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THE CFE TREATY: A Cold War Anachronism?

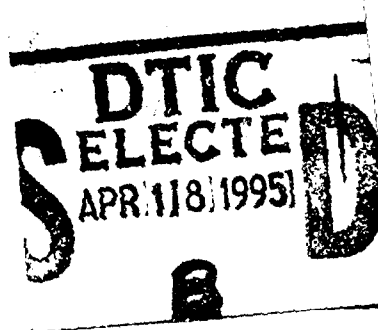
Jeffrey D. McCausland

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**THE CFE TREATY:
A COLD WAR ANACHRONISM?**

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March 20, 1995

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FOREWORD

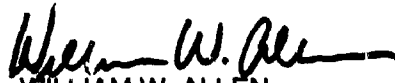
On November 19, 1990, the Conventional Armed Forces in Europe (CFE) Treaty was signed in Paris following the successful completion of 20 months of negotiations between the members of NATO and the Warsaw Pact Treaty Organization. At its completion President Bush hailed the agreement as ending the " . . . military confrontation that has cursed Europe for decades." Despite the dramatic nature of this document, the large scale reduction required of all signatories, and the complex inspection regime it established; the completion of the treaty was overshadowed by the ongoing deterioration of the Warsaw Pact, end of the Berlin Wall, and impending conflict in the Persian Gulf between Iraq and the coalition headed by the United States. Even these events paled to insignificance in comparison to the dissolution of the Soviet Union roughly 1 year later. In this study, the author examines the viability of this agreement in the post-Cold War era. He describes the scope of the treaty, how it was adapted to meet many of the changes that have occurred, and how it has moved towards final implementation in November 1995.

The author describes the problem of the flank limitations that Russian and Ukrainian forces must subscribe to at the end of the implementation period. Both countries have argued that they can no longer live with these restrictions and have formally requested that they be removed or modified. He notes that there has been little progress towards resolving this impasse, and there is every indication that the Russian Federation will be in violation of the CFE accord in November of this year. This development indicates not only Russian disquiet with the treaty but larger questions concerning the role of various "players" in the Russian national security process and the direction of Russian foreign policy. The author then suggests a framework that NATO should adopt in formulating a policy towards the flank question.

The final portion of the study is devoted to the future role of conventional arms control in American foreign policy. Here the

author discusses the implications that a compromise or failure in CFE implementation may have on broader questions of policy as well as the areas of emphasis for the Review Conference scheduled for spring 1996.

The Strategic Studies Institute is pleased to publish this report as a contribution to understanding this issue of U.S. national security policy.



WILLIAM W. ALLEN

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BIOGRAPHICAL SKETCH OF THE AUTHOR

COLONEL JEFFREY D. MCCAUSLAND is currently Director of European Studies at the United States Army War College, Carlisle Barracks, Pennsylvania. He holds a Ph.D. in International Relations from the Fletcher School of Law and Diplomacy, Tufts University. During his military career he has served in a variety of command and staff positions in the United States and Europe. This includes an assignment to the Office of the Deputy Chief of Staff for Operations working on the Conventional Forces Europe Treaty (CFE) from 1988 to 1989. He commanded the 3rd Battalion 17th Field Artillery, VII Corps during Operations Desert Shield and Storm. He was previously a member of the Department of Social Sciences, West Point; a visiting fellow at the Center for International Affairs, Harvard University; and a research fellow at the International Institute for Strategic Studies, London. His articles have appeared in *The Fletcher Forum*, *Parameters*, *Naval War College Review*, *Comparative Strategy*, *Armed Forces and Society*, *Defense Analysis*, *Field Artillery Journal*, *Military Review*, and *International Defense Review*. He is also the author of a monograph, *The Gulf War: A Military Analysis*, published by the International Institute for Strategic Studies, London. He is a contributing author to two books, *Conventional Deterrence* (1984) and *Arms Control in the 1990's* (forthcoming).

SUMMARY

This study examines the Conventional Armed Forces in Europe (CFE) Treaty with respect to the process of implementation to date and prospects for final implementation in November 1995. It describes the basic points of the treaty and the danger posed by the ongoing disagreement between NATO and the Russian Federation over the limitations imposed by the treaty on Russian forces in the "flank areas" (Leningrad and North Caucasus Military Districts in the Russian Federation). It analyzes the positions of the primary NATO members, Russian Federation, Ukraine, as well as the United States, and places the treaty in the broader context of Russian foreign policy and the future of conventional arms control. The main findings are as follows.

The Treaty and Implementation Process.

- The Treaty consists of over 110 pages of text encompassing 23 Treaty articles, protocols, and two annexes. There are two legally binding agreements and four other political documents associated with the overall accord. It limits five categories of weapons between the NATO and Warsaw Pact (tanks, artillery, armored combat vehicles, helicopters, and attack aircraft). The area of agreement is further subdivided into geographic subzones with limits for each area. Overall limits for each alliance are 20,000 tanks; 30,000 armored combat vehicles; 20,000 artillery pieces; 6,800 combat aircraft; and 2,000 attack helicopters. The treaty is designed to be implemented by stages with each country reducing by 25 per cent of its overall requirement the first year, 60 per cent in 1994, and 100 per cent by November 1995 with a period of 4 months (until March 1996) to verify residual levels.
- Despite the tremendous changes that have occurred since 1989, the treaty remains in the best interest of the

United States. It has prevented arms racing, increased the level of transparency, reduced the possibility of both surprise attack and miscalculation, and enhanced conventional deterrence. The treaty also provides for annual notifications of changes to force structure as well as overall information exchanges. Lastly, it requires countries to comply with stringent force requirements and assists in the continuing momentum of the process which may have positive effects in other areas.

- Implementation has proceeded well. All reduction targets have been achieved with the exception of Armenia and Azerbaijan. The treaty has provided opportunities for NATO to cooperate with the new states of Eastern Europe and emerging countries of the former Soviet Union in terms of arms control inspector training and transfer of data. By September 1994 over 18,000 items of treaty limited equipment (TLE) had been destroyed including 6,000 from the Russian Federation. There has been no evidence of a concerted effort by any party to cheat or intentionally mislead inspection teams.

The Problem of the Flanks.

- The eventual implementation of the treaty by the end of 1995 remains uncertain. The Russian Federation has protested that it must be relieved of Article V which limits Russian forces in the Leningrad and North Caucasus Military Districts (referred to as the "flanks"). The Ukraine has also protested these restrictions as discriminatory and beyond its capability. Russian officials have argued that they will need roughly 400 tanks, 2,400 ACVs, and 800 artillery pieces in excess of what they are authorized to confront growing tensions particularly on their southern flank. This area includes Chechnya where the Russians are likely to desire a large force for an extended period of time to defeat Chechen forces and maintain control.

- The Russians and Ukrainians have proposed various solutions to this impasse, but most require a significant change to the treaty which might well require the agreement to be resubmitted to national assemblies for ratification. NATO has opposed these solutions and urged Russia and the Ukraine to seek solutions within the "flexibility of the treaty." Turkey and Norway (the countries most directly affected by increased Russian forces on the flanks) have strongly opposed any change to the treaty, and this position has been endorsed by France in the High Level Task Force (HLTF). Turkey has suggested that it might withdraw from the treaty if Russian demands are met.

Implications of the Ongoing Disagreement.

- The position of the Russian Federation on this issue may well reflect other factors and difficulties. The various "players" in the Russian national security process (Ministry of Defense, General Staff, President, Foreign Minister, and Ministry of the Interior) have at times openly disagreed. Furthermore, it is difficult to envisage Russian leaders compromising on this issue shortly before the next Russian presidential election in June 1996. Lastly, any compromise which allows a significant increase in Russian forces in the south has serious implications for their policies towards the "near abroad" and reincorporation of these countries into the Commonwealth of Independent States (CIS).
- As we approach the last year of implementation, NATO must act quickly to find a solution. In doing so the NATO members must keep in mind the broader issues confronting the Alliance. Failing to do so may not only compromise the treaty but also submit NATO to severe internal dissension. If a compromise can be found and the treaty is fully implemented many of the issues now being discussed will be on the agenda at the followup conference in the spring of 1996.

THE CFE TREATY: A COLD WAR ANACHRONISM?

Introduction.

On November 19, 1990 the Conventional Armed Forces in Europe (CFE) Treaty was signed in Paris following the successful completion of 20 months of negotiations between the members of NATO and the Warsaw Treaty Organization (WTO). At its completion, President Bush hailed the agreement as ending the "... military confrontation that has cursed Europe for decades."¹ Despite the dramatic nature of this document, the large scale reduction required of all signatories, and the complex inspection regime it established, the completion of the treaty was overshadowed by the ongoing deterioration of the Warsaw Pact, the end of the Berlin Wall, and impending conflict in the Persian Gulf between Iraq and the coalition headed by the United States. Even these events paled to insignificance in comparison to the dissolution of the Soviet Union roughly one year later. Consequently, many observers announced the imminent demise of the CFE Treaty. The *London Times*, for example, sounded a particularly distressing note when it announced: "Europe's most ambitious arms control treaty risks becoming unworkable because of the Soviet Union's disintegration."²

Almost paradoxically, the CFE Treaty has survived the early reports of its demise. This is perhaps testimony to its value and the relative importance participating states attach to it. Ongoing changes did slow its entry into force as it was not provisionally applied until July 17, 1992. It became legally binding on all parties 10 days after the last country deposited its instruments of ratification which was not until November 9, 1992.³ The purpose of this study is to examine the future viability of the CFE Treaty for the United States. This suggests two additional queries: Will the treaty be fully implemented within the 40 months allocated? If so, what are the prospects for future conventional arms control in Europe?

The rapid pace of the CFE negotiations, the ability of participating states to deal with extraordinary change, and the steady progress towards full implementation illustrate many of the primary aspects of arms control in general and conventional arms control specifically. First, arms control only serves as a part of any nation's overall national security strategy. As such it is a "method" to be used in seeking the overall "objective" of improved security. It is *not* an objective in isolation. Consequently, though the focus of any negotiation is the details of the prospective agreement, the arms control process must always be consistent with the overall direction of national security strategy. Second, "arms control" differs significantly from "disarmament." While this may seem self-evident to most people, the terms are misused so frequently that it deserves emphasis. "Arms control" is a policy method whereby states seek through negotiations to improve their security. It can not change ideologies and may not reduce hostilities. Normally objectives are to improve predictability, diminish the possibility of miscalculation (particularly in a crisis), and reduce confrontation. "Disarmament," however, is either unilateral or imposed on states normally by the victors in war such as Germany and Japan after World War II or Iraq (to some degree) following the Gulf War. Third, arms control is a political process and can not be divorced from other aspects of a nation's security or foreign policy. It is affected by domestic events, other issues between states, and the bureaucratic process of the participating parties. Consequently, progress in one arms control forum may be affected (positively or negatively) by the success or failure of other negotiations and previous agreements. Lastly, conventional arms control is more difficult and less likely to result in success than nuclear arms control. The military resources at issue in a conventional negotiation are complex components of a nation's overall military capability. Furthermore, as in CFE, conventional negotiations are coalition or alliance undertakings which means that the political and economic institutions of many states are both involved and affected by the result. The final result must improve the overall security of all member states and be consistent with agreed alliance strategy.⁴

The Treaty.

The CFE Treaty consists of over 100 pages encompassing 23 Treaty Articles, several protocols, and two annexes. There are also six legally binding statements and several other political documents associated with the overall accord. The agreement limits five categories of weapons in the European territory of the members of the North Atlantic Treaty Organization and the former Warsaw Pact (referred to as "groups of states parties") stretching from the Atlantic Ocean to the Ural Mountains. The area of the application (AOA) is further subdivided into five geographic sub-zones. Each of these areas have sublimits for the amount of treaty limited equipment. The purpose of zones was to force the relocation of Soviet forces eastward from the inner-German border and to prevent their concentration within the Soviet Union. The AOA changed with the dissolution of the Commonwealth of Independent States (CIS) as the Baltic States left the treaty upon achieving their independence. Any forces from the Russian Federation present on their soil, however, counted against the overall total for the Russia. In addition, a portion of southeastern Turkey is excluded from the treaty due to Turkish concerns about security issues relating to Syria and Iraq.

Though the treaty was negotiated in a multilateral forum, it is firmly rooted in the alliance formations of the Cold War—NATO and the Warsaw Pact. Despite the dissolution of the Warsaw Pact the bloc-to-bloc character of the treaty continues and will do so until at least final implementation in 1996. Overall limits for each alliance are as follows: 20,000 main battle tanks; 30,000 armored combat vehicles (ACVs) with subcategories for three different varieties; 20,000 artillery pieces; 6,800 combat aircraft which excludes trainers, strategic bombers, and transport aircraft; and 2,000 attack helicopters. In addition, no single nation may have more than 33.3 percent of the total group entitlement for tanks (i.e., 13,300); 33.3 percent of armored combat vehicles (i.e., 20,000); 34.4 percent of the artillery (i.e., 13,700); 37.9 percent of the aircraft (i.e., 5,150) and 37.5 percent of helicopters (i.e., 1,500). Each Alliance (NATO and WTO) had to negotiate the entitlements for its members consistent with these ceilings. Following the

dissolution of the Soviet Union the successor states agreed to limitations for each state at Tashkent on May 15, 1992. Additional adjustments were made upon the division of Czechoslovakia. Table 1 contains all the CFE entitlements for the participating states (referred to as treaty limited equipment [TLE]). The treaty also requires that states place a portion of their allocation in designated permanent storage sites (DPSS).

Lastly, the treaty places additional restrictions on the so-called "flanks" (see Figure 1). This area includes all of Romania, Bulgaria, Moldova, Armenia, Georgia, and Azerbaijan. It also consists of the North Caucasus and Leningrad Military Districts of the Russian Federation and the southeastern portion of Ukraine. The total, for example, for Russian forces in this area is 700 tanks, 1,280 artillery pieces, and 580 ACVs in active units. The treaty further allows the Russian Federation to place 600 tanks, 400 artillery pieces, and 800 ACVs in DPSS in the northern portion of the flank (i.e., Leningrad Military District). The flank zone concept was the result of efforts by Turkey and Norway. Neither country wanted to see Soviet forces removed from the Central Region only to reappear on their borders.

In addition to the revised totals for each of the emerging states of the former Soviet Union, two other official statements by the Soviet Union deserve particular mention. First, the Soviets formally announced on June 14, 1991 that all treaty limited equipment (tanks, artillery, and armored combat vehicles) assigned to naval infantry or coastal defense forces count against their total authorized TLE. This was to assuage concerns that the Soviet Union might transfer large amounts of equipment from the army to its naval forces in order to circumvent treaty obligations. The second commitment went into effect at the same time and acknowledged the requirement of the Soviet Union to destroy roughly 14,500 pieces of TLE east of the Ural Mountains (i.e., outside of the area of the treaty). The first of these statements is considered legally binding on the Soviet Union while the second is construed to be a political obligation. These responsibilities were also acknowledged in the Tashkent Agreement by the Russian Federation and Ukraine as successor states of the USSR.

TABLE 1
CFE TREATY ENTITLEMENTS

North Atlantic Treaty Group

<u>Country</u>	<u>Tanks</u>	<u>Arty</u>	<u>ACVs</u>	<u>Helos</u>	<u>Aircraft</u>
Belgium	334	320	1099	46	232
Canada	77	38	277	13	90
Denmark	353	553	316	12	106
France	1306	1292	3820	352	800
Germany	4166	2705	3446	306	900
Greece	1735	1878	2534	18	650
Italy	1348	1955	3339	142	650
Netherlands	743	607	1080	69	230
Norway	170	527	225	0	100
Portugal	300	450	430	26	160
Spain	794	1310	1588	71	310
Turkey	2795	3523	3120	43	750
UK	1015	636	3176	384	900
US	4006	2492	5372	518	784

Budapest/Tashkent Group

<u>Country</u>	<u>Tanks</u>	<u>Arty</u>	<u>ACVs</u>	<u>Helos</u>	<u>Aircraft</u>
Armenia	220	285	220	50	100
Azerbaijan	220	285	220	50	100
Belarus	1800	1615	2600	80	260
Bulgaria	1475	1750	2000	67	235
Czech Rep.	957	767	1367	50	230
Georgia	220	285	220	50	100
Hungary	835	840	1700	108	180
Moldova	210	250	210	50	50
Poland	1730	1610	2150	130	460
Romania	175	1475	2100	120	430
Russia	6400	6415	11480	890	3450
Slovakia	478	383	683	25	115
Ukraine	4080	4040	5050	330	1090

Source: Dom Crawford, *Conventional Armed Forces in Europe (CFE)—A Review and Update of Key Treaty Elements*, Washington: U.S. Arms Control and Disarmament Agency, 1994, p. 6.

RUSSIA CFE ARTICLE V

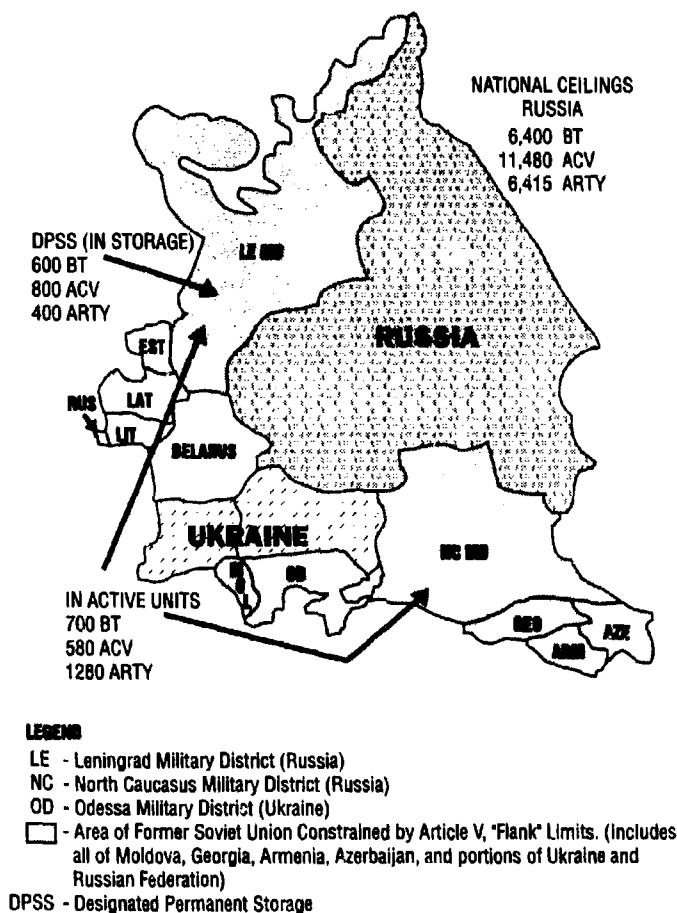


Figure 1

The treaty additionally contains numerous other specifications that would logically be required in effecting an agreement of this complexity. It includes careful definitions of such diverse topics as "groups of parties," "artillery" (must, for example, be 100mm or larger), and "designated permanent storage sites." It further lists procedures for the establishment of the Joint Consultative Group (JCG) consisting of

representatives from every state involved in the treaty to monitor problems that may occur during implementation, proper methods of verification, and the requirement for periodic exchanges of information.⁵

Treaty Analysis.

While the amount of equipment and geographic limitations imposed are important, they are still only a technical reflection of the strategic goals that both sides had when the negotiations commenced. The objectives of the CFE Treaty are described in its mandate. They include strengthening stability and security in Europe through the creation of balanced conventional forces; establishing lower levels for conventional armaments and equipment; eliminating disparities prejudicial to stability and security; and, as a priority, precluding the capability for launching surprise attacks or large scale offensive operations.⁶ These conditions are an appropriate mechanism to evaluate conceptually whether or not the United States should continue to participate in the implementation of the accord.

Despite the tremendous changes in the world since 1990, the treaty continues to foster the objectives outlined and remains in the best interests of the United States for several reasons. First, the stabilizing limits established mean that no participating signatory can exceed its agreed limit in any category of forces or increase its allowed CFE-reduced arsenal without both the concurrence of all the other members in its group and corresponding reductions by one or more states in the group to avoid exceeding the allowed alliance total. Consequently, it has prevented arms racing throughout the continent. Curiously while this may be most important in troubled areas in the CIS such as the Russian Federation and Ukraine, it also provides Hungary the means to prohibit the expansion of the Rumanian military and Turkey a mechanism to limit Greece.⁷

Second, it enhances conventional deterrence by expanding the "transparency" states have with each other's military forces and further reduces the possibility of accidental

conflict. Deterrence is further advanced by the asymmetrical nature of the reductions which in the aggregate requires NATO to reduce only a fraction of the amount required of the former members of the Warsaw Pact and results in balanced forces between the two "groups of states parties."

Third, the treaty requires states to notify participants of change in the size and character of their military forces and provide an annual exchange of information. Fourth, the strict inspection and verification regime insures compliance. This, coupled with information exchanges, insures that all members have a great deal of predictability in forecasting the military forces of their neighbors. Lastly, while requiring all sides to live up to stringent requirements the treaty also establishes a clear momentum in the process which may bear fruit in other areas.

It is important to remember that the United States was also able to protect certain operational objectives during the negotiations. These included the maintenance of Alliance unity, exclusion of nuclear weapons from the discussions, exclusion of naval forces in the negotiations, preservation of American rights to store prepositioned material in Europe, and avoidance of the mandatory disbandment of withdrawn U.S. forces or any permanent limitations on the overall size of U.S. forces.⁸ These advantages have not been compromised by events since and may be even more important today.

Consequently, it would make little to no sense for the United States to consider abrogating the treaty. This is particularly true in light of the changes that have occurred in Europe and a desire to reflect those changes in reduced U.S. troop presence. Furthermore, while the members of NATO have differed on many aspects of policy, there is absolute unity in the desire of all Alliance members for the treaty to be fully implemented and insure its establishment as a key element in the overall European security framework. This is also true in legal terms as there would hardly seem to be the extraordinary circumstance that has jeopardized U.S. security (as outlined in Article XIX) which would allow withdrawal. In summary, the treaty appeals to the enlightened self-interest of the United States as well as its Alliance partners. The national security of

the United States is far more effectively enhanced by the final implementation of CFE than by its abrogation.

Implementation.

Implementation of the treaty has progressed surprisingly well. The verification regime established targets for states to achieve during a 40-month period. The lengthy time of implementation is due to the overwhelming complexity of the treaty and the monumental task of either removing or destroying a vast array of equipment. This amounted to roughly 32,000 pieces of TLE for the Warsaw Pact and 16,000 for NATO (this includes East German equipment to be destroyed by the Federal Republic following reunification). The initial target (September 1993) required each state to meet 25 percent of their reduction requirement for each type of equipment. Goals of 60 percent by September 1994 and 100 percent by November 1995 were also established. Flank limitations go into effect in November 1995 as well. At that time 4 months are allocated to verify residual force levels of all states parties before the treaty is declared fully implemented. When that is accomplished a review conference of all signatories will be convened to discuss difficulties, possible changes to the treaty, and potential future agreements.

It is perhaps axiomatic for successful arms control agreements that they receive their most intense public scrutiny during the negotiations, and little attention is paid to the implementation process. If that is true then CFE has been very effective to date with little to no fanfare. All states parties with the exception of Armenia and Azerbaijan (due to the ongoing conflict in Nagorno-Karabakh) reached their reduction goals in September 1993 and also for 1994. Overall, roughly 18,000 pieces of TLE have been destroyed in the former Warsaw Pact alone and approximately 6,000 of this was accomplished by the Russian Federation. None of the inspections of this process has revealed discrepancies of a significance to suggest circumvention or violation of treaty provisions.

The process of implementation has also changed to meet the evolving international conditions in Europe, and this has

presented NATO with opportunities as well as difficulties. The preamble of the treaty includes a clause which commits the signatory to strive "to replace military confrontation with a new pattern of security relations based on peaceful cooperation."⁹ Though the agreement is very specific in its technical content, it does not provide any description about how these new "patterns" are to be accomplished. The creation of the North Atlantic Cooperation Council (NACC) which includes all of the former members of the Warsaw Pact as well as NATO was done in some measure to adjust the security environment in light of the demise of the Warsaw Pact (one of the two "group of states parties" described in the accord). This has resulted in an increase in the flow of information and ideas on the conduct of implementation, to include seminars on verification run by NATO for NACC members, attendance by Eastern European officers at the NATO arms control inspection course, and access to NATO's verification data base (VERITY) which now provides on-line access to many capitals in the former Warsaw Pact. These new contacts have been formalized as NATO's Enhanced Cooperation Program.¹⁰ Difficulties have arisen, however, in the desire of the former members of the Warsaw Pact to conduct so-called "East-on-East" inspections. These demonstrate the emerging security concerns of Central European countries but also reduce the total number of inspections available to NATO of those states in the East of particular interest (i.e., the Russian Federation and the Ukraine). In addition, the creation of NATO's Partnership for Peace (PfP) may expand these possibilities into such things as the participation of non-NATO participants in Western inspections as a PfP "event." It may also allow non-signatories to the CFE Treaty (e.g., Slovenia) who have joined PfP to participate or observe the conduct of inspections.

The Problem of the "Flanks"

Despite the optimism generated by the obvious progress, serious difficulties have arisen which may imperil final implementation of the CFE accord. The most serious of these is the request by the Russian Federation and Ukraine to be relieved of the Article V limitation on the amount of TLE that

can be located in the flank areas of their countries which consist of the Leningrad and North Caucasus Military Districts in the Russian Federation and Southeastern Ukraine (see Figure 1). U.S. officials were first made aware of these concerns in early 1993.¹¹ General Grachev (Russia's Minister of Defense), returning from an inspection tour of military units in the Transcaucasus, stated that the "geopolitical situation has changed" since the treaty had gone into effect and that Russia "... now finds it necessary to reconsider the armed quotas envisioned by the (CFE) accords." Later Grachev's press office reported that a Defense Ministry Collegium had discussed the pressing problem of CFE quotas and "expressed concern" that CFE limitations were forcing Russia to distribute arms in the European part of the country "without taking account of security interests."¹²

Curiously, the problem of the flanks was formally presented to the JCG by the Ukrainian ambassador on September 14, 1993. Ambassador Kostenko pointed out that the flank limits were "... completely unjustified at the present time." Their implementation would force the Ukraine to defend one quarter of its territory with only 17 percent of its tanks, 7 percent of its ACVs, and 22 percent of its artillery.¹³ This was quickly followed by a rather abrupt letter from Russian President Yeltsin to all NATO leaders. Yeltsin noted the drastic changes that had occurred in the political situation on the continent, the increased turmoil along Russia's borders, and the complex economic and social problems the Russian Federation was suffering in the redeployment of massive numbers of troops from Eastern Europe as his principal rationale. Yeltsin also observed that the two districts constrained by Article V (Leningrad and North Caucasus) comprise over half the territory of European Russia and the restraints imposed were discriminatory as they were not imposed in a similar fashion on any Western state. Finally, the President noted that a solution to this problem needed to be reached quickly so that Russia could conduct the redeployment of its forces properly and construct sufficient infrastructure.¹⁴

First Deputy Chief of the Russian General Staff Lieutenant General V.M. Zhurbenko underscored the seriousness with

which his country took the issue in remarks delivered in October 1993. General Zhurbenko described the changes that have occurred in the world since the end of the Cold War and expanded on the rationale provided by President Yeltsin. He observed that the flank limits placed the Russian Federation in a position of "unjustified discrimination," forced Russia to place the majority of its forces along the Western borders in contravention to the treaty's stated objectives, and denied his country the necessary forces to deal with rising instability in the Caucasus.¹⁵ He proposed the suspension of Article V of the treaty as a means to solve the problem and further suggested that Russia would be willing to consider certain additional guarantees such as a prohibition on any increase in the military forces assigned to the Leningrad Military District, no "over concentration" of forces in the North Caucasus, and a willingness to limit forces in the Kaliningrad Region.

Since these initial proposals Russian statements on the issue have appeared in almost every JCG plenary. One can discern a degree of increased concern about the matter as time has elapsed. For example, the Head of the Russian Delegation V.N. Kulebiakin commented in January 1994:

. . . if someone is nourishing the hope that, by not doing anything but waiting for the end to the period of reductions the problem of the flank restrictions will disappear in and of itself, these reckonings are absolutely groundless. If in the next six months *this knot has not been untied, then it will necessary to cut it.* (Emphasis added.)¹⁶

In April Kulebiakin cited recent analysis by Chief of the Russian Armed Forces General Staff, Colonel General M. Kolesnikov in an article published in *Kraznaya Zvezda* (*Red Star*). General Kolesnikov observed that a decision on this issue could not be postponed because of the need for ". . . clarity today to choose Russia's optimum defensive configuration and prepare the appropriate infrastructure to build our forces." Kolesnikov concluded that if some kind of accommodation is not made ". . . then we see the fate of the treaty in danger."¹⁷ Finally, in June 1994 First Deputy Chief of the General Staff of the Russian Armed Forces, Colonel General V.M. Zhurbenko addressed the JCG and again warned:

We think that the Treaty may be wrecked not by an amendment which results from objective changes in circumstances and existing realities, but rather by a deaf and impenetrable wall erected on the path of adaption of individual treaty tenets to these new conditions. It seems that several countries have become so enamored of the Treaty to its very last letter, that they are ready to *suffocate it in their embraces of inviolability*.¹⁸ (Emphasis added.)

Overall, the rationale presented by Russian spokesmen in the JCG and elsewhere has been fairly consistent during the intervening year since the Yeltsin letter in explaining why the treaty should be changed. The Russian leadership has essentially presented seven arguments in its analysis. First, the drastically changed political environment in the world makes the basis for the treaty and its bloc-to-bloc character no longer valid. In this regard the treaty unfairly discriminates against Russia by placing internal restrictions with respect to where forces may be positioned on its territory. Second, the new Russian military doctrine which has now been approved by the government and parliament requires a more all-around balanced military defense.¹⁹ Third, the logic of the flanks has changed. Whereas previously the North Caucasus Military District was considered a rear area, it is now a border district.²⁰ Consequently, it is illogical to expect that the deployment of only 15 percent of Russian forces is adequate in an area (the Leningrad and North Caucasus Military Districts) that is over half of European Russia. Fourth, the rising threat to stability, particularly in the southern area due to Muslim fundamentalism, is the greatest challenge to Russian security. To meet this threat General Grachev commented in a press interview on March 2, 1994, "Today, the North Caucasus Military District, is the base, the main district of the Russian armed forces." Fifth, the North Caucasus Military District is better suited to station forces returning to Russia due to its climate as well as economic and social reasons. There already exists some of the necessary infrastructure for returning forces in this region. Sixth, changes to the treaty do not represent a precedent as it has evolved over the intervening years. Russian spokesman normally cite the example of the Baltic states leaving the treaty upon achieving their independence as well as the addition of new states (i.e., the former members of

the Soviet Union, the Czech Republic, and Slovakia).²¹ Finally, several Russian spokesmen have privately suggested that while the Russian government strongly supports the treaty, its key elements remain the reductions and associated inspections. They argue further that despite this fact the treaty is not well-regarded by many members of the military. A display of flexibility by the West on this issue would serve to dispel the lingering doubts of many of these critics.²² Russian leaders have also been quick to point out that they seek no increase in the total allocation of TLE under the CFE accord but rather simply the removal of the flank restriction on what could be positioned in the flanks.

There have also been signs that Russia is now moving in the direction of being outside the flank limitations in November 1995. Lieutenant General Kharchenko, Deputy Chief of Staff of the Armed Forces, reported to the JCG in February 1994 that the Russian military was taking into account improved command and control and structural changes as it positioned forces returning from Germany. As a result, "... we shall have on the southern flank approximately 600 tanks, around 2200 armored combat vehicles, and about 1000 artillery pieces (not counting temporary deployment possibilities)."²³ This would obviously suggest that Russian forces would be far in excess of the 700 tanks, 1280 artillery pieces, and 580 ACVs they are authorized for the entirety of this area as well as the Leningrad Military District. Some analysis has suggested that overall Russian forces could exceed their CFE entitlements in the flank areas by about 2000 ACVs, 400 tanks, and 500 artillery pieces.²⁴ Russian planners have been keen to point out that the CFE Treaty establishes "... the clear cut guidelines for the new military policy of Russia and development of her Armed Forces." With this in mind and based on announced figures this excess equipment would amount to roughly the equivalent of three mechanized divisions.²⁵ Furthermore, General Grachev stated in a press conference in March 1994 that "the formation of mobile forces in the North Caucasus Military District to include three airborne brigades, an airborne division, and two motorized rifle brigades has already started." There is also evidence that Russian military planners are proceeding now to insure sufficient facilities are available to accommodate the

planned force irrespective of the resolution of the flank issue. Russia has underway an extensive military housing construction program in the North Caucasus at 15 military bases. This housing is being built to accommodate the ground and air units that have arrived in the North Caucasus since 1992. A Russian press report in November 1993 listed over 9000 new apartments being constructed during the period 1992 to 1994 at 8 of the 15 locations.²⁶

Russian experts have suggested several solutions to this problem. Initially, proposals focused exclusively on the total suspension of Article V of the treaty which established the flank limitations. Alternatively, the suggestion has been made to remove the North Caucasus from the flanks and recategorize it as a "rear district" which would change the map associated with the Treaty. This was coupled with some of the previously made vague assurances about the level of forces in the Leningrad Military District, no "over concentration of forces" in the North Caucasus, the right under the treaty to station large quantities of equipment in Kaliningrad would not be abused, and the implementation of these changes would not "... prejudice the security of any State Party to the Treaty."²⁷ In February, the Russian Federation added more ideas which attempted to avoid any interpretation of a "change" in the treaty but rather a "reinterpretation" of key portions. This included the exemption of naval infantry and coastal defense forces from flank limits, since this was part of a Declaration by the Soviet Union considered an addition to the treaty but not an integral part of the text. They further suggested that the authorization to remove equipment from designated storage which was allowed as a total for each "group of states" be reinterpreted to mean that each state party had this allowance. This would be coupled with the right to "temporary deployments" to create the force desired.²⁸ In a statement that did little to advance this argument, however, General Grachev defined temporary as "forever minus one day." Most recently Russian spokesmen have suggested that the time period for returning TLE to storage sites (established as 42 days in Article X) be considered a "recommendation."²⁹

While the particular remedy has changed over time, all suggestions still appear to be viable from the Russian perspective. Furthermore, the objective in each case seems to be the same—to increase TLE in active forces particularly those stationed in the North Caucasus region and establish as a precedent that the internal limitations imposed on Russia by the flank requirement are in essence no longer valid.

The Flank Limits and Ukraine.

The flank limitation also restricts the deployment of forces within the borders of Ukraine (see Figure 2). This obviously complicates achievement of a solution satisfactory to all parties. Ukraine has also been adamant since September 1993 that the flank limitations must be reviewed for many of the same reasons cited by the Russian Federation. Ukrainian officials have observed, for example, that the flank limitation stipulates that it can position no more than 7 percent of its total TLE allocation in a portion of the Odessa Military District which takes up nearly one quarter of its entire territory.³⁰ Ukrainian totals on the flank are:

	Tanks	ACVs	Artillery
Active units	280	350	390
DPSS	<u>400</u>	<u>0</u>	<u>500</u>
Subtotal	680	350	890

Ukrainian defense experts have argued that their country requires a more balanced distribution of its forces. Implementation of the flank limitations would force them to position the majority of their forces in the Carpathian Military District which would seem to be in contravention of a stated NATO goal of reducing forward deployed forces. Furthermore, they observed that a solution to this problem must be found by the middle of 1994 in order to give military planners sufficient time to react.³¹ Obviously, this problem is further exacerbated by changes brought about by the dissolution of the Soviet Union and emerging problems between Russia and Ukraine. This includes the disappearance of the Kiev Military District which was shared with Russia, the presence of Russian forces in eastern Moldova, and emerging Russian nationalism in the

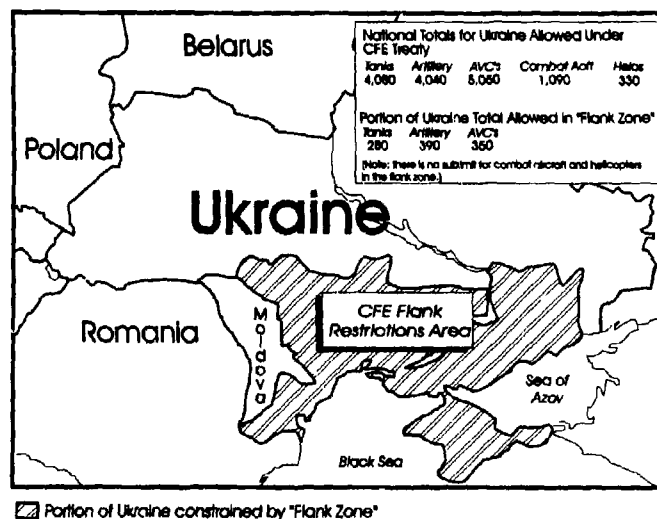


Figure 2

Crimea. In addition, the Russian Federation and Ukraine have yet to settle the final distribution of TLE assigned to the Black Sea Fleet which still includes a significant amount of equipment.³²

In essence, this is an issue of sovereignty for Ukraine as it attempts to establish itself as a mid-level power and not the "spinoff of an old empire." The Ukrainians have also been somewhat wary of the Russian Federation receiving any relief on the flanks for obvious security reasons. Finally, implementation of the flank limits presents the Ukrainians with a tremendous economic problem. It would require them to abandon infrastructure currently available in the restricted area and construct new facilities in the Carpathian Military District and Northern Odessa which they simply cannot afford based on their severe economic difficulties. In September 1994 General Gennadiy Gurin reported to the JCG:

Under the present conditions of our economy, we do not have the means needed to relocate troops in order to fulfill the flank limits, and we want only one thing—to retain the existing infrastructure of military units. Proposals tied to the possibility of disbanding troops

do not stand up to criticism, since disbanding troops is more expensive than relocating them, due to the unavoidable costs of providing housing for officers' families, paying compensations, etc.³³

The Ukrainians have concluded that the simplest solution is to exempt the naval infantry and coastal defense forces from the sublimits established by the flank limitations, while retaining the rule that they would count against overall national totals. While this might have the desired effect, it is unclear how this would resolve the continuing impasse between Ukraine and the Russian Federation over the Black Sea Fleet and would also require a similar accommodation being offered the Russian Federation.

While there is no doubt that this seeming impasse given the flanks is a threat to the full implementation of the CFE Treaty, the manner in which it has unfolded does contain some positive aspects. All efforts by the parties involved (particularly Russia and Ukraine) appear to have been overt. Even the construction of infrastructure that may lead to forces in excess of the flank limitations has been reported publicly. No attempt to disguise or hide the problem and the difficulties associated with it has been made. Furthermore, all parties have used the Joint Consultative Group to air the issues. As a result, the procedures established in the treaty have been working, but one can still question whether this forum is sufficient to resolve the conflict. Lastly, the Russian military has been "out in front" on the issue in military-to-military contacts.

The NATO Response.

The public response of NATO members has emphasized the position that the CFE Treaty is the "cornerstone of European security." Consequently, it cannot be renegotiated and to do so would establish a bad precedent for other arms control forums. This includes not only the basic text of the treaty but also all related documents, protocols, and declarations. Furthermore, the Russian Federation freely accepted the treaty as negotiated to include the agreements with the former members of the Warsaw Pact and declarations by the Soviet

Union prior to its demise. As a result, any alteration to these documents such as those proposed can not occur until the review conference which will occur in spring 1996. Furthermore, Russia has not sufficiently explained the analysis of new threats to its frontiers that substantiates the removal or modification of flank limits.

The West has also suggested that the treaty provides sufficient "flexibility" to meet Russian needs. Representatives of the United Kingdom and the United States have observed the following possibilities: First, Russian troops in the North Caucasus could be "light" forces equipped with equipment that is not limited by the CFE Treaty (e.g., trucks, infantry weapons, small calibre artillery, and certain tracked vehicles that are not part of the ACV category). Such a force would also seem more appropriate to the terrain of the Caucasus as well as the threats of internal instability. Second, the Russians should recognize that there is no flank limitation for their aircraft (either fixed or rotary wing) which can be rapidly moved from zone to zone to meet any emerging threat. Third, they could deploy additional ACVs and other tracked vehicles with their internal security forces as allowed in Article III and XII (which do not count against their overall CFE total). Article XII, for example, allows for up to 1,000 ACVs to be placed with internal security forces (only 600 in the flank area) and not be counted against CFE totals. It does not, however, allow for any transfer of tanks or artillery to such forces. Fourth, equipment for Russian units in the CFE flank zone could be stored outside the area but close enough for rapid deployment in time of crisis. Fifth, Russia and Ukraine might also seek to renegotiate their allocation with the other former members of the Soviet Union (Armenia, Azerbaijan, Georgia, and Moldova).³⁴ The total in the flank area for these countries amounts to 870 tanks, 870 ACVs and 1,105 artillery pieces which, though not an insignificant force, is insufficient to satisfy the demands of Ukraine and Russia previously discussed. It is also unlikely that any of these states would be willing to give up sizable parts of their allocation, since their respective portions are relatively small and ongoing conflicts in the region involve several of them.

Other members of NATO have shown more or less willingness to compromise within the NATO High Level Task Force (HLTF) due in large measure to how such an alteration would affect their respective security. Throughout the implementation period Germany has appeared sensitive to Russian concerns and has previously cosponsored proposals with Russia for less costly destruction procedures. Germany has also proposed that the timetable for equipment destruction might be extended, or that excess equipment not destroyed at the end of the reduction period could be placed temporarily at secure storage sites pending final destruction.³⁵

France has been uniformly opposed to any concessions to the Russian Federation out of fears that they could result in multiple proposals by other signatories on portions of the treaty they find objectionable, thereby threatening the entire basis of the accord. Obviously, Turkey and Norway have been outspoken opponents to any compromise based on the fact that they border the flank areas.³⁶ They echo the doubts of France and, furthermore, Turkey believes that Russia maintains imperialist ambitions in the Caucasus region and is the primary motivator behind hostilities in Georgia as well as the war between Armenia and Azerbaijan over Nagorno-Karabakh. An increase in forces in the flank area would also reduce the warning time available to Turkey and Norway and thus be counter to their security interests. Lastly, a dramatic change in the CFE Treaty or its overall demise could open the way for a new European or regional arms race. Consequently, Turkey has also hinted that any concessions to the Russians could result in an overall Turkish review of continued participation in the accord. Due to the intense feelings by the Turks and Norwegians, NATO has not yet agreed upon a formal Alliance approach to solving this problem.

As the treaty nears the end of the implementation period, it seems increasingly clear that some solution to this impasse must be found. While the technical details may differ and the degree to which the Russian Federation is willing to compromise is unclear, certain key factors are evident. *First, NATO needs to decide in the High Level Task Force (HLTF)*

precisely what it means by the phrase "within the flexibility allowed in the treaty." This is fundamental to maintaining a united front in the negotiations; will avoid an interpretation by the Russian Federation that NATO can not accept; and also avoid any possibility of a "take it or leave it" confrontation in November 1995. Russian objectives at this stage may be to meet the overall national levels with enough ambiguity so as to argue compliance in November 1995. In determining an acceptable level of flexibility the Alliance should also consider that the Russian Federation must offer something to the states most affected—Turkey and Norway. This could include such things as Russian assistance in the settlement of the war in Nagorno-Karabakh, buffer zones, or additional inspections allocations for these areas.

Second, all Alliance members (especially the United States) need to avoid any appearance of this issue becoming bilateral between their country and the Russian Federation. Russian tactics in the negotiations so far seem focused on emphasizing its "strategic partnership" with the United States, and other attempts to split the Alliance depending on the type proposal presented or assurances offered. In many ways Alliance members need to be aware of the stress these negotiations place on the Alliance.

Third, every effort must be made to frame the result in a fashion that avoids any renegotiation of the treaty. This implies at this stage that the JCG must remain the forum for finding a compromise. The treaty allows for the calling of an "extraordinary" conference but this is doubtful due to the short time remaining. Consequently, a dichotomy exists as all members realize that the European security landscape has changed significantly since 1991 but to reopen the negotiations on this treaty would either doom it to failure or at least a significant period of discussion.

Fourth, NATO members need to quietly but firmly remind the Russian Federation of the severe penalties associated with noncompliance in this forum and others. As discussed at the very onset of this study, arms control can not occur in isolation. The Russian Federation could lose substantial aid (particularly due to the congressional requirement to certify treaty

compliance) and its entry into the G7 by flagrantly violating the accord.

Fifth, a solution must be found to the problem of Ukraine that may differ from the overall settlement. The future of Central Europe may well be defined in terms of the relationship established between Ukraine and Russia. From a strict security perspective the Ukrainian problem is more persuasive than the Russian Federation. Furthermore, the severe economic deprivations occurring in Ukraine add credence to their statements that they will be unable to comply due to financial limitations.

Finally, NATO members must have no illusions. They cannot wish the problem away. To do so risks "winning the game and losing the treaty." The prospects for a "last minute" compromise or change in Russian attitudes are unlikely, particularly in light the recent hostilities in Chechnya and elsewhere in the flank area. It is conceivable that the Russian Federation might declare itself fully in compliance with the treaty in November 1995 and "challenge" the West to argue that interpretation. This would place renewed strains on NATO and U.S.-Russian relations. It would make a compromise extremely difficult politically given the impending Russian parliamentary election (December 1995) and Russian presidential election (June 1996) not to mention the upcoming American presidential election.

The Russian Response.

In assessing the depth of Russian willingness to compromise it may be useful to examine some additional factors affecting this problem from their perspective. There can be no doubt that this issue serves as a surrogate for broader internal and external problems facing the Russian Federation. It illustrates, for example, the ongoing friction between several players in the Russian "bureaucratic politics" process. The Russian military was skeptical of the agreement from the very onset and questioned whether or not it had been left with adequate resources to defend the political and territorial integrity of the country.³⁷

But the military is far from a unitary actor. The appointment of Pavel Grachev as Russia's first Minister of Defense caused resentment among senior officers on the General Staff which has continued.³⁸ Grachev has also had serious disagreements with Colonel General Nikolayev, head of Interior Security Forces, over resources, the potential transfer of army assets to border troops, and major military exercises.³⁹ There have also been differences among the military, Foreign Ministry and the Office of the President over such issues as Russian participation in the Partnership for Peace. Foreign Minister Kozyrev, for example, was initially viewed by many as too pro-Western and willing to accept Western arms control proposals, but more recent analysis has suggested that there is a growing convergence between the positions he and the military have adopted.⁴⁰ Finally, several political parties during the 1993 elections advocated Russian rejection of CFE as well as the START II accord as being counter to Russian national security interests.⁴¹ These tensions have led some to suggest that civil authorities may be losing control of the military⁴² and consequently may not be able to force a compromise on their own military leaders. The attitudes of these various groups are unlikely to slacken and may in fact harden as the deadline for final implementation approaches. It will be difficult for President Yeltsin to compromise on this issue and risk being perceived as weak before the Russian presidential election in June 1996. It should also be understood that this is viewed as a "military" problem for the Russian Federation while in many ways it is a "political" problem for the United States. Russian critics of the treaty, while describing the "flank issue" as discriminatory, have pointed out repeatedly how the treaty has placed the Russian Federation in an overall position of inferiority. Many Russians argue it is a concerted effort to "keep Russia down" and indicates a lack of willingness on the part of the United States to develop a true "strategic partnership." Aleksey Arbatov, Director of the Geopolitical and Military Forecast Center, noted in an article in *Novoye Vremya*:

Following the execution of the CFE Treaty, in the latter half of the 1990's, the balance will be the opposite (in NATO's favor), and the ratio of forces between Russian and NATO will be 1:2.8 in favor of the West. If, on the other hand, the former Soviet Warsaw Pact

allies are added to NATO, the balance will be 1:3.7. If, however, for strategic extrapolation purposes, the forces of former Soviet Republics in the European zone which are now independent states are added to the West, the ratio becomes 1:4.5 to Russia's disadvantage.⁴³

Consequently, the resolution of this problem is tied not only to Russia's relations with the West but also to its future relations with the former members of the CIS, perceived responsibilities toward the so-called "near abroad" (Russian citizens living outside the borders of the Federation), and concern for strife on their borders. The view that Russia is threatened by future external and internal threats (particularly in the Caucasus) is also reflected in the new military doctrine. This document suggests that priority must go to the restoration and expansion of a mutually advantageous relationship between Russia and the other members of the CIS to meet these challenges. Furthermore, Russia proceeds from the fact that its security is indivisible from the security of the other Commonwealth States.⁴⁴ In other words, Russia considers its forward defense to begin at the borders of the former Soviet Union and *not* the Russian Federation.

Not surprisingly one of the primary objectives of Russian foreign policy is the integration of the border states of Armenia, Azerbaijan, Georgia, Ukraine, and Moldova into the CIS as a security alliance not unlike NATO.⁴⁵ This will logically result in the stationing of Russian forces on the territory of these states, which will count against their overall flank limitations. Some experts believe that elements of the Russian military have pursued a policy of destabilizing several of the regimes in the Caucasus in an effort to encourage their reentry into the CIS. Russian military commanders may have provided arms to both Armenia and Azerbaijan in their war over Nagorno-Karabakh in an effort to ensure the continuation of that conflict. It supported the rebels of Abkhazia until they appeared on the verge of defeating the Georgian government. Once Georgia agreed to join the CIS and cede basing rights to Russian forces, Russian troops came to the aid of the Shevardnadze government.⁴⁶

With this policy in mind, Russian leaders have argued that the Russian Federation, working within the authority of the CIS, should have the primary responsibility for peacekeeping operations within the borders of the former Soviet Union. Foreign Minister Kozyrev initially broached this issue in a speech given to the U.N. on September 2, 1993. Kozyrev sought recognition and financial support for Russian peacekeeping operations in the "near abroad." He argued:

Either we learn to conduct military actions to support and establish peace in the zones of our traditional geopolitical interests or we risk losing influence there and the vacuum will be filled by others.⁴⁷

General Grachev also raised this issue in discussions with Secretary General Boutros Ghali in early 1994. Grachev argued that if the conflict in Rwanda involves the Organization of African Unity and peacekeeping operations in Haiti include members of the Organization of American States, why should operations by the CIS not be sanctioned under the Charter of the U.N.?

Grachev also asserted that forces assigned to peacekeeping operations and their authorized armaments should not count toward the maximum permissible levels under the CFE Treaty. Otherwise a difficult situation would arise in which the deployment of units trained for peacekeeping (such as the 45th Motorized Rifle Division based in the Leningrad Military District) could not be replaced while operating in Tajikistan or elsewhere in the CIS.⁴⁸ This concept was again reiterated by President Yeltsin during his address to the U.N. and subsequent summit with President Clinton. Yeltsin asserted that Russia has similar rights to that of the United States in quelling disturbances on its borders. He added that, "The main peacekeeping burden in the territory of the former Soviet Union lies upon the Russian Federation."⁴⁹

Obviously, this has significant implications for the flank problem. Russian thoughts on peacekeeping are embedded in its new doctrine and are quite different from those normally found in similar Western publications. The Russian military does not necessarily view "peacekeeping" as normally low intensity conflict that can be accomplished by light forces.

Rather, it sees such efforts as operations needed to head off the expansion of a conflict and consequently appropriate for heavy forces. In this regard it is frequently mentioned that the Russian word *mirotvorets*, which is generally translated in English as "peacekeeper," literally means "peacemaker." Russian experts on peacekeeping often use their operations in Afghanistan as illustrative. General Boris Pyankov, who is responsible for peacekeeping in the Russian General Staff, observed: "Here in Russia, everything is the other way round . . . first we use overwhelming force, then we bring the parties to the negotiating table."⁵⁰ In a June 21, 1994 *Red Star* interview, Russian Deputy Defense Minister Colonel General Georgy Kondratyev noted that the Ministry of Defense was preparing 2-3 motorized rifle divisions for peacekeeping (making) operations.⁵¹ He further reported that by the beginning of 1995 Russian airborne forces will no longer have the primary role in peacemaking operations. The use of heavy mechanized forces in Chechnya may be further evidence of the Russian penchant to use "overwhelming force in peacemaking."

In the summer of 1994 roughly 3,000 Russian peacemaking troops deployed to the Georgian-Abkhazian border.⁵² Some reports suggest that Russia may eventually have two divisions deployed to Georgia. The Status-of-Forces agreement between the two countries allows basing facilities for two divisions (at T'bilisi, Batumi, and Akhalkalaki), the presence of Russian border guards on the Georgian-Turkey border, use of Georgian airspace by Russian military aircraft, access to all telecommunications facilities, joint operations of all training facilities, and a lease to the Poti Naval Base for the Russian Black Sea Fleet. A similar arrangement has been achieved with Armenia with the possibility of one Russian division on its territory. Moldova also has one "peacemaking" division and pressure is being placed on Azerbaijan to accept Russian "peacemakers." It is also likely that Russia will wish to maintain a significant force in Chechnya which will make the flank limits even more burdensome. In summary, a combination of Russian foreign policy and a reluctance on the part of other U.N. members to become involved in peacekeeping along the southern border of the Russian Federation may offer the

Russian military an additional argument for exceeding their flank authorizations.

Other Problems.

Besides the flank issue, only two major obstacles seem to confront the final implementation of the treaty—cost and Russian military equipment that was moved east of the Urals prior to the treaty coming into effect. Several of the countries of the former Soviet Union (most notably Russia, Belarus and Ukraine) are experiencing serious problems due to the dramatic cost associated with the destruction of equipment in accordance with the strict procedures outlined in the treaty. In an article in *Kraznaya Zvezda* on November 16, 1993, Russian experts complained that the cost of destroying a single tank was over 800,000 rubles at current prices.⁵³ This problem has been reviewed in the JCG and simpler methods have been discussed to destroy equipment including even considerations of so-called "environmental destruction." Under this procedure equipment to be destroyed would be segregated and exposed to the elements so that over time it was rendered militarily useless.

Despite these efforts, however, alternative means of destruction may not resolve the problem for several reasons. First, the cost of destruction in these countries is affected by three supplemental factors—the use of high numbers of laborers to effect destruction, rising costs of energy to run the facilities, and a desire to recover the maximum amount of metal from the weapons in the process. Obviously alternative destruction procedures may solve the CFE problem while creating others such as greater unemployment, reducing the possibility of recovering the metal, and also will result in serious environmental cleanup requirements.

As discussed earlier in this monograph the Soviet Union agreed to destroy roughly 16,000 pieces of TLE which it had transported east of the Urals and out of the AOA as a commitment related to the treaty. Russia assumed this responsibility as part of the Tashkent Accord although this has always been considered a "political" rather than "legal"

requirement. By the middle of 1994 Russia had destroyed only a fraction of this equipment. It would need to dramatically accelerate its current effort to achieve the required total by November 1995. Curiously, the Russians have resisted offers of assistance in the destruction of this TLE though most of it appears to have been stored out in the open and may be now of little military value. This is probably due to a bit of paranoia and a desire to keep inspections in the eastern part of the Russian Federation (that portion of the country not covered by CFE) to an absolute minimum. Still the requirement remains and Western countries need to achieve consensus on their policy should (as it now appears) the Russian Federation be in violation of this commitment by the end of this year. Several general ideas come to mind. First, NATO must continue to impress upon the Russian Federation that this is a serious, albeit political requirement. Second, since it lies outside of the AOA of the treaty, alternative means of destruction are permissible and should be encouraged. Third, the segregation of these storage areas into known locations would allow the West to monitor the progress on destruction and status of the TLE using national technical means. In addition, the entry into force of the "Open Skies Treaty" in the spring/summer of 1995 may offer an additional means to monitor the status and readiness of this equipment.

The Future—Where Do We Go Now?

If the treaty is in fact implemented and the verification of residual levels is accomplished, a Review Conference will occur, most likely in April or May 1996. It is important for U.S. policymakers to begin to consider what will likely be "on the table" at this conference. Furthermore, it is important to contemplate what U.S. policy should be with respect to future conventional arms control regimes in Europe.

The CFE Treaty is designed to continue with no time limit. Still if solutions are found to the difficulties discussed here there may be cause for only a brief respite, and it is certain that several issues will be of immediate interest at the review conference. There is no doubt that Russia and Ukraine will immediately press for the removal of Article V covering flank

limits at the onset of any Review Conference. It must also be recognized that several states from the East may insist that the "bloc-to-bloc" character of the Treaty disappear since one of the "groups of states parties" is gone. This may be inevitable, but its implications must be thoroughly considered now in preparation for future discussions. First, many of the limitations which are ascribed to "groups of states parties" (such as equipment placed in DPSS) would probably be raised. These could be converted to national totals, but this might result in higher entitlements for some countries. Second, it would reduce the flexibility that NATO now has to shift forces or entitlements between members of the Alliance. Lastly, it would have important implications for the post-1996 verification regime and for the allocation/conduct of inspections. Furthermore, destruction procedures and costs must be reviewed. Some participants have already questioned whether or not the destruction of TLE below authorized levels must be done along the strict guidelines established in the treaty. The treaty is certainly mute on the issue of what procedures states parties may use to maintain numerical limitations once residual levels have been verified in the spring of 1996.⁵⁴ Lastly, it seems clear that there is little interest in extending the agreement to other pieces of equipment or negotiating lower levels of TLE for the participating states though there has been some suggestion in Russian publications of an interest in the inclusion of naval forces in the arms reduction process and the limitation of naval activities.⁵⁵ Still, while there may be little interest in extending the treaty to other categories of equipment, close attention must be paid to continually update the Protocol on Existing Types of Conventional Armaments and Equipment (POET) in order to categorize new models as they are brought into service.

Article XVIII of the treaty does state that states parties ". . . shall continue the negotiations on conventional armed forces with the same mandate and with the goal of building on this Treaty."⁵⁶ With this in mind many experts have argued that the agreements reached in the Forum for Security Cooperation (FSC) in Europe have created a requirement to seek a "harmonization" of CFE limitations among its 30 signatories with the confidence/security building measures (CSBMs) by

the 52 members of the Organization on Security and Cooperation in Europe (OSCE). The initial proposal in this area was presented by the Czech Republic, Hungary, Poland, and Slovakia in October 1992. It proposed the creation of national force levels for non-CFE states (in many cases this might simply be a declaration of current levels with no need for reductions). In addition, appropriate commitments for information exchange, verification, and implementation of the CFE Treaty would have to be made by these additional states.⁵⁷ Obviously, those states currently participating in the CFE accord would be required to notify these states (primarily the former "neutrals and non-aligned"—Sweden, Finland, Austria, and former Yugoslavian states) of their maximum levels.

So far there has been little overall interest in this proposal by those states that are not currently signatories to the CFE Treaty (e.g., Finland, Switzerland, Sweden, etc.) for several reasons. As suggested at the very beginning of this monograph, arms control is used as a means of reducing tensions between states. Therefore, it has little possibility of success when states are engaged in warfare and may have little meaning or momentum when they enjoy good relations. Consequently, the Swiss have openly questioned the value of such an agreement, and the possibility of including Serbia in such an agreement is extremely unlikely prior to the resolution of current hostilities. The interest of the neutral states is also tempered by the nature of their respective militaries and views on deterrence. Most of these countries depend heavily on reserve forces and militias for their defense. A verification regime that included a detailed transfer of information on mobilization procedures, depot locations, restrictions on the activities of these forces, etc. is construed by many experts in these countries as not contributing to improved national security or deterrence.

There have also been suggestions on the creation of so-called "regional tables" that could either build on previous agreements or use the concepts applied in CFE to reduce tensions in particular areas. In Europe, the suggestion has been applied to the former Yugoslavia in an initiative led by

Hungary in OSCE.⁵⁸ There have also been some suggestions that the Baltic states (Estonia, Latvia, and Lithuania) would also be interested in this type of arrangement because of their concerns over Russian forces stationed in the Leningrad Military District. Outside Europe scholars have speculated that such arrangements might have application for the Far East or Middle East. In this regard it is extremely interesting that the Republic of Korea, Japan, and Macedonia have observer status at OSCE negotiations, and there is some belief that Israel may also apply for a similar position. While such an approach would seem consistent with the regional focus of U.S. strategy, it must be recognized that the prospects for success in these areas appear slight. Enormous problems such as defining the "region," the mandate, and role of the great powers would have to be solved prior to the beginning of any such negotiation. The key to this approach may be to develop an arms control dialogue in tandem with a more formal peace process. Neither is likely to achieve decisive results by itself, but together they may create the critical mass necessary for a settlement.⁵⁹ In a similar fashion there have also been proposals to refine a number of the current CSBMs and create others for the trouble spots in the OSCE area.

All of these harmonization proposals seem focused on transforming the arms control process in Europe from a "quantitative" to a "qualitative" effort, which certainly seems logical. But at a more fundamental level, there are serious implications for the United States that must be considered. At its ultimate extreme, "harmonization" suggests the transformation of OSCE into a regional organization that coordinates security activities on the European continent and would logically place NATO in a subordinate role. This may be desirable and is certainly supported by various segments of European officials. French experts, for example, support this approach as necessary to "... establish the structures and procedures that are required to allow Europeans to act autonomously if necessary."⁶⁰ Foreign Minister Kozyrev from the Russian Federation has also proposed the conversion of OSCE into a full fledged international organization with "a genuine division of labor between the CIS, NATO, European Union, NACC, and WEU with the OSCE playing a coordinating

role." He further suggested that OSCE create a governing body of 10 members to deal with the requirement for consensus prior to action.⁶¹ Such action could be dangerous. It would dramatically reduce the role of the United States in European security and could become a means for the Russian Federation to legitimize the CIS as a regional organization while undermining NATO.

In preparing for the future, one other area may be appropriate to consider. There seems little doubt that the character of arms control among the CFE participants is moving towards qualitative aspects and crisis prevention. Still, the United States and Europeans (to include the former members of the Warsaw Pact) bear a heavy responsibility in the fueling of conventional arms races and conflicts around the globe. In 1993, the U.S. sold \$33 billion in government-to-government arms sales. Russian military doctrine has stated a goal of exporting sufficient arms to earn enough hard currency to sustain research/development, insure production for domestic use, finance limited defense conversions, and "ensure the social protection of personnel employed in defense industries."⁶² As we enter the CFE sustainment period with a reduced requirement for equipment due to smaller force levels, there will be increased pressure in many states to expand exports in order to maintain industries and employment. Consequently, it may be prudent to consider the use of the CFE/OSCE forum for a discussion on not only future destruction/verification procedures but also national conventional arms export policies, with the view of limiting sales to regions experiencing turmoil and greater international incentives being offered for states to convert excess defense industrial capacity.⁶³

As we consider what role conventional arms control should have in future U.S. national security strategy, it is essential to remember that it remains a means to an end. It is also important to maintain a short and long term perspective. In the near term the final implementation of CFE is *not* assured, and will *not* occur without concerted action by the United States. For the future we must remember that our arms control policies have a tremendous resonance in broader areas having to do with

the future of the U.S.-European relationship. As a result, answers to wider questions may well serve as a guide to arms control policies. Does the United States wish to continue its role as the leader of NATO with the Alliance being the premier security organization on the continent? What is the U.S. policy towards the assertion by the Russian Federation of a preeminent role in the security affairs of the former members of the Soviet Union? While certainly these are questions of tremendous complexity, it is still necessary to keep in mind that seemingly "tactical choices" now in CFE may define their ultimate answers. How the United States and its allies deal with the problems in the final implementation of CFE, as well as American policy towards the Review Conference will contribute significantly to establishing a framework for future U.S. policy towards Europe.

The United States and its NATO partners won a tremendous victory in the Cold War through their policies and perseverance. CFE is described by many as a "cornerstone for European security" in the future. Having achieved this peace it remains to be seen how we build on this cornerstone to achieve a "secure and lasting" peace.

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