 "OSCE Secretary General Thomas Greminger and the High Representative of the European Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, Federica Mogherini, exchanged letters to further strengthen its cooperation," June 22, 2018, www.osce.org/secretary-general/385578.

21 OSCE, "Strengthening OSCE-EU co-operation discussed at first annual high-level meeting held in Brussels", Decem-

ber 13, 2018, www.osce.org/secretary-general/406682; "First regional OSCE-EU coordination meeting takes place in Pristina," October 1, 2019, <https://europeanwesternbalkans.com/2019/10/01/first-regional-osce-eu-coordination-meeting-takes-place-in-pristina/>.

22 OSCE, "The Vienna Document 2011 on Confidence- and Security-Building Measures", www.osce.org/files/f/documents/a/4/86597.pdf

23 Frank-Walter Steinmeier, "More security for everyone in Europe: A call for a re-launch of arms control," August 26, 2016, OSCE, www.osce.org/files/f/documents/8/4/261146.pdf.

24 "Ministerial declaration by the foreign ministers of the like-minded group supporting a relaunch of conventional arms

A second group, including Poland and the Baltic States as well as the United States and the United Kingdom, remains sceptical of the Structured Dialogue and its political purpose, although some of them, like Romania, take part in meetings of the 'like-minded group'. In face of the strategic challenges posed by Russia, they advocate for

2.2 The Vienna Document

This fundamental conflict is also mirrored in the stalemate on the re-issuing and modernisation of the 2011 Vienna Document. Among others, the Document requires OSCE participating states to exchange military information and to notify each other of military activities above fixed thresholds as regards the number of personnel and equipment. Many of the Document's provisions are militarily outdated, however, as they stem from the early 1990s and therefore reflect Cold War conditions. In consequence, only a minimum of annual exercises is subject to the transparency measures stipulated by the Document.

EU members are particularly concerned about loopholes in the Vienna Document that Russia has used in the past to evade notification and observation of its large-scale military activities and 'snap exercises', which proceed without prior knowledge of the troops involved. These exercises often engage tens of thousands of personnel in Russia's Western military district and directly

control in Europe," November 25, 2016, www.government.nl/documents/media-articles/2016/11/25/ministerial-declaration-by-the-foreign-ministers-of-the-like-minded-group-supporting-a-relaunch-of-conventional-arms-control-in-europe.

25 Russian Federation, "Interpretative Statement under Paragraph IV. 1(A) 6 of the rules of procedure of the OSCE," Attachment 2 to MC.DOC/4/16, 8-9 December, 2016.

26 EaP participating states include Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.

broader discussions that also address terrorism, cyber security and hybrid warfare. Russia itself seems to be content with this setup as it illustrates intra-Western divides but has refrained from proactive engagement, because it believes NATO undermines the principle of indivisibility of security in the OSCE area.²⁵

threaten member states in Eastern and South-Eastern Europe, as well as states participating in the Eastern Partnership (EaP).²⁶

A recent example of such an exercise are large-scale troop movements by Russia near the Ukrainian-Russian border in April 2021. Although Ukraine officially requested an explanation and a meeting under the risk reduction mechanisms of the Vienna Document,²⁷ Russia declined to co-operate. Germany and France subsequently issued a joint statement in support of Ukraine, emphasising that 'such activities near the border are always a cause for concern'.²⁸

In addition, at another follow-up, joint meeting of the FSC and the Permanent Council, the EU's representative explicitly recommended 'to use all relevant provisions under the Vienna Document and other confidence- and security-building measures to the fullest'.²⁹ Moscow, however, claimed that the activities in question had been

27 OSCE, "Vienna Document 2011 on Confidence and Security Building Measures," Chapter III Risk reduction, www.osce.org/files/f/documents/a/4/86597.pdf.

28 "Ukraine – Joint statement by France and Germany at the OSCE," April 10, 2021, www.diplomatie.gouv.fr/en/country-files/ukraine/news/article/ukraine-joint-statement-by-france-and-germany-at-the-osce-vienna-10-apr-2021.

29 OSCE, "Journal of the 81st Joint Meeting of the Forum

'routine', were 'appropriate for the situation' and did not affect the security of other states.³⁰

Moreover, ever since the special FSC meeting on the Vienna Document in November 2016, Moscow has firmly rejected a formal re-issuing, which is supposed to happen at least every five years,³¹ citing NATO's policy of deterrence and its increased presence in the Baltics as obstacles.³² The Western 'policy of containment' would undermine the very basis of negotiations and, according to Russia, 'makes it impossible to reach agreement on the modernization of the Vienna Document.'³³

Despite this conflict, EU member states have continuously promoted reform ideas for the Vienna Document within the OSCE. In October 2019, Germany introduced a package deal for

modernisation that combined previous proposals, co-sponsored by 31 OSCE participating states.³⁴ The EU has welcomed the initiative as an 'opportunity to launch a constructive negotiation' and as a step to 'create a positive momentum for modernization of the Vienna Document'.³⁵ Russia, however, continues to block a decision on the package deal. Since 2014, it has withdrawn its own reform proposals from the agenda of the respective FSC working group.

Prospects for real change therefore remain bleak. In spite of all this, engagement between EU member states and Russia has continued in three areas: aerial observation within the context of the Treaty on Open Skies; bilateral security dialogues; and risk reduction through incident prevention over the high seas.

3. EU-Russia security engagement beyond the OSCE

3.1 Treaty on Open Skies: co-operative aerial observation

The Treaty on Open Skies, which has been in force since 2002, allows more than 30 states in North America and Europe, including (until recently) Russia and 24 EU members,³⁶ to conduct unarmed observation flights over each other's territory at short notice to observe military infrastructure and possible movement on the ground. The Treaty is an important instrument for direct military-to-military confidence-building. It also provides essential benefits for

small- and medium-sized EU members without reconnaissance satellite capabilities, levelling the intelligence playing field.

While historically the idea for the Treaty emerged from consultations between the US and the Soviet Union, the European contribution now is significant. In the past, European states (without Belarus and Russia) accounted for more than 55 percent of all

for Security Co-operation and the Permanent Council," FSC-PC.JOUR/68, Annex 5, April 14, 2021.

30 OSCE, "Journal of the 81st Joint Meeting of the Forum for Security Co-operation and the Permanent Council," FSC-PC.JOUR/68, Annex 14, April 14, 2021.

31 The re-issuing of the Vienna Document would add four FSC decisions to the official text of the document, which are already in force under the VD-Plus mechanism.

32 OSCE, "Statement by the Delegation of the Russian

Federation," FSC.JOUR/840, Annex 3, November 9, 2016.

33 OSCE, "Statement by the Delegation of the Russian Federation," FSC.JOUR/956, Annex 3, July 1, 2020, 2.

34 OSCE, "Statement by the Delegation of Germany," FSC.JOUR/934, Annex 1, October 23, 2019.

35 OSCE, "Statement by the Representative of the European Union," FSC.JOUR/956, Annex 2, 1 July 2020.

36 The exceptions are Austria, Cyprus and Malta.

active overflights. They are also the main recipient of overflights (63.3 percent). In total, since 2002 state parties have conducted more than 1,500 overflights, almost one third of them over Russia and Belarus.³⁷

The US withdrawal in November 2020 has put the future of the Treaty in jeopardy. While the EU itself did not publicly comment on the US decision when it was announced in May 2020, 12 of its member states issued a joint statement, suggesting that the Treaty 'remains functioning and useful' and that they would 'continue to implement' it.³⁸

Moscow had initially signalled that it would also be willing to remain party to the Treaty,³⁹ which has served its interests in the past. In fact, over the past decade, Russia had invested considerably in the Treaty, acquiring two new aircraft for observation and, as the first state party, equipping them with modern digital sensors. However, despite overlapping interests in preserving the Treaty, EU treaty members and Russia have been unable to reach a common position on how to respond to the US exit.

While Europeans opted for a wait-and-see strategy, perhaps hoping for the US to re-join the Treaty under President Biden, Moscow made its loyalty to the Treaty conditional on a number of demands, all

geared towards gaining equal political status to Washington.⁴⁰ In January 2021, however, Russia announced its plans to withdraw from the Treaty after it had stopped to conduct and receive overflights in November 2020 – officially due to Covid-19 safety regulations. In June, the Russian Ministry of Foreign Affairs submitted the official withdrawal notification,⁴¹ which took effect on 18 December 2021.

Without Russian participation, the remaining state parties lose the ability to conduct unarmed overflights over Russian territory. There will also be an additional loss in military-to-military engagement between EU and Russian military officers. This point is particularly significant, given that engagement on the working-level via NATO-Russia contacts remains blocked.

After the Russian withdrawal, the main states of interest for EU treaty members will become Belarus and, to a lesser extent, Ukraine and Bosnia-Herzegovina. Should the Treaty fail completely, however, states without (or with only a small number of) reconnaissance satellites will no longer be able to receive high-quality images and related data with the same level of detail and authenticity. Instead, they will depend even more on voluntary intelligence-sharing.

37 Alexander Graef and Moritz Kütt, "Visualizing the Open Skies Treaty," April 27, 2020, www.openskies.flights.

38 Federal Foreign Office, "Statement of the Foreign Ministries of Belgium, Czech Republic, Finland, France, Germany, Greece, Italy, Luxemburg, Netherlands, Portugal, Spain and Sweden on the announcement by the US to withdraw from the Open Skies Treaty," May 22, 2020, www.auswaertiges-amt.de/en/newsroom/news/joint-declaration-open-skies/2343892.

39 Russian Ministry of Foreign Affairs, "Foreign Minister Sergey Lavrov's remarks and answers to questions at a roundtable discussion with the participants of the Gorchakov Public Diplomacy Fund in the videoconference format," April 21, 2020, www.mid.ru/ru/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4103828?p_p_id=101_INSTANCE_cKNonkJE02Bw&_101_INSTANCE_cKNonkJE02Bw_languageId=en_GB;

40 Alexander Graef, "Is There a Future for Open Skies Without Russia?," Carnegie Moscow Center, January 26, 2021, <https://carnegiemoscow.org/commentary/83727>.

41 Russian Ministry of Foreign Affairs, "Foreign Ministry's statement following the Russian Federation's sending notifications to the states parties to the Treaty on Open Skies," June 18, 2021, www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4790770.

41 Russian Ministry of Foreign Affairs, "Foreign Ministry's statement following the Russian Federation's sending notifications to the states parties to the Treaty on Open Skies," June 18, 2021, www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4790770.

3.2 Security dialogue: bilateral formats

The demise of direct multilateral engagement also extends more directly to EU-Russia dialogue formats. The last EU-Russia summit took place in January 2014. Previous co-operation within the so-called common space in the field of external security has ended as well. Security dialogue between the West and Russia has not vanished completely, however. Instead, it has shifted to the bilateral level. For example, under the Trump administration the US and Russia organised multiple rounds of consultations on strategic stability to discuss the future of nuclear security and the possible extension of the Strategic Arms Reduction Treaty (New START).

At their June 2021 summit in Geneva, Biden and Putin agreed to relaunch the Trump-era bilateral dialogue with a focus on the shared goals of 'ensuring predictability', 'reducing the risk of armed conflict and nuclear war', and laying the

groundwork for 'future arms control and risk reduction measures'.⁴² In July and September 2021, the US-Russian delegations met in Geneva (again). They have formed two working groups, on 'principles and objectives for future arms control' and 'capabilities and actions with strategic effects', and are planning a third plenary meeting.⁴³ There have also been multiple meetings between the respective chiefs of general staff,⁴⁴ national security advisors and leading representatives of the intelligence communities with the aim to 'normalise' relations.⁴⁵

Despite the ongoing strategic competition, individual EU member states also continue to hold bilateral security dialogues with Russia.⁴⁶ In 2018, for example, Germany restored annual meetings with Russia within the high-level working group (HAG) on security.⁴⁷ The parties have discussed a wide range of issues, including arms control,

42 The White House, "U.S.-Russia Presidential Joint Statement on Strategic Stability," June 16, 2021, www.whitehouse.gov/briefing-room/statements-releases/2021/06/16/u-s-russia-presidential-joint-statement-on-strategic-stability/.

43 US State Department, "Joint Statement on the Outcomes of the U.S. – Russia Strategic Stability Dialogue in Geneva," September 30, 2021, www.state.gov/joint-statement-on-the-outcomes-of-the-u-s-russia-strategic-stability-dialogue-in-geneva-on-september-30/.

44 Russian-US military leaders did not meet between 2014 and 2017. A first meeting between the Chairman of the Joint Chiefs of Staff, General Joe Dunford, and Russian Chief of the General Staff, Army General Valery Gerasimov, took place in Baku in February 2007. Since then, the General Chiefs of Staff have met continuously. The most recent meeting took place in September 2021 in Helsinki, "Top US general meets with his Russian counterpart in Finland," September 22, 2021, <https://edition.cnn.com/2021/09/22/politics/milley-russia-meeting-finland/index.html>.

45 The Secretary of the Russian Security Council Nikolay Pa-

trushev has met with both US National Security Advisor Jake Sullivan and CIA Director William Burns. Similar meetings have been held under the Trump administration, The White House, "Joint Statement on National Security Advisor Jake Sullivan's Meeting with Russian Security Council Secretary Nikolay Patrushev," May 24, 2021, www.whitehouse.gov/briefing-room/statements-releases/2021/05/24/joint-statement-on-national-security-advisor-jake-sullivans-meeting-with-russian-security-council-secretary-nikolay-patrushev/; Vladimir Isachenkov, "Russian security chief meets with CIA director in Moscow," *AP News*, November 2, 2021, https://apnews.com/article/joe-biden-russia-ukraine-geneva-vladimir-putin_a2e0986e30a7ebd778ae18f4820afab2.

46 In addition to Germany and France, the Netherlands and Russia have held interagency consultations on security in the field of information and communications technologies, "First Russian-Dutch consultations on cybersecurity take place in The Hague," *TASS*, September 17, 2021, <https://tass.com/politics/1339323>.

47 The first sub-group meetings had taken place in 2017.

counter-terrorism and regional conflicts.⁴⁸ In August 2019, French President Emmanuel Macron re-activated the 2+2 dialogue in the Security Cooperation Council (CCQS) between the French foreign and defence ministers and their Russian counterparts.⁴⁹ France and Russia have also created a de-confliction line to communicate with each other in order to prevent cyber incidents. They have set up an interagency dialogue to discuss cybersecurity more broadly.⁵⁰

3.3 Risk reduction: incident prevention

The increased presence of Russian military aircraft in European airspace since 2014, in particular in the High North, the Baltic Sea and the Black Sea regions, has led to more direct encounters between NATO and Russian aircraft and reports about airspace infringements.⁵³ In contrast to the limited role that the EU plays in OSCE debates on conventional arms control and CSBM and the lack of joint action to save the Open Skies Treaty, the Union has addressed this problem head on, at least as regards civilian-military encounters.

Speech by Foreign Minister Heiko Maas: "The future of the INF Treaty as a key element of European security", November 8, 2018, www.auswaertiges-amt.de/en/newsroom/news/maas-speech-bundestag-inf-treaty/2159236.

48 "Joint statement on the 14th plenary meeting of the German-Russian High Level Working Group on Security", 14 November, 2019, www.auswaertiges-amt.de/en/newsroom/news/-/2276642.

49 The Council was established in January 2002 but meetings had not taken place since 2012, <https://uk.ambafrance.org/Special-envoy-explains-French-approach-to-Russia>. The CCQS consists of 13 working groups to carry out consultations on strategic stability and regional and international crises. The groups were originally supposed to start their work in September 2020 but the Navalny case has led to a postponement, Juliette Faure, "Macron's Dialogue With Russia: A French Attempt to Fix the European Security Architecture," May 21, 2021, <https://russiamatters.org/analysis/macrons-dialogue-russia-french-attempt-fix-european-security-architecture>.

50 Pierre Morcos, "Cyber Dialogues with Russia: Lessons

Several central and Eastern European EU member states remain wary of the French approach, however.⁵¹ In their view, a bilateral French-Russian rapprochement risks undermining common EU policies. In June 2021, Poland and the Baltic countries firmly rejected a joint German-French call for EU summit talks with Putin, arguing that it would 'send the wrong message as East-West ties deteriorate.'⁵²

In November 2014, the EU Commission mandated the European Aviation Safety Agency (EASA) to conduct a technical analysis of reported occurrences and to provide recommendations on how to respond.⁵⁴ The final EASA report, published in April 2015, noted that 'a significant increase in non-cooperative military activity and an increase in the total number of military flights over the Baltic Sea' presents high risks for civil aviation.⁵⁵

from France", CSIS, July 31, 2021, www.csis.org/analysis/cyber-dialogues-russia-lessons-france.

51 Joanna Plucinska, "Poland sees limited room for Russia diplomacy, despite Macron overtures," December 13, 2019, www.reuters.com/article/us-poland-russia-macron-idUSKBN1YH1YA.

52 Sabine Siebold and Robin Emmott, Gabriela Baczynska, "France and Germany drop Russia summit plan after EU's east objects," June 25, 2021, www.reuters.com/world/europe/france-germany-drop-plans-russia-summit-after-eu-outcry-2021-06-25/.

53 Andrew Foxall, "Close Encounters: Russian Military Intrusions into UK Air- and Sea Space Since 2005," Russia Studies Centre, Policy Paper No. 7, February 2015, www.henryjacksonsociety.org/wp-content/uploads/2015/10/Foxall-Russia-Military-Incursions_FINAL1.pdf.

54 European Aviation Safety Agency, "Report on occurrences over the high seas involving military aircraft in 2014, European Commission, 2015," Report -ED0.1-2015-ed03.00-PC-final, April 4, 2015.

55 Ibid, 3.

In order to make this assessment, the EASA had to rely on voluntary contributions by member states and data provided by NATO.⁵⁶ The agency stated, however, that it had been ‘impossible to validate some of the information related to occurrences’ and ‘difficult to obtain exact numbers and figures about non-cooperative military activity over the high seas in the Baltic Sea.’⁵⁷ Given limited official data on the number of scrambles (activation of military aircraft for interception), for example, it even cited information publicly available on the NATO website.⁵⁸ The EASA has recognised this limitation, which stems from its own non-military mandate,⁵⁹ by calling upon member states to ‘notify the agency [...] in a timely manner’ and provide ‘relevant available data without delay’ in the future.⁶⁰

Overall, to mitigate safety risks, EASA recommended enhancing civil-military co-ordination and, in particular, ensuring ‘due regard’ of state (military) aircraft for the safety of navigation of civil aircraft in accordance with article three of the Convention on International Civil Aviation (Chicago Convention). In April 2015, the ICAO organised a symposium on safety concerns involving civil and military aircraft over the High Seas, which was attended by representatives of 22 states and six international organisations.

In May 2015 following proposals by Finland and Russia, the participants established the Baltic Sea Project Team (BSPT) under Finnish chairmanship to continue the work begun at the symposium, with an emphasis on the Baltic Sea region. After

conducting three meetings, in Helsinki, Vilnius and Copenhagen, the participants reported in November 2015 that a number of issues would need to be addressed before potential safety risks could be identified and solutions proposed.

Simultaneously, the BSPT successfully initiated an awareness campaign among European states concerning flight operations over the Baltic Sea.⁶¹ Several states have started to publish their own principles of due regard, detailing the expected behaviour of state aircraft when in close proximity to civilian aircraft.⁶² Baltic Sea coastal states agreed to new waypoints for state aircraft to improve flight planning and route predictability, particularly in the case of military cargo flights from the Russian mainland to Kaliningrad.

Participating states also improved co-ordination between civil and military operations, by establishing a network of contact persons between national air traffic control organisations. The BSPT demonstrates that EU member states and Russia are capable of improving common rules and communication to reduce risks of civilian-military incidents in spite of strategic conflict.

Nonetheless, as all three areas discussed here illustrate, the EU faces considerable challenges when it comes to military security dialogue with Russia, particularly since it still lacks supranational competencies in the security and defence domain. These constraints for common action reflect, among others, the historical division of labour in security policy between NATO and the EU as well

56 Ibid, 5.

57 Ibid, 20.

58 Ibid, 21.

59 European Union, Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018, Art. 2(3) (a).

60 European Aviation Safety Agency, “Report on occurrences,” 2015, 22.

61 Thomas Frear, “Lessons Learned? Success and Failure in Managing Russia-West Incidents 2014-2018”, April 12, 2018, Policy Brief, European Leadership Network, www.europeanleadershipnetwork.org/wp-content/uploads/2018/04/11042018-Incidents-Management-Review-Tom-Frear.pdf.

62 Ibid, 2.

as shortcomings in military capabilities among member states.

The changing security environment in Europe and the shifting US focus towards China, however, require EU member states to protect their common security interests in a more active and forceful

manner. A low-risk wait-and-see strategy that ascribes responsibility and initiative to either Moscow or Washington is not sustainable. It will only foster Europe's irrelevance in military security on the continent and cement existing dependencies.

4. More agency, better institutions: three steps forward

Given the dysfunctional state of NATO-Russia relations and the stalemate within the OSCE, the EU could theoretically function as an additional, and possibly less politicised, Western policy-coordinating platform to ensure both consistency and unity of positions towards Russia. In order to fulfil such a role, however, the EU and its member states need the capacity to communicate and act efficiently on military security issues. Three steps can help to initiate this long-term process.

Recommendation 1: think aerial observation beyond the Open Skies Treaty

EU member states should invest in saving the Treaty on Open Skies by preventing additional withdrawals. This requires both diplomatic and technical engagement, particularly with regard to Belarus, which used to form a group of states parties with Russia. It therefore possesses no aircraft or sensors for use under the Treaty, and lacks individual flights quotas as well as defined points for entry and exit. In this context, EU members can ensure that Belarus (and possibly more states) is able to use the necessary equipment to conduct overflights in the future.

This could be done in the form of low-cost leasing agreements, by pooling resources or even the joint acquisition of observation platforms.

In parallel, member states should explore the possibility of creating a new regional aerial observation regime with Russian participation in the medium to long term. This option is still promising, because Moscow continues to have an interest in aerial observation of European states. The motivation for the Russian decisions to withdraw from Open Skies lies in a status conflict with the US in terms of data proliferation and access to US military facilities in Europe, rather than principled objections to the purpose of the Treaty.⁶³

EU members should make use of this position. For example, they should reimagine it as a multi-purpose regime for different regions that may include emergency response co-operation, environmental monitoring, and other missions.⁶⁴ The EU and Russia could also evaluate whether a political agreement on aerial observation can be useful for military and non-military CSBM in the Arctic region as a common and increasingly important border area.⁶⁵

63 Graef, "Is there a Future," January 26, 2021.

64 Rose Gottemoeller and Diana Marvin, "Reimagining the Open Skies Treaty: cooperative aerial monitoring,"

The Bulletin of the Atomic Scientists, June 15, 2021, <https://thebulletin.org/2021/06/reimagining-the-open-skies-treaty-cooperative-aerial-monitoring/>.

Depending on the concrete content of such an aerial observation regime, it could become part of the Northern Dimension policy framework. An advantage here would be the participation of Iceland and Norway, which are both state parties to the Open Skies Treaty and have relevant experience, as well as, for political reasons, the observer status of the US and Canada.

Recommendation 2: *create a security dialogue at the expert level*

The EU should create a mechanism for engaging Russia on security issues at the expert level. Certainly, a restoration of a comprehensive dialogue at the pre-2014 level is not feasible, given the strategic and normative dissonance between the different parties. However, the approach of the US government towards Moscow illustrates that political compartmentalisation remains possible, precisely because Washington has identified Russia as a strategic challenge and even adversary.⁶⁶

EU member states are already pursuing a similar approach in relation to China. In 2012, they created the EU-China Cyber Task Force. Since 2014, the EEAS has also participated in repeated meetings of non-governmental experts, diplomats and military representatives within the context

65 Alexander Graef and Katarina Kertysova, "Open Skies in the Arctic: Challenges and Opportunities," *European Leadership Network*, May 20, 2021, www.europeanleadershipnetwork.org/report/open-skies-in-the-arctic-challenges-and-opportunities/.

66 US Department of the Treasury, "Countering America's Adversaries Through Sanctions Act (CAATSA)," August 2, 2017, https://home.treasury.gov/system/files/126/caatsa_eo.pdf, The White House, "National Security Strategy," December 18, 2017, <https://trumpwhitehouse.archives.gov/wp-content/uploads/2017/12/NSS-Final-12-18-2017-0905.pdf>, The White

of the Sino-European Cyber Dialogue (SECD).⁶⁷ An EU-Russia security dialogue can build on this experience. Member states could also find a model in the ongoing expert dialogues the EU continues to have on home affairs with Russia, including the high-level EU-Russia counter-terrorism talks, which last took place in October 2019.⁶⁸

The main difference between this format and a broader security dialogue is the level of EU agency. The intergovernmental format of decision-making on security and defence issues requires consensus among EU members and extensive coordination efforts. This will be difficult to achieve. Hence, if such a dialogue is to become feasible, its agenda should not be too ambitious and should focus on the most pressing issues, avoiding symbolically charged rhetoric of 'business as usual'. One possible starting point would be a regular military-to-military dialogue between the Chair of the EU Military Committee and the Chief of the Russian General Staff.

Recommendation 3: *set up a European Centre for Crisis Prevention and Risk Reduction*

In the long run, the EU should invest in independent capabilities for monitoring, analysing and reducing escalation risks, possibly with Russian participation. At the moment, data collection and

House, Interim National Security Strategic Guidance, March 3, 2021, www.whitehouse.gov/wp-content/uploads/2021/03/NSC-1v2.pdf

67 "The first meeting of the Sino-European Cyber Dialogue (SECD) convened on 31 March–1 April in Geneva, Switzerland," accessed November 2, 2021, www.gcsp.ch/events/1st-sino-european-cyber-dialogue.

68 "Press release on Russia-EU high-level counter-terrorism talks," October 21, 2021, www.mid.ru/en/evropejskij-souz-es/-/asset_publisher/60iYovt2s4Yc/content/id/3858883.

analysis are scattered among member states and national verification centres. The EU lacks both the institutional capacity and the legal authority to act on the behalf of its member states. Alternative multilateral platforms do not exist.

While NATO's Verification Coordinating Committee (VCC) provides inter-alliance co-operation, it focuses primarily on issues related to arms control inspections, including the Treaty on Conventional Armed Forces in Europe (CFE), which Russia left in December 2007. Similarly, the OSCE conflict prevention centre (CPC) assists participating states in the implementation of CSBM and organises regular meetings of the heads of verification centres, but has no mandate to analyse the data it receives and transmits via the OSCE communication network.

The establishment of a European Centre for Crisis Prevention and Risk Reduction would

thus recognise the need for more co-ordination and data sharing among EU member states in this area.⁶⁹ It could widen the scope of common activities to include, for example, agreements on the prevention of dangerous military activities and incidents at sea,⁷⁰ and create a separate channel of communication and autonomous institutional arrangement, independent from NATO and the OSCE.

The Centre may also provide an institutional platform of technical support for a broader security dialogue by establishing direct links to the Russian Nuclear Risk Reduction Centre. Certainly, it would not replace bilateral contacts or co-operation and intelligence sharing about Russia within NATO, but it could enhance the agency of EU members and contribute to promoting dialogue with Russia directed solely and specially at reducing risks of military escalation.

69 Similar ideas but in the context of nuclear risk reduction have been voiced by Marion Messmer, Strategic Risk Reduction in the European Context, Risk Assessment and Policy Recommendations, BASIC, June 2020, www.basicint.org/wp-content/uploads/2020/06/Strategic-Risk-Reduction-in-the-European-Context-WEB-1.pdf, 8 and Ulrich Kühn, "Nuclear Risk in the Euro-Atlantic," in Nuclear Risk Reduction: Closing Pathways to Use, ed. Wilfred Wan (UNIDIR, May 2020), chapter 5, 107, <https://unidir.org/sites/default/files/2020-08/19%20Aug%20>

[2020%20E2%80%94%20Nuclear%20Risk%20Reduction%20-%20Closing%20Pathways%20to%20Use.pdf](https://unidir.org/sites/default/files/2020-08/19%20Aug%202020%20E2%80%94%20Nuclear%20Risk%20Reduction%20-%20Closing%20Pathways%20to%20Use.pdf).

70 For a list of existing incidents at sea agreements between Russia and other European states, see "Crisis management mechanisms in the Euro-Atlantic area," European Leadership Network, accessed November 4, 2021, www.europeanleadershipnetwork.org/bilateral-military-agreements-between-na-to-member-states-and-the-soviet-union-on-the-prevention-of-incidents/

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