

THE
CHANGING
QUALITY OF
STABILITY
IN EUROPE

*The Conventional Forces in
Europe Treaty Toward 2001*

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PREFACE

The Office of the Secretary of Defense's (OSD's) Office of Non-Nuclear Arms Control asked RAND to advise that office regarding its role with the Conventional Forces in Europe (CFE) Treaty and the CFE adaptation talks. This report offers the project team's final observations. Earlier results were reported in *CFE and Military Stability in Europe*, MR-911-OSD. This report considers the factors that bear on CFE today and that will influence the treaty at the next implementation review conference, scheduled for 2001.

In addition to staff in the Office of Non-Nuclear Arms Control, this report will be of interest to the broader arms control community as well as to those seeking information about European security and repercussions from it for the United States.

The research for this project was conducted within the National Defense Research Institute's International Security and Defense Policy Center at RAND. The National Defense Research Institute is a federally funded research and development center sponsored by the Office of the Secretary of Defense, the Joint Staff, the unified commands, and the defense agencies.

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SUMMARY

Research for this project originally began in 1995 in anticipation of the first CFE Implementation Review Conference. Since then, the project has generally dealt with the operational, practical issues attending the CFE Treaty and attempts to adapt it to the present conditions in European security. This report looks somewhat beyond the military-technical considerations of the treaty and considers how the treaty's role is changing at a strategic level.

The report reflects on what CFE will contribute to security after adaptation, how CFE is interacting with NATO, and how arms control has moved from its traditional role in deliberate diplomacy toward a new role in crisis management. The report concludes that an adapted CFE Treaty will not deliver the same quality of stability across the treaty area as the original, cold war treaty did but will provide other benefits. In CFE's relationship with NATO, and contrary to the conventional wisdom, it is not CFE that has the greatest amount of latitude for conditioning the security environment, but rather the Atlantic alliance. A new bargain between CFE and NATO is emerging, in which CFE constrains the dimensions of potential conflicts so that the crisis response means available through NATO remain adequate for the task of quelling confrontations that may arise.

The report also considers the need for additional, subregional arms control with an eye toward the ongoing trouble in the Balkans. It introduces a new class of arms control measures—safety and security measures—and suggests how arms control might play a more active role in crisis management.

Since the project began as preparation for one implementation review conference, it seems fitting to conclude with observations about the issues confronting the next such conference in 2001. The final chapter of the report considers CFE's status in 2001: what its agenda for the future might be, and what the import of continued stability in Europe could mean for the United States.

ACKNOWLEDGMENTS

This long-running project has benefited from the input of many arms control and European security experts. Dorn Crawford of the U.S. Arms Control and Disarmament Agency; Colonel Jeffrey McCausland, dean of the U.S. Army War College; Brooks Shelton, director of the Office of Non-Nuclear Arms Control; and his colleagues Walter Earle and William Bann have all provided useful insights for contemplating the future of CFE. At RAND, I am grateful for the advice and counsel of Greg Treverton. Errors and omissions are, of course, my own.

ACRONYMS

ACDA	(U.S.) Arms Control and Disarmament Agency
ACVs	Armored combat vehicles
ARRC	Allied Command, Europe, Rapid Reaction Corps
CFE	Conventional Forces in Europe
CJTF	Combined joint task force
CPC	Center for the Prevention of Crises
CSBM	Confidence- and security-building measure
EAPC	Euro-Atlantic Partnership Council
EU	European Union
GUAM	Georgia, Ukraine, Azerbaijan, Moldova
HLTF	High-level task force
IFOR	Implementation Force
JCG	Joint Consultative Group
MBFR	Mutual and Balanced Force Reduction (talks)
NACC	North Atlantic Cooperation Council
OSCE	Organization for Security and Cooperation in Europe
PfP	Partnership for Peace

SFOR	Stability Force
SSM	Safety and security measure
TD	Temporary deployment
TLE	Treaty-limited equipment
USGPO	U.S. Government Printing Office
WEU	Western European Union

INTRODUCTION

The Conventional Forces in Europe (CFE) Treaty adaptation talks will most probably conclude in time for the Organization for Security and Cooperation in Europe (OSCE) summit in November 1999. The closing of the talks in autumn will mark over three years of RAND analytical support to CFE, support that began by considering the issues likely to prove most challenging at the 1996 implementation review conference. Three years of analytical support has allowed the research team to build a certain perspective about CFE, its salience for European security today, and its future in the years leading to the next implementation review conference scheduled for 2001. This final report offers the research team's main observations.¹

PROJECT'S NET JUDGMENTS

Three points about the CFE Treaty stand out sharply. First, CFE's original purpose—stability at lower force levels and reasonable assurances against surprise attack—will erode somewhat if the current adaptation talks run their course in Vienna as expected. CFE will still perform the residual function of keeping Europe's arsenals at historically low levels. However, the original notion of managing force levels between the Soviet and Western blocs of states has been supplanted by the CFE adaptation talks' emphasis on structural stability among all member states. Structural stability seeks to limit the ability of signatories to increase their holdings in treaty-limited equip-

¹The team's earlier results were published last year in John E. Peters, *CFE and Military Stability in Europe*, Santa Monica, Calif.: RAND, MR-911-OSD, 1997.

ment (TLE)² or to move large amounts of it, except under extraordinary circumstances. This adaptation of the treaty will change the quality of stability.

Second, it is not CFE but rather NATO that must play the leading role in managing contemporary European crises and local wars. Although there have been widespread expectations that an adapted CFE Treaty could play a major role in managing³ future European security issues, research for this project indicates that CFE's principal contribution lies in limiting the size of countries' arsenals. The main crisis management instrument for Europe will be multinational task forces drawn from NATO and the alliance's partnership states.

Third, contrary to the project team's earlier expectations, it is clear that conventional arms control is adopting a new role as a crisis management tool. In addition to its traditional role as a tool of deliberate diplomacy, arms control today is helping to contain and minimize crises. The arms control provisions in Annex 1-B, Articles IV and V of the Dayton Accords provide the peace accords with a local arms control protocol, designed to address local problems—which is an example of what is being done. That said, if arms control is to be effective in future crisis management activities, arms controllers must think about new measures that extend beyond copying CFE's successes. Controlling TLE is only one aspect of arms control as a crisis management instrument. New measures should be explored that can address the specific issues in new crises.

The following chapters address the main points synthesized from the project's research. Chapter Two considers what an adapted CFE Treaty can and cannot contribute to Europe's security. Chapter Three examines the relationship between CFE and NATO and assesses CFE's salience for today's security issues. Chapter Four examines the changing role of conventional arms control more generally.

²TLE includes tanks, armored combat vehicles, artillery, attack helicopters, and combat aircraft.

³CFE is in fact an active manager of European stability. Its Joint Consultative Group meets regularly to consider stability and security issues arising from the treaty's implementation, and the treaty calls for periodic implementation review conferences. The CFE Treaty is, arguably, more active in managing security relations among the 30 signatories than many other institutions.

Chapter Five contemplates the future of CFE and the issues that may arise at the implementation review conference in 2001.

WHAT CFE CAN AND CANNOT DO

As noted, the original objective of CFE was stability at lower force levels and reasonable assurances against surprise attack. Today, however, the treaty cannot deliver the same quality of stability and will not be able to do so even if the territorial and national ceilings under consideration in the adaptation talks are adopted. This chapter explains what CFE can and cannot do toward European security. It begins by considering the limitations of the treaty, then closes with observations about its contributions in the current security environment.

WHAT CFE CANNOT DO

In its original form, the CFE Treaty brought parity to the amounts of TLE that each “group of states parties”—treaty language for NATO and the Warsaw Pact—could hold. Equal force entitlements, constrained by the treaty’s system of nested zones, stripped both sides of the ability to generate overwhelming force ratios necessary for a major offensive. Stability was the result. At present, the adaptation talks are considering means to transition the treaty from the old, bloc-to-bloc formulation to one based upon individual countries. The principal tools for moving bloc TLE entitlements to national ones are national and territorial ceilings. National ceilings would limit the amount of TLE that any state could own, and territorial ceilings would constrain the amount of TLE, no matter what state owned it, that could be stationed within a state’s territory. Temporary deployments under consideration in Vienna would establish some basis for exceeding territorial ceilings: perhaps to participate

in exercises or a crisis management activity sponsored by some international body like the United Nations or the OSCE.

Unfortunately, the proposed new ceilings will probably not produce the same force ratio equilibrium for neighbor states that the old, bloc-to-bloc calculus did for NATO and the Warsaw Pact. The quality of stability will therefore be different. Figure 1 illustrates the problem. This and subsequent figures show TLE-to-border ratios by first aggregating a state's TLE, and then plotting a curve showing the densities of equipment that would be achieved if the TLE were distributed evenly over sequentially longer stretches of the border. In the example in Figure 1, the curves reflect the relative distribution of states' TLE along successively longer stretches of common frontier around Ukraine. The chart shows that Russia can amass some 500 items of TLE per kilometer on a 50 km-long stretch of border, while Ukraine can manage just over 100. The curves show that Russia could generate forces on a very narrow frontage that would yield Moscow an almost 5:1 advantage over Kiev. Likewise, Ukraine enjoys an almost 3:1 advantage over her other neighbors. Some adjust-

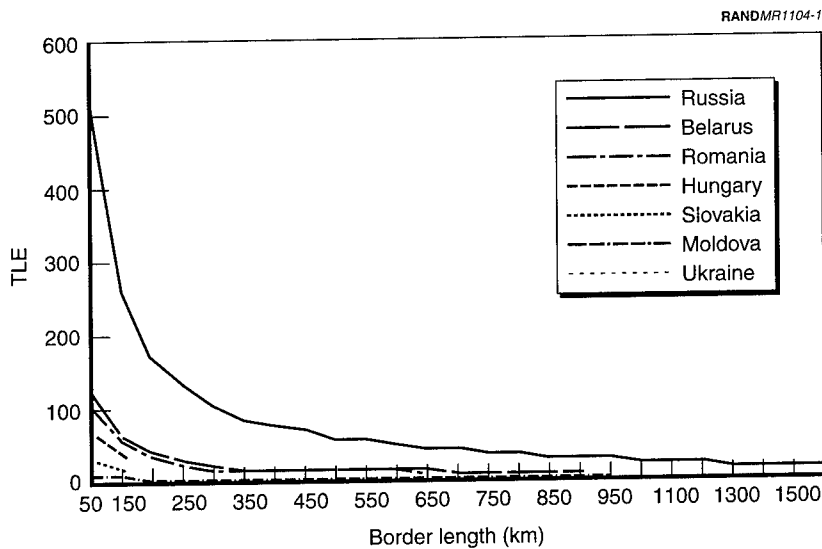


Figure 1—TLE-to-Border Relationships Around Ukraine

ments to these figures for differences in terrain and trafficability would alter the balances somewhat but would not alter the basic point that the CFE Treaty constraints on Ukraine and her neighbors would not interfere with a small combat operation like that in Chechnya (discussed later and, in any case, an instance of internal warfare, unregulated by CFE), especially one with limited objectives.

Figure 2, illustrating the possible TLE ratios generated by Poland and her neighbors, makes a similar point. Some caution is necessary when considering Russian forces, since it is certainly artificial to imagine Russia concentrating all of Moscow's TLE in the Kaliningrad Oblast, that part of Russia that shares a border with Poland. However, the ratio generated along the Polish-Ukraine border is almost 3:1 in favor of Kiev. Furthermore, Belarus might accommodate Moscow by allowing her forces to transit Belarus territory, thus allowing Russia to generate a significant force opposite Poland. Again, the point is that CFE, in its most likely adapted form, will not provide the same quality of stability that it did in the old days of the cold war. On a state-to-state basis, CFE does not manage TLE to

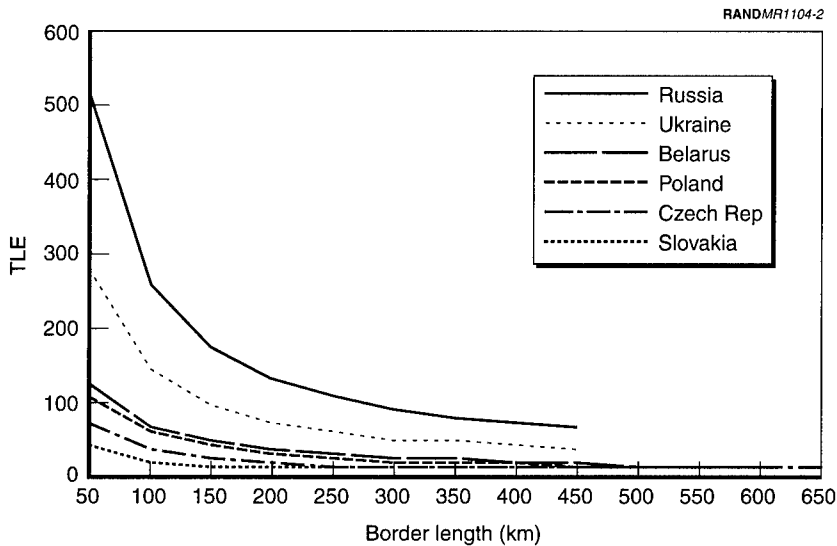


Figure 2—Poland and Selected Neighbors

prevent concentrations of force sufficient for at least limited objective attacks, which typically involve shallow strikes by smaller forces to seize specific targets. In the current era, this seems a significant shortcoming.

Elsewhere, things are not so bad. The stability among Bulgaria and her neighbors, again based upon TLE ratios, is much better, as Figure 3 illustrates. In this instance, the TLE ratios that could be generated along the borders Bulgaria shares with neighbor states are more in balance. Turkey can gain some advantage along the narrowest of frontages but still can generate a ratio of only a little better than 1.3:1. Most everyone else enjoys rough parity.

The problem is that parity alone can no longer deliver stability. If stability resulted from military parity during the cold war, as the designers of CFE envisioned, it was a rare event. Historically, near-parity has not prevented war in more instances than it has. The cold war's bipolar structure and the special circumstances of grave danger

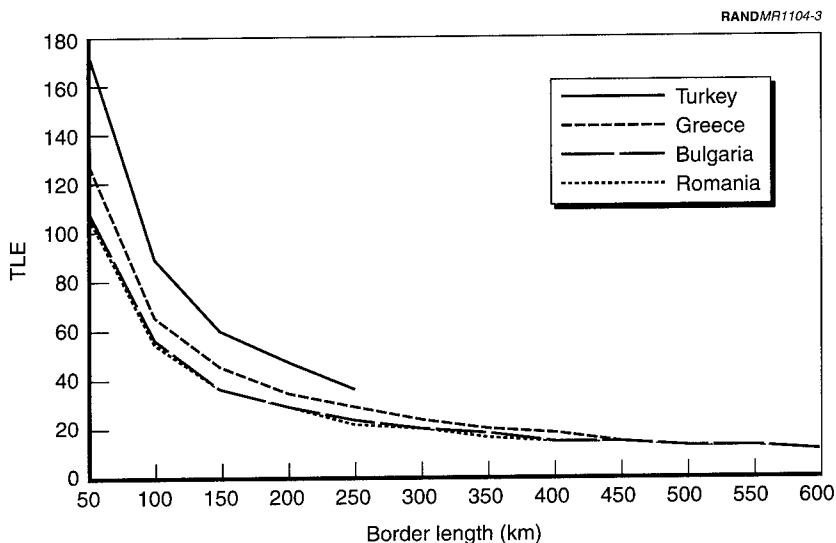


Figure 3—Bulgaria and Her Neighbors

brought about by huge nuclear arsenals on both sides may have created conditions under which conventional force parity contributed to stability. Mikhail Gorbachev explicitly embraced cooperation and ended the military competition with the West when he agreed to CFE.⁴ Indeed, in embracing the treaty, all the parties implicitly accepted the status quo—a divided Europe—when they signed.⁵ If the CFE Treaty cannot perform as originally intended, delivering stability at lower force levels, what can it do?

WHAT CFE CAN DO

Europe has pinned many hopes on the CFE Treaty and “adaptation.” NATO, subsequent to the Madrid Summit, promised Russia that its objections to the alliance’s enlargement—embracing Poland, the Czech Republic, and Hungary—will be satisfied by adapting the CFE Treaty to meet Moscow’s concerns. Both the NATO-Russian and NATO-Ukraine pacts make explicit reference to CFE adaptation and the benefits expected to result from the process, including further reductions in TLE and exercising restraint in negotiations so as not to damage the quality of stability in the region.⁶ The “Certain Basic Elements” decision document, which was concluded before the adaptation talks recessed for August 1997, included language endorsing enlargement of CFE itself, suggesting implicitly that an enlarged treaty would improve European security. Finally, there are the expectations associated directly with the adaptation process itself—the expectation that CFE can be somehow adjusted so that its measures

⁴Mikhail Gorbachev, *Memoirs*, New York: Doubleday, 1995, p. 502.

⁵See Daniel S. Geller and J. David Singer, *Nations at War*, Cambridge University Press, 1998. Drawing on the Correlates of War data sets of war initiation from 1812–1992, Geller and Singer indicate that historically, more than half the attacks came under conditions of near parity.

For a thorough explanation of the conditions within the cold war that produced a “flawed stability,” see John Lewis Gaddis, “The Long Peace,” *International Security*, Spring 1986, pp. 99–142.

⁶*Founding Act on Mutual Relations, Cooperation and Security Between the Russian Federation and the North Atlantic Treaty Organization*, from the United States Information Agency web site (<http://www.usia.gov/products/washfile/eu.shtml>), July 1997.

can be more suitably applied given the current state of European security.⁷

The following are the three main areas where CFE can contribute to European security: managing overall force levels, providing a forum for local confidence- and security-building measures (CSBMs), and supporting the effectiveness of other institutions.

Managing Overall Force Levels

Since the treaty's signing in 1990, the member states have destroyed over 51,000 pieces of TLE.⁸ In response to the end of the cold war, many signatories have down-sized their military forces to levels below those required by the CFE Treaty. The result is historically low levels of forces—the lowest since before World War II—for the CFE Treaty's area of application.

Since all signatory states know the limits imposed by the treaty on the arsenals of their neighbors, some have reduced their own forces still further using the treaty as a shock absorber to protect themselves from their neighbors. For example, Hungary's long-term defense plan calls for further reductions and modernization, and the Czechs and others are thinking along similar lines. The net result is that some are adopting force postures well below their CFE entitlements, secure in the knowledge that neighbors, bound by the treaty, cannot build arsenals large enough to intimidate them.

Providing a Forum for CSBMs

The CFE Treaty has a long association with politically binding CSBMs. Indeed, such CSBMs were instrumental as side agreements in bringing about the CFE Treaty itself. Based on this firm acquaintance with CSBMs, CFE is the logical place for neighbor states to conclude new, bilateral CSBMs to shore up their relations. States

⁷U.S. Arms Control and Disarmament Agency Fact Sheet, December 2, 1996, *Adaptation of the CFE Treaty*.

⁸Dorn Crawford, *Conventional Armed Forces in Europe (CFE): A Review and Update of Key Treaty Elements*, Washington, D.C.: The U.S. Arms Control and Disarmament Agency, January 1999, p. 27.

who find that CFE after adaptation does not provide fully satisfactory TLE ratios among neighbors could use the Joint Consultative Group (JCG), the standing CFE management and arbitration body, as a forum in which to meet and negotiate new CSBMs to offset less than satisfactory TLE ratios.

Some states, Hungary and Romania for example, have already negotiated bilateral aerial observation regimes similar to the Open Skies Treaty. Having future CSBM agreements supervised by the JCG might encourage other states to negotiate new pacts with their neighbors, thereby compensating for the fact that the CFE Treaty no longer provides the high quality of stability on a state-to-state basis that it once did bloc to bloc.

Supporting Other Institutions

Finally, CFE can create conditions in which other institutions, perhaps especially NATO, can work more effectively. The next chapter examines NATO and the opportunities for CFE to improve the alliance's contribution to Europe's security.

NATO AND THE CFE TREATY

Both NATO and the CFE Treaty have been undergoing change for some time. This chapter explores how CFE might facilitate NATO's new role in European security. NATO is still trying to find its footing in the new, post-cold war era, but for the most part, the alliance is generally transitioning toward power projection and expeditionary operations and away from its earlier concentration on static defense. It has organized its partners in Eastern and Central Europe to refine their ability to undertake collaborative military activities, and it has used alliance offices to promote democratic norms in the partner countries. It has agreed upon a new military command structure and is making progress testing its combined joint task force (CJTF) headquarters model and in developing Western European Union (WEU) mission profiles, which may lead to provision of NATO assets for WEU-led operations.⁹ The alliance has covered considerable ground from its cold war posture. Most recently, at the April 1999 Washington Summit, the allies approved a new strategic concept that includes power projection operations and endorsed the Defense Capabilities Initiative, which is intended to develop the necessary allied capabilities for combined power projection. Likewise, CFE is still feeling its way toward the future. It has a roadmap in the form of the "Certain Basic Elements" agreement and in the outline for adaptation that the parties endorsed in March 1999. It seems clear that, no matter what else happens during the negotiations, its members will

⁹General Klaus Naumann, "NATO's New Military Command Structure," *NATO Review*, Spring 1998, pp. 10-14.

remain obligated to report their military holdings, accept inspections of their units, and reduce their TLE inventories at least a little.

NATO'S POST-COLD WAR PROGRESS

Arguably among the most striking post-cold war alliance developments has been the inclusion of Poland, the Czech Republic, and Hungary within the NATO alliance. In addition to the admission of new members, the alliance has worked to develop more fully its Euro-Atlantic Partnership Council (EAPC) and the Partnership for Peace (PfP).

The alliance has also been busy formalizing its relations with Russia and Ukraine. NATO has concluded the Founding Act on Mutual Relations, Cooperation and Security with Russia and a similar instrument, the NATO-Ukraine Charter, with Kiev.¹⁰ In both documents, NATO is acknowledged as a positive force for peace and stability in Europe, and both Moscow and Kiev pledge themselves, among other things, to consultations and cooperation with the alliance. Although the Kosovo crisis temporarily prompted Moscow to withdraw its cooperation, many observers expect that relations will eventually normalize and that both Russia and Ukraine will maintain a presence at NATO's military headquarters, SHAPE. Ukraine had embarked on a schedule of combined exercises typified by the recent Sea Breeze '97 in which Ukraine, U.S., and other principally naval forces exercised together in the Black Sea.

NATO has also been accumulating a modest track record of extended cooperation across Europe. Since 1992, it has enlisted 43 countries in the PfP and 40 in the EAPC.¹¹ Since the program's inception, PfP states have conducted several dozens of mostly small exercises in peace operations, crisis management, and similar activities. The EAPC has served as the basis for extended discussions with East and Central European states on the role of the military in society, and in

¹⁰*The Founding Act on Mutual Relations, Cooperation and Security Between the Russian Federation and the North Atlantic Treaty Organization*, from the United States Information Agency web site (<http://www.usia.gov/products/washfile/eu.shtml>), July 1997.

¹¹International Institute for Strategic Studies, *The Military Balance 1996/97*, London: Oxford University Press, 1996, p. 36.

helping to develop civil-military structures that are consistent with civilian control of the military in a democracy. NATO also provided the majority of forces for the Implementation Force (IFOR) and its successor, the Stability Force (SFOR) in Bosnia. These two deployments constitute the first applications of the alliance's CJTF concept and mark the allies' first sojourn beyond NATO territory.¹²

Although substantial progress is being made, the alliance can nevertheless benefit from other security institutions, such as the CFE Treaty, that can shape and limit the size and nature of conflicts that confront the region. Under the circumstances, the CFE Treaty plays an important role in reinforcing stability and preventing local disputes from escalating beyond NATO's ability to manage them.

FITTING NATO AND CFE TOGETHER

Others have sought to outline the contours of a comprehensive new European security bargain.¹³ The task here is more limited: to consider the optimal "fit" between NATO and CFE for Europe's contemporary security concerns. To discover the best conjunction of the alliance and the arms control regime, consider some of the forms each institution might reasonably take.

CFE

The treaty has relatively few options. The treaty cannot retain its current form, which prevented dangerous concentrations of forces along the East-West divide in Germany, because that confrontation has ended and the treaty's limitations have little bearing on today's troubles. The treaty's current mechanisms do too little to control today's problems, including frictions between neighbors and crises within states. The treaty's few options include enlarging its membership, which by itself may have little or no effect on the quality of stability. In addition, the treaty can follow its current course toward

¹²For an objective assessment of these early deployments, see Thomas-Durell Young, *Multinational Land Formations in NATO: Reforming Practices and Structures*, Carlisle, Pa.: U.S. Army War College, Strategic Studies Institute, forthcoming.

¹³One of the more successful attempts is David Gompert and F. Stephen Larrabee, eds., *America and Europe*, Cambridge: Cambridge University Press, 1997.

“adaptation,” and it can “harmonize” its functions with those of other security instruments operating in Europe. For example, formal linkages could be developed with the arms control elements in the Dayton Accords, or CFE’s provisions could be merged with those of the Vienna Document.¹⁴ In addition, CFE might consider sub-regional measures for the more troubled areas of Europe. The modification of the “flank agreement,” which was originally intended to prevent dangerous concentrations of TLE opposite Norway and Turkey (clearly a subregional bargain), may have opened the doors for future localized arms pacts. At the 1996 CFE implementation review conference, for example, the flank area was reduced, effectively shrinking the area within Russia that is subject to the flank agreement’s constraints so that Moscow would have more flexibility to deal with internal security issues. However, the mixed performance of the arms control provisions in the Dayton Accords that ended the fighting in Bosnia may cause some CFE states to view subregional deals pessimistically.

The remaining option is for CFE to undertake still deeper TLE reductions, to develop still more confidence- and stability-building measures, and to agree to still more inspections. This alternative, except for the bilateral CSBMs discussed in Chapter Two to offset local TLE imbalances, seems unlikely since the parties at the implementation review conference already agreed to consider “significant” reductions as part of the adaptation talks. Moreover, with some European militaries operating at equipment levels well below their current treaty equipment entitlements, it is difficult to see the benefit of codifying current holdings in the treaty. After all, the present reporting and inspection mechanisms will give ample notice if parties to the treaty begin to build up their forces.

The enlargement option may prove more promising than any of the foregoing functional adjustments to the treaty. Offering CFE Treaty membership to additional states would extend a uniform stability regime to more of Europe. Although many states currently benefit from Vienna Document 1994, CFE offers a greater level of confidence

¹⁴“Harmonization” between CFE and the confidence- and security-building measures of the OSCE’s Vienna Document 1994 is a long-standing aspiration of the OSCE.

in the region's stability, and greater transparency into the military activities of the member states.

NATO

The Atlantic alliance enjoys more flexibility in its options than the CFE Treaty. Considered broad-brush, the alliance has three main options, although they could each be modified in subtle ways to provide many variations. First, the allies could continue to respond to security concerns on an ad hoc basis. That is, countries that find they have equities in a crisis would use their NATO connections to organize themselves for a group response. These operations might be formally NATO chartered, like IFOR in Bosnia and its subsequent SFOR, or it might not bear the NATO stamp, like the Italian-led Operation Alba into Albania to support stability and stem the flow of refugees across the Adriatic into Italy. This mode of operating has been successful, if uncertain, since allies do not commit or earmark forces for unexpected contingencies. Moreover, the time necessary to agree on an operation and then to field the forces to conduct it means that timely responses to escalating crises will be problematic.

A slightly more organized alternative would be to have standing crisis response instruments within the alliance. The combined joint task forces currently being developed would offer one solution. The Allied Command, Europe, Rapid Reaction Corps (ARRC), which presides over some 10 allied divisions, might be another. The problem with reliance on CJTFs is that, as currently conceived, they lack both trained battle staffs and standing forces.¹⁵ Their ability to deliver a prompt, competent response is therefore at present every bit as suspect as that of the ad hoc approach discussed above. The trouble with reliance on the ARRC is that the "framework country" that provides the headquarters, communications, and other support services may not have an interest in every crisis for which elements of the ARRC are needed, thereby delaying deployment until a substitute headquarters can be devised.

¹⁵Although NATO is expert at training officers for planning staffs, few allied officers have experience on a battle staff above brigade level. Still fewer have experience directing the activities of multiservice and multinational forces like those envisioned in CJTFs.

A more structured approach—but certainly more difficult politically—would be to create a dedicated, major command within the alliance for power projection. Such an arrangement might pool the reaction forces of the allies—the approximately 15 percent of NATO's total forces that are available in less than 60 days for deployment—and organize them specifically for crisis response and power projection operations. This solution might be the most effective, but it would also probably prove the most expensive, since forces would have to be relocated and reorganized, and new support and communications would have to be provided for them. Politically it would be extremely difficult because it would put member countries in a position of tentatively committing forces for crisis response before they know the details of the specific instance. Although the Defense Capabilities Initiative will prepare alliance members' armed forces for multinational expeditions, most governments will still prefer to make decisions about all commitments beyond NATO's collective self-defense pledge found in Article V of the alliance's treaty instrument on a case-by-case basis.

A REASONABLE SOLUTION

Any practical solution must match the political and monetary resources available in Europe; therefore, it would be prudent to determine how the various options might fit together.

One solution might be to use the treaty to construct a very rigid grid across Europe and preclude movement of TLE across the sections of the grid. Each state signatory to the treaty might constitute one cell within the grid. The state's national ceiling, the amount of TLE it is entitled to own, could be fixed identically with its territorial ceiling, the amount of TLE owned by any state that it could host on its territory. Thus, there would be no room for additional TLE to move across the treaty area, or to concentrate to precipitate crises. This "rigid" approach to stability would seek to prevent crises by precluding states from concentrating TLE.

The difficulties with this approach are at least twofold. First, as explained in Chapter Two, near parity in multipolar international systems does not produce stability; indeed it often leads to war. Therefore, rigid approaches to stability that seek to impose near parity on military forces are not likely to produce the desired outcome. Sec-

ond, in today's Europe much of the potential for trouble lies within states rather than between them, and a rigid approach to stability would do little to ameliorate frictions of this type.

A more reasonable solution is that CFE try to keep European arsenals small enough so that the only conflicts that emerge remain below the threshold of NATO's ability to manage them. Clearly, since CFE offers fewer alternatives for crafting the fit between the arms control regime and NATO, the alliance faces most of the adjusting. But adjusting to what? What are the circumstances CFE and NATO are expected to handle? Consider the demands that recent European military operations have placed on the participants. For example, in her initial response into Chechnya, Moscow deployed 23,800 troops, 80 tanks, 208 armored combat vehicles (ACVs), and 182 pieces of artillery, although it grew to nearly 40,000 troops, 230 tanks, 434 ACVs, 388 artillery pieces, 150 combat aircraft, and 120 attack helicopters by the attack on Grozny in late 1994.¹⁶ Although IFOR had several different configurations, at its height it deployed some 60,000 troops, 160 tanks, 176 CFE-accountable mortars and artillery pieces, 882 ACVs, 66 attack helicopters, and 152 combat, reconnaissance, and electronic warfare aircraft, of which 90–100 would probably meet the CFE definition of TLE.¹⁷ Operation Alba and SFOR were both smaller, with SFOR deploying some 8,375 personnel, and Alba some 6,000. Neither of these last two operations made use of large inventories of TLE. The point is that recent actions have involved very modest amounts of TLE; even IFOR required fewer than a division's worth of tanks. Since the forces necessary to handle likely trouble in and around NATO are modest in size, the current inventory of European reaction forces will probably suffice.¹⁸

If recent crises are any indication, the allies can afford the less-than-immediate responses that have typified allied action in Bosnia, coalition action in Albania, and Kosovo without embracing a serious risk that the basic fabric of stability on the continent will unravel as a

¹⁶Data from the U.S. Army Foreign Military Studies Office, Fort Leavenworth, Kansas, and from the calculations of colleague William D. O'Malley.

¹⁷Author's calculations.

¹⁸In any case, current conceptions of "extraordinary temporary deployments" under discussion in Vienna contemplate much larger deployments in response to crises, for training, or for exercises.

result. For the time-being, it seems that NATO can proceed with the less ambitious ad hoc approach to operations, *so long as the crises it encounters remain much like those of the recent past*: small in size, limited in geographical scope, and localized in political impact. And this is where CFE plays a key role by preventing Europe from growing larger types of trouble. As noted, CFE has not been much help in managing the local wars that have cropped up since 1990. But it remains valuable in preventing arms races and confrontation among Europe's major powers—activities that, if left unchecked, could lead to regionwide warfare. The reasonable solution, therefore, is that CFE continue to keep the number of European armaments down so that the only conflicts that emerge remain below the threshold of NATO's ability to manage them. At the same time, the Atlantic alliance should continue to take affordable steps toward an improved crisis response capability as a hedge against future larger, more dangerous eruptions of violence.

NATO THE FIRE BRIGADE

In this conception of security, it is the alliance that acts as the fire brigade while CFE limits the size of potential fires. If the arrangement is to endure, then the allies must make at least modest progress along the lines suggested here; muddling through is not an optimal long-term strategy. Of course, the alliance has options. NATO could draw on its newly codified relationships with Russia and Ukraine and involve them formally in building CJTFs¹⁹ and recasting reaction forces for current circumstances. Or the alliance might enroll some of its leading members to sponsor individual CJTFs. This arrangement could find France, Germany, Italy, and the UK acting as the executive agents of the alliance, each leading the effort to develop a CJTF for employment principally in their areas of Europe. They would likely draw support from their neighbors so that each CJTF might involve four or five states. The resulting CJTFs might be unique, but they would probably reflect the specific needs of their regions.

¹⁹CJTFs remain a work in progress and at present require significant support from the United States to function effectively.

The members of the Atlantic alliance have been fortunate in their short experience in post-cold war security issues. They have tried to adjust their security instruments to the times and have succeeded in important, albeit modest, ways. The expectation that CFE adaptation will produce the additional necessary adjustments to the European stability equation is, however, misplaced. CFE, in either its present or post-adaptation talks form, cannot prevent the local wars that crop up on the European strategic landscape. Therefore, it is not CFE but NATO that must make the lion's share of adjustments. NATO must strive to improve its ability to respond to these small wars. Ultimately, it is the combined action of CFE and NATO that will perpetuate stability and security across the continent.

**THE FUTURE CONVENTIONAL ARMS CONTROL
AGENDA²⁰**

The previous chapter highlighted CFE's limitations and the need to harmonize the treaty with NATO enlargement and modernization. This chapter focuses on the CFE Treaty's areas of continuing salience in European security and the steps necessary to sustain the treaty's relevance in the future.

Despite the end of the cold war and the disintegration of the Soviet Union, all signatories continue to attribute great significance to the CFE Treaty. Its signatories believe that it plays a key role in perpetuating peace in Europe. Its role, while important, is not sufficient to deal with the crises that simmer in and around the region. Indeed, the problem with contemporary European arms control as exemplified by CFE, is that it has come loose from its strategic moorings and goes along today by rote, informed by the problems of the cold war rather than by the problems that confront Europe today. Specifically, few practitioners seem to realize arms control is becoming an important crisis management instrument in addition to its traditional role in deliberate diplomacy. If arms control is to play a salient role in helping Europe deal with its potential challenges, it must adapt itself to the demands of crisis management.

²⁰Adapted from John E. Peters, "From Arms Control to Controlling the Recourse to Force: Crisis Management in Europe Today," *National Security Studies Quarterly*, Summer 1998. Used by permission.

TODAY'S ARMS CONTROL CHALLENGE

The security problem confronting Europe today is no longer the immediate need to promote further stability among the great powers of the region or to ensure further against surprise attack. Today's security problem generally lies within, rather than between states, as various factions seek recognition and status for their groups. Most of the crises that await in and around Europe today result from particularism. Local demagogues, some with criminal connections, seek to mobilize popular support by calling up old particularist arguments, drawing distinctions of ethnicity, and evoking myths of linkages to the land to prompt one group to turn on another.²¹ These are people who will not be drawn to arms control initiatives that underwrite the status quo because they seek change—change that will benefit them and their followers. Arms control patterned after CFE, which was designed to deal with competition fueled by the ideology of Marxism-Leninism, will not suffice against anti-status quo actors who do not want stability and for whom conventional military forces are only one instrument of compellence. In Bosnia and Kosovo, for example, paramilitary groups and police forces have played a large role in driving people from their homes.

The problem in the Balkans and the nature of the parties to the disputes there are very different from the problem of the cold war and the nature of the East-West confrontation. The cold war was an ideological competition between two opposing blocs that were essentially peers. Arms control was a negotiation that sought to limit the extremes to which the contest might escalate. The Balkans crisis is about local demagogues violating international law and human rights and the international community of NATO and its partners trying to stop them. In these circumstances, arms control takes on a different role. Rather than a dialogue between peers, it becomes a tool for compellence; it moves more in the direction of disarmament (i.e., what victors do to the vanquished) to limit the ability of Belgrade and others to victimize the peoples of the region.

²¹Two books do excellent jobs of explaining the forces at work. See David Callahan, *Unwinnable Wars*, New York: A Twentieth Century Fund Book, 1997; and William R. Polk, *Neighbors and Strangers: The Fundamentals of Foreign Affairs*, Chicago: University of Chicago Press, 1997, pp. 281–311.

Today's problem is to craft arms control measures that will assure people of all factions that they can live, work, and move safely about territory administered by other factions, thus depriving extremist leaders of their arguments for territorial autonomy and population homogeneity. Assurances of stability at lower force levels and protection from surprise foreign attack are important, but equally important—and thus far left unaddressed—are assurances that people can be secure in their lives and property—in other words enjoy the rule of law—no matter what faction is administering the territory. To be effective, new arms control measures must address these insecurities by controlling the *resort to arms*.

Thus far, however, officials have confused CFE's principles with its attributes. As a result, they follow its form in trying to negotiate subsequent treaties. For example, the Dayton Accords, which concluded the Bosnian fighting, include arms control provisions patterned on CFE's TLE, zones, and other features. Officials have perpetuated CFE's forms, even though the origins of conflict in Bosnia are altogether different from the issues that fueled the East-West confrontation of the cold war. The protracted need for NATO forces in the region is testimony to the fact that the arms control aspects of the Dayton Accords, although successful at separating the belligerents and corraling the major weapons, do not go far enough in addressing the fundamental problems of the region.

NEW MEASURES

The appropriate new measures may not look much like arms control instruments. In the strictest sense, they may not be, since they influence the resort to arms rather than controlling access to weapons or limiting the number of available arms in a group's arsenal. There is precedence for this. The appearance of CSBMs as an outgrowth of the Helsinki Conference on Security and Cooperation in Europe process in the mid-1970s is a recent example of how new dimensions were added to classical arms control concepts. It seems reasonable therefore to include new elements that also contribute to confidence and stability in a region—like the civil authority functions (e.g., police monitors) necessary to support safety and security in Bosnia today.

So, what measures might be candidates? Just as CSBMs provided cold war Europe with confidence that a surprise attack was not imminent and removed ambiguity about military activities, new measures must assure peoples of the Balkans that the rule of law will operate impartially to protect their lives and property and that no other group can seize the police or courts as their instruments of intimidation. Impartiality is therefore key.

And what are the characteristics of impartiality? A first attempt to answer this question might include two features: international oversight and recourse. In other words, one way to improve peoples' confidence that civil authority will function fairly to protect them would be to provide international monitors to evaluate the objectivity and legal basis of the process, and to provide people with recourse to an international court in the event due process is not observed. If oversight and recourse are useful tools for providing impartiality, then a number of measures—safety and security measures (SSMs)—might be devised to supplement the current arms control and CSBMs in place in the Balkans. For example,

- Police monitors, already part of the Dayton Accords, might be increased in number so that anyone encountering police on patrol could be confident that the police officers would not harass them and would respond to their need for protection from crime.
- An international courthouse might be established for registering deeds, wills, and other important papers. Such a facility would increase peoples' confidence that their property and investment instruments were secure and could not be stolen from them by other factions that had seized local control.
- An international court of appeals could hear appeals in civil and criminal cases, thus again assuring the population that judges, juries, and prosecutors from another ethnic group or faction could not illegally prosecute them or force a decision against them that runs contrary to law.
- International news teams might be inserted in the region to provide objective reporting and alternative coverage of events to offset the propaganda and unfounded claims often broadcast by factional media seeking to incite intergroup strife.

Measures like these SSMs could go far toward restoring the rule of law and general confidence in all peoples that they can live and do business within territory controlled by other factions or groups. Such SSMs should be a major feature of the Dayton Accords Annex 1-B Article V, which directs the following:

The OSCE will assist the Parties by designating a special representative to help organize and conduct negotiations under the auspices of the OSCE Forum on Security Cooperation (FSC) with the goal of establishing a regional balance in and around the former Yugoslavia. The Parties undertake to cooperate fully with the OSCE to that end and to facilitate regular inspections by other parties. Further, the Parties agree to establish a commission together with representatives of the OSCE for the purpose of facilitating the resolution of any disputes that might arise.

SSMs would be an important supplement to the traditional arms control measures already in place under the Dayton Accords because the SSMs would help prevent factions from using the instruments of governance and public information for the purposes of illegally depriving members of other groups of their property, rights, and lives. They would address many of the internal problems of the former Yugoslavia by providing international oversight and recourse mechanisms to facilitate resolution of key obstacles to a return to normalcy in the region.²²

A REASONABLE COURSE

To this point, the argument has been that

- over time, conventional arms control became ever more closely synchronized with U.S. and West European strategic objectives,

²²It is also worth noting what Article V should *not* do. It should not attempt to rationalize Balkan and Northern European arms control by homogenizing CFE and the Vienna Document with Dayton Accords provisions because it is the CFE states that are trying to coax the Balkans toward resolution of their conflicts. Any one-size-fits-all, "harmonized" arms control arrangement would provide recalcitrant factions in the Balkans with too much information about the coalition's intentions and capabilities through the reports and notifications mandated by the various agreements, thus improving their ability to resist the international community. Arms control measures aimed at mitigating trouble in the Balkans should be reserved for the Balkans.

culminating in the CFE Treaty, which achieved a strategic objective—stability at lower force levels in Europe

- the European security community, led by the United States, has exploited the CFE formula about to its limits
- for today's European security problems, arms control should once again expand its repertoire to include safety and security measures like those described above.

The next steps in European arms control should involve developing and implementing the ideas suggested in this chapter, and recasting arms control so that it addresses the problems most likely to stalk European security and stability in the future. There are at least four specific actions to be undertaken:

- First, use the Dayton Accords Article V process within the Forum for Security Cooperation of the OSCE to develop safety and security measures like those advocated in this chapter for Bosnia and the territory of the former Yugoslavia. Article V may develop more traditional CSBMs as well, but safety and security measures that restore all peoples' confidence in the rule of law are essential if the mutual hatreds and suspicions at work in the region are ever to moderate.
- Second, the OSCE should consider SSMs as a tool to prevent other governments in Europe from favoring one people or faction over another. Just as the OSCE reached landmark decisions about economic, security, and human rights issues in the 1970s, the organization can do so again by helping to establish standards for the fair and impartial rule of law throughout Europe. The Forum for Security Cooperation could serve as the venue for broader consideration of SSMs.
- Third, it is time to create a European Courthouse as a repository and registry for important personal papers, and to create a European Commission for Judicial Review to provide a review and appeals process for the judiciary branch of government in states found by the European Union to be in violation of standards for the fair and impartial application of the law. Just as there is a European Parliament, this would provide a European Judiciary within the European Union, exercising oversight on the rule of

law and hearing appeals from states suspected of inequitably and unjustly applying it. If the courthouse and judicial review commission could be established within the European Union (EU) structure, it might be possible to minimize objections based on invasion of sovereignty that have arisen in recent debates over an International Criminal Court. That is, within the EU, the members have already agreed to certain norms of behavior and governmental practice that could serve as the yardstick for assessing the fair and just application of the law in greater Europe.

- Fourth, arms control expertise, while continuing its important role in deliberate diplomacy, should also be organized so that it is more directly available for crisis management support. Imagine the savings in lives and property if the Dayton Accords could have been brokered in 1992 during the earliest efforts to mitigate the growing crisis rather than in 1995 after fighting had killed and displaced millions and destroyed most of Bosnia's economy. Future diplomatic efforts in crisis management should have immediate access to arms control expertise and advice. One step toward improving crisis management might be to provide arms control expertise to the OSCE Center for the Prevention of Crises (CPC). Such an initiative would expand the CPC's current, very limited scope and invest it with the arms control resources necessary to anticipate future crises within Europe and contemplate possible measures that might aid in limiting the damage they do.

During the cold war, the East-West confrontation and its mutual deterrence brought a certain structure and stability to relations between NATO and the Warsaw Pact. During the most confrontational periods during the cold war, when East and West could find no common ground for political or economic discussions, arms control provided an instrument through which the two sides could communicate. In this role, arms control provided a vital conduit that ultimately led to better mutual understanding and to agreements like the CFE Treaty, which reduced the chances of war between the two camps.

If arms control is to make similarly distinguished contributions to European security in the future, the U.S. and European arms control communities must begin reorganizing themselves and creating new tools along the lines suggested here so that they can be responsive to

the needs of crisis management. Moreover, arms controllers should begin working with regional experts now so that they can craft appropriate measures to deal with the likely sources of trouble in the subregions in and around Europe where the United States is likely to play a role in managing crises and restoring peace.

THE NEXT IMPLEMENTATION REVIEW CONFERENCE

The next implementation review conference, scheduled for 2001, will be the next planned opportunity for the member countries to consider major changes to the CFE Treaty. It is therefore worth considering what issues may await the attendees. At least two types of influences will shape the agenda: the unresolved issues of today and the stability concerns of tomorrow.

TODAY'S ISSUES

Looking at today's issues first, unless the flank question (regarding build up of TLE opposite Norway and Turkey to unacceptable levels) receives last-minute and unexpected treatment at the adaptation talks, friction over the region will most probably extend to the next conference. For the United States and its allies in the flank zone, there is little reason at present to give ground on the flank issue. Current thinking in Russia is that the CFE Treaty is very valuable because it prevents Russia's neighbors and the West from expanding their collective advantage in arms—Moscow presently assesses a 3:1 advantage against Russia—to even higher levels. Under these circumstances, frustration over the flank is unlikely to lead Moscow to quit the treaty.

However, if the next few years brought limited economic recovery to Russia, thus equipping Moscow with the means to revitalize her security posture, the situation might be different. Persistent dissatisfaction with the flank agreement might cause Russia to take a more insistent position about abolishing the flank zone. The United States should consider how it would handle such a development. How can

the United States both keep faith with allies Norway and Turkey, located in the flank, while maintaining the central contribution of CFE—stability at low force levels?

Approaches to resolving the flank issue could take several tacks. For example, countries might consider bilateral, supplemental agreements to reinforce any basic change in the flank agreement. The approach is unpopular today but might find favor in 2001 if relations between those involved remain cordial and continue improving. Another tactic might be to do away with the flank and have a single standard for stability throughout the treaty area. This, too, would only be possible with a continuing history of warm relations among the states involved.

If today's subregional conflicts become chronic or multiply, the next implementation review conference may be tempted to try to account for these sources of trouble. The question is whether to try to expand CFE directly or forge new, perhaps more local, agreements. The difficulty with trying to expand CFE to address more localized spats is that, as mentioned earlier in the Bosnia discussion, the CFE Treaty is a pact among status quo parties that is unlikely to appeal to, or be sufficient to resolve disputes between, anti-status quo actors. So what helpful steps might the CFE states consider?

They might sponsor a Dayton-like process to help the belligerents reach a settlement. If the CFE parties do so, the new process should be expanded beyond Dayton's arms control measures to ensure that the weapons that are militarily significant in the fighting are identified and regulated by the accords. Moreover, the accords should include safety and security measures tailored to help deal with the origins of the conflict: in other words, support building authentic peace.

For its part, the United States should consider the wisdom of expanding the general European stability settlement embodied in CFE (i.e., stability at lower force levels) to more localized conflicts and begin thinking about alternative venues in which to help settle local disputes. The United States should expand its thinking about what produces stability and should ensure that future regional stability pacts look beyond military parity in attempting to promote peace.

NEW ISSUES

Territorial limits and temporary deployment (TD) rules—key features of the model for an adapted CFE Treaty—may not prove wholly satisfactory instruments for regulating stability. As Chapter One demonstrated, the new limitations cannot deliver the same quality of stability as the old, bloc-to-bloc arrangement. If local fighting triggers a series of large, unwelcome TDs, and if Russia insists on again revisiting the flank question, there may be greater interest in new, structural stability measures than is now evident.²³ Structural stability could take many forms: special exclusion zones along borders where TLE is prohibited or subject to special limitations, or perhaps reintroduction of subzones restricting TLE densities in all countries. Other approaches to make stability more rigid might be directed at forces of one state stationed on the territory of another, in which stationed forces involving a certain amount of TLE must have OSCE or United Nations approval before moving—a potentially severe limitation on U.S. European-based forces. The United States should think through the options for further enhancing stability to understand thoroughly their potential consequences and to begin developing more acceptable approaches.

Another possible consequence of severe, protracted local fighting, on the order of an extended Chechnya, might be the desire of a state to exclude formally some portion of its territory from the treaty. Formal exclusion would allow a government to acquire and concentrate enough TLE to defeat its enemies and would relieve the government of responsibilities for reporting the locations of units with TLE: intelligence that might assist the opposition.

The United States should consider whether exclusion zones are completely unreasonable or not. Furthermore, the United States should evaluate the potential utility of imposing time limits and other constraints on exclusion zones, should they gain serious consideration. Perhaps equally important, the United States should consider the influence of exclusion zones on the quality of stability. Is there any advantage to letting countries formally declare exclusion zones over letting them simply cheat?

²³“Structural stability” means stability based upon zones, boundaries, and similar structures that preclude the free movement and concentration of TLE.

* * *

Some observers have wondered whether the CFE Treaty was becoming a “sunset” treaty—an instrument whose purpose had become obsolete, or whose function had been taken over by other, more effective institutions. At least until the next implementation review conference, CFE would seem to remain a significant element of the European security architecture. It no longer functions as its designers originally intended, but it nevertheless continues to contribute to the stability of the region. Whether the foregoing exercise has identified accurately any of the key issues awaiting the participants at the next implementation review conference or not, this report illustrates that CFE cannot merely exist in stasis; it must interact with other arms control activities and other European security instruments.