

LIMITATIONS OF THE SECURITY SYSTEM OF THE REPUBLIC OF ARMENIA AND THE POSSIBILITIES OF OVERCOMING THEM



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FOREWORD

The 44-day war unleashed by Azerbaijan from September 27 to November 9, 2020, and the Russian aggression against Ukraine on February 24, 2022, radically changed the security environment of the Republic of Armenia at the regional and global levels. At the same time, it is necessary to emphasize that proceeding these events, the security architecture of the Republic of Armenia suffered serious shocks as a result of the Russian-Georgian war in 2008, on September 3, 2013, when the RA President Serzh Sargsyan refused to sign the EU Eastern Partnership Association Agreement due to the pressure from the Russian Federation, and during April 2016 war unleashed by Azerbaijan against Artsakh.

During the thirty years of independence, the Republic of Armenia adopted two national security strategies in 2007 and 2020¹. However, none of them could offer effective formulas for assessing and coping with possible challenges posed to the security system of the Republic of Armenia by the above-mentioned events, manifested by the 44-day war and its consequences for Armenia and Artsakh.

Moreover, the fact of the aggression unleashed by Azerbaijan against the sovereign territory of the Republic of Armenia on May 12, 2021, and September 13, 2022, and the resulting occupation of 140 square kilometers of territory, according to official data, in case of the presence of bilateral agreements developed based on Armenian-Russian partnership and the principle of ensuring collective security established within the framework of CSTO, confirmed the inconsistency of Armenia's security system with the national and state interests.

This research, on the one hand, analyzes a wide range of issues of the current security system of the Republic of Armenia, and on the other hand, presents a new spectrum of opportunities for dealing with security challenges based on the examples of the strategic partnership with the United States. Both Chapters of this study, conducted by recognized experts in their fields, consider the

¹ https://www.primeminister.am/u_files/file/Different/AA-Razmavarutyun-Final.pdf

security system within the frames of the concept of a small state, which we referred to in the Organization's previous research².

It is also important to note that the opportunities for security system development of the Republic of Armenia, as a small state, are considered first based on values, which are constitutional principles: democracy, human rights, and sovereignty, and then show the advantages of the status of a non-aligned state.

The main chapters of the research are preceded by an introductory part on "Foreign policy maneuverability expansion and effective diversification as a key strategic priority of a small state" as a conceptual basis of the research.

The value of the research lies in the fact that for the first time, the advantages and disadvantages of the CSTO membership of the Republic of Armenia are considered in parallel, that is, in the context of the content of conceptual documents, their practical application, and with an emphasis on the need for Armenia to maneuver in the military-political sphere. Similarly, for the first time, the possible advantages of the Republic of Armenia as a small and non-aligned state are put forward, from the standpoint of proportionally developing, finding responses, and reformulating its security systems in the event of new challenges at the regional and global levels.

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² <https://hcav.am/wp-content/uploads/2022/06/Green-paper-arm.pdf>

INTRODUCTION

THE EXPANSION OF FOREIGN POLICY MANOEUVRING AND EFFECTIVE DIVERSIFICATION AS A KEY STRATEGIC PRIORITY OF A SMALL STATE

The vast majority of post-Cold war classic literature on international relations (IR), greatly referring to quantitative analysis, considers the activity of small states in international arena, unlike the middle or great powers, to be purely limited by the survival priorities, which in their turn depend on system-structural factors that heavily constrain the small state's opportunities³. Thanks to contemporary research, however, this approach is not only considered to be simplistic⁴, but also insufficient for explaining the flexible, smart and resilient diplomatic behaviour of modern-day small states, as well as their capability to exercise power and influence which effectively reduces the existing systemic asymmetry between small states and great powers⁵.

Unlike the conventional perceptions, the predominant part of small states in nowadays IR not only are not weak but also are able to utilize wide opportunities of manoeuvring, political bargaining and role-based strategies. Based on line of research, small states have relative advantage of quick and effective adaptation in complex environment⁶. Moreover, due to the flexibility of the nowadays polycentric IR system, small states can attract more influential actors to their environment. On the one hand, this will allow them impact on the regional politics of that actor, and on the other hand, it will enable the small state to diversify its own foreign, security and economic politics to avoid unilateral dependence.

³ A number of key works from the perspective of international relations theories belong to this approach, such as – Morgenthau, Hans. 1985. *Politics Among Nations: The Struggles for Power and Peace*; Waltz, Kenneth 1979. *Theory of International Politics*; Rothstein, Robert. 1968. *Alliances and Small Power*; Singer, Marshall. *Weak States in a world of Powers*; Vital, David. 1967. *An Inequality of states: A Study of Small Power in International Politics*.

⁴ For the critique of this classic approach, see Elman, Miriam. 1995. *The Foreign Policies of Small States: Challenging Neorealism in its Own Backyard*; Browning, Christopher. 2006. *Small States and Salient? Rethinking Identity in the Small states Literature*, or Keohane, Robert. 1969. *Lilliputians' Dilemma: Small States in International Politics*.

⁵ For discussions on efforts of shortening the asymmetry of small states in international politics, see Long, Tom. 2017. *Small States, Great Powers? Gaining Powers? Gaining Influence Through Intrinsic, Derivative, and Collective power*.

⁶ For discussions on the small states ability of relative adaptation see Katzenstein, Peter. 1985. *Small States in World Markets: Industrial Policy in Europe*; Rosenau, James. 1981. *The Adaptation of Small States*; Edström, Håkan et al., 2019. *Military Strategy of Small States: Responding to External Shocks of the 21st Century*.

Number of scientists note that now ‘small entities started to ‘enjoy more international prestige and visibility than at any other time in history’⁷ having ‘foreign policy action space and strategic opportunities, small states vary more widely than at any time since the beginning of the modern state system’⁸. Therefore, ‘it is a good moment in history to be a small state’ because ‘complex interdependence increases [their] influence and manoeuvrability’⁹.

The concept of small states, as an analytical framework of IR theory, considers foreign political, economic as well a security comprehensive diversification as a fundamental prerequisite of vitality and resistance of a small state. There are two variables to measure the effectiveness of diversification of the small state, which are the *freedom of manoeuvring* and *action space*. These two qualitative variables are derived from *influence-capability* and *autonomy* that is in other words – these variables are derived from the ability of the state leadership to make independent decisions on their foreign policy¹⁰. As a result of analysing these variables it becomes possible to understand and explain the relative power of a state in the international relations. On this occasion a prominent source states:

‘In a fluid international system, the small state must still manoeuvre in order to prosper, if not to survive. Manoeuvring involves making alliances -or [continuously] finding an appropriate alternative policy’¹¹.

Therefore, according to the IR literature, there are two variables that can measure the relational power and political capability of a small state within foreign policy realm, namely *influence capability* and *freedom of manoeuvring*. While the first one implies the projection of power to influence the behaviour of neighbouring countries, the second variable refers to the inner abilities which will enable to restrict foreign influence on its own behaviour¹². As a rule, these two variables

⁷ Hey, Jeanne. 2003. Introducing Small States Foreign Policy, p.1.

⁸ Wivel, Anders. 2016. Living on the edge: Georgian Foreign Policy between the West and the rest. p.92.

⁹ Long, Tom. 2017. Small States, Great Powers? Gaining Influence through Intrinsic, Derivative and Collective Power pp.185,191.

¹⁰ This is presented with differing terminology in modern literature, e.g. ‘positive power’ and ‘negative power’ (Organski, Katherine. 1960. World Politics, pp. 111-12); ‘power base for offensive/defensive diplomacy’ (Goldman, Kjel. 1979., pp.115-41) or ‘offensive-defensive power capabilities’ (Mouritzen, Hans, 1991. Tension between the Strong, and the Strategies of the Weak, p.219)

¹¹ Keohane, Robert. 1969. Lilliputians’ Dilemmas: Small States in International politics. p.299

¹² Mouritzen, Hans &Wivel, Anders. 2005. The Geopolitics of Euro-Atlantic Integration. p.33

are interconnected and go hand-in-hand. However, domestic aspects of foreign policy (action space) that enable the small state manoeuvring are of crucial importance, in other words the *domestic* structure of foreign policy to manage one's own behaviour. The latter, in fact, emerges as a result of interaction with a major power and from the specificities as well as level of involvement of the major power in the environment of the small state¹³.

According to Scandinavian scientists, as a result of strengthening the inner pillars of action space, that is diversifying the foreign policy and attracting other powers to their setting, small states become capable of leading more ambitious foreign policy. This, in its turn, enable the small state to widen the foreign political integration and to increase the chances of power projection in its own environment¹⁴. In other words, the implementation of the thoughtful and consistent steps of political leadership, directed to widening the state's action space, increases its manoeuvrability. This is manifested by the development of two or more contract based strategic partnerships, which denotes the real foreign diversification. Subsequently, it increases not only the importance and security of the small state but also provides opportunity to execute complex foreign political strategies¹⁵.

It is worth mentioning that *action space* that enables foreign manoeuvring, as a determinant of political decision-making, is partly social construct. In other words, the limits of the *action space* of a small state and its chances to exercise the *freedom of manoeuvring* depends on the ability of the state decision maker's knowledge, intellectual abilities, ability to assess state interests, professed values, worldview, as well as due to the professional assessment of risks and interests. The abilities and skilfulness of the political leadership equals the capacity to create foreign policy alternatives, which depends on the effective analysis of institutional experience, on the mistakes revealed as a result of conducting foreign policy, as well as generally on the lessons learnt both from own as well as from international events. According to theoretical concept, the intellectual capabilities of political leadership are reflected on the development of negative or positive foreign policy

¹³ Mouritzen, Hans.2005. A Hundred Years of Danish Action Space. p.118

¹⁴ Olsvig, Sara. 2022. Greenland's Ambiguous Action Space: Testing internal and External Limitations between U.S. and Danish Arctic Interests; Mouritzen, Hans. 2020. Freedom of Manoeuvre in Nordic Bilateral diplomacy; Peterson, Nikolaj.2005. Danmark som international aktør, 705-2005.

¹⁵ Mouritzen, Hans.2020. Freedom of Manoeuvring in Nordic bilateral diplomacy.

scenarios, its qualitative/comparative analysis and balanced assessment of possibly 'acceptable' or 'unacceptable consequences and costs'¹⁶.

This circumstance makes the boundaries of *action space* blurry, which however, does not make the phenomenon of small state manoeuvrability less objective. On contrast, the state decision makers perceive the possible limits and capacities of action space subjectively.

On the other hand, besides the state institution's perception of the *freedom of manoeuvring* and their ability to utilise it, the specifics of the internal political culture of the given small state matters as well. The latter comprises both public and politicians' perception on foreign priorities of one's country, as well as the capacity to form 'bottom-up' (from public to the authorities) agenda¹⁷.

Henceforth, the research philosophy of the current paper is focused on the relational power and political capabilities of a small state, namely the conceptualised units - *freedom of manoeuvring* and *action space*. Consequently, this research looks at the perspective of Armenia-U.S. strategic partnership and its obstacles for Armenia as an opportunity to expand the action space and exercise the freedom of manoeuvring.

Moreover, it was taken into account that in the event of emerging multipolarity practical manifestation of diversification is a policy of non-bloc multivectorism. The latter is considered to be the ultimate format that allows most manoeuvrability in contemporary international system. As the author, who conceptualised the multipolarity, notes, this principal of foreign policy allows small states 'carve out sphere of manoeuvre eschewing system level constraints'¹⁸. In foreign policy the practical implementation of non-bloc multivector stance is demonstrated by a small state as a strategic co-alignment. This suggests a specific institutional behaviour, which in its turn allows the small state to diversify its own foreign policy environment with its major partners, this way preventing the dominance of one strategic partner and dependence from the latter, simultaneously protecting its own security system.

¹⁶ Mouritzen, Hans. 2005. A Hundred Years of Danish Action Space. p.116.

¹⁷ Ibid. p.118

¹⁸ Contessi, Nicola. 2015. Foreign and Security Policy Diversification in Eurasia: Issue Splitting, Co-alignment, and Relational Power. p.301.

Therefore, leaning on the above-mentioned academic and analytical approaches of IR small state concept, the purpose of this paper is to contribute to the formation of foreign political alternatives in post-war Armenia. Suggesting our version of non-bloc strategic co-alignment, this paper is written in the context of small state foreign and security diversification, namely increasing manoeuvrability and expanding action space, as well as revealing its constraining circumstances. Hence, on the one hand it was examined the prospective of Armenia-U.S. strategic relationship, its specificities of foreign and security policy flexibility of non-bloc status, and on the other hand the existing constraints and obstructing circumstances of foreign manoeuvrability due to Armenia's CSTO membership.



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CHAPTER I

PERSPECTIVES OF U.S.- ARMENIA STRATEGIC PARTNERSHIP AND BECOMING MAJOR-NON-NATO-ALLY IN THE CONTEXT OF INCREASING FOREIGN POLICY MANOEUVRABILITY

The aim of the following Chapter is to understand the possible future perspectives of Armenia-U.S. strategic partnership, including realisation of political, military and military-technical collaboration and constraining systemic factors within the framework of Major-Non-NATO-Ally (MNNA).

It is established by the Government Program 2021-2026 of the Republic of Armenia that Armenia-U.S. relations have been raised to a new level — the level of strategic dialogue. The Government will continue to consistently work on the development and deepening of friendly partnership with the U.S.¹⁹. Such commitment by the Government indicates that PM Nikol Pashinyan led Government prioritises the deepening of Armenia-U.S. relationship bringing it up to the level of strategic partnership. The focus of this chapter is the manifestation of the institutional strategic partnership, which does not see the term ‘strategic partnership’ as a rhetorical term.

What is Strategic partnership?

This subheading is established around the following research question:

- What does strategic partnership mean in the U.S. foreign policy?

The given subheading commenced with discussing the strategic partnership as a tool in international relations, its role and meaning in the corresponding U.S. strategic documentation, as well as the bureaucratic procedures of agreements and adoption of legislative components of strategic partnership in the U.S. The subheading also provides a comparative analysis of strategic partnerships between U.S. and other states, as well as its similarities, advantages and tendencies

¹⁹ Program of the Government of the Republic of Armenia (2021-2026) [online]
<https://www.gov.am/files/docs/4737.pdf> (Accessed 28.11.2022)

of development, and the main constraining factors for Armenia to develop strategic partnership with the U.S.

Strategic partnership, as a differing way of interaction, is a new thing in international relations. This type of relationships first started to emerge after the Cold war in 1990s. After the demise of the USSR, which was followed by changes of world order, the key actors of international relations introduced the concept of *strategic partnership* as a way of setting bilateral and multilateral 'special relationship'²⁰. This made room for foreign policy manoeuvring and opened prospects for interaction on a strategic level, outside the classical collective security committing agreements.

The research on the strategic partnership shows²¹ that nowadays there are 150 formulated strategic partnerships. Simultaneously, it is hard to provide the exact quantity of such partnerships due to the difference in perception that states have, as well as due to the difference in the motivation of forming the strategic partnership, bases for the contract and its structure.

Some of the strategic partnerships were formed between 'friendly' states, the others are formed between 'competing' ones. This includes not only state actors but also institutions (EU) as well. This kind of partnership often intends to establish non-formal alliance or rather more specifically establishing 'soft alliance' that is based on a common interest. 'Soft alliance', developed on agreement-based strategic partnership, is formed between like-minded states who share similar value system: it is aimed at strengthening certain geographic or regional security architecture, as well as gaining some political, economic and military advantages²². Such phenomenon in IR literature on strategic partnership, is classifies as *strategic alignment*²³. 'Soft alliance' type of strategic partnership is, for example, Turkey-Azerbaijan, Russia-Azerbaijan, U.S.-India, Russia-China, Russia-Turkey. Generally, strategic partnership is broader in its sense than the formal

²⁰ Kay, Sean. 2000. What is a Strategic Partnership? Problems of Post-Communism. 47:3, 15-24, DOI: 10.1080/10758216.2000.11655882

²¹ Michalski, Anna & Pan, Zhongqi. 2017. Strategic Partnerships: A New Form of International Engagement. DOI: 10.1007/978-981-10-3141-0_2.

²² Kay, Sean. 2000. What is a Strategic Partnership? Problems of Post communism. 47:3, 15-24, DOI: 10.1080/10758216.2000.11655882,

²³ Wilkin S., Thomas. 2011. 'Alignment' not 'Alliance' - the Shifting Paradigm of International Security Cooperation: Towards a Conceptual Taxonomy of Alignment, Cambridge University Press, 38:1

alliance. The latter is not limited by the security components but is perceived by states as more flexible and multi-vector tool in fast changing IR.

In the context of shifting liberal worldview where versatile democratic principles and norm-based systems were weakened, and states did not fulfil their international obligations, they began to give more importance to the establishment and development of strategic partnerships in international relations viewing it as a key tool that can serve to one's national interests. Moreover, strategic partnership provided an opportunity to create means of mutually beneficial cooperation with non-collective security state members²⁴. The expanding network of agreement-based strategic partnership plays a crucial role often by complementing traditional alliances and pacts²⁵.

Thus, strategic partnership can be defined as 'a specific form of bilateral engagement between two actors in the international system with the purpose of creating privileged bilateral relationships²⁶'. The nature of strategic partnership is not static or fixed: over the course of time, as a result of overlapping interests of two actors or conflict of interests around different issues, it undergoes dynamic development and transformation. In other words – 'strategic partnerships are what states make of them²⁷'.

Strategic Partnership in the U.S. Foreign Relations

Terms related to 'strategic partnership' (including 'strategic dialogue' as a prerequisite for reaching to strategic partnership) and its institutional manifestations in the U.S. foreign relations were formed after 'Cold war'. In 1991, the administration of President Bush Senior initiated 'strategic dialogue' between NATO and Warsaw Pact, establishing the North Atlantic Cooperation Council.

²⁴ Michalski, Anna. 2019. Swedish Institute of International Affairs, [online] <https://www.ui.se/globalassets/ui.se-eng/publications/ui-publications/2019/ui-paper-no.-10-2019.pdf>

²⁵ Pan, Z., & Michalski, A. 2019. Contending logics of strategic partnership in international politics. *Asia Eur J* 17, pp. 265-280. <http://doi.org/10.1007/s10308-019-00553-3>

²⁶ Michalski, Anna. 20019. Swedish Institute of International Affairs, [online] <https://www.ui.se/globalassets/ui.se-eng/publications/ui-publications/2019/ui-paper-no.-10-2019.pdf>

²⁷ Tyushka, Andriy & Czechowska, Lucyna. 2019. "Strategic Partnerships, International Politics and IR Theory", in *States, International Organisations and Strategic Partnerships* Lucyna Czechowska et al. (Cheltenham, 2019), pp.8-43 (36)

Subsequently, in 1997 in Bucharest President Bill Clinton announced the launching of the strategic partnership with Romania. During this time, Strobe Talbott, the U.S. Deputy Secretary of State, stated that ‘Strategic Partnership refers to a systematic pattern of joint effort on behalf of shared goals’²⁸.

Notwithstanding the fact that President Bush Junior was leading unilateral politics in international relations, in the global war on terrorism the U.S. signed an agreement of ‘strategic partnership’ with Kazakhstan, Uzbekistan and Kyrgyzstan- securing the transit route of the U.S. Armed Forces to Afghanistan. The format of strategic partnership in international relations was significantly activated during the presidency of Barak Obama, breathing new life into the bilateral relationships with Indonesia, Vietnam, Malaysia and New Zealand²⁹.

Thus, from the U.S. perspective strategic partnership is between strategic dialogue and formal alliance (see Figure 1).

Figure 1: Classification of Strategic Partnership in the U.S. Foreign Policy



The bureaucratic procedures of the U.S. strategic partnership

The bases for the U.S. strategic partnership can be both comprehensive mutual agreements that highlight the essence of strategic partnership underpinned by memorandum of understanding (MoU) (e.g. U.S.-Canada, U.S.-Georgia, U.S. Uzbekistan, U.S -Cyprus³⁰, U.S.- Singapore) as well as

²⁸ Talbott, Strobe. 1998. “The United States and Romania: A Strategic Partnership”, Bucharest, Romania, [online] http://1997-2001.state.gov/www/policy_remarks/1998/980319_talbott_bucharest.html

²⁹ Parameswaran, Prashanth. 2014. “Explaining US strategic Partnerships in the Asia-Pacific Region: Origins, Developments and Prospects.” Contemporary Southeast Asia, vol. 36, no. 2, pp. 262-89. JSTOR, [online] <http://www.jstor.org/stable/43281291>. (Accessed 10 Nov. 2022)

³⁰ Announcement on intentions of U.S.- Cyprus mutual security partnership, 2018

the adoption of relevant legislation by the U.S. Congress (e.g. Ukraine, Pacific Nations, Mongolia, Colombia³¹). The purpose of such legislative acts is to provide institutional manifestation to the bilateral strategic relations, simultaneously, clearly stating the list of Congressional Committee involved in the bilateral relations, obligations of the executive power, as well as allocate a budget for reaching the set goals specified in the law. For example, in 2021 in the law on strategic partnership with Pacific Nations, it is outlined that out of the U.S. annual budget 5 million U.S. dollars will be allocated in support to the Pacific Nations yearly during 2020-2026³².

The law on strategic partnership mainly refers to two pieces of legislation, namely Foreign Assistance Act 1961 and Arms Export Control Act 1976. These laws define the procedures of providing financial support to foreign states. The opportunities defined by these laws will be discussed next, however until then, it is important to understand and bring up the U.S. laws that can potentially preclude upgrading the Armenia-U.S. relationship to the level of strategic partnership.

Comparative analysis of strategic partnership between U.S. and other states

The current section presents qualitative content analysis of agreements and legislative acts related to strategic partnership between the U.S. and other states using coding system undertaken by Dedoose software³³. Subject of analysis were the main directions of partnership (e.g. democracy, economy, security, common values, etc.) and its components (see Figure 2). There were chosen non-NATO member (when the agreement had already been signed), MNNA and geographically different states (9 in total). Below are presented the results/conclusions of the qualitative content analysis.

³¹ It is worth mentioning that the executive and legislative sections of strategic partnership are not mutually contradicting, but often complementing:

³² BLUE Pacific Act, H.R. 2967, 117th Congress, [online] <http://www.congress.gov/bill/117th-congress/house-bill/2967/text>

³³ Dane, Francis C. 2018. "Archival Research." Essay. In Evaluating Research: Methodology for People who Need to Read Research, 273-97. Thousand Oaks, CA: SAGE Publications, Inc. For coding strategy there were used both semantic content and latent content

- Cooperative areas: in the agreements and legislative acts on strategic partnership there are mentioned at least four strategic directions with the U.S. and the partnering state, democracy, economics, security and culture.
- Implementation mechanisms of strategic partnership: to implement the agreements on strategic partnership often a bilateral, high-level commissions are created (e.g. Ukraine, Georgia). The commissions meet up at least once a year and regulate the activities of teams, which function under the authority of the Commission, that work towards development of above stated strategic directions.
- Shared Values: In all strategic partnership documents, shared values are perceived as core to the partnership. For example, it is underpinned in the U.S.-Georgia Partnership Charter of 2008 that 'this cooperation between our two democracies is based on shared values and common interests'³⁴. The Cross tabulation of codes of 'common values' and 'democracy' showed that they appeared jointly in 12 occasions. In the same document, it is highlighted that 'Our friendship derives from mutual understanding and appreciation for our shared belief that democracy is the chief basis for political legitimacy and, therefore, stability'³⁵.
- 'Shared values' as core of a partnership: U.S. Congressman Jim Risch and Jeanne Shaheen sent a letter of critique to the Georgian Government in 2020 expressing concern over the obstruction of the peaceful demonstrations by the Georgian Government and non-fulfilling the reforms promised during elections. More specifically, it is mentioned in the letter, that the events that take place in Georgia 'give us pause and raise questions about Georgia's commitment to our shared values'³⁶).
- Democracy as an important component of partnership: The qualitative analysis of documents on strategic partnership indicates that democracy, including its related components (political and social freedom, the rule of law, free and fair elections

³⁴ "United States-Georgia Charter on Strategic Partnership – United States Department of State." U.S. Department of State, 14 January 2021. [Online] <https://www.state.gov/united-states-georgia-charter-on-strategic-partnership/>.

³⁵ Ibid.

³⁶ "Risch, Shaheen express concern for potential backsliding of Georgian Democracy and Governance: United State's Senate Committee on Foreign Relations." US Committee on Foreign Relations, 29 January 2020. [online] <https://www.foreign.senate.gov/press/rep/release/risch-shaheen-express-concern-for-potential-backsliding-of-georgian-democracy-and-governance>.

independent justice system, free media, good governance) are the most frequently used terms that appear 110 times (as a comparison the terms related to economics appear 68 times).

- The independence of partnering states, their sovereignty and their territorial integrity as an important strategic direction: the acceptance and maintenance of the independence of the U.S. partnering states, their sovereignty and territorial integrity in at the core of the partnership. It is stated in the first part of the 2021 U.S.-Ukraine Charter on Strategic partnership's principals that 'sovereignty, independence, territorial integrity, and inviolability of borders constitutes the foundation of our bilateral relations'³⁷.
- U.S. support to building security capacities of the partnering states: In all official text on strategic partnership, the U.S. commits to support the security capacity building of the partnering state. In documents related to strategic partnership of states who strive to NATO/Euro-Atlantic Integration (e.g. The Baltic Charter 1998³⁸), the security components are linked to the Euro-Atlantic integration, whereas in the cases of Afghanistan³⁹, Singapore⁴⁰ and Indonesia⁴¹ it clearly shows that the U.S. support on security sector meets the needs and security environment of the corresponding partner.
- The framework of the provided security support to the strategic partnering states mainly includes 1) the increase of the U.S. arms export (e.g. Ukraine Freedom Support Act 2014)⁴², 2) Opportunity to use the Program of Foreign Military Financing, 3) Support to the Security Sector Reform, 4) Instilling and expending education programmes in defence sector.

³⁷ "U.S.- Ukraine Charter on Strategic Partnership." U.S. Department of State, 10 November 2021.

<https://www.state.gov/u-s-ukraine-charter-on-strategic-partnership/>

³⁸ "The Baltic Charter." U.S. Department of state, 16 January 1998. https://1997-2001.state.gov/www/regions/eur//ch_9801_baltic_charter.html.

³⁹ The U.S.- Afghanistan Strategic Partnership Agreement." Obama White House, 1 May 2012. <https://obamawhitehouse.archives.gov/the-press-office/2012/05/01/fact-sheet-us-afghanistan-strategic-partnership-agreement>.

⁴⁰ "Strategic Framework Agreement for a Closer Cooperation Partnership in defence and Security". Government of Singapore, 12 July 2005.

https://www.nas.gov.sg/archivesonline/data/pdfdoc/MINDEF_20050712001/MINDEF_20050712003.pdf.

⁴¹ "Joint statement by the United States of America and the republic of Indonesia. 'Obama White House, 16 October 2015. <https://obamawhitehouse.archives.gov/the-press-office/2015/10/26/joint-statement-united-states-america-and-republic-indonesia>.

⁴² "H.R.5859 - 113th Congress (2013-2014): Ukraine Freedom Support Act." 113th Congress, 18 December, 2014. <https://www.congress.gov/bill/113th-congress/house-bill/5859>.

- The chronological progression of the texts of strategic partnership shows that the security sector, the support provided by the U.S. meets the security needs of the given period of time. For example, according to Georgia Support Act 2022 and second charter on strategic partnership with Ukraine 2021, the U.S. is assigned to support the partnering states to develop cyber-security skills and in the fight against disinformation (e.g. in 2022 extra 30 million dollar was allocated by state annual budget to the Radio Liberty).
- Shifting the attitude towards Russian Federation: in the Charter on U.S. strategic partnership in 2008, it is stated that the conflict between Georgia and Russian Federation needs to be resolved. In contrast however, in Charter on Ukraine 2021, Georgia Support Act 2022 and Ukraine Support Act 2022, it is clearly highlighted the need to restrain Russia and impose sanctions for launching military operations.

Taking into account the nature of the U.S. strategic partnership with non-NATO Member states, it can be concluded that the U.S. views strategic partnership as a way of preserving law based post-Cold War liberal world order- from its perspective, contributing to the development of the partnering states' democratic, economic and security capabilities. This, in its turn, enables the U.S. to conduct global politics using the network of partner states.

Armenia-U.S. strategic dialogue and barriers to the strategic partnership for Armenia

Armenia-U.S. strategic dialogue commenced in 2019⁴³. During the first session of Armenia-U.S. dialogue an assistance agreement of up to 16 million dollars was signed to promote economic growth and good governance. Furthermore, U.S. Agency for International Development (USAID) announced the launch of a 6 million dollars dedicated to the support of democracy. The process of the strategic dialogue was somewhat paused in 2020 but was recovered on May 2022 during the visit of RA Minister of Foreign Affairs A. Mirzoyan to Washington. The joint statement⁴⁴ highlights

⁴³ RA Ministry of Foreign Affairs, May 2019 [Online] <https://www.mfa.am/hy/press-releases/2019/05/07/us-armenia-strategic-dialogue/9532>

⁴⁴ U.S. State Department, May 2022 [Online] <https://www.state.gov/2022-u-s-armenia-strategic-dialogue-joint-statement/>

the two main directions – democracy, prosperity and regional stability, towards security, conflict resolution. Later, on October 2022, during the U.S. Congressmen visit to Armenia, Armenia Caucus Co-chair Frank Pallone stressed that ‘U.S. has not been active in Armenia in terms of security because there is a Russian military base there and Armenia is a member of CSTO which also includes Russia⁴⁵’.

It should be noted that the law, which is being referred to as bases for the past five strategic partnership (e.g. Ukraine), is ‘Countering America’s Adversaries Through sanctions Act’ (hereafter *the Law*) enacted on 2017. The purpose of the Law is to oblige the executive bodies by law to impose sanctions upon people/organisations that are cooperating in important areas with Russia, Iran and North Korea. It is especially noteworthy for Armenia the sections 224-234 of the Law that oblige U.S. executives to impose at least five sanctions toward people/organisations that supported 1) Russian initiated cyber-attack, 2) Russian crude oil development projects, 3) those Russian organisations that are trying to avoid sanctions, 4) the development of the Russian pipeline projects, as well as 5) sanctions toward people/organisations who facilitates a *significant transaction* of Russian defence or intelligence sectors.

The Law or the U.S. State Department does not provide the definition for *significant transaction* deliberately leaving it open to interpret as appropriate. Simultaneously, there was defined a list of organisations making significant transaction of which can result in sanctions. Those are the Main Directorate of the General Staff of the Armed Forces of the Russian Federation (Main Intelligence Directorate), Federal Security Service of the Russian Federation, Foreign Intelligence Service of the Russian Federation, organisations of the military industrial complex of Russia, as well as other bodies or organisations connected to the intelligence. It is notable that the same Law was used by the U.S. to impose sanctions upon Turkey in 2020 (for obtaining S-400 missile system)⁴⁶.

⁴⁵ “U.S. has not been active in Armenia in terms of security because there is a Russian military base there and Armenia is a member of CSTO which also includes Russia”. Frank Pallone, Yerevan, 2022 https://www.azatutyun.am/a/32089571.html?fbclid=IwAR2kFc-Uo5ARZJ-R_Wa0Dwx1eTvYiQfaoh8oC1ADKibaNzv-Q7CIKNIP8c

⁴⁶ The United States sanctions Turkey Under CAATSA 231, US State Department, December 14 2020, <https://2017-2021.state.gov/the-united-state-sanctions-turkey-under-caatsa-231/index.html>

Given the abovementioned, it can be concluded that 1) there are legislative grounds for the U.S. sanctioning against anybody who directly or indirectly supports or cooperated with the Russian Federation., 2) the interpretation of the Law is deliberately left open which will enable the executive bodies use it as needed. Simultaneously, it can be assumed that 3) to develop Armenia-U.S. strategic partnership, Armenia needs to reduce the abovementioned significant transactions with Russian Federations (as well as within the CSTO). In this case, mere political decisions may serve as positive signals, for example the withdrawal of Armenian military contingent from Syrian Arabic Republic or commencement the withdrawal of the CSTO membership etc.

Opportunities for Armenia after overcoming the obstacles barriers

It will be realistic to work with U.S. Executive or Legislative Branches, including working on agreements/ legislative Acts through lobbying organisations, bilateral strategic partnership, only after overcoming Armenia's legislative barriers. Concurrently, signing agreement/act like this will open wide range of opportunities within the framework of The Foreign Military Financing Program of the U.S. to develop capacities of Armenia's Armed Forces (The Authority to build the capacity of foreign security forces under section 333 of title 10, United States Code) and provide defence articles and excess defence articles (the kind of defence weapons that the U.S. considers to be excess and provide them free of charge), as well as work on joint research⁴⁷ on defence sector. The privileges are defined in greater detail in the section of 517 of Foreign Assistance Act, which are discussed in the next subheading within the context of U.S. designated MNNA.

⁴⁷ "Cooperative research and Development agreement: NATO Organizations; Allied and Friendly Foreign Countries," U.S. Code November 2022 [Online] <https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title10-section2350a&num=0&edition=prelim#:~:text=10%20USC%202350a%3A%20Cooperative%20research,allied%20and%20friendly%20foreign%20countries>.

The status of Major-Non-NATO-Ally in the context of strategic partnership

U.S. granted MNNA military-political status is of great importance in terms of the U.S. strategic partnership. It is intended for those states that present ‘special strategic significance’⁴⁸ for the U.S., that ‘need security assistance by the U.S.’⁴⁹, but which ‘is out of the North –Atlantic Alliance and/or do not aspire to become a member of the abovementioned alliance’⁵⁰. In essence, MNNA is a specific format of strategic partnership that is designed by the U.S. to have more advance military and titular political significance. At the moment, countries that hold U.S MNNA status are Australia, Japan, South Korea, Argentina, Israel, Egypt, Jordan, New Zealand, Brazil, Colombia, Tunisia, Bahrain, Thailand, The Philippines, Kuwait, Pakistan, Morocco, Afghanistan (the status was rescinded on July 2022) and Qatar⁵¹.

The aim of this sub-heading is to discuss the opportunities of the U.S. military and military-technical assistance within the frames of the prospective of developing Armenia-U.S. strategic partnership and in the context of future possibilities to give the Republic of Armenia a non-bloc status. This part of the research is a content analysis of qualitative data, which is constructed around the following research question:

- ✓ *How to understand U.S. MNNA status in the context of developing Armenian foreign policy and Armenia-U.S. Strategic dialogue?*

To be in a position to answer comprehensively to this question, first we need to understand what the U.S. MNNA is and what are the military, political and bureaucratic specificities of this status, as

⁴⁸ White House. 2015. Remarks by President Obama and President Essebsi of Tunisia after Bilateral Meeting 21 May 2015. [online] <https://obamawhitehouse.archives.gov/the-press-office/2015/05/21/remarks-president-obama-and-president-essebsi-tunisia-after-bilateral-me>

⁴⁹ U.S. Code of 2017, Title 22, Chapter 32, 2321j Authority to transfer excess defence articles, amendments of 1987 and 1996. [https://www.gov.am/files/docs/4586.pdf] <https://www.govinfo.gov/content/pkg/USCODE-2017-title22/html/USCODE-2017-title22-chap32.htm>

⁵⁰ Extracted from a private correspondence with a former senior official of the U.S. State Department. Anonymous. September 2022.

⁵¹ Qatar MNNA status is yet in the process. See the U.S. Department of Defence 2022, ‘Major-Non-NATO-Ally’ designation Will Enhance U.S.- Qatar Relationship.

well as what are the advantages and disadvantages of it if put together with Armenia's security challenges and foreign policy.

What is U.S. MNNA Strategic Partnership?

MNNA has first been officially introduced by the President Ronald Reagan Administration in 1987 within the framework of National Defence Authorisation Act of 1987⁵². This provided status of non-bloc ally to a line of states, which would enable them to participate in NATO Joint research and development program in 1986⁵³. The core essence of this program was to promote the exchange of defence/security systems and weapons, as well as of its technologies between NATO allies, joint research, development and production. Notwithstanding the use of the term 'ally' in MNNA, it does not presume to hold its classical sense, which is – signing of an official document containing commitment to political protection by two subjects of international relations. Therefore, it is regarded to be titular and it is aimed at highlighting a political status. MNNA is a status that is granted one-sidedly by one state to the other to emphasize its privileged role for the latter within strategic partnership and enable them to access a number of privileges that are available at the disposal of the entity granting the status.

The non-obligatory nature of MNNA is stressed by the fact that the states who hold this status are non-bloc states, in other words, there is an absence of formal security obligations towards a state or by the state. It leads to the commitment to military, military-technical and political support, but not collective security responsibility towards its non-bloc ally⁵⁴.

⁵² National Defence Authorisation Act is an annual federal document that specifies U.S. Department of Defence annual budget and expenditure overseen by the U.S. Congress.

⁵³ Library of Congress. 1986. S.2638 – National Defence Authorization Act for Fiscal Year 1987; Sec 1105 of 22 USC 2767a. [online] https://www.egmontinstitute.be/app/uploads/2014/06/ESPO_WP6.pdf?type=pdf

⁵⁴ Hamilton, S. Daniel. 2014. "The American Way of Partnership", European Strategic partnership Observatory. Working Paper 6. 24p. [online] https://www.egmontinstitute.be/app/uploads/2014/06/ESPO_WP6.pdf?type=pdf

During the time and especially since 1990s, MNNA status was redefined and supplemented with line of mutually beneficial components⁵⁵, which give to the U.S. legal and political opportunities to expand the circle of its military interaction outside the NATO and be able to implement independent, operational and joint military events, organize trainings for specialists, install compatible systems, as well as provide contemporary American military products and technologies to a state that holds status of a non-bloc ally. The legal amendments enable the U.S. to be involved in the intellectual potential of the given state, joint research and production, as well as, as a non-bloc ally, project joint or mediated power and influence on the strategic environment of the given state. Thus, according to the U.S. interpretation this status is based on 'win-win' philosophy⁵⁶, when both parties involved, regardless of the systemic asymmetry, benefit and take opportunities equally without having the commitments as it appears in classic treaty-based alliances.

The Specificities of the Bureaucratic Procedures of Status Designation

MNNA is anchored in two fundamental U.S. legislative acts (laws). The first one is *Foreign Assistance Act*, which was adopted during President John Kennedy in 1961 but later underwent certain changes. This law regulates the provision of defence articles and defence services to U.S. allies or strategic partners, and their effective instilment and adaptation to the state's armed forces⁵⁷. This legislative act is one component in the title 22 of Law on 'Foreign Relations and Intercourse'.

The second one is amended law on controlling arms export called 'Arms Export Control Act'. It is aimed at complementing and to some extent clarifying the abovementioned law adopted in 1961,

⁵⁵ Jones, K. Debora. 1998. "Major Non-NATO Ally Status for Jordan: National security or Peace Politics?" National Defence University, National War College. Report. [online] <https://apps.dtic.mil/sti/pdfs/ADA441460.pdf>

⁵⁶ Hamilton, S. Daniels. 2014. "The American Way of Partnership", European Strategic partnership Observatory. Working Paper 6. 24p. [online] https://www.egmontinstitute.be/app/uploads/2014/06/ESPO_WP6.pdf?type=pdf

⁵⁷ U.S. Government, Foreign Assistance Act of 1961, Sec. 516, As amended through P.L. 117-103, Enacted March 15 2022. [online] <https://www.govinfo.gov/content/pkg/COMPS-1071/pdf/COMPS-1071.pdf>

empowering the U.S. president to control the export and import of defensive or products of military importance and defence and military services⁵⁸.

MNNA status is granted either by the president (based on the proposition made by the State Department or Department of Defence) or by the U.S. Congress toolbox. The Congress, with an appropriate legislative bipartisan initiative, suggests or obliges the president to grant the given country an MNNA status based on clear political or military motives and justifications.

According to the title 22 of the U.S. “Foreign Relations and Intercourse” law section 2321k, the president shall notify the Congress in written form at least 30 days before designating a country as a major non-NATO ally for purposes of this chapter and the Arms Export Control Act⁵⁹. Simultaneously, according to the U.S. law on ‘Armed Forces’ title 10, the U.S. president orders Department of Defence designate status of MNNA to the given state by coordinating it with State Department. Subsequently, U.S. Department of Defence is authorised to sign memorandums and other official documents with the new non-bloc allied state. This intends to increase combat and defence capabilities of the Armed forces of the MNNA state, which in its turn will give chance to the latter take advantage of the U.S. military, military-technical, financial and military-technological assistance or joint cooperation.

According to the same Law section 2350a on ‘Cooperative research and development’, Department of Defence and State Department are obliged to report to the U.S. Senate Committee of Armed Services and International Relations of the House of Representatives on the content of interaction, standards as well as on framework of foreseen military, security, military-technical and military-technological cooperation and support.⁶⁰

U.S. president hold the right to inform the U.S. Congress about the decision of cancellation of a MNNA status for a state within 30 days based on the justifications presented by Department of

⁵⁸ Office of the Law Revision Council, United States Code, Arms Export Control Act of 1976, 39 chapter of 22 Title [online] <https://uscode.house.gov/view.xhtml?path=/prelim@title22/chapter39&edition=prelim>

⁵⁹ ‘Foreign relations and Intercourse’ title 22, U.S. Government, P. 754
<https://www.govinfo.gov/content/pkg/USCODE-2020-title22/pdf/USCODE-2020-title22-chap32-subchapII-partII-sec2321k.pdf>

⁶⁰ U.S. House of Representative U.S. Law title 10, section 2350a, March 2022 [online]
<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title10-section2350a&num=0&edition=prelim>

Defence and/or State Department⁶¹. Moreover, within the framework of relevant legislative initiative, the U.S. Congress also holds the right to request U.S. Government to withdraw MNNA status of a given state, if the foreign policy of the latter (e.g. in case of Pakistan), or internal political processes (e.g. in case of Afghanistan) are conflicting with the U.S. interests or challenge its adopted political value-system.

Tentative Criteria of MNNA Designation

It is evident, that U.S. MNNA candidate state should match certain systemic, institutional, value-system and political criteria. Back in 1988 Department of Defence presented to U.S. Senate Committee of Armed Services a list of provisional criteria⁶², which was redefined in 1996 and 2015 given the changing geopolitical reality. It is worth noting that nowadays there is no rigid list of criteria, which gives the different state institutions of the United States a freedom to highlight their own priorities as conditional criterion. Simultaneously, this opportunity facilitates MNNA candidate states to negotiate their conditions in the process. In fact, the candidate states obtain room of influencing the system of the U.S. decision-making with the help of lobbying, to effectively reconcile both parties' state interests, and beneficially manoeuvre between U.S. legislative and executive bodies.

Therefore, the conditional criteria of U.S. MNNA status designation are generally the following:

- The candidate state should have no aspiration to join the North-Atlantic Alliance, and be located outside the geopolitical and geographical orbit of the given alliance. Although it should represent a unique strategic interest to the United States. The state should demonstrate an intention to engage with the United States in strategic inter-action and military cooperation by harmonizing the national interests of the both parties in its strategic

⁶¹ Extracted from a private correspondence with a former senior official of the U.S. State Department. Anonymous. September 2022

⁶² Jones, K. Debora. 1998, Major Non-NATO Ally Status for Jordan: National security or Peace Politics? National Defence University, National War College. Report. [online] <https://apps.dtic.mil/sti/pdfs/ADA441460/pdf>

environment as well as should seek an enhanced rationalisation, standardisation, and interoperability with the U.S. military and defence systems.⁶³

- The candidate state should have a democratic form of governance pluralist political system and a civil society. The government of that state should pursue a level of strategic partnership with the United States underpinned by a set of bilaterally adopted substantial documents identifying the wide spectrum of agenda of deep and coordinated cooperation in defence and security. The candidate state should not be a member of any military bloc that implies collective defence commitments.⁶⁴
- The candidate state should share a common vision pertaining to the international security environment with the United States, striving to invest in the international security and predictability of international environment by contributing to the establishment of the rules-based co-operative international order, which rejects the formation of different spheres of influence.⁶⁵
- The candidate state should utilize or may have an interest to procure a wide range of U.S. systems and technology, which it is in the U.S. interest to improve and modernize them in contribution to the security and stability of that state. The candidate state should have an interest in contributing to the development of the military technologies with its national potential, by involving into the modernisation of the defence technologies or by engagement into cooperative research and development of the innovative technologies with the United States.⁶⁶
- The state institutions of the candidate country, responsible for the security and defence, should prioritise the strategic partnership and deep cooperation with the peer institutions of the U.S., which makes it possible for effective experience sharing as well as installation,

⁶³ Extracted from a private correspondence with the former officer serving with the U.S. State Department. Anonymous, October 2022.

⁶⁴ Extracted from a private correspondence with the member of the House of Representatives of the Congress of the United States. Anonymous October 2022.

⁶⁵ Extracted from a private correspondence with the former officer serving with the U.S. State Department. Anonymous October 2022.

⁶⁶ Extracted from a private correspondence with the former officer from the U.S. Department of Defence. November 2022.

localisation and adaptation of the U.S. defence and military systems and their components.⁶⁷

Military Importance of MNNA

As a result of the legislative amendments on MNNA status between 1996-2001, this framework of strategic partnership became more powerful by gaining number of clear advantages and privileges.

Hence, the privileges derived from the Foreign Assistance Act section 517 are as follow:

- Right to take advantage of using opportunities of the *Foreign Military Financing* for funding of projects from national military industrial complex, as well as for commercial leases in addition to government-to-government sales.
- Right to receive funding for researching, developing, experimenting and assessing military or defence technologies.
- Right to obtain excessive defence articles, that is U.S. made weapons and ammunition, military equipment and technologies of various purposes and/or other means, using privileged conditions (with free or preferential credit terms), including permission to obtain depleted uranium ammunition.
- Right to deploy in one's own territories the U.S. Department of Defence War Reserve Stockpiles.
- Right to organise joint headquarter and field military training with U.S. Armed Forces, jointly developing featuring operations and combat training.

Privileges derived from Section 10 of the same law:

- Right to participate in military industrial enterprises, U.S. military research contract tenders.
- Allows the state to establish joint military industrial laboratories, cooperative research, development, as well as to conduct testing, evaluation and production.
- Make the state eligible to take a loan with the right to conduct joint research on innovative technologies and relevant equipment.

⁶⁷ Ibid.

- Issue a license for export satellite, autonomous and/or high technology systems and programmes from the U.S..
- Right to participate or organize counter-terrorist or other special training with the U.S. corresponding institutions.

The political Importance of MNNA

According to the U.S. State Department “The Major Non-NATO Ally designation is a powerful symbol of the close relationship the United States shares with those countries and demonstrates our deep respect for the friendship for the countries to which it is extended”.⁶⁸ As it was already mentioned, MNNA does not imply collective security or direct defence duties of the U.S., as it appear in case of NATO, however it still provides wide range of opportunities in military, security, technological aspects and it hold special political importance in international relations. In political sense, this status presents from itself a foreign policy tool, which, as a form of military-political interaction is not limited by geographical or even value-system boundaries.

The comparative analysis of Jordan, Thailand, Tunisia, Egypt, Australia, Argentina and South Korea demonstrate that the mere designation of the MNNA status leads to the increased ranking and political value of the state in the geopolitical arena. The given state gains more importance and role in the U.S. geopolitical projection in the context of issue-splitting, burden-sharing in running coordinated politics in international realm.

Politically an MNNA status implies that the designated state enjoys political trust of the U.S in its regional environment, and that the U.S. prioritises the state interests of the latter, its regional role within the context of U.S. led geopolitical planning. Besides, the status sends positive signals and attraction for both U.S. traditional allies and dozens of states who hold the status of a non-bloc ally.

⁶⁸ U.S. Department of State, 2018, Bureau of Politico-military Affairs, Major Non-NATO Ally: fact sheet: [online] <https://www.state.gov/major-non-nato-ally-status/>

U.S. MNNA has two categories. One is to provide the state with a higher classification than the classic status that is *Major Strategic Partner*. It was designated to Israel by the U.S. Congress in 2013, which was then, according to the legislative act, enacted by the president⁶⁹. The other one implies slightly lower classification than the classic MNNA, which is defined as *Major Defence Partner*. In 2018, after the 22nd amendment of the legislative act, this status was designated to India, which certain limitations on strategic, military and security sector joint planning, military production, joint research on military technologies and information exchange.

⁶⁹ U.S. Congress. 2014 S.462 – U.S. –Israel Strategic Partnership Act of 2013, [online] <https://www.congress.gov/bill/113th-congress/senate-bill/462/text>



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CHAPTER II

COLLECTIVE SECURITY VERSUS MANEUVERABILITY

The aim of the following Chapter is to examine the evolutionary stages of the Collective Security Treaty Organisation (CSTO) to identify the commitments of the Republic of Armenia within the Organisation, which, while were considered/ are being considered by Armenia in terms of ensuring its own territorial integrity, sovereignty and independence on a collective basis, at the same time they contradict the opportunities discussed in Chapter I.

The research in this Chapter, therefore, addresses the following questions:

- ✓ *whether the membership of the Republic of Armenia in the CSTO is compatible with the opportunities presented in Chapter I, and*
- ✓ *to what extent the membership of the Republic of Armenia to the CSTO has ensured or is ensuring the territorial integrity, sovereignty and defence capability of Armenia, through the CSTO Collective Security System (CSTO CSS), by the utilization of the forces and means of the Collective Security System (CSS forces&means), via the implementation of the collective security fundamental principles of the States Parties to the Treaty and through exercising the right of collective defence.*

The Chapter "Collective Security VERSUS Maneuverability" consists of two Headings, which, in their turn, are divided into sub - headings. The first Heading is entitled: "From the Treaty to the Organisation" researching and analyzing the statutory documents agreed and adopted within the framework of the CSTO. The second Heading is entitled "The Nature and Essence of Military-technical Cooperation". It comprises a thorough research and analysis of the CSTO CSS forces&means, military-technical cooperation under the CSTO and in the bilateral Armenian-Russian domain.

HEADING I

FROM THE TREATY TO THE ORGANISATION

This Heading consists of four sub-headings, covering 1) *the Collective Security Treaty*, 2) *the Concept of Collective Security of the State Parties to the Collective Security Treaty*, 3) *the CSTO Charter*, and 4) *the CSTO Collective Security Strategy for the period up to 2025*.

1) *The Collective Security Treaty*

The CSTO is a military-political organisation established on the basis of The Collective Security Treaty⁷⁰ (hereafter *the Treaty*). Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia and Tajikistan are members of the Organisation.

The Treaty was signed on 15 May 1992, in Tashkent by the Presidents of Armenia, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Uzbekistan. In 1993, Azerbaijan, Georgia and Belarus joined it, too. The Treaty came into force on 20 April 1994. In 1999, in Moscow, the leaders of Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia and Tajikistan signed a Protocol on the extension of the Treaty, providing the possibility of the automatic extension of the latter every five years.

The States Parties to the Treaty have committed not to join military alliances or take part in any grouping of states, and also in actions directed against any other State Party⁷¹. According to Article 2 of the Treaty, in case of a threat to security, stability, territorial integrity and sovereignty of one or more member States or a threat to international peace and security, the member States will immediately activate a mechanism for joint consultations to coordinate their positions, as well as develop and implement measures to help such member State to eliminate the threat.

Article 4 of the Treaty lays down the responsibility for collective defence. In particular, if one of the member States undergoes aggression (an armed attack threatening security, stability, territorial integrity and sovereignty), it will be considered by the rest of the member States as aggression

⁷⁰ https://odkb-csto.org/documents/documents/dogovor_o_kollektivnoy_bezopasnosti/#loaded

⁷¹ See Article 1 of the Treaty.

against all. At the request of this member State, all the others shall immediately provide the latter with the necessary assistance, including military, as well as support with the means at their disposal in accordance with the right to the collective defence pursuant to Article 51 of UN Charter. The decision on the use of the CSS forces&means in accordance with Articles 2 and 4 of the Treaty is taken by the Heads of the member States. They may be used outside their territory solely in the interests of international security, in accordance with UN Charter and their national legislation⁷². *Articles 2 and 4 constitute the cornerstone of the Organisation's formation, functioning, and development. Following the Treaty, all the statutory and sectoral documents aimed at building an effective CSTO CSS, deepening sectoral cooperation and establishing means and mechanisms for ensuring collective security have been negotiated and adopted based on the spirit and letter of these articles.*

Once signing the Treaty the States Parties acknowledged that it was not directed against third countries, it did not affect the rights and obligations under other existing bilateral and multilateral treaties and agreements signed with other States, as well as their right to individual and collective defence against aggression in accordance with UN Charter⁷³. *At the same time, they committed not to enter into international agreements incompatible with the Treaty. This provision is of a key importance in the context of the adoption of a political decision by the competent authorities of the Republic of Armenia to revise Armenia's level of participation in CSTO bodies, or maintain/terminate its membership in the Organisation. This Research suggests, in the process of taking such a decision to examine this provision from the perspective of the factual implementation and/or effectiveness/or inefficiency of the implementation of CSTO principles of ensuring collective security in protecting the territorial integrity and sovereignty of the Republic of Armenia, and to consider the monitoring results (both negative and positive) in the context of the opportunities deriving from the conceptual provisions presented in the introductory part of the Research, and the opportunities and limitations explored in the Chapter I.*

⁷² See Article 6 of the Treaty.

⁷³ See Article 8 of the Treaty.

2) *The Concept of Collective Security of the States Parties to the Collective Security Treaty*

The first document of conceptual significance following the Treaty was the Concept⁷⁴ of Collective Security of the State Parties to the Collective Security Treaty (hereafter *the Concept*), adopted by the Collective Security Council (CSC) in Almaty on 10 February 1995. *The Concept defines the basis both for military policy and for ensuring the collective security of the States Parties, along with the main directions and phases of establishing the Collective Security System.* This Concept will be considered in the context of a comparative study with Russia's National Security Concept from 1997⁷⁵ to present a comprehensive image of the formation of the existing positions in the Concept.

Thus, all the State Parties to the Treaty agreed to take coordinated political, economic, military and other measures to implement Concept's provisions. In the field of military policy, they agreed to use a consultation mechanism aimed at coordinating positions and implementing a coordinated security policy. If there was such a need in regard with other CIS member States, the consultations would have to include issues of military cooperation and mutual assistance while solving problems of military construction.

This position, based on a mutual assistance approach for the other CIS member States, was quite natural since the Treaty was generally positioned and viewed as the determination of the states in the CIS system after the collapse of the Soviet Union to preserve a unified defence territory. On top of that, the military policy of the State Parties to the Treaty was based on the idea that they were united by military-political and economic interests, formed a military-technical base and infrastructure, and sought to conduct a coordinated policy to ensure collective security. This approach was fully in line with the foreign policy determined by the Russian Federation in 1997. Russia's national interests called for the adoption and implementation of such foreign policy, which would be aimed at strengthening Russia's position "as a great power, one of the influential centers

⁷⁴ https://odkb-csto.org/documents/documents/kontseptsiya_kollektivnoy_bezopasnosti_gosudarstv_uchastnikov_dogovora_o_kollektivnoy_bezopasnosti/#loaded

⁷⁵ <https://www.armscontrol.ru/start/rus/docs/snconold.htm>

of the emerging multipolar world" and the formation of the CIS integration group "on a voluntary basis" was one of the main components of the aforementioned political course.

In the context of the position coordinating in the military policy field and implementing agreed policy in the security field the Concept also considered NATO and other military-political organisations. Specifically, the issues of cooperation and partnership and participation in the existing and emerging regional security institutions were highlighted in this case. Due to the geopolitical period of the adoption of the Concept, while developing measures to ensure collective security, the parties considered that "the end of the global confrontation between East and West has significantly reduced the threat of a World war". Therefore, the Concept, among the priorities of joint activities aimed at preventing military threats, included (among others) the establishment and development of equal partnership relationships with NATO, other military-political organisations and regional security structures. While looking at this position more holistically, it should be noted that it fully reflected Russia's stance on developments on the international arena at the time. In particular, according to Russia, the international situation was characterized by the reinforcement of tendencies in the formation of a multipolar world with prerequisites for the demilitarization of international relations, the strengthening of the role of law in the settlement of disputed interstate issues and the weakening of the threat of direct aggression against the Russian Federation. At the same time, Russia emphasized that international political, economic and information exchanging processes should be coordinated, because if military power factors continued to play a role in international relations, then economic, political, scientific, technical, informational and other factors would play an increasingly important role. Russia has also acknowledged that the country's influence on the resolution of fundamental issues of the international life has diminished considerably, and, in parallel, "the desire of a number of states to weaken Russia's position in the political, economic and military spheres has increased". In this context, it was stressed that the prospect of NATO's expansion to the East was unacceptable, since it posed a threat to Russia's national security. Concurrently, Russia emphasized that its ability to guarantee national security interests through political and legal means was limited due to the inadequate effectiveness of multilateral mechanisms (UN, OSCE, CIS) to ensure regional and global peace and security.

Under the CSTO Concept, the territorial claims of other states against the States Parties to the Treaty, existing and potential hotbeds of local wars and armed conflicts (mainly next to their borders), external attempts to interfere in their internal affairs and destabilize their internal political situation (among others) were considered by all of them as the main sources of military threat. The aforementioned position was largely based on the fact that the existing and probable hotbeds of wars and armed conflicts near state borders of Russia were seen by the latter as the most real threat in the sphere of defence, and, although in practice, the country excluded the threat of large-scale aggression against it, meanwhile it did not exclude military competition attempts.

According to the CSTO Concept, the objective of the States Parties in ensuring collective security was to prevent wars and armed conflicts and in case of the outbreak of latter, to ensure guaranteed protection of the interests, sovereignty, and territorial integrity of the States Parties. The document also referred to article 4 of the Treaty, emphasizing that in case of aggression, the States Parties, according to the above article, "resist it and take measures to force the aggressor to cease hostilities".

The Concept also laid down the basic principles upon which collective security should be based, namely:

- ✓ inviolability of security, i.e. aggression against a State Party was considered as aggression against all States Parties,
- ✓ the equality of responsibilities of States Parties to ensure security,
- ✓ collective defence, formed on a regional basis,
- ✓ decision-making on fundamental issues of collective security on the basis of consensus (afterwards, this principle was changed with the introduction of a decision-making mechanism in a limited format),
- ✓ respect for territorial integrity and sovereignty, non-interference in internal affairs, consideration of each other's interests, etc.

The next key highlight of the Concept was that the CSS was the basis of collective security. The CSS was considered as a set of interstate and state governing bodies, forces and means designed to protect the States Parties' interests, sovereignty and territorial integrity on a common legal basis (taken into account national legislation). With respect to the CSS forces&means, according to the Concept, the States Parties should consider their armed forces and other troops, coalition/combined groups of troops/forces in the regions that were to be created to repel aggression against them, as well as joint/combined air defense systems. The creation of the CSS forces&means were aimed at deterring a potential aggressor, revealing and repelling potential aggression in a timely manner, securing the borders of the States Parties as well as participating in peacekeeping operations.

Since the creation of the CSS forces&means derived from the obligation to operationalize the provisions of Articles 2 and 4 of the Treaty, the States Parties to the Treaty agreed to reconcile their legislation in the field of defense and security, to develop common approaches to bringing troops/forces to the highest level of combat readiness, forms and methods of their training, operational and combat use, as well as coordinated mobilization preparation of state economies. They have also agreed to coordinate training programmes for their military personnel and specialists and plans for the development, production, supply and repair of weapons and military equipment, etc. The fact that the Republic of Armenia (among all other member States) has assumed the obligation to carry out these activities should be seen as a position aimed at establishing and implementing a coordinated defence and security policy, which is best reflected in the CSTO Collective Security Strategy for the period up to 2025 (the Strategy is discussed in sub-heading 4 of this Heading).

3) The CSTO Charter

On 7 October 2002, in Chisinau, the States Parties to the Treaty founded the Collective Security Treaty Organisation as an international regional organization. The CSTO Charter⁷⁶ and the

⁷⁶ https://odkb-csto.org/documents/documents/ustav_organizatsii_dogovora_o_kollektivnoy_bezopasnosti_/#loaded

Agreement⁷⁷ on the Organisation's legal status came into force on 18 September 2003. The Charter was registered in the UN Secretariat in December 2003. The decision to transform the Treaty into an organisation was interpreted by the States Parties as a strong desire to further develop and deepen politico-military cooperation to ensure and enhance national, regional and international security, as well as determination to pursue and deepen the close and comprehensive allied relations in foreign policy, military and military-technical spheres⁷⁸.

Before turning to the main provisions of the Charter, it should be pointed out that in 2000 Russia revised⁷⁹ its Concept of National Security of 1997. The revised concept stressed that two mutually exclusive tendencies prevailed after the end of the bipolar confrontation era. In particular, the first tendency was expressed in the "economic and political strengthening of a significant group of states and their integration unities as well as in the improvement of multilateral mechanisms for managing international processes", and the Russian objective was to foster the formation of a multipolar world precisely on the basis of this tendency. The second tendency was expressed in attempts to form a system of international relations where "the Western states led by the United States would dominate and where key global policy issues would be solved unilaterally, primarily through military means, bypassing the fundamental norms of international law". Thus, in terms of international processes management perception, the Russian Federation underlined the gradual deepening of ideological differences between itself and the collective West.

It should also be noted that Russia put emphasis on the growth of threats and their scale in the military field. In particular, "NATO's transition to the practice of military operations outside the Alliance's zone of responsibility and without appropriate UN Security Council sanctions, elevated to the rank of strategic doctrine, is fraught with the threat of destabilizing the entire global strategic situation". According to Russia, its main threats in the international sphere have been caused, in the first place, by "NATO's expansion to the East, the potential of the emerging military bases and

⁷⁷ https://odkb-csto.org/documents/documents/soglashenie_o_pravovom_statuse_organizatsii_dogovora_o_kollektivnoy_bezopasnosti/#loaded

⁷⁸ See the Preamble of the CSTO Charter.

⁷⁹ <http://www.kremlin.ru/acts/bank/14927>

large military contingents in the immediate vicinity of its borders, the weakening of integration processes in the CIS space, the emergence and escalation of conflicts at the internal borders of the CIS countries near its borders". Therefore, Russia's national interests in the international sphere included "strengthening Russia's interests as a superpower and an influential center of the multipolar world, developing equal and mutually beneficial relations with all states and integration units, primarily with the CIS member States". The country envisioned protecting its national interests in the military sphere by "preventing military aggression against Russia and its allies" amongst others. Foreign policy aimed, inter alia, at developing relations with the CIS member States and integration formations within the CIS, "corresponding to its national interests".

Under the CSTO Charter, the Organisation's objective⁸⁰ is to strengthen peace, international and regional security and stability, as well as *to protect the independence, territorial integrity and sovereignty of the member States on a collective basis*. To achieve these objectives, the Republic of Armenia (among all the other member States) has committed itself *to taking joint measures to form an effective CSS within the framework of the CSTO. This system was supposed to be able to provide "collective protection in case of a threat to security, stability, territorial integrity and sovereignty, as well as to ensure the exercise of the right to collective defence". Forming an effective CSS also included the creation of coalition/collective forces of the Organisation, regional/combined groupings of troops/forces, peacekeeping forces, joint command and control systems and, as well as military infrastructure. Thus, setting up an effective CSS emphasized the commitment and joint work of all member States.*

It is quite logical that in order to strengthen peace, international and regional security and stability, as well as to ensure the collective defence of their independence, territorial integrity and sovereignty, the member States should also collaborate in the military-technical (military-economic) field, in the direction of "providing the armed forces, law enforcement agencies and special services with the necessary armament, military, special equipment and special means they

⁸⁰ See Article 3 of the Charter.

need, as well as in the field of training military personnel and specialists for national armed forces, special services and law enforcement agencies"⁸¹.

Particular attention should be paid to the fact that the member States committed themselves to holding urgent consultations with other member States, i.e. to coordinate their position, before taking a decision on the deployment of troops/forces and military infrastructure facilities from non-CSTO states onto their territories⁸². This provision of the Charter, derives, on the one hand, from the obligation to conduct a combined policy in the politico-military domain, as well as to ensure and strengthen the collective defence. On the other hand, it constitutes an obstacle to the deployment of the military potential of any third State on the CSTO member States' territories in the interests of their own national needs. In fact, this restriction could be in benefit of a member State if the obligation to protect the independence, territorial integrity and sovereignty of the member State on a collective basis is actually and not selectively applied. Therefore, we propose that the relevant authorities of Armenia consider this as an obstacle in the context of establishing a system-based, value-based politico-military cooperation (including a strategic partnership) with non-CSTO states stemming from the need to protect the territorial integrity and sovereignty of Armenia.

Decisions of the Collective Security Council (CSC), the Council of Foreign Ministers (CFM), the Council of Defence Ministers (CDM) and the Committee of Secretaries of Security Councils (CSSC), are adopted by consensus, except for procedural issues. At the same time, it should be emphasized that according to the Amendments to the CSTO Charter, signed in Moscow on 10 December 2010, the CSC has the right to make decisions in a limited format, provided that no member State objects such a decision-making procedure and a specific solution. A member State which has not voted for the adoption of a decision in the above-mentioned format shall not be liable for the consequences of the decision that was made. This change is considered by the CSTO member States as a step forward since it allows, on the one hand, to fulfill functions under the CSTO flag deriving from the collective defence, and on the other hand, a member State that refers to the issue with a reservation shall not participate in actions to perform those functions. At the same

⁸¹ See Article 7 of the Charter.

⁸² See Article 7 of the Charter.

time, the need to adopt this provision speaks for itself that gradually some differences of the member States' strategic interests emerged during the evolution of the Organisation.

Any CSTO member State can leave the Organisation. Under the procedure, following the settlement of its obligations within the Organisation, that member State sends an official notification of withdrawal of the CSTO to the depositary of the Charter no later than six months prior to the date of its withdrawal⁸³. If any member State fails to comply with the provisions of the Charter, as well as decisions of the CSC and other bodies, the Council may suspend its participation in the CSTO bodies' activities. If any member State continues to be in non-compliance with the above obligations, the Council may decide to expel it from the Organisation. In this case, decisions are taken without taking into account the vote of that member State⁸⁴.

The example of leaving the CSTO by the Republic of Uzbekistan is remarkable both in terms of political processes and the procedures of the Organisation. Particularly, Uzbekistan is one of the initial signatories of the Collective Security Treaty. Nevertheless, on 2 April 1999, when the Presidents of Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia and Tajikistan signed the Protocol on the extension of the Treaty in Moscow, Uzbekistan, along with Azerbaijan and Georgia, refused to sign it. In 2005 the West pursued a policy of isolation towards Uzbekistan because the authorities violently dispersed the demonstrations in Andijan. At the end of 2005, the last American military base was withdrawn from Karshi-Khanabad (Uzbekistan), and Uzbekistan in its turn signed an agreement⁸⁵ about its allied relations with Russia and restored its membership in the CSTO.

On 28 June 2012 Uzbekistan addressed an official note to the CSTO Secretariat on suspension of its participation in the Organisation' activities ⁸⁶. While the Secretariat was exploring the legality of the documents presented by Uzbekistan, the Russian side described the move by Uzbekistan as predictable, taking into account the level of passive participation of the latter in the CSTO activities. In particular, this country had the following strategy: either it did not participate in the CSTO CSC

⁸³ See Article 19 of the Charter.

⁸⁴ See Article 20 of the Charter

⁸⁵ <https://lex.uz/docs/1345957>

⁸⁶ <https://www.gazeta.uz/ru/2012/06/29/odkb/>

and CDM meetings or was in without signing any documents. Before we touch base on the legal procedures of leaving the Organisation by Uzbekistan, some political processes will be mentioned below, which the Uzbek side was exercising since 2008, which in its turn could be considered as a predictable position of its decision to leave the Organisation in 2012. Specifically, since 2008 the American side started to take steps to restore the relations with Uzbekistan mainly due to the transportation and communication possibilities of the country. During the same year, the United States had an agreement with Uzbekistan for transporting non-military cargos through Navo airport, and in 2009 during the EU Foreign Ministers' meeting, a decision was made to waive the supply limitations. Following President Islam Karimov's visit to Brussels, an agreement on establishing an EU delegation in Uzbekistan was signed.

Besides, the official Tashkent started to exert efforts to get the economic assistance of the West, and it resulted to the EU commitment to provide high technologies to Uzbekistan for Implementing the priority projects, developing the infrastructures and expanding the scientific-technical ties, as well as participating in the implementation of energy-saving technologies, developing of the transportation, communication and transit corridors among the regions. Furthermore, on 22 September 2011 the US Congress made a decision to waive the restrictions (imposed in 2004) on providing military aid to Uzbekistan, justifying it with the necessity to ensure the security of the Northern distribution network. After a week during the phone call between the leaders of the two states, the sides reiterated their commitment to continue the open and comprehensive political dialogue, as well as highlighted their eagerness to enhance USA-Uzbekistan partnership based on mutual respect and trust⁸⁷.

In parallel to these processes, Uzbekistan consistently demonstrated its position to refrain from those integration projects where Russia would have a key role. Particularly, in October 2008, the country left EurAsEC reasoning it with the ineffectiveness of the Organisation. During this period, Uzbekistan maximally restricted its participation in CSTO procedures. Specifically, the Uzbek side refused to participate in Collective Rapid Reaction Forces formation. Remarkably, Uzbekistan had a negative attitude toward strengthening the integration processes within the Customs Union. The

⁸⁷ <https://www.uzdaily.uz/ru/post/8367>

leadership of the country was proving this stance from the perspective that the integration processes could exceed the line of the economic interests and get a political context, which in its turn could have had a negative impact on already existing ties and cooperation between the members of the integration processes and their external partners, as well as hinder the development of integration processes with third countries.

Among the procedural processing of leaving the CSTO by Uzbekistan, the highlight is that any member State can leave the Organisation according to the provisions of Article 11 of the Treaty and Article 19 of Chapter 6 of the CSTO Charter (the latter are presented in the 1st and 3rd sub-headings of this Heading). Meanwhile, according to Article 20, the participation of a particular state in the activities of the CSTO bodies may be terminated only by the CSC if that country does not exercise its Statutory commitments. Only in a case if that country continues not to implement its commitments, the CSC may decide to expel that country from the Organisation. Hence, as the CSTO Statutory documents read, Uzbekistan was not legally eligible to address an official note to the Organisation on the termination of its participation in the activities of the Organisation as there is no such a provision in those documents. The rest of the member States, calling the fact that Uzbekistan does not exercise its Statutory commitments, might terminate Uzbekistan's participation in the CSTO bodies, and in case of its continuation, they could expel its membership. However, on 19 December 2012 the CSC not only discussed Uzbekistan's appeal, but also made a decision⁸⁸ to terminate its membership in CSTO.

4) the CSTO Collective Security Strategy for the period up to 2025

The next key document characterizing the evolution of the CSTO is the "CSTO Collective Security Strategy for the period up to 2025"⁸⁹ (hereafter *the Strategy*) adopted by the decision of the CSC on 14 October 2016. The above document is a set of the CSTO strategic goal and objectives along with including those activities that are carried out by the Organisation in the interests of collective

⁸⁸ <https://odkb-csto.org/session/2012/session201212/#loaded>

⁸⁹ https://odkb-csto.org/documents/statements/strategiya_kollektivnoy_bezopasnosti_organizatsii_dogovora_o_kollektivnoy_bezopasnosti_na_period_do_2025/#loadedh

security. It serves as basis for CSC development planning. Under the term "collective security", the Organisation considers such a state of protection of the collective interests of the CSTO member States, which enables each of them to assure their independence, territorial integrity, sovereignty, defence capability and protection against threats based on the coordination and implementation of joint activities.

The CSTO CSS, in its turn, is an assembly of the CSTO and state governing national bodies, forces and means of the member States, which, in accordance with international law and national legislation, ensure the protection of their collective interests, sovereignty and territorial integrity on a collective basis.

Consequently, the adoption of the above-mentioned Strategy has been considered by the Republic of Armenia as a further bold step forward aimed at strengthening the level of protection of the collective security of the member States, which, in its turn, should have provided Armenia with an opportunity to secure its independence, territorial integrity, sovereignty, defence capability and protection against threats through coordination and joint activities.

In order to comprehensively assess the level of effectiveness and/or inefficiency of the CSTO Strategy for the security environment of the Republic of Armenia, it should be emphasized that its adoption was conditioned by several factors - the dynamics of the development of geopolitical events, the transformation of international relations and the expansion of the spectrum of cross-border challenges and threats. Therefore, the provisions of the Strategy will be examined on the principle of comparison with a number of provisions of the Russia's National Security Strategy 2015 in order to demonstrate the interconnection between the ideological and operational development of the Organisation and the positioning of Russia in geopolitical developments on the one hand and on the other - to demonstrate the potential increase of the negative consequences for Armenia of the coordination of foreign policy positions within the CSTO on global and regional security issues, which, in particular, is conditioned with the current state of affairs between Russia and the Collective West.

Thus, according to Russia's position, the NATO power potential buildup, "endowing it with global functions carried out in violation of international law," the intensification of military activities of its member States, the further expansion of the Alliance and the convergence of its military infrastructure to Russia's borders represent a threat to its national security. Furthermore, the 2015 strategy indicated that the West's position is aimed at countering the integration processes and creating hotbeds of tension in the Eurasian region, therefore, has a negative impact on the realization of Russian national interests. In those circumstances, Russia pursued a policy aimed at developing the potential for regional and sub-regional integration and coordination on the territory of the CIS member States (CSTO, EAEU, Union State) "which have a stabilizing effect on the overall situation in the areas adjacent to the CIS member States, the Republic of Abkhazia and the Republic of South Ossetia.". The new strategy also reinforced the thesis that "the United States and the EU support for the unconstitutional coup d'etat in Ukraine led to a deep split in Ukrainian society and the emergence of an armed conflict". Along with the above-mentioned factors, Russia stressed that it stands for the qualitative development of the CSTO, its transformation into a universal international organization capable of countering regional challenges and threats of a politico-military and military-strategic nature, as well as threats in the information sphere.

Under the CSTO Strategy, external threats and challenges to the collective security of the Organisation included the presence of unresolved conflicts in the states adjacent to the CSTO Zone of responsibility, implementation by other states of the policy of achieving superiority in the military sphere, activities to undermine state power and change the constitutional order in the CSTO member States, implementation of destructive ideological and psychological impact on the population of the member States through electronic information networks and media resources, etc.. A number of internal threats and challenges to collective security included the use of information and communication technologies for the purpose of manipulating public consciousness in the member States, destructive impact on the socio-political and socio-economic situation, etc. Indeed, this list of internal and external threats and challenges was already the best characterization of the increasing fundamental ideological differences, the rivalry and the clash of global interests between Russia and the collective West. Thus, it was quite predictable that, to interact with the outside world, the CSTO would have to begin to establish a common code of

conduct consistent with the idea of collective security on the one hand, and creating obstacles to Armenia (among all other member States) on the other hand to plan and develop system-based politico-military relations with non-CSTO States. In addition, we suggest that the list of internal threats deserves special attention in terms of guaranteeing democratic values and principles, freedom of speech, conscience and thought, as well as other human rights. Those provisions can be used as tools of political repression and justification under the pretext of reinforcing the CSTO Collective Security System and regional stability. In the foregoing context, it should be emphasized that in the documents reviewed in the framework of this study, there was no note on considering democratic values, the protection of human rights, and the fight against corruption as core values in the CSTO processes. In this context, it is also necessary to present the specifics of the governance systems of the member States. Thus, as it is put by the international human rights organization Freedom House, the CSTO members, with the exception of the Republic of Armenia, are considered as consolidated authoritarian systems according to the scale of measure of the level of democratic governance. In particular, the Russian Federation has 5 points out of 100 available, the Republic of Belarus-3, the Republic of Kazakhstan-6, the Republic of Tajikistan-2, the Republic of Kyrgyzstan-13. On the scales of protection of human freedoms, freedom of information and the efficiency of democratic mechanisms, these States hold the lowest positions, being classified as non-free countries, while the Republic of Armenia, with 34 points, is considered a transitional or Hybrid Regime.

Under the CSTO strategy, the member States have committed themselves to expanding political cooperation in the field of global and regional security and coordinating their foreign policy positions with a view to promoting the interests of collective security. *On the one hand, the implementation of the above steps in the area of foreign policy can be seen as an enhancement of the level of their political integration within the Organisation in the interest of ensuring collective security. At the same time, these obligations, in particular, in the case of the omission of the CSS and the Organisation's failure to carry out the functions deriving from Articles 2 and 4 of the Treaty, should be seen as an obstacle to the Armenia's maneuverability in developing the system-based bilateral and multilateral foreign policy component outside the CSTO.* This observation is more and more relevant regarding the extreme deterioration of the current relations between Russia and

the collective West. Therefore, the paper proposes to examine the compatibility and/or incompatibility of this provision of the Strategy with the national and state interests of the Republic of Armenia (among other approaches) also in the context of the current geopolitical evolution. In particular, according to NATO, "Russia currently poses a more significant and immediate threat to Euro-Atlantic security"⁹⁰. The Alliance also calls on member States to "take collective actions aimed at creating an international tribunal to prosecute the crime of aggression committed by Russia during the war against Ukraine." The UN General Assembly "recognizes"⁹¹ that the military actions of the Russian Federation on the sovereign territory of Ukraine have a scope that the international community has not seen in Europe for decades, and that urgent actions are needed to save this generation from the scourge of war", and also "expresses the strongest regret over the aggression of the Russian Federation against Ukraine in violation of paragraph 4 of Article 2 of the Charter" and "expresses regret over the participation of Belarus in this illegal use of force against Ukraine and calls on it to fulfill its international obligations". The legislative body of the European Union, in turn, "recognizes Russia as a state sponsor of terrorism."⁹²

With regard to military security, according to the Strategy, as part of the promotion of the interests of collective security, the member States have committed themselves a) to improve their defence capabilities, the combat capabilities of their armed forces, other troops, military formations and CSTO troops (collective forces); b) to develop military-technical and military-economic cooperation and the interaction between military-industrial systems, c) to pursue a coordinated policy (based on targeted multilateral programs) for insuring the collective security forces are equipped with the effective means for armed combat, d) to coordinate training programs for military personnel and specialists, e) to coordinate joint programs for the development, production, supply and repair of armament and military equipment. *On the one hand, the implementation of the above mentioned steps in the area of military security can be seen as an enhancement of the level of their military*

⁹⁰ <https://www.nato-pa.int/download-file?filename=/sites/default/files/2022-11/RESOLUTION%20479%20-%20NATO%20POST%20MADRID%20.pdf>

⁹¹ <https://www.aljazeera.com/news/2022/3/3/unga-resolution-against-ukraine-invasion-full-text>

⁹² <https://www.europarl.europa.eu/news/en/headlines/priorities/ukraine/20221118IPR55707/european-parliament-declares-russia-to-be-a-state-sponsor-of-terrorism>

integration within the Organisation in the interest of ensuring collective security. At the same time, these obligations, in particular, in the case of the Organisation's failure to carry out the functions deriving from Articles 2 and 4 of the Treaty, should be seen as an obstacle for Armenia to develop a system-based military cooperation outside the CSTO.

Thus, according to the CSTO Strategy, the activities carried out in the political domain as well as in the field of military security were/will be intended to ensure the interests of collective security. They are interrelated (political, diplomatic, defence, etc.) and require coordination within the CSTO, which is natural in terms of achieving the Organisation's strategic objective (ensuring collective security), while is extremely restrictive for the Republic of Armenia in terms of planning and realizing system-based politico-military relations outside the CSTO, thus also ensuring external security maneuverability.

HEADING II

NATURE AND ESSENCE OF THE MILITARY-TECHNICAL COOPERATION

Before we touch base on the military-technical cooperation in the framework of the CSTO and the Armenian Russian bilateral relations, in order to represent the nature and essence of the military-technical cooperation at its best, we need to explore what are the CSTO Responsibility zone and the CSS forces&means. *Therefore, this section explores: 1) the CSTO CSS means&forces; 2) the forces in the Caucasus region of the Collective security; 3) the CSTO Collective Rapid Reaction Forces; 4) the main highlights of the military-technical cooperation within the framework of the Organisation and in the framework of the Armenian-Russian bilateral platform.* Taken into account that the majority of the documents of the military-technical cooperation is not available through open sources, the research of the field is based on the approach of exploring the provisions of the open-source documents while envisioning the realization of the strategic objectives of the CSTO (ensuring the Collective security).

1) The CSTO CSS Forces & Means

The CSTO Responsibility zones consist of three responsibility regions: South-European (Belarus, Russia), Caucasian (Armenia, Russia) and Central Asian (Kazakhstan, The Kyrgyz Republic, Tajikistan, Russia). Each responsibility region based on its geostrategic position, includes territories of one or several member States, in the framework of which their national and collective security interests are ensured. The Republic of Armenia and the Russian Federation are in the Caucasian responsibility region. Joint Group of Forces in the Caucasian Region of the Collective Security and United Air Defense System are in this CSTO Zone of responsibility. These two components along with the Group of Forces of the Eastern-European Region and the Regional Joint Air Defense System, Collective Rapid Reaction Forces of the Central-Asian region and the Regional Joint Air Defense System, Collective Rapid Reaction Forces, Peacekeeping forces and Collective Air Forces comprise the CSTO CSS forces&means.

The latter are supposed to be exercised in such cases as preventing and countering aggression on one or several CSTO member States, localizing military operations and conflicts, implementing countermeasures against member states` security challenges and threats, strengthening the protection of their state borders, state and military objects, peacekeeping operations, protecting civilians while conducting military operations or from the threats which can arise as a consequence of those operations, etc. The main format for preparing suggestions on making decisions to use forces&means is the joint mechanism of the representatives and profile committees of the CSTO member States. These can be implemented at various levels. The first step is the official request for help by one or several member states. The Collective Security Council makes decisions on the use of forces&means in accordance with the suggestions of the relevant committees and the Secretariat of the Organisation.⁹³

⁹³ <https://odkb-csto.org/structure/>

2) Forces in the Caucasus region of the Collective Security

Group of troops (forces) in the Collective Security Caucasus region is created on the basis of bilateral agreements between Armenia and Russia. Each year joint trainings on operative and military readiness is held with this Group's operational circles and troops. *The Joint Regional Air Defense System in the Caucasus region of the Collective security (JRADS CRCS) was created based on the agreement "On creation of the joint regional Air Defense System in the Caucasus Region between the Republic of Armenia and the Russian Federation" from December 2015 (hereafter the Agreement)* ⁹⁴. The Agreement is signed for five years with the possibility of extending automatically for another five years' period in case if one party of the agreement does not inform in a written form through diplomatic channels (six months prior to its next period of extension) the other Party about its intention to terminate it. JRADS CRCS is a constituent part of the CIS Air Defense system and is within its legal basis.⁹⁵

The coordination of joint actions of the JRADS CRCS and the forces (troops) of other Air Defense Regional Systems is implemented by the Commander-in-Chief of the Aerospace Forces of Russia. The Commander of the Southern Military District of Russia conducts the command of the JRADS CRCS joint activities. Given that Armenia and Russia do not share borders in the region, a Joint Air Defense System of a Separate Region of the Collective Security was formed within the state borders of Armenia and under the structure of the Joint Regional Air Defence System. The command of the joint actions of the troops (forces) of those separate region is conducted by the Commander of the Air defence troops of the Armed Forces of Armenia⁹⁶.

The use and development of the objects of the military infrastructure of the JRADS CRCS as well as keeping them in state of readiness, taken into account the imperative of ensuring the security of the Parties is implemented in accordance with the Agreement "On the joint use of the military infrastructure objects between the Republic of Armenia and the Russian Federation"⁹⁷ of 1

⁹⁴ The Agreement came into force on 11 January 2017. <https://www.arlis.am/DocumentView.aspx?docid=115436>

⁹⁵ <https://cis.minsk.by/news/12024/ob-obedinennoj-sisteme-protivovozdusnoj-oborony-stran-sng>

⁹⁶ See Article 6 of the Agreement.

⁹⁷ See Article 11 of the Agreement.

October, 2002 which in its turn considers the settlement of the issues over joint usage of the military infrastructure objects through signing a separate agreement for each certain object.

Upon the Agreement in the period of immediate aggression and in times of war, the JRADS CRCS troops (forces) are to fulfill combat missions and are applied in accordance with the joint action plan.

During peacetime, the JRADS CRCS has such tasks as the organization and implementation of the air defense combat duty, air defense troops united regional tactical command and control system, armament and military supply for combat readiness, interoperability with other regional air defense systems, as well as interoperability with central air defense systems with CIS member states. The Parties (Armenia and Russia) are also obliged to ensure the supply of armament and military equipment to the JRADS CRCS troops (forces) based on the joint military-technical policy of the Parties, as well as the unity of approaches in combat readiness and training requirements, and operative and tactical combat readiness.

It is noteworthy that according to the Annex "On the united regional system of air defense of the Collective Security Caucasus region" and its 5th provision of the 5th Paragraph, the JRADS CRCS troops maintain the immediate obedience of their national command. As for the 7th provision of the Regulation, it considers that the order to use the weapon by the JRADS CRCS forces on duty is defined by the legislature of the Party in whose air space is the object the weapon is being used for. Hence, by the 1st article of the Agreement the term "separate region of the Collective Security" is defined as a part of a region within the territorial and air space borders of Armenia, therefore, the above mentioned Agreement was not/is not implemented within the territory of the Nagorno Karabakh. At the same time, while analyzing the provisions of the Agreement we may conclude that the priority of the Air Defense unit is the defense of the air space of Armenia and in case there are threats it is to obey the decisions of the relevant Armenian institutions.

According to the statement of 22 September, 2022 by the Ministry of Defense of the RA⁹⁸ "The enemy used artillery, mortars, drones and large-caliber rifles in the directions of Vardenis, Sotk, Artanish, Ishkhanasar, Goris and Kapan, targeting both military and civilian infrastructures". According the statement⁹⁹ of 14 September, 2022 by the Defense Ministry, " In particular, the enemy used attack drones in the direction of Jermuk". By this it is obvious that the territory of the Republic of Armenia – the joint regional Air Defense responsibility zone of the Collective Security Caucasus Region- underwent air attacks, among other attacks. A question may rise: whether the system went into effect on the sovereign territory of the Republic of Armenia during the aggression launched by the Azerbaijani side in September 2022 as well as previously in May, 2021 and in October, 2020. This question becomes of great importance in the context of the footages¹⁰⁰ disseminated by the Azerbaijani mass media from which we may assume that the joint Air Defense troops were inefficient and not harmonized enough or the system of implementing the orders of the Armenian side in the combat field did not work in September 2022 due to which some divisions of the Air Defense were destroyed before they were thrown into the fight or were not in the state of the military readiness.

3) CSTO Collective Rapid Reaction Forces

The constituent part of the forces and means of the Collective Security System are the Collective Rapid Reaction Forces¹⁰¹ (the total number is approximately 20.000 people), which include the units of the special forces of CSTO member States capable to implement both military and special tasks. The Collective Rapid Reaction forces are to instantly react to the security challenges and threats towards the CSTO member States. They are to be deployed in the territory of any country aiming to show readiness of using military force, prevent and counter the armed attack and aggression, contain localizing armed attacks in a certain terrain, participate in activities to combat transnational organized crime, strengthen the protection of the troops of state borders of CSTO

⁹⁸ <https://www.mil.am/hy/news/11013>

⁹⁹ <https://www.mil.am/hy/news/11019>

¹⁰⁰ <https://apa.az/ru/armiya/moment-unictozeniya-s-300-i-drugoi-voennoi-texniki-armenii-video-493220>

¹⁰¹ The Collective Rapid Reaction forces were formed by the CSC decision dated 4 February 2009.

countries and military facilities, take measures aimed at the protection of civilians during the military actions or from the threats emerging from its consequences, etc.

It is noteworthy that in order to harmonize the combat capabilities of the CSTO Collective Rapid Reaction Forces, military drills were held in Armenia in 2012¹⁰². During the drills the CSTO forces crushed the forces of the enemy who illegally crossed the borders and sovereign territory of the "Sevanya" Republic. Upon the drill's plan in the result of the positional battles, the enemy managed to seize and strengthen its positions in the bordering territories of the "Sevanya" Republic. Besides, the enemy attacked the military and civilian infrastructure using various types of weapons and air force. In response, due to the CSTO Collective Security Council decision the Collective Rapid Reaction Forces as a first step used air force, cannon-launched and rocket artillery, ensured powerful destruction of human forces of the adversary, then the Commander of the CSTO Collective Rapid Reaction Forces throw the motorized rifle units in the battle. During the military drills the seized settlement, hostages and territories were liberated. All the CSTO member States participated in the drills.

The military drills scenario is similar enough to the Azerbaijani military attacks launched towards Armenia during 2021 and 2022 which resulted to the de facto occupation of 127 square km of the sovereign territory of the Republic of Armenia¹⁰³. Based on the statements released by the RA Defense Ministry on 13 September,¹⁰⁴ September 13-14,¹⁰⁵ 14 September,¹⁰⁶ as well as in the public ad hoc report "On the consequences of Azerbaijani military attack on Armenia" by the Human Rights Defender, we can state that not only occupation of the Armenian sovereign territory (which is a member state of the CSTO) was in place but also several settlements (Jermuk, Vardenis, Kapan, Goris, Karashen, Verishen, Kornidzor, Khoznavar, Ishkhanasar, Chakaten, Nerkin Hand, Tsav, Davit Bek, Artanish, Srashen, Sotk, Norabak, Kut, Geghamasar and other settlements of Vayots

¹⁰² https://odkb-csto.org/training/trainings_interaction/na_uchenii_kso_odkb_vzaimodeystvie_2012_v_armenii_proshla_generalnaya_trenirovka_po_otrabotke_prakt-1115/#loaded

¹⁰³ <https://www.azatutyun.am/a/32098182.html>

¹⁰⁴ <https://www.mil.am/hy/news/11007>

¹⁰⁵ <https://www.mil.am/hy/news/11019>

¹⁰⁶ <https://www.mil.am/hy/news/11021>

Dzor, Syunik, Gegharkunik regions) were deliberately targeted, which was initially planned. Various caliber weapons, including heavy artillery, different caliber mortars, combat UAVs, highest caliber cannons, multiple-launch rocket systems and other weapons were applied by Azerbaijan on the above-mentioned settlements.

The non-selective attacks by the Azerbaijani armed forces resulted in civilian deaths, hundreds of houses, educational and health care facilities, hotels, civil and administrative buildings were demolished. The Azerbaijani armed forces also fired in the direction of Noravan, Srashen and dozens of other settlements of Syunik region, damaging infrastructures of vital importance for the civilians, particularly gas pipelines, fiber optic cables and high-voltage electric wires. The overhead power line conductors belonging to "High Voltage Electric Networks" CJSC in Ishkhanasar were damaged. The latter resulted in the export limitation of electricity to the Islamic Republic of Iran. To reduce risk - the stations of "Armenian Nuclear Power Plant" CJSC and of several other Armenian CJSC were unloaded to minimal capacity. Because of the Azerbaijani shelling the "High Voltage Electric Networks" CJSC employees were not able to approach the damaged parts of the facilities for 12 hours. Targeting these kinds of infrastructures and hindering their repair for a long time are proof of the Azerbaijani intention to cause as much damage as possible and create threats to the fields of energy, including nuclear energy¹⁰⁷.

Thus, though according to the military drills scenario of 2012 the CSTO deployed the Collective Rapid Reaction Forces and implemented actions aimed at pushing back the enemy from the territory of the member State and restoring its territorial integrity, during the real aggression launched by the Azerbaijani side in September 2022, the Organisation adopted a passive approach from the very start. After the Republic of Armenia invoked¹⁰⁸ Article 4 of the Treaty, Stanislav Zas, the Secretary General of the Organisation and Anatoly Sidorov, the Chief of the Joint Staff visited Armenia. On 28 October 2022, during the session of the Collective Security Council it was clear from the essence of the speeches delivered by Vladimir Putin, the President of the RF and

¹⁰⁷ See the public ad hoc report "On the consequences of Azerbaijani military attack on Armenia" by the Human Rights Defender, September, 2022.

¹⁰⁸ https://seco.am/security_council/sessions/96?lang=hy

Alexander Lukashenko, the President of Belarus, that the Organization was not going to restore the territorial integrity of Armenia neither through diplomatic, nor military-political or military means¹⁰⁹¹¹⁰. Moreover, on 23 November 2022 in the result of the Collective Security Council session which was chaired by Armenia, the Prime Minister of Armenia refused to sign "The Declaration of the CSTO Collective Security Council and the joint actions on assisting the Republic of Armenia" highlighting that the Armenian membership to the Organisation did not stop Azerbaijan from aggression and so far the CSTO member States have not been able to make a decision on the CSTO reaction relating to the Azerbaijani aggression on Armenia.

4) Military-technical cooperation

Military-technical cooperation among the CSTO member States aimed at the practical implementation of the Treaty is one of the most important factors in the formation of collective security. Agreement¹¹¹ on the Basic Principles of Military-Technical Cooperation between the State Parties to the Collective Security Treaty of 15 May, 1992 (hereafter *the Agreement*) is the basic document forming the principles of cooperation in this area. The final version of the document dating to 2010 establishes preferential conditions for the supply of military products by the CSTO states for those national military formations that are attributed "to the composition of multilateral forces and means in the Regions of Collective Security" for the practical implementation of the Collective Security Treaty. In accordance with the Agreement's provisions, the supply of military products on preferential terms are carried out under contracts between the military-technical cooperation entities of the Parties. The price is determined based on prices for military products being purchased by the national armed forces for their own needs. It should be stressed that while the Agreement provides preferential conditions to the CSTO member States for trade of military products, it is a framework without specifying the actual mechanisms and procedures for

¹⁰⁹ <http://kremlin.ru/events/president/news/69700/videos>

¹¹⁰ https://www.youtube.com/watch?v=XmFGlcl6Xso&ab_channel=%D0%90%D0%A2%D0%9D%3A%D0%BD%D0%BE%D0%B2%D0%BE%D1%81%D1%82%D0%B8%D0%91%D0%B5%D0%BB%D0%B0%D1%80%D1%83%D1%81%D0%B8%D0%B8%D0%BC%D0%B8%D1%80%D0%B0

¹¹¹ https://odkb-csto.org/documents/documents/soglashenie_ob_osnovnykh_printsipakh_voenno_tekhnicheskogo_sotrudnichestva_mezhdu_gosudarstvami_ucha/#loaded

procurement of military products, the quality of the weapons being supplied, etc. In order to reflect on these issues, the CSTO member States conclude special agreements, which, in turn, transform trade under the Agreement into a specific bilateral negotiating subject, with positive or negative consequences.

Products/information obtained under the Agreement, as well as products/information obtained prior to the entry into force of the Agreement, may be "both partially and wholly subject to intellectual or industrial property, in this sense it is subject to the exclusive or other right of the supplier". "The parties are not entitled to sell or transfer the military product supplied under the Agreement to other national military units, foreign states, individuals and legal entities or international organisations without the prior written consent of the Party supplying such products".

One of the Agreement's key provisions relates to the control of the products supplied. Thus, "the supplying Party has the right to exercise control over the target use of a product supplied in the framework of the Agreement, that is, to check its presence in the military formations, attributed in the multilateral forces and means in the regions of collective security, the validity of its write-off (including irreparable losses), as well as preserving the defending means of the information regarding the supply or information on the supplier classified as state secret. The Party which violates the above mentioned conditions, is responsible to pay within three months to the supplier of the goods in freely convertible currency the difference between the price of the military product provided and the price of the same product delivered to the global market. Taking into account the requirement that prohibits the transfer of delivered products to other military units, we suggest a hypothesis that, for example, the Republic of Armenia has no right, at its discretion, to transfer products acquired from the Russian Federation in the framework of the CSTO within its national military formations, which can seriously limit the distribution of arms by Armenia to its own armed forces.

If a member State withdraws from the Collective Security Treaty, that State shall, by the approval of the parties, within a fixed period, compensate the supplier, in freely convertible currency, of the

difference between the price of the product and the price, which is formed while providing similar products to the world market. At the same time, if a member State decides to withdraw from the Agreement, it takes the responsibility to send a written notice of its intention to the Collective Security Council Secretariat six months beforehand, and after six months from the date of the receipt of the notification, the agreement is terminated with respect to that party. At the same time, it is noteworthy that in case of disputes arising from the termination of the Agreement, the Parties take the responsibility to settle them by negotiations. Additionally, as long as the interested parties do not settle all disputes related to the termination of the Agreement, the Party willing to leave the Agreement is obliged:

- ✓ not to sell or transfer the supplied military product under the Agreement to other national military units, foreign states, individuals and legal entities or international organizations without the prior written consent of the Party supplying such products;
- ✓ in case of violation of the above-mentioned to pay within three months to the supplier of the goods in freely convertible currency the difference between the price of the military product provided and the price of the same product delivered to the global market;
- ✓ to ensure the protection of information obtained during the implementation of the agreement, and not to use that information to the detriment of the interests of any of the Parties.

In addition, in such cases, the supplier Party also reserves the right to exercise control over the intended use of the products supplied under the Agreement. As long as the parties concerned do not settle the disputed issues through negotiations, the provisions of Article 9 of the Agreement remain in force (if a member State withdraws from the Collective Security Treaty, that State shall, in agreement with the parties, within a fixed period, compensate the supplier, in freely convertible currency for the difference between the price of the product and the price, which was formed when providing similar products to the world market).

If a member State considers that the obligations deriving from the provisions of the Agreement have not been fulfilled and that its interests have therefore been affected, it may "declare the

suspension or termination of the Agreement in whole or partially in regard to the relationship between it and the party concerned". An examination of these provisions brings a question to the table: if a member State failed to supply the military product to Armenia and, therefore, Armenia was unable to ensure its territorial integrity while under military aggression, and the collective defence mechanism seen by Article 4 of the Treaty was not activated during that period, then whether the failure to provide supplies can be considered by Armenia as sufficient grounds to declare about the suspension or termination of the Agreement in the framework of the relationship with the supplier party. The second issue to be addressed is that, even if not enabling the collective protection mechanism deriving from Article 4 of the Treaty is not an obstacle, and Armenia may declare the Agreement suspended or terminated in the framework of the relationship with the supplier party, then how the misinterpretation between them is going to be resolved. Will the same mechanism of the Agreement for resolving disputes resulting from the termination of the agreement come into effect?

Considering the fact that 1) the military product provided under the Agreement is intended for use by national formations assigned to the multilateral forces and means of the CSTO Collective Security Regions; 2) and the functions assigned to the forces and means of the CSTO Collective Security System are, in fact, aimed at ensuring the practical implementation of the Treaty (ensuring the needs of collective security), in other words - arising from the implementation of Articles 2 and 4 of the Treaty; 3) Armenia has no right to transfer the supplied products to other national military formations without the prior written consent of the supplier party, *this Study suggests considering the effectiveness and/or inefficiency of military-technical cooperation carried out within the framework of the Agreement in the light of the fact of the implementation and/or inefficiency of the implementation of the CSTO principle of ensuring collective security in the protection of territorial integrity and the sovereignty of the Republic of Armenia, as well as to consider the results of monitoring (both negative and positive) in the context of the possibilities arising from the conceptual provisions presented in the introductory part of this Study, and the possibilities and limitations explored in the Chapter I.*

Based on the open sources, it is impossible to state what percentage of the military products imported into the Republic of Armenia was implemented/is being implemented under the CSTO agreement, and what percentage - under the Agreement¹¹² "On the Development of Military-technical Cooperation between the Republic of Armenia and the Russian Federation" dated 25 June 2013. The latter statement is important because under the Armenian-Russian bilateral agreement, on the contrary to the CSTO Agreement, Armenia can acquire military products for any of its military formations. Under the bilateral agreement, the prices of the products being supplied are formed according to the legislation of the Russian Federation, regulating the pricing while ordering military products for the benefit of the national armed forces. The military products supplied to Armenia are tax-exempt.

At the same time, taking into account the fact that a) the development of military-technical cooperation within the CSTO is one of the most important ways of advancing collective interests in the field of military security; b) in order to ensure the sustainability of the Organisation, the Russian Federation is interested in strengthening the CSTO CSS forces & means and, therefore, should also be interested in supplying military products to Armenia within the CSTO, the following opinion may be put forward:

- ✓ The vast majority of imported products from the CSTO member States to the Republic of Armenia are/were carried out within the framework of the Agreement "On the Basic Principles of Military-Technical Cooperation between the states Parties to the Collective Security Treaty of 15 May, 1992" and are/were considered by Armenia from the perspective of the possibility of protecting its territorial integrity and sovereignty on a collective basis.

¹¹² <https://base.garant.ru/70422112/>

Recommendations

- ❖ Clearly signal to the US Government and Congress that the Republic of Armenia aims to reach the level of strategic partnership in bilateral relations and aspires to seek the Major-Non-NATO-Ally status.
- ❖ Signal to the US Government and Congress that in order to increase the security, internal resilience, and external maneuverability of the Republic of Armenia, it is a priority to significantly reduce the dangerous overdependence on one source in terms of security settings, military cooperation, and relevant arrangements with a further goal of replacing or complementing it with opportunities deriving from the US Major-Non-NATO-Ally status.
- ❖ Work with US executive and legislative authorities to adopt and develop US-Armenia strategic partnership charter/act.
- ❖ Adopt a policy aimed at terminating the membership of the Republic of Armenia to CSTO, within the framework of which it is necessary to perform the following actions consistently:
 - ✓ limit the participation of the Republic of Armenia in CSTO meetings,
 - ✓ reduce the participation of the Republic of Armenia in the process of developing and agreeing on documents of strategic importance to CSTO,
 - ✓ limit the participation of the Republic of Armenia in military exercises, command and staff exercises and experience exchange events between military personnel organized within the frames of CSTO,
 - ✓ strongly reduce the involvement of the Republic of Armenia in the coordination of foreign policy positions in ensuring global and regional security within the frames of CSTO.
- ❖ Do not use the opportunity of acquiring military products by preferential treatment within the framework of the Agreement "On the Basic Principles of Military-Technical Cooperation between the states Parties to the Collective Security Treaty of 15 May, 1992".
- ❖ Notify the Russian Federation about the intention of Armenia to leave the CSTO, meanwhile, outlining the issues and possibilities in the strategic allied partnership between Armenia and Russia as well as taking means and measures aimed at redefining that partnership.

- ❖ Formulate and present to Russia the motives of the Republic of Armenia for adopting a non-aligned foreign policy, as well as the advantages of Armenia's non-aligned status in the context of aligning the interests of Armenia and Russia.
- ❖ Act towards withdrawing the Republic of Armenia Armed Forces from the Syrian Arab Republic.
- ❖ Create an institutional setup (body) consisting of representatives of expert, scientific and decision-making circles in the field of foreign policy, aimed at jointly developing such a foreign policy concept and national security strategy of the Republic of Armenia, which will derive from the conceptual features of Armenia's foreign policy neutrality.

Terminology

- ❖ *Strategic partnership* - a specific format in international relations that goes beyond the traditional allied logic of bilateral relations between States, with the aim of creating adapted strategic relations
- ❖ *Major Non-NATO Ally* - a status unilaterally granted by the United States to another State, emphasizing its privileged role in bilateral strategic relations
- ❖ *Defensive Means* - any element or technical data specially designed, developed, configured, adapted or modified for military, missile and satellite use or included in the US Ammunition List
- ❖ *Additional Defensive Capabilities* - defensive equipment owned by the US Department of Defense and the US Coast Guard, declared additional/redundant by the US Armed Forces.
- ❖ *The CSTO Collective Security* – such a state of protection of the collective interests of the CSTO Member States, which enables each of them to ensure its independence, territorial integrity, sovereignty, defence capability and protection against threats based on the coordination and implementation of joint activities
- ❖ *The CSTO Collective Security System* - The CSTO bodies and national government bodies, forces and means of the CSTO member States, ensuring the protection of collective interests in accordance with international law and national legislation, sovereignty and territorial integrity of the CSTO member States on a collective basis.
- ❖ *The challenge to the CSTO Collective Security* - a set of conditions that can develop into a threat to the CSTO Collective Security
- ❖ *The threat to the CSTO Collective Security* – a set of factors that impede the achievement of the CSTO's strategic objective
- ❖ *The CSTO Responsibility Zone* - the territories of the CSTO member states limited by sections (external borders) of the state border with non-CSTO member states, including internal waters, the territorial sea and airspace above them, within which the national and collective security interests the CSTO member states are ensured

- ❖ *The CSTO Forces/Army* – the mission of these forces is to ensure the security, sovereignty and territorial integrity of the CSTO member States under any conditions of the development of the military-political situation in accordance with the provisions of the Treaty, the CSTO charter, the Procedure for the Formation and Functioning of the forces and means of the CSTO Collective Security System¹¹³, the military doctrines of the CSTO member States, as well as the Main Directions for the development of military Cooperation of the CSTO member States for the period up to 2020
- ❖ *The Joint Regional Air Defence System in the Caucasus Region of Collective Security* - Armed Forces Military command bodies, command posts, formations and military units of the parties assigned to joint air defense tasks in the region
- ❖ *Military infrastructure facilities of the Joint Regional Air Defence System in the Caucasus Region of Collective Security* - Command posts located within the borders of the region, troop locations, ground engineering system, positions and facilities of air defense forces and facilities, airfields, nodes and communication lines, firing ranges, arsenals, bases, warehouses, military equipment repair enterprises and other objects used by troops (forces) in daily peacetime activities and intended to be used during hostilities
- ❖ *Military-technical cooperation* - activities in the field of international relations related to export and import, including the supply or purchase of military products, and the development and production of military products
- ❖ *Military products* - armament, military equipment, documents, works, services, results of intellectual activity and exclusive rights on them (intellectual property), information in the military-technical sphere, as well as any other products related to military products by national legislation, normative legal acts of the parties
- ❖ *The Collective Security Council* – the highest body of the Organization which consists of the Heads of the member States. The Council considers the key issues of the Organization's activities, takes

¹¹³ https://odkb-csto.org/documents/documents/soglashenie_o_statuse_formirovaniy_sil_i_sredstv_sistemy_kollektivnoy_bezopasnosti_organizatsii_dogo/#loaded

decisions aimed at achieving its goals and objectives, as well as ensures the coordination and joint activities of the Member States to achieve those objectives

- ❖ *The Council of Ministers of Foreign Affairs* – the consultative and executive body which coordinates the interaction of the member States in the area of foreign policy
- ❖ *The Council of Ministers of Defense* – the consultative and executive body which coordinates the interaction of the member States in the field of military policy, military construction and military-technical cooperation
- ❖ *The Committee of Secretaries of the Security Council* - the consultative and executive body charged with coordinating cooperation on national security matters

Annex 1



The Collective Security Treaty was signed on May 15 1992 in Tashkent by the Presidents of Armenia, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Uzbekistan. In 1993 Azerbaijan, Georgia and Belarus also joined the treaty. The Treaty came into force on April 20 1994.

Annex 2



On 2 April 1999, in Moscow, the Presidents of Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia and Tajikistan signed a protocol on prolongation of the Treaty, providing for its automatic extension every five years. Azerbaijan, Georgia and Uzbekistan refused to sign the protocol on the extension of the Treaty. In 2002 The Collective Security Treaty Organisation was established on the basis of the Treaty. The Organisation today includes: the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan.

Annex 3



As of 2022 the former republics of the USSR have chosen completely different directions for the formation of the security architecture, in particular:

- ✓ Three Baltic republics: Latvia, Lithuania and Estonia joined the North Atlantic Treaty Organisation (NATO) on 29 March 2004¹¹⁴.
- ✓ In line with its new national security strategy adopted in September 2020, Ukraine aims to become a member of NATO¹¹⁵.

¹¹⁴ <https://www.nato.int/docu/update/2004/03-march/e0329a.htm>

¹¹⁵ https://www.nato.int/cps/en/natohq/topics_37750.htm

- ✓ At the Bucharest Summit in 2008, NATO member States agreed that Georgia would become a member of the Alliance, provided that it fulfilled all the necessary requirements. That decision was also confirmed during the following NATO summits¹¹⁶.
- ✓ Since 12 December 1995, Turkmenistan has been declared a neutral state, and later, through a decision of the UN General Assembly and with the unanimous support of 185 member states it was recognized as a permanent neutral state¹¹⁷.
- ✓ Uzbekistan's new defence doctrine, adopted on 9 January 2018 confirmed state neutrality, which was first announced in the 2012 Concept. At the same time, it prohibits joining military alliances, accepting foreign bases and sending troops overseas to take part in conflicts¹¹⁸.
- ✓ On 26 May 2011, Azerbaijan became a full member of the Non-Aligned Movement, but did not declare itself a neutral state¹¹⁹.

Annex 4

Country name	Territory	Population	GDP 2021	Budget 2021	Defense spending
The Republic of Armenia ¹²⁰	29743 km ²	2.968 million	13.88 billion USD	4.52 billion USD	678 million USD
The Russian Federation ¹²¹	17125191 km ²	143.4 million	1.776.000 billion USD	343.2 billion USD	66000 million USD
The Republic of Belarus ¹²²¹²³	207600 km ²	9.34 million	67.6 billion USD	18.8 billion USD	763 million USD
The Republic of Kazakhstan ¹²⁴	2724000 km ²	19 million	190.8 billion USD	41.4 billion USD	1618 million USD

¹¹⁶ https://www.nato.int/cps/en/natohq/topics_38988.htm

¹¹⁷ <https://www.mfa.gov.tm/en/articles/2>

¹¹⁸ "Law of the Republic of Uzbekistan on the Defense Doctrine," January 9, 2018, <https://lex.uz/docs/3495906>

¹¹⁹ [https://www.mfa.gov.az/en/category/international-organisations/non-aligned-movement-nam#:~:text=On%20May%2026%2C%202011%2C%20the,the%20Movement%20\(2019%2D2023\)%3A](https://www.mfa.gov.az/en/category/international-organisations/non-aligned-movement-nam#:~:text=On%20May%2026%2C%202011%2C%20the,the%20Movement%20(2019%2D2023)%3A)

¹²⁰ <https://www.imf.org/en/Publications/CR/Issues/2021/12/21/Republic-of-Armenia-2021-Article-IV-Consultation-Fourth-and-Fifth-Reviews-Under-the-Stand-511248>

¹²¹ https://datacommons.org/place/country/RUS?utm_medium=explore&mprop=amount&popt=EconomicActivity&cpv=activitySource%2CGrossDomesticProduction&hl=en

¹²² <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.minfin.gov.by/upload/bp/budget/budget2021.pdf>

¹²³ <https://www.imf.org/en/Publications/CR/Issues/2019/01/18/Republic-of-Belarus-2018-Article-IV-Consultation-Press-Release-Staff-Report-and-Statement-by-46526>

¹²⁴ <https://www.imf.org/en/Publications/CR/Issues/2022/04/08/Republic-of-Kazakhstan-2021-Article-IV-Consultation-Press-Release-Staff-Report-Staff-516400>

The Kyrgyz Republic ¹²⁵	199,951 km ²	6.694 million	8.543 billion USD	2.3 billion USD	130 million USD
The Republic of Tajikistan ¹²⁶	143,100 km ²	9.75 million	8.746 billion USD	3.2 billion USD	81.7 million USD

¹²⁵ <https://www.imf.org/en/Publications/CR/Issues/2021/07/30/Kyrgyz-Republic-2021-Article-IV-Consultation-Press-Release-and-Staff-Report-463121>

¹²⁶ <https://www.imf.org/en/Publications/CR/Issues/2022/02/17/Republic-of-Tajikistan-2021-Article-IV-Consultation-Press-Release-Staff-Report-and-513280>