

## DISCUSSION PAPER

### CONTEMPORARY CHALLENGES TO ARMS CONTROL REGIME – IMPACT OF RUSSIAN AGGRESSION IN UKRAINE

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#### **Executive Summary**

*The arms control concept, though challenged at times, has played a vital role in global security, particularly during the Cold War, by increasing transparency and reducing the likelihood of armed conflict through mutual limitations. Key agreements like the Nuclear Non-Proliferation Treaty (NPT), Strategic Arms Limitation Talks (SALT), and the Comprehensive Nuclear-Test-Ban Treaty (CTBT) laid the foundation for international cooperation. However, post-2001, arms control regimes began to erode, with increasing distrust, military build-up, and technological advancements fuelling competition. The 2022 Russian invasion of Ukraine further weakened arms control efforts, heightening nuclear fears and accelerating arms proliferation. Despite these challenges, reconceptualizing arms control could prevent a return to unregulated military competition.*

*To adapt arms control efforts to the evolving global landscape, several key recommendations are proposed. First, strengthening global institutions is crucial, particularly in emerging areas like cyber and space, while transitioning from bilateral to multilateral frameworks (including China) will be essential. Second, reducing nuclear risks requires renewed efforts in communication and de-escalation, promoting responsible behaviour to prevent further escalation. Third, despite diplomatic challenges, informal communication channels should remain open to rebuild trust and lay the groundwork for future arms control talks. Lastly, implementable temporary solutions, such as ‘arms control with absences’, ‘implementation without entry into force’ and ‘compliance without accession’, should be pursued, allowing progress even without full consensus, as demonstrated by past treaties.*

## Context Analysis

The arms control concept has frequently been challenged, with its advocates and opponents and periods of more visible or moderate success. However, it is evident that it contributed to global security, especially during the Cold War when substantial efforts have been invested into developing a functional framework of instruments of arms control, especially those related to weapons of mass destruction (WMD).

The basic idea of the concept is to reduce the probability of armed conflict by increasing transparency of military acquisitions and deployments of the parties through adopted limitations. The exchange of these information among signatories and a possibility to audit the implementation of the agreement significantly reduces possibilities of misperception that could lead to escalation with severe consequences. This additionally destimulates arms race among them and opens possibilities for significant cost-reduction.



Source: The New York Times

On the other hand, the most serious impediment to establishing such a sustainable system is the lack of trust among the opponents that steers the process in opposite direction, where they seek for different opportunities to enhance defence capacities in order to ensure their own security against the opponent. Namely, this creates pressures derived from a perceived risk of other party's violation and evasion of defined regulations in order to get strategic advantages.

The fundamentals of contemporary arms control system were established in the 1950s with the US President's (Dwight Eisenhower) proposal to establish an international institution that would audit peaceful development of nuclear technology and curb the emergence of nuclear weapons' capacities, which evolved into creation of International Atomic Energy Agency (IAEA) in 1957. The Cuban Crisis in 1962, that brought the entire world to the edge of a catastrophe, raised awareness of both super-powers about a necessity to develop a viable system of arms control. In line with different sectoral developments in this specific field, the following years brought multilateral efforts at the United Nations (UN) to negotiate a treaty that sets nuclear non-proliferation as a norm in international relations, which resulted with the adoption of 1968 Treaty of the Non-Proliferation of Nuclear Weapons (NPT).

However, the non-conventional arms race remained an important issue since, regardless of improved strategic communication and joint efforts within frameworks like NPT, both global powers kept on investing in the development of nuclear arsenals in an attempt to gain strategic advantage over the other. Enormous investments on both sides resulted in limited or zero gains, since the concept of mutually assured destruction actually cancelled the possibility to win in a nuclear war. Early 70s brought severe economic difficulties for both the US and USSR, which pushed them towards a compromise on limitation and reduction of their nuclear arsenals. This resulted in signing of Strategic Arms Limitation Talks Treaty (SALT) in 1972 that limited the number of launchers for intercontinental ballistic missiles (ICBM). Its fundamental element was the Anti-Ballistic Missile Treaty (ABM) that introduced limitations to Ballistic Missile Defence (BMD) systems. In the second half of the 70s the SALT II was negotiated, with an intention to conclude a long-term comprehensive treaty on broad limitations on strategic offensive weapons, but it never came into force. Shortly before the end of the Cold War and dissolution of the USSR, the two sides signed an Intermediate-Range Nuclear Forces Treaty (INF) that forbade the deployment of ground-launched intermediate and medium range nuclear missiles in Europe (500 – 5500 km in range) and significantly narrowed down the tensions in the continent. The last agreement signed between the two was Strategic Arms Reduction Treaty (START) in 1991, the biggest and most complex arms control treaty in history, whose enactment resulted in reduction of approximately 80% of all strategic nuclear weapons in that period.

Between 1992 and 2001, arms control mechanisms saw significant successes, expanding international cooperation and transparency in weapons control. One of the major achievements was the indefinite extension of the Nuclear Non-Proliferation Treaty (NPT) in 1995, which reinforced global efforts to curb the spread of nuclear weapons and promote disarmament. The Chemical Weapons Convention (CWC), signed in 1993 and enforced in 1997, established a global ban on chemical weapons, creating a framework for their destruction. The Comprehensive Nuclear-Test-Ban Treaty (CTBT), opened for signature in 1996, aimed to ban all nuclear explosions, marking a key step toward disarmament, although it faced ratification challenges. Another success was the Open Skies Treaty, signed in 1992 and entering into force in 2002, which enhanced transparency and trust among member states by allowing unarmed aerial surveillance over each other's territories. Together, these agreements reflected a post-Cold War commitment to reducing the risks posed by weapons of mass destruction and fostering greater international trust and security.

After 2001 the erosion of arms control regimes became more pronounced, gradually unravelling decades of progress in global security. The positive momentum began to wane as tensions grew. In 2002, the U.S.'s withdrawal from the Anti-Ballistic Missile (ABM) Treaty marked a critical turning point, raising fears of a new arms race in missile defence technology. Although the 2010 New START treaty revived hopes for renewed arms control cooperation, it proved to be one of the last major successes in the field.

Meanwhile, other critical agreements faced challenges. The Comprehensive Nuclear-Test-Ban Treaty (CTBT), opened for signature in 1996, stalled as key nations, including the U.S., failed to ratify it, leaving its global impact limited. North Korea's aggressive pursuit of nuclear weapons

defied international pressure, adding to the uncertainty. The U.S.-Russia relationship continued to deteriorate, especially in the wake of Russia's annexation of Crimea in 2014, which froze any progress in arms control negotiations. By this time, the foundation of arms control regimes established during the Cold War had significantly weakened, leaving global security more vulnerable to nuclear threats and renewed military competition.



Source: Radio Free Europe, Radio Liberty

There were multiple withdrawals by both sides from different arms control frameworks. Russia pulled out from Cooperative Threat Reduction Program (CTR) in 2012 and from Conventional Forces in Europe Agreement (CFE) in 2015, while the US under Trump administration unsigned the UN Arms Trade Treaty and Joint Comprehensive Plan of Action (JCPOA) with Iran, as well as withdrew from both the Open Skies Treaty and Intermediate Nuclear Forces Agreement (INF).

Among many negative trends, there has been an exception that happened in April 2010, when the US and Russia signed a new START Treaty to further limit the development of strategic offensive weapons. The treaty is still in force, since it has been extended in January 2021 for another five years. However, regardless of that, the US-Russian arms control dialogue has been stalled for many years, being both a victim and a showcase of strained strategic relations between the two. In the new age of strategic arms competition, the concept has obviously lost its ground and momentum, affecting most seriously the European continent that was deprived of viable arms control architecture which existed before.

There are several global trends that are complicating the international strategic landscape and burdening the efforts to maintain the functional arms control regime. Firstly, we witness the process of deterioration of relations among the most influential players that is reflected in strategic complexity of global nuclear order. Namely, growing multipolarity of international affairs creates necessity to define new arms control framework in the way that goes beyond existing bilateral agreements. The global rise of China, that is championing defence spending in the domain of strategic (both conventional and unconventional) forces, demands trilateral arrangements for the period to come that makes process of negotiation significantly more complicated. Of course, the new set of complicated strategic relations should not disregard the positions and developments in other nuclear states' and those who display an intent to become one of them. Another trend worth mentioning here is the comprehensive

modernisation of both conventional and unconventional capacities of different states, as a consequence of rapid development of modern technologies, including the artificial intelligence (AI). This creates an exactly opposite momentum to the one desired for a viable arms control system. Namely, it fosters competitive armament in seek for opportunities to outperform potential opponents in an increasingly unpredictable international arena, rather than stimulating the development of cooperative management and restraint. Lastly, multiple withdrawals, cancellations and non-compliances are affecting the legitimacy of the concept of arms control, bringing into question the logics and necessity of its existence.



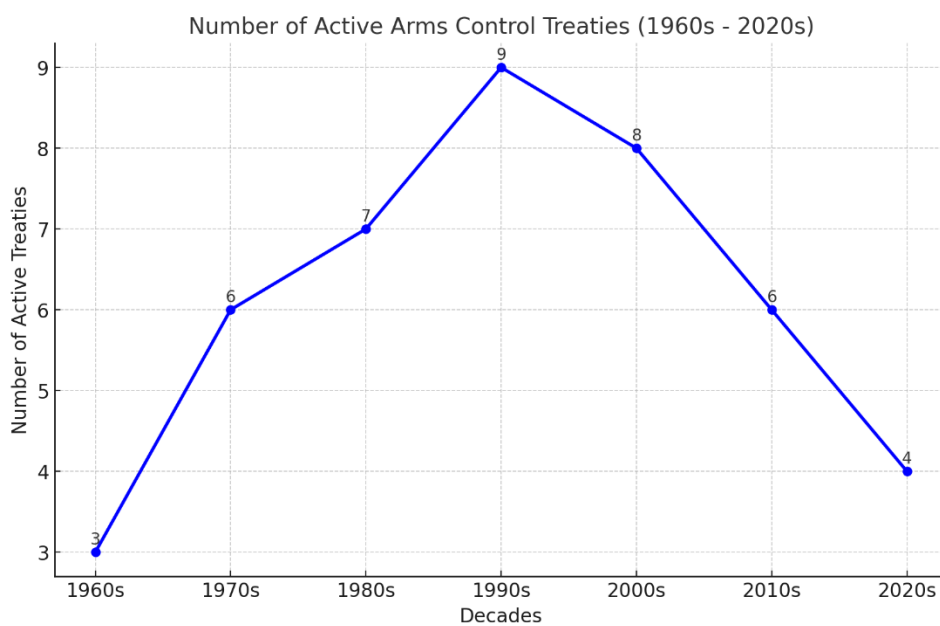
Source: Strauss Center

Obviously, wider trends of deregulation of international affairs, burdened with strategic competition in different corners of the globe, complicate efforts to avert the erosion of arms control regimes. The 2022 Russian invasion of Ukraine has particularly heightened concerns about the future of arms control and raised new challenges for international security, conceivable from the following developments:

- **Erosion of Trust and Multilateral Diplomacy:** Russia's aggression in Ukraine has undermined the trust necessary for effective multilateral arms control efforts. The diplomatic environment has grown increasingly hostile, and the potential for meaningful dialogue on arms control has diminished.
- **Military build-up and conventional arms proliferation:** The invasion has accelerated global arms race and made Ukraine a focal point for military aid from Western countries, with advanced weaponry flowing into the region. This has raised concerns about long-term arms proliferation and the potential destabilizing effects of such large quantities of conventional weapons in a conflict zone.
- **NATO Expansion and Military Spending:** The war in Ukraine has prompted NATO members to increase their defence spending and capabilities. NATO's enlargement, with Finland and Sweden applying for membership, also represents a significant strategic shift in Europe.

- **Nuclear Posturing:** Since the war began, Russian officials made veiled threats about the possible use of nuclear weapons if Russia perceives an existential threat to its security. This rhetoric has escalated fears of a breakdown in the so-called 'nuclear taboo' - the norm that nuclear weapons should not be used in conflicts.
- **Nuclear Doctrine:** Russia's military doctrine allows for the use of nuclear weapons in a broader range of scenarios, including in response to conventional threats, which adds to the uncertainty. The war in Ukraine has shown that Russia is willing to adopt a more aggressive posture, potentially blurring the line between conventional and nuclear conflict.
- **Advanced Technology and Arms Development:** The conflict has underscored the importance of advanced military technologies such as drones, precision-guided munitions and cyber capabilities. Both Russia and Ukraine have used cutting-edge weapons, while Western allies have tested their military supply chains in supporting Ukraine.
- **Impact on regional security and arms control beyond Europe:** Countries in the Asia-Pacific region, particularly those concerned about China's rising military power, are closely watching how the Ukraine war plays out. Russia's aggression may embolden other revisionist powers in regions like MENA (Middle East and North Africa and Latin America).

Support to arms control obviously altered in different periods of time. This is clearly visible from the graph showing the number of active arms control treaties from the 1960s onward. It illustrates the rise of arms control efforts during the Cold War, peaking in the 1990s and a gradual decline in recent decades.



Source: Author

## Policy Recommendations

Current strategic environment is clearly not optimal for the development and maintenance of a sustainable arms control system that would ensure lasting peace in different corners of the globe. On the other hand, the potential costs of strategic environment that is unregulated suggests reconceptualisation instead of termination of efforts to recreate a functional arms control regime.

In that regard, there are at least few recommendations worth considering in the forthcoming period.

1. Fostering the Functionality of Global Institutions: Current global strategic landscape represents a consequence of the trends of deregulation of international affairs and delegitimation of international institutions of multilateral governance. While reformation of global institutions is difficult to foresee in such a turbulent strategic environment, efforts to foster their functionality and adapt them to changing international landscape seem more important than ever before, especially in such a sensitive area like arms control. Additionally, some new fields have a great impact on arms control reality in the world and are still barely regulated. Hence, it is necessary to seek norms and rules in fields such as cyber and space. Also, changing global balance of power reflect a necessity to move beyond bilateral into trilateral (incl. China) and/or multilateral fora to organise a viable contemporary arms control regime.
2. Nuclear risk reduction: Given the heightened nuclear rhetoric, there may be a renewed focus on risk reduction measures, including efforts to improve communication channels, establish de-escalation protocols, and avoid accidental or intentional nuclear use. In the period characterised by the erosion of arms control frameworks, their waned legitimacy and leverage, there is a need to start turning the tide. Current situation requires supporters, advocates and agenda-setters that should, slowly but steadily, start promoting a responsible behaviour of actors in contemporary environment that should, if not ensure a functional progress in arms control regimes' build-up, at least prevent further escalations.
3. Promotion of arms control talks: While the current climate is hostile to diplomacy, there is still a possibility for renewed arms control negotiations if existing conflicts reach a resolution or if international pressure mounts. However, rebuilding trust and establishing new frameworks will be difficult and could take years. Meanwhile, it is of paramount importance to keep unofficial and informal channels of communication open, which provides a possibility to advance into a backdrop for enhanced mutual understanding. This could lead into an environment in which new ideas and proposals could be explored and expert networks built, leading to more constructive and functional international setting.
4. Promotion of implementable temporary solutions: In current environment, there are many opponents of the very concept of arms control and those who tend to ignore or neglect the existing international regulations in that field. In multilateral fora, opponents of any given initiative frequently acquire significant blocking power and consequentially prevent progress in negotiations and conclusion of agreements.

Therefore, it is worth considering by interested parties to move in the desired direction, regardless of existing objection by some actors - 'arms control with absences'. There are few examples of functionality of that approach from the past (Ottawa Anti-Personnel Landmines Convention, the Treaty on the Prohibition of Nuclear Weapons). It is also important to note the possibility of 'implementation without entry into force', where all legal preconditions for entry into force of an agreement have not been met, but the implementation is successfully going on (like in the case of Comprehensive Nuclear-Test-Ban Treaty - CTBT). Furthermore, the same treaty successfully prevented nuclear tests not only by signatories, but also of the states that failed to sign or ratify it – ensuring 'compliance without accession'.