

## 8. Conventional arms control

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### I. Introduction

Three major factors determined the status of conventional arms control in Europe in 2000. First, the breakthrough developments of 1999—the signing of the Agreement on Adaptation of the Treaty on Conventional Armed Forces in Europe (Agreement on Adaptation) and the Vienna Document 1999 of the Negotiations on Confidence- and Security-Building Measures in Europe—closed the important chapter in the adaptation of the main conventional arms control regimes of the Organization for Security and Co-operation in Europe (OSCE) to the current security environment. Second, ratification of the Agreement on Adaptation was virtually deadlocked (with the notable exceptions of ratifications by Belarus and Ukraine) over Russia's non-compliance in Chechnya with the 1990 Treaty on Conventional Armed Forces in Europe (CFE Treaty). In 2000 there was also concern regarding Russia's fulfilment of its pledge to withdraw its armed forces from Georgia and Moldova. The third factor was Balkan security: events in the Federal Republic of Yugoslavia (FRY) in the spring and summer of 2000 frustrated the regional arms control efforts in the Balkans. However, the defeat of President Slobodan Milosevic in the autumn election offered new hope for renewed cooperation and a change in both the subregional (the former Yugoslavia) and regional (South-East European) contexts. As in previous years, the entry into force of the 1992 Treaty on Open Skies was blocked because Belarus and Russia failed to ratify it. Outside Europe, modest steps were taken to create confidence and security in interstate relations.

This chapter describes the major issues and developments relating to conventional arms control in 2000. Section II deals with critical aspects of the implementation of the CFE Treaty. Section III addresses OSCE initiatives in conventional arms control, including control of the spread of small arms and light weapons. Regional arms control efforts in Europe are discussed in section IV. The status of the Open Skies Treaty is briefly reviewed in section V. Section VI reports on conventional arms control-related developments outside Europe, and the arms control-related developments regarding the prohibition on landmines are reviewed in section VII. Section VIII presents the conclusions. Appendix 8A examines developments in the field of European confidence- and security-building measures (CSBMs) and implementation of the Vienna Documents 1994 and 1999. Appendix 8B contains the OSCE Document on Small Arms and Light Weapons.

**Table 8.1.** CFE ceilings and holdings, as of 1 January 2000

State <sup>a</sup>	Tanks		Armoured combat vehicles		Artillery		Aircraft		Helicopters	
	Ceilings	Holdings	Ceilings	Holdings	Ceilings	Holdings	Ceilings	Holdings	Ceilings	Holdings
Armenia	220	102	220	204	285	229	100	6	50	7
Azerbaijan <sup>b</sup>	220	220	220	210	285	282	100	48	50	15
Belarus	1 800	1 724	2 600	2 478	1 615	1 465	294	224	80	60
Belgium	334	140	1 005	569	320	242	232	135	4	46
Bulgaria	1 475	1 475	2 000	1 964	1 750	1 750	235	232	67	43
Canada	77	0	263	0	32	0	90	0	13	0
Czech Republic	957	792	1 367	1 211	767	740	230	110	50	34
Denmark	353	228	336	273	471	503	106	68	18	12
France	1 306	1 234	3 820	3 491	1 292	895	800	588	374	298
Georgia	220	79	220	113	285	109	100	7	50	3
Germany	4 069	2 738	3 281	2 415	2 445	2 103	900	517	280	204
Greece	1 735	1 735	2 498	2 286	1 920	1 894	650	525	65	20
Hungary	835	807	1 700	1 439	840	839	180	107	108	51
Italy	1 348	1 301	3 339	2 831	1 955	1 390	650	533	142	134
Kazakhstan	50	0	200	0	100	0	20	0	20	0
Moldova	210	0	210	209	250	153	50	0	50	0
Netherlands	743	348	1 080	671	607	397	230	160	50	14
Norway	170	170	275	218	491	189	100	73	24	0
Poland	1 730	1 674	2 150	1 437	1 610	1 554	460	271	130	107
Portugal	300	187	430	330	450	363	160	101	26	0
Romania	1 375	1 373	2 100	2 100	1 475	1 441	430	360	120	16
Russia <sup>c</sup>	6 350	5 275	11 280	9 545	6 315	6 159	3 416	2 733	855	741
Slovakia	478	275	683	622	383	383	100	82	40	19
Spain	891	681	2 047	976	1 370	1 118	310	204	80	28
Turkey	2 795	2 464	3 120	2 616	3 523	2 883	750	359	130	25
Ukraine <sup>c</sup>	4 080	3 939	5 050	4 860	4 040	3 720	1 090	911	330	247
UK	1 015	584	3 176	2 330	636	424	900	520	356	243
USA	4 006	793	5 152	1 572	2 742	345	784	233	396	136

<sup>a</sup> Iceland and Luxembourg had no treaty-limited equipment (TLE) in the Atlantic-to-the-Urals zone. <sup>b</sup> 100 tanks and 100 armoured combat vehicles awaiting export (cascading). <sup>c</sup> Black Sea Fleet TLE is not included.

Source: Joint Consultative Group (JCG), Group on Treaty Operation and Implementation, JCG document JCG.TOI/4/00, 23 May 2000.

## II. Conventional arms control in Europe: the CFE Treaty

The 1990 CFE Treaty set equal ceilings within its Atlantic-to-the-Urals (ATTU) application zone on the major categories of heavy conventional armaments and equipment of the groups of states parties—originally the members of the North Atlantic Treaty Organization (NATO) and the Warsaw Treaty Organization (WTO). There are now 30 parties to the CFE Treaty.<sup>1</sup> The main reduction of excess treaty-limited equipment (TLE) was carried out in three phases from 1992 to 1995. By 1 January 2000 some 51 500 pieces of conventional armaments and equipment within the ATTU zone had been scrapped or converted to civilian use by the parties, with many parties reducing their holdings to lower levels than required. Data on CFE ceilings and holdings in the treaty application zone as of 1 January 2000 are presented in table 8.1.

On 19 November 1999 the Agreement on Adaptation of the CFE Treaty was signed by the parties at the OSCE summit meeting in Istanbul.<sup>2</sup> It introduced a new regime of arms control based on national and territorial ceilings, codified in the agreement's protocols as binding limits, and opened the treaty to other OSCE states. By the end of 2000 the agreement had not entered into force, mainly because of the refusal of the NATO states and other states to ratify it in the face of Russia's continuing violation in Chechnya of the provisions of the CFE Treaty. Only two parties ratified the Agreement on Adaptation in 2000: Belarus, on 18 July, and Ukraine, on 21 September. The 1990 CFE Treaty and the associated documents and decisions therefore continue to be binding on all parties.

### Treaty operation and implementation issues

The Joint Consultative Group (JCG)—established to monitor implementation, resolve issues arising from implementation, and consider measures to enhance the viability and effectiveness of the CFE Treaty—continued to scrutinize the operation and implementation of the treaty in 2000.<sup>3</sup>

In 2000, as in 1999, there was an unresolved discrepancy of 1970 TLE items between actual levels and the aggregate amount of TLE that the eight former Soviet republics were committed to destroy or convert based on Soviet data at the signature of the CFE Treaty in 1990. Most of the unaccounted-for TLE is believed to be derelict or not under government control (i.e., in the hands of rebels) in the Caucasian states.

<sup>1</sup> The parties to the CFE Treaty are listed in annexe A in this volume. For discussion of conventional arms control in Europe before 1999, see the relevant chapters in previous editions of the SIPRI Yearbook. For the text of the CFE Treaty and Protocols, see Koulik, S. and Kokoski, R., SIPRI, *Conventional Arms Control: Perspectives on Verification* (Oxford University Press: Oxford, 1994), pp. 211–76; and the OSCE Internet site at URL <<http://www.osce.org/docs/english/1990-1999/cfe/cfetreat.htm>>.

<sup>2</sup> For the text of the Agreement on Adaptation, see *SIPRI Yearbook 2000: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2000), pp. 627–42.

<sup>3</sup> Although it has not yet entered into force, the Agreement on Adaptation, particularly its flank-related sections, is the main point of reference in the JCG talks.

**Table 8.2.** Reductions of treaty-limited equipment belonging to naval infantry and coastal defence forces required by the legally binding Soviet pledge of 14 June 1991, as of April 2000

Numbers in parentheses indicate the percentage of liabilities reduced.

State/area	Tanks	ACVs <sup>a</sup>	Artillery	Total
<i>Liabilities of</i>				
Russia				
Outside ATTU <sup>b</sup> area	331	488	436	<b>1 255</b>
Inside ATTU area	331	488	436	<b>1 255</b>
Ukraine/Russia	158/113	369/380	152/56	<b>679/549</b>
Subtotal in ATTU area	602	1 237	644	<b>2 483</b>
<b>Total</b>	<b>933</b>	<b>1 725</b>	<b>1 080</b>	<b>3 738</b>
<i>Reductions by</i>				
Russia				
Outside ATTU area	331	488	436	<b>1 255</b>
Inside ATTU area	331	488	436	<b>1 255</b>
Ukraine <sup>c</sup> /Russia	113 <sup>d</sup>	380 <sup>d</sup>	56 <sup>e</sup>	<b>549<sup>d,e</sup></b>
Subtotal in ATTU area	444 (73.8)	868 (70.2)	492 (76.4)	<b>1 804 (72.7)</b>
<b>Total</b>	<b>775 (83.1)</b>	<b>1 356 (78.2)</b>	<b>928 (85.9)</b>	<b>3 059 (81.8)</b>

<sup>a</sup> Armoured combat vehicles.<sup>b</sup> Atlantic-to-the-Urals.<sup>c</sup> Because the numbers of Ukrainian naval infantry and coastal defence TLE items are covered by the national overall holdings not exceeding its maximum national level for holdings, the reduction norms for Ukraine amount to zero.<sup>d</sup> To be reduced not later than 25 May 1999.<sup>e</sup> To be reduced not later than 13 Aug. 1999.*Source:* Consolidated matrix on the basis of data available as of 1 Jan. 2000 and updated on 1 Apr. 2000, Joint Consultative Group document JCG.TOI/4/00, 23 May 2000.

Since 31 May 1999 Russia has been in breach of the 1996 Flank Document.<sup>4</sup> Its holdings of TLE in the flank zone exceed the allowed limits, especially in armoured combat vehicles (ACVs).

By April 2000 Russia had reduced 82 per cent of its liabilities in its naval infantry and coastal defence forces under the legally binding Soviet pledge of 14 June 1991 (see table 8.2).<sup>5</sup> At the end of 2000 Russia stated that it had completed the destruction or conversion of this TLE. It is not clear whether Russia has fulfilled its commitment totally. Various 'number games' (e.g., dissolving and forming new units and related subordination of TLE) have obfuscated rather than clarified the situation.

<sup>4</sup> Final Document of the First Conference to Review the Operation of the Treaty on Conventional Armed Forces in Europe and the Concluding Act of the Negotiation on Personnel Strength, Vienna, 31 May 1996, Annex A: Document agreed among the States Parties to the Treaty on Conventional Armed Forces in Europe of 19 November 1990 (Flank Document), reproduced in *SIPRI Yearbook 1997: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 1997), pp. 511–17.

<sup>5</sup> The pledge settled the issue of the 3 Soviet divisions, which had been resubordinated to naval infantry and coastal defences forces with the aim of excluding them from the CFE regime.

**Table 8.3.** Destruction or conversion of Russian conventional armaments and equipment beyond the Urals to civilian use, as of April 2000

Numbers in parentheses are percentages of liabilities reduced.

Area	Tanks	ACVs <sup>a</sup>	Artillery	Total
<i>Liabilities</i>				
Beyond the Urals	6 000	1 500	7 000	<b>14 500</b>
Naval infantry/ coastal defence	331	488	436	<b>1 255</b>
<i>Reductions</i>				
Beyond the Urals	3 702 <sup>b</sup> (61.7)	2 574 (171.6)	7 000 (100.0)	<b>13 276 (91.6)</b>
Naval infantry/ coastal defence	331 (100.0)	488 (100.0)	436 (100.0)	<b>1 255 (100.0)</b>

<sup>a</sup> Armoured combat vehicles.

<sup>b</sup> Under para. 3 of Annex E to the Final Document of the First CFE Review Conference in 1996, an additional 1074 battle tanks in excess of these 3702 should be deemed destroyed or rendered militarily unusable as a result of applying methods referred to in para. 1 of Annex E to 1074 ACVs in excess of the quota of 1500. CFE, Final Document of the First Conference to Review the Operation of the Treaty on Conventional Armed Forces in Europe and the Concluding Act of the Negotiation on Personnel Strength, Vienna, 15–31 May 1996, CFE-TRC/DG.2 Rev. 5, 31 May 1996, Annex E: Statement of the representative of the Russian Federation to the Treaty on Conventional Armed Forces in Europe. The annex is reproduced in *SIPRI Yearbook 1997: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 1997), pp. 515–17.

*Source:* Consolidated matrix on the basis of data available as of 1 Jan. 2000 and updated on 1 Apr. 2000, Joint Consultative Group document JCG.TOI/4/00, 23 May 2000.

Under another political commitment made on 14 June 1991 Russia declared that, by the spring of 2000, it had reduced 92 per cent of the total liability of 15 755 items (table 8.3) which were inherited from the former Soviet Union outside the ATTU zone.<sup>6</sup> At the end of 2000 Russia claimed that it had fulfilled its pledge and notified the JCG that the destruction or conversion of additional TLE had been completed. Under Annex E of the 1996 Final Document Russia could substitute up to 2300 ACVs for tanks. The exact number of ACVs substituted for tanks was not given by Russia. Annex E also calls on Russia to eventually destroy the number of tanks equal to the number of ACVs that have been substituted. The Russian delegation to the JCG confirmed that the destruction is being carried out.

The movement of equipment ‘temporarily deployed’ from beyond the Urals to the area of application without due transparency compounded the problem of compliance and caused other parties to question Russia’s calculations. A major difficulty is that Russia structures its information as if the provisions of the Agreement on Adaptation (the higher limits) that would be more advantageous for Russia were in force. At the same time it chooses not to fully abide by

<sup>6</sup> The political statement by the Soviet representative in the JCG on 14 June 1991 resolved the issue of massive relocations of TLE in 1989–90. The USSR undertook to destroy or convert to civilian equipment 14 500 TLE by 1995; in 1996 the deadline was extended until the end of 2000.

the transparency measures which apply and are stricter than those contained in the CFE Treaty. In effect, the data provided by Russia do not accurately depict the true situation regarding the flank issues or the issue of overall Russian holdings.

The JCG Group on Treaty Operation and Implementation dealt with various substantive and technical concerns related to specific aspects of CFE implementation with a view to resolving them in the run-up to the CFE Review Conference in 2001.<sup>7</sup> In addition, issues were addressed related to the Agreement on Adaptation, including the distribution of inspection costs and establishing 96 separate notification formats that will be required to implement the agreement.<sup>8</sup>

In 2000, in a swap between the Netherlands and Luxembourg, the latter increased its maximum national level for holdings in ACVs by 40 (with the Dutch ACV entitlement reduced by the same number).

### *The conflict in Chechnya*

In 2000 greater numbers of Russian armed forces remained in Chechnya than is allowed by the CFE Treaty's flank limitations. However, Russia claims to be generally in compliance with the overall TLE limits.<sup>9</sup> In the autumn of 1999 Russia stated that it fielded nearly 200 battle tanks, 2150 ACVs and 300 artillery pieces in excess of the sub-ceilings in the Flank Document.<sup>10</sup> Since then the excess armaments in Chechnya have been gradually reduced. By the end of 2000 the notified excess of Russian TLE in the flank area had decreased to 27 tanks, 650 ACVs and 66 artillery pieces as against the parameters of the Agreement on Adaptation (table 8.4).

The Final Communiqué of the 1999 Brussels meeting of the NATO foreign ministers stressed their concern about continued Russian non-compliance with the flank limitations. However, it welcomed Russia's pledge to comply with all the provisions and commitments of the CFE Treaty 'as soon as possible' in order to provide maximum transparency regarding Russian forces in the North Caucasus (in accordance with both the CFE Treaty and the Vienna Document 1999) and Russia's assurances that its non-compliance with the Article V flank limits would be of a temporary nature.<sup>11</sup> In May 2000 the NATO foreign ministers stated that they were engaged in preparing for the implementation of

<sup>7</sup> Review conferences are held every 5 years. The first was held in 1996; the second will be held in May 2001.

<sup>8</sup> The CFE adaptation process resulted in additional inspections equal to 25% of the passive declared site inspection quota of the states, which are to be conducted at the expense of the inspecting state. It had been on the insistence of Russia during the adaptation negotiations that it was agreed that the so-called 'paid' inspections would not result in increased costs for the inspected state.

<sup>9</sup> Because of the above-mentioned accounting practices in Russian notifications, other delegations in the JCG have questioned Russia's full compliance with all its national limits.

<sup>10</sup> Hagemann, G.-H., 'Konventionelle Rüstungskontrolle' [Conventional arms control], *Europäische Sicherheit*, no. 2, vol. 49 (Feb. 2000), p. 43.

<sup>11</sup> NATO Press Release M-NAC2(99)166, Final Communiqué, Ministerial Meeting of the North Atlantic Council held at NATO Headquarters, Brussels, on 15 Dec. 1999, URL <<http://www.nato.int/docu/pr/1999/p99-166e.htm>>.

**Table 8.4.** Russian entitlements and holdings in the flank zone

	Tanks	ACVs	Artillery
<i>1996 Flank Document</i>			
In original flank zone (as of 31 May 1999)	1 800	3 700 <sup>a</sup>	2 400
In revised flank zone <sup>b</sup> (as of 31 May 1999)	1 300	1 380	1 680
<i>1999 Agreement on Adaptation</i>			
Territorial sub-limits for revised flank zone <sup>b</sup>	1 300	2 140	1 680
Holdings in revised flank zone			
Oct. 1999	1 493	3 543	1 985
July 2000	1 442	3 017	1 857
Nov. 2000	1 327	2 790	1 746

<sup>a</sup> No more than 552 located within the Astrakhan and Volgograd *oblasts* (regions), respectively; no more than 310 within the eastern part of the Rostov *oblast* (as described in note *b*); and no more than 600 within the Pskov *oblast*.

<sup>b</sup> In the Leningrad military district (MD), excluding the Pskov *oblast*; and in the North Caucasus MD, excluding: the Volgograd *oblast*; the Astrakhan *oblast*; that part of the Rostov *oblast* east of the line extending from Kushchevskaya to the Volgodonsk *oblast* border, including Volgodonsk; and Kushchevskaya and a narrow corridor in Krasnodar *krai* (territory) leading to Kushchevskaya.

the Agreement on Adaptation but reiterated that its entry into force would be possible only when all parties were in compliance with the agreed armaments levels.<sup>12</sup>

During the year the Russian delegation to the JCG repeatedly confirmed the commitment to pursue the goal of scaling down the TLE in the flank to the limits agreed at the OSCE summit meeting in Istanbul.

In March 2000 Russian Acting President Vladimir Putin promised a gradual pull-out of troops from Chechnya to comply with the CFE limits. In a gesture of goodwill in the context of the Vienna Document, Russia carried out an observation visit in June for representatives of the OSCE participating states to the North Caucasus region.<sup>13</sup> On 22 January 2001 President Putin announced a plan to cut Russia's armed forces in Chechnya to a 15 000-man army division and 7000 internal security troops. No timetables or amount of equipment to be reduced were provided.<sup>14</sup>

On the tenth anniversary of the signing of the CFE Treaty Putin—referring, among other things, to the alleged understanding of the other parties for Russia's measures to meet its flank difficulties—announced that the Agreement on Adaptation would soon be submitted to the State Duma for ratifica-

<sup>12</sup> US Secretary of State Madeleine Albright reaffirmed that: 'This remains a prerequisite to ratification of the adapted treaty by NATO members'. US Department of State, 'Albright statement at meeting of NATO–Russia Permanent Joint Council', *Washington File*, 24 May 2000, URL <<http://secretary.state.gov/www/statements/2000/000524b.html>>; and NATO Press Release NAC-1(2000)052, Final Communiqué, Ministerial Meeting of the North Atlantic Council held in Florence, on 24 May 2000, URL <<http://www.nato.int/docu/pr/2000/p00-052e.htm>>.

<sup>13</sup> See also appendix 8A in this volume.

<sup>14</sup> 'Putin scaling down war despite new fighting', *New York Times* (Internet edn), 23 Jan. 2001, URL <<http://www.nytimes.com/2001/01/23/world/23RUSS.html>>.



tion.<sup>15</sup> The NATO states welcomed Putin's reaffirmation of Russia's commitment to its treaty obligations but urged concrete action consistent with that assurance, especially with regard to flank non-compliance.<sup>16</sup>

### *Withdrawal of Russian TLE from Georgia*

In late 1999 Russia was under strong political pressure from Georgia and Moldova to demonstrate flexibility and goodwill with regard to respect for their sovereignty, Russian military troops, bases and equipment on their territory and the reallocation of equipment quotas under the 1992 Tashkent Agreement.<sup>17</sup>

In the wake of difficult negotiations between Georgia and Russia in 1999, Russia pledged that it would reduce the levels of its heavy ground weapons on Georgian territory to the equivalent of a brigade by the end of 2000.<sup>18</sup> (The basic temporary deployment is 153 tanks, 241 ACVs and 140 artillery pieces.) The reductions would fulfil the terms of the Georgian–Russian accord that was appended to the 1999 Final Act of the Conference of the State Parties to the CFE Treaty.<sup>19</sup> The Russian TLE located at the Vaziani and Gudauta bases are scheduled to be removed, and the repair facilities in Tbilisi and the bases are to be closed by 1 July 2001. Georgia agreed that Russia could temporarily deploy TLE at the Batumi and Akhalkalaki bases. The specific terms of the accord and of the reduction and withdrawal of Russian forces from Georgia were negotiated throughout 2000 by a Georgian–Russian commission.

The withdrawal of Russian troops did not begin until August 2000. Russia suggested that part of the Vaziani base be excluded from the withdrawal accord and that the airfield at Vaziani be used to resupply the bases in Batumi and Akhalkalaki. Initially, Georgia rejected the Russian proposal, but later it consented to Russian use of the airfield until its military withdrawal is completed. Russia also sought to turn over the Gudauta base to the Commonwealth of Independent States (CIS) peacekeeping force, which is de facto Russian, but Georgia rejected the idea. Even if Russia complies with its commitments, it would be difficult for Georgia to regain use of the Gudauta base because

<sup>15</sup> Putin stated: 'The Russian side highly appreciates the understanding of the measures we had to take to oppose a large-scale terrorist aggression, measures which led us to exceed flank limits'. Statement of the President of the Russian Federation, Moscow, the Kremlin, 19 Nov. 2000. Russian delegates to the JCG stated that the agreement would be submitted to the Duma in early 2001.

<sup>16</sup> NATO Press Release M-NAC-2(2000)124, Final Communiqué, Ministerial Meeting of the North Atlantic Council held at NATO Headquarters, Brussels, on 14 and 15 Dec. 2000, URL <<http://www.nato.int/docu/pr/2000/p00-124e.htm>>.

<sup>17</sup> The 1992 Tashkent Agreement on the Principles and Procedures for Implementing the Treaty on Conventional Armed Forces in Europe was signed by the former Soviet republics (except the Baltic states) with territories in the ATTU zone. It established the division of the former Soviet CFE Treaty obligations and entitlements. The agreement is reproduced in *SIPRI Yearbook 1993: World Armaments and Disarmament* (Oxford University Press: Oxford, 1993), pp. 672–77.

<sup>18</sup> The negotiations are discussed in Lachowski, Z., 'Conventional arms control', *SIPRI Yearbook 2000* (note 2), pp. 584–85.

<sup>19</sup> OSCE, Final Act of the Conference of the States Parties to the Treaty on Conventional Armed Forces in Europe, Annex 14, Joint Statement of the Russian Federation and Georgia, Istanbul, 17 Nov. 1999. The Final Act is reproduced in appendix 10B in *SIPRI Yearbook 2000* (note 2), pp. 645–46.



Abkhazian separatists control the region.<sup>20</sup> It was only in November that a French-led multinational team managed to carry out an inspection of the base.

In July the USA offered \$10 million in financial assistance to Georgia and Russia to facilitate the withdrawal of Russian armed forces. The United Kingdom also pledged some \$148 000 for such efforts. On 23 August the OSCE formally established a voluntary fund to help Russia complete the pull-out.

Under an agreement reached in late July, Moscow promised to begin withdrawal of its equipment by 1 August 2000. The pull-out commenced on 4 August when some armaments were transported via Batumi to the ports of Novorossiysk and Tuapse. In the autumn of 2000 it was reported that Russian equipment was being transported to Armenia.<sup>21</sup> At that time, despite Georgian insistence that all Russian forces should be withdrawn by the end of 2002, Russia proposed that the TLE at Batumi and Akhalkalaki remain there for 15 to 25 years in exchange for Russian military assistance.

In December it was announced that the Georgian–Russian commission on the closure of the military bases in Georgia had failed to reach agreement on a timetable and the terms for the closure of the Russian bases in Batumi and Akhalkalaki. Georgian Foreign Minister Irakli Menagharishvili stated on 24 December that Georgia had rejected a Russian proposal not to close those bases for 15 years.<sup>22</sup>

At the end of the year Russia accelerated the pace of the pull-out. On 11 December Russia began withdrawal of its TLE and by the end of 2000 it had completed the scheduled reductions (i.e., 35 tanks, 313 ACVs and 27 artillery pieces were removed). Russia also destroyed an additional 24 tanks, 90 ACVs and 2 artillery pieces. The future use of the Vaziani and Gudauta bases remained unresolved, as did the issues concerning the long-term presence of Russian armed forces in Batumi and Akhalkalaki.<sup>23</sup>

### *The issue of Russian TLE in Moldova*

Under its 1994 constitution, Moldova is permanently neutral and in principle refuses to host foreign forces on its territory. However, the 1994 agreement

<sup>20</sup> 'Russian withdrawal from Georgian bases in doubt', *Jane's Intelligence Review*, Sep. 2000, p. 4.

<sup>21</sup> Russia confirmed that, on 20 Oct. 2000, 76 ACVs were sent from Akhalkalaki to the Gyumri base in Armenia. ITAR-TASS (Moscow), 3 Nov. 2000, Foreign Broadcast Information Service, *Daily Report—Central Eurasia (FBIS-SOV)*, in 'Russian hardware moved from Georgia to Armenia', FBIS-SOV-2000-1103, 3 Nov. 2000. Azerbaijan alleged that part of the Russian equipment from Akhalkalaki—including 20 tanks, 60 armoured infantry fighting vehicles (AIFVs) and 25 armoured personnel carriers (APCs)—was being redeployed to Nagorny-Karabakh. Yerevan Snark, 8 Nov. 2000, in 'Armenians say Azeri reports on Russian arms for Karabakh are "provocation"', FBIS-SOV-2000-1108, 8 Nov. 2000. However, Putin stated that the equipment had been moved to a Russian military base. ITAR-TASS (Moscow), 9 Jan. 2001, in 'Putin says materiel moved to Armenia from Georgia strictly under control', FBIS-SOV-2001-0109, 9 Jan. 2001.

<sup>22</sup> However, Russian Deputy Prime Minister Ilya Klebanov was reported as saying that during a meeting with Georgian President Eduard Shevardnadze agreement had been reached 'in principle' that the 2 Russian bases should remain for another 15 years. Shevardnadze reportedly made that extension conditional on unspecified concessions from Moscow to resolve the conflict in Abkhazia. 'Russia pegs Russian base compromise to concessions on Abkhazia', *Radio Free Europe/Radio Liberty Newslines*, 27 Dec. 2000, URL <<http://www.rferl.org/newslines/2000/12/XX1200.html>>.

<sup>23</sup> US Department of State, 'US statement to OSCE on Georgia and Russia', *Washington File*, 11 Jan. 2001, URL <<http://usinfo.state.gov/products/pdq/pdq.htm>>.

with Russia on the withdrawal of Russian troops has not entered into force. As in Georgia, Russia seeks to retain its military bases (e.g., by renaming them as facilities for peacekeeping forces). The former, now about 2500-strong, 14th Russian Army—the Operative Group of Russian Forces—remains in the pro-Russian Trans-Dniester region. This breakaway region is reluctant to see the Russian forces leave the region. On the other hand, the Moldovan authorities are of two minds as regards the prompt withdrawal of Russian forces. The unresolved conflict and continuing military confrontations in the Trans-Dniester region as well as economic difficulties have made Moldova less eager for the withdrawal of Russian troops because they are considered a moderating factor in the region.<sup>24</sup>

At the 1999 OSCE summit meeting in Istanbul, Russia pledged to withdraw or destroy its treaty-limited conventional armaments and equipment by the end of 2001 and to withdraw its troops from Moldova by the end of 2002.<sup>25</sup> A decision was taken to facilitate the withdrawal and destruction of Russian armaments and to establish an OSCE-administered fund for voluntary international financial assistance for that purpose.<sup>26</sup>

In early 2000, however, there were reports that Russia was again making the settlement of the Trans-Dniester conflict a condition for the withdrawal of its troops and armaments from Moldova.<sup>27</sup> In March US Deputy Secretary of State Strobe Talbott offered \$33 million to accelerate the withdrawal of Russian forces from their military bases in Moldova.

In early June, the head of the OSCE permanent mission in Moldova, William Hill, expressed concern about Russia's lack of progress in withdrawing its troops and armaments from the Trans-Dniester region; Hill noted that the most recent shipment of Russian arms and military equipment had left the Trans-Dniester region on 19 November 1999.<sup>28</sup> At a briefing in Chisinau, he

<sup>24</sup> Following a spring 2000 poll in Moldova, the results of which supported the idea that 'Russian military forces should be temporarily allowed to be based in Tiraspol, which will help solve the problem of Transdnestria and Moldova's integrity to Moldova's economic benefit', Prime Minister Dumitru Braghis suggested that his government would not rule out the possibility of setting up a Russian military base, although this would be in contravention of both Moldova's neutral status and the decisions taken by the OSCE at its Istanbul meeting. Interfax (Moscow), 11 Apr. 2000, in 'Presidential Bulletin for 10 April 2000: PM does not rule out military base in Moldova', FBIS-SOV-20000411, 11 Apr. 2000. Moldovan President Petru Lucinschi denied that Moldova might consider such a decision. 'Moldovan President again rejects rumor about Russian bases', *Radio Free Europe/Radio Liberty Newline*, 11 Apr. 2000, URL <<http://www.rferl.org/newsline/2000/04/110400.html>>.

<sup>25</sup> OSCE, Istanbul Summit Declaration, OSCE document SUM.DOC/2/99, 19 Nov. 1999, URL <<http://www.osce.org/docs/english/1990-1999/summits/istadec199e.htm>>. About 40 000 tonnes of ammunition stored in the Trans-Dniester region pose a grave menace to this unstable region.

<sup>26</sup> OSCE (note 25), para. 19.

<sup>27</sup> 'Transdnester wants troop withdrawal coordinated with settlement', *Radio Free Europe/Radio Liberty Newline*, 27 Jan. 2000, URL <<http://www.rferl.org/newsline/2000/01/270100.html>>. Trans-Dniester authorities refused to allow a Spanish CFE inspection team to enter the region and inspect Russian Army depots on 26 Jan. In Apr. State Duma CIS Affairs Committee Chairman Boris Pastukhov doubted whether the deadline of 2002 was realistic for complete withdrawal of the Russian equipment. 'CIS delegation head says weapons withdrawal by 2001 "unrealistic"', *Radio Free Europe/Radio Liberty Newline*, 26 Apr. 2000, URL <<http://www.rferl.org/newsline/2000/04/260400.html>>.

<sup>28</sup> OSCE Ambassador to Moldova William Hill stated: 'Since the Istanbul document was signed, there has been absolutely no progress on fulfilling the commitments. While the OSCE was meeting in Istanbul, three train loads, about 120 railcars, of Russian military equipment left the Trans-Dniester region. Since then there's been no equipment, no arms shipped out, no arms or equipment destroyed or

stated that the OSCE has reserved up to \$30 million for financing the withdrawal of Russian troops from the Trans-Dniester region.<sup>29</sup>

In order to help overcome the deadlock in the Trans-Dniester issue, the OSCE Chairperson-in-Office (CIO), Austrian Foreign Minister Benita Ferrero-Waldner, travelled to Moldova, also visiting the Trans-Dniester region, on 6–7 July. The OSCE also welcomed the formation of a Russian state commission on the Trans-Dniester region and the appointment of former Russian Prime Minister Yevgeniy Primakov as its chairman as a signal of Moscow's interest in achieving a peaceful solution in the region.<sup>30</sup> In July Russia also submitted to the OSCE a detailed schedule of its troop withdrawal from the Trans-Dniester region. On 17 July a 'reinforced' meeting of the OSCE Permanent Council on Moldova was held in Vienna; Trans-Dniester representatives participated in the meeting, which aimed to facilitate a final settlement of the conflict.<sup>31</sup> Most delegations to the meeting expressed concern at the Trans-Dniester region's increasing intransigence.<sup>32</sup>

Russia's own schedule for the withdrawal of armaments from Moldova is divided into three stages, the last of which is to be completed by 31 December 2002. The first phase would consist of pulling out non-combat and medical equipment. The second stage, the removal of heavy weaponry and military vehicles, would be completed by the end of 2001. The third stage would involve the pull-out of the remaining military equipment. However, the schedule did not set a date for the start of Russian troop withdrawals.<sup>33</sup>

In mid-August Primakov and the Trans-Dniester representatives suggested that Moldova and the Trans-Dniester region become 'a common state' consisting of two equal and sovereign entities—but with two separate armed forces, which was particularly unacceptable to Moldova. Russia would have acted as 'guarantor' of the plan, but the proposal was rejected.

In the autumn of 2000, talks in the Joint Control Commission, the body overseeing the security zone established between Moldova and the Trans-Dniester region, remained stalled, which led to international concern about the situation in Moldova. The Trans-Dniester representatives refused to participate in scheduled talks, citing their difficult political situation. The OSCE Mission to Moldova, the OSCE Troika and delegations to the talks urged the parties and the mediators to reopen discussions and to proceed towards a permanent

reprocessed in place. The situation, unfortunately, has been frozen'. Krushelnysky, A., 'Moldova: OSCE hopes Putin will act on arms withdrawal', *Radio Free Europe/Radio Liberty Newline*, 8 June 2000, URL <<http://www.rferl.org/ncafeatures/2000/06/f.ru.000607151454.html>>.

<sup>29</sup> Interfax (Moscow), 6 June 2000, in 'Moldova: OSCE concerned by slow Russian withdrawal from Dniester', FBIS-SOV-2000-0606, 6 June 2000.

<sup>30</sup> 'Moldova focus of OSCE CIO meeting with Yevgeniy Primakov', OSCE Austria 2000, URL <<http://www.osce.at/osze/od/dokumente/upld/964613193.rtf.html>>

<sup>31</sup> OSCE document PC.JOUR/294, 17 July 2000. The Moldovan Government stated that this was a gesture of goodwill, an exception to normal procedure and that the Republic of Moldova represented the entire country. Interpretative statement under para. 79, chapter 6, of the Final Recommendations of the Helsinki Consultations, OSCE document PC.JOUR/294, annex, 17 July 2000.

<sup>32</sup> 'Moldova focus of OSCE CIO meeting with Yevgeniy Primakov' (note 30).

<sup>33</sup> Infotag (Chisinau), 25 July 2000, in 'Russians submit schedule of withdrawal from Moldovan breakaway region', FBIS-SOV-2000-0725, 25 July 2000.

settlement.<sup>34</sup> The US chief delegate called for 'a most robust, coordinated international program of incentives and sanctions'. Russia was criticized for failing to provide a schedule for the withdrawal of Russian troops from Moldova—including start dates, time-lines, and lists of equipment and munitions to be pulled out or destroyed—and was urged to use its influence in the Trans-Dniester region to promote political resolution of the conflict and withdrawal of troops. Attempts by Russia to link its withdrawal commitment to decisions made by the Trans-Dniester region were again rejected.<sup>35</sup>

By the end of November Russia was reported to have resumed the withdrawal of its armaments and equipment. However, the head of the OSCE permanent mission in Moldova deplored the lack of progress in 2000 and stated that it would be 'very difficult' for Russia to complete its pull-out by the end of 2002.<sup>36</sup>

### III. The OSCE and conventional arms control

In line with the decision of the OSCE summit meeting in Istanbul to continue a substantial security dialogue,<sup>37</sup> the OSCE Forum for Security Co-operation (FSC) addressed two major arms control-related subjects: the role of conventional arms control in Europe and the spread of small arms and light weapons.

#### The role of arms control

In May Finland and Switzerland proposed a discussion on 'The role of conventional arms control in Europe and the contribution of the OSCE arms control arrangements to European security' in the FSC, which supported the idea a month later. Although officially considered useful, it failed to produce fresh ideas or consensus on the need for new arrangements. The participants found the existing OSCE arms control arrangements 'an adequate tool or platform of arms control mechanisms from which all participating states can make use of the arrangements suitable for their resources, political situation and security needs'.<sup>38</sup> The FSC has decided to hold a seminar on military doctrine at the level of experts of the OSCE states on 11–13 June 2001.<sup>39</sup>

<sup>34</sup> OSCE, 'OSCE Mission regrets lack of progress in negotiations on Transdnistria, Moldova', Press Release, 20 Nov. 2000. The CIO is assisted by the previous and succeeding chairmen; together they constitute the Troika.

<sup>35</sup> Statement on Moldova delivered by Ambassador David T. Johnson to the Permanent Council, US Department of State, 'US statement on Moldova to OSCE Permanent Council', *Washington File*, 2 Nov. 2000, URL <<http://www.usembassy.ro/USIS/Washington-File/400/00-11-02/eur413.htm>>; and Statement on Moldova delivered by Ambassador David T. Johnson to the Permanent Council, US Department of State, 'US statement to OSCE on situation in Moldova', *Washington File*, 13 Nov. 2000, URL <<http://www.usembassy.ro/USIS/Washington-File/100/00-11-13/eur112.htm>>.

<sup>36</sup> 'Russia resumes arsenal withdrawal from Transdnistria', *Radio Free Europe/Radio Liberty Newsline*, 29 Nov. 2000, URL <<http://www.rferl.org/newsline/2000/11/291100.html>>.

<sup>37</sup> Charter for European Security: The Politico-Military Dimension, para. 30. The Charter is reproduced in *SIPRI Yearbook 2000* (note 2), pp. 220–26.

<sup>38</sup> Permanent Mission of Finland to the OSCE, Contribution to the Security Dialogue, OSCE document FSC.DEL/381/00, 6 Sep. 2000.

<sup>39</sup> OSCE document FSC.DEC/8/00, 25 Oct. 2000.

## Small arms

The spread of small arms and light weapons was not seriously addressed by the OSCE until 1999.<sup>40</sup> On 16 November, at the initiative of the European Union (EU) and Canada, the OSCE states decided to include the problem of the spread of small arms as an item of priority on its agenda after the OSCE summit meeting in Istanbul and to launch 'a broad and comprehensive discussion on all its aspects'.<sup>41</sup> FSC Working Group B was tasked with analysis of the issue, and a seminar to examine concrete measures was held on 3–5 April 2000. The aim of the seminar was to identify areas within which the FSC might develop specific measures; it focused on related norms and principles, such as combating illicit trafficking, issues related to the reduction of small arms, and post-conflict stabilization.<sup>42</sup> From the summer of 2000 the FSC negotiated an OSCE document on small arms. Three draft documents submitted to the FSC provided the basis for negotiation.

The aim of the OSCE Document on Small Arms and Light Weapons, which was endorsed by the Vienna Ministerial Meeting on 27–28 November, is to 'provide a substantial contribution to the process underway in the United Nations on the illicit trade in small arms and light weapons in all its aspects'.<sup>43</sup> Most of the world's major arms producer and supplier states are OSCE participating states. Many of them are also recipients of small arms or are affected by the trade in small arms, especially those states located in Central Asia, the Caucasus and South-Eastern Europe. Actions taken by the OSCE are to provide a regional dimension that can support and complement the implementation of global measures.

The document contains a politically binding, comprehensive programme of action. It focuses on goals, norms, principles and transparency measures for small arms as well as common export criteria and export controls (e.g., information exchanges; import, export and transit procedures and documentation; control over international arms brokering, measures to improve cooperation in law enforcement; and transparency measures).

The OSCE states aim to combat illicit trafficking, reduce excessive accumulation of small arms and control their spread by a variety of means. These include: exercising restraint as regards their own small arms holdings; ensuring that small arms are produced, transferred and held for only 'legitimate defence and security needs'; developing appropriate confidence-building, security and transparency measures; ensuring that small arms are assessed by the OSCE as part of an overall security assessment of individual countries; and developing measures to regulate small arms in post-conflict situations.

<sup>40</sup> In this chapter the term 'small arms' is used for 'small arms and light weapons', for which there is as yet no agreed definition. The OSCE Document on Small Arms and Light Weapons offers one description while not prejudging any future internationally agreed definition.

<sup>41</sup> OSCE decision no. 6/99, OSCE document FSC.JOUR/275, 16 Nov. 1999.

<sup>42</sup> OSCE document FSC.DEC/4/00, 8 Mar. 2000.

<sup>43</sup> The document was adopted at the FSC on 24 Nov. 2000. OSCE document FSC.DOC/1/00, 24 Nov. 2000. It is reproduced as appendix 8B in this volume.

The regulation of small arms is to become an integral part of the OSCE's broader efforts in the areas of early warning, conflict prevention, crisis management and post-conflict rehabilitation. Accordingly, various measures are envisaged, such as the identification of destabilizing accumulations or the uncontrolled spread of small arms; collection and control programmes for small arms in post-conflict stabilization activities; inclusion of individuals with appropriate expertise in relevant OSCE field missions; extension of the mandate of future OSCE missions to include small arms issues; promoting subregional cooperation, especially in areas such as border control, in order to prevent the resupply of small arms through illicit trade; and sponsoring public education and awareness programmes highlighting the negative aspects of small arms.

The OSCE document is for the most part a declaration of political will of the participating states to combat the illicit traffic in small arms. It does not create a regime, nor does it envisage enforcement mechanisms, its main instruments being voluntary transparency measures and information exchanges. In this sense, it constitutes another norm- and standard-setting measure, supplementing in particular the 1994 OSCE Code of Conduct on Politico-Military Aspects of Security.<sup>44</sup>

#### IV. Regional arms control in Europe

Arms control in the Balkans is intended to play an important stabilizing role in post-conflict security building.<sup>45</sup> The 1996 Agreement on Sub-Regional Arms Control (Florence Agreement, also known as the Article IV Agreement) signed by Bosnia and Herzegovina and its two entities (the Muslim-Croat Federation of Bosnia and Herzegovina and the Republika Srpska), Croatia and the FRY (Serbia and Montenegro)<sup>46</sup> is the only 'hard' (i.e., dealing with arms reductions) regional arms control arrangement now operating below the pan-European level. The main characteristic feature of this arms control agreement is that it was imposed from outside on the former parties to a conflict and compliance with its terms is both monitored and assisted by the international community. In contrast to the general situation in Europe, the military security of the subregion is built on a balance of forces among the local powers which have not developed a satisfactory degree of security cooperation. In part,

<sup>44</sup> Budapest Document 1994, Budapest Decisions IV, Code of Conduct on Politico-Military Aspects of Security, URL <<http://www.osce.org/docs/english/summite.htm>>.

<sup>45</sup> Under the terms of the General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Agreement), 21 Nov. 1995, Annex 1-B, Agreement on Regional Stabilization, negotiations were launched with the aim of agreeing on CSBMs in Bosnia and Herzegovina (Article II), reaching an arms control agreement for the former Yugoslavia (Article IV) and establishing 'a regional balance in and around the former Yugoslavia' (Article V). The Agreement on Regional Stabilization is reproduced in *SIPRI Yearbook 1996: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 1996), pp. 241–43.

<sup>46</sup> In this section 'regional' in the OSCE context refers to areas below the continental/OSCE level. Regional CSBMs, including the 1996 Agreement on Confidence- and Security-Building Measures in Bosnia and Herzegovina, are discussed in appendix 8A in this volume. The text of the Florence Agreement is reproduced in *SIPRI Yearbook 1997* (note 4), pp. 517–24.



because it has been successfully implemented and in part because of the focus on more effective implementation of the non-military aspects of the Dayton Agreement, arms control is not currently prioritized in the region. The political uncertainties in ethnically divided Bosnia and Herzegovina—which is handicapped by mismanagement, weak government and lack of economic reform—and in the internationally alienated FRY under the leadership of Slobodan Milosevic continued to hamper regional cooperative security arrangements for most of 2000.

### **Implementation of the Florence Agreement**

As relations worsened between the Milosevic regime and the majority of the OSCE participants lapses occurred in the FRY's adherence to arms control. After NATO's intervention in 1999, the FRY temporarily 'suspended' until August 1999 its implementation of the 1996 Florence Agreement and the authorities of the Republika Srpska curtailed their contacts with NATO states which participated in the air campaign against the FRY. Suspension is not envisaged in the agreement, so the move was of an extra-legal character.

Apparently owing to its worsening domestic situation and because it had not been invited to a conference to review the Florence Agreement scheduled for 21–23 June 2000, the FRY decided on 25 May to halt its participation in the Sub-Regional Consultative Commission for the second time. This followed a decision to exclude the FRY from the Peace Implementation Council (PIC) meeting held on 23–24 May in Brussels.<sup>47</sup> Milosevic's decision was prompted by US opposition to inviting the FRY to the conference with the aim of internationally ostracizing the Yugoslav Government. Russia deplored the US move and did not take part in the Brussels meeting either. The move by the FRY led the Republika Srpska to follow in its footsteps and ignore an invitation to take part in an informal review meeting, which was planned to be held on 20 June in place of the review conference, which was postponed. The remaining parties to the Florence Agreement chose to carry on with the implementation of its provisions, including continuing informal sessions. In late July both the FRY and the Republika Srpska resumed their participation in the implementation of the Florence Agreement, and the review conference and some inspections were rescheduled.

On 31 October–2 November, the second review conference, chaired by the new democratically elected FRY Government, was held in Vienna to assess the implementation of the Florence Agreement.<sup>48</sup> The five parties to the agreement expressed their satisfaction with its implementation. However, owing to

<sup>47</sup> The PIC, a group of 55 governments and international organizations that sponsor and direct the peace implementation process, condemned attacks against independent media in Serbia and offered to assist them in promoting democracy in Yugoslavia. Office of the High Representative in Bosnia and Herzegovina, Statement of the Peace Implementation Council on Freedom of the Media, Brussels, 23 May 2000. URL <<http://www.ohr.int/docu/p20000522a.htm>>. Russia stated that it did not consider itself bound by the PIC documents of May 2000.

<sup>48</sup> OSCE Media Advisory, 2 Nov. 2000, URL <[http://www.osce.org/news/generate.php?3news\\_id=1218](http://www.osce.org/news/generate.php?3news_id=1218)>.



developments in the preceding months progress was moderate. The outstanding issues include reducing the excessive exceptions provided by the Florence Agreement, lowering the high ceilings of armaments limited by the agreement (ALA) and reinforcing transparency and cooperation in the subregion. The next review conference will be held in June 2002.

More than 7000 ALA have been destroyed since 1996. All parties have met their limits for levels of ALA, and some parties continue to further reduce their holdings. In 1999–2000, 827 ALA were destroyed (136 new ALA were introduced into the subregion). In 2000 the Republika Srpska destroyed 106 pieces of equipment, and the Federation of Bosnia and Herzegovina scrapped 48 pieces. Both reduction processes were supported by a team of French and German experts.

In 2000 all scheduled inspections were carried out, except for the two scheduled to be conducted by Bosnia and Herzegovina in Croatia and the FRY, owing to the Bosnian joint authorities' failure to decide on the composition of the inspection teams. Bosnia and Herzegovina remains unable to accept or carry out inspections. A total of 14 inspections were conducted involving assistance from 26 OSCE countries. The 15 December 1999 information exchange made some headway towards compliance with the Protocol on Exchange. The CIO Personal Representative called for the parties to improve their implementation and encouraged them to conduct undeclared site inspections, but no such inspections have yet been conducted.<sup>49</sup>

#### *Other arms control-related issues for Bosnia and Herzegovina*

Working in the context of Articles II and IV of the Agreement on Regional Stabilization, the OSCE Bosnia and Herzegovina Department for Regional Stabilization (DRS) is to help create a framework within Bosnia and Herzegovina which can be sustained after the withdrawal or major reduction of the Stabilization Force (SFOR). The DRS works in conjunction with the Office of the High Representative (OHR), SFOR and members of the international community. Accordingly, the DRS assists in the implementation of the two agreements and helps to create conditions for the eventual implementation of Article V. Its goals and objectives for 2000 were to develop a state dimension of defence; consolidate democratic control over the armed forces; reduce and ensure transparency of defence budgets of both entities of Bosnia and Herzegovina; harmonize the policy of the joint institutions with regard to security policy and arms control; help ease military tension by softening the military posture of both entities and reducing the readiness of their armed forces; promote trust and confidence; and reduce and restructure the Entity Armed Forces (i.e., the forces of the Federation of Bosnia and Herzegovina and the Republika Srpska).<sup>50</sup>

<sup>49</sup> Yearly Report on the Implementation of Articles II and IV, Annex 1-B, Dayton Peace Accords, 2000, General Carlo Jean (Italian Army, rtd), Personal Representative of the OSCE CIO, OSCE Ministerial Council document MC.GAL/10/00, 27 Nov. 2000.

<sup>50</sup> OSCE: Mission to Bosnia and Herzegovina, 'Goals and objectives for 2000', URL <<http://www.oscebih.org/regstab/eng/regstb-goals.htm>>.

In 1999 the 15 per cent reduction of the Entity Armed Forces which had been announced by the Joint Presidency of Bosnia and Herzegovina was completed. Bosnia and Herzegovina pledged to make another 15 per cent reduction in its armed forces—including budget, personnel and equipment—by the end of 2000.<sup>51</sup> However, the efforts to develop a state-level security policy and to turn the Standing Committee on Military Matters (SCMM), the state-level body charged with coordinating the activities of the Entity Armed Forces, into a defence structure (and restructuring of the Entity Armed Forces) have shown little progress.<sup>52</sup> In May 2000 the PIC again urged the SCMM and all external donors to ensure the transparency of external military assistance to the Entity Armed Forces.<sup>53</sup> The OHR has urged and assisted the SCMM in the pursuit of these goals.<sup>54</sup>

### Negotiations under Article V of the Agreement on Regional Stabilization

The objective of the talks under Article V of the Agreement on Regional Stabilization, which deals with broader regional arms control, is to find lasting solutions for the stabilization of South-Eastern Europe. Work on the mandate of the Article V negotiations was concluded in late 1998. Although the original idea behind the regional stabilization negotiations was to bridge the arms control obligations of the parties to the Florence (Article IV) Agreement with the obligations of the neighbouring parties to the CFE Treaty, the mandate focuses on CSBMs, transparency, verification and risk reduction measures rather than arms limitations. The talks reached an impasse because of the dramatic developments in the FRY, and they were not resumed until September 1999. The OSCE summit meeting in Istanbul urged the participants to complete their work by the end of 2000.<sup>55</sup>

<sup>51</sup> Office of the High Representative in Bosnia and Herzegovina, Declaration of the Peace Implementation Council, Brussels, 23–24 May 2000, URL <<http://www.ohr.int/docu/p20000524a.htm>>; and Office of the High Representative in Bosnia and Herzegovina, Annex to the PIC Declaration: Required actions, Brussels, 23–24 May 2000, URL <<http://www.ohr.int/docu/p20000524b.htm>>. Reportedly, representatives of all 3 armies in Bosnia and Herzegovina have called for an end to further personnel cuts until new jobs can be found for demobilized soldiers. The Republika Srpska, in particular, has a high unemployment rate, including among young men of military age. ‘All three Bosnian armies agree’, *Radio Free Europe/Radio Liberty Newswire*, 6 Dec. 2000, URL <<http://www.rferl.org/newsline/2000/12/061200.html>>. In Feb. 2001 the Steering Board of the PIC urged the completion of the 15% reduction of 3 entity armed forces by 31 Mar. 2001. Communiqué by the Steering Board of the PIC, Brussels, 1 Feb. 2001, URL <<http://www.ohr.int/docu/d20010202a.htm>>.

<sup>52</sup> US Permanent Representative to the United Nations Richard Holbrooke stated that ‘the most serious flaw’ of the Dayton Agreement was that it allowed a single country to have 3 armies, which remains one of the obstacles (the others being the unresolved refugee problem, corruption, the threatened free press and the war criminals issue) to Bosnia and Herzegovina’s full integration and reconciliation. US Department of State, ‘Holbrooke speech on 5th anniversary of Dayton Agreement’, *Washington File*, 17 Nov. 2000, URL <<http://ns.usembassy.ro/USIS/Washington-File/500/00-11-17/eur506.htm>>.

<sup>53</sup> See note 51.

<sup>54</sup> The Military Cell of the headquarters of the High Representative encourages the work of the SCMM and provides material support to it. It promotes confidence-building measures between the armed forces; monitors the force and troop reduction process, which is led by SFOR; and addresses future security questions.

<sup>55</sup> OSCE, Istanbul Summit Declaration, OSCE document SUM.DOC/2/99, Istanbul, 19 Nov. 1999, URL <<http://www.osce.org/docs/english/1990-1999/summits/istadec199e.htm>>, para. 41.

In 2000 the negotiations made some progress despite setbacks resulting from political demonstrations by the FRY. Since the end of 1999, the 20 states participating in the Article V negotiations have presented 12 proposals for measures that could contribute to security in the region in and around the FRY.<sup>56</sup> They concerned the following areas.

1. *Exchange of military information.* The aim was to create an overall and uniform regime of transparency on military potentials. Verification was also discussed.

2. *Notification and observation of and constraints on military activities.*

3. *Military contacts and cooperation.* A special list of measures for Article V was drafted.

4. *Aerial observation regime.* The experience of regional arrangements (e.g., the 1991 Hungarian–Romanian Open Skies Agreement,<sup>57</sup> Article II aerial observation test flights) was examined as well as that of the Vienna Document 1999.

5. *Increased transparency of the defence budgets and planning.* The participants discussed the measures that could be implemented in addition to the Vienna Document 1999.

6. *Transparency in mobilization.*

7. *Small arms and light weapons.* The applicability of the FSC proposals was discussed with regard to Article V.<sup>58</sup>

As long as Milosevic was in power in Yugoslavia, the chances for progress in the talks were uncertain. There was also disagreement among the participants as to whether the Balkans is a special security case which needs to be dealt with separately from the rest of Europe. Various incompatibilities were noted: regional versus European features; whether the FRY should be covered solely by the obligations of the Vienna Document 1999 or by others as well; equal or selective application of measures that could have a possible unintended or undesirable impact on countries in the region; and different arms control obligations under external (the CFE and Open Skies treaties) and intra-region agreements (Articles II and IV agreements).

Particularly while Milosevic was still president, the discussions of the international community reflected the mood of dissatisfaction with the insufficient

<sup>56</sup> The 20 states are the 5 former Yugoslav republics and Albania, Austria, Bulgaria, France, Germany, Greece, Hungary, Italy, the Netherlands, Romania, Russia, Spain, Turkey, the UK and the USA.

<sup>57</sup> The Agreement Between the Government of the Republic of Hungary and the Government of Romania on the Establishment of an Open Skies Regime is reproduced in Overview of Bilateral, Sub-regional and Regional Agreements and Initiatives Aiming at Strengthening Transparency, Security and Co-operation in South-Eastern Europe, OSCE document FSC.GAL/111/00, 17 Oct. 2000, pp. 69–90.

<sup>58</sup> Statement by Ambassador Henry Jacolin, Special Representative of the OSCE Chairperson-in-Office for Article V of Annex 1-B (Regional Stabilization) to the Joint Meeting of the Permanent Council and the Forum for Security Co-operation): What is the status of Article V of Dayton/Paris today?, OSCE document CIO.GAL/48/20, 6 July 2000; and Report by the Special Representative of the Chairperson-in-Office for Negotiations under Article V of Annex 1-B of the General Framework Agreement for Peace in Bosnia and Herzegovina, 24 Nov. 2000. OSCE document MC.GAL/11/00, 27 Nov. 2000.

progress and re-emerging calls for 'getting out of the Balkans'. The proponents of proceeding with regional stabilization argued that the credibility of the international community was at stake: without commitments above the sub-regional level Bosnia and Herzegovina would face grave consequences (e.g., the independence of the Bosnian Serbs or the secession of Kosovo) and the FRY would be constrained only by obligations under Article IV (which was an argument of dubious value in the light of the two temporary 'suspensions' by the government in Belgrade). The context of the debate altered with the fall of Milosevic in October, and the regional stabilization talks took a new turn. With fears on the wane, the regional talks turned from 'hard' arms control to CSBMs and transparency measures. On 26 October Yugoslavia was admitted to the Stability Pact for South Eastern Europe.<sup>59</sup> The November 2000 OSCE Ministerial Meeting recognized the significance of Yugoslavia's readmission to the European community and called on the states participating in the Article V talks to conclude their work as soon as possible and no later than by the next OSCE Ministerial Council.<sup>60</sup>

One important argument was that Article V is an indispensable instrument for the implementation of the Stability Pact for South Eastern Europe and one of its essential security and defence components. The Pact also gives coherence to the objectives of Article V, which were previously an isolated endeavour focused on military security.<sup>61</sup>

### Stability in South-Eastern Europe

A negotiation under the Stability Pact for South Eastern Europe is taking place in parallel with the Article V talks. Under the Stability Pact, a broad spectrum of security-related issues is tackled by Working Table III on Security Issues. The table held meetings on 13–14 October 1999 and 15–16 February and 4–5 October 2000, in Oslo, Sarajevo and Sofia, respectively.<sup>62</sup> The purpose of Working Table III's Sub-Table on Defence and Security Issues is to provide support for the implementation of Articles II, IV and V of Annex 1-B of the Dayton Peace Agreement and to establish confidence and security, transparency, openness and predictability and to pursue good relations and a broad security dialogue among the countries of South-Eastern Europe. The agenda of the Sub-Table on Defence and Security Issues is flexible.<sup>63</sup> In addition to arms control and non-proliferation, CSBMs, military contacts and small arms, it addresses the problems of defence economics and demobilization, mine removal, and disaster and emergency preparedness.

<sup>59</sup> The Stability Pact on South Eastern Europe is reproduced in *SIPRI Yearbook 2000* (note 2), pp. 214–20, and is available at URL <<http://www.stabilitypact.org/official%20Texts/PACT.HTM>>.

<sup>60</sup> Statement by the Chairperson-in-Office, OSCE document MC(8)YOUR/2, Annex 2, 28 Nov. 2000.

<sup>61</sup> Article V is discussed in Jacolin (note 58).

<sup>62</sup> Documentation of Working Table III on Security Issues in 1999–2000 is available at Stability Pact for South Eastern Europe, Special Co-ordinator of the Stability Pact for South Eastern Europe, URL <<http://www.stabilitypact.org/WT-3/Index%20WT3.htm>>.

<sup>63</sup> The other sub-table deals with Justice and Home Affairs.

On 20 October a Regional Arms Control Verification and Implementation Assistance Centre (RACVIAC) began operation in Zagreb, Croatia. It was created by 18 countries meeting in Berlin on 7 July 2000 and sponsored by Germany. Its purpose is to contribute to a common understanding of current agreements, promote CSBMs and other security-related issues in South-Eastern Europe, provide information regarding obligations under arms control agreements, help to prepare interested regional states for accession to agreements in force and to discuss other necessary national steps (e.g., legislation and implementation regulations for armed forces).<sup>64</sup>

France introduced a proposal for a Regional Aerial Observation System in connection with the Article V negotiations. The system is to be voluntary and an initial flight over the area of the agreement is scheduled for the latter half of 2001.

Various other initiatives and projects are on the arms control and other items agenda of the Sub-Table on Defence and Security Issues. The challenge for the participants is to ensure the effective symbiosis and complementarity of the Article V and the Stability Pact processes while avoiding duplication of their work. Under the deal struck between the two forums, the Article V agreement will contain measures to enhance stability in the region, while the Sub-Table on Defence and Security Issues will provide funding and resources for these measures. The Sub-Table will not undertake initiatives on its own, but will support, facilitate and coordinate various initiatives.

On 16 March 2000, the OSCE Permanent Council adopted a Regional Strategy for South-Eastern Europe to bolster a comprehensive and interdimensional policy on region-wide and cross-border issues in South-Eastern Europe, in accordance with the decision taken at the 1999 OSCE summit meeting in Istanbul. One of its elements is support for continuing arms control and confidence- and security-building efforts.<sup>65</sup>

## V. The Treaty on Open Skies

The entry into force of the 1992 Treaty on Open Skies remained deadlocked by the failure of Belarus and Russia to ratify this confidence-building instrument.<sup>66</sup> No progress was made towards ratification by these two countries in 2000. On 2 March 2000 the Ukrainian Parliament ratified the treaty, and its instrument of ratification was deposited on 20 April. Belarus and Russia are the only remaining states whose ratification of the treaty is necessary for its entry into force.<sup>67</sup> The ratification discussion in the State Duma Defence Committee in March 2000 was inconclusive. It was agreed that the Duma will submit the Open Skies Treaty for ratification after the issues of the 1993

<sup>64</sup> Stability Pact for South Eastern Europe (note 59).

<sup>65</sup> OSCE, Permanent Council Decision no. 344, PC.DEC/344, Vienna, 16 Mar. 2000, Regional Strategy for South Eastern Europe.

<sup>66</sup> The text of the treaty is reproduced in *SIPRI Yearbook 1993* (note 17), pp. 653–71.

<sup>67</sup> For terms of the treaty's entry into force and the list of states which have signed or ratified the treaty, see annexe A in this volume.

Treaty on Further Reduction and Limitation of Strategic Offensive Arms (START II Treaty), the 1972 Treaty on the Limitation of Anti-Ballistic Missile Systems (ABM Treaty) and the 1996 Comprehensive Nuclear Test-Ban Treaty (CTBT) have been resolved.<sup>68</sup> As in previous years, the signatories continued reciprocal voluntary overflights. At the OSCE summit meeting in Istanbul the OSCE participants stressed that trial flights are not a substitute for the regime of observation flights set forth in the treaty.<sup>69</sup>

## VI. Conventional arms control-related endeavours outside Europe

Outside Europe there was little or no progress in the field of conventional arms control. Conventional arms control efforts in the rest of the world are for the most part confined to first-generation confidence-building measures (CBMs). The rate of the development of CBMs is uneven in the various regions. For example, in the Middle East progress has been effectively halted by the Israeli–Palestinian conflict. However, the OSCE launched an initiative to discuss the relevance of European CBMs and CSBMs with its Mediterranean Partners.<sup>70</sup> In 2000 meaningful dialogues continued in Asia and Latin America.

### Asia

In 2000 South-East Asia sustained its regular confidence-building dialogue. The unexpected opening of North Korea and the North–South Korean summit meeting in mid-2000 raised hopes for relaxation of military tension on the Korean peninsula. In 1996 and 1997 China, Kazakhstan, Kyrgyzstan, Russia and Tajikistan (the so-called Shanghai Five) demilitarized the border between the four CIS states and China but then focused their efforts on other issues.<sup>71</sup> The group, renamed the Shanghai Forum, seeks to coordinate efforts to fight terrorism in the region and strengthen economic ties.

### *The ASEAN Regional Forum*

The political and security dialogue within the Association of South-East Asian Nations (ASEAN) Regional Forum (ARF) covers both military and defence-related measures and non-military issues which have a significant impact on

<sup>68</sup> 'Russian Duma discusses ratification of Open Skies Treaty', ITAR-TASS (Moscow), 30 Mar. 2000, in FBIS-SOV-2000-0330, 30 Mar. 2000.

<sup>69</sup> OSCE (note 25), para. 42.

<sup>70</sup> OSCE, Decision no. 371, 2000 Mediterranean Seminar on 'Confidence-Building Measures and Confidence- and Security-Building Measures: The OSCE Experience and Its Relevance for the Mediterranean Region', OSCE, Permanent Council, OSCE document PC.DEC/371, 7 Sep. 2000.

<sup>71</sup> The 1996 Agreement between Russia, Kazakhstan, Kyrgyzstan and Tajikistan (as a joint party) and China on Confidence Building in the Military Field in the Border Area; and the 1997 Agreement between Russia, Kazakhstan, Kyrgyzstan and Tajikistan (as a joint party) and China on the Mutual Reduction of Armed Forces in the Border Area.



regional security.<sup>72</sup> The non-mandatory CBMs that are discussed and implemented within the ARF differ from European CSBMs. The ARF's flexible step-by-step process is characterized by various types of meetings and a record of accomplishments. Its efforts are to develop from incremental confidence building through preventive diplomacy to the elaboration of approaches to conflicts that are designed to create the premises for an agreement. Two meetings of the Intersessional Support Group on CBMs (ISG on CBMs) are usually held between the annual meetings of the ARF. The ASEAN foreign ministers annually review recommendations made by the ISG and ARF senior officials. The ARF notes that the process continues to develop 'at a pace comfortable to all ARF participants', which has so far resulted in sluggish progress. Decisions are made by consensus, with the ASEAN as the driving force.

The 7th Meeting of the ASEAN Regional Forum was held in Bangkok on 27 July 2000 and was attended by the foreign ministers of all the ARF participating states or their representatives. In the intersessional year 1999–2000 the ISG on CBMs, co-chaired by Japan and Singapore, met in Tokyo on 13–14 November 1999 and in Singapore on 5–6 April 2000.

The ASEAN foreign ministers underscored the significance of confidence building as 'a foundation and the primary focus' of the ARF process and encouraged the members to develop the overlap between CBMs and preventive diplomacy. Progress was made in enhancing the role of the ARF Chairman in liaising with external parties and promoting interaction between Track I (official) and Track II (unofficial) dialogues.<sup>73</sup> In the context of the ISG decisions of 1999,<sup>74</sup> the foreign ministers welcomed the establishment of the ARF Register of Experts/Eminent Persons. It is available for use by ARF members on a voluntary basis and the first volume of the voluntary ARF Annual Security Outlook (ASO), a regional document outlining the security concerns of the ARF members, has been published. The ASEAN foreign ministers also stressed the importance of the continued participation in the process of defence and military officials.

A document was issued on the concept and principles of preventive diplomacy. It was intended to lead to agreement on the terms of such activities. The scope of preventive diplomacy has not been clearly defined, but consensus seems to be emerging that preventive measures could include continuous confidence- and trust-building efforts, norm-building (codes and norms of behaviour), and enhancement of the channels of communication and the role of the ARF Chairman. Eight key principles, drawn primarily from the discussions of the Council for Security Cooperation in the Asia Pacific (CSCAP), were proposed to be used: diplomatic and peaceful methods; non-coercive approaches; timely action; a strong foundation of trust and confidence; con-

<sup>72</sup> The members of ASEAN and ARF are listed in the glossary in this volume.

<sup>73</sup> ASEAN, Chairman's Statement, Seventh Meeting of the ASEAN Regional Forum, Bangkok, 27 July 2000. URL <[http://www.aseansec.org/amm/prog\\_arf.htm](http://www.aseansec.org/amm/prog_arf.htm)>.

<sup>74</sup> Lachowski (note 18), pp. 605–606.



sultations and consensus; voluntary initiatives; measures applicable to interstate and intra-state conflicts; and conformity with international law.<sup>75</sup>

The April ISG meeting in Singapore reviewed Track I CBM-related activities and moved some CBMs from Basket I (earmarked for the near future) to Basket II (medium-term goals).<sup>76</sup> The meeting also updated the list of CBMs in both baskets and removed the measures which have already been or which will not be implemented. The foreign ministers requested the ISG on CBMs to continue its work on strengthening the four 1999 CBM/preventive diplomacy proposals (the enhanced role of the ARF Chairman; the ARF Register of Experts/Eminent Persons; the ASO; and the voluntary background briefings on regional security matters).

### *The Korean peninsula*

A potential historic breakthrough was made on the Korean peninsula in 2000. The first summit meeting since World War II between the North and South Korean leaders, which was held in Pyongyang, North Korea, in June 2000, was a step towards relaxation of tension in the world's most heavily armed region. On 25–26 September the defence ministers of North and South Korea met in Cheju, South Korea, to discuss the easing of military tension and, in the longer perspective, military reductions on the Korean peninsula. South Korea pressed for modest CBMs, including the establishment of a military hotline, advance notification of military manoeuvres and the exchange of military observers.<sup>77</sup> North Korea expressed interest in a narrower agenda: clearing mines for the reconnection of rail and road links across the demilitarized zone (DMZ) that separates the two countries.<sup>78</sup> Both countries agreed to meet in Pyongyang in November for another round of talks, but the planned defence ministers' talks were postponed indefinitely.<sup>79</sup>

At the invitation of South Korea, an OSCE–South Korean joint conference on Applicability of OSCE CSBMs in North-East Asia was scheduled to be

<sup>75</sup> ASEAN, Seventh ASEAN Regional Forum Ministerial Meeting, 27 July 2000, Bangkok, Concept and Principles of Preventive Diplomacy, URL <[http://www.aseansec.org/amm/prog\\_arf.-htm](http://www.aseansec.org/amm/prog_arf.-htm)>.

<sup>76</sup> For further discussion, see ASEAN, Co-Chairmen's Summary Report of the Meetings of the ARF Intersessional Support Group on Confidence Building Measures, held in Tokyo, on 13–14 Nov. 1999, and in Singapore on 5–6 Apr. 2000, URL<[http://www.aseansec.org/amm/prog\\_arf.htm](http://www.aseansec.org/amm/prog_arf.htm)>.

<sup>77</sup>In 1991–92 the 2 Korean states discussed a package of measures with the aim of reducing military tension on the peninsula, including the pledge not to use force against each other and the establishment of a South–North joint military commission to elaborate CBMs and arms reductions. In spite of the headway made in the talks, the effort failed because of the revelation of North Korea's nuclear programme, the worsening relations between the USA/South Korea and North Korea, North Korean provocations (military incidents, maritime intrusions, etc.) and the North Korean decision to enter into direct talks with the USA.

<sup>78</sup> More than 1 million mines are deployed in the DMZ. An estimated 100 000 mines in the rail corridor area will have to be removed.

<sup>79</sup> The Joint Press Release from the First Round of the Talks between the Minister of Defense of the Republic of Korea and the Minister of the People's Armed Forces of the Democratic People's Republic of Korea. *Korea Unification Bulletin*, no. 23 (26 Sep. 2000); and 'Officials: chances slim for 2nd inter-Korean defense ministers' meeting this year', *Korea Herald* (Seoul, Internet edn), 30 Nov. 2000, in Foreign Broadcast Information Service, *Daily Report–East Asia (FBIS-EAS)*, FBIS-EAS-2000-1129, 30 Nov. 2000.

held in Seoul on 19–21 March 2001. The participants were to include many OSCE states, the OSCE Partners, and intergovernmental and international institutions as well as non-governmental organizations from the Asia–Pacific region, Latin America and Africa and other observers.<sup>80</sup>

## Latin America

Since the early 1990s the Organization of American States (OAS) has conducted a Western Hemisphere security dialogue to consider how to more effectively implement and develop CBMs.<sup>81</sup> Such measures are needed since traditional security problems emerge from time to time in the region. In 2000 there were disputes on the borders between Nicaragua and Honduras, Nicaragua and Costa Rica, and Guatemala and Belize as well as domestic security crises in Colombia, Ecuador and Peru. Revitalized collective security mechanisms, conflict-prevention instruments and multilateral responses to common security concerns must be developed to address such problems.

Conflict prevention and resolution in the region are pursued through the following activities: (a) peaceful resolution of remaining border and territorial disputes between states; (b) prevention of destabilizing accumulations of conventional weapons and the proliferation of weapons of mass destruction; (c) prevention of the spread of illicit firearms; (d) the establishment of early-warning and conflict-resolution mechanisms such as a centre for conflict prevention and crisis management; and (e) continuation of the CSBMs outlined in the Santiago Summit Plan of Action and the Declarations of Santiago and San Salvador, including transparency in military acquisitions and budgets.<sup>82</sup>

The main actor in Latin America is the United States. In 1999 the USA established and funded a communications network among the 34 OAS states to implement the measures agreed under the 1995 Santiago and 1998 San Salvador declarations, and progress was reported in this area in 2000. In 2000 the USA invited the Chairman of the OAS Committee on Hemispheric Security to observe a multilateral military exercise in the region, and it announced its intention to invite the chairman to attend such an event annually. The USA has also insisted on increasing transparency and openness in other military matters and in using such openness to build confidence among regional actors.<sup>83</sup>

<sup>80</sup> OSCE, Permanent Council Decision no. 377, OSCE Permanent Council document PC.DEC/377, 9 Nov. 2000.

<sup>81</sup> For the members of the OAS, see the glossary in this volume.

<sup>82</sup> For further discussion, see Lachowski, Z., 'Conventional arms control', *SIPRI Yearbook 1999: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 1999), p. 641.

<sup>83</sup> Remarks by Ms Pamela Frazier, Deputy Assistant Secretary of State for Committee on Hemispheric Security, 6 Apr. 2000; and Remarks by Ambassador Luis Lauredo, US Permanent Representative to the OAS speaking on CSBMs at the National Defense University, 11 Sep. 2000. US Department of State, International Information Programs, Arms Control and Non-Proliferation Confidence- and Security-Building Measures (CSBMs), URL <<http://www.usinfo.state.gov/topical/pol/arms/csbm/csbmam.htm>>.

## VII. Landmines

According to recent estimates, there are more than 250 million anti-personnel mines (APMs) stored in the arsenals of 105 countries. Some 225–230 million landmines are possessed by countries which have not signed the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (APM Convention). The largest stockpiles of APMs are in China (110 million), Russia (60–70 million), Belarus (10–15 million), the USA (11 million) and Ukraine (10 million). The main producers and exporters of landmines—China, India, Pakistan and Russia—as well as many user countries involved in conflicts around the world, have not signed the APM Convention.<sup>84</sup>

Two multilateral agreements deal with the issue of landmines. The APM Convention entered into force on 1 March 1999.<sup>85</sup> It aims at the elimination of *all* anti-personnel mines,<sup>86</sup> but it is weakened by the absence of strong monitoring and enforcement provisions. The amended (landmine) Protocol II of the 1981 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (CCW Convention or ‘Inhumane Weapons Convention’) is a humanitarian arms control agreement.<sup>87</sup> Unlike the APM Convention, it includes most major producer and user countries.

Efforts in the Conference on Disarmament (CD) to highlight the issue of landmines, and especially to negotiate a permanent ban on their transfer, continued to be stalemated in 2000, underscoring the deadlock in this body.

### The APM Convention

As of 1 March 2001, there were 111 parties to the APM Convention, and another 28 states had signed but not ratified it. However, 54 states have not acceded to the convention. These include three of the five permanent members of the UN Security Council (China, Russia and the USA), other major landmine producers, such as India and Pakistan, all but two former Soviet republics and many states in Asia. The signatories included all the states of the Western Hemisphere except Cuba and the USA, all the NATO nations except Turkey and the USA, all the EU member states except Finland, 43 African

<sup>84</sup> International Campaign to Ban Landmines, Landmine Monitor, *Landmine Monitor Report 2000: Towards a Mine-Free World*, 2000.

<sup>85</sup> The text of the convention is reproduced in *SIPRI Yearbook 1998: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 1998), pp. 567–74. For details of the convention and a list of states parties and signatories, see annexe A in this volume.

<sup>86</sup> ‘Landmine’ is the broad term commonly used for this type of weapon. The convention defines a mine as ‘a munition designed to be . . . exploded by the presence, proximity or contact of a person or vehicle’ (Article 2), and an APM as ‘a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons’. Only APMs are prohibited by the convention, which does not cover anti-tank, other anti-vehicle mines or anti-ship mines at sea or in inland waterways.

<sup>87</sup> Protocol II is discussed below. The states parties to Protocol II are listed in annexe A in this volume.

**Table 8.5.** The status of the APM Convention, as of 1 March 2001

Region	Signed but not ratified	Ratified/ acceded/approved	Did not join	Total
Africa	11	32	10	<b>53</b>
Asia-Pacific	5	20	33	<b>58</b>
Americas	6	27	2	<b>35</b>
Europe	5	32	9	<b>47</b>
<b>Total</b>	<b>28</b>	<b>111</b>	<b>54</b>	<b>192</b>

*Sources:* Based on International Campaign to Ban Landmines, 'Ratification updates', 1 Mar. 2001, URL <<http://www.icbl.org>>; and Mines Action Canada (no date), URL <<http://www.minesactioncanada.com/home/index.cfm?lang=e>>.

countries and 25 states in the Asia-Pacific region (the regional distribution is shown in table 8.5). Such states as Belarus, Egypt, India, Iran, Iraq, North Korea, South Korea, Libya, Pakistan, Sri Lanka, Syria and Viet Nam either are opposed to or claim to be unable to accede to the convention.

The International Campaign to Ban Landmines (ICBL) established a civilian society-based monitoring network, called Landmine Monitor, to assess implementation, progress and compliance with the APM Convention. Its first annual *Landmine Monitor Report* was presented at the first conference of states parties, in Maputo, Mozambique, in 1999.<sup>88</sup> On 7 September 2000 the ICBL released its second, 1115-page comprehensive annual report.

In 2000 it was claimed that Angola, a treaty signatory, continues to use landmines. Two other signatories, Burundi and Somalia, are alleged to have used landmines in 1999 and 2000.

Although the use of APMs has declined in recent years, new uses of landmines were reported in 1999 and 2000 in 20 conflicts by 11 governments and at least 30 non-state actors. However, the trade in landmines virtually halted in 2000, and not a single significant shipment of landmines was identified in 1999 or the first half of 2000.

By the end of 2000, 25 states parties had completed the destruction of their APM stockpiles. Those which did so in 1999–2000 include: Australia, Bosnia and Herzegovina, Denmark, France, Honduras, Hungary, Spain, the UK and Zimbabwe. It is estimated that more than 23 million stockpiled landmines have been destroyed in recent years, 10 million mines of which have been destroyed since the entry into force of the APM Convention.<sup>89</sup>

### Amended Protocol II to the CCW Convention

The 1996 Amended Protocol II to the CCW Convention, which restricts or prohibits the use and transfer of 'mines, booby traps and other devices',

<sup>88</sup> International Campaign to Ban Landmines, Landmine Monitor, *Landmine Monitor Report 1999: Towards a Mine-Free World*, 1999.

<sup>89</sup> International Campaign to Ban Landmines (note 84).

entered into force on 3 December 1998.<sup>90</sup> The Amended Protocol II supplemented the original protocol of 1981 with a number of provisions concerning its applicability, the detectability of all APMs, a ban on the transfer of prohibited mines, responsibility for mine clearance, and so on. It is the only international agreement to cover all types of landmine and therefore affects most of the world's APM stocks. Such major landmine users as China, India, Pakistan, Russia and the USA are among its parties.

In the run-up to the 2001 Review Conference of the CCW Convention, the USA has proposed additional restrictions that would be imposed on anti-vehicle and anti-personnel mines. The proposed measures—which address detectability and providing self-destructing and self-deactivating mechanisms on remotely delivered anti-vehicle mines—would strengthen Protocol II restrictions on the use of landmines, particularly anti-vehicle mines, recognizing their particular danger to civilian vehicles and to humanitarian relief and peacekeeping missions. The USA proposes increasing the reliability of remotely delivered mines<sup>91</sup> and adopting comprehensive procedures for handling cases of non-compliance, in particular by adopting a procedure for considering allegations of violations, including possible on-site inspections.<sup>92</sup>

As of 1 January 2001, a total of 58 states were parties to Amended Protocol II, including Bosnia and Herzegovina, Colombia, Ecuador, El Salvador, Estonia, Israel, Jordan, Maldives, Moldova, Nicaragua and Seychelles, which did so during the year.<sup>93</sup>

## VIII. Conclusions

Contrary to expectations for progress in European arms control, the year 2000 did not produce many advances, as the 1999 Agreement on Adaptation of the CFE Treaty was deadlocked by Russia's CFE non-compliance. Less attention is being paid to conventional arms control because of the change of focus in international politics in the Euro-Atlantic area. However, the role of arms control in enhancing security and stability is still significant. It is of relevance to Russia's security concerns and enables NATO to maintain the operational flexibility needed for its peace and stability-supporting missions. The change simply underscores the shift that has taken place in security-building priorities in recent years.

Several events and trends in Europe support this argument. The arsenals of most countries are now below the new limits for heavy weapons set by the

<sup>90</sup> The Amended Protocol II is reproduced in *SIPRI Yearbook 1998* (note 85), pp. 559–67. It is reviewed in Lachowski, Z., 'Conventional arms control', *SIPRI Yearbook 1997* (note 4), pp. 496–97. For details of the convention, its protocols and lists of states parties and signatories, see annexe A in this volume.

<sup>91</sup> The Amended Protocol II stipulates that only 1 in 1000 landmines may remain active after 120 days; the USA wants to raise the failure standard to 1 in 10 000.

<sup>92</sup> US Department of State, 'US wants to strengthen landmine protocol to make mines more detectable', *Washington File*, 1 June 2000, URL <<http://www.usinfo.state.gov/topical/pol/arms/stories/00060101.htm>>.

<sup>93</sup> For the list of signatories and parties, see annexe A in this volume.

Agreement on Adaptation. Some countries plan to further lower these levels and some are being forced to make cuts because of domestic political or economic constraints. However, arms reductions under the Agreement on Adaptation have been conservative and reflect a desire for a 'security insurance' rather than a strong commitment to major weapon cuts. The inadequacy of such an approach has been evident both in regional conflicts such as those involving IFOR and SFOR, which required moderate levels of equipment, and in the Revolution in Military Affairs, which involves qualitative changes in military technology and warfare capabilities, as demonstrated by the NATO intervention in the FRY. (Russia's massive military response to the Chechen rebellion is an exception to the rule.) The 'bean-counting' era in arms control on the *pan-European level* is of dwindling importance, and qualitative factors have become more significant.

Instances of non-compliance with treaty terms continued in 2000, the most striking being the war in Chechnya, but these do not seem to have seriously affected the broader European political situation. The EU and NATO have chosen to overlook the arms control-related shortcomings of the post-Soviet states while pursuing a policy of cooperative and inclusive security towards these states. Foreign military presence, such as that in Georgia and Moldova, creates concern more because of the complex political context than of the military threat. Discussions in the OSCE Forum for Security Co-operation in 2000 showed limited interest in and produced little of substance related to the topic of its discussions on 'the role of conventional arms control in Europe and the contribution of the OSCE arms control arrangements to European security'. Increasing attention is being paid to 'soft', broad regional security arrangements, including crisis management, conflict resolution and CSBMs, together with a growing emphasis on non-military measures and solutions. The focus of the OSCE is on building wide-ranging stability rather than on strategic parity or balance because arms control, static by nature, is not effective in the context of dynamic international affairs. The most immediate issues on the European agenda are small arms, military doctrines and the pursuit of stability in South-Eastern Europe, Central Asia and elsewhere.

The CFE and Vienna Document CSBM regimes function as umbrella accords under which various stabilizing arrangements can be tried in order to better cope with complex situations in crisis-prone and conflict-ridden regions and subregions. *Regional* arms control deals with security issues in these areas and must be based on the old balance-of-forces approach. The year 2000 witnessed progress, particularly in South-Eastern Europe. Following the success of both CSBMs in Bosnia and Herzegovina and the subregional arms control agreements in the FRY, arms control efforts are being focused on the Balkans as a region. There is a convergence between the agendas of the Article V regional stabilization negotiations and the arms control-related dimension of the Stability Pact process, which resulted in a division of labour between the two forums to avoid unnecessary duplication. The loss of the election by Milosevic and the admission of Yugoslavia to the OSCE should

help advance the arms control and stability process in the region. In the sub-regional context, the main concern relates to the continuing politico-military split in Bosnia and Herzegovina and its inability to fulfil its arms control, CSBM and related obligations. The fragile stability in the Balkan region continues to impede efforts to bring arms control in the Balkans closer to the overall European model.

In the 1990s CBMs and conventional arms control developed promisingly in some non-European regions, but in 2000 progress was limited in several regions such as South-East Asia and Latin America. There was cautious optimism regarding arms control on the Korean peninsula. The OSCE has become more active in sharing its experience with regions outside Europe. It supported the effort to foster a dialogue on confidence in military matters in North-East Asia, and a seminar was also held under OSCE auspices to explore CSBMs in the Mediterranean region.