

Verification of conventional arms control

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THE 1990S WAS THE DECADE of structural conventional arms control in Europe. During this period, several agreements on the limitation, reduction or banning of certain types of conventional weapons were signed. These included: the 1990 Conventional Armed Forces in Europe (CFE) Treaty, together with its revised version of 1999; the 1996 agreement on sub-regional arms control under the 1995 General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Accord); and the 1997 Landmine Convention. This situation differs fundamentally from earlier decades, when either no attempt was made to limit conventional weapons or the efforts that were made failed.

The first attempts at quantitative and qualitative limitations on conventional armaments occurred between the First and Second World Wars. The three great naval treaties—the 1922 Washington Treaty and the 1930 and 1936 London Treaties—only partially prevented a naval arms race between the parties,¹ were threatened by naval build-ups by non-parties, and contained no verification provisions. Bearing in mind the small number of parties and the nature of the armaments subject to limitation (large warships in the navies of a few major powers), it was reasonably easy for parties to detect non-compliance themselves. The fact that not all of the major powers were party to the accords resulted in smaller countries refusing to join. Withdrawals from one treaty or the other also occurred.² The agreements broke down before the outbreak of the Second World War.

The 1954 arms control arrangements for the Federal Republic of Germany (FRG) were an interesting mixture of co-operative and imposed arms control, with some intrusive verification measures. The 1954 Paris Protocols integrated the FRG into NATO, and, with the inclusion of Italy and Germany, established the Western European Union (WEU). The FRG was to be subject to verifiable constraints on its

procurement of certain types and quantities of weapons, including a verified ban on the acquisition of weapons of mass destruction (WMD). Long-range power projection capabilities, like guided missiles, warships and strategic bombers, were also exposed to stringent restraints.

With WMD there could be no exceptions, although exemptions could be made in the case of conventional weapons. The decision rested with the military commander of NATO and with the WEU Council. German stocks of conventional armaments were initially fixed, as agreed in the European Defence Community in May 1952, and modified according to standard NATO annual review procedures. The more formal limitations were revised a number of times between 1959 and 1977, so that Germany was not deprived of its legitimate means of defence.

There were several arms categories not subject to limitation, only to monitoring. They included almost every major offensive weapon system, such as:

- artillery pieces with a calibre above 90 millimetres;
- battle tanks;
- armoured combat vehicles;
- ships above 1,500 metric tons; and
- military aircraft.

Certain pieces of ammunition and gravity bombs also belonged to this category, which was to be subject to inspection by the WEU's Agency for the Control of Armaments (ACA). This was one of the few activities that the WEU undertook between the mid-1950s and mid-1980s—the organisation's 'sleepy years'.

Verification was carried out by comparing responses to an annual questionnaire sent to Germany with other sources of information. It may seem surprising that a questionnaire was used as the primary means of acquiring data. But the FRG was still occupied by its major allies—France, the UK and the US—and its armed forces had no general staff. Consequently, there was no reason to be concerned about the reliability of the answers. The information gained was complemented by on-site inspections (OSIS) by the ACA.

As the situation in the country normalised, the WEU gradually exempted Germany from the limitations and relaxed the verification regime. The last remaining restrictions, concerning production of conventional weapons, were lifted at the 1984 WEU meeting in The Hague. Regular inspections were conducted until 1985 and the on-site inspection regime was formally terminated on 1 January 1986.

In return for accepting both the Protocol's requirements for providing extensive information and its verification system, the FRG had been able to integrate itself into the Western democracies' co-operative structures and become an equal partner in international affairs.

The Mutual and Balanced Force Reduction talks

A fruitless attempt at conventional arms control for Central Europe was the Mutual and Balanced Force Reduction (MBFR) talks, which began in Vienna in 1973. These talks aimed to limit conventional arms in countries located near the NATO–Warsaw Pact line of confrontation: the Benelux nations (Belgium, Netherlands and Luxembourg), Czechoslovakia, the two German states and Poland. The talks ended without agreement in 1989, following 16 years of negotiations. Due to the different structures of the armed forces in the East and West, it was not possible to compare readily their personnel strength. One difficulty was that civilians in NATO countries conducted many of the functions carried out by uniformed military staff in Warsaw Pact states. Despite the failure of the talks, valuable lessons for verifying conventional disarmament can be drawn from the experience.

- First, no inspection system can function without a reliable and verifiable exchange of baseline data. This was fundamental to the failure of the MBFR talks: it proved impossible to agree on baseline data relating to numbers of military personnel fielded by NATO and the Warsaw Pact in the proposed area of application. The lesson gained from the MBFR experience is that exchange of such data can probably only happen on treaty signature (at the earliest).
- Second, a close link between information exchange and verification, such as inspections, must be established early and maintained throughout treaty implementation. If initial baseline data cannot be verified, the temptation to cheat will significantly increase during subsequent information exchanges.
- Third, only a tiny minority of states have access to their own 'national technical means' (NTM) of verification, such as satellite imagery. Adequate means of multi-lateral verification must, therefore, be identified: OSIs are essential.
- Fourth, different components of conventional forces present different verification problems. It is far easier to count battle tanks or other pieces of heavy armament than military personnel. Unfortunately the MBFR debates after 1975 focused on personnel strength—one of the most heated discussions centred on the difference

between NATO and Warsaw Pact structures—a category difficult to verify and where circumvention of limitations is relatively easy.

Until the second half of the 1980s, there was no co-operative conventional arms control verification experience in Europe. The most momentous agreement on conventional arms control, the CFE agreement, did not, however, appear out of thin air. The prehistory of its verification regime includes four important elements.

- First, the largely negative experience of the MBFR talks and the lessons for verification derived from them.
- Second, the legacy of military confidence-building measures from 1975 onwards. The voluntary hosting of inspections at major military exercises provided for under the 1975 Helsinki Final Act, and the limited mandatory ones under the 1986 Stockholm Accord on Confidence- and Security-Building Measures (CSBMS), were a symbolic breakthrough. The Stockholm agreement was the first multilateral OSI regime involving (with the exception of Albania) every European country. But it limited the number of inspections a participating state was obliged to host (its passive quota) to a maximum of three per year. Moreover, since the inspections were of large-scale military exercises, they were irrelevant for conventional arms reductions.
- Third, the Soviet–US Intermediate-range Nuclear Forces (INF) Agreement of 1987, and its extensive OSI regime, was further evidence of the possibilities for co-operative verification.
- Fourth, in the second half of the 1980s, as relations between the Soviet Union and the West improved significantly, doctrinaire attitudes towards arms control verification changed sufficiently to lead to talks on conventional armed forces. Even though the shift in Soviet attitudes was the most visible,³ particularly as far as acceptance of OSIs was concerned, Western demands for intrusive verification also eased.

The Conventional Armed Forces in Europe Treaty

The mandate of the CFE talks elaborated in Vienna between early 1987 and 1989 reflected the parties' tacit agreement on verification principles, resulting from the change in views as the end of the Cold War approached.⁴ After 20 months of intensive negotiation, the heads of state and government of the then 22 member countries of NATO and the Warsaw Pact signed the CFE Treaty in Paris on 19

November 1990. It restricted five major types of armament belonging to states parties in the area of application (from the Atlantic Ocean to the Ural Mountains), namely: battle tanks; armoured combat vehicles; artillery pieces; combat aircraft; and attack helicopters. The CFE Treaty also established an institutional structure consisting of the Joint Consultative Group (JCG)—a negotiating body that meets frequently in Vienna to deal with implementation problems and to arrange the necessary Treaty conferences. The most important of these is the review conference, which must be held every five years,⁵ although extraordinary conferences of states parties played an extremely important role before entry into force.

The CFE agreement's verification system⁶ was based on several key principles. Its structure recognised the existence of two groups of states parties: those belonging to NATO and those to the Warsaw Pact. Verification would, therefore, be carried out by states belonging to one group or the other. The Treaty mentioned three types of verification: national or multinational technical means; aerial inspections; and on-site inspections. Inspections would be conducted to ascertain that the data submitted in the information exchanges were correct. And only in exceptional circumstances would they involve locations where no treaty-limited armaments and equipment were reported.

The number of inspections that a party was annually obliged to host (a passive inspection quota)⁷ would be based on its declared number of 'objects of verification'. Understandably, the highest number of inspections were mandated right after entry into force, during the so-called baseline validation period, in order to confirm that information supplied about the state party's current holdings was correct. A second peak occurred in the so-called residual level validation period, after the end of the 40-month reduction phase. During the latter and after full implementation of reductions, a somewhat lower number of inspections was to be conducted.

Following the adoption of the Treaty, the rules were somewhat modified as implementation evolved. There was even an amendment right before signature. After the revolutions of 1989 in Eastern Europe, an arms control regime based on alliance-to-alliance verification became irrelevant for many Eastern bloc countries. The Warsaw Pact collapsed *de facto* during the CFE talks, and was terminated *de jure* in July 1991. Some of the Pact's smaller members insisted on obtaining the right to inspect their erstwhile alliance partners. The concern in the West, however, was that countries belonging to the same group would use up each other's passive quotas to such an extent that the inspection rights of states belonging to the other

group would be seriously constrained. Moreover, as one American official pointed out, NATO wanted to avoid a situation where the Turks and the Greeks were inspecting each other.⁸

The solution, achieved 10 days before treaty signature at a meeting between the Soviet and US Foreign Ministers, limited to five the annual number of inspections by one state party of another state party 'belonging to the same group of states parties'.⁹ This would mean, for instance, that Romania was entitled to conduct five inspections per year in Hungary, while Greece could carry out five in Turkey. Alliance members, however, reached a gentlemen's agreement that they would not inspect each other.

The deviation from the strict bloc-to-bloc nature of the CFE accord reflected the fact that the bipolar structure was outdated the day the Treaty was signed. In the new geopolitical climate, the West and the Soviet Union's smaller former allies were primarily interested in reducing the threat from Soviet rather than NATO forces. It was of major strategic importance, though, that the Treaty was concluded before fundamental changes in underlying conditions made its adoption impossible. That is why the fiction of a bloc-to-bloc structure was maintained until signature and for many years beyond.

After the signing of the CFE agreement, negotiations continued—far less intensively—in an attempt to agree complementary limitations on military personnel. The resulting accord, the 1992 CFE IA agreement, contains a list of unilateral commitments regarding the peacetime personnel strength of the parties' armed forces. Given the MBFR experience, no verification system was established to monitor compliance. This underlined the parties' recognition that a strategically significant violation of conventional arms limitations is more likely to be in the form of a major increase in armaments than in personnel.

Implementation of the CFE Treaty

The practice of CFE implementation has been characterised by some unique features. Due to doubts concerning compliance and the uncertainties of state succession in the former Soviet Union, it did not enter into force for more than 18 months after signature. Although this led to postponement of the reduction phase, it had one major advantage in that the signatories had sufficient time to rehearse both the exchanges of information and the conduct of OSIs. When trial inspections revealed ambiguities in the Treaty's rules, interpretative decisions were made by the JCG.

Among the three main types of verification, OSIS gained clear prominence. National technical means were not available to many states, and those that had left the Warsaw Pact no longer even had access to satellite information.¹⁰ High-resolution satellite imagery is now widely available commercially to every party. But this is not the case with real-time processed information, particularly relating to conflict zones. Even if initially available, no state can be confident that it will be uninterrupted. As a result, NTM continue to play a limited role in CFE verification.

Aerial inspection has remained a missing link in the CFE verification system. During the follow-on negotiations that led to the CFEIA protocol, no attention was paid to this matter. This was due to the fact that the so-called Open Skies talks were being conducted in parallel in Vienna, resulting in the signature of the Open Skies Treaty on 24 March 1992. In the absence of ratification by two signatories, Belarus and Russia, the latter has not yet entered into force.

Verification of the CFE agreement has, therefore, relied almost exclusively on OSIS. According to the Treaty, national inspection teams can be used or two or more states parties can form a multinational team. Both the members of NATO and the 'newly non-aligned' countries of the East have relied extensively on such co-operation. The conduct of OSIS is not, however, an obligation, but an entitlement. It is questionable whether it is worth using an active OSI quota to the maximum, simply to maintain military-to-military communication, when no doubts exist concerning the compliance of other parties.

Although a few problems have emerged over the years, treaty compliance has been remarkably good overall. Since entry into force, approximately 3,800 OSIS have been conducted. While some inspections may have failed to eliminate all ambiguity, 94 percent, according to NATO, left no doubt that the inspected party was in compliance. It is a moot point whether or not this record has been due to intrusive verification. Given the concentration of non-compliance in one country, Russia, and the almost unblemished record of other states parties, one is tempted to conclude that inspections have had very little to do with compliance. The democratisation of states and the declining significance of gaining marginal military advantage through cheating may well have more to do with it.

Moreover, the importance attributed to transparency is not entirely convincing. The information gained from exchanges and inspections only ever had political and strategic relevance for a few countries and has been of diminishing importance. In cases where the principal security interests of a state party have been sub-regional

rather than pan-European, or where a country has had limited analytical capabilities, the data have simply been filed. This is not to argue that the information exchanges should be replaced by a less extensive regime.

The presumed benefits of the CFE accord are similarly inconclusive with respect to increased communication between states on military matters. With the end of the East–West conflict, many other channels opened up, diminishing the relative importance of CFE routes.

In summarising the compliance record of the CFE agreement, the following conclusions can be drawn. Immediately after signature, it was revealed that the Soviet Union had moved several thousand pieces of hardware outside the area of application (behind the Ural Mountains) and that it had reassigned the armaments of three divisions to its naval infantry. This was not contrary to the letter of the Treaty, though, as these actions took place before it was concluded. But other states parties found this highly disquieting and a compromise solution was necessary.

Russia has since exceeded the limits set forth in the Treaty for its southern flank. It has argued that the change in its strategic situation after the dissolution of the Soviet Union (the former transcaucasus military district is now covered by three independent states, Armenia, Azerbaijan and Georgia) made necessary the increased deployment of treaty-limited weaponry in the North Caucasus military district. Moreover, non-compliance with treaty limits on the flank has not reached strategic proportions, but has remained limited.¹¹ When the deadline for completion of the reduction process passed, the JCG declared only that Russia was in ‘technical non-compliance’.¹²

Another major case of Russian non-compliance occurred in the same area after it became involved in armed conflict against secessionist movements. The first and second wars in Chechnya—between 1994 and 1996 and in 1999, respectively—and the subsequent military ‘stabilisation’ led to a significant increase in Russia’s military presence in the region, putting it in temporary violation of the Treaty. Russia has declared that it intends to maintain its strategic superiority in the area to prevent secession.

Other Soviet successor states, Belarus and Ukraine, in particular, have attempted to use Russian non-compliance to justify their own failure to carry out reductions in treaty-limited armaments on time. The analysis of the CFE compliance record shows that, overall, three of the four cases of non-compliance were rooted in the Soviet past and none aimed to change the strategic situation in Europe.

Verification in the CFE adaptation process

Only when the idea of enlarging NATO through the addition of former Warsaw Pact members was actively pursued, not just by the self-appointed candidates, the Czech Republic, Hungary and Poland, but also by NATO itself, did it become clear that the CFE structure could not survive such a move. One experienced CFE negotiator said that the day former Warsaw Pact member states joined NATO would be the day that the Treaty would become political science fiction. This was recognised at the Organisation for Security and Co-operation in Europe (OSCE)'s Lisbon Summit of December 1996, which initiated the so-called CFE adaptation talks.

When negotiations started in February 1997, it rapidly became clear that the bloc-to-bloc structure of CFE obligations could not be maintained and, hence, the verification system would also have to change.¹³ Verification issues were not high on the agenda, however. It was far more important to agree on the new structure, based on national commitments. The West was ready to offer certain concessions to Russia in order that the adaptation process could proceed. Some measures were approved, both to prevent the destabilising concentration of forces and to accommodate the Treaty's so-called flank rule to the satisfaction of Russia and Ukraine. This was supplemented by the promise of further unilateral reductions below current holdings by several NATO states when the adapted agreement enters into force.

The structure of the adapted treaty, signed on 19 November 1999 at the OSCE's Istanbul Summit, closely resembles that of the CFE proper. The main text is supplemented by several documents, mainly protocols, which are an integral part of the agreement. They are largely identical to the protocols of the 1990 CFE accord. There are two new protocols that reflect the change in structure: a Protocol on National Ceilings; and a Protocol on Territorial Ceilings.¹⁴ There are also several politically binding unilateral statements attached to the agreement that are not an integral part of it.

A number of states made commitments to reduce further their conventional armaments 'upon the successful and satisfactory conclusion of the adaptation process'.¹⁵ Several governments interpret the latter as identical to the entry into force of the adapted CFE treaty. Belarus made a unilateral commitment not to host foreign treaty-limited armaments (such as battle tanks) on its territory. This is important, since it constrains Russian forward deployments in Belarus for the time being. If the 'union' of the two countries advances to the point at which they become one state, however, there is no guarantee that this obligation would hold.

A unilateral statement by Moldova and a joint announcement by Russia and Georgia—both made on 19 November 1999—dealt with the stationing of Russian troops on the other two countries' territory and their withdrawal. In the case of Georgia, Russia made a commitment to, and presented a timetable for, pulling out. By contrast, Moscow did not consent to Moldova's call for withdrawal.

In the adaptation process, associated measures, information exchanges and verification played a marginal role. But it is clear that, as the structure of CFE commitments change, so will the verification system. This is due to the fact that the overwhelming majority of rules governing inspections are technical and procedural. They deal with such matters as the objects to be inspected, the process to be carried out before the inspection team's arrival at the site, the inspectors' privileges and immunities, and the reports to be written about the inspection.

There are some changes in these details compared to the agreement adopted in 1990. The most fundamental difference stems from the elimination of the bloc-to-bloc structure. Parties can now formally conduct inspections on any other state party's territory. Since the gentlemen's agreement among NATO countries has remained in force, this means that the 19 NATO nations can use their quotas to inspect the other 11 states parties and countries that may later join the Treaty. There are also three states—the Czech Republic, Hungary and Poland—that are in a unique position as a result of joining the Alliance in March 1999. When they belonged to the Eastern bloc, they had the same inspection rights under the 1990 Treaty as countries like Bulgaria, Slovakia and Russia. Since becoming NATO members, however, they are subject to the intra-Alliance inspection ban. Consequently, their inspection rights will remain limited until the adapted CFE accord comes into force.

Again, there is no mention of aerial inspection in the adapted Treaty, in recognition of the fact that this gap should be filled by the Open Skies Treaty. Since (like Open Skies) the adapted CFE agreement permits the accession of any OSCE state located between the Atlantic and the Urals, the discrepancy that existed between membership of the 1990 CFE accord and that of the Open Skies Treaty is no longer necessarily present.¹⁶

Special regulations have been agreed concerning inspection of objects of verification in areas that used to belong to the flank of the Russian Federation and Ukraine. These were re-categorised as belonging to the so-called rear zone, where the least stringent limitations were applied under the CFE agreement. There the two countries

are obliged to host 'extra' inspections, which are counted against the active inspection quota of the inspecting state party.¹⁷ It is an important achievement in two respects. First, it contributes to increased transparency in areas close to the flank zones in the two countries. Second, it reduces the asymmetry that stems from the fact that the majority of states parties will be most interested in inspecting Russia's armed forces. As NATO countries do not inspect each other, and there is no point militarily in inspecting like-minded nations that actively seek membership of the Alliance, it is predictable that there will be a concentration of requests to inspect a few states, primarily Russia.

For several reasons, the adapted treaty is unlikely to come into force soon. Entry into force is dependent on ratification by each signatory, and it is unlikely that Georgia and Moldova will do so before the departure of Russian troops from their territory. Another important reason is that Russia has increased its military presence in Chechnya, and, as a consequence, continues to violate the flank rule. Although some other signatories show understanding of Russia's attempts to stabilise the north Caucasus, it is unlikely that many legislative bodies will ratify the adapted treaty before Russian violations end or at least a political solution is found to the problem. Moreover, a number of countries' executive branches will not submit the adapted CFE for ratification until underlying conditions change. Given that Russia has also recently refused a number of inspections in the Caucasus (most recently in February 2000) the ratification process may be stalemated for a long period.

Implications of the CFE regime

As a model for arms control regimes, the CFE Treaty and its additions and adaptations may only have relevance as far as its 'technical solutions' go. In strategic and political terms, it is open to question whether similar solutions will be required elsewhere. To date, no other region has indicated a willingness to engage in the same kind of conventional arms regulation. Moreover, the extent of institutional integration in Europe, which helped foster a conventional arms control process, makes it unique.

Within Europe, however, the Balkans region has adopted some of the precedents of the CFE process. Under the Dayton Accord (Annex I-B), two agreements were presaged.¹⁸ The first, signed on 26 January 1996, deals with CSBMs in Bosnia–Herzegovina. The second—the Florence Agreement of 14 June 1996—deals with

sub-regional arms control. The Dayton process establishes force ratios between three of the Yugoslav successor states (Bosnia and Herzegovina, Croatia and Serbia) and between the two Bosnian entities (the Croat–Bosniak Federation and Republika Srpska) through reductions in their conventional holdings. The five main armament and equipment categories subject to limitation are the same as those of the CFE Treaty. The only difference is that artillery pieces above 75mm calibre are subject to limitation, whereas in the CFE agreement only artillery above 100mm was restricted. The difference is due to the need to close a loophole and to limit the 82mm howitzers that were widely employed during the Bosnian conflict.

According to the Florence Agreement, the force ratios applied ('based on the approximate ratio of populations of the parties') are 5:2:2 for the Federal Republic of Yugoslavia, Croatia and Bosnia–Herzegovina, respectively. The allocations for Bosnia–Herzegovina were divided between the two entities on the basis of two for the Federation of Bosnia and Herzegovina and one for the Republika Srpska. The OSCE 'assisted' both in the negotiation and verification of the Florence Agreement. Implementation turned out to be extremely successful, primarily because of the strong military presence of the NATO-led Implementation Force (IFOR) and its successor, the Stabilization Force (SFOR).

The Florence Agreement is intended to be only the first phase of implementation of the Dayton Accord's so-called Article IV measures for sub-regional arms control. It is supposed to be followed by a wider regional arms control agreement 'with the goal of establishing a regional balance in and around the former Yugoslavia'. This is so-called Article V arms control under Annex I-B of the Dayton agreement.¹⁹ The negotiations to advance this process began in mid-1999, after a long delay due to the Kosovo conflict. They involve 20 regional states, including several parties to the CFE Treaty. The regional arms control regime will benefit from many solutions included in the adapted CFE agreement, but it stands no chance of being concluded until the latter enters into force. To establish the connection between the CFE accord and a regional arms control regime that includes the successor states of the former Yugoslavia and Albania (none of them parties to the CFE agreement) will be a demanding task for years to come.

Conclusion

Europe has to date led the way in conventional arms control. The idea of extending conventional arms control to other regions has remained unfulfilled. Sporadic

efforts, like confidence-building measures in the non-European states of the Mediterranean, have not yet come to fruition. In some regions, there is no need to achieve regional arms limitations and the incentive for negotiating them is, therefore, lacking. And, in others, the situation is so different to that of Europe as to require alternative solutions. As a result, there are currently no conventional structural arms control agreements in regions outside Europe.

The end of the East–West conflict, and the absence of a major conventional threat to the industrialised world, has led to calls to reduce the danger posed by conventional armaments. The possibility of limiting or banning such weapons, which presently cause extensive human suffering, excites public opinion. Some non-governmental organisations have initiated campaigns that may lead to commitments that are difficult to verify. Even though the non-verifiability of such accords is not the fault of those advocating them, many observers in the arms control community are suspicious of agreements that are unaccompanied by monitoring and verification measures. This occurred with the Landmine Convention and may happen in future with regard to certain categories of small arms. It remains to be seen to what extent the international community has relinquished the notion that conventional arms control requires stringent verification of the type that applied until the end of the Cold War.

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Endnotes

¹ Treaty of the Washington Conference on the Limitation of Naval Armament (November 1921–February 1922) between France, Italy, Japan, the UK and the US. Treaty of the London Conference on Naval Armament (January–April 1930) between France, Italy, Japan, the UK and the US. The Treaty of the London Conference on Naval Armament (December 1935–March 1936) between France, the UK, and the US.

² For a more detailed account, see Jozef Goldblat, *Agreements for Arms Control: A Critical Survey*, Taylor and Francis, London, 1982, pp. 2–4.

³ Then Soviet President Mikhail Gorbachev spoke openly about intrusive measures, including OSTs, on several highly publicised occasions, including speeches at the Congresses of the East German and Czechoslovak Communist Parties in 1986 and 1987 respectively.

⁴ The negotiations on the mandate, as well as the negotiations proper, were held under the auspices of the Conference on Security and Co-operation in Europe (CSCE).

⁵ The first review conference was held in May 1996 and resulted in the modification of the Treaty's so-called flank rule. The next conference is due in 2001.

⁶ For details of the verification provisions in the CFE agreement, see Patricia M. Lewis, 'The Conventional Forces in Europe Treaty' in John B. Poole (ed.), *Verification Report 1991*, VERTIC, London, 1991, pp. 55–66.

⁷ It consists of a 'passive declared site inspection quota' and a 'passive challenge inspection quota'. For more details, see Protocol on Inspection, CFE Treaty, Section 1: Definitions, paragraphs (s) and (r).

⁸ *Arms Control Reporter*, 1990, 407.B.407.

⁹ Inspection Protocol, CFE Treaty, Section II, paragraph 24.

¹⁰ Some former Warsaw Pact countries received satellite data from the US, such as Hungary during an early phase of the war in the former Yugoslavia. But such information is not guaranteed.

¹¹ This approach prevailed even in 1995, when the US intelligence view was that Russia without relocation would have had about 400 tanks, 2,000 armoured combat vehicles and 500 artillery pieces in excess of the flank limit. Zdzislaw Lachowski, 'Conventional arms control and security dialogue in Europe', in *SIPRI Yearbook 1995: Armaments, Disarmament and International Security*, Oxford University Press, Oxford, 1995, p. 771.

¹² Cited in Jeffrey D. McCausland, *Conventional Arms Control and European Security*, Adelphi Paper no. 301, IISS, Oxford University Press, Oxford, 1996, p. 34.

¹³ For summaries of the course of the adaptation talks, see Pál Dunay and Wolfgang Zellner, 'When the Past Meets the Future—Adapting the CFE Treaty', Institut für Friedensforschung und Sicherheitspolitik Hamburg (ed.), *OSCE Yearbook 1997*, Nomos Verlag, Baden-Baden, 1998, pp. 281–299. Also see Pál Dunay and Wolfgang Zellner, 'The Adaptation of the CFE Treaty—Between Creeping Marginalisation and a New Conceptual Definition of European Arms Control', Institut für Friedensforschung und Sicherheitspolitik Hamburg (ed.), *OSCE Yearbook 1999*, Nomos Verlag, Baden-Baden, 2000, pp. 349–363.

¹⁴ A consolidated text of the adapted Treaty on Conventional Armed Forces in Europe, as amended by the Agreement on Adaptation in November 1999, and the politically binding unilateral statements, are available at the OSCE website, www.osce.org. Hopefully, the depositary will soon provide a fully consolidated text to the states parties.

¹⁵ OSCE Istanbul Summit: Final Act of the Conference of the States Parties to the Treaty on Conventional Armed Forces in Europe, Annex 2: Statement on behalf of the Republic of Hungary. The statement of the Czech Republic is similarly worded. See Annex 1.

¹⁶ The remaining discrepancies exist mainly in Central Asia: the only country that is party to the CFE Treaty but not to Open Skies is Kyrgyzstan. The nations that are party to Open Skies but not to the CFE Treaty are Armenia, Azerbaijan, Kazakhstan and Moldova. Cf. Article XVIII of the adapted CFE Treaty and Article XVII of the Open Skies Treaty.

¹⁷ Protocol on Inspection, Adapted CFE Treaty, Section II, paragraphs 15–16.

¹⁸ The main difference compared to the CFE Treaty, however, is that the Dayton agreements comprised a mixture of imposed and mutually agreed arms control measures.

¹⁹ See General Framework Agreement for Peace in Bosnia and Herzegovina, Annex 1-B. Reproduced in *SIPRI Yearbook 1996: Armaments, Disarmament and International Security*, Oxford University Press, 1996, pp. 240–243.