

**“Squaring the Circle”:  
Cooperative Security and  
Military Operations**

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## FOREWORD

We are pleased to publish this forty-fifth volume in the *Occasional Paper* series of the United States Air Force Institute for National Security Studies (INSS). We consider this to be an important paper for at least three reasons. First, it provides a pointed overview of conventional arms controls. So much of the focus in arms control literature is exclusively on strategic agreements that this important arena is overlooked. Second, this paper addresses the interaction effects of multiple arms control agreements. These second order consequences—often unforeseen and potentially negative—raise a warning flag for future multilateral and theater arms control and cooperative security efforts. Third, and closely related, the paper highlights the potential for the “offensive” use of arms control provisions by the full range of state parties to arms control agreements. Agreements are negotiated with a particular target state or group of states in mind and toward the bounding or control of specific behaviors and capabilities. Seldom do we really consider the second and subsequent order potential in compliance and verification monitoring that are highlighted here. Such indirect consequences clearly must be anticipated today and factored into a whole range of national security planning.

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JAMES M. SMITH  
Director

# **“SQUARING THE CIRCLE”: COOPERATIVE SECURITY AND MILITARY OPERATIONS**

## **EXECUTIVE SUMMARY**

This paper examines the real and potential tensions that exist between military operations and existing arms control agreements. It focuses on conventional arms control since military operations during hostilities is where limitations have potentially the greatest effect. This focus on conventional arms control further implies that the agreements examined are primarily (though not exclusively) those relating to possible operations in Europe or originating from there since the majority of the existing agreements apply to the European theater. Finally, the paper is presented from the perspective of the United States. Arms control and military operations are both addressed as “means” to accomplish American strategic objectives or “ends.”

The study consists of three areas. First, it summarizes existing agreements, the limitations they place on military operations, instances where these restrictions affect operations, and possible issues with respect to each treaty in the future. Second, it discusses in detail how arms control inspections affected military operations in Kosovo during and after the conflict. This includes a review of the inspections/observations that occurred in Italy, Macedonia, and Albania during the crisis as well as arms control efforts within Kosovo itself and subsequently in Macedonia. Finally, the study draws conclusions and makes six recommendations for the future.

- Arms control expertise must be more widely available, both in NATO and nationally, to ensure that such expertise can be deployed at all levels of military command.
- Advance generic planning should be undertaken by the US and all NATO allies to shorten the political decision-making process and ensure appropriate and timely execution of Vienna Document activities relating to any unusual build-up of NATO forces during periods of increased tension or crisis.
- The application of arms control responsibilities should be included in the scenarios of command post and field training exercises.
- Compliance with arms control responsibilities needs higher visibility within the NATO and American military command.

- The Kosovo experience underscored the critical importance of JCS and OSD experts' participation in the interagency process.
- There is a greater need for immediate military advice and expertise at State, CIA, and the National Security Council in order to assess quickly the impact of arms control inspections on current and planned military operations. Furthermore, careful examination should be made of potential changes to existing agreements as well as the full impact of the implementation of new treaties that may enter into force.

***“Squaring the Circle”:***  
***Cooperative Security and Military Operations***

**INTRODUCTION**

On 28 May 1999 Russian inspectors arrived at Aviano Air Force Base in Italy to conduct an inspection of NATO forces located there in accordance with the Treaty on Conventional Armed Forces in Europe (CFE). While such reviews had occurred for many years, this particular inspection was unusual. It occurred in the midst of the NATO air campaign against Yugoslavia, and Aviano was a principal base in that effort. This inspection and others that occurred during the seventy-eight day air campaign were unprecedented, as they are perhaps the only examples of armed forces being inspected by a foreign power under the terms of an arms control agreement while conducting combat operations. It underscores the duality of NATO’s current strategy of attempting to maintain a cooperative security approach while conducting military operations. Finally, it begs the question of the role for arms control as part of American military strategy in the future. This problem has acquired a new urgency based on the attacks of September 11<sup>th</sup> and the ongoing global war that the United States has undertaken against terrorism.

This paper will examine the real as well as potential tensions that exist between military operations and existing arms control agreements. Several limitations to this analysis are important at the onset. First, it will focus on conventional arms control since military operations during hostilities is where limitations have potentially the greatest effect. A focus on conventional arms control further implies that many of the agreements examined will

primarily (though not exclusively) be those relating to possible operations in Europe or originating from there since the majority of the existing agreements apply to the European theater. Some might argue that this is now of less significance in light of the fact that the overall American preoccupation with European security has been reduced with the end of the Cold War and, more importantly, due to the advent of the war on terrorism. This would be a shortsighted view, since Europe has gained a new importance as a base for American power projection and the fact that the principal American allies in the current hostilities are European. Finally, the effort will be presented from the perspective of the United States. Arms control and military operations are both “means” to accomplish American strategic objectives or “ends.” Consequently, tensions such as those that occurred during the Kosovo crisis must be viewed in that strategic context.

The study will consist of three areas. First, it will summarize existing agreements, the limitations they place on military operations, instances where these restrictions affected operations, and possible issues with respect to each treaty in the future. Second, it will discuss in detail how arms control inspections affected military operations in Kosovo during and after the conflict. This will include a review of the inspections/observations that occurred in Italy, Macedonia, and Albania during the crisis as well as arms control efforts within Kosovo itself and subsequently in Macedonia. Finally, the study will draw conclusions and make recommendations for the future.

Definitions are key in this analysis, and the following are essential from the very beginning.<sup>1</sup> **Arms Control** is any legally or politically binding agreement between sovereign states which (1)

provides transparency and predictability of military activities; (2) constrains or prohibits certain military operations; or (3) limits the holdings of military equipment and/or personnel. Overall arms control agreements that the United States is a signatory to place restraints on the use, possession, or size of conventional, biological, chemical, and nuclear weapons. **Transparency** is the act of making known the organization, composition, activities, and holdings of a state's armed forces to include its budget and military doctrine. This is usually accomplished through notifications, exchanges of information, and military-to-military contacts. **Predictability** is the ability of a participating state based on transparency measures to understand the pattern of military activities of another state participating in the agreement. Many military experts might well argue that this aspect is key in determining the value of any arms control agreement during a crisis. **Constraints** include restrictions on the frequency, size, duration, and location of military activities. **Limits** are ceilings or maximum levels of holdings/inventory of categories of military equipment or personnel that a participating state has committed itself not to exceed. These limits can be specified in terms of national, territorial (applying to specified region that includes multiple states), or geographic locations. A **military operation** includes any military action or the carrying out of a strategic, operational, tactical, service, training, or administrative military mission. This includes conducting combat, movement into and within a theater, supply, and any other maneuvers required to achieve the objectives of a battle or campaign.<sup>2</sup>

It is also important to establish a clear distinction between "arms control" and "disarmament." "Arms control" (as suggested

above) refers to agreements between two or more sovereign states to limit or reduce certain categories of weapons or military operations in order to diminish the possibility of conflict. During the Cold War, conventional arms discussions resulted in the ratification of the Treaty on Conventional Armed Forces in Europe (CFE) plus Confidence and Security Building Measures (CSBMs) agreed to as part of the ongoing discussions of the Organization for Security and Cooperation in Europe (OSCE). CFE was a “hard arms control” agreement that required reductions in military hardware for the members of NATO and the former Warsaw Pact. During the period from 1993 to 1996 over 58,000 pieces of equipment were destroyed and 2700 compliance inspections conducted as part of its implementation. CSBM’s are described in the so-called “Vienna Document” for the members of the Organization for Security and Cooperation in Europe (OSCE). They include a series of transparency measures including information exchanges and observation of military exercises. With this in mind it is important to remember that the United States has gained a great deal from arms control. A fundamental tenet of arms control remains the principle of reciprocity. Consequently, while this study will examine how such agreements may restrict American operational flexibility, these same restraints apply to all signatories. American military and intelligence organizations have received an enormous wealth of information about the size, character, equipment, doctrine, and deployment of other nation’s armed forces through these and other agreements.

"Disarmament" is normally imposed by a state or group on one or more states at the conclusion of a war. Examples are the limits imposed on Germany at the end of World War I and II, or the

restrictions placed on Iraq by the United Nations at the conclusion of the Gulf War. This distinction is important because while an arms control regime is maintained by a harmony of interests among the participants, disarmament requires external pressure to ensure implementation and compliance. Some of the agreements discussed (i.e., the Dayton Accords) may have a distinct "disarmament" context, and in some cases the United States may be drawn into maintaining such accords or even (in the case of Macedonia) have disarmament of a group as an objective of military operations.

Finally, it is critical to recall that arms control is a "method or means" to achieve the "objective" of improved security. But arms control is not an objective in isolation. Though the focus of any negotiation is the details of the prospective agreement, the arms control process must always be consistent with the direction of national or alliance security strategy. Consequently, arms control is a political activity and cannot be divorced from other aspects of a nation's security or foreign policy. Domestic events, other issues between states, and the bureaucratic process of the participating parties have a direct bearing on how arms control agreements are negotiated and complied with.

During the Cold War arms control was placed in the context of the confrontation between the United States and the Soviet Union. It was viewed as a means to prevent conflict and assist in crisis management. This is important to remember as we consider these agreements within the framework of the emerging security environment, consider how they should be modified, and negotiate future arrangements in an environment that may now seek cooperative security as a means to prevent conflict and deal with its aftermath.

## **EXISTING AGREEMENTS AND THEIR LIMITATIONS**

### **Vienna Document**

The Conference on Security and Cooperation in Europe or CSCE (later renamed the Organization for Security and Cooperation in Europe or OSCE) convened in 1973. This negotiation was a Western concession to the Soviet Union in return for their participation in the Mutual Balanced Force Reductions (MBFR) talks, as it closely approximated an earlier Eastern request for a European-wide security conference. It also embodied the idea of detente that had been enunciated in the Harmel Report that placed political efforts on par with NATO military activities. The thirty-five participants signed the concluding document or Helsinki Final Act on 1 August 1975.<sup>3</sup> This launched the so-called "CSCE process" that sought balanced progress in three areas—security; cooperation in science, economics, technology, and the environment; and human rights (often called "Baskets One, Two, and Three" respectively).

Basket One resulted initially in modest agreements on "confidence and security building measures" (CSBM's) that are also referred to as the Vienna Document. CSBM's were designed to reduce the "dangers of armed conflict and of misunderstanding or miscalculation of military activities which could give rise to apprehension."<sup>4</sup> CSBM's were a significant shift from technical arms control focusing on reductions to an emphasis on transparency in military operations. The successful conclusion of this agreement was in many ways a compromise by the Soviet Union. The USSR had long insisted that restrictions on military activities could not be agreed upon until reductions had first taken place, while the

Western position had always been to seek such CSBM's before reductions.

The first of these was a commitment to provide twenty-one days advance notification to all signatories of any military exercise involving more than 25,000 troops. It also encouraged voluntary notification of smaller military training events, major military movements, and the invitation of observers to maneuvers. These provisions have evolved and the thresholds reduced subsequently, and now include the following as described in the Vienna Document 1999:

- Annual exchange of military information
- Consultation regarding unusual military activities
- Provisions for military contacts and cooperation
- Prior notification for exercises
- Observation of military activities
- Exchange of annual calendars for military exercises
- Compliance and verification measures
- Direct communication network between capitals
- Annual implementation assessment meetings
- Stabilizing measures during crisis situations
- Principles governing arms transfers

As mentioned at the onset several OSCE members (most notably Russia and Belarus) requested information on NATO force deployments or exercised their right to observe military exercises

during the Kosovo crisis in accordance with these agreements.

These events will be discussed in greater detail in the next section.

OSCE members also agreed to a Military Code of Conduct in 1994. This code reaffirmed the principles in the Helsinki Final Act and established norms regarding the role of armed forces in democratic societies. The United States and its European allies formally cited Russia for violations of this code during its operations in Chechnya and requested observation of military activities there in accordance with the Vienna Document. Russia has steadfastly resisted an observation but did allow a very limited visit by the German military. Since September 11<sup>th</sup> Western states have not renewed requests for such visits. Furthermore, some American experts have expressed a concern that signatories to the Vienna Document could request observation of American military operations in Turkmenistan or at future air bases planned in Kyrgyzstan or Uzbekistan under the terms of these agreements since all of these Central Asian states are signatories.

#### **The Treaty on Conventional Armed Forces in Europe (CFE)**

The twenty-two members of NATO and the Warsaw Pact signed the Treaty on Conventional Armed Forces in Europe (CFE) on 19 November 1990. It established limits on the aggregate total of conventional military hardware for the two blocs, required substantial reductions in each nation's conventional arsenal, and created an intrusive regime of inspections and verification.

The talks commenced in January 1988 and established the goals of strengthening stability and security in Europe through a conventional force balance while eliminating the capability for surprise attack. The final agreement required alliance or "group" limitations on tanks, artillery, armored combat vehicles, combat

aircraft, and attack helicopters—known collectively as Treaty-limited Equipment (TLE)—in an area stretching from the Atlantic Ocean to the Ural Mountains. Each bloc was allowed the following:

<b><u>Treaty Limited Equipment (TLE))</u></b>	<b><u>Group</u></b>
<b><u>Limit</u></b>	
Tanks	20,000
Artillery	20,000
Armored Combat Vehicles (ACV's)	30,000
Attack Helicopters	2000
Combat Aircraft	6800

Bloc limitations for NATO and the former Warsaw Pact were further restrained by a series of five geographic nested zones for land-based TLE. Limitations on helicopters and attack aircraft only applied to the entire area of application due to their ability to reposition rapidly. This zonal approach was a derivative of the mandate's intent to reduce the possibility of surprise attack by precluding excessive force concentrations by either side. Subsequent national limits for each treaty signatory were determined in negotiations among the members of the two organizations. The successor states of the Soviet Union (within the area of application) determined their respective limits from the total allocated to the Soviet Union in May 1992.

New negotiations began after the signing of the treaty focusing on personnel strength of armed forces. This resulted in the Concluding Act of the Negotiations on Personnel Strength of Conventional Armed Forces in Europe (referred to as the CFE-1A

agreement). It was signed on 6 July 1992 and established limits on the personnel strength of military forces with the exception of sea-based naval units, internal security forces, or those assigned to UN duties. CFE1A (unlike the CFE Treaty) is a politically binding arrangement as opposed to a legally binding treaty. It provided that the ceilings announced by each signatory would take effect forty months after entry into force and further contained provisions for information exchange, notification, and verification.

Though the reduction agreement was signed in 1990, implementation was delayed until 1992 by the end of the Warsaw Pact, demise of the Soviet Union, and problems associated with Soviet TLE. Despite this delay, over 58,000 pieces of TLE were destroyed and approximately 2,700 inspections conducted to insure compliance by November 1995 (the end of the implementation period).<sup>5</sup> The Russian Federation had the greatest burden for destruction—roughly twenty per cent of this total. By the end of 2000 over 70,000 pieces of TLE had been destroyed and 3500 inspections conducted.<sup>6</sup>

In retrospect, however, many experts believe the inspection regime may have contributed more to reducing tensions than actual reductions. The treaty proved valuable in assuaging concerns about German reunification and providing transparency during the withdrawal of massive Soviet forces from Eastern Europe. These withdrawals occurred following the signing of the treaty on the German reunification (12 September 1990) by the Federal Republic, German Democratic Republic (East Germany), France, the United Kingdom, the Soviet Union, and the United States.<sup>7</sup> This agreement also contained significant restraints on military operations. Germany agreed to only deploy territorial units that were not

integrated in the NATO command structure on the territory of the former East Germany. Bonn further agreed that no foreign troops would be stationed in its eastern states or “carry out any other military activity there” while the withdrawal of Soviet forces was ongoing. The treaty also specified that “foreign armed forces and nuclear weapons or their carriers will not be stationed in that part of Germany or deployed there” though Germany did insist on the ability to interpret “deployed.”

The value of the transparency measures associated with this accord was demonstrated as American forces prepared for deployment to the former Yugoslavia following the signing of the Dayton Accords. Short-notice inspections in accordance with CFE were conducted of US forces in Germany by Russian inspectors as they prepared to depart for Bosnia in 1995. In fact the agreement’s greatest value may be the entire CFE system that encourages confidence through transparency and provides a forum for the major European states to debate, agree, and maintain a set of rules about conventional military power on the continent.<sup>8</sup>

Full and final compliance with the CFE Treaty was endangered in late 1995 due to Russian insistence that it could not comply with limits on its forces in the so-called flank zone—an area that includes both the Leningrad and North Caucasus Military Districts. A final compromise was achieved at the first Review Conference (May 1996) that permitted Russia higher force levels in the flank zone, established a May 1999 deadline for Moscow to meet these adjusted levels, and reduced the overall size of the flank zone.<sup>9</sup> Despite this effort the flank “problem” would continue. It was exacerbated by Russian military operations in Chechnya (which is in the flank

region), and Moscow's desire to maintain influence over the North Caucasus states.

The West indicated its willingness to consider adjustments to the treaty during the 1996 Review Conference. Actual discussions began in the winter of 1997 and progressed slowly throughout the next year. As spring 1999 arrived it was clear that adaptation would be affected by ongoing developments in European security. In this regard the period from 12 March through 24 April 1999 was a watershed in NATO history due to four significant events. First, on 12 March three new nations (Czech Republic, Hungary, and Poland) entered the Alliance. From the Russian perspective an adjusted CFE Treaty provided legal assurances about the size and deployment of NATO forces critical to Moscow's assessment of regional security.<sup>10</sup> Consequently, while treaty modifications were warranted based on the dramatic change that had occurred since 1990, the enlargement process gave this effort an additional resonance. Second, the Alliance began the bombing of the Federal Republic of Yugoslavia (FRY) on 26 March. Third, the states participating in the negotiations to adapt the CFE Treaty reached a major political agreement despite the ongoing hostilities on 30 March.<sup>11</sup> This was particularly noteworthy as Moscow had severed or suspended its other political ties with NATO (such as the NATO-Russia Council) once hostilities began. Furthermore, these ongoing negotiations were focused on the conventional force balance in Central Europe during the first actual conflict involving all NATO members and the largest air campaign in Europe since World War II. Finally, NATO issued its new Strategic Concept during the Washington Summit that was held 23-24 April.

On 19 November 1999 (the ninth anniversary of the CFE Treaty) now thirty national leaders signed an adapted treaty.<sup>12</sup> It confirmed a new structure based on a system of national and territorial ceilings to replace the zonal approach. This adjustment was a clear reflection of the greater multilateral character of the emerging security environment. The adapted treaty further noted that the presence of foreign forces on any state's territory was only allowed consistent with the principle of "host nation consent." This was critical to newly independent democracies throughout Eastern Europe and the former USSR.

NATO also declared unilateral limitations on force deployments early in the enlargement process. The Alliance announced that it saw no need to station significant forces permanently on the territory of new members. While this both acknowledged the security situation and attempted to ease Russian disquiet, the new members (Hungary, Czech Republic, and Poland) were concerned that the Alliance goal of military sufficiency could be undermined. They worried that should they be threatened in the future, NATO would not be able to come to their aid without violating the treaty. Consequently, NATO negotiated operational flexibilities such as the right to deploy equipment temporarily on the territory of an ally during a crisis.

The accord also made changes to the flank regime in order to reconcile this portion of the original treaty to a revised structure. It noted that the existing flank regime remained legally binding on all parties but allowed Russia modest force increases in this area. Moscow also began bilateral discussions on the reduction of its forces from Georgia and withdrawal from Moldova consistent with the principle of host nation consent. Finally, the adapted agreement

concluded key verification enhancements and contained important national statements. For example, Russia pledged to restrain its force levels adjacent to the Baltic Republics and Poland. Overall the United States accepted a reduction of over 45% in the amount of ground TLE it was authorized to have in the region. While this would appear to be a significant reduction, in reality American forces deployed in Europe had undergone enormous cuts in the period following the end of the Cold War. As a result the United States could accept these adjusted force levels without having to make any additional reductions. Finally, each state accepted a moderate increase in its annual inspection requirements and commitments to pursue continued reductions.

The final negotiations and eventual ratification were complicated by Russia's failure to meet the revised flank totals agreed at the Review Conference by the June 1999 deadline.<sup>13</sup> While Moscow remained within its overall national limits for all categories of TLE, it exceeded its allocation in the North Caucasus area significantly. This was further exacerbated as hostilities recommenced in Chechnya in October 1999. Moscow did, however, formally announce its deployment to the region in excess of treaty limits to meet the emerging crisis that demonstrated some commitment to the agreement.<sup>14</sup> Still Russian failure to comply with treaty provisions coupled with its continued presence in Georgia and Moldova made final ratification of the adapted treaty problematical. President Clinton announced at the conclusion of the summit that he would not submit the agreement for ratification by the Senate until Russia had fully complied.<sup>15</sup> All NATO members supported this action, and Senator Jesse Helms (then Chairman of the Senate Foreign Relations Committee) forwarded two letters to

President Clinton recommending against signing the adapted agreement or submitting it for ratification due to continued Russian non-compliance.<sup>16</sup>

Russia's inability or unwillingness to resolve these issues continued in 2001. This issue was raised during the Review Conference (28 May 2001) by the United States as well as Georgia and other Caucasus states. Some observers believed that due to the uncertain situation in Chechnya Russia military leaders resisted complying with force limitations that might have to be violated subsequently if hostilities escalated. Russia's continued presence in Georgia (roughly 7000 troops deployed on two bases) beyond the 1 August 2001 deadline they had announced indicated a desire to maintain influence over the Georgian government and contribute to securing their border with Chechnya. Some experts also believe the Russian military is concerned that NATO or some other third party might occupy these bases if they were vacated. These apprehensions and the overall question of Russian and foreign troop presence more generally in this Caucasus state may be taking on a new significance. The US has decided to deploy small military forces to Georgia to train and equip local units to combat a growing terrorist threat in that country.<sup>17</sup>

At the onset of 2002 several issues with respect to CFE will affect the relationship between this agreement and future military operations. The first issue is the status of ratifying the adapted treaty. At the beginning of 2002 Russia claimed that it had met the established limits for the flank but continued to insist that the issue of Russian troop presence in Georgia and Moldova was solely a bilateral issue with each of those states. Consequently, Moscow will likely submit the adapted treaty to the Duma for ratification in

the coming months. Several NATO allies have also indicated their desire to follow suit once Moscow's compliance with the flank limitations is verified through inspections. Due in large measure to political realities such as the impending national elections in 2002 it could take up to three years for the United States Congress to consider the adapted treaty and vote on its ratification. Still it is important for American planners to consider the impact of the adapted treaty as well as other emerging issues with respect to CFE as we seek to maintain a consistent approach with our European allies. This includes such issues as the effect on power projection by American forces stationed in Europe, NATO enlargement, and new weapons technologies.

Ratification would institute the new system of national/territorial ceilings consistent with post-Cold War geography. It would also establish the concept of "host nation consent" as legally binding on all signatories while reducing Russian anxiety over its conventional inferiority with respect to the West. Still military planners would have to contend with the fact that the adapted treaty could subject forces deployed to NATO territory or in transit through Europe to additional potential inspections and associated transparency measures. These would permit inspections of twenty percent of so-called "objects of verification." This includes military equipment down to regimental level and storage, repair, and reduction locations that contain treaty limited equipment. In addition, all signatories are required to submit annual and quarterly reports of their equipment allocations and locations in the treaty area of application. Changes of thirty tanks or ACVs or ten artillery weapons on the territory of any state must also be reported. Any increase of eighteen or more combat

aircraft or attack helicopters in a country's holdings throughout the entire area of application must also be reported to all signatories. Issues of transparency for American forward-deployed forces in Europe and those transiting the continent have assumed a greater saliency due to the fact that the power projection has been a key mission since the end of the Cold War, and this requirement received renewed emphasis following the attacks of September 11<sup>th</sup>.

Obviously, the treaty in its current or adapted form must be consistent with the decisions NATO leaders take on enlargement later this year. Clearly the adapted treaty is more in line with an enlarged NATO and the altered geography of Europe following the collapse of the Soviet Union. It allows for accession, and this could have positive ramifications for both the Baltic and Balkan regions. Lithuania, Latvia, and Estonia announced they were not party to CFE upon regaining their independence in 1991. This was primarily an issue of sovereignty as Baltic leaders argued that they were neither signatories to the original agreement nor successor states to the Soviet Union. Consequently, they were unwilling to participate in the Tashkent Conference that negotiated residual national ceilings from the entitlements of the USSR. It seems logical that their accession to an adapted CFE regime could underscore their respective sovereignty, offer additional security reassurances, and be viewed as a prerequisite to their entry into NATO. Several Baltic States have begun analyzing the impact of accession and have conducted preliminary discussions with the Alliance.<sup>18</sup> In the Balkans (as discussed later) the arms control agreements that were derived from the requirements in the Dayton Accords were modeled after CFE and the Vienna Document in

order to afford these states the opportunity to accede to CFE in particular at a future date.

Finally, questions have arisen over whether new weapons technologies should be included in the categories of military equipment limited by CFE. In its current form the CFE Treaty provides clear technological advantages to the United States and the West in general. The limitations are solely “quantitative” and not “qualitative” in character. As a result the oldest tank in the inventory of any of the former Soviet states is counted as the equivalent of the most modern M1 tank in the NATO arsenal. This could change in the future, however. For example, some European arms control experts believe that unmanned combat air vehicles (UCAVs) should be included in the category of combat aircraft limited by the treaty. This issue arose in the Joint Consultative Group (JCG) in the fall of 2000. The JCG consists of representatives of all signatories to the agreement. Under the terms of the agreement this body reviews and monitors the execution of the treaty. This attempt to include the UCAV under the category of “combat aircraft” resulted in an angry public letter from Senator Helms to President Clinton that such an examination was “premature” and potentially inconsistent with US national security.

The issue could reappear following the war in Afghanistan at the initiative of Russia or even some European states since the RQ-1 Predator was armed with Hellfire missiles and used to attack various targets in Afghanistan.<sup>19</sup> Some experts have suggested that unmanned aerial vehicles equipped with both sensors and missiles have emerged as the leading “transformational” weapon system following the conclusion of this conflict. Secretary of Defense Rumsfeld has requested \$141 million in funding for this effort in the

defense budget for fiscal 2003.<sup>20</sup> Still at this point the use of UCAVs as “attack” aircraft will not be subject to treaty restrictions until they become part of deployed military formations.

### **Open Skies**

The Treaty on Open Skies was proposed by then President George Bush in 1989 though the idea had been discussed during the Eisenhower administration in 1955. The members of NATO and the former Warsaw Pact signed the treaty in Helsinki on 24 March 1992. Following the demise of the Soviet Union the governments of the Russian Federation, Belarus, Georgia, and Ukraine acknowledged their support for the agreement and submitted it for review and a vote of ratification by their respective parliaments. The treaty was scheduled to enter into force sixty days after the last state deposited its instruments of ratification. The United States ratified Open Skies in 1993, but the treaty languished in parliamentary committees in Belarus and Russia. These last two signatories finally ratified it, and they deposited their instruments of ratification in November 2001. As a result the treaty entered into force on 1 January 2002.

Open Skies is of unlimited duration and the United States has no right of refusal to overflights allowed under the treaty. The agreement covers the national territory of all signatories including territorial waters and islands. The treaty has four primary objectives.<sup>21</sup> First, it seeks to promote greater openness and transparency of military activities. Second, the treaty is designed to improve the monitoring of current and future arms control arrangements. Third, Open Skies is intended to strengthen the capacity of crisis prevention and crisis management. Finally, it

provides aerial observation based on equity and effectiveness for all signatories.

Each participating state has the right to conduct, and the obligation to receive, flights over its territory based on an established quota.<sup>22</sup> The United States has a quota of forty-two overflights per year; however, during the initial three years only thirty-one are permitted in any single year. Any signatory to the treaty may receive the results from any overflight. Such flights are to be conducted by unarmed fixed-wing observation aircraft. They are authorized to carry still and video cameras, infrared scanning devices, and side-looking radars. Since signing the agreement many countries have developed appropriate aircraft in accordance with the limitations in the treaty. Numerous “practice flights” over the territory of participating states have also been conducted in order to insure all were fully prepared for implementation. Fifty-four such “practices” involved American territory, and thirty of these efforts were joint trial flights that included foreign participation. During the hostilities in Kosovo, for example, Ukraine requested to conduct a “practice” Open Skies flight over Italy. Obviously, this caused significant anxiety among NATO military planners since Italian airfields were some of the principal bases used to conduct air attacks against Serbia. Fortunately, the flight was cancelled at the last moment due to problems with the Ukrainian aircraft.

Obviously this agreement has the potential to provide significant transparency of American military forces and operations on US soil as well as the territory of any member state. This could even include, for example, such locations as the island of Diego Garcia (British island territory) that has played an important role in the conflict in Afghanistan, forces preparing for deployment in the

United States or abroad, as well as formations enroute to a foreign destination. The treaty also provides that for six months after it enters into force any of 55 members to OSCE may apply for accession. This could expand the area of application enormously and include countries in areas with unique security problems such as the Baltic states, Balkans, and Cyprus. After 1 July 2002 any country may ask to join. No country can accede to this agreement, however, if any existing signatory objects. Still the American intelligence community has provided an assessment that Open Skies is manageable if timely and accurate notifications of overflights are provided and awareness/training is conducted by US forces.

### **The Ottawa Treaty**

The Ottawa Treaty establishes a global ban on anti-personnel landmines (APL). The so-called “Ottawa process” and a feeling by some states and non-governmental organizations that insufficient attention was being played to the problem of landmines resulted in a “fast track” arms control approach led by Canada and a coalition of NGO’s that resulted with this agreement. The umbrella organization for this effort was the International Campaign to Ban Landmines (ICBL) that consisted of six NGO’s that had launched an effort for a global ban on anti-personnel landmines beginning in 1992.<sup>23</sup>

In 1996 a conference of seventy countries and fifty NGOs took place in Ottawa. Participants agreed to sign a treaty the following year in order to ban all anti-personnel landmines by 2000. The Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and Their Destruction that is commonly referred to as the Ottawa Treaty was signed in 1997 and entered into force in March 1999. By June 2001 140 countries had

signed the agreement and over a hundred had ratified it. All NATO members with the exception of the United States and Turkey are signatories to this agreement. While the treaty prohibits states from possessing anti-personnel landmines, it places no restraints on anti-tank mines or their associated handling devices.

Supporters of the agreement would argue that it has significant strengths. The treaty and associated publicity have galvanized attention to this problem that is of global significance. This was particularly important for states that had not been affected by previous conventions limiting APL such as Cambodia, Mozambique, Bosnia, and Croatia. Since it entered into force enormous stockpiles of mines have been destroyed. According to the ICBL over twenty million mines have been destroyed from the arsenals of over fifty countries. Several NATO countries to include Britain, France, and Germany have completely destroyed all of their anti-personnel landmine stockpiles.<sup>24</sup>

The agreement does have significant weaknesses. Most notably is the fact that the largest military powers—the United States, Russia, and China are not signatories to the agreement. American opposition to the Ottawa Treaty is in large measure due to US security responsibilities particularly on the Korean peninsula. Anti-personnel landmines play a crucial role in the defense of Korea and the capital of Seoul that lies only twenty-seven miles from the Demilitarized Zone that separates North from South Korea. Due to the deployment of massive North Korean conventional forces along the DMZ, American military planners rely on pre-planned and emplaced minefields to counter and slow any possible North Korean offensive. The Clinton Administration stated that the United States would seek to find suitable alternatives to current anti-personnel

landmines and mixed anti-tank systems by 2006. This might allow the US to sign this agreement at that time. In 1999 \$23.2 million dollars was appropriated for research on alternatives and an additional \$38.1 million dollars was included in the fiscal year 2000 proposal. In addition, the United States has destroyed over 3.3 million non-self-destructing mines since 1996 except for those emplaced in Korea. The George W. Bush Administration is conducting a review of American landmine policy and has not officially endorsed or refuted the 2006 goal. Administration officials have suggested that it will not sign the Ottawa Treaty under any circumstances but will likely continue research on alternatives.

The Ottawa Treaty has several key provisions in addition to each signatory's willingness never to use anti-personnel mines. Each also agrees never to "develop, produce, otherwise acquire, stockpile, retain, or transfer, directly or indirectly antipersonnel mines." Furthermore, the treaty prohibits assisting, encouraging, or inducing any activity prohibited under the convention. This has caused serious problems for NATO military planners. At the time of its signing the United States stockpiled mines in five NATO countries. This included Norway, Germany, Italy, Spain, and the United Kingdom. A literal interpretation of the treaty would suggest that the seventeen signatory states from NATO may not cooperate with or assist the US or Turkey to plan for the use of such weapons during a combined operation or to allow such stockpiles to remain on their territory.<sup>25</sup>

In June 1998, the French Minister of Defense declared that his nation would "unreservedly enforce the Ottawa Treaty." He added, "France will prohibit the planned or actual use of anti-personnel mines in any military operation whatsoever by its military

personnel. Furthermore, France will refuse to agree to rules of engagement in any military operation calling for the use of anti-personnel landmines.”<sup>26</sup> Even Great Britain (arguably America’s closest ally) noted that being on opposite sides with Washington on this issue caused a “profound operational problem for the Alliance.”<sup>27</sup> As a result the United States removed its stockpiles of these weapons from most of the territory of its allies. Though several states appended memorandum when signing the Ottawa Treaty that would allow them to conduct military operations with “non-signatories,” the planning for the use of these weapons was restricted during all NATO combined exercises, training, and computer models. It has also been reported that several European nations expressed concern that the United States might use APL during the conflict in Kosovo, and it has likely been a question during the initial phase of the war on terrorism in Afghanistan.

#### **Arms Control in the Balkans—the Dayton Accords**

The Dayton Accords were signed in November 1995 ending the conflict in Bosnia. Annex 1A of the agreement included ambitious arms control and confidence building proposals for the signatories to be negotiated under the auspices of the OSCE. Under Article II states agreed to commence immediately negotiations on confidence and security building measures. They also agreed (Article III) to restrictions on the importation of light arms for ninety days and heavier weapons for 180 days, and (under Article IV) to begin negotiations to establish reduced levels of armament and military manpower. Article IV also established a deadline of 11 June 1996 to achieve an agreement. Finally, the agreement called for subsequent negotiations (Article V) with the goal of establishing a regional balance in and around the former Yugoslavia.

Surprisingly, the parties achieved agreement on a package of CSBMs by 26 January 1996. The accord used existing CSBMs contained in the Vienna Document as a model, and these measures were effective upon signature.<sup>28</sup> All of the states of the former Yugoslavia were also subject to the CSBMs listed in Vienna Documents as well as the Military Code of Conduct upon achieving membership in the OSCE. Eventually this applied to all parties with the exception of the Federal Republic of Yugoslavia (FRY). Belgrade's OSCE membership was suspended in July 1992 as the war in the region intensified and not restored until the demise of the Milosevic government in 2000.

While success in achieving an agreement on confidence building measures was significant, final settlement of the Article IV reduction accord proceeded slowly. If the states parties failed to agree by the deadline, Dayton established limits based on population that would automatically apply. The allocation for Bosnia and Herzegovina was further subdivided between the component entities (the Federation of Bosnia and Herzegovina and the Republika Srpska). Consequently, the arms control process could not occur in isolation. Success for these negotiation was dependent upon the outcome in other areas of the accord and the emerging political climate between the former warring parties. Failure of IFOR, for example, to implement the physical movement of forces required, or a breach in the agreement to conduct elections would have made these negotiations moot. As a result though these agreements placed no restraints on NATO peacekeeping forces, IFOR became involved in the actual implementation and maintenance of these agreements much to the chagrin of many military leaders. IFOR continued to be the best source of

information on the size and disposition of the three armies in Bosnia as well as having supervision of any military training exercises by these forces. In many ways the arms control agreements in the Balkans suggested a new approach that moved from using arms control as a tool for conflict prevention (as during the Cold War) to becoming a tool for post-conflict resolution.

During these discussions a serious disagreement existed among the Contact Group over the American plan to assist in the training and reequipping of Croatian and Muslim forces for the Federation Army.<sup>29</sup> European participants argued that this effort could potentially undermine the negotiations and were akin to pouring “gasoline on smoking embers.” American negotiators argued that Bosnian Muslim leaders would have refused any treaty until “train and equip” was well underway. Furthermore, continued US congressional support for the overall effort was dependent upon “leveling the military playing field,” and Washington was successful in using “equip and train” as leverage to force particularly the Sarajevo government to fulfill certain political obligations. This divergence between the United States and its allies demonstrated not only a differing approach to cooperative security in this case but also the beginning of a more united European security perspective. This development has continued subsequently with the advent of the European Security and Defense Identity (ESDI).

An agreement was achieved in the final moments prior to the deadline in June 1996. The parties eventually accepted the default ratios described in Article IV. They also made “politically binding” pledges to reduce military manpower not unlike CFE-1A.<sup>30</sup> These troop reductions did, however, more reflect economic necessity than

strict military analysis. Furthermore, while this had great political significance, the verification and definition of actual military manpower levels (particularly in states with large paramilitary forces) are virtually impossible. Implementation proceeded slowly with widespread complaints by all about cheating and the costs associated with destruction. These efforts as well as the preceding negotiations also underscored some of the essential coordination difficulties based on the structure of the Dayton Accords that required cooperation between the OSCE, the European Union, and the UN. This caused a certain degree of friction between OSCE representatives that were involved in the verification of arms control agreements and IFOR who had intelligence and oversight of the forces remaining in Bosnia as previously mentioned.

All parties held a Review Conference in June 1998 following the verification of reductions. At this meeting the states parties declared the agreements successfully implemented and began discussions for an Article V mandate.<sup>31</sup> Article V prescribed that the OSCE should assist the parties to achieve the goal of "establishing a regional balance in and around the former Yugoslavia" and included states (i.e., Hungary and Romania) that had not been directly involved in the wars in Yugoslavia.<sup>17</sup> No agreement, however, was achieved due to the onset of hostilities in Kosovo and the desire by some Balkan states to eventually accede to CFE. With the impending entry into NATO of several states from the Balkans (including potentially Slovenia) and the possibility at least of the adapted CFE Treaty entering into force, American planners need to consider now whether or not they wish this region to be part of the CFE area of application. Should countries accede this would place additional restrictions on the size

of American forces that could operate in the Balkans and subject them to additional transparency measures.

Still arms control efforts in the Balkans may have established conditions at this point that make further political developments feasible. Clearly there can be no final resolution to the problems in Bosnia-Herzegovina as long as three separate armies (Croat, Republika Srpska, and Bosnian Muslim) remain on its territory. In the last few years external support to the Croat forces emanating from Zagreb and assistance by Belgrade to Srpskan forces have largely disappeared. The factional armies' capabilities continue to dissipate that makes not only their merger more feasible but also makes it more urgent as the residual Croat and Serb forces are overtaken by criminal activity.

#### **ARMS CONTROL DURING WAR AND CONFLICT RESOLUTION—KOSOVO AND BEYOND**

As the Kosovo war unfolded in the spring of 1999 conventional arms control demonstrated inherent value as well as potential problems and pitfalls. On 30 March 1999 Belarus requested clarification from the United States, Britain, France, and others about military operations in and around the former Yugoslavia consistent with Chapter 2 of the Vienna Document. These countries and the host states of Albania and Macedonia also provided required reports when NATO forces operating on their territory exceeded certain prescribed levels at the end of April. On 5 May Russia formally notified all OSCE members of its intention to send observers to Macedonia and subsequently Albania to view the activities of NATO forces in these two countries under Chapter 8 of the Vienna Document. This was accepted on 6 May by the government of the Former Yugoslav Republic of Macedonia, and

the inspections were conducted from 7 to 9 May. Inspections in Albania were conducted by Moscow from 16 to 19 May.<sup>32</sup>

NATO (largely at the insistence of the United States and SACEUR) severely restricted the area observers could enter in Macedonia. General Clark argued that he feared these observations would be a serious violation of NATO operational security. He believed that “Russian observers could report sensitive locations back to the Serbs, who could then use their long-range rocket systems to strike us inside Macedonia.”<sup>33</sup> Moscow formally demarched the NATO countries for this as a violation of the Vienna Document and argued that access had been so limited as to imply that the observation had in fact not occurred. The Macedonian observation also caused serious disagreements within NATO, as many European allies indicated their willingness to allow thorough observations. A German federal official publicly blamed the difficulties in Macedonia solely on the American military.<sup>34</sup> During the visit by Russian military observers in Albania it was clear that allied forces were directed to follow the instructions provided by their national capitals and comply with the provisions of the CSBMs as opposed to orders coming from SACEUR.

Russia also requested so-called “challenge inspections” of NATO airbases in Italy and Hungary in late May consistent with the provisions of the CFE Treaty. This included the NATO base at Aviano, Italy that was one of the primary facilities in mounting the air campaign against Belgrade. While this was difficult given the circumstances of an ongoing air offensive, NATO accepted these requests as legally binding under the treaty, and military officials complied appropriately. As NATO forces grew to exceed an additional threshold established under the Vienna Document the

Macedonian government invited all OSCE states to an observation of deployed forces on 7 June, and this was conducted from 5 to 8 July.

Clearly the role that conventional arms control played in the Kosovo crisis was mixed. In the case of the Vienna Document observations, it did not fully achieve its purpose of eliminating tensions with countries that were not immediately involved in a crisis. It also revealed serious disagreement between the United States and its allies over the role of arms control as part of cooperative security. In its aftermath American policy has changed to argue that Vienna Document reporting and observations do not apply during periods of “armed conflict.” Still application of this revised policy will remain subject to interpretation particularly by American allies absent a clear declaration of war or if applied to US forces in transit. These agreements also had no direct bearing on preventing the conflict between NATO and the FRY, since Belgrade was neither a signatory to CFE nor an active OSCE member at that time and, therefore, not susceptible to the Vienna Document. Still the transparency provided about the NATO operations in particular from the inspections in Italy and Hungary underscored the value of conventional arms control as a means to reassure neighboring states during a crisis and to reduce tensions.

At the conclusion of hostilities NATO forces conducted negotiations with leaders of the Kosovo Liberation Army (referred to as the “UCK”) on the disposition of their forces and equipment. The resulting agreement entitled “Undertaking of Demilitarization and Transformation of the UCK” was signed on 20 June 1999. Curiously, this agreement contained an arms control component. This was particularly unusual because not only did it continue the

tendency begun in Bosnia to use arms control as a part of the overall approach to conflict resolution, but the agreement was with a non-state actor, in this case the Kosovo Liberation Army.

The agreement required the UCK to establish secure weapons storage sites within seven days that would subsequently be registered and verified by KFOR. After thirty days the possession of an automatic weapon had to be approved by the KFOR commander. Otherwise having a weapon would be considered illegal, and they would be confiscated by KFOR. In the ensuing weeks KFOR took possession of over 11,000 weapons and significant quantities of ammunition, mines, and grenades as part of this agreement. Many of the weapons were old and in some cases unserviceable. KFOR troops also discovered that in some cases the retention of mines or explosives by Kosovar Albanians was more important, since they were the “weapon of choice” in order to intimidate remaining Serbs.

NATO officials remained skeptical that they had garnered the majority of the weaponry, and many were subsequently stored in the Presevo Valley by former members of the UCK. This region was immediately across the border in the demilitarized zone between KFOR and Serb forces. This resulted in continuous smuggling of weapons across the border by the Albanians, and fighting between Albanians and Serb forces or police. Consequently, KFOR commenced operations to enforce these arms control arrangements in order to reduce the possibility of renewed hostilities. By the spring of 2000 KFOR started conducting raids in order to seize large quantities of “illegal” weaponry from the Albanians as part of this effort.<sup>35</sup>

Most recently NATO undertook a mission in the Former Yugoslav Republic of Macedonia solely focused on arms control. Operation Essential Harvest was designed to collect over 3300 weapons from ethnic Albanian militants in Macedonia. This was part of an overall political settlement whereby the Macedonian government agreed in return to grant ethnic Albanians greater constitutional rights. The operation began on August 27, 2001 and was completed within the prescribed thirty-day period. NATO claimed it collected 3875 weapons including 33,210 assault rifles and a total of four tanks and armored personnel carriers. Allied troops also gathered 397,625 mines, explosives, and ammunition from rebel forces.<sup>36</sup> Seven hundred NATO troops remain in Macedonia to monitor the results of this operation and promote peace and stability. At this point, however, it is uncertain whether or not hostilities may recommence. Many experts believe that despite the fact that the operation exceeded its expectation, large quantities of arms remain in the hands of the Albanian population in the northwestern portion of the country.<sup>37</sup>

#### **CONCLUSIONS AND RECOMMENDATIONS**

**This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made under the Authority of the United States, shall be the supreme law of the Land....**

**--Article VI, The Constitution of the United States (emphasis added)**

This paper has focused on both real and potential tensions that exist between arms control and military operations now and in the future. Particularly in light of the advent of the war on terrorism and the fact that American military forces will likely be engaged in hostile action in several regions of the world in the coming years,

the question may in reality be much greater. There is no question that arms control will restrict military operations in size, character, or transparency. This is inherent in its very definition. As a result American military and political leaders must determine how to deal with existing agreements and what role arms control has as part of US national security strategy in this new security environment.

In managing existing agreements as a component of the current security architecture, certain realities cannot be ignored. First, as noted above, existing agreements must be adhered to until such time as the Congress or Executive abrogates American participation or negotiates appropriate adjustments. If the United States should do otherwise it could exacerbate real or imagined concerns about American “unilateralism,” undercut American credibility around the world, and complicate our relationships with friends and allies. If the United States determines after careful review that a treaty should be abrogated or changed markedly, it must initiate that process to include action by the Senate. Second, as part of that consideration it must be recognized that while focusing on the restrictions such measures enforce on American forces, these agreements also provide the United States a wealth of intelligence, mechanisms for crisis management, and in recent years even contributions to conflict resolution. Finally, in many cases these agreements are not “static” but are actually “dynamic.” As currently designed they will change or evolve in content or membership. For example, several states have argued for additions to the weapons restrained under the CFE Treaty, and the entry into force of the Open Skies Treaty has occurred under a totally different security climate than when it was first negotiated nearly a decade ago.

As American policymakers consider how to deal with existing arrangements and the current environment the following recommendations are appropriate:

- Arms control expertise must be more widely available, both in NATO and nationally, to ensure that such expertise can be deployed at all levels of military command. For example, USCENTCOM (currently involved in hostilities in Afghanistan) has no resident arms control expertise even though some of the agreements discussed here (i.e., Vienna Document and Open Skies) could affect ongoing operations.
- Advance generic planning should be undertaken by the US and all NATO allies to shorten the political decision-making process and ensure appropriate and timely execution of Vienna Document activities relating to any unusual build-up of NATO forces during periods of increased tension or crisis.
- The application of arms control responsibilities should be included in the scenarios of command post and field training exercises. Planners should either include an arms control annex to operations orders or integrate such considerations more carefully throughout the planning process.
- Compliance with arms control responsibilities needs higher visibility within the NATO and American military command. Commanders should not be surprised to learn that their planned operations may be affected. Military leaders must consider that compliance with legal obligations and political responsibilities is not incompatible with operational security and force protection requirements. In fact such efforts may assist in preventing conflict or limiting the scale of a conflict in terms of scale or number of participants.

- The Kosovo experience underscored the critical importance of JCS and OSD experts' participation in the interagency process. At the same time the level of experience in arms control issues particularly for military officers has atrophied in the past decade. This is further complicated by the rapid turnover of officers on the Joint Staff in comparison to their civilian counterparts in State and the intelligence community.
- There is a greater need for immediate military advice and expertise at State, CIA, and the National Security Council in order to assess quickly the impact of arms control inspections on current and planned military operations. Furthermore, careful examination should be made of potential changes to existing agreements as well as the full impact of the implementation of new treaties that may enter into force (i.e., Open Skies).

In determining the role for arms control in the emerging security environment a new paradigm may be in order. Traditional approaches to security that emphasize “collective defense” or “collective security” may now be inappropriate. Policymakers may wish to adopt an approach of “cooperative security” that seeks to introduce measures that reduce the risk of war, mitigate the consequences should conflict occur, and establish measures that assist in conflict resolution while forestalling reoccurrence. Such measures may not necessarily be directed against any specific state or coalition.<sup>38</sup>

Obviously, such an approach must remain consistent with agreed allied policy or seek to alter it. NATO members agreed in the new *Strategic Concept* that arms control continues to have “a major role in the achievement of the Alliance’s security and objectives in future.”<sup>39</sup> As this study has argued these efforts have

now shifted in Europe at least from challenging the status quo to "locking it in place." Corresponding deterrence strategies are less focused on deterring a specific adversary, and more concerned with deterring a "condition." They also seek to facilitate conflict resolution and the continued development of European security architecture. This evolution will undoubtedly include further refinement of the European security identity and its relationship to NATO in future.

Some might argue that this revised strategic concept is no longer relevant in light of the war on terrorism. In fact little if any reference is made to "terrorism" in this document. Still the ultimate determination of the role (if any) for arms control has longer-term strategic implications for the United States as it considers whether or not it must depend on multilateral approaches to conflict. As David Gompert and Dick Kugler have observed, "As long as we choose not to depend on Allies, we will fail to make joint preparations needed to ensure effective coalition operations." Furthermore, Eliot Cohen has noted that a smaller military, "will have to concede that some missions are simply too big for it to handle alone. Indeed, one of the chief strategic choices that the United States faces is that between unilateral and multilateral capabilities."<sup>40</sup> The frustrations that some American leaders ascribed to arms control activities during the Kosovo conflict were in reality irritation with the realities of fighting a war as an alliance.

The Alliance will, however, continue to confront issues of military sufficiency as both its purpose evolves, it accepts new members, and its relationships develop. As formal military threats to Europe decline some European policymakers could determine that American forces in Europe are less intended for Alliance

defense and more focused on power projection. As a result, Europeans may become less concerned about ebbing Russian military strength and more focused on limiting American operational flexibilities that they construe to be provocative. This “Gulliver syndrome” in Europe cannot be ignored, as some experts believe arms control may now have greater relevance in restraining the “hyper power” (a term used to refer to the United States) as opposed to the traditional attempt to restrain the Soviet Union. This can be seen in proposals to adjust existing agreements as well as consider new treaties on such things as information warfare.<sup>41</sup> The Alliance must also consider how arms control affects the expanded military requirements brought about by enlargement particularly if states such as those in the Baltic region are admitted to the Alliance and join the CFE regime.<sup>42</sup> Consequently, greater care must be taken to insure that arms control policy reflects a common view of cooperative security and does not portend divisions in the trans-Atlantic relationship.

Efforts to preserve and adapt conventional arrangements will continue to affect the nuclear relationship and the evolving role of Russia. The Russian Federation will likely continue to reduce its conventional forces consistent with available resources.<sup>43</sup> Some Russian leaders have argued that this growing conventional military vulnerability demands increased reliance on nuclear weapons.<sup>44</sup> The entry of new members into the NATO coupled with the commencement of the Kosovo conflict two weeks later simply underscored this perceived Russian weakness. Reports that Russia had moved tactical nuclear weapons to Kaliningrad (in violation of a 1991 commitment not to deploy such weapons to the Baltic region) could be in response to these events and reflect this change

in policy.<sup>45</sup> Conventional arms control could serve to reduce these concerns, forestall a corresponding greater reliance on nuclear weapons by Moscow, and encourage progress in other areas. These would be important issues to consider even if the attacks of September 11<sup>th</sup> had not occurred. In their aftermath conventional arms control may serve as part of a renewed effort to achieve a strategic relationship between America and Russia that de-emphasizes confrontation and finds new areas for cooperation.

The Balkan wars of the 1990's are sad reminders that Europe is not immune to conventional conflict despite nearly fifty years of peace following World War II. In Bosnia, Kosovo, and Macedonia arms control and disarmament efforts have made a positive contribution to stability. They can continue to assist in the resolution of future conflicts, forestall conflict reoccurrence, and contribute to crisis management. Consequently, such approaches should be considered in the aftermath of the regional conflicts that appear to be a logical result of the war on terrorism. They could also serve as a brake on future wars and help eventually to resolve others such as the ongoing struggle between Armenia and Azerbaijan in Nagorno-Karabakh. Due to the continued regionalization of conflict Western policymakers should also examine how the lessons learned from efforts in Europe could be applied appropriately in other regions (such as the Middle East, Korea, or South Asia) and encourage their use.<sup>46</sup>

Many noted historians have argued that the immediate cause of World War I in 1914 was the decision by European leaders to begin mobilizing their armies. This caused a chain reaction as potential adversaries reacted to avoid being vulnerable to attack. It is impossible to calculate whether arms control arrangements such as

those discussed might have provided sufficient restraint at these tense moments and precluded conflict. Still, arms control arrangements potentially offer transparency mechanisms, force limits, and reassurances that might serve to reduce tensions between potential protagonists during a crisis. Furthermore, should conflict occur such measures might serve to confine the conflict in terms of geography or weaponry, and contribute to post-conflict resolution. This is not an issue of altruism but rather the search for an appropriate balance that continues the use of arms control for these purposes within a security environment that has dramatically changed since September 11th.

This new conflict is unique in our nation's history in many ways. It is global in character and has uncertain objectives. The capture of a capital, destruction of an army or fleet, or occupation of specific territory will not define ultimate victory. American territory is directly threatened for the first time since the Civil War, and the risks are enormous due to the use of weapons of mass destruction. Consequently, our strategy for dealing with this conflict must be comprehensive in nature and integrate all of the tools available to a great power (military, economic, diplomatic, etc.) in a fashion that will be unprecedented. Arms control remains a tool in our diplomatic efforts that is in concert with our allies in this struggle and consistent with an approach of cooperative security.

#### NOTES

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<sup>2</sup> Joint Staff, *Joint Publication 1-02* (Washington: United States Joint Staff Headquarters, April 2001), 309.

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<sup>8</sup>Sherman Garnett, "The CFE Flank Agreement" (Washington: The Carnegie Endowment for International Peace, 1997), 1.

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<sup>12</sup>Office of the White House Press Secretary, "Adaptation of the Treaty on Conventional Armed Forces in Europe (CFE)," Istanbul, Turkey, 19 November 1999.

<sup>13</sup>Wayne Boese, "Russian Compliance with CFE Flank Limit in Doubt," *Arms Control Today*, July 1999, 46.

<sup>14</sup>Bill Gertz, "Russia Tells U.S. It Will Violate Arms Pact," *Washington Times*, 7 October 1999, A1.

<sup>15</sup>Office of the White House Press Secretary, "Statement by the President," The White House, Washington, DC, 19 November 1999.

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