

THE VERTIC GUIDE TO THE CFE TREATY

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I. Introduction

Monday 19 November 1990 - one of the most significant dates of the 20th Century: the signing of the Conventional Forces in Europe Treaty.

The treaty will bring about the first large scale reductions in conventional forces in Europe (CFE) covering the area from the Atlantic to the Urals (ATTU). Tens of thousands of pieces of equipment such as tanks, aircraft and helicopters will be withdrawn and destroyed. Thousands of military bases will need to be monitored to check that the treaty is being complied with. This process of verification will be highly intrusive and break new ground by including challenge inspections to undeclared facilities.

Because of events in Europe - the political changes and the reductions and withdrawals of military equipment - the CFE treaty could be considered redundant and obsolete. However, it is the verification provisions which make the treaty so important.

There are two major requirements for a CFE verification regime. First, it should dissuade any of the parties from contravening the Treaty. Second, it should give timely warning of any violations that do occur (especially ones which threaten security and stability), so that appropriate action can be taken.

No verification system can be perfect, but features can be built in which increase the likelihood of detection of violations. In the case of the CFE verification regime these features include detailed notification and exchange of data, national technical means, inspections of declared sites and challenge inspections (with right of refusal) to undeclared sites. A few key important features are excluded. The most significant of these is the absence of aerial inspections (using aircraft to overfly a site of interest). The difficulties in the Open Skies negotiations in 1989/90 fed into the CFE negotiation with the effect that no agreement being reached on the details of overflights. There is, however, agreement that there should be overflights for inspection purposes and the parties are committed to negotiating them in the follow-on talks so that aerial inspections may be implemented once all the designated equipment has been reduced. Also missing is monitoring of production. The West European states (notably France and Britain), blocked this important aspect of verification, citing the proposal as unfair (defence industries of the USA and Canada would not have been affected and approximately two-thirds of Soviet production would have been missed). There were ways around this (such as a parallel trilateral deal between the USA, Canada and the USSR to monitor production outside the ATTU) and it is possible that some of these may be explored at a later date. The use of tags to identify equipment is also missing from the verification regime. Tags are particularly important for look-alikes and for the highly mobile aircraft and helicopters. It is possible that tags will be discussed in the follow-on talks with a view to limited deployment at a later date.

In total the verification regime is impressive. Considering the numbers of countries involved in the negotiations, it has been very difficult to get agreement on so many contentious issues in the short time the negotiators had available (the mandate for the treaty was agreed in January 1989). It will

be particularly interesting to see how challenge inspections work in practice and how the WTO states implement their right to inspect each other. The coordination of NATO states for inspections is paramount and the cooperation that will exist (from agreeing on who is to visit which sites to multinational inspection teams) could be a joy to watch.

This guide is set out so that the main treaty provisions and verification provisions are in a logical order and are easy to find. For any other details which are not contained in this guide or for any clarification please contact the VERTIC office.

Dr Patricia M. Lewis
Director
VERTIC
33 Southampton Street
London WC2E 7HE

☎ 071-379-7445

II. The Main Treaty Provisions

The Depository State for the CFE Treaty is the Netherlands

Treaty Area

The area of application is the entire land territory of States Parties in Europe from the Atlantic Ocean to the Ural Mountains. This territory includes all European island territories including: Faroe islands (Denmark), Svalbard (inc. Bear Island) (Norway), Azores and Madeira (Portugal), Canary (Spain), Franz Joseph Land and Novaya Zemlya (USSR). Turkey includes territory north and west of a line from the intersection of the Turkish border and the 39th parallel to Muradiye, Patnos, Karayazi, Tekman, Kemaliye, Feke, Ceyhan, Dogankent, Gözne and thence to the sea.

This area is called the ATTU - the Atlantic to the Urals.

Treaty Duration

The Treaty is of unlimited duration but it may be supplemented by a further treaty.

If a State Party wishes to withdraw it needs to give 150 days notice.

Treaty Parties

The Treaty Parties are the 22 NATO and WTO States:

Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, France, Germany, Greece, Hungary, Iceland, Italy, Luxembourg, The Netherlands, Norway, Poland, Portugal, Romania, Spain, Turkey, United Kingdom, USA and USSR.

Treaty Zones

The ATTU zone comprises the 20 NATO and WTO States Parties in the area of application (i.e. the zone does not include North America and the USSR east of the Urals):

Belgium, Bulgaria, Czechoslovakia, Denmark, France, Germany, Greece, Hungary, Iceland, Italy, Luxembourg, The Netherlands, Norway, Poland, Portugal, Romania, Spain, Turkey, United Kingdom and the USSR
(Military districts of: Baltic, Belorussia, Carpathian, Kiev, Odessa, North Caucasus, Trans Caucasus, Leningrad, Moscow, Volga/Ural)

The area is then further divided into 4 sub-zones named 4.2, 4.3 and 4.4 (named after the treaty article in which they are defined) and the Flank Zone (Article V).

Zone 4.2 consists of:

Belgium, Czechoslovakia, Denmark, France, Germany, Hungary, Italy, Luxembourg, The Netherlands, Poland, Portugal, Spain, United Kingdom and the USSR (Military districts of: Baltic, Belorussia, Carpathian, Kiev, Moscow, Volga/Ural)

Zone 4.3 consists of:

Belgium, Czechoslovakia, Denmark, France, Germany, Hungary, Italy, Luxembourg, The Netherlands, Poland, United Kingdom and the USSR (Military districts of: Baltic, Belorussia, Carpathian, Kiev)

Zone 4.4 consists of:

Belgium, Czechoslovakia, Germany, Hungary, Luxembourg, The Netherlands, Poland.

The Flank Zone consists of:

Bulgaria, Greece, Iceland, Norway, Romania, Turkey, and the Military Districts of Leningrad, Odessa, Trans Caucasus, North Caucasus

Treaty Limits

The treaty limits numbers of conventional armaments in Europe in the following categories:

Battle Tanks (BTs), Armoured Combat Vehicles (ACVs), Artillery (Art), Combat Aircraft (CA) and Attack Helicopters (AH).

These armaments and pieces of equipment have numerical limits such that the two blocs are in a state of parity with each other, ATTU-wide, and there are also limits for the different sub zones.

These limits will take effect 40 months after entry into force of the treaty.

The limits for each group of states (bloc) per zone are as follows:

	Battle Tanks	ACVs	Artillery	Aircraft	Helicopters
ATTU (in active units)	20 000 (16 500)	30 000 (27 300)	20 000 (17 000)	6 800	2 000
4.2 (in active units)	15 300 (11 800)	24 100 (21 400)	14 000 (11 000)		
4.3*	10 300	19 260	9 100		
4.4	7 500	11 250	5 000		
Flanks**	4 700	5 900	6 000		

* In Kiev M.D. the aggregate limits on active and permanently designated storage sites are: 2,250 BTs, 2,500 ACVs and 1,500 Artillery

** On a temporary basis States Parties may deploy aggregate numbers into the flanks of: 459 BTs, 723 ACVs and 420 Artillery.

Note: In order to ensure that no single State Party has more than one third of Treaty Limited Equipment in the area, each State Party shall be limited to: 13,300 Battle Tanks, 20,000 ACVs, 13,700 Artillery, 5,150 Combat Aircraft and 1,500 attack helicopters (called the sufficiency rule).

CFE Zone and Subzone Limits

ATTU

- 20 000 Battle Tanks
- 30 000 ACVs
- 20 000 Artillery
- 6 800 Combat Aircraft
- 2 000 Attack Helicopters

Zone 4.2

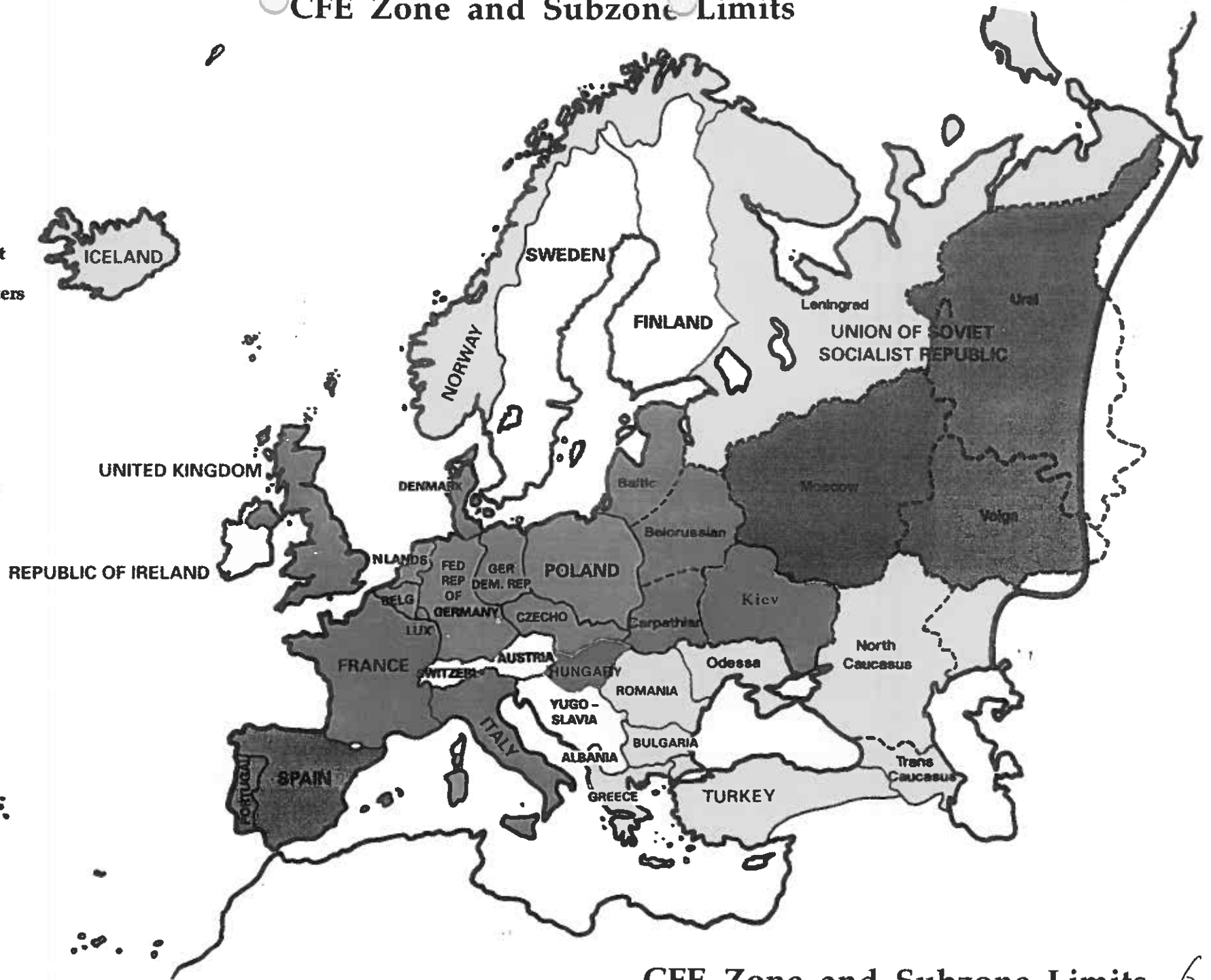
- 15 300 Battle Tanks
- 24 100 ACVs
- 14 000 Artillery

Zone 4.3

- 10 300 Battle Tanks
- 19 260 ACVs
- 9 100 Artillery

Zone 4.4

- 7 500 Battle Tanks
- 11 250 ACVs
- 5 000 Artillery



Look Alikes

There are a number of armaments and pieces of equipment which look very similar on the outside (in some cases identical) to treaty-limited equipment but they are not limited by the treaty. These are called Look Alikes (LALs). They are mainly medical vehicles, support equipment, recovery vehicles etc. Because there is a good deal of room for confusion, look alike also have to be notified on information exchange and at the inspections and inspectors will be able to look inside to check that they are genuine look alike. There could be many problems over look alike, which makes them prime candidates for the application of tagging which could not be negotiated in the CFE treaty but could be considered in the follow-on talks.

Internal Security Armoured Infantry Fighting Vehicles (AIFVs)

To enhance the treaty AIFVs which are assigned to peacetime internal security functions and are not limited by the treaty shall however have a limit placed upon them to the effect that any in excess of 1000 shall constitute a portion of the permitted levels of TLEs.

The Phasing of the Treaty

The treaty will be divided into FOUR distinct phases:

Stage I - The Baseline Validation Phase - 120 days - intense inspection of baseline data

Stage II - The Reduction Phase - three years - equipment destroyed or re-certified, inspections to witness destruction and certification. Inspections also to declared and undeclared sites to check data

Stage III - The Residual Level Validation Phase - 120 days - intense inspection of notified baseline data following reductions

Stage IV - The Residual Phase - for ever - inspections to check data at declared and undeclared sites

There are different inspection quotas for each phase.

Reduction and Certification

Each state has a reduction liability which must be notified before Entry Into Force (EIF)

Reduction of armaments and equipment will be in THREE phases.

i) 16 months after entry into force (EIF), 25% of the total reduction liability must have been reduced by each state.

ii) 28 months after EIF, 60% of the total reduction liability must have been reduced by each state.

iii) 40 months after EIF, 100% of the total reduction liability must have been reduced by each state.

The exception is for vehicles which have been reduced by partial destruction - these must be fully destroyed or converted for non-military use no later than 64 months after EIF.

There are EIGHT ways to achieve reduction:

- 1) Destruction
- 2) Conversion for non-military purposes
- 3) Placement on static display
- 4) Use as ground targets
- 5) Modification
- 6) Ground instructional purposes
- 7) Reclassification
- 8) Recategorization

Reduction Method	1	2	3	4	5	6	7	8
BTs	✓	✓	✓	✓	✓	×	×	×
ACVs	✓	✓	✓	✓	✓	×	×	×
As ₂	✓	×	✓	✓	×	×	×	×
CAs	✓	×	✓	×	×	✓	✓	×
Special AHs	✓	×	✓	×	×	✓	×	×
Multi-purpose AHs	✓	×	✓	×	×	✓	×	✓

Destruction

There are FIVE methods of destruction available:

- 1) by severing
- 2) by explosive demolition
- 3) by deformation
- 4) by smashing
- 5) by use of target drones

Destruction Method	1	2	3	4	5
BTs	✓	✓	✓	✓	×
ACVs	✓	✓	×	✓	×
Art	✓	✓	✓	✓	×
CAs	✓	×	✓	×	✓
AHs	✓	✓	✓	×	×

Reduction by Conversion to Non-Military Purposes

The following items can be converted:

T-54, T-55, T-62, T-64, T-72, Leopard 1, BMP-1, BTR-60

for the following non-military purposes:

- A. General purpose prime movers
- B. Bulldozers
- C. Fire-fighting vehicles
- D. Cranes
- E. Power unit vehicles
- F. Mineral fine crushing vehicles
- G. Quarry vehicles
- H. Rescue vehicles
- I. Casualty evacuation vehicles
- J. Transportation vehicles
- K. Oil rig vehicles
- L. Oil and chemical spill cleaning vehicles
- M. Tracked ice-breaking prime movers
- N. Environmental vehicles

Recategorization of Multi-purpose Attack Helicopters

Only combat helicopters that are categorized as multi-purpose attack helicopters may be recategorized as combat support helicopters.

Conversion of multi-purpose attack helicopters will render them incapable of employing guided weapons by removing the attachments for the weapons or by rendering the attachments incapable of their function and by removing all integrated fire control and aiming systems, including wiring.

The recategorization must be notified and certified by inspection - serial numbers, permanently stamped on the mainframe, can be checked.

In addition the USSR may hold an aggregate total, not to exceed 100, of Mi-24R and Mi-24K helicopters equipped for reconnaissance, spotting and NBC sampling.

These helicopters are NOT subject to numerical limitations on attack helicopters.

Reclassification of Combat-Capable Trainer Aircraft

The following aircraft can be converted into unarmed trainer aircraft:

SU-15U
SU-17U
MIG-15U
MIG-21U
MIG-23U
UIL-28
MIG-25U

The reclassification must take place within 40 months after EIF.

No more than 550 aircraft can be removed from the numerical limit in this way (for MIG-25Us the limit is 130).

The aircraft are disarmed by removing or rendering incapable the weapons attachment systems, units and panels of weapon control systems, units of aiming equipment which are not integral to navigation and flight control, units and panels of electronic warfare and reconnaissance systems (including associated antennae).

The reclassification must be notified and certified by inspection - serial numbers, permanently stamped on the mainframe can be checked.

Notification and Exchange of Information

The amount of information which the 22 states have to give each other is extensive and detailed.

The information can be exchanged mechanically or in electronically printed form.

The timetable for information exchange is as follows:

- 1) Upon signature. Corrections may be made not later than 90 days after signature
- 2) 30 days after Entry into Force
- 3) On 15 December of the first year and thereafter on 15 December annually with the information effective on 1 January the following year
- 4) Following the completion of the reduction period.

The information which is to be exchanged is:

- A) Information on the structure of land forces and air and air defence aviation, especially the command organization
- B) Information on overall holdings in each category of TLEs
- C) Information on locations, numbers of TLEs, types of TLEs and LALs in service with the conventional armed forces
- D) Information on locations, numbers of TLEs, types of TLEs and LALs on the territory but not in service with the conventional armed forces
- E) Information on OOVs and declared sites (location, designation, numbers of TLEs, LALs etc).
- F) Information on locations of sites from which TLEs have been withdrawn.
- G) Information on organizational, structural or force level changes.
- H) Information on entry into service of TLEs
- I) Information on the entry and exit of certain TLEs into and from the ATTU
- J) Information on equipment in transit if it is in the ATTU for more than 7 days.

For certification and reduction the State Parties must inform each other 15 days before the certification/reduction is to be carried out of the site, date numbers and types of equipment etc.

III. The Verification Regime

The verification provisions are extensive and complex but incomplete. The regime consists of national technical means (NTM) or multinational technical means (MTM) and inspections to declared and undeclared sites, to reduction facilities and to certification facilities. Each state is technically able to participate in the on-site inspection activities but not many states possess or have direct access to the technologies such as satellites which comprise NTM/MTM. Missing from the treaty and verification protocols is the use of aircraft for overflights to inspect territory. The treaty however commits the States to negotiating an aerial inspection regime in the follow-on talks, with a view to implementation in Phase 4 - the residual levels inspection phase (Article XIV).

National and Multinational Technical Means

A State Party can use the national and multinational technical means at its disposal.

For the US and the USSR this means the high resolution imaging satellites, radar satellites and electronics intelligence satellites which they possess for a variety of purposes (general intelligence gathering, military targeting and verification). For France, Italy and Spain, this will mean the military imaging satellite HELIOS which the French are due to launch in 1992. For the rest of States Parties this means the use of commercial satellite observation data, any signal intelligence satellites or listening stations they may possess and heavy reliance on the US/USSR and France, Italy and Spain for information of this type.

There shall be no interference with the NTM/MTM and no concealment that could impede verification (does not apply to cover or concealment practices for military training etc.)

Inspections

The protocol on inspections is divided into 13 parts:

1. Definitions
2. General Obligations
3. Pre-inspection Requirements
4. Notification of intent to inspect
5. Procedures on arrival at Point of Entry
6. General rules for conducting on-site inspections
7. Declared site inspections
8. Challenge inspections
9. Inspections of certification
10. Inspections of reduction
11. Cancellation of inspections
12. Inspection reports
13. Privileges and immunities

There are FOUR types of inspections:

- 1) inspections to declared sites
- 2) challenge inspections to undeclared sites ("specified areas")
- 3) inspections to witness reductions
- 4) inspections to witness certification

Unless the quotas are exceeded there is no right of refusal for declared site inspections.

There is a right of refusal and a right of delay for challenge inspections.

Passive Quotas

Each state will have a "passive quota" which is the number of inspections of a certain type that they have to accept in each phase. The passive quotas are expressed as a percentage of the "OBJECTS OF VERIFICATION (OOV)" which each State Party possesses in the ATTU area.

OOVs are units in the military force structure which hold treaty limited equipment and are located at declared sites. Examples are regiments, storage sites, separately located batallions/air squadrons, repair facilities, reduction sites etc.

An Object of Verification (OOV) is defined in the treaty as:

- i) Any formation or unit at the organizational level of brigade/regiment, wing/air regiment, independent battalion/artillery battalion, independent squadron or equivalent as well as separately located battalion/squadron or equivalent unit at the next level of command below the brigade/regiment, wing/air regiment level holding conventional armaments and equipment limited by the treaty at a declared location.
- ii) Any designated permanent storage site, military storage site not organic to formations and units mentioned above, independent repair or maintenance unit, military training establishment or military airfield at which are located conventional armaments and equipment limited by the treaty.
- iii) A reduction site for conventional armaments and equipment limited by the treaty.
- iv) In the case of units below the level of battalion holding conventional arms and equipment limited by the treaty that are directly subordinate to a unit or formation above the level of brigade/regiment or equivalent, that unit or formation to which the units below the level of battalion are subordinated shall be considered an OOV if it has no subordinate unit or formation at the level of brigade/regiment or equivalent.
- v) A formation or unit holding conventional arms and equipment subject to the treaty but not in the service with the conventional armed forces of a State Party shall NOT be considered an OOV.

Passive Quotas for inspections to declared and undeclared sites

	120 day baseline	3 year reductions	120 day baseline	residual levels
Declared Sites	20% of OOVs	10% of OOVs p.a.	20% of OOVs	15% of OOVs p.a.
Challenge Inspections	15% of Declared sites quota	15% of Declared sites quota	15% of Declared sites quota	23% of Declared sites quota

Notes:

No more than 50% of a passive quota can be taken up by a single State Party, however states can transfer the number of inspections that they can carry out to other States Parties (transfer of active quotas).

Each State Party shall have the right to inspect all other States Parties within ATTU but no Party can conduct more than FIVE inspections annually on the territory of a Party belong to its own group (bloc). - *This means that WTO states can inspect each other (as a few have insisted with the threat of non-ratification if the right was not granted) and that the passive quota for NATO group inspections shall be reduced accordingly - the number could be as great as 150 which will be a very large percentage of the total passive quotas.*

Procedures for inspections to declared and undeclared sites

- ➔ Inspections teams can have up to 9 inspectors.
- ➔ They may divide into 3 sub-teams.
- ➔ Transport crews can have up to 10 personnel.
- ➔ The length of time which inspectors can spend in-country is 10 days.
- ➔ Inspectors can carry out a number of inspections in that time.
- ➔ No more than 2 inspection teams can simultaneously be on the territory (or in military districts) OR the number of inspection teams can be no more than 2% of OOVs that are to be inspected in a specified time period, whichever is greater.
- ➔ Each OOV or specified area inspected is subtracted from the passive quota of the inspected country.
- ➔ The inspectors can spend no more than 48 hours at a declared site and no more than 24 hours *in inspecting* a specified area (challenge).
- ➔ At the first OOV or specified area the inspectors may spend 48 hours.
- ➔ At subsequent OOVs or specified areas the inspectors may spend no more than 36 hours.
- ➔ The allocation of inspections between the members of each group (bloc) shall be decided between them.
- ➔ Helicopters may be used to overfly the area during an inspection, if that area is greater than 20 square km, for up to 1 hour.

Inspectors can take the following equipment:

portable passive night vision devices
binoculars
video and still cameras
dictaphones
tape measures
flashlights
magnetic compasses
lap-top computers
and other equipment subject to approval by host
state

Notice

- For declared site and challenge inspection the notice of intent to inspect is 36 hours.
- Notice includes information on the Point of Entry (POE) and Time of Entry (TOE), what sort of inspection the first inspection is to be and the likely number of inspections.

When on site:

- Inspectors have the right to enter any location or structure in which TLEs or LALs are present.
- They do not have the right to enter structures or areas within structures which are accessible only by doors not exceeding 2 metres in width.
- They can enter hardened aircraft shelters only with approval of the escort team - if entry is denied the aircraft etc. shall be displayed outside.
- The inspected state has the right to shroud equipment and items not limited by the treaty and to deny access to sensitive points - if denied the TLEs shall be displayed outside.
- If an armoured vehicle is declared to be a look-alike, inspectors may view the interior from outside the vehicle.
- The inspectors have the right to take photos or videos to record the presence of TLEs at sites with more than 50 TLEs.
- They have the right to make measurements to resolve ambiguities.
- If an ambiguity cannot be resolved then the question and the relevant clarification and photos should be included in the inspection report.
- The inspection is completed when the inspection report has been signed and countersigned.
- Inspectors have the right then to go on to another declared site or specified area.

Declared Site Inspections

- There is no right of refusal for declared site inspections, there is a right of delay in the case of Force Majeure.
- No less than 1 hour, no more than 16 hours after arrival at the POE, the inspection team designates the first inspection site.
- The host has to ensure that they arrive at the site within 9 hours (15 hours for difficult access). Travel time in excess of 9 hours does not count against the in-country period of 10 days.
- At the sites there are pre-inspection briefings giving details of the site and current TLE holdings.
- The inspection team has to choose the first OOV within half an hour of having the site diagram.

Challenge Inspections

- No less than 1 hour, no more than 16 hours after arrival at the POE, the inspection team designates the first specified area, providing geographic coordinates and boundaries.
- The host state has the right to refuse the inspection and has to inform the inspectors of refusal or acceptance within 2 hours.
- If permission to inspect is granted:
 - 1) the host has the right to 6 hours preparation.
 - 2) the inspectors have to be delivered to the area within 9 hours (unless an extension is agreed).
 - 3) the host can delay access to particular parts of the area.
- If access is denied:
 - 1) The host has to provide reasonable assurance that the area does not contain TLEs.
 - 2) If the area does contain TLEs assigned to internal security functions the host shall allow visual confirmation of their presence.
 - 3) the inspection team can either declare another inspection or declare the inspection concluded without loss of quota.

Inspection of Certification

- Each State Party has the right to inspect, without right of refusal, the certification of recategorized and reclassified equipment. * *
- The inspected state is not obliged to accept more than one inspection team at a time at each certification site.
- These inspections do not count against quotas.
- Unless otherwise agreed the inspectors can spend up to 2 days at the certification sites.
- Inspectors can check cockpits and interiors and look behind access panels.

Inspection of Reductions

- Each State Party has the right to inspect, without right of refusal, the reduction of equipment.
- The inspection state is not obliged to accept more than one inspection team at a time at each certification site.
- These inspections do not count against quotas.
- Inspectors can freely record serial numbers or place SPECIAL MARKS* on equipment before reduction and check the numbers and marks after reduction.

** This is the nearest the treaty negotiators came to including tags in the verification provisions. What these "special marks" might be is not specified and will have to be discussed at a later date.*