CFE FLANK AGREEMENT: ENHANCING U.S. AND EUROPEAN SECURITY

By Walter B. Slocombe
Under Secretary of Defense for Policy

The Flank Agreement to the Conventional Armed Forces in Europe (CFE) Treaty went into effect in May 1997, shortly after the U.S. Senate approved it and President Clinton signed the resolution of ratification. The agreement retains the CFE limits on tanks, armored combat vehicles, and artillery in the Russian and Ukrainian flank zone, but applies them to a smaller area. The regions removed from the original flank zone will be subject to new constraints and additional verification and transparency measures. In this article, adapted from his April 1997 testimony before the Senate Foreign Relations Committee, Slocombe explores the impact of the Flank Agreement on the military security of the United States, its NATO allies, and its friends in the flank zone.

For those benefits to continue, the CFE Treaty must adjust to changes in Europe, particularly to the breakup of the Warsaw Pact and the dissolution of the Soviet Union. The CFE Treaty Flank Agreement is such an adjustment. It is an important part of the NATO position for adapting the CFE Treaty to broader changes in Europe, which include the enlargement of the alliance. The Flank Agreement will preserve the long-term benefits of the CFE Treaty and keep the adaptation process on track.

I would like to concentrate particularly on the impact of the CFE Flank Agreement and surrounding regions. It is the firm view of the Department of Defense that the Flank Agreement serves the military security interests of all those countries. Our security and theirs would be adversely affected without the Flank Agreement.

The flank region, one of four zones into which the CFE area of application is divided, covers Norway, Iceland, Turkey, Greece, Romania, Bulgaria, Moldova, Georgia, Azerbaijan, Armenia, and parts of Ukraine and Russia. The flank limits were established during the CFE Treaty negotiations primarily to address Norwegian and Turkish concerns that the withdrawal of Soviet forces from Central and Eastern Europe might result in a significant buildup of Soviet forces on or near their borders. The original flank limits allowed the Soviet Union to hold within the northern and southern parts of the flank zone up to 1,850 tanks, 2,775 artillery pieces and 1,800 armored combat vehicles (ACVs) in active units, and up to 1,000 tanks, 900 artillery pieces, and 800 ACVs in designated storage sites in specific parts of the flank region.

Approximately one year after the CFE Treaty was signed, the Soviet Union dissolved. In May 1992, before the treaty entered into force, the former Soviet states that succeeded to the CFE Treaty (Russia, Ukraine, Belarus, Kazakhstan, Moldova, Armenia, Azerbaijan and Georgia) signed the Tashkent Agreement, which divided the equipment entitlements of the Soviet Union. Under that agreement, Russian active units in the flank zone may hold no more than 700 tanks, 580 ACVs, and 1,280 artillery pieces. Russia was allocated another 600 tanks, 800 ACVs, and 400 artillery pieces in Designated Permanent Storage Sites in a specified part of the northern portion of the flank region. Ukrainian active units in the flank zone are limited to 280 tanks, 350 ACVs, and 390 artillery pieces, with another 400 tanks and 500 artillery pieces in Designated Permanent Storage Sites. Russia and Ukraine are the only CFE states whose Treaty-Limited Equipment is subject to geographic sub-limits within their national territory.

Thus, Russian and Ukrainian forces were left with far less flexibility in the flank region than had been given to the Soviet Union. Beginning in the fall of 1992, both states asked the other CFE parties for relief from the flank limits, which they felt were too restrictive.

Ukraine was particularly concerned about the economic burden of having to move TLE, relocate units from its flank zone, and build new infrastructure in the interior to receive them. Russia shared that concern, but its primary focus was on the need for a larger equipment entitlement in the flank -- especially ACVs -- given the instabilities in the North Caucasus Military District (e.g. Chechnya) and Caucasus states (Georgia, Armenia, and Azerbaijan).

As the United States and the other CFE parties considered the calls by Russia and Ukraine for relief from the flank limits, two security concerns were paramount in our thinking. First, and most important, was the need to retain the integrity of the CFE Treaty. The Russian military felt so strongly about the need for additional TLE in the flank zone that at various points their representatives threatened to urge Russian withdrawal from the treaty if their flank demands were not satisfied. An end to the CFE Treaty would have greatly affected the United States and our NATO allies by undermining a key element of the new European security situation. The Russian government's official position was that while Russia would implement all of CFE's other provisions in good faith, it would not be able to achieve compliance with the Article V (flank) obligations without jeopardizing its security. Indeed, Russia's overall compliance with its CFE obligations has been good. Russia fulfilled its overall notified CFE reduction obligations on schedule by November 1995. This involved the destruction or conversion to non-military use
of over 11,000 pieces of TLE, including tanks, artillery, ACVs, combat aircraft and a truck helicopters.

This Russian effort represented one-fifth of total CFE equipment destruction -- over 53,000 pieces of TLE by the 30 CFE states. Despite that record, allies believed that continued failure by Russia to meet flank obligations would have the effect of undermining the legitimacy of the flank regime as a whole, and possibly of the treaty itself. This could have very serious security implications for all members of the NATO alliance, especially our allies in the flank region.

The second major consideration was that any adjustment to the CFE flank arrangements must not adversely affect the security of any CFE state or of any other state near the Russian flank zone. The Russian flank limits did not affect the immediate military security of the United States or most of our NATO allies. However, they did have such an immediate effect on Turkey and Norway, and on friends in the region such as the Baltic states, Finland, Ukraine, Moldova, and the Caucasus states -- and thus an important, if indirect, effect on our security as well.

One Russian proposal during the flank negotiations -- to establish a CFE "exclusion zone" in the south -- was completely unacceptable from both perspectives. Suspending important provisions of the treaty in any part of the CFE area of application would be contrary to the need to preserve the integrity of the treaty as a whole. It also could potentially allow Russia to build up forces in the southern part of the flank that could threaten Turkey and the neighboring former Soviet states.

Concern for the military security of neighboring states also led us to reject proposals that could lead to unacceptably large TLE increases in either the southern or northern part of the Russian flank zone.

Finally, and very important, it was essential that any solution to the flank problem be consistent with treaty requirements regarding territorial sovereignty and host state consent to stationing of forces.

Resolution of the flank issue took over two years and the involvement of all CFE states. The United States undertook intense consultations with our NATO allies (especially Turkey and Norway), Russia, Ukraine, Moldova, Georgia, Armenia, Azerbaijan, and the other treaty partners to achieve resolution of this difficult issue. In addition, we consulted with interested non-treaty states, including the neutral Nordic and Baltic states. As we did throughout the original CFE negotiations, the NATO allies adopted common positions in the flank negotiations, which we presented to Russia, Ukraine, and the other CFE parties.

Consultations with particularly interested CFE parties took place both multilaterally, within the CFE Joint Consultative Group (JCG) in Vienna, among NATO allies in NATO's High Level Task Force on Arms Control, and bilaterally in capitals. Because of the specific military concerns involved, the Department of Defense worked actively with Ministry of Defense counterparts, particularly with interested parties such as Turkey, Norway, and Russia.

In September 1995, NATO tabled a proposal at the JCG to resolve the flank issue. The NATO proposal, on which the final Flank Agreement is based, consisted of several specific elements:

- maintenance of the treaty flank limits;
- removal of some defined areas from the Russian and Ukrainian flank zones, so that the treaty flank limits applied to a smaller region, and TLE movement was encouraged toward the interior;
- constraints on TLE in the areas removed from the flank zone, and additional transparency and verification measures in the "old" and "new" flank zones.

The JCG agreed in November 1995 on the outlines for a Flank Agreement, following those provided in the NATO proposal. Intensive consultations and negotiations followed in Vienna and in capitals, to conclude the details within that general outline. Final agreement was reached at the CFE Review Conference in May 1996.

Under the Flank Agreement, the following areas will no longer be part of the flank zone: Odessa oblast in Ukraine; Volgograd and Astrakhan oblasts in southern Russia; an eastern part of the Rostov oblast in southern Russia; Kushchevskaya repair facility in southern Russia and a narrow corridor in Krasnodar Kray leading to Kushchevskaya; and Pskov oblast in northern Russia.

Although those areas will not be subject to the flank limits, they remain constrained by the overall sub-zonal limits of the CFE Treaty.

In addition, sub-limits on ACVs are provided for Pskov (600), Astrakhan (552), Volgograd (552); and eastern Rostov (310). Finally, the Flank Agreement imposes overall constraints on the Russian "original flank" zone of 1,800 tanks, 3,700 ACVs, and 2,400 artillery pieces. These overall constraints will limit the flow of equipment from the revised flank area to the "original flank" zone.

Thus, Russian TLE holdings in the regions near Ukraine, the Caucasus, Turkey, the Baltic and Nordic states will be constrained. Furthermore, the Russian areas bordering the Black Sea (Krasnodar Kray, western Rostov oblast) and the Baltic Sea/Barents Sea (Leningrad Military District) remain part of the flank zone. Both those features of the Flank Agreement meet important security concerns of Turkey, Ukraine, the Baltic states, and the Nordic states.

Russia has until May 31, 1999 to bring its accountable holdings in the realigned flank zone into full compliance with the treaty's flank limits. However, the Flank Agreement requires that Russia not increase its TLE holdings in the original flank zone after May 31, 1996, under the provisional application of the agreement.
The Flank Agreement recognizes that Russia has the right to seek to increase its TLE allowed in the realigned flank zone through one or both of two mechanisms: reallocation of the Tashkent TLE quotas and use of the limited temporary deployments allowed under the treaty.

However, the agreement specifies that either outcome must be achieved by means of free negotiations and with full respect for the sovereignty of the states parties involved. These provisions in the Flank Agreement reinforce the provision in Article IV(5) of the treaty itself that, within the context of the CFE Treaty, a state party cannot station forces on the territory of another state party without its permission. Consequently, if a state party did so, it would be considered a violation of the treaty.

Finally, the Flank Agreement provides for additional transparency measures in the original flank zone, effective with provisional application. Ten supplementary declared site inspections may be conducted in the various areas removed from the flank zone. In addition, data required under the CFE Treaty information exchange provisions must be provided every six months for the original flank zone, rather than annually. For Kushchevskaya, periodicity is increased to every quarter.

Although the Flank Agreement gives Russia and Ukraine more flexibility in TLE deployments than they had before, it does not change the military balance in the northern or southern regions. Nor does it adversely affect the security situation or the sovereignty of Russia's smaller neighbors. Instead, the Flank Agreement advances the security of Russia's neighbors, the United States and all states within the CFE area of application by its central contribution to ensuring the continued viability of the CFE Treaty.

When the United States and the other CFE parties entered into the flank negotiations, we had several fundamental aims: retain the integrity and viability of the CFE Treaty; preserve the security interests of all states parties and regional non-participating states near Russia's flank region; and accommodate if possible the legitimate TLE needs of Russia and Ukraine in the flank zone. The Flank Agreement succeeded in meeting all those objectives. It gives Russia and Ukraine needed flexibility in their TLE deployments, but in a way that is limited in its geographic scope, numerically constrained, transparent, and consistent with their neighbors' security requirements. It ensures the continued viability of the flank regime, which is a matter of critical importance to our flank allies and friends in the region.

The Department of Defense firmly believes that the Flank Agreement is in the best security interest of the United States and of all of Europe.

### Conventional Armed Forces in Europe (CFE)

#### Current Troop/Equipment Levels and CFE Limits

(data as of 1 January 1997 from ACDA and the International Institute for Strategic Studies)

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