

TREATY ON CONVENTIONAL ARMED FORCES IN EUROPE (CFE TREATY)

Signed: 19 November 1990.

Entered into Force: 9 November 1992.

Duration: Unlimited.

Depositary: The Netherlands.

Number of States Parties: 30 — Armenia, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Czech Republic, Denmark, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Kazakhstan, Luxembourg, Moldova, the Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Spain, Turkey, Ukraine, United Kingdom, and United States.

Background: In 1973, the Mutual and Balanced Force Reduction Talks (MBFR) opened in Vienna between the United States, the USSR, and other [NATO](#) and Warsaw Pact members to reach an agreement on the reduction of troops and armaments in Central Europe, including the Benelux countries, East Germany, West Germany, Poland, and Czechoslovakia. The sides reached a preliminary agreement to reduce the number of ground troops to 700,000 on each side, and air force troops to 200,000. In the end, the talks did not come to fruition. In April-June 1986, the USSR and the Warsaw Pact called for Europe-wide reductions, after which in December 1986, NATO proposed to establish a new negotiating forum that would supersede the MBFR and discuss new Europe-wide reductions.

The Commission on Security and Cooperation in Europe (CSCE) meeting in Vienna (1986-1989) endorsed a mandate for negotiations on the level of conventional armed forces in Europe within the framework of the CSCE among the 23 participating States belonging to NATO and the Warsaw Treaty Organization (WTO). On 10 January 1989, NATO and the Warsaw Pact initialed a mandate on negotiations on conventional forces in Europe (CFE). On 2 February 1989, the MBFR talks were formally concluded, and on 9 March 1989, the CFE negotiations began. On 19 November 1990, the CFE Treaty was signed in Paris. The main objective of the Treaty was to reduce the possibility of a surprise armed attack and the triggering of major offensive operations in Europe.

On 15 May 1992, the States Parties signed the Tashkent Agreement on the Principles and

Procedures for the Implementation of the Treaty on Conventional Armed Forces in Europe, which redistributed the former USSR's equipment and strength targets among the signatories.

Main Provisions: Article IV (paragraph 1) of the Treaty established equal limitations on major armaments for NATO and the Warsaw Pact, including:

- 20,000 battle tanks (no more than 16,500 in active units),
- 30,000 armored combat vehicles (no more than 27,300 in active units), of which no more than 18,000 shall be armored infantry fighting vehicles and heavy armament combat vehicles, of which no more than 1,500 shall be heavy armament combat vehicles,
- 20,000 artillery pieces (17,000 in active units),
- 6,800 combat aircrafts, and
- 2,000 attack helicopters. (Article IV, Paragraph 1)

The CFE Treaty also provided for weapons systems not in active units to be placed in designated permanent storage sites (Article IV, paragraph 1). In addition, it required that no single State Party possess more than approximately one-third of the armaments within the area of application (Article VI), defined as “entire land territory of the States Parties in Europe from Atlantic Ocean to the Ural Mountains, including all the European island territories of the States Parties.” Within this overall area of application, the Treaty established sub-areas where the permitted numbers of armaments were subject to specific limitations (Articles IV and V). Such sub-zones, located at the northern and southern extremes of the area of application, where the two blocks came into contact, were subject to specific flank limits in order to substantially reduce the possibility of an encircling maneuver.

Article VII of the Treaty obligated each State Party to provide, upon signature, notification to all other States Parties of the maximum levels of their holdings of armaments and equipment subject to the Treaty's limitations. Each State Party is entitled to change the maximum levels of such holdings with 90-day advance notice, provided that the total number of armaments and equipment assigned to the

same “group of States Parties” (NATO or Warsaw Pact) does not exceed the limitations set by the Treaty.

Article VIII obligated the States Parties to achieve the Treaty limitations by means of reduction executed in three phases and completed no later than 40 months after entry into force of the Treaty. In addition, it required States to notify all other States Parties of the locations of its reduction sites. The reduction process includes destroying, converting for non-military purposes, placing on static display, using as ground targets, decommissioning, etc., and shall be subject to inspections, without right of refusal.

According to Article X, all armaments and equipment not in active units shall be kept in designated permanent storage sites. A State Party shall notify other States Parties about the location and content of such designated permanent storage sites.

Under Article VI, the Treaty established the Joint Consultative Group (JCG) in charge of dealing with the issues of compliance with the Treaty, including resolution of ambiguities and differences in interpretation, consideration of measures to enhance the viability and effectiveness of the Treaty, resolution of technical matters, and consideration of disputes arising out of the implementation of the Treaty.

Verification and Compliance: *Verification:* To ensure verification of compliance with the provisions of the Treaty, Article XIII obligated the States Parties to provide notifications and exchange information in accordance with the Protocol on Information Exchange, as well as gave them the right to conduct inspections and obligation to accept such inspections, in accordance with the Protocol on Inspection. The purpose of such inspections is to verify States Parties' compliance with the Treaty's limitations and monitor the process of reduction. Inspections fall into three categories: passive inspection quotas (inspections, which a State Party is obliged to receive within a specified time period at declared inspection sites), active inspection quotas (the total number of inspections each State is entitled to conduct within a specified time period), and passive challenge inspection quotas (inspections carried out anywhere on the territory of a State Party within an area of application other than a site otherwise subject to inspection). In addition, according to Article XV, the States Parties are entitled to use national and multinational technical means (NTM and MTM) to ensure verification of compliance with the provisions of the Treaty. The use of concealment measures that impede verification by means of NTM and MTM is prohibited. *Compliance:* The Joint Consultative

Group, established by the Treaty, considers disputes arising out of the implementation of this Treaty, and is the body to which claims of non-compliance may be addressed.

Review Conference: The Treaty provides for the convening of a review conference 46 months after its entry into force and at five-year intervals thereafter.

CFE-1A Agreement:

In accordance with Article XVIII of the CFE Treaty, to continue the negotiations on conventional armed forces with the goal of building on the CFE Treaty, on 10 July 1992, in Helsinki, the States Parties to the CFE Treaty signed the “Concluding Act of the Negotiation on Personnel Strength of Conventional Armed Forces in Europe” (CFE-1A Agreement).

The CFE-1A Agreement established limits on the level of military personnel, with the exception of sea-based naval forces, internal security forces, and forces under the UN command. The States Parties are entitled to reduce or increase their national personnel limits with prior notification to all other States Parties. In the case of an increase, the State Party must provide an explanation of the reasons for such a revision, while other States Parties are entitled to raise objections and request that an extraordinary conference be convened. As in the case of the CFE Treaty, the States Parties undertook to comply with the established targets within a time limit of 40 months after the entry into force of the Agreement.

Verification: The Agreement provided for exchanges of information with respect to personnel strength, notifications on increases or decreases in personnel strength, and inspections to verify compliance with the agreed numerical limitations.

The CFE-1A Agreement came into force on 9 November 1992. Unlike the CFE Treaty, the CFE-1A Agreement is a politically binding instrument and, therefore, needed no ratification.

The Adapted CFE Treaty:

Following the disintegration of the Warsaw Pact and the emergence of new parties to the Treaty, it became necessary to revise the CFE Treaty. At the May 1996 Review Conference of the Treaty, the States Parties decided to improve the operation of the Treaty within the changing security environment.

The Agreement on the Adaptation of the CFE Treaty was signed in Istanbul on 19 November 1999. The

Agreement established national and territorial ceilings on conventional armaments and equipment, instead of the original block limitations, and allowed States Parties to temporarily exceed the established limits in case of military exercises and temporary deployments. (The word “temporary” was not defined, but notification was required for exceeding the territorial ceilings.) The Agreement provided for the equality of the national and territorial ceilings for States Parties, i.e., requiring a State Party's own conventional armaments and equipment on its territory to be lower than its national ceilings if that State wanted to host foreign-stationed forces. The Agreement exempted conventional armaments and equipment present on the territory of a State Party for an operation in support of peace conducted under and consistent with a resolution or a decision of the [United Nations Security Council \(UNSC\)](#) or the [Organization for Security and Cooperation in Europe \(OSCE\)](#) from that State Party's territorial ceiling or territorial sub-ceiling.

Verification: States Parties were required to allow inspections of 20 percent of their “objects of verification” (military units down to the regiment level, and storage, repair, and reduction sites), provide annual and quarterly reports on the locations of armaments and equipment, and provide notifications of changes in national holdings.

The States Parties examined the operation of the Treaty to date, identified implementation concerns and areas for future work, and reaffirmed that the Treaty would remain fully in effect, except those provisions amended by the Adaptation Agreement upon its entry into force.

Review Conferences:

The First Review Conference of the Treaty was held in Vienna from 15-31 May 1996. The States Parties adopted a Flank Document, which among other things, changed sub-limits of armaments and equipment for flank zones in Russia and Ukraine. The Document shrank the flank zones, raised the limits, and extended the time limit for meeting the new limitations. The Flank Document entered into force on 15 May 1997.

The States Parties also decided to improve the operation of the Treaty within the new security environment. They eliminated block ceilings and introduced explicit national ceilings, including new equipment categories, lower ceilings, etc.

The Second Review Conference of the Treaty took place from 28 May-1 June 2001 in Vienna. The participants reaffirmed the Treaty's central role in European security and called on Russia to comply with the aspects of the Treaty related to the flank area, as well as to its commitments under the 1999 CFE Final Act.