



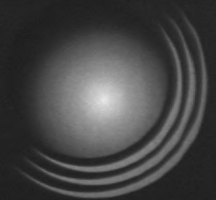
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Compilation of Essays on the Future of Conventional Forces in Europe

CARL HODGE AND WILLIAM HOGG

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Compilation of Essays on the Future of Conventional Forces in Europe

**Carl Cavanagh Hodge
William Hogg**

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Preface

The views expressed in these papers are those of the authors, and do not necessarily reflect the views or positions of the Department of Foreign Affairs and International Trade or of the Government of Canada.

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Department of Foreign Affairs and International Trade
125 Sussex Drive
Ottawa, Ontario, Canada

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**Conventional Arms in Europe:
NATO, European Security
and the Future of the CFE Treaty**

Carl Cavanagh Hodge

Origins and Achievements of the CFE Treaty

The CFE Treaty is the most ambitious, and in many respects the most successful, project in arms control and disarmament ever attempted. In over thirty years of sporadic East-West arms negotiations during the Cold War era there was little reason to believe that Moscow would sign an agreement on conventional arms strategically acceptable to the West. Talks on Mutual and Balanced Force Reductions (MBFR), inaugurated under the auspices of superpower détente during the mid-1970s, had the source of their failure written on their very name: because the Soviet Union enjoyed a significant quantitative advantage in conventional arms in Europe, only *asymmetrical* reductions could improve the West's strategic position.

By the mid-1980s domestic political reforms within the Soviet Union created a diplomatic atmosphere in which radical arms reductions could be proposed. These very reforms ultimately led to revolutionary change within the Soviet Union, the dismantling of the Soviet state, and the dissolution of the Warsaw Treaty Organization (WTO or Warsaw Pact). The negotiation of CFE Treaty represents one aspect of broader range of negotiations, including the treaty on Intermediate Range Nuclear Forces (INF) signed in December 1987, for ending the East-West conflict of half a century. By the time the treaty was signed at the summit of the Conference on Security and Cooperation in Europe (CSCE), November 19-21, 1990, official diplomacy had been overtaken by events in Warsaw Pact capitals which eventually led to the reunification of Europe.¹

The CFE Treaty eliminated the Soviet Union's edge in conventional weapons by setting equal ceilings on the number of tanks, armored combat vehicles (ACVs), heavy artillery, combat aircraft, and attack helicopters that NATO and the Warsaw Pact were permitted to deploy between the Atlantic Ocean and the Ural Mountains. Under the CFE provisions for Treaty Limited Equipment (TLE) each alliance was permitted 20,000 tanks, 30,000 ACVs, 20,000 heavy artillery pieces, 6,800 combat aircraft, and 2,000 attack helicopters for the treaty's area of application. The member-states of each alliance then divided their alliance limits among themselves, thereby establishing "national" ceilings. After the Soviet Union's dissolution its national total was distributed among eight of its successor states.²

Because on the Soviet side the CFE's territorial application ended at the Ural Mountains, Russia's vast interior space afforded it an advantage unavailable to NATO forces in Europe, namely that a large amount of equipment could be withdrawn from Europe to storage East of the Urals and yet remain at Moscow's disposal. Still, the advantage is mostly theoretical. The reintroduction of the equipment to the European theatre would take several weeks and could easily be monitored. Additionally, storage conditions east of the Urals are less than ideal, so that the condition of the equipment could deteriorate rapidly in the absence of an investment to maintain it. This was a problem even before the post-Soviet economy of Russia went into steep decline in the mid-1990s. Lastly, the balance between the two alliances became fictive once the Warsaw Pact had been dissolved in March 1991, because it could not be assumed that former members of the Warsaw Pact would combine their forces with a recidivist Russia against NATO.³

By May 1996, when the treaty's first review conference was held, more than 58,000 pieces of TLE had been destroyed and 2,700 inspections conducted to ensure compliance.⁴ Beyond these reductions the CFE's inspection regime itself did much to reduce tensions and build confidence during a phase of critical change. The treaty helped to calm concerns arising from the headlong rush to German reunification in particular and facilitated the closely related withdrawal of Soviet forces from Eastern Europe. In light of the

¹ Richard A. Falkenrath, *Shaping Europe's Military Order: The Origins and Consequences of the CFE Treaty*, (Cambridge: MIT Press, 1995), pp.1-31; Raymond L. Garthoff, *The Great Transition: American-Soviet Relations and the End of the Cold War*, (Washington DC: Brookings, 1994), pp.411-413, 434.

² It should be noted here that the Soviet Socialist Republics of Estonia, Latvia and Lithuania were removed from the CFE area of application on October 18, 1991 after they had received sovereign independence. As part of the dissolution of Czechoslovakia, a former member of the Warsaw Pact, in January 1993, the successor Czech and Slovak Republics agreed on respective national limitations.

³ *The Conventional Armed Forces In Europe (CFE) Treaty at a Glance*, Arms Control Association, <http://www.armscontrol.org/subject/caec/cfeback2.asp>; Pál Dunay, "The CFE Treaty: History, Achievements and Shortcomings," *PRIF Report No.24*, Peace Research Institute Frankfurt, October 1991, p.26.

⁴ Implementation was delayed by the disintegration of the Soviet bloc. It did not get underway until November 1992 after the signing and ratification of protocols for the Soviet successor states of Belarus and Kazakhstan.

fact that so much changed during and after the CFE negotiations, in fact, the treaty's *principal* legacy to security in Europe may turn out to be the establishment of a forum for developing discussion and agreement about conventional military power on the continent.⁵ In the mid-1990s the prospect of NATO's eventual enlargement to include former members of Warsaw Pact was part of such discussion, and Moscow's occasionally threatening comments about an enlarged Alliance indicated to Western governments that the CFE forum might be critical in assuaging Russian insecurities.⁶ The resolution of the "flank dispute" at the Review Conference of May 1996 is an example of this reasoning in action. In order to avoid having to declare Russia "non-compliant" with treaty standards, the CFE signatories permitted Moscow higher force levels than initially stipulated for the Leningrad Military District in Russia's north and the North Caucasus Military District in the south. The concessions were in part an acknowledgement of Russia's vast geography and the fact that the force limits in the southern flank in particular were irksome to Moscow in light of the revolt in Chechnya.⁷

At the 1996 conference the CFE member-states recognized above all the need to adapt to fundamental changes in the European security environment and to thereby sustain and renew the CFE as a key pillar in the continent's security arrangements. The process was completed at the summit of the Organization for Security and Cooperation in Europe (OSCE) with the signing of an *Agreement on Adaptation* along with a *Final Act* featuring a politically-binding text relating to restraint and progressive reductions. By that time, however, change in Europe was of a quality, speed and magnitude that the CFE's initial purpose and provisions had become much less relevant. As late as 1999 the Confidence and Security-Building Mechanisms (CSBMs) in the OSCE's *Vienna Document* included a requirement for advance notice of military exercises to prevent the surprise massing of large forces but did not address the smaller forces typical of ethnic or instate conflict typical of the serial wars of the Yugoslav succession.⁸ Additionally, the prospect of enlargement both of NATO and the European Union (EU) promised to eclipse the CFE security regime in Central and Eastern Europe by reconfiguring relations between Russia and Western Europe.

⁵ Falkenrath, pp.68-76; Jeffrey D. McCausland, "Carts and Horses: Strategy and Arms Control for a New Europe," *Parameters*, Vol.29, No.1, 1999, pp.25-42.

⁶ The Partnership for Peace (PfP) established at the NATO summit of 1994 was in part intended to avoid a hasty decision on NATO enlargement. When the Russian foreign minister, Andrej Kozoyev, signed an agreement giving Moscow less than full equality with Washington in the PfP, communists and nationalists in the Duma denounced it as "American imperialism" and compared it to *Operation Barbarossa*, the German invasion of the Soviet Union in 1941. See John Borwaski, "Partnership for Peace and Beyond," *International Affairs*, Vol.71, No.2, 1995, pp.233-246 and *Neue Zürcher Zeitung*, June 24, 1994, p.2.

⁷ See Richard A. Falkenrath, "The CFE Flank Dispute: Waiting in the Wings," *International Security*, Vol.19, No.4, 1995, pp.118-144;

Sherman Garnett, *The CFE Flank Agreement*, (Washington DC: Carnegie Endowment for International Peace, 1997).

⁸ OSCE, *Vienna Document 1999 of the Negotiations on Confidence and Security-Building Measures*, <http://www.osce.org/docs/english/1990-1990/csbs/vienn99e.htm> Chapter V calls for notification whenever military activity involves at least 9,000 troops, 250 battle tanks, 500 ACVs and 250 self-propelled and towed artillery pieces, mortars and multiple rocket-launchers. Also John E. Peters, *CFE and Military Stability in Europe*, (Santa Monica: RAND, 1997).

NATO and EU Enlargement

Among the arguments against NATO expansion in the mid-1990s was the claim that the CFE Treaty had already answered the problem which expansion was in theory designed to solve, the emergence of a power vacuum between Germany and Russia in Central and Eastern Europe (CEE). In this argument the CFE was regarded as a principal feature of a "new, different, and supremely valuable security order," extending from the Atlantic to the Urals and based on the mutual confidence-building aspects of the CFE and other arms control agreement negotiated in the last years of the Cold War and early post-Cold War years.⁹ This position was unsustainable against the array of national and Alliance rationales for extending NATO eastward. In its 1995 *Study on NATO Enlargement* the Alliance cited seven goals to be pursued in adding to its membership:

- supporting democratic reform, including civilian control of the military.
- fostering among new members the habits of cooperation which characterize relations among the current members.
- promoting neighborly relations among all states of the Euro-Atlantic area, both members and non-members of NATO.
- emphasizing and extending the benefits of common defence while increasing transparency in defence planning and military budgets.
- reinforcing the trend in Europe toward integration based on shared democratic values, thereby curbing the danger of political disintegration on ethnic and territorial lines.
- enhancing NATO's capacity to contribute to European and international security and peacekeeping operations through vehicles such as the OSCE and the United Nations.
- strengthening and broadening the trans-Atlantic partnership.

While the United States is rightly regarded as the initiator of an enlargement agenda which called for the Visegrad¹⁰ states of Czech Republic, Poland and Hungary to begin talks leading to the signing of accession protocols in December 1997, Germany too was a key supporter of eastern enlargement. Geography dictated that its government had a sharp sense of exposure to crises and threats on the former Soviet sphere, and the commitment to enlargement was additionally influenced by economic and cultural ties in the CEE states as well a sense of moral obligation in light of the Germany's historic transgressions there.¹¹

Equally, Germany's political leadership was aware that enlargement created a new set of problems between Berlin and Moscow, the most important bilateral relationship in Europe.¹² By virtue of the strong Franco-German partnership in West European integration Germany occupies a pivotal strategic position not only within NATO but also within the EU. The conduct of *Ostpolitik* during the Cold War was designed to open up human contact and commerce with East Germany, Poland and the Soviet Union in particular; after national reunification democratic Germany was free to pursue through Atlantic and European multilateral vehicles the sphere of influence it sought through intimidation and conquest in the first half of the twentieth

⁹ Michael Mandelbaum, *The Dawn of Peace in Europe*, (New York: Twentieth Century Fund), pp.62-65, 90-109. Idem., *NATO Expansion, A Bridge to the Nineteenth Century*, (Chevy Chase: Center for Political and Strategic Studies, 1997). See also Michael E. Brown, "The Flawed Logic of NATO Expansion," *Survival*, Vol.37, No. 1, 1995, pp.43-51 and Coral Bell, "Why an Expanded NATO Must Include Russia," *Journal of Strategic Studies*, Vol.17, No.4, 1994, pp.27-41.

¹⁰ Czechoslovakia, Hungary, and Poland initially held talks in the Hungarian town of Visegrad and agreed to coordinate their efforts to join NATO. After the division of Czechoslovakia the group was commonly referred to as the "Visegrad Four," although Slovakia was included in the second rather than the first round of NATO enlargement.

¹¹ David S. Yost, *NATO Transformed: The Alliance's New Roles in International Security*, (Washington DC: USIP, 1998), pp.103-112.

¹² *Ibid.*, pp.178-179; Lawrence S. Kaplan, *The Long Entanglement: NATO's First Fifty Years*, (Westport: Praeger, 1999), pp.194-199; Frederick P.A. Hammersen, "The Disquieting Voice of Russian Resentment," *Parameters*, Vol. 28, no.2,1998, pp. 39-55.

century.¹³ The enlargement of the EU and the second round of NATO enlargement will project the Western economic and political presence further eastward still.

The importance of these developments cannot be overemphasized, above all because the very anticipation of them in post-Soviet Europe itself helped to promote political change and a redefinition of security. In 1991, well in advance of any formal agreement on EU enlargement, Polish President Lech Wales observed that "having a Frenchman or an Englishman here with his factory is like having a division of troops."¹⁴ Corporate *Ostpolitik* has represented the less-visible yet equally important private-sector dimension of the economic transformation required of the CEE governments in reforming their practices in accordance with the *acquis communautaire* required for EU membership. Although membership in the Atlantic Alliance does not of itself "spread democracy," early NATO expansion into the Visegrad states nurtured a popular sense of enhanced security and thereby permitted national governments to concentrate their efforts on the economic requirements of membership in the European Union.¹⁵

The ambition of NATO membership prompted the same governments to undertake military reforms in order to enhance their eligibility. The reforms required by the CFE and those required by NATO were parallel. Military reform for NATO enlargement in Central and Eastern Europe began to replace the CFE norms, while Alliance expansion drastically reduced the importance arms control as such. For major states such as Germany and Russia CFE norms were still highly valued after 1991 because of the transparency and assurance they provided,¹⁶ but NATO enlargement itself encouraged reforms with a similar outcome in terms of building confidence in potential conflict zones. "The most significant development of NATO's post-Cold War adaptation," notes one study "is not its enlargement but its transformation, which entails acceptance of a power projection role and the unilateral assumption of responsibility for European security broadly defined."¹⁷

This broader definition of European security includes not only the peace-support operations NATO has assumed in the former Yugoslavia but also greater attention to the problems of organized crime and terrorism. Indeed, NATO's experience in the Balkans heightened awareness of these security challenges even before the terrorist attacks of September 11, 2001 in the United States. The Alliance's Prague Summit of 21-22, November 2002 noted that peace support forces in the region have since taken action against local terrorist organizations with links to the Al-Qaida network. The legitimacy of fledgling national governments is at stake. The geo-strategic position of the former Yugoslav Republic of Macedonia, for example, has burdened it with trans-national crime organizations involved in drug trafficking, arms smuggling, money laundering, and the illegal trade of human beings — for which its government is ill-equipped.¹⁸

The specific shape future security challenges will take will be influenced as much by EU as by NATO expansion. The establishment of border-free "Schengen" standards among the core EU states of Western Europe and the demilitarization of the German-Polish border, for example, means that one of Germany's immigration borders is for all functional purposes now in Eastern Poland.¹⁹ The military frontier of NATO and EU Europe has thus moved eastward. While the size and deployment of conventional forces in Poland and Belarus remains important, security relations between Poland and Germany are

¹³ Angela Stent, *From Embargo to Ostpolitik: The Political Economy of West German-Soviet Relations, 1955-1980*, (New York: Cambridge University Press, 1981); Idem., *Russia and Germany Reborn: Unification, The Soviet Collapse, and the New Europe*, (Princeton: Princeton University Press, 1999), pp.233-245; Jean-Pierre Froehly, "Frankreich-Deutschland-Russland im neuen Dialog: eine Troika für Europa," *Politische Studien*, Vol.52, No.376, March/April 2001, pp.24-30.

¹⁴ Quoted in Zbigniew Dobosiewicz, *Foreign Investment in Eastern Europe*, (London: Routledge, 1992), p.25.

¹⁵ Mark Smith, *NATO Enlargement During the Cold War: Strategy and System in the Western Alliance*, (Basingstoke: Palgrave, 2000); Dan Reiter, "Why NATO Enlargement Does Not Spread Democracy," *International Security*, Vol.25, No.4, pp.41-67; Jiri Sedivy, Pál Dunay and Jacek Saryusz-Wolski, "Enlargement and European Defence After 11 September," *Chaillot Paper No.53*, European Union Institute for Security Studies, June 2002, p.58.

¹⁶ Celeste A. Wallander, *Mortal Friends, Best Enemies: German-Russian Cooperation after the Cold War*, (Ithaca: Cornell University Press, 1999), p.127.

¹⁷ Thomas S. Szayna, *NATO Enlargement, 2000-2015: Determinants and Implications for Defense Planning and Shaping*, (Santa Monica: RAND, 2001), p.132.

¹⁸ See "New Threats and Challenges," NATO Prague Summit, 21-22 November 2002. http://www.nato.int/docu/comm/2002/0211-prague/in_focus/terrorism/index.htm;

¹⁹ The first Schengen agreement involved the lifting of border controls among France, Germany and the Benelux states and was signed in 1985 in the Luxembourg town of Schengen. Twelve states currently participate in the Schengen system. Heather Grabbe, "The Sharpe Edges of Europe: Extending Schengen Eastwards," *International Affairs*, Vol.76, No.3, 2000, pp.519-536.

governed by cooperation in "microsecurity," regulating the flow and quality of civilian traffic into the European Union. As the eastern expansion of both the Atlantic Alliance and the European Union renders the original purpose of the CFE Treaty obsolete for many Western European and CEE states, it simultaneously brings with it new complications in relations with Russia.

The Baltic Republics and Kaliningrad Oblast

The Baltic republics have been of particular concern. Their governments did not join the CFE, because in the early 1990s they were primarily concerned with getting Soviet troops to leave their soil, and the treaty was regarded as a vehicle by which the that very presence could be legitimated. As Estonia, Latvia and Lithuania were constituent republics of the Soviet Union rather than members of the Warsaw Pact, their comparatively early assertion of secessionism during the period of the Gorbachev reforms signaled that Moscow has lost control of the pace of domestic change. Moscow responded to Baltic secessionism with a non-violent display of military force in March 1990.

Prior to 1997 Russian policy toward the "near abroad" — initially the "diaspora linkage" aspect of the withdrawal of Russian troops²⁰ — testified to a Russian inability to accept either Baltic independence or the Western aspirations of the Baltic peoples. Even after the 1997 Helsinki Summit with President Clinton, at which President Yeltsin and Foreign Minister Yevgeny Primakov announced a new approach to the region, Moscow asserted more than once its right to intervention based on the continuing presence of ethnic Russians. Moscow's unwillingness to provide the reassurance the Baltic republics needed from their former master produced the result Moscow wished above all to avoid. It foreclosed Baltic neutrality by heightening the concern of Sweden, Finland, Denmark, Germany, Poland, and the United States for the security of the republics and thereby made their admission to NATO more, rather than less, likely.²¹

The Russian *oblast* of Kaliningrad on the Baltic coast nestled between Lithuania and Poland adds a further geopolitical wrinkle. The *oblast* has a population of about 900,000. It is home to the Russian Baltic Sea Fleet and the Yanter shipyard. It offers the only ice-free port on the Baltic, without which the Russian navy would be unable to operate effectively in the area. It also has the Baltic's largest fishing fleet and possesses undeveloped oil reserves, a reputation as a haven for organized crime, decaying industry, and worst pollution problem in northeastern Europe.²² Although the Putin government obviously feels the need to maintain a military presence in the enclave in order to deter potential secessionism, it appears to have decided against a "fortress Kaliningrad" policy and is scaling back its commitment. The contrast between Moscow's often petulant reaction to the first round of NATO enlargement and its relaxed reception of the much more ambitious second round agreed upon by Alliance members at the Prague Summit is remarkable, especially as the Prague meeting included a NATO offer of accession talks to the Baltic republics.²³

During the 1990s Western governments intermittently suggested that the signature of the Baltic republics on the CFE Treaty could be considered an astute gesture toward Moscow and a ticket of entry for eventual NATO membership; for its part, Moscow repeatedly urged that the republics join the treaty and suggested the issue could be critical to Moscow's relations with NATO. When the Alliance proceeded with its membership offer in the absence of a Baltic signature, its action testified both to a confidence that Moscow is helpless to thwart or complicate broad NATO expansion and an acknowledgment that NATO, not the CFE, constituted the primary security-shaping vehicle of Central and Eastern Europe.²⁴ A creative approach to assuaging mutual Russian/Baltic suspicions could involve developing stronger military-to-military links through the Partnership-for-Peace (PfP) and/or through the integration of Russian military units in the joint Danish-German-Polish Corps. Denmark, Finland and Sweden too have developed a number of joint military initiatives with the Baltic states.²⁵

²⁰ Sven Gunnar Simonsen, "Compatriot Games: Explaining the 'Diaspora Linkage' in Russia's Military Withdrawal from the Baltic States," *Europe-Asia Studies*, vol.53, No.5, 2001, pp.771-791.

²¹ Stephen Blank, "Russia, NATO Enlargement, and the Baltic States," *World Affairs*, Vol.160, No.3, 1998, pp.115-125.

²² Garthoff, pp.394-399, 419-420; Stephen J. Blank, "Russia and the Baltics in the Age of NATO Enlargement," *Parameters*, Vol.28, no.3, 1998, pp.50-68; John Burbank, "What to do about Kaliningrad?" *Europe*, Issue 421, November, 2002.

²³ Dmitri Trenin, "Silence of the Bear," *NATO Review*, Spring, 2002. <http://www.nato.int/docu/review/2002/issue1/art3.html> In all, seven states were invited to accession talks: Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia.

²⁴ The governments of the Baltic republics, on the other hand, feared that their signature on the CFE Treaty could be used as an alibi for refusing them NATO membership. Hans-Joachim Schmidt, "Auf dem Weg zum NATO-Beitritt: Die konventionellen Rüstungskontrolle als Stabilitätselement für den baltischen Raum," HSFK-Report 1/2001, Hessische Stiftung Friedens- und Konfliktforschung, Frankfurt, pp.25-44.

²⁵ Clive Archer, "Nordic Involvement in the Baltic States: Needs, Response, Success," *European Security*, Vol.7, No.3, 1998, pp.43-62.

Given its economic dimension, the Kaliningrad problem does not lend itself to military cooperation alone, so it is encouraging that Moscow and the EU have reached a compromise on visa controls for Russian citizens in Kaliningrad who, once the Baltic states join the EU, will have to travel through Lithuania and then Belarus or Latvia in order to reach any other part of Russia by land.²⁶ In light of the unique circumstance of Kaliningrad NATO and the EU have a good deal of diplomatic work before them, and the work of the latter in “societal security” will over the long term be more important than innovative military arrangements.²⁷ A good deal of this is already underway. Promoting economic renewal while fighting crime resulting from social decay in Kaliningrad are goals of the joint multilateral efforts of the EU and the Council of Baltic Sea States (CBSS)²⁸

²⁶ “EU seen approving compromise on Kaliningrad,” *Russia Journal Daily*, October 23, 2002.
http://www.russiajournal.com/print/russia_news_28050.html See the *Joint Statement on Transit between the Kaliningrad Region and the Rest of the Russian Federation* issued by the Tenth EU-Russia Summit, of November 11, 2002 at http://europa.eu.int/comm/external_relations/russia/summit_11_02/js_kalin.htm

²⁷ Graeme P. Herd and Joan Löfgren, “Societal Security, the Baltic States and EU Integration,” *Cooperation and Conflict*, Vol.3, no.3, 2001, pp.273-296; Peer Lange, “Das Baltikum als eine Aufgabe für die integrative Gestaltung Europas,” *Aus Politik und Zeitgeschichte*, B37/1998, pp.3-13

²⁸ The CBSS membership includes Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway, Poland, Russia and Sweden. On the EU’s approach to Kaliningrad see: Commission of the European Communities, *Communication from the Commission to the Council: The EU and Kaliningrad*, Brussels January 17, 2001.

Cooperative Engagement in the European Southeast

Russia's continuing problems in Chechnya, moreover, point to importance of Western cooperative engagement with Moscow in Southeast Europe and the Eastern Mediterranean, where CFE standards and arms control planning are today of greater relevance than in the former theater of East-West military confrontation in Central Europe. In November 1999 the CFE states signed a treaty adaptation agreement overhauling the outdated original. However, President Clinton cautioned that he would not submit that adaptation for U.S. Senate approval until Russia complied with its new weapons ceilings. Russia's new offensive in Chechnya underscored its unique security concerns and the associated problem of Moscow's perennial non-compliance with CFE flank-zone limits.²⁹ On its southwestern and southern flanks Russia is not faced with the prospect of NATO and EU expansion onto former Soviet territory, but neither are its security concerns mitigated by the stabilizing influences that Euro-Atlantic institutions bring with them to the Baltic region. After all, the CFE Treaty of itself did very little to enhance Russia's security; indeed, the transparency required by the treaty could in theory erode Russian security in the event of a conflict with another CFE signatory such as Ukraine.³⁰

Further south and east ethnic, religious and territorial disputes trouble Russia's border regions.

Moldova is an example. Russia failed to meet its commitment under the CFE Treaty to remove all of its military forces from the former SSR of Moldova by the end of 2002 and in December of that year was given an extra year to withdraw by the OSCE. Russian forces in the country are located in the Trans-Dniestra region, an enclave for ethnic Russian separatists who Moscow claims are blocking the withdrawal.³¹ Further south still, NATO's 1999 intervention in the Serb province of Kosovo was a trauma for Moscow's national security establishment. The broadening of the Alliance's mission to include military force to settle an ethnic conflict and enforce Western human rights standards posed a theoretical threat to Russia's own geo-strategic interests in light of similar instability along its borders in the Transcaucasus, the Caspian region and Central Asia. This perception calls for balance and prudence in arms control and cooperative security initiatives with Russia in the future.³²

Although the Kosovo intervention appeared to confirm many of Russia's worst fears about NATO dominance in European security, Moscow was ultimately involved in drawing up the terms for Serb withdrawal from the province and the cessation of air strikes. The continuing challenges on Russia's southern flank have meanwhile inclined Moscow toward cooperative governance of security in the Eastern Mediterranean and Transcaucasus through multilateral vehicles such as the OSCE.³³ Moscow's use of the ethnic "Kurdish" card against Turkey, the major NATO state in the region, in order to weaken Turkey's leverage with Russia over its approach to the Chechen conflict did nothing to influence Moscow's poor military performances in Chechnya. The fact that it is not in Russia's interest to excite or attempt to exploit any of the other ethnic quarrels in the region — plus the current want of a coherent Russian strategic vision — can enhance the role of the OSCE and other organizations concerned with conflict prevention and resolution.³⁴

²⁹ Wade Boese, "CFE Adapted at OSCE Summit in Istanbul," *Arms Control Today*, November 1999.

³⁰ Falkenrath, *Shaping Europe's Military Order*, p.243.

³¹ Wade Boese, "An Extra Year for Russian Withdrawal from Moldova," *Arms Control Today*, January/February, 2003; OSCE, *Annual Report 2001 on OSCE Activities, 1 November-31 October 2001*, SEC.DOC/3/01 26 November 2001, pp.49-51.

³² Celeste A. Wallander, "Wary of the West: Russian Security Policy at the Millenium," *Arms Control Today*, March 2000.

http://www.armscontrol.org/act/2000_03/cwmr00.asp, Fleming Splidsboel-Hansen, "Past and Future Meet: Alexandr Gorchakov and Russian Foreign Policy," *Europe-Asia Studies*, Vol.54, No.3, 2002, pp.377-396; David Foglesong and Gordon M. Hahn, "The Myths About Russia," *Problems of Post-Communism*, Vol.49, No.6, November/December 2002, pp.3-15; Stephen J. Blank, "Putin's Twelve-Step Program," *Washington Quarterly*, Vol.25, No.1, pp.147-160.

³³ Ivo H. Daalder and Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo*, (Washington DC: Brookings, 2000), pp.126-130, 168-173; Mark Webber, "A Tale of a Decade: European Security Governance and Russia," *European Security*, Vol.9, No.2, 2000, pp.48-54.

³⁴ Robert Olson, "Turkish and Russian Foreign Policies, 1991-1997: the Kurdish and Chechnya Questions," *Journal of Muslim Minority Affairs*, Vol.18, No.2, 1998, pp.209-228; Pavel Baev, "Russia's Policies in the Southern Caucasus and the Caspian Area," *European Security*, Vol.10, No.2, 2002, pp.95-110.

The OSCE mission in Georgia deals with the Georgian-South Ossetian and the Georgia-Abkhaz³⁵ conflicts, the latter of which is currently dynamic. In April 2001 armed skirmishes, killings and kidnappings brought the peace process to a standstill; in October of the same year a UN helicopter patrolling the Kodori Valley was shot down and nine UN staff killed. The point here is that Georgia is an example of a mixing of security agendas in the Transcaucasus in which Russia is deeply involved. As of September 2002 negotiations between Georgia and Russia concerning the timetable for the withdrawal of Russian troops from Georgian territory, long overdue in terms of CFE commitments, reached an impasse. In February 2003 Georgia's UN envoy accused Russia of annexing Abkhazia, yet at this writing Georgia's Security Council has voted to continue the mandate of the Russian-led peacekeeping force in Abkhazia for fear of a new outbreak of violence if it withdraws. For its part, Russia has accused Georgia of permitting Chechen rebels to cross its border with Chechnya; in response the Georgian government has refused to let Moscow conduct a military operation there but accepted anti-terrorist training for its military from the United States.³⁶

The Georgian situation demonstrates the fact that most security threats in Europe today are not those addressed by the CFE Treaty at the end of the Cold War. The more imminent dangers of instability and violence are to be found in the domestic conditions within states rather than in the relations between states.³⁷ In October 3, 2002 NATO Secretary General, Lord Robertson stressed the importance of establishing an "Ark of Security" encompassing the old and new Alliance members in response to what he referred to as "a guaranteed supply chain of instability" caused by ethnic violence, failed states, and terrorism in the Caucasus, Central Asia, North Africa and the Middle East.³⁸ The Ark, he observed, must logically be constructed of five policy "planks":

- enhanced military capabilities among NATO's European member-states and Canada.
- consultation among Allies, above all between established and new member-states.
- NATO-Russian cooperation designed to make the Russian Federation part of the Ark of Security.
- enhanced cooperation with other non-NATO states.
- enhanced interaction with international organizations tasked with non-military responsibilities for security.

The last four planks are similar to the CSBMs established by the CFE Treaty. Many arms control agreements have done little to control arms, but this cannot be said of the CFE regime. Beyond the drastic reduction of conventional arms accomplished over the past twelve years, nonetheless, the mutual psychological reassurance gained by the habits of consultation, cooperation and transparency are an additional legacy of enormous benefit.³⁹ The CFE experience should now be applied beyond NATO's borders.

³⁵ Abkhazia won de facto independence from Georgia after a 1992-93 war in which thousands of ethnic Georgians were forced to flee. Russian-led peacekeepers have patrolled the border area since 1994.

³⁶ OSCE, *Annual Report 2001 on OSCE Activities, 1 November-31 October 2001*, SEC.DOC/3/01 26 November 2001, p.47; Stanislav Cherniavskii, "Russian Diplomacy in Transcaucasia," *Russian Politics and Law*, Vol.39, No.3, 2001, pp.5-19; Monika Wohlfeld, "Subregional Cooperation and the OSCE," *Southeast European and Black Sea Studies*, Vol.1, No.2, 2001, pp.86-9; Wade Boese, "NATO Accepts Russian Compliance but Wants More," *Arms Control Today*, September 2002. "Georgia UN Envoy: Moscow annexing Abkhazia," *Russia Journal Daily*, February 2, 2003; "Shevardnadze: 10-20 Militants Remain in Pankisi," *Russia Journal Daily*, February 17, 2003.

³⁷ John E. Peters, *The Changing Quality of Stability in Europe*, (Santa Monica: RAND, 2000) p.24.

³⁸ "NATO: A Vision for 2012," Speech by NATO Secretary General, Lord Robertson: "Prague 2002: Challenge and Change for NATO" at the NATO/GMFUS Conference, Brussels, 3 October 2002. <http://www.nato.int/docu/speech/2002/s021003a.htm>

³⁹ Falkenrath, *Shaping Europe's Military Order*, p.244; Colin S. Gray, "Arms Control Does Not Control Arms," *Orbis*, Vol.37, No.3, 1993, pp.333-348.

Conclusions: Arms Control and Military Reform

The CFE Treaty cannot deliver significantly greater stability by way of even lower force levels. Moreover, the fact of NATO enlargement — and to a lesser extent EU expansion — has replaced the conditions which led to the need for a state and bloc-centered conventional arms treaty in the first place.⁴⁰ In 1997 NATO concluded the *Founding Act on Mutual Relations, Cooperation and Security* with Moscow and the *Charter on a Distinctive Partnership* with Kiev and in both instances NATO was acknowledged as a positive force for peace and stability in Europe.⁴¹ More to the point, the Alliance has become the *principal* vehicle of security in Europe. In light of its *New Strategic Concept*, its continued enlargement, and the parallel development of a European Security and Defence Policy (ESDP) by an enlarged EU — in each case the maintenance of rapid reaction forces in a new age of expeditionary warfare and regional crisis being a central objective — Western expansion into the former Soviet sphere of interest has been the phenomenon of the past decade, and there is presently no alternative to NATO as Europe's fire brigade.⁴² Given that force levels in Europe today are lower than at any time since World War II, European governments concerned with enhancing security employ the Treaty's politically-binding CSBMs as the basis for negotiating bilateral agreements to improve relations over regional and local disputes which cannot be answered by pan-European multilateral approaches. To cite an example, Hungary and Romania have concluded bilateral aerial surveillance regimes similar to the Open Skies Treaty.⁴³

The Alliance's changing role can and should be supplemented by more overarching structures such as the PFP and the OSCE. There is no reason why many of the highly-advanced standards of reassurance applied within NATO cannot be extended in the name of mutual benefit to the entire CFE block and *beyond* to Lord Roberston's Ark of Security. In NATO's Membership Action Plan (MAP) arms control and military are closely related. The Alliance has encouraged both oversized and emerging militaries to concentrate on "niche area" investments in small but professional forces well-suited to multilateral crisis-management and peace support operations.⁴⁴ Meanwhile, the role of arms control is itself evolving from a feature of deliberate conflict-prevention diplomacy to a tool of conflict containment.⁴⁵ The obvious goal for revamped CFE norms is to provide comprehensive extended reassurance to non-NATO CFE signatories, Russia the most important among them. These must involve detailed provisions for cooperative engagement, under specified circumstances, of operational forces of NATO, non-NATO CFE states and, where possible, non-CFE states for enhancing transparency and confidence beyond the level achieved through such post-Cold War mechanisms as the Partnership for Peace. The enlargement of Atlantic Alliance and the adaptation of CFE norms to new security conditions in Eurasia and the Mediterranean should be one and the same process.

Since the end of the Cold War Europe has achieved a greater security from the risk of large scale conventional warfare than at any time since the Franco-Prussian War of 1870. The CFE Treaty's role in diminishing this threat makes it by any measure an extraordinary success. Countries with an historic interest in arms control have an interest in the extension of CFE norms beyond the treaty's present area of application. For Canada, a NATO state with an interest in arms control and history in peace-support missions, this is doubly important. As Canada attempts to improve its niche defense capabilities, both to rectify years of neglect in defence spending and to enhance its contribution to NATO's efforts in combating new security threats on the European periphery, it should be Canadian policy to insist that the Alliance press non-NATO and non-CFE states to adopt CFE norms.

⁴⁰ Peters, *The Changing Quality of Stability in Europe*, pp.5-9.

⁴¹ *The Founding Act on Mutual Relations, Cooperation and Security Between the Russian Federation and the North Atlantic Treaty Organization*, <http://www.usia.gov/products/washfile/eu.shtml>; *Charter on a Distinctive Partnership Between the North Atlantic Treaty Organization and Ukraine*, <http://www.nato.int/docu/basicxt/ukrchrt.htm>

⁴² Peters, *The Changing Quality of Stability in Europe*, pp.14-15; Raymond A. Millen, "Pax NATO: The Opportunities of Enlargement," Strategic Studies Institute, U.S. Army War College, August 2002.

⁴³ *Ibid.*, pp.10-11.

⁴⁴ Thomas S. Szayna, *NATO Enlargement 2000-2015: Determinants and Implications for Defense Planning and Shaping*, (Santa Monica: RAND, 2001), pp.131-145.

⁴⁵ Peters, *The Changing Quality of Stability in Europe*, pp.1-2.

Future of CFE Treaty

William Hogg

Introduction

A security dilemma in international relations refers to a situation where sovereign states, in the context of an anarchic international system, will arm themselves for fear of being dominated by their neighbours.⁴⁶ This security dilemma can be overcome. But the options for overcoming it can lead to two divergent outcomes – peace or conflict. First, you can overcome this dilemma by balancing the power of your neighbours – evening the distribution of power among states by arming. On its own, this balancing can have both positive and negative effects on peace and stability in the international system. Unregulated, it can lead to long periods of peace. The ‘long peace’ of the 1800s and the Cold War period from 1945-1989 are good examples. It can also lead to devastating regional and international conflict. The outbreak of World War One, and subsequently World War Two, highlight this problem. Unregulated balancing is unpredictable, and as such unstable.

A security dilemma can also be overcome by balancing power through international and regional cooperation, especially through arms control. This option should, theoretically, lead to better chances of peace. The 1990 Treaty on Conventional Armed Forces in Europe (CFE), and its subsequent adaptation, has been a successful example of a rules based balance of power mitigating a security dilemma. The use of an international arms control regime (generally understood as a set of principles, norms, rules, and decision-making procedures⁴⁷) can help significantly mitigate the security dilemma by providing both an institutionalized forum for discussion and decision-making, and by providing relatively unbiased information to the participants, removing that measure of uncertainty and unpredictability that traditionally taints relations between states. Taken in this light, the CFE has played an important role in ensuring stability in Europe after the Cold War, acting as its “cornerstone”.

This paper will evaluate the CFE and its ability to mitigate the European security dilemma. Three broad questions must be answered in order to do this:

- Has the security dilemma in Europe been resolved by the original CFE Treaty as negotiated in 1990, in the review process of 1996, in the adaptation process of 1999, and in the 2001 review process?
- If the CFE has solved the security dilemma, does this mean that the treaty has lost relevance for European security?
- If the CFE has not resolved the security dilemma, does it have the resources and the institutional capacity to continue towards this goal?

We will answer these questions by examining the level of *community* and the *adaptability* of the CFE, two terms developed using the criteria for evaluating arms control regimes elaborated by Müller and Schofield.⁴⁸ As such, we will measure the CFE against broader understandings of arms control treaties. The paper will conclude by examining the importance of the CFE for Canada.

⁴⁶ Glenn H. Snyder, “‘Prisoner’s Dilemma’ and ‘Chicken’ Models in International Politics,” *International Studies Quarterly* (March 1971), 66-103; Robert Gervis, “Cooperation under the Security Dilemma,” *World Politics* (January 1978), 167-214.

⁴⁷ Stephen Krasner, *International Regimes*, Ithaca: Cornell University Press, 1983.

⁴⁸ Harald Müller, “Compliance Politics: A Critical Analysis of Multilateral Arms Control Treaty Enforcement,” *The Nonproliferation Review*, Summer 2000; Julian Schofield, “Arms Control Failure and the Balance of Power,” *Canadian Journal of Political Science*, December 2000.

Arms Control Treaties in Theory

For Hedley Bull, arms control agreements are defined broadly as policies adopted among states which attempt to regulate, limit or eliminate existing arsenals and prevent new ones, through either tacit or formal agreements, in order to reduce the incidence of interstate conflict.⁴⁹ Harald Müller, in a more contemporary evaluation, argues that arms control agreements fulfill four key functions: constructing barriers against arms races degenerating into major violence; securing regional stability; banning dangers for global stability, ecological safety, and ensuring the survival of human life on earth; and creating a sense of irreversibility in current friendly relations.⁵⁰ Accordingly, Müller argues that for an arms control treaty to be successful, it needs treaty community coherence, leadership, and great power cooperation.⁵¹

Schofield argues that arms control treaties are important because they either reduce the likelihood of war or because they reduce the costs of deterring it.⁵² Schofield adds that for arms control agreements to be successful in these tasks, they must have characteristics that, among other things, allow for flexibility, reduce uncertainty, enhance cooperation without robbing states of their ability to defend themselves, not disadvantaging one signatory over the other, enforce compliance, punish cheating, aim at achieving feasible goals, and control for third party threats.⁵³

In this paper we will evaluate the CFE using two broad criteria, which are in part derived from the above approaches. *Community* refers to the ability of an arms control regime to be flexible, based on compromise, but at the same time enforcing rules-based behaviour within the treaty area. Internal cohesion around the idea of community action is necessary for the long-term viability of an arms control regime. *Adaptability* refers to how well an arms control treaty can react to events affecting the treaty area, such as shifts in regional security conditions. Adaptability is important for maintaining the future relevancy of the treaty, as, especially in Europe, regional security conditions change rapidly. In order to evaluate an arms control treaty, then, we will examine internal relations within the treaty area and reactions of the treaty area to changing security conditions. The next two sections of this paper will detail the evolution of the CFE, and then use *community* and *adaptability* to evaluate the CFE's ability to mitigate the security dilemma in Europe, its present capacities to respond to changing security environments on the continent and on its periphery, and as such its long-term viability.

⁴⁹ Hedley Bull, *The Control of the Arms Race: Disarmament and Arms Control in the Missile Age*, London: Weidenfeld and Nicolson, 1961, as interpreted by Schofield, 2000, p. 748.

⁵⁰ Müller, 2000, p. 78.

⁵¹ Müller, 2000, p. 79-80. Community coherence refers to a common core of shared objectives among the parties, leadership refers to a state that, while legally equal to other treaty members, leads the treaty community in the difficult situations emerging from compliance problems, and great power cooperation refers to a commonality of interest and commitment among the major powers to the treaty and compliance.

⁵² Schofield, 2000, p. 749.

⁵³ Schofield, 2000.

Arms Control in Reality

The Treaty on Conventional Armed Forces in Europe came into effect July 17, 1992, after two years of member state ratification. Its original goal was the achievement of a stable balance of conventional forces between NATO and the Warsaw Pact, lowering the levels of these forces, and the elimination of the capability of states to launch surprise attacks on its neighbours.⁵⁴ The regime was to do this originally by limiting both the number of conventional weapons⁵⁵ each signatory could hold, and by restricting their geographical location, where as one moved towards the centre of Europe, the concentration of weapons would decline.⁵⁶ Decreased weapons levels combined with reduced geographic concentrations would help mitigate significantly the European security dilemma. The tools provided by the CFE Treaty to complete these tasks revolved around the transparency of state weapons holdings. On-site inspections by other states and information sharing were the keys to the smooth functioning of the CFE regime, and further the mitigation of the European security dilemma.

The 1996 CFE Review made minor modifications to the treaty, especially with regards to the geographical positioning of Russian troops within the 'flank zones'.⁵⁷ Partially due to American pressure, the concerns Russia had over the issue of flanks (it thought the policy unfair because it limited the ability of Russia to place Treaty Limited Equipment (TLE) in its own territory, to deal with national security concerns) were resolved by changing the structure of the flanks (making them smaller) and increasing the TLE limits for Russia within these flanks.

The 1999 Adaptation Agreement made two significant modifications to the CFE. First, instead of bloc-to-bloc TLE limitations, changes in the regional security environment (the collapse of the Warsaw Pact and the imminent enlargement of NATO) moved the new CFE towards controlling national TLE limits. Secondly, rather than using 'concentric circles' to control TLEs, the Adapted CFE will limit the total number of conventional weapons territorially. The new Treaty also dealt with the issue of Temporary Deployments (TDs), allowing for excess TLEs in the event of 'exceptional circumstances', and there were also measures to increase transparency and information sharing, and an accession procedure for new states. The issue of flank zones, while not specifically mentioned in the Adapted Treaty itself, was carried over. The 2001 review process reinforced the need to increase compliance with TLE levels (referring to Russian non-compliance with flank agreements and TLE levels outside Russian territory), and pushed for member state ratification of the 1999 Adaptation Agreement.⁵⁸

⁵⁴ Jeffrey D. McCausland, "NATO and Russian Approaches to 'Adapting' the CFE Treaty," *Arms Control Today* (August 1997), p. 12.

⁵⁵ The CFE Treaty outlines 5 types of Treaty Limited Equipment (TLEs) – Attack Tanks, Armored Vehicles, Artillery Pieces, Attack Helicopters and Attack Aircraft.

⁵⁶ Referred to in the original 1990 Treaty as 'concentric circles', where the innermost of the four circles had the smallest limits, the outermost incorporating the entire CFE area. Dorn Crawford refers to this as "nesting", where "beginning with the central European countries...each successive zone subsumes all the preceding zone plus adjacent states and military districts." Dorn Crawford, *Conventional Armed Forces in Europe: A Review and Update of Key Treaty Elements*, US Department of State, Arms Control Bureau, Washington DC, January 2003.

⁵⁷ Referring to the Northern and Southern 'Flanks' of Europe, the CFE attempted to alleviate fears of attack from the flanks by limiting the number of forces that Russia and other states could concentrate in these areas.

⁵⁸ *Formal Conclusions of the Second Conference to Review the Operations of the Treaty on Conventional Armed Forces in Europe and the Concluding Act of the Negotiation on Personnel Strength*, http://www.osce.org/docs/english/1990-1999/cfe/cfetr_2revconfe.htm, February 2003.

Evaluation

Community

Has the CFE proven itself to be flexible, able to compromise, and enforce rules-based behaviour, and as such, show us *community*? First, flexibility and compromise are dependent on the ability of the treaty members to agree on shared goals of an arms control regime. Müller argues that above all, a “core of shared objectives among the parties” is necessary for an arms control treaty to be successful.⁵⁹ It can be argued then that if at the treaty-systemic level, shared objectives exist, flexibility and compromise can be undertaken at the treaty sub-systemic level. As long as treaty member states remain faithful to the overall long-term treaty goals, accommodation within the framework of rules-based behaviour can take place. In order for flexibility and compromise to work, though, adherence to the long-term rules as stated in the treaty must be assured. Compliance must be monitored, noncompliance revealed, and long-term cheating dealt with. If *community* can be embedded in a regime alongside rules of enforcement, short term noncompliance can be dealt with in a cooperative, rather than confrontational, manner, and as such reinforce cooperation.

Does the CFE do this? One of the striking characteristics of the CFE has been its flexibility, especially with regards to the Russian Federation. This flexibility has been strengthened by a relationship of compromise between the key actors in the treaty area, especially between Washington and Moscow. Flexibility can be seen in the reaction by CFE Treaty community to Russian non-compliance in the flank zones. Non-compliance had been tolerated, officially, because outside of the flank, Russia has complied fully with the objectives of the CFE – Moscow shares the overall goals of the CFE with the other members.⁶⁰ But it was fully expected that when “internal” matters were dealt with, compliance would be quickly forthcoming. September 2002 provided an important payoff for the decade of flexibility towards Moscow, when Russia stated that it had reached its TLE limits in the Chechen region of its flank zone.⁶¹ Temporary deployments (TDs) are another area that the CFE has shown flexibility towards its treaty area members, making concessions not only to Moscow’s situation on its southern perimeters, but all states in general – embedding the idea of “military flexibility.”⁶² This ongoing flexibility within the framework of rules-based behaviour was most recently exemplified in the 2001 review process, where Russia has been given an extended time frame to remove military resources from Moldova and Georgia.⁶³

Granted, ratification of the CFE Adapted Treaty will not occur until these problems are fixed, stalling progress in other regional security issues. This will pose a significant test of CFE flexibility, as Russia attempted to stall the accession of the Baltic States to NATO in the case of a non-ratified CFE, caused by Russian violations of the flank zone limitations, a rather ‘circular’ problem. Moscow is concerned that NATO enlargement into the Baltics will be completed before these states accede to the CFE, raising the specter of unlimited troop levels for NATO on these territories.⁶⁴ But if the CFE Adapted Treaty is not ratified, this tool does not exist. Developments in Russian force structures over the past year have shown significant progress in meeting these requirements, though.

Flexibility towards other states is also evident. The inability of some states, especially East European members, to destroy or convert weapons within set deadlines due to costs, lack of technical means, or other constraints was dealt with by extending deadlines and offering financial and technical

⁵⁹ Müller, 2000, p. 79.

⁶⁰ Adam Boger, “Russia and the CFE Treaty: The Limits of Coercion,” *The Defense Monitor*, Center for Defence Information, Vol. 29, Issue 10, December 2000, p. 3.

⁶¹ Interview with Canadian Department of Foreign Affairs and International Trade official, February 26, 2003.

⁶² Klaus Bolving, “The Adapted Treaty on Conventional Armed Forces in Europe – CFE – Considerations concerning Baltic CFE-Membership,” *Baltic Defence Review*, No. 4, vol. 2000.

⁶³ “An extra year for Russian Withdrawal from Moldova,” *Arms Control Today*, January/February 2003, www.armscontrol.org/act/2003_01-02/moldova_janfeb03.asp; “Russia has mixes success with CFE implementation,” *Arms Control Today*, September 2001. www.armscontrol.org/act/2001_09/cfesept01.asp.

⁶⁴ Zdzislaw Lachowski, *The Adapted CFE Treaty and the Admission of the Baltic States to NATO*, Stockholm: SIPRI, December 2002; “Russia Raises CFE, Nuclear Concerns over NATO expansion,” *Disarmament Diplomacy*, October-November 2002, <http://www.acronym.org.uk/dd/dd67/67nr17.htm>.

assistance.⁶⁵ The *Voluntary Fund for Activities Related to the Removal and Destruction of Russian Military Equipment and Ammunition from Moldova*, developed by the Organization for Security and Cooperation in Europe (OSCE) contributes towards the withdrawal of Russian military armaments and Moldova, aiding Russia in meeting its 1999 Istanbul Summit promises. The Voluntary Fund, setup in 2000, has also been used to help destroy surplus weapons and explosives in Georgia. This fund provides tangible proof of the CFE Treaty signatories increased involvement in flexible arrangements for arms control.⁶⁶

Compromise between positions was best exemplified by both the 1996 review process and the 1999 adaptation process. The issue of flank zone limitations was a sticking point during the 1996 review process. Russian inability to meet the 1990 CFE flank zone requirements by the 1995 deadline due to changing domestic political situations meant that the review process was at risk. Treaty members searched for ways to compromise between Norwegian and Turkish insistence on absolute reductions and Russian security needs for domestic problems. An American deal saw the reduction in size of the flank zones and an increase in the size of TLE allocations to the Russians in the flank. While American "leadership" over this issue was key to brokering a deal, it showed that the CFE community could reach significant compromises over important issues.⁶⁷

The 1999 Adaptation process saw the interests of NATO members in keeping Russia an active member within a broadening European security community, and as such remained open to compromise on issues. In return for a reluctant nod from Moscow for NATO enlargement, NATO could not constitute a threat, real or perceived, to Russian stability on its Western borders. TLE reductions in the Visegrad states and the territorial limits on TLEs stipulated by the Adapted Treaty has guaranteed that NATO cannot station significant numbers of troops in its new member states, and has for the moment assured Moscow of the peaceful intentions of NATO. Of course, this is dependent on ratification of the Adapted Treaty. Full Russian participation in the construction of the CFE arms control agreement has been guaranteed through a seat in the Joint Consultative Group (JCG), in Vienna. As well, the mix of both Russian and NATO interests in the final Adapted Treaty reflects the ability of Moscow to affect compromise. This ability to compromise within the broader framework of Treaty obligations bodes well for long-term viability of the CFE.

The ability to compromise will be tested with the accession of the Baltic states to both the CFE and NATO, and the continuing problem of Russian TLE outside its territory. Both issues are closely linked. Some members of the CFE (led by the US) insist that NATO enlargement and CFE accession are not linked, and that the Adapted Treaty is not valid until all requirements are met by all treaty members is opposed by Russian insistence that the link must exist and that the flank problem will continue into the near future.⁶⁸ There are members of the CFE who are more open to the linking of the two issues, recognizing the validity of Russian concerns of non-CFE members as part of NATO on their western borders.⁶⁹ The positions taken by the two sides seem firmer than in the past, and may pose a serious threat to treaty *Community*.

On the issue of rules-based behaviour, the CFE faces a unique problem. Since the 1992 ratification of the treaty, the application of sanctions in line with violations of CFE rules has not been undertaken. Why is this the case? As discussed above, flexibility within an overall framework of accepted norms, values and decision-making procedures has been the rule in applying the Treaty requirements. While the High Level Task Force (HLTF) within NATO, as well as the JCG, have the ability to apply political pressure on member states to fulfill their requirements under the CFE, there are no formal sanctions available to the member states. Does this pose a problem for the long-term viability of the CFE? In the opinion of this author, the answer is no. Both inspections, verifications, and information exchanges have been useful tools in evaluating compliance with the rules. A high degree of compliance has been the

⁶⁵ Karoly Banai and Pal Dunay, "The CFE Compliance Record After Treaty Signature," *The Geneva Centre for Security Policy*, Working Paper, February 2002, p. 8.

⁶⁶ Organization for Security and Cooperation in Europe, *Annual Report 2001 on OSCE Activities*, November 26, 2001. The Voluntary Fund will also assist in the destruction of surplus weapons and ammunition in Georgia; OSCE Press Release, "OSCE States will fund long-term scheme to destroy surplus weapons and explosives in Georgia," January 30, 2003.

⁶⁷ This is a very good example of an arms control treaty enhancing cooperation while at the same time no "robbing states of the ability to defend themselves," a key requirement of Schofield (2000) for a viable arms control treaty.

⁶⁸ "Russia Raises...", *Disarmament Diplomacy*, November 2002.

⁶⁹ Interview with Department of Foreign Affairs and International Trade official, Ottawa, February 26, 2003. See also Lachowski, 2002.

norm since treaty inception. When compliance has not been forthcoming, peer pressure has been the tool of choice, and has proven effective.⁷⁰

Adaptability

The ability of arms control treaties to adapt to changing security contexts is important for long-term viability. If an arms control treaty is unable to shift to changing security conditions, it will quickly lose relevance. Has this been the case with the CFE? Since its inception in 1990, the CFE has shown remarkable adaptability to changing conditions on the continent, but it faces significant challenges of adaptation in the years to come.

The CFE's historical adaptability stands out. First, the ability to adapt to changing security contexts after the collapse of the Warsaw Pact and the dissolution of the Soviet Union and the end of the Cold War were what best characterized the changes involved in the 1999 Adaptation Agreement. Russian concerns since the signing of the 1990 CFE Treaty had been extensive. A balance was quickly reached between Soviet and NATO forces, but was subsequently undermined by the collapse of the Warsaw Pact and the disintegration of the Soviet Union in 1991-92. Russia found itself in a very different geopolitical position than when CFE negotiations began in 1990. Ex-Warsaw Pact members were seen as potential new members in NATO, and ex-Soviet republics were now independent actors, not directly controlled by Moscow. This meant that the 1990 CFE Treaty was detrimental to Russian security concerns – the TLE limits that were based on bloc-to-bloc considerations were no longer valid, and Soviet TLEs had to be shared among the successor states of the Soviet Union. The Tashkent Agreement (1992) among CFE member states (plus Georgia) of the former Soviet Union divided TLE limitations formerly held by Moscow, and provided a very early example of adaptability.⁷¹

The negotiations over the Adaptation Agreement formalized the shift of the CFE from a Cold War treaty to a treaty dealing with the new European security environment. The shift from bloc-to-bloc TLE limitations to national TLE ceilings removed, at least at the treaty level, the old East-West divide. Both the national ceiling limits and the territorial limits dealt extensively with Russian concerns about regional security with the collapse of the Warsaw Pact and the Soviet Union, and the declining security balance between Russia and its neighbours to the West. The shift was embedded in the CFE, showing its high level of adaptability.⁷²

But adaptability is the area where the greatest threat to the CFE's long-term viability rests. While historically it has shifted well, there are several new concerns that will test the treaty in the near future. New security threats within Europe, exemplified by the disintegration of Yugoslavia, Russian changes in military/nuclear strategy, and the events of September 11th, have changed the nature of threats to states in Europe, and as such affected the role of arms control treaties. The type of conflict that the Balkans experienced during the 1990s, and the broader implications it could potentially have had for the region, are issues that the CFE deals with. Small arms and non-traditional military means were used to inflict the greatest damage during these conflicts. To ensure long-term peace and stability in Europe in an environment where genocide is possible, it is necessary then that the CFE work in tandem with other Confidence and Security Building Measures (CSBMs) as outlined in the 1999 OSCE Vienna Document. But while some have argued that the CFE should become involved in the regulation of the types of conflicts we have seen in the Balkans, and deal with "demand side" management,⁷³ this is not particularly feasible, as it exceeds the mandate given to the CFE, even in its adapted form. A greater integration of the means to control the sources of conflict, from traditional conventional weapons to small arms, and ensuring regional domestic stability is necessary, and thus a difficult challenge for the CFE and other CSBMs in the future.

New Russian military strategy, especially with regards to non-strategic nuclear capabilities, has an impact on the conventional arms control agenda. With the decline in the conventional capabilities of

⁷⁰ Interview with Department of National Defence official, Ottawa, February 26, 2003.

⁷¹ See Crawford, 2003.

⁷² McCausland, 1997.

⁷³ John E. Peters, *The Changing Quality of Stability in Europe: The Conventional Forces in Europe Treaty Toward 2001*, RAND, 2000. His argument is that the CFE should become a manager of the "resort to arms", focusing on issues such as police monitoring, the establishment of international legal institutions, regulation of the press, etc. p. 25-28.

Russia, nuclear weapons have become more important as a tool for deterrence, perhaps even towards neighbours to the west. This challenges the norms and values at the core of the CFE, and potentially increases the risk of a failed balance of power. If controlling conventional weapons no longer matters due to the potential strategic use of nuclear weapons by Moscow, the future of the CFE is indeed in question. Fears in Russia about western nuclear capabilities on former Warsaw Pact and Soviet Republic territories influences Moscow's approach to current security issues, especially NATO enlargement.⁷⁴ As such, to allay fears in Moscow over nuclear policy, CFE enlargement, NATO enlargement, and nuclear weapons use and disarmament discussions must be ongoing, and conducted in parallel. Only then can long-term viability of the CFE, let alone peace and stability in Europe, be guaranteed.

On September 11th 2001, the international system changed. One of the main outcomes applicable to this discussion is the effects of shifting ideas about the value of international treaties, be they arms control or otherwise. The other outcome is the reevaluation of multilateralism, especially as used by the United States. While the ending of the Anti-ballistic Missile Treaty (ABM) perhaps foreshadowed it, the terrorist attacks in New York and Washington ushered in an era of American unilateralism. The overall military strategic shift from deterrence to pre-emptive strikes, mixed with unilateralism, forces one to question the viability of international arms control regimes. But these questions do not necessarily stem from American action. Rather, it is the interpretation of American action by both allies and adversaries about the usefulness of multilateral bargains in mitigating the security dilemma that affects the discussion here. If the international hegemon sets the parameters for acceptable action in the international system, then the precedent setting nature of its actions are important. If the precedent is for unilateral action and pre-emptive strikes, the lessons that others in the international system can learn is that "the ends justify the means," as what seems to have been the case in the aftermath of Kosovo and Russian military strategy.⁷⁵ If both the treatment of the ABM Treaty by Washington and American military strategy post-9/11 have the same effect on international treaties, which may have been reflected in the North Korean defection from the Non-Proliferation Treaty in 2002, are arms control treaties worth the paper they are written on?

To sum up the evaluation of the CFE Treaty, there is a significant level of community present. The treaty has proven itself flexible, apt to compromise between member differences, and has done so using rules based behaviour. There is little that seems to threaten the ability of the CFE Treaty area to continue to show characteristics of community, since the overall goals of the treaty are embedded in most member states. In those areas where values clash there has been compromise, all within the framework of intrusive inspections and detailed information sharing. As such it has mitigated the classical security dilemma that states in Europe faced. On the other hand, while there is a significant degree of internal cohesion, adaptability to outside security changes, which historically has strengthened the regime, threatens to weaken it. The CFE may not have the institutional strength, on its own, to withstand these pressures, and as such may play a reduced role in the future.

⁷⁴ "Russia Raises...", *Disarmament Diplomacy*, October-November 2002; Christine Kucia, "Baltics Deny Plan to Deploy NATO Nuclear Weapons," *Arms Control Today*, October 2002.

⁷⁵ Alexei Arbatov, "The Transformation of Russian Military Doctrine: Lessons Learned from Kosovo and Chechnya," George C. Marshall European Center for Security Studies, No. 2,

Canada and the CFE

What should Canada's view be with regards to the future of the CFE? Are the values that Canada holds towards the international system met by participating in the CFE? Canada, as a founding member of the CFE Treaty group, has upheld the importance of the CFE since 1990. This has continued over the long-term, and especially over changes of government in Ottawa. More importantly, in the current context of a Liberal government in Ottawa, the CFE fulfills key aspects of Canada's vision of both what the international system should look like and what Canada's place in that system should be. As a very successful example of rules-based security cooperation in a multilateral setting, the CFE fits into Canada's perception of its long-term role as multilateral middle-power.

More contemporarily, the CFE fits into the priorities of Canada internationally, specifically by promoting prosperity, ensuring security, and spreading Canadian values abroad.⁷⁶ By eliminating the security dilemma in Europe, an area traditionally important for the long-term prosperity and security of Canada, the CFE should remain an important tool for arms control in Europe. A further benefit of supporting the CFE is its potential for exportability. Within Europe, the principles of the CFE have been applied to restoring peace and stability in the Balkans. In both the Dayton Accords and the subsequent Subregional Arms Control Agreement between Croatia, Bosnia Herzegovina and Serbia, the principles of arms inspections, armament limitations, and geographical limitations on weapons holdings found in the CFE have been used to mitigate a very tense security dilemma.⁷⁷ This successful application of CFE principles could reasonably be applied outside of Europe, especially in areas of tension such as the Middle East, South Asia, and the Korean Peninsula. As one specialist put it, "[i]t seems from my point of view very difficult to establish permanent cooperation between these countries [in the regions mentioned above] without some kind of military transparency, confidence building and some kind of accountability in the force strength there."⁷⁸ Canadian arms control specialists should use the lessons learned through participation in the CFE to assist in mitigating security dilemmas in other regions of tension.

⁷⁶ *Canada and the World*, Ottawa: Department of Foreign Affairs and International Trade, 1995.

⁷⁷ On the Dayton Accords and CFE principles, see Sami Fournier, Tasos Kokkinides, Daniel Plesch, and Richard Thomas, "Implementing Dayton: Arms Control and Intelligence in Former Yugoslavia," *British American Information Council*, March 1996. On the Subregional Arms Control Agreement and the CFE, interview with Hans-Joachim Schmidt, Senior Research Associate, Peace Research Institute Frankfurt, March 2003.

⁷⁸ Interview with Hans-Joachim Schmidt, March 2003.

Conclusion

Does the CFE resolve the security dilemma in Europe? The above discussion points to a clear yes. Historically, the CFE has successfully fulfilled its role as an international arms control regime, applying a universally accepted set of principles, norms, rules, and decision-making procedures in the treaty area. It has institutionalized discussion and joint decision-making (in the form of the JCG and through the OSCE and NATO). Through intrusive and open inspections and information sharing, the CFE has provided the member states relatively unbiased information on their neighbour's conventional assets, significantly reducing the uncertainty and unpredictability in their relations.

Does the CFE fill the criteria set out in this paper for evaluating the viability of arms control regimes, that is *community* and *adaptability*, and as such show a continued relevance and institutional capacity for dealing with arms control issues in Europe? Again, the discussion here points to a yes, but perhaps a more guarded one. There is a high degree of community within the treaty area – flexibility and compromise while working within a broad framework of rules-based behaviour. But while community is high, and historically the CFE has shown itself to be adaptable to changing security conditions, the present and future arms control issues that face European states may prove to be highly divisive, more so than any of the security issues dealt with in the past. While this may conclude on a negative tone, the record of the CFE in adapting to new circumstance is exemplary, and points to an ability to overcome future hurdles.

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Lester B. Pearson Building
125 Sussex Drive
Ottawa, Ontario
K1A 0G2

FAX: (613) 944-3105

E-MAIL: isrop-prisi@dfait-maeci.gc.ca

WEBSITE: [http://www.dfait-maeci.gc.ca/
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Direction de la non-prolifération, du contrôle
des armements et du désarmement
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Ottawa, Ontario
K1A 0G2

FAX : (613) 944-3105

COURRIEL : isrop-prisi@dfait-maeci.gc.ca

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