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The Future of the CFE Regime: Consequences for European Security

Bjørn C. Rydmark



Norwegian Institute for Defence Studies and IFS Insights

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Skippergata 17c
P.O. Box 890 Sentrum
N-0104 OSLO

Summary

This article examines the Russian suspension of the CFE Treaty and its possible consequences for European security. The article offers observations on the background and motivation for the Russian suspension. While the Soviet Union had a strong interest in the CFE Treaty in the late 1980s, in comparison, Russia has significantly less to gain from participating in the Treaty today. This is based primarily on the impact that geopolitical changes in Europe has had on Russia's strategic and national security interests since the end of the Cold War. It is unlikely that the CFE Treaty can make a significant contribution to European security without Russia's participation. Among the possible long-term implications of the Russian suspension is reduced military transparency as well as reduced emphasis on conventional arms control in Europe.

Introduction

The Treaty on Conventional Armed Forces in Europe (CFE) is frequently referred to as a cornerstone of European security.¹ The Treaty has played a key role in limiting the size of conventional military forces in Europe and it has contributed to increased transparency and trust among former adversaries. After the decision in December 2007 by the Russian Federation to suspend participation in the Treaty, however, the future of conventional arms control in Europe appears bleak.² The deadlock between NATO and Russia over the CFE regime makes it questionable whether the Treaty will be able to regain its relevance as a multilateral disarmament regime. Furthermore, an erosion of the CFE regime could potentially mean the beginning of new arms races and confrontation on the European continent.³

Keeping in mind the significant achievements made by the CFE Treaty in the past, what consequences does the Russian suspension have for European security? Does it make sense for NATO to keep implementing the CFE Treaty without Russia, and for how long? The conflict in 2008 between Georgia and Russia over South Ossetia is an indication that Russia no longer sees itself bound by the Treaty's legal restrictions on the deployment of its military forces. This article primarily examines Russia's interest in suspending its participation in the CFE Treaty, and what the possible consequences are for European security. The article also discusses how the suspension affects the interests and choices of a flank state such as Norway.

Background and Scope of the CFE Treaty

Initial negotiations on conventional arms control between NATO and the Warsaw Pact started in 1973 within the framework of the Mutual and Balanced Force Reduction Talks, but failed to achieve substantial results (McCausland 2009:2).⁴ The CFE Treaty, which was developed during the last years of the Cold War, proved to be much more successful. Both NATO and the Warsaw Pact sought a treaty which could reduce their reliance on large arsenals of conventional military forces and which could produce greater stability at lower force levels. Stability in this context is to be understood as a lower prospect of

1 The CFE Treaty was signed in Paris on 19 November 1990 and entered into force on 17 July 1992. The following 30 states are signatories: Armenia, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Czech Republic, Denmark, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Kazakhstan, Luxembourg, Moldova, the Netherlands, Norway, Poland, Portugal, Romania, Russia, Slovakia, Spain, Turkey, the United Kingdom, Ukraine and the United States. For the full text and related documents, the reader is referred to the OSCE internet site for original texts, available at <http://osce.org/item/13517.html>. For analysis of the CFE Treaty, see, for example, Lachowski (2006:749-773) and McCausland (2009).

2 The Russian suspension was announced in July 2007 and entered into force on 15 December 2007. The Treaty does not provide provisions for suspensions. Article XIX (2) of the CFE Treaty sets the notification time to 150 days for any state that chooses to formally withdraw from the Treaty.

3 Kouchner & Steinmeier (2007).

4 The primary objective of conventional arms control is to provide conventional force reductions in order to limit the likelihood of war, to limit damage if war occurs, and to limit the burden of national defense expenditures (Peters 1997:41). For further reading, see, for example, Hallenbeck and Shaver (1990).

surprise attack than what would otherwise be possible without a treaty. After Soviet arms control initiatives emerged during 1986 and 1987, NATO and the Warsaw Pact embarked on negotiations with the aim of reducing the size of their conventional forces stationed in Europe (Harahan and Kuhn 1996:6-7).⁵

The CFE Treaty was signed by twenty-two states, all belonging to either NATO or the Warsaw Pact. By including all states belonging to these two alliances, the bipolar power structure of the Cold War was institutionalized in the Treaty.⁶ The Treaty aimed to eliminate the existing disparities in force levels between the two alliances and to reduce the capability of either side to launch surprise attacks and to initiate large-scale offensive military actions in Europe. It also permitted both sides to disarm large parts of their conventional military arsenals.

The Treaty establishes upper ceilings on the number of conventional military forces which can be held by the two groups of states. Within the two groups, each member state share a collective set of force entitlements with the other states belonging to the same group.⁷ The ceilings are limited to certain categories of military equipment (treaty-limited equipment), of which each group is entitled to 20,000 battle tanks, 30,000 armored combat vehicles, 20,000 pieces of artillery, 6,800 combat aircraft and 2,000 attack helicopters.⁸ The groups of states are responsible for the Treaty's implementation, implying that there must be internal agreement within each group in order for the Treaty to be successfully implemented. When the Treaty was designed, one fundamental assumption was that the states within each group were allies, an assumption which is not valid today.

The Treaty's area of application today corresponds to the European land and island territories of the states parties. The eastern limit is defined by the Kazakh and Russian territories to the West of the Ural River and the Caspian Sea.⁹ The Treaty divides the area of application into sub-zones which are geographically determined.¹⁰ In particular, the sub-zones are designed to limit the

5 Mikhail Gorbachev signaled interest in reductions of both conventional and nuclear forces in Europe (Harahan and Kuhn 1996:6-7). NATO proposed a two-track strategy that included both negotiations on arms control and a broader set of confidence and security-building measures. The broader set of confidence and security building measures would be conducted within the framework of the Conference on Security and Cooperation in Europe (CSCE), while arms reductions would be negotiated in the CFE Treaty. Negotiations on the CFE began in March 1989.

6 See, for example, Waltz (1979). The CFE Treaty could be classified as a Treaty which has both structural and operational elements (Dunay 2004:7).

7 See, for example, Homan (2000:52).

8 The term "conventional armaments and equipment subject to the Treaty" is defined in Art. II.1.Q. Limited equipment under the Treaty is frequently referred to as "Treaty-limited Equipment" (TLE). These figures were to be achieved within 40 months after the entry into force of the Treaty. Definitions of each category are specified in Art. II.1. For a further overview of the CFE ceilings, see, for example, Crawford (1993).

9 CFE Treaty Article II.1. The area includes the Faroe Islands, Svalbard, Bear Island, the Azores, Madeira, the Canary Islands, Franz Josef Land and Novaya Zemlya. A section of southeast Turkey is not included in the area of application.

10 The area of application is divided into three sub-zones and two flank zones. The first sub-zone consists of the territories of the Czech Republic, Germany, Hungary, Luxembourg, Netherlands, Poland and Slovakia. The second sub-zone consists of Belarus, Denmark, France, Italy, Russia (Kaliningrad Oblast), United Kingdom and Ukraine (Regions

concentration of military equipment in the proximity of so-called flank states, located in the northern and southern periphery of the European continent.

Contributions to European Security

The CFE Treaty has made three significant contributions to European security (Falkenrath 1995:120). First, the Treaty has brought about a substantial reduction in the overall number of conventional weapons in Europe by implementing ceilings on the amount of military equipment held by its participating states.¹¹ In particular, the number of battle tanks, armored combat vehicles, artillery, combat aircraft and attack helicopters has been reduced. In order to comply with the agreed ceilings of the CFE Treaty, participating states were obligated to disarm their surplus holdings of military equipment. This led to the destruction of more than 63,500 pieces of military equipment between November 1990 and January 2003 (Lachowski 2003:694).¹²

Second, the Treaty requires that states must reduce their excess military equipment in accordance with specific procedures in order to avoid recycling or reuse of dismantled equipment. For example, should a state choose to withdraw from the Treaty, equipment which has already been dismantled by that state cannot be reconverted quickly into treaty-limited equipment. This reduces the possibility that a state or a group of states can exploit the disarmament process for aggressive purposes, and it adds an additional element of stability to European security. The procedures for disarmament include regulations on destruction, conversion of equipment into non-military purposes, use of equipment for static displays or use of equipment for instructional purposes.¹³

Third, a major benefit with the Treaty is the robust verifications- and inspections regime. The CFE states have agreed to share information concerning all their treaty-limited equipment and to permit on-site inspections by other CFE states. This mechanism was introduced in order to increase military transparency and to verify that the Treaty was being implemented according to its purpose. So far, more than 5,500 inspections have been carried out (McCausland 2009:5). These inspections have made it possible to resolve disputes concerning the Treaty's implementation (Falkenrath 1995:120-121).¹⁴ The verifications- and inspections regime not only makes it possible to conduct fact-finding

of former Carpathian and Kiev Military Districts). The third sub-zone consists of Kazakhstan, Portugal, Russia and Spain (The regions of Kazakhstan and Russia west of the Ural Mountains). The flank zones are divided into one zone in Northern Europe and one in Southern Europe. The northern zone includes Iceland, Norway and most of Leningrad Military District. The southern zone includes Armenia, Azerbaijan, Bulgaria, Georgia, Moldova, Romania, Russia's North Caucasus Military District and the part of Ukraine which was part of the former Odessa Military District.

11 The ceilings on military equipment became binding with unlimited duration in November 1995, 40 months after the Treaty entered into force (CFE Treaty Art. VII.1).

12 Within the area of application, the figure was 52,252 pieces of treaty-limited equipment. For various figures, see Falkenrath (1995:119), Hain-Cole (1997:16), Homan (2000:52), Crawford (2003) and McCausland (2009:5).

13 CFE Treaty Article VIII.2. Most of the excess equipment is believed to have been destroyed according to the Treaty's procedures (Andres 2009).

14 With the Stockholm Document of 1986, the Soviet Union for the first time allowed physical military inspections on its territory under a multinational agreement (Harahan and Kuhn 1996:6).

missions to military installations, it is also an important facilitator of dialogue, for example within the framework of the regular meetings which are held in the Joint Consultative Group in Vienna. The verifications- and inspections regime has, perhaps more than any other component of the Treaty, served to promote transparency and openness in European military relations.

In addition to the contributions that the CFE Treaty has made to its participating states, it should be noted that the Treaty has also benefited non-CFE states. As the Treaty has reduced the overall level of conventional forces on the European continent and increased transparency between East and West, non-aligned as well as neutral countries have benefited from reduced tensions and increased stability. A limiting factor in the Treaty's design is its narrow focus on five categories of military equipment and that certain types of equipment are not limited by the Treaty.¹⁵ Other shortcomings include a lack of CFE coverage east of the Ural Mountains, no curtailment of force generation capability, lack of control on production and the high costs associated with the destruction of military equipment. These shortcomings to some extent reduce the overall effectiveness of the CFE Treaty (Dean and Forsberg 1992:98). They do not, however, challenge the fact that the Treaty has had an overall positive impact on European security and that the Treaty has been implemented fairly successfully until the Russian suspension in 2007.

The Flank Regime

The CFE Treaty includes a system of geographical limitations on the concentration of military equipment in the northern and southern areas of Europe, frequently referred to as the flank regime. Briefly explained, the Treaty's area of application is divided into four regional zones, consisting of three central zones and one flank zone. The flank zone is further divided into one northern and one southern flank. In the flank zone, the ceilings are significantly lower than what they are in Central Europe, thereby limiting each group's ability to concentrate its military forces and to produce an overwhelming force ratio for offensive operations in the flanks. For example, in the flank zone, each group could originally hold a total of 4,700 battle tanks, 5,900 armored combat vehicles and 6,000 pieces of artillery.¹⁶

The flank regime was designed to prevent a military buildup in the northern and southern areas of Europe with the purpose of reducing the military threat posed towards states such as for example Norway or Turkey. Although it originally was the concentration of Soviet forces that was the main concern for NATO, Norway, Greece, Iceland, Romania, Bulgaria and Turkey were also included within the flank regime. The Soviet Union was the only state subjected to regional force limitations on its own territory, notably within Leningrad, Pskov and Caucasus military districts (Andres 2009). After the Soviet Union collapsed, Ukraine and Russia were affected by the flank limitations.

The Soviet Union accepted the flank limitations as part of the CFE Treaty after a great deal of hesitation. In part, the flank regime was acceptable to the Soviet Union because conventional strategic thinking prevailing at the

15 For example, military units such as naval and coastal defense units are not part of the CFE framework.

16 Within 40 months after the entry into force of the Treaty.

time focused on Central Europe, not on the European periphery (Falkenrath 1995:125). This made the northern and southern flanks less significant from a strategic military standpoint, and it made the flank regime acceptable to the Soviet negotiators. The military significance attached to the Central Region was also shared by NATO as part of its defense of Western Europe. This can be seen by examining NATO conventional force levels in the Central Region, where force levels remained stable during most of the Cold War, varying less than only 10 percent (Duffield 1992:821-822).¹⁷ The Soviet acceptance of the flank regime did not mean that the Soviet Union had to compromise its strategic military interests in the CFE negotiations, even though it meant accepting restrictions within Soviet territory.

After the Soviet collapse, Russia had to share the existing flank ceilings with Armenia, Azerbaijan, Georgia, Moldova and Ukraine. This resulted in a national Russian flank entitlement of 1,300 battle tanks, 1,380 armored combat vehicles and 1,680 pieces of artillery for both the northern and southern areas of the flank zone.¹⁸ By itself this might have been sufficient for Russia, but after security concerns became more acute with the emergence of the first war in Chechnya in 1994, the commitments undertaken in the flank regime were considered too constraining by Russia (Chernov 1995:87). Russia faced no incentive to reduce the number of forces in the southern flank as long as there was an active military conflict in the Caucasus, but rather had an urgent need for more forces. An additional problem was the Russian withdrawal of forces from bases in Eastern Europe and the need to station these forces in the existing bases within Russia (Andres 2009).

In 1995, NATO made an offer to ease some of the restrictions imposed by the flank regime in response to Russia's concerns (Andres 2009).¹⁹ The changes, which were agreed upon in 1996, constituted of a series of geographical and numerical changes which effectively allowed a reduction in the size of the flank zone and an increase in the number of Russian military forces which could be deployed there (see Figure 1). The revised flank zone effectively allows Russia to deploy more of its forces to the volatile southern border areas. The changes reduced some of the more immediate Russian concerns; however with the second war in Chechnya emerging in 1999, Russia was unable to keep the number of forces in the flank zone below the permitted ceilings (Andres 2009, U.S. Department of State 2001:23). These challenges have made the flank limitations particularly problematic for Russia (Chillaud 2006:25).

17 The NATO Central Region was defined to include Belgium, the Netherlands, Luxembourg and the Federal Republic of Germany, except the territory north of the Weser River (Duffield 1992:821).

18 Aircraft and helicopters were not included in the flank regime due to their mobility. In addition, the Treaty requires that a portion of these forces to be stored, making the effective number as low as 700 tanks, 1,300 pieces of artillery and 600 armored combat vehicles.

19 US officials were initially made aware of the problem in 1993 (McCausland 1995:9). In the short term, NATO hoped for Russian cooperation in relation to the deployment of the Implementation Force (IFOR) in Bosnia. In the longer term and more important however, was the need to ease Russian concerns over future NATO-expansion in Eastern Europe (Andres 2009).

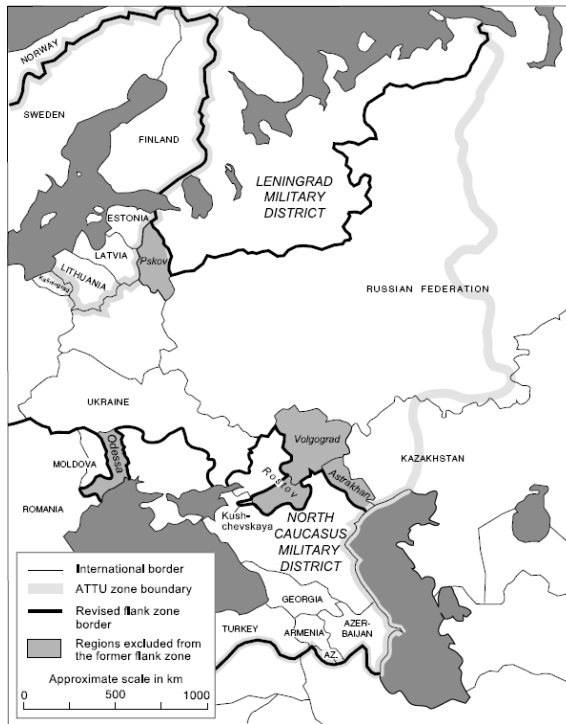


Figure: The Revised CFE Treaty flank zone (Lachowski 1997)

Adaptation of the Treaty

With the collapse of the Soviet Union and the dissolution of the Warsaw Pact, the bipolar power structure came to an end. With it, the largely confrontational nature of the Cold War disappeared, although some tensions persisted. Eight newly-independent states of the former Soviet Union accepted the rights and obligations of the CFE as successor states. These states were Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Moldova, Russia and Ukraine. The Baltic States, Bulgaria, the Czech Republic, Hungary, Poland, Romania and Slovakia have since become members of NATO. Since Russia's only remaining military allies and which are also participating states of the CFE Treaty are Armenia, Belarus and Kazakhstan, the Treaty's concept of group ceilings does not reflect the bipolar power structure which prevailed during the Cold War.²⁰ For example, in the CFE Treaty, Bulgaria, the Czech Republic, Hungary, Poland, Romania and Slovakia all share the same group entitlements as Russia, but they are not politically or militarily associated with Russia (Falkenrath 1995:124, Harahan and Kuhn 1996:9). In other words, there is a clear mismatch between the concept of group ceilings and the current geopolitical environment.

In order to address this mismatch and to sustain the key role of the Treaty, work began in September 1996 to adapt it (Andres 2009). After three years of negotiations, agreement was reached on an adapted version in November 1999.²¹ The Adapted Treaty was designed to replace the original Treaty

20 The Collective Security Treaty Organization includes Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Uzbekistan.

21 The Adaptation Agreement was signed on November 19, 1999 at the OSCE Istanbul Summit by Armenia, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, the Czech Republic, Denmark, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Kazakhstan, Luxembourg, Moldova, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, Slovakia, Spain, Turkey, Ukraine, the United Kingdom and the

and make it relevant in the post-Cold War era (Homan 2000:53). The most significant difference in the Adapted Treaty compared to the original one is the replacement of the concept of group ceilings with a system of national ceilings. The national ceilings limit the number of conventional forces that can be stationed within each state's territory, independent of alliance or group membership. The Adapted Treaty also contains provisions which allow states to temporarily exceed force quotas, as well as an accession clause for potential new state parties. The accession clause was added in order to address the Russian concerns relating to the non-participation of the Baltic States in the CFE Treaty, as Russia expected the Baltic States to join the Treaty (McCausland 2009:3).²²

Due to lower tensions in Europe following the collapse of the Soviet Union, most European states cut their national holdings of military equipment after the Cold War. This contributed to a reduction in the overall holdings of military equipment in Europe (Homan 2000:54). Early Russian predictions were made, however, that the CFE Treaty would eventually deteriorate if Eastern European states became members of NATO while Russia was excluded (Chernov 1995:88). Russia failed to achieve some of its key adaptation goals in the Adapted Treaty, such as implementation of a group ceiling for NATO (in an effort to curb the expansion of NATO) and the elimination of the flank limitations (Andres 2009). A group ceiling for NATO would, if it came into effect, imply that further NATO expansion would not permit an increase in the overall number of military equipment held by NATO, which would have made the expansion much more acceptable to Russia. Furthermore, with the flank regime well in place in the Adapted Treaty, a major source of Russian concern remained.

Although Russia's national holding of 28,931 pieces of equipment was the highest of any single state within the CFE regime, it was significantly lower than the sum of NATO's holdings, which in 1999 amounted to 64,091 pieces of equipment (Andres 2009). Furthermore, in the Adapted Treaty, the sum of national ceilings for NATO-countries was well above the actual holdings of these countries and amounted to a total of 80,000 entitlements. In other words, the principle of balance of force, which originally was one of the structural components of the CFE Treaty, is no longer applicable to the CFE regime.

Ratification of the Adapted Treaty

Despite that all 30 state parties to the CFE Treaty have signed the Adapted Treaty, it has yet to enter into force. Belarus, Kazakhstan, Ukraine and Russia have ratified the Adapted Treaty, while the remaining 26 signatories have not due to what is considered to be Russia's inability to fulfill commitments which were undertaken at the 1999 OSCE Istanbul Summit (Weitz 2008). These commitments, which are frequently referred to as the "Istanbul commitments", are central to understand the current deadlock between Russia and NATO. A couple of unresolved issues are at stake.

First, when the Adapted Treaty was signed at the OSCE Summit in Is-

United States. The Adapted Treaty will enter into force 10 days after the deposition of all instruments of ratification by all state parties.

²² The Baltic States expressed readiness to join the Adapted Treaty, once it entered into force. Should the Baltic States join the CFE Treaty it would reduce Russian concerns over NATO-forces stationed in the Baltic region.

Istanbul in November 1999, the OSCE Summit Declaration called for “an early, orderly and complete withdrawal of Russian troops from Moldova” (OSCE 1999). Russia on its part agreed to withdraw from Moldova by the end of 2002, a deadline which was welcomed by Moldovan authorities. However, Russia has not withdrawn all its military forces from Moldovan territory.²³ Second, a similar situation continues to persist in relation to Georgia. The 1999 OSCE Summit Declaration calls for the resolution of the conflicts in the break-away regions of Abkhazia and South Ossetia within Georgia, where Russian forces are currently present. In Istanbul, Russia agreed to withdraw from the bases at Vaziani and Gudauta by 1 July, 2001. Despite repeated encouragements to withdraw its forces, Russia has not done so. Russia therefore appears to be violating Article I.3 in the Adapted Treaty even before it has entered into force, since it requires explicit consent from the host state before conventional forces from one state can be present on another state’s territory. NATO insists that Russia must withdraw its forces from Georgia and Moldova before the Adapted Treaty can be ratified by its member states.

The Russian view of the Istanbul commitments is that there is no legal linkage between the act of ratifying of the Adapted Treaty and the commitments which were undertaken at the Istanbul Summit in 1999 (Boese 2008). The 1999 OSCE Summit Declaration should be understood as a political document rather than a legal one, under the assumption that the distinction between a political commitment as opposed to a legally binding one is that the former is understood as a promise between states without the force of law (Peters 1997:65). Russia argues that NATO should not use the ratification of the Adapted Treaty dependent on the political commitment made in 1999 of withdrawal of Russian forces from Georgia and Moldova. The disagreement between NATO and Russia over the significance of the Istanbul commitments and the status of Russian military forces in Georgia and Moldova is one of the key issues of the current impasse. The deadlock has persisted since 1999 and does not appear to be resolved any time soon. Although Russia continues to argue that the Istanbul Summit Declaration is not part of the CFE framework, a crucial question is nevertheless why Russia decided to unilaterally suspend its participation in the CFE Treaty altogether, thereby freezing Russia’s engagement with NATO over the CFE regime

Key Issues of the Russian Suspension

Russia has not provided operational data since it suspended its participation in the CFE Treaty in 2007 and no longer participates in the inspections- and verifications regime (McCausland 2009:4). This makes Russia currently a *de facto* non-participating state of the CFE Treaty. As there are no provisions for suspensions in the Treaty, one question is whether the suspension could be considered legal, i.e. whether Russia has violated its international obligations or not.²⁴ The

23 The biggest obstacle to withdrawal was the presence of 42,000 tons of ammunition and 25,000 small arms at the Kolbasna storage depot (U.S. Department of State 2001:20).

24 Article XIX.2 of the CFE Treaty sets the notification time to 150 days for any state that chooses to formally withdraw from the Treaty. The fact that Russia’s suspension was effective 150 days after the announcement suggests that Russia has applied Article XIX.2 as basis for announcing the suspension. However, Article XIX.2 only applies in the case of withdrawal from the Treaty, suggesting that in order for the suspension to be legal, it must be justified outside the scope of the Treaty.

main challenge seems to be related to the distinction between suspension and withdrawal. Russia argues that, although there are no provisions for suspension in the Treaty, suspension is legally justified based on international law (Hollis 2007). In other words, Russia maintains that any sovereign state can suspend its participation in an international Treaty if it desires to do so. This point is reflected in Article 57 of the 1969 Vienna Convention on the Law of Treaties, to which Russia is a party, but with a requirement that the suspension is in conformity with the Treaty. In other words, Russia must base its legal argument on other sources than the Vienna Convention on the Law of Treaties, because the CFE Treaty makes no reference to suspension. This article does not examine the question of legality further.

Why did Russia suspend its participation rather than withdraw from the Treaty? There is a good chance that the answer is found partially in Russia's disapproval of the non-ratification of the Adapted CFE Treaty by NATO members (Hollis 2007).²⁵ By suspending participation in the Treaty, Russia applies pressure on NATO rather than the other way around. Another reason for why Russia chose to suspend rather than withdraw could be that the Russian President has authority to suspend participation in the Treaty, but not to terminate it. Furthermore, the term suspension suggests that Russia's non-participation in the Treaty will be of a limited duration, indicating that Russia seeks to resume its participation in the future without having to apply for membership like any other new state party. In addition, unilateral withdrawal from the CFE Treaty would most likely have had a much more negative impact on European relations than suspension.

However, Russia is not likely to resume its participation in the Treaty any time soon for a number of reasons which were communicated in a press release by the Kremlin on 14 July 2007.²⁶ First, Russia objects to that the entry into NATO of Bulgaria, Hungary, Poland, Romania, Slovakia and the Czech Republic has not brought about changes to the Treaty's definition of group composition. As part of the eastern group of states, Russia shares the same entitlements as former Warsaw Pact states. However, upon the entry into NATO of the states listed above, the balance of force has shifted significantly in Russia's disfavour.

Second, from a Russian perspective, NATO should implement a lower overall force ceiling that compensates for the increased force holdings brought about by NATO-expansion. This would allow the balance of force between Russia and the West to be more equal. In addition, Russia argues that the expansion of NATO should be followed up by ratification of the Adapted Treaty, thereby effectively replacing the concept of group ceilings with national ceilings. Third, Russia has argued against the deployments of US military forces to Bulgaria and Romania, seeing them as having a negative impact on the balance of force.

Fourth, the non-ratification of the Adapted Treaty by NATO means that the original and outdated CFE Treaty still remains the legally binding one. Russia views itself as being better off without participating in the original Treaty

25 An extraordinary meeting of the Joint Consultative Group was held in Vienna on 11 – 15 June 2007, but it failed to produce any substantive results. From NATO, it was again stressed that Russia must comply with the Istanbul commitments undertaken at the OSCE Summit in 1999. In return, NATO would ratify the adapted Treaty.

26 President of Russia (2007).

rather than complying with NATO's demand that Russia must fulfill its commitments undertaken at the 1999 Istanbul Summit. Fifth, Russia views the high force ceilings of NATO-members Hungary, Poland, Slovakia and the Czech Republic as problematic. Since these states are located in Central Europe, they are entitled to proportionally higher ceilings under the CFE Treaty. Russia views this imbalance as evidence that the original CFE Treaty is outdated. Sixth, Russia views the non-participation of the Baltic States in the CFE regime as a major problem since it means that these states have no force ceilings or any other obligations under the Treaty. Russia has no means to restrict the number of NATO forces within the Baltic States.

In comparison, the situation was significantly different when the negotiations on the CFE Treaty began in 1987. While both the Soviet Union and NATO shared a genuine interest in a Treaty that would permit a future reduction in the size of their conventional forces, the Soviet Union had much more at stake than its counterparts (McCausland 2009:2). From a Soviet perspective, the arms control negotiations would serve the primary purpose of bettering political relations and domestic economic conditions, while the military significance was much more marginal (Dunay 2004:8).²⁷

Historical developments were important contributors to the realization of the CFE Treaty. First and foremost, political events were unfolding which would change the geopolitical landscape in Europe. The Berlin Wall had fallen and Germany had been reunited; democratic revolutions took hold across Central and Eastern Europe and the Soviet Union had to tackle domestic unrest internally in areas such as the Baltic region, the Caucasus and Central Asia. In addition, President Gorbachev had announced in 1988 that the Soviet Union would withdraw approximately 50,000 troops from Central Europe (Harahan and Kuhn 1996:9). Despite being part of the Warsaw Pact, Central European nations deliberately continued to negotiate the CFE Treaty based on group terminology in order to avoid any delays to the Soviet plans for military withdrawal from Eastern Europe (Harahan and Kuhn 1996:12). By the time the negotiations started and until the Treaty was signed, six out of seven members of the Warsaw Pact had begun the process of disassociating themselves from the Soviet sphere of influence. Dissolution of the Warsaw Pact would certainly mean a weakened Soviet influence in Eastern Europe, and the Soviet leadership thus faced incentives to finalize the negotiations before Soviet influence became further marginalized. By signing an arms control agreement with NATO members, force levels could be reduced across the European continent, thus allowing the Soviet Union to reduce its military footprint without substantial costs to its strategic concept.

Second, the economic situation in the Soviet Union by the late 1980s posed a serious challenge to Moscow (Harahan and Kuhn 1996:10). The huge amount of resources devoted to military expenditures was one of the biggest expenses. For example, data reveals that the Soviet Union spent approximately 15, 8 percent of its total GDP on military expenditures in 1988, compared to 5,

27 Both the CFE Treaty and the Open Skies Treaty were developed in parallel with the end of the Cold War. The Open Skies Treaty was negotiated in Vienna from 1989 to 1991, and signed in Helsinki in March 1992.

7 percent in the United States (SIPRI 2008).²⁸ In terms of real value, the military expenditures of the United States were approximately twice as large due to a significantly higher national GDP. This illustrates that the Soviet Union was at a significant disadvantage compared to its main rival. A comprehensive disarmament treaty between the Soviet Union and NATO members would permit the Soviet Union to undertake a substantial reduction in its defense expenditures, shift resources towards more profitable sectors, and last but not least, precious time to carry out much-needed economic reforms. The burden of Soviet military expenditures provided a strong incentive for the Soviet leadership to sign an arms control treaty with the West.

Third, the Soviet negotiating position was weakened by internal strife within the Politburo. Gorbachev was aware that the Soviet military leadership was opposed to arms control negotiations with the West (Harahan and Kuhn 1996:10, Falkenrath 1995:122).²⁹ A significant reduction in military expenditures and the size of military forces could, however unpopular, reduce the military's power in Soviet society as well as their power versus Gorbachev. The threat from the military towards the political leadership became apparent during the failed Soviet coup d'état in August 1991, approximately a year after the Treaty was signed (Falkenrath 1995:122).

Examining the time period from when the original CFE Treaty entered into force and until today, substantial changes have taken place in Europe which Russia views as being to its disadvantage. The concepts behind the CFE Treaty have become increasingly problematic because they do not adequately reflect the current geopolitical environment in Europe. With the escalation of military conflicts in the Caucasus, the expansion of NATO, the Baltic States' decision to stay out of the Treaty, and the fact that no other state party has similar restrictions as Russia with regards to the flank limitations, participation in the CFE Treaty is difficult to justify for Russia today. The fact that the Treaty was implemented by Russia until 2007 could simply be due to a strong Russian expectation that the Adapted Treaty would soon be ratified by NATO members, thereby easing at least some of the Russian concerns.

Consequences for European Security

Given the current deadlock between NATO and Russia over the CFE Treaty, a key question is what the consequences are for European security. Will the suspension have any significant impact? The answer to this question depends first of all on how long the current status quo is maintained and whether or not NATO-members will eventually decide to abandon the Treaty. A future demise of the CFE Treaty could have an impact on other aspects of European security

28 For sources on the Soviet data, see Cooper (1998). The US data is from the financial year 1 October – 30 September (SIPRI 2008). The Soviet military expenditures in 1988 equaled approximately \$218.4 billion based on constant 2005 rates. The US value of 5, 7 percent of GDP corresponds to approximately \$484.0 billion in constant 2005 rates.

29 This information is based on an interview with the Soviet Chief Arms Control Negotiator for the CFE Treaty, Ambassador Oleg Grinevsky (Harahan and Kuhn 1996:10). Marshal Sergei Akhromeyev (Chief of the General Staff until 1988, Advisor to the President of the USSR from March 1990), the head of the KGB, the Director of the Central Committee's International Department, and the Military Departments were identified as being opposed to arms control negotiations (Harahan and Kuhn 1996:10).

beyond just conventional arms control. Some would even argue that it is not too far-fetched to imagine a dramatic realignment of European security (McCausland 2009:6). On the other hand, despite suspending participation in the Treaty, it appears unlikely that Russia will significantly increase the size of its conventional military arsenal in the near future (Weitz 2008:9). It is therefore not immediately clear what impact, if any, the suspension will eventually have on European security. However, there is little question that Russia has raised the stakes by suspending participation in the CFE Treaty (Lachowski 2009:7). In the short and medium term, Russia has achieved its aim of freeing itself from the restrictions and limitations associated with the CFE regime. In the longer term, Russia's aim may be to extract favorable concessions from the West before eventually resuming its participation in the Treaty. Russia has little to gain by participating in the current CFE regime while the existing restrictions on Russian security interests are in place. The flank regime could serve as a good example of how Russia's security interests are negatively affected by the Treaty.

There are a couple of issues caused by the Russian suspension which may have some impact on European security. First and foremost, it will be difficult to achieve the same degree of military transparency between Russia and the West in the future, at least when compared to what was achieved through the CFE regime. There is no mechanism in place which is nearly as extensive as the CFE regime and which can facilitate regular on-site inspections to Russian conventional military installations. The main challenge is how to maintain the same degree of trust and transparency between Russia and the West without the CFE regime. European states will most likely be forced to spend more time worrying about military activities rather than on political and economic issues.

Second, the suspension means that the CFE flank regime is paralyzed. For flank states such as Norway and Turkey, the flank limitations are important in the sense that they serve as a stabilizing factor in military relations with Russia. While Norway and Turkey are still bound by the Treaty's flank limitations, Russia has suspended its obligations and can reap the benefits of the flank regime while avoiding costs associated with implementing the regime. In other words, Russia can freely station its military forces in the northern and southern flanks without restrictions while the remaining CFE states are bound by the ceilings of the CFE Treaty. Third, even though Russia has suspended its participation in the Treaty, the conflict between Georgia and Russia in 2008 contradicts the principles enshrined in the Treaty (McCausland 2009:5). This could make it difficult to restore trust and confidence between East and West and complicate any efforts to achieve conventional arms control agreements such as the CFE Treaty in the future. What adds even more to the complexity is that Russia has proceeded to recognize South Ossetia and Abkhazia as independent states, thereby undermining the territorial integrity of Georgia.

Fourth, even though large-scale military action in Europe appears unlikely, the loss of a legal framework to limit holdings of military arsenals should be considered a setback. The outbreak of conflict between Georgia and Russia in 2008 illustrates that the possibility of minor armed conflict is still very much a reality, and that it can contribute to regional arms races. It has even been suggested that Azerbaijan is counting on the CFE Treaty to fail in order to be able to increase the size of its military forces (McCausland 2009:6). Such efforts would add to the already existing tensions between Armenia and Azerbaijan over the region of Nagorno-Karabakh, and could possibly have a spill-over ef-

fect into Georgia as well. While NATO continues to encourage European states to raise military forces for crisis management and force projection, a practical consequence of a demise of the CFE Treaty may be that it will be more difficult for some states to reduce the level of forces they have stationed domestically (Peters 1997:9).

As long as the current deadlock between NATO and Russia continues, it will add weight to those arguing in favor of abandoning the Treaty (Lachowski 2009:6). It cannot be ruled out that some states will seek alternative security arrangements that will seek to compensate for the deadlocked CFE Treaty. Russia's southern neighbors, Azerbaijan, Armenia and Georgia, are more likely to experience a local build-up of forces in their proximity than other states (Weitz 2008:10). NATO states, including the Baltic States and Norway, are less likely to revise their security strategies in response to the impasse over the CFE Treaty.³⁰ Turkey, on the other hand, worry that increased Russian military deployments in the Caucasus could further increase tensions (Weitz 2009:10). This was indeed what happened during the conflict between Georgia and Russia in 2008. Should the Treaty deteriorate further, the perhaps most serious and lasting impact of the suspension may be that European states may come to attach less weight to conventional arms control efforts, at least for as long as Russia does not demonstrate its willingness to take an active part in existing security arrangements.

From a Russian perspective, any future solution to the current deadlock is to be found in the form of concessions made by NATO. In other words, Russia has invited NATO to play a zero-sum game over the CFE Treaty. Even if NATO agrees to drop the flank regime from the Treaty in order to persuade Russia to resume participation, it is unlikely to be sufficient simply because Russia has too little to gain from the CFE Treaty. On the other hand, it is debatable whether NATO will lose much by maintaining the status quo. Although the Treaty has provided military transparency and stability in Europe since the end of the Cold War, a dramatic increase in the size of conventional forces in Europe appears much less likely today than immediately after the Cold War. Given the complex security situation in the Caucasus, however, there may nevertheless be mounting pressure from some states to either negotiate a new treaty, or to abandon the CFE altogether.

Implications for non-aligned states

Since the end of the Cold War, the CFE Treaty has provided security benefits not only for its participating states, but also for states which are not part of the Treaty. For example, despite being a non-participating state of the CFE Treaty, Finland has gained from greater stability in Europe's northern region. Finland has also benefited from the provisions in the flank regime which further limit the concentration of Russian forces in the northern flank. Russia has had an obligation to reduce its level of conventional military forces in the proximity to of the Finnish border, while Finland has had no requirement to do the same. It

30 In a display of sovereignty, Norway regularly dispatches fighter planes in proximity of its maritime borders in the Norwegian Sea to visually identify Russian long-range bombers on exercise and patrol. While this does not mean that relations with Russia are strained, it does illustrate the emphasis Norway attaches to actively monitoring and responding to foreign military activity in its area of interest.

could therefore be argued that Finland has been one of the major benefactors of the CFE regime because there have been no obligations or costs associated with it for Finland.

As a non-NATO state, Finland's need for an independent and credible military force to safeguard its sovereignty is more urgent than for most NATO-members. Even with membership in the EU, Finland does not have an external security guarantee from other states in the form of membership in a military alliance. An eventual future Finnish participation in the Treaty therefore largely depends on Finland's ability to maintain its own required force levels. In the event of potential future CFE-participation, however, there is a probability that Finland would have to reduce its current conventional force level according to the level which could be jointly agreed upon by the other treaty states (Olin 2000:68). For the moment, and as long as Russia does not participate in the Treaty, it appears highly unlikely that Finland would consider joining, as the positive effects of the Treaty is now significantly reduced. This would also lend some support to the hypothesis that the Russian suspension may cause European states to attach less weight to conventional arms control.

On the other hand, should Finland join NATO, Russia would have an incentive to increase its force concentration in the northern flank in order to compensate for the growth in NATO capabilities. From a Finnish perspective, this could potentially reduce the overall level of stability in Finland's border regions (Olin 2000:69). Another factor that may play a role in Finnish security considerations is that the information exchange and verification measures of the CFE Treaty could be seen to compromise key features of the Finnish defense forces, which may potentially reduce Finland's ability to respond in the event of a conflict due to its proximity to Russia. Finland may therefore be one state which is better off by not participating in the CFE Treaty, all the time Finland is not a member of a military alliance.

The Case of Norway

What could be the consequences for a flank state such as Norway, should the confidence building and stabilizing benefits of the CFE Treaty completely evaporate? Many western European CFE states, including Norway, continue to stress the value of the CFE Treaty in European security.³¹ While most states attach similar values to the CFE regime as Norway, Norway's proximity to Russia and the potential consequences if disputes arise over economic interests in the High North indicate that Norway has a particular interest in military stability in the northern flank. The flank regime has provided a degree of military stability and transparency which Norway has benefited from in its relations with Russia. Although there is currently no indication that a military conflict will break out between Norway and Russia, the CFE Treaty has traditionally served as a stabilizing factor in bilateral security relations.

Norway's traditional view has been that any solution to the current challenges associated with the CFE Treaty should be based on existing security structures and arrangements. In other words, as is the case with other NATO members, the optimal solution for Norway is one in which Russia resumes its

31 See, for example, Norway's statement at the joint meeting of the Permanent Council and the Forum for Security Cooperation in Vienna on 18 February 2009.

participation in the CFE Treaty. This view is based primarily on the value Norway attaches to the flank regime, as well as the assumption that it is possible to persuade Russia into resuming participation in the Treaty. In addition, Norway shares an interest with other NATO states in maintaining a consensus within NATO. The current deadlock between NATO and Russia means, however, that the flank regime does not provide security benefits as long as Russia is not participating in the regime. Since Russia is unlikely to resume participation in the CFE Treaty without concessions from NATO, Norway has to balance its future approach to the CFE Treaty in a way that accommodates the interests of NATO while at the same time seeking to address Russian concerns. Against these considerations, at least three different strategies can be conceived.

First, Norway could continue to pursue the current NATO strategy in which the aim is to persuade Russia to implement its obligations undertaken at the 1999 OSCE Istanbul Summit. If successful, it would allow ratification of the Adapted Treaty and encourage renewed Russian engagement with the CFE regime. Second, both Norway and Turkey have been worried that their local security interests, particularly regarding the continuation of the flank regime, could be compromised in a deal struck between NATO and Russia (Peters 1997:8). Should this happen, Norway could conceivably pursue bilateral negotiations with Russia outside the scope of the CFE Treaty with the aim of retaining some elements of the Treaty or to negotiate a new security arrangement. Such an arrangement could for example include adoption of a bilateral inspections regime, an expansion of existing transparency measures, creation of a long-term exercise calendar, establishment of new territorial sufficiency rules, creation of state-based counter-concentration rules and limitations on the organization of military forces (Peters 1997:23-40). The range of issues is only limited by what is defined as militarily sufficient in order to provide the desired level of security.

Third, Norway could, in collaboration with NATO, take the initiative to work towards the negotiation of a new conventional arms control treaty with Russia. Even though some of the most fundamental principles of the CFE Treaty have been rendered obsolete following the end of the Cold War (for example the principle of balance of force), many of its key features have proven remarkably successful in the post Cold War era. These key features could be replicated in a new comprehensive arms control regime. Ideally, the “CFE II” would include the inspections- and verification measures that have been instrumental in the CFE regime. It would, however, have to be explored whether it is possible to negotiate a treaty which all stakeholders can agree upon (Chernov 1995:89). At least two significant challenges must first be overcome. The first is to solve the disagreement between NATO and Russia over the implementation of the Istanbul commitments. The second is to examine how the flank regime can be modified to reduce existing Russian concerns, while still being relevant to flank states such as Norway and Turkey. The “CFE II” is likely to end up as a greatly watered down version of the current Treaty. It may prove to be of little value to some states.

While none of the three options mentioned above may appear as ideal strategies for NATO, the first and current strategy is the least likely to bear fruit. As long as Russia is suspending its participation in the CFE Treaty, the prospect of the Adapted Treaty entering into force remains remote. Should NATO states proceed to ratify the Adapted Treaty regardless of Russia’s implementation of the Istanbul commitments, it would be regarded as a compromise with Russia

at the expense of Georgia and Moldova. It could also encourage further Russian demands, and there is no guarantee that Russia would not suspend participation in the Adapted Treaty as well, because Russia has already expressed a strong dissatisfaction with the CFE Treaty, including the flank regime. Even if Russia would comply with the Treaty in the future, there is no guarantee that this would bring moderation to Russia's behavior, for example in the southern flank (Falkenrath 1995:144). NATO may have little to gain by ratifying the Adapted Treaty without prior Russian compliance with the Istanbul commitments.

The second strategy, which involves the negotiation of a bilateral arrangement, should also be avoided. Norway would by doing so risk to undermine NATO's common position and set an unfortunate precedent by pursuing alternatives outside a multilateral framework. On the other hand, while recognizing Norway's interest in a revitalization of the flank regime, it can be argued that the flank regime is not an essential component of Norwegian security interests. Norway can manage without the flank regime and maintain a stable and credible military relationship with Russia, mainly due to membership in NATO. It would not be in Norway's interest to insist on maintaining the flank regime in any future negotiations if this prevents NATO from reaching consensus on a new agreement with Moscow over the CFE Treaty.

The Way Ahead

At least five different scenarios could shape the future of the CFE Treaty in European security (McCausland 2009:7). The first is a continuation of the status quo, i.e. a continued Russian suspension combined with a continued NATO implementation of the Treaty. One reason why NATO has continued to implement the Treaty without Russia might be that Russia's overall compliance with the Treaty in the past has been good, raising expectations for a renewed Russian commitment in the future. This situation can only last as long as most NATO states still believe that Russia will actually return to the Treaty in the future, a situation which is unlikely to be sustained indefinitely (McCausland 2009:4). On the other hand it cannot be ruled out entirely that western decision makers will continue to stick to the CFE Treaty for a considerable amount of time, which might be due at least partially to the effect of the norms and rules which have been already established by the CFE regime. This would suggest that beliefs and values have evolved sufficiently under the CFE regime to make the regime sustainable regardless of shifts in the balance of power or perceptions of threats (Duffield 1992:839).³² It could also explain why NATO has already implemented the Treaty for some time without Russian participation. However, since Russia is unlikely to re-enter the CFE regime without substantial revisions to the Treaty, it is possible that the Treaty will gradually become more and more irrelevant as an arms control mechanism. Even in the unlikely case that Russia would prefer to participate in the Treaty rather than having it completely abandoned, it would be very difficult for Russia to resume its participation without at least some form of concessions from NATO.

³² Regimes can have an influence on state behavior. A regime-based explanation could include a four-step approach: Identification of norms and rules, demonstration that actions have been consistent with those norms and rules, indications of the general cause of compliance, and documentation of the influence of regime considerations in the calculations of decision makers and the internalization of behavior (Duffield 1992:840).

Second, NATO could potentially ignore or agree to some or most of the Russian demands and proceed to ratify the Adapted CFE Treaty. As noted above, this approach would most certainly have a negative impact on the relations between Georgia and Moldova and NATO. It could also indirectly weaken the CFE regime since it could reduce Russia's motivation to withdraw militarily from Georgia and Moldova. There would be no pressure left on Russia to withdraw its forces unless NATO adopts a new strategy which compensates for the compromise in relations to the Istanbul commitments.

Third, an effort by NATO and Russia to address remaining concerns over the Istanbul commitments was attempted in 2008. The idea was to implement a step by step approach, in which Russian withdrawal from the territories of Georgia and Moldova would be followed by NATO states ratifying the Adapted Treaty. These negotiations made little progress between March and August 2008 (McCausland 2009:3). Since the entry into force of the Adapted Treaty depends on ratification by all states, including Georgia and Moldova, any attempts along the same lines are likely to fail as long as there are still Russian forces stationed in these two states. The conflict between Georgia and Russia in the fall of 2008 further complicates any efforts along similar lines in the future, and makes this scenario unlikely to be repeated.

Fourth, NATO and Russia could start to negotiate a new treaty which would replace both the original and the Adapted CFE Treaty. The "CFE II" would have to address the major Russian concerns, while at the same time building on the key features of the original Treaty. Acknowledging the possibility that it may result in a greatly watered-down version of the CFE Treaty, it could still be sufficient to revitalize conventional arms control in Europe and play a positive role by continuing the confidence-building element of the CFE Treaty. However, during the negotiations on the Adapted Treaty, some argued that the CFE Treaty has value to the West in its present form and that it would be unwise to give it up by making substantial changes (Peters 1997:7). This would also apply in the case of a new Treaty, and there is no doubt that an attempt to agree on a watered down version of the CFE Treaty would be of much less value compared to the current regime if it was to be implemented by all parties. While it is still a possible scenario that NATO and Russia could potentially agree on a new conventional arms control treaty, the disagreement over the Istanbul commitments may prove to be more difficult to resolve.

Finally, Russia could potentially decide to resume its participation in CFE Treaty without achieving any concessions from NATO. However, given the strong interest Russia currently has in a major revision of the CFE Treaty, this is not likely to happen. For domestic reasons in particular, it would be hard to undo the Russian rhetoric which was used to justify a suspension from the Treaty in 2007 without any major concessions from Western states. Instead, Russia has recently proposed that European states should take part in a new European security arrangement based on "equality and mutual benefit" (Remnick 2008).³³ Although the disagreement over the CFE Treaty could serve as an initiator for

33 An implication of this and similar ideas could be that NATO would assume a less prominent role in European security while broader arenas such as the OSCE would become more important (Peters 1997:9). As long as NATO proves to be more successful for managing security issues, however, it is unlikely that NATO would give priority to the OSCE.

new substantial discussions on European security, it is doubtful that it will happen as long as the major issues of the CFE deadlock continue to remain a source of contention in relations between Russia and the West. At this point it is simply unclear whether the source of disagreement between Russia and NATO can be successfully resolved within the framework of the CFE regime (McCausland 2009:7).

The CFE Treaty was primarily designed to prevent or reduce the likelihood of armed conflict between NATO and the Warsaw Pact. In this respect, the Treaty has already outlived its original purpose. Whereas the main objective of arms control during the Cold War was to prevent large-scale war between East and West, the question today is rather to what degree states can address security concerns such as the threats posed by transnational terrorism, crime, nuclear proliferation and weapons of mass destruction.³⁴ The need for conventional arms control in Europe may be less today than what it was during the Cold War, suggesting that the CFE Treaty may be of only marginal importance to most European states today. It could be difficult to sustain the relevance of the CFE Treaty in the future as long as it does not address contemporary security challenges.

The main impediment of a breakthrough in any future CFE negotiations could very well be the lack of a strategic threat posed by conventional forces in Europe. States such as for example Norway may have more to gain by relying on NATO for its security needs, and may not necessarily need the CFE Treaty at the present time. The CFE Treaty is clearly better than no treaty at all, assuming it is being implemented also by Russia, but it should not be regarded as an essential component of Norwegian security. Norway and other states could drop the stake in the flank regime if necessary, simply because NATO provides a sufficient and credible security guarantee. While it is still possible that an agreement on remaining issues can be reached between NATO and Russia over the CFE Treaty, it will require substantial political will and flexibility in negotiations on both sides before this can happen.

Conclusion

Unlike during the Cold War, the CFE Treaty in its present form does not address the most compelling security threats to European states. Its value lies primarily in reducing the possibility of large-scale military conflict in Europe and by serving as a confidence-building mechanism between NATO and Russia. The Treaty may continue to play a diminished role in limiting the upper limits of military forces and to promote confidence-building and transparency in Europe, but it is increasingly irrelevant for states which are unlikely to fight each other. The Treaty is also to a large extent irrelevant as an arms control mechanism long as Russia does not participate.

From a Russian perspective, the CFE Treaty was dealt a lethal blow at the same time as the first Eastern European states joined NATO. In order to sustain the principle of balance of force in the CFE Treaty, the growing imbalance in military forces between East and West can only be addressed by restricting NATO force levels (Chernov 1995:89). Given the skepticism of many Eastern

34 Definitions of weapons of mass destruction typically include nuclear, biological and chemical weapons.

European states towards Russia's intentions, it appears unlikely that Russia can expect any such concessions. Russia therefore has very little to gain from the CFE Treaty in its present form. Unless these and other circumstances change dramatically, the CFE Treaty will eventually lose its significance as a security regime in Europe and cease to be a cornerstone of European security.

NATO is unlikely to pressure Russia too much on the issue of the Istanbul commitments. While they are important in NATO's relations with Georgia and Moldova, NATO needs to cooperate with Russia on a range of other political, economic and security issues. In addition, there is very little that can realistically be achieved through any form of coercion against Russia. Any future solution to the current deadlock of the CFE Treaty requires a new incentive for Russia to rejoin the Treaty. With persistent security concerns in Russia's southern flank, it appears unlikely that Russia will face such an incentive in the near future.

European states, including Norway, have various options available to them in order to seek solutions to the current impasse. These options vary from maintaining the status quo, entering bilateral negotiations or to negotiate a new arms control treaty with Russia. Regardless of which option is chosen, the most negative outcome for NATO would be one where Georgian and Moldovan concerns are not taken into account, or where NATO's common negotiating position is undermined. Maintaining the status quo might be the least problematic strategy for NATO.

A different question is whether NATO really needs the CFE Treaty. Even if the practical implication of the suspension is that there will be less transparency in European military relations, it does not necessarily have to be a major concern for NATO as long as relations with Russia are maintained through other means. In addition, European relations as well as conventional arms control has progressed to the extent that an outbreak of major conventional conflict between East and West appears unlikely to happen. It is therefore not obvious that a future dissolution of the CFE regime will have any major consequences for European security. What is obvious, however, is that a future dissolution of the CFE regime should be regarded as a major setback for conventional arms control in Europe.

References

- Andres, Janet (2009). "CFE: Will It Remain a "Cornerstone of European Security?", accessed 14 December 2009: http://www.unc.edu/depts/diplomat/item/2007/0709/andr/andres_cfe.html
- Boese, Wade (2008). "Russia Unflinching on CFE Treaty Suspension". *Arms Control Today*, accessed 14 December 2009: http://www.armscontrol.org/act/2008_05/RussiaCFE.
- Chernov, Vladislav (1995). "The expansion of NATO and the future of the CFE treaty", in *Comparative Strategy*, Vol. 14, pp. 87 – 90.
- Chillaud, Matthieu (2006). "Territorial Disarmament in Northern Europe: The Epilogue of a Success Story?", in *SIPRI Policy Paper No. 13*. Stockholm: Stockholm International Peace Research Institute.
- Crawford, Dorn (1993). "Conventional Armed Forces in Europe (CFE): A Reprise of Key Treaty Elements." *U.S. Arms Control and Disarmament Agency*, March 1993.
- Crawford, Dorn (2003). *Conventional Armed Forces in Europe (CFE): A Review and Update of Key Treaty Elements* (Arms Control Bureau, U.S. Department of State: Washington, DC (Jan 2003).
- Cooper, J. (1998). "The military expenditure of the USSR and the Russian Federation, 1987 – 97", *SIPRI Yearbook 1998: Armaments, Disarmament and International Security*. Oxford University Press: Oxford, 1998, pp. 243-59.
- Dean, Jonathan and Randall Watson Forsberg (1992). "CFE and Beyond: The Future of Conventional Arms Control" in *international Security*, Vol. 17, No. 1 (Summer 1992), pp. 76-121.
- Dunay, Pál (2004). "Arms Control in the Post-Cold War World" in *Open Skies: A Cooperative Approach to Military Transparency and Confidence Building*. United Nations (August 2004) pp. 5 – 16.
- Duncan, Hollis B. (2007). "Russia Suspends CFE Treaty Participation" *The American Society of International Law (ASIL) Insight*, Vol. 11, Issue 19, accessed online 14 December 2009: <http://www.asil.org/search.cfm?displayPage=374>.
- Duffield, John S. (1992). "International Regimes and Alliance Behavior: Explaining NATO Conventional Force Levels" in *International Organization*, Vol. 46, No. 4 (Autumn 1992), pp. 819 – 855).
- Falkenrath, Richard (1995). "Shaping Europe's Military Order: The Origins and Consequences of the CFE Treaty" in *BCSIA Studies in International Security*, Vol. 6 (February 1995).
- Falkenrath, Richard (1995). "The CFE Flank Dispute: Waiting in the Wings." *International Security*, Vol. 19, No. 4 (Spring 1995), pp. 118-144.

Hallenbeck, Ralph A. and David E. Shaver (eds.) (1990). *On Disarmament: The Role of Conventional Arms Control in National Security Strategy*. Carlisle, PA: Strategic Studies Institute, U.S. Army War College.

Harahan, Joseph P. and John C. Kuhn (1996). *On-Site Inspections Under the CFE Treaty: A History of the On-Site Inspection Agency and CFE Treaty Implementation, 1990-1996*. Washington, D. C.: U.S. Department of Defense.

Homan, Kees (2000). "The adapted CFE Treaty: A building block for cooperative security in Europe." *Helsinki Monitor*, Vol. 11, No. 2. The Hague: Netherlands Helsinki Committee and International Helsinki Federation for Human Rights, pp. 52-57.

Jervis, Robert (1982). "Security Regimes". *International Organization*, Vol. 36, No. 2, pp. 357 – 378. The MIT Press.

Keohane, Robert O. and Joseph S. Nye (1977). *Power and Interdependence*. Boston: Little, Brown.

Koulik, Sergey and Richard Kokoski (1991). *Verification of the CFE Treaty: A SIPRI Research Report*. Stockholm: Stockholm International Peace Research Institute.

Krasner, Stephen D. (1982). "Structural Causes and Regime Consequences: Regimes as Intervening Variables". *International Organization*, Vol. 36, No. 2, International Regimes, Spring 1982, pp. 185 – 205. The MIT Press.

Kouchner, Bernard and Frank-Walter Steinmeier (2007). "CFE Treaty: Joint Article", in *Frankfurter Allgemeine Zeitung*, 29 October 2007.

Lachowski, Zdzislaw (2003). "Conventional arms control in Europe" in *SIPRI Yearbook 2003: Armaments, Disarmament and International Security*. London: Oxford University Press, pp. 692-711.

Lachowski, Zdzislaw (2006). "Conventional arms control". *SIPRI Yearbook 2006: Armaments, Disarmament and International Security*. London: Oxford University Press, pp. 749-773.

Lachowski, Zdzislaw (2009). "The CFE Treaty One Year After its Suspension: A Forlorn Treaty?" *SIPRI Policy Brief*, January 2009.

McCausland, Jeffrey D. (1995). *The CFE Treaty: A Cold War Anachronism?* Department of National Security and Strategy, U.S. Army War College.

McCausland, Jeffrey D. (2009). *The Future of the CFE Treaty: Why It Still Matters*. The EastWest Institute, June 2009.

Olin, Pentti (2000). "A Finnish perspective of the CFE Treaty", in *Baltic Defence Review*, No. 4, Vol. 2000.

OSCE (1999). "Istanbul Document 1999". Organization for Security and Cooperation in Europe, accessed online 14 December 2009: http://www.osce.org/documents/mcs/1999/11/4050_en.pdf.

Peters, John E. (1997). *CFE and Military Stability in Europe*. Santa Monica, CA: RAND.

President of Russia Official Web Portal (2007). "Information on the decree "On Suspending the Russian Federation's Participation in the Treaty on Conventional Armed Forces in Europe and Related International Agreements." Press Release 14 July 2007, accessed online 14 December 2009: <http://www.kremlin.ru/eng/text/docs/2007/07/137839.shtml>.

Remnick, David (2008). "A conversation with Sergey Lavrov", Council on Foreign Relations, September 24, 2008, accessed online 14 December 2009: http://www.cfr.org/publication/17384/conversation_with_serгей_lavrov.html.

SIPRI (2008). Stockholm International Peace Research Institute. *The SIPRI Military Expenditure Database*, available at <http://milexdata.sipri.org>.

Sharp, Jane M. O. (1990). "Conventional Arms Control in Europe." *SIPRI Yearbook 1990: World Armaments and Disarmament*. London: Oxford University Press, pp. 459-507.

Sharp, Jane M. O. (1991). "Conventional Arms Control in Europe." *SIPRI Yearbook 1991: World Armaments and Disarmament*. London: Oxford University Press, pp. 407-460.

U.S. Department of State (2001). *Adherence to and Compliance with Arms Control and Nonproliferation Agreements and Commitments*. U.S. Department of State.

Waltz, Kenneth N. (1979). *Theory of International Politics*. Reading, MA: Addison-Wesley.

Weitz, Richard (2008). "Russia's CFE Suspension Worries its Southern Neighbors" in *Central Asia-Caucasus Analyst*, Vol. 10, No. 1. 9. January 2008, pp. 9-11.

Weitz, Richard (2008). "Extraordinary Conference Fails to Achieve Agreement on CFE Treaty Dispute", *Hudson Institute*, accessed online 14 December 2009: http://www.hudson.org/index.cfm?fuseaction=publication_details&id=5188.