

**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

The Republic of Armenia, the Azerbaijan Republic, the Republic of Belarus, the Kingdom of Belgium, the Republic of Bulgaria, Canada, the Czech Republic, the Kingdom of Denmark, the French Republic, Georgia, the Federal Republic of Germany, the Hellenic Republic, the Republic of Hungary, the Republic of Iceland, the Italian Republic, the Republic of Kazakhstan, the Grand Duchy of Luxembourg, the Republic of Moldova, the Kingdom of the Netherlands, the Kingdom of Norway, the Republic of Poland, the Portuguese Republic, Romania, the Russian Federation, the Slovak Republic, the Kingdom of Spain, the Republic of Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America, which are the States Parties to the Treaty on Conventional Armed Forces in Europe of 19 November 1990, hereinafter referred to as the States Parties,

Fulfilling the obligation set forth in Article XXI, paragraph 1, of the Treaty on Conventional Armed Forces in Europe, hereinafter referred to as the Treaty, to conduct a review of the operation of the Treaty, and thereby taking into account the Final Documents of the Extraordinary Conferences of the States Parties of 10 July 1992 in Helsinki and 13 November 1992 in Vienna,

Acting in accordance with the provision of Section VII, paragraph 3, of the Concluding Act of the Negotiation on Personnel Strength of Conventional Armed Forces in Europe of 10 July 1992, hereinafter referred to as the Concluding Act,

Recalling the results of the Extraordinary Conferences held thus far,

Reaffirming all the decisions of the Joint Consultative Group made thus far,

Having met at the First Review Conference, chaired by the Kingdom of the Netherlands, from 15 to 31 May 1996 in Vienna,

Have adopted the following:

I. INTRODUCTION

1. The States Parties reaffirm the fundamental role of the Treaty as a cornerstone of European security and their adherence to its goals and objectives. It is in their common interest to preserve the integrity of the Treaty and the Concluding Act as well as the predictability and transparency they have created. The States Parties reaffirm their determination to fulfil in good faith all obligations and commitments arising from the Treaty and its associated documents. Bearing that in mind, they commit themselves to enhance the viability and effectiveness of the Treaty.

2. The negotiation, conclusion and implementation of the Treaty and the Concluding Act, as well as the ratification of the Treaty, took place in times of change during which the

European security environment evolved significantly. The Warsaw Treaty Organization has ceased to exist. New States have emerged and became States Parties to the Treaty. At the same time, new risks and challenges to security have come to the fore. As a result of common efforts of the States Parties, the Treaty and the Concluding Act have remained vital stabilizing factors in this period of transition and contributed to its peaceful unfolding.

3. The States Parties stress that security and stability in Europe are vitally underpinned by the continuation and enhancement of robust arms control measures. Recognizing the evolution of the European political and security environment, the States Parties are resolved to continue the conventional arms control process, including through the enhancement of the viability and effectiveness of the Treaty. They see this as a common responsibility.

4. The States Parties recognize that the Treaty and the Concluding Act are essential contributions to the achievement of the goals and purposes of the Organization for Security and Co-operation in Europe (OSCE), in particular the promotion of confidence, stability and security in an undivided Europe. In that context, they stress the importance of the development of a common and comprehensive security model for Europe for the twenty-first century, of the implementation of the Treaty on Open Skies and of the ongoing security dialogue and negotiations in the Forum for Security Co-operation.

II. REVIEW OF THE OPERATION OF THE TREATY AND THE CONCLUDING ACT

5. The States Parties note with satisfaction that more than 58,000 pieces of conventional armaments and equipment have been reduced, and that the overall holdings of conventional armaments and equipment within the area of application are substantially lower than the limits set in the Treaty.

More than 2,500 inspections have taken place. A permanent system for regular and routine exchange of Treaty notifications and other information has been developed. The Joint Consultative Group has been firmly established and has demonstrated its utility and importance as the ongoing Treaty forum.

With regard to the Concluding Act, the States Parties note with satisfaction that the personnel strength of conventional armed forces in the area of application was reduced by 1.2 million persons.

6. The States Parties note that the Treaty established a high degree of transparency in military relations through its comprehensive system for exchange of information and for verification. Together with the extensive reductions of conventional armaments and equipment, this has led to greater predictability and confidence in security relations. The Treaty has also nurtured the development of new patterns of co-operation in Europe and provides a basis for stability and enhanced security in Europe at substantially lower levels of conventional armaments and equipment than heretofore. Although risks and challenges still exist in some parts of Europe, the capability for launching surprise attack and the danger of large-scale offensive action in Europe as a whole have been diminished substantially. Nevertheless, the achievement of the goals of the Treaty in the whole area of its application requires continuous efforts by the States Parties.

7. The States Parties reaffirm the continued relevance of the basic structures of the Treaty, including the principle of zonal limitations, as embodied in Articles IV and V of the Treaty. In this respect, and in line with the Decision of the Joint Consultative Group of 17 November 1995, the States Parties have agreed on a Document, which is contained in Annex A, reflecting a combination of measures agreed in co-operative fashion and acceptable to all Parties to the Treaty.

8. The States Parties regret that not all reduction obligations pursuant to the Treaty have been met. They stress the necessity to complete as soon as possible reductions of conventional armaments and equipment limited by the Treaty (TLE) in accordance with obligations under the Treaty. They note with satisfaction the reiterated commitment of those States Parties which still have to complete reductions to comply with the provisions of the Treaty and its associated documents. All States Parties express their readiness to follow this process to its completion in accordance with the provisions of the Treaty. In this context, being aware of difficulties which have delayed the completion of reductions, they take positive note of efforts undertaken in order to meet fully obligations under the Treaty.

9. The States Parties express their concern with serious difficulties of some States Parties to comply fully, within their territory, with the provisions of the Treaty and its related documents due to TLE unaccounted for and uncontrolled within the Treaty. This situation adversely affects the operation of the Treaty and complicates its implementation.

They stress the need to reach as soon as possible relevant political solutions and to elaborate necessary measures to enable the implementation of the Treaty in accordance with its provisions.

They express their readiness to address the issue of this TLE in the Joint Consultative Group, including the ways and means to facilitate the resolution of this issue.

10. The States Parties have adopted the understandings and agreed interpretations with regard to implementation and ways and means to improve the viability and effectiveness of the Treaty as specified in Annex B of this Final Document.

11. The States Parties have agreed that the implementation issues contained in Annex C of this Final Document require further consideration and resolution in the Joint Consultative Group.

12. The States Parties reaffirm the arrangements regarding Article XII reached at the Extraordinary Conference in Oslo in 1992.

They understand that for successor States that had become States Parties by 1992, paragraph 2 of the Article XII part of the Oslo arrangement should be read as: "In particular, no State Party will increase within the area of application its holdings of armoured infantry fighting vehicles held by organizations designed and structured to perform in peacetime internal security functions above that aggregate number held by such organizations at the time of signature of the Treaty, as notified on their territory pursuant to the information exchange as of November 19, 1990."

They agree to work further on the issue of Article XII in the Joint Consultative Group,

taking into account the proposals made at the Review Conference.

13. The States Parties stressed the importance of full and continuous respect for the provisions of Article IV, paragraph 5, in the context of maintaining the viability of the Treaty, as well as for the sovereignty of the States Parties involved.

The States Parties noted that, in certain instances, bilateral agreements are under negotiation - or in the process of ratification or implementation - which relate to the provisions of Article IV, paragraph 5. The States Parties expressed their support for early and positive results of the ongoing process.

The States Parties consider that the importance of the Article IV provisions on stationing forces should be recognized in the context of the process foreseen in Section III of this Final Document.

14. In the context of the process foreseen in Section III of this Final Document, the States Parties will examine different interpretations of temporary deployments so as to ensure that these temporary deployments do not become indefinite.

15. The States Parties recall that, according to Article II, paragraph 2, of the Treaty, the lists of existing types contained in the Protocol on Existing Types of Conventional Armaments and Equipment (POET) shall be updated periodically by the Joint Consultative Group in accordance with Section IV of the POET. However, it has not been updated since the Treaty's conclusion.

The States Parties instruct their delegations to the Joint Consultative Group to update the POET. They further agreed that:

- any inaccuracies should be corrected, including by removal of types, models and versions of conventional armaments and equipment that do not meet Treaty criteria;
- the Joint Consultative Group should consider if a yearly update of the lists would be appropriate;
- the Joint Consultative Group should consider an electronic version of the lists in all official languages.

16. The States Parties also discussed the topics contained in Annex D of this Final Document.

17. The States Parties welcome the statement of the representative of the Russian Federation to promote the implementation of the statement of the representative of the Union of Soviet Socialist Republics in the Joint Consultative Group on 14 June 1991 in Vienna. The text of the Russian statement is given in Annex E of this Final Document.

18. The States Parties recommend that, in view of the issues that have been referred to the Joint Consultative Group, most effective use is made of the provisions of Article XVI and the Protocol on the Joint Consultative Group in order to allow the Joint Consultative Group to address all those issues in a proper manner.

III. FUTURE WORK ON THE TREATY

19. In view of Sections I and II of this Final Document, the States Parties instruct their delegations to the Joint Consultative Group to expand upon their work in accordance with Article XVI of the Treaty. Taking fresh impetus from this Review Conference, they will immediately start a thorough process aimed at improving the operation of the Treaty in a changing environment and, through that, the security of each State Party, irrespective of whether it belongs to a politico-military alliance. As part of this process, the States Parties will consider measures and adaptations with the aim of promoting the objectives of the Treaty and of enhancing its viability and effectiveness, including but not limited to the consideration of proposals already made to that effect. The character of this process should be such as to permit the Treaty to sustain its key role in the European security architecture. Its scope and parameters should be defined as a matter of priority.

20. Until the entry into force of such measures and adaptations, the States Parties will observe all provisions of the Treaty and its associated documents.

21. The States Parties will consider a progress report on the intermediate results of this process at the time of the OSCE Lisbon Summit. That report will, *inter alia*, include recommendations on the way ahead.

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In accordance with Article XXI, paragraph 1, the States Parties look forward to gathering again in five years' time at the Second Conference to Review the Operation of the Treaty on Conventional Armed Forces in Europe.

This Final Document, together with its Annexes A, B, C, D and E, which are integral to it, having been drawn up in all the official languages of the Organization for Security and Co-operation in Europe, shall be deposited with the Government of the Kingdom of the Netherlands, as the designated Depositary for the Treaty, which shall circulate copies of this Final Document to all States Parties.

Annex A:

**DOCUMENT
AGREED AMONG THE STATES PARTIES TO
THE TREATY ON CONVENTIONAL ARMED FORCES IN EUROPE
OF NOVEMBER 19, 1990**

The 30 States Parties to the Treaty on Conventional Armed Forces in Europe of November 19, 1990, hereinafter referred to as the Treaty,

Have agreed as follows:

I

1. Each State Party shall, taking into account the clarification set forth in this Document relating to the area described in Article V, subparagraph 1(A), of the Treaty and taking into account the understandings on flexibility set forth in this Document, comply fully with the numerical limitations set forth in the Treaty, including Article V thereof, no later than 31 May 1999.
2. Paragraph 1 of this Section shall be understood as not giving any State Party, which was in compliance with the numerical limitations set forth in the Treaty, including Article V thereof, as of 1 January 1996, the right to exceed any of the numerical limitations set forth in the Treaty.
3. Pursuant to the Decision of the Joint Consultative Group of 17 November 1995, the States Parties shall co-operate to the maximum extent possible to ensure the full implementation of the provisions of this Document.

II

1. Within the area described in Article V, subparagraph 1(A), of the Treaty, as understood by the Union of Soviet Socialist Republics at the time the Treaty was signed, the Russian Federation shall limit its battle tanks, armoured combat vehicles, and artillery so that, no later than 31 May 1999 and thereafter, the aggregate numbers do not exceed:
 - (A) 1,800 battle tanks;
 - (B) 3,700 armoured combat vehicles, of which no more than 552 shall be located within the Astrakhan oblast; no more than 552 shall be located within the Volgograd oblast; no more than 310 shall be located within the eastern part of the Rostov oblast described in Section III, paragraph 1, of this Document; and no more than 600 shall be located within the Pskov oblast; and
 - (C) 2,400 pieces of artillery.
2. Within the Odessa oblast, Ukraine shall limit its battle tanks, armoured combat vehicles, and artillery so that, upon provisional application of this Document and thereafter,

the aggregate numbers do not exceed:

- (A) 400 battle tanks;
- (B) 400 armoured combat vehicles; and
- (C) 350 pieces of artillery.

3. Upon provisional application of this Document and until 31 May 1999, the Russian Federation shall limit its battle tanks, armoured combat vehicles, and artillery, within the area described in Article V, subparagraph 1(A), of the Treaty, as understood by the Union of Soviet Socialist Republics at the time the Treaty was signed, so that the aggregate numbers do not exceed:

- (A) 1,897 battle tanks;
- (B) 4,397 armoured combat vehicles; and
- (C) 2,422 pieces of artillery.

III

1. For the purposes of this Document and the Treaty, the following territory, as constituted on 1 January 1996, of the Russian Federation shall be deemed to be located in the area described in Article IV, paragraph 2, of the Treaty rather than in the area described in Article V, subparagraph 1(A), of the Treaty: the Pskov oblast; the Volgograd oblast; the Astrakhan oblast; that part of the Rostov oblast east of the line extending from Kushchevskaya to Volgodonsk to the Volgograd oblast border, including Volgodonsk; and Kushchevskaya and a narrow corridor in Krasnodar kray leading to Kushchevskaya.

2. For the purposes of this Document and the Treaty, the territory of the Odessa oblast, as constituted on 1 January 1996, of Ukraine shall be deemed to be located in the area described in Article IV, paragraph 3, of the Treaty rather than in the area described in Article V, subparagraph 1(A), of the Treaty.

IV

1. The States Parties shall, during the period before 31 May 1999, examine the Treaty provisions on designated permanent storage sites so as to allow all battle tanks, armoured combat vehicles, and artillery in designated permanent storage sites, including those subject to regional numerical limitations, to be located with active units.

2. The Russian Federation shall have the right to utilize to the maximum extent possible the provisions of the Treaty on temporary deployment of battle tanks, armoured combat vehicles, and artillery within its territory and outside its territory. Such temporary deployments on the territory of other States Parties shall be achieved by means of free negotiations and with full respect for the sovereignty of the States Parties involved.

3. The Russian Federation shall have the right to utilize, to the maximum extent

possible, reallocation, in accordance with existing agreements, of the current quotas for battle tanks, armoured combat vehicles, and artillery established by the Agreement on the Principles and Procedures for the Implementation of the Treaty on Conventional Armed Forces in Europe, done at Tashkent on 15 May 1992. Such reallocations shall be achieved by means of free negotiations and with full respect for the sovereignty of the States Parties involved.

4. The Russian Federation shall count against the numerical limitations established in the Treaty and paragraph 1 of Section II of this Document any armoured combat vehicles listed as "to be removed" in its information exchange of 1 January 1996 that are not so removed by 31 May 1999.

V

1. In addition to the annual information exchange provided pursuant to Section VII, subparagraph 1(C), of the Protocol on Notification and Exchange of Information, the Russian Federation shall provide information equal to that reported in the annual information exchange on the area described in Article V, subparagraph 1(A), of the Treaty, as understood by the Union of Soviet Socialist Republics at the time the Treaty was signed, upon provisional application of this Document and every six months after the annual information exchange. In the case of Kushchevskaya, the Russian Federation shall provide such additional information every three months after the annual information exchange.

2. Upon provisional application of this Document, Ukraine shall provide "F21" notifications for its holdings within the Odessa oblast on the basis of changes of five, rather than ten, per cent or more in assigned holdings.

3. Subject to paragraphs 5 and 6 of this Section, the Russian Federation shall, upon provisional application of this Document, accept each year, in addition to its passive declared site inspection quota established pursuant to Section II, subparagraph 10(D), of the Protocol on Inspection, up to a total of 10 supplementary declared site inspections, conducted in accordance with the Protocol on Inspection, at objects of verification:

- (A) located within the Pskov oblast; the Volgograd oblast; the Astrakhan oblast; that part of the Rostov oblast east of the line extending from Kushchevskaya to Volgogradsk to the Volgograd oblast border, including Volgogradsk; and Kushchevskaya and a narrow corridor in Krasnodar kray leading to Kushchevskaya;
- (B) containing conventional armaments and equipment limited by the Treaty designated by the Russian Federation in its annual information exchange of 1 January 1996 as "to be removed", until such time that a declared site inspection confirms that such equipment has been removed.

4. Subject to paragraphs 5 and 6 of this Section, Ukraine shall, upon provisional application of this Document, accept each year, in addition to its passive declared site inspection quota established pursuant to Section II, subparagraph 10(D), of the Protocol on Inspection, up to a total of one supplementary declared site inspection, conducted in accordance with the Protocol on Inspection, at objects of verification located within the Odessa oblast.

5. The number of supplementary declared site inspections conducted at objects of verification pursuant to paragraph 3 or 4 of this Section shall not exceed the number of declared site passive quota inspections, established in accordance with Section II, subparagraph 10(D), of the Protocol on Inspection, conducted at those objects of verification in the course of the same year.

6. All supplementary declared site inspections conducted pursuant to paragraph 3 or 4 of this Section:

- (A) shall be carried out at the cost of the inspecting State Party, consistent with prevailing commercial rates; and
- (B) at the discretion of the inspecting State Party, shall be conducted either as a sequential inspection or as a separate inspection.

VI

1. This Document shall enter into force upon receipt by the Depositary of notification of confirmation of approval by all States Parties. Section II, paragraphs 2 and 3, Section IV and Section V of this Document are hereby provisionally applied as of 31 May 1996 through 15 December 1996. If this Document does not enter into force by 15 December 1996, then it shall be reviewed by the States Parties.

2. This Document, in all six official languages of the Treaty, shall be deposited with the Government of the Kingdom of the Netherlands, as the designated Depositary for the Treaty, which shall circulate copies of this Document to all States Parties.

Annex B: Understandings and agreed interpretations with regard to implementation and ways and means to improve the viability and effectiveness of the Treaty

1. The States Parties stress the need to ensure that relevant Government authorities charged with Treaty implementation fulfil all the obligations of the Decision of the Joint Consultative Group on the cost of inspections dated 23 May 1995.

2. The States Parties agree that, pursuant to the Protocol on Inspection, Section VII, paragraph 1,

- (a) in case an inspected State Party or the State Party exercising the rights and obligations of the inspected State Party delays an inspection on grounds of *force majeure*, it shall, in written form, explain the reasons for this delay in detail;

This should take place as follows:

- if *force majeure* is declared prior to the arrival of the inspection team, through the answer to the relevant notifications;
- if *force majeure* is declared after the arrival of the inspection team at the point of entry, the explanation should be presented as soon as possible, through diplomatic channels or other official channels.

- (b) in case of such a delay due to *force majeure*, the provisions of Section XI, paragraph 2, of the Protocol on Inspection shall apply.

3. Each State Party shall provide to all other States Parties annually, but not later than 15 December, the complete updated list of inspectors and transport crew members. In case of additions to the list of inspectors and transport crew members, the State Party shall provide the complete updated list, highlighting the additions.

4. Each State Party with territory in the area of application shall provide to all other States Parties during the annual exchange of information the standing diplomatic clearance numbers for their aviation transportation means for the subsequent calendar year.

5. Each State Party shall provide to all other States Parties during the annual exchange of information the list of its officially recognized holidays for the subsequent calendar year.

6. The State Party whose inspection team intends to transit the territory of another State Party prior to conducting the inspection should inform the transited State(s) Party (Parties) about the estimated time of transit, cross-border points and transportation means to be used by the inspection team, as well as a list of inspectors and drivers with passport numbers.

7. The States Parties agree that a specified area may contain declared sites of their own and stationed forces; but all declared sites within a specified area are excluded from an inspection of the specified area (inspections in accordance with Section VIII of the Protocol on Inspection) as they can be inspected only in accordance with Section VII of the Protocol on Inspection.

8. The States Parties agree to send the notification of the intent to inspect simultaneously to the host and the stationing States Parties, if the inspecting State intends to conduct a sequential inspection which involves stationed forces.

9. Where appropriate and with the agreement of the State Party on whose territory an inspection is to be carried out in respect of conventional armaments and equipment limited by the Treaty of a stationing State Party, the stationing State Party shall assist the host nation in the provision of security protection to both the inspection team and the escort team for the duration of the inspection.

10. Notifications of changes of 10 per cent of holdings:

- The States Parties agree that, pursuant to Section VIII, subparagraph 1(B), of the Protocol on Notification and Exchange of Information, the most recent update of information on holdings will always constitute the basis for any subsequent change to be notified under this paragraph.
- The notification of any change of 10 per cent or more shall be given no later than five days after such change occurs. The time period of five days is understood as being five working days.

11. The States Parties agree to notify:

- Any changes in the designation of formations or units pursuant to Sections I, III and V of the Protocol on Notification and Exchange of Information, at least 42 days in advance;
- Any closures of objects of verification within the last month pursuant to Section V of the Protocol on Notification and Exchange of Information, on the fifteenth of each month;
- Any creation of, or relocation of, an object of verification at least 42 days in advance.

12. The States Parties agree that, in addition to the requirements for the submission of information and notifications as prescribed in Article XVII of the Treaty and in paragraph 1 of the Annex on the Format for the Exchange of Information to the Protocol on Notification and Exchange of Information, they will endeavour to supplement the annual exchange of information pursuant to the aforementioned Protocol in written form by an electronic data version on diskette in the agreed format, the written form remaining the official version.

13. Each State Party should notify to all other States Parties its passive declared site inspection quota coincident with each annual exchange of information provided pursuant to the Protocol on Notification and Exchange of Information, Section VII, subparagraph 1(C).

Annex C: Implementation issues requiring further consideration and resolution in the Joint Consultative Group

1. Introducing of common procedures governing flights of the aviation transportation means with the inspection team.
2. Point of entry/exit.
3. Immunity of the transportation means of an inspection team.
4. Formulation of principles for the elaboration of declared site diagrams, including the possibility of a more precise formulation/interpretation of the term "routinely".
5. Equipment to be used during inspections.
6. Rules on photography.
7. Calendar year/possibility of synchronization with implementation year.
8. Financing of the inspections.
9. Common understanding of the obligation pursuant to the Protocol on Notification and Exchange of Information, Section VIII, subparagraph 1(B).
10. Review and updating of the Treaty Notification Formats to ensure their continued viability.
11. The issue of TLE which has left, on a temporary basis, without re-assignment, the normal peacetime locations, for commitments under the auspices of the United Nations or the Organization for Security and Co-operation in Europe.
12. The question whether, with reference to the Protocol on Notification and Exchange of Information, Section I, paragraph 1, all units and formations holding equipment subject to the Treaty, including depots, bases, and designated permanent storage sites, should be notified in both Charts I and III.
13. Disposal of TLE in excess of reduction liabilities and disposal of decommissioned TLE.
14. Rounding of passive inspection quotas.
15. Enhanced transparency measures on ambulances built on the chassis of ACVs or APC look-alikes as listed in the Protocol on Existing Types of Conventional Armaments and Equipment.

Annex D: Topics that have been discussed during the Review Conference of the Treaty on Conventional Armed Forces in Europe

1. Article II: Definitions of:

"group of States Parties";
"area of application";
"accession of other OSCE States Parties";
"designated permanent storage site";
"armoured vehicle launched bridge";
"combat aircraft",

and the Protocol on Existing Types of Conventional Armaments and Equipment.

2. Article III:

Export of equipment;
Transparency concerning TLE assigned to Internal Security Forces;
United peacekeeping force proposal.

3. Article IV:

Approach to limitations and maximum levels of holdings;
Stationing forces on the territory of another State Party.

4. Article V:

Implementation;
Temporary deployments;
Stationed forces.

5. Article VI:

Sufficiency rule.

6. Article X:

Removal from designated permanent storage sites.

7. Article XI:

Implementation;
Limits;
Removals from storage.

8. Article XII:

Armoured infantry fighting vehicles held by Internal Security Forces (pursuant to Oslo Final Document, 5 June 1992);
Transparency;
Needs of those States which joined the Treaty in 1992;
Criteria concerning Internal Security Force levels.

9. Article XIV:

Aerial inspections.

10. Article XVI:

Future role of the Joint Consultative Group;
Duration of sessions of the Joint Consultative Group.

11. Article XVIII:

Follow-up negotiations;
Modalities;
Proposal for a Supplementary Agreement.

12. Miscellaneous

United peacekeeping force proposal;
Exceptional circumstances;
Joint Consultative Group dialogue on a Treaty support fund.

Annex E: Statement of the representative of the Russian Federation

To promote the implementation of the Statement of the Representative of the Union of Soviet Socialist Republics to the Joint Consultative Group of 14 June 1991 (the Statement of the Soviet Representative), I have been instructed by the Government of the Russian Federation to state the following.

1. It is understood that conventional armaments and equipment in the three Treaty limited categories referred to in paragraph 1 of the Statement of the Soviet Representative (battle tanks, armoured combat vehicles, artillery) will be deemed destroyed or rendered militarily unusable, in accordance with that Statement, upon the application of any of the following methods:

(A) Destruction or conversion of conventional armaments and equipment under procedures that provide sufficient visible evidence, which confirms that they have been destroyed or rendered militarily unusable;

(B) Provision of satisfactory documentary evidence as meeting requirements of sufficient visible evidence, only in case of such armaments and equipment destroyed prior to promulgation of this Statement. The Russian Federation intends to provide such documentary evidence with regard to armaments and equipment destroyed in the area of application of the Treaty after 17 November 1995;

(C) Segregation of battle tanks and armoured combat vehicles exposed to the influence of atmospheric factors, with hatches and covers of engine compartments opened, with the invitation of a group of experts to conduct - at its own expense - an examination of a random sample representative of those conventional armaments and equipment, prior to their removal from a display site for final disposal (scrapping), and notification of such removal;

(D) Visit of group of experts, at its own expense and upon invitation, to count already derelict conventional armaments and equipment;

(E) Notification preceding or accompanying each transfer of conventional armaments and equipment to other States Parties within the area of application of the Treaty, with equivalent relevant notification from the recipient State Party. Such transfers will be done in line with Treaty provisions and will be compatible with objectives and terms of the Statement of the Soviet Representative.

2. Continuing its efforts aimed at the implementation of the Statement of the Soviet Representative, the Russian Federation will apply methods referred to in paragraph 1 of this Statement to conventional armaments and equipment located on its territory. It will co-operate with the Republic of Kazakhstan and the Republic of Uzbekistan in applying those methods to conventional armaments and equipment located on their territories. The Russian Federation will negotiate the necessary arrangements with those States for the purpose of completing by joint efforts the process referred to in paragraph 1 of the Statement of the Soviet Representative by the year 2000.

3. If, despite good faith efforts, the quota of 6,000 battle tanks subject to elimination is not fully met, the shortfall of not more than 2,300 battle tanks will be covered by applying

methods referred to in paragraph 1 of this Statement to an equal number of armoured combat vehicles in excess of the quota of 1,500 pieces; and thus the overall process referred to in paragraph 1 of the Statement of the Soviet Representative will be in general deemed completed. Notwithstanding that, a number of battle tanks equal to the above-mentioned shortfall will be subsequently eliminated. The envisaged date for the completion of the process of their elimination will depend on the duration of their operational and service life and on the availability of financial resources. That elimination will be carried out in line with paragraph 1 of this Statement.

4. Upon completion of initial visits referred to in paragraph 1 of this Statement, the Russian Federation will be ready to discuss in the JCG their results and in the light of these to make arrangements, as necessary, for further visits, as well as to discuss possible modalities for further visits. In general, relevant practices established in the process of Treaty implementation will be followed as much as applicable in the organization and conduct of the visits.

Statements of the Chairman 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:

- Notwithstanding the rights of each State as stated in Article XIV of the Treaty, each State Party should attempt to avoid conducting inspections during the officially recognized holidays of the other State Party.
- With regard to the phrase "on the availability of financial resources" in the Statement of the Representative of the Russian Federation as contained in Annex E of the Final Document of the First Conference to Review the Operation of the Treaty on Conventional Armed Forces in Europe, it is understood that this phrase is without prejudice to other arms control obligations.
- Temporary deployment and reallocation of quotas referred to in Section IV, paragraphs 2 and 3, of the Document contained in Annex A of this Final Document, will not be used in the context of the Azerbaijan Republic.

Statement by the Delegation of the Russian Federation
at the First Conference to Review the Operation of the
Treaty on Conventional Armed Forces in Europe

31 May 1996

"Unless the flexibilities listed in the agreement on the flank issue are given effect by 31 May 1999, the Russian Federation reserves the right to use the other Treaty flexibilities discussed but not referred to in the above agreement."

Statement by the Delegation of the Netherlands
at the First Conference to Review the Operation of the
Treaty on Conventional Armed Forces in Europe

31 May 1996

"It is the view of the 16 members of the Atlantic Alliance that any future flexibility must be consistent with the legal framework of the Treaty, as agreed by all 30 States Parties.

It is requested that this statement be attached to the Final Document."

Statement by the Delegation of Ukraine
at the First Conference to Review the Operation of the
Treaty on Conventional Armed Forces in Europe

31 May 1996

"In connection with the decision of 31 May 1996 of the Conference to Review the Operation of the Treaty on Conventional Armed Forces in Europe to adopt the 'Document agreed among the States Parties to the Treaty on Conventional Armed Forces in Europe of 19 November 1990', Ukraine gives its consent to that decision on the understanding that, in implementing its provisions, the States Parties will be guided by the following:

1. The rights and obligations of the Russian Federation set forth in Section II, paragraphs 1 and 3, and Section V, paragraph 1, of the Document in relation to 'the area described in Article V, subparagraph 1(A), of the Treaty, as understood by the Union of Soviet Socialist Republics at the time the Treaty was signed' shall not extend to the territory of Ukraine, namely the Autonomous Republic of the Crimea, and Nikolayev, Zaporozhye and Kherson oblasts.
2. Section II, paragraphs 1 and 3, and Section IV, paragraph 2, of the Document shall not apply to that portion of the Treaty-limited conventional armaments and equipment of the Coastal Defence Forces and Naval Infantry of the Black Sea Fleet which, as a result of their division between Ukraine and the Russian Federation, will be assigned to the Russian Federation and be subject to withdrawal from the territory of Ukraine within the agreed time-limits.
3. The provisions of Section IV, paragraph 2, of the Document shall in no way restrict the right and possibilities of Ukraine to deploy on a temporary basis, in accordance with Article V, paragraph 1, of the Treaty, combat tanks, armoured combat vehicles and artillery within the 'new' flank area.
4. The provisions of Section IV, paragraph 3, of the Document shall in no way affect the rights and obligations of Ukraine under the Agreement on the Principles and Procedures for the Implementation of the Treaty on Conventional Armed Forces in Europe of 15 May 1992.

The delegation of Ukraine requests that this statement be distributed as an annex to the Final Document of the Conference."

Statement by the Delegation of the Russian Federation
at the First Conference to Review the Operation of the
Treaty on Conventional Armed Forces in Europe

31 May 1996

"In connection with the statement by Ukraine of 31 May 1996 regarding the Document agreed among the States Parties to the Treaty on Conventional Armed Forces in Europe, the Russian Federation takes the position that the said statement will in no way impede the implementation of the aforementioned Document."

Statement by the Delegation of Turkey
at the First Conference to Review the Operation of the
Treaty on Conventional Armed Forces in Europe

31 May 1996

"On the occasion of the adoption of the Final Document of the First Review Conference, the Turkish Delegation registers the following understanding:

1. The Document in question does not change in any way the legally binding character of the CFE Treaty and its Associated Documents, or the obligations of individual States Parties to the Treaty.
2. Paragraphs 2 and 3 of Section IV of the Document may not be interpreted in a manner which might prejudice the provision contained in Article IV, paragraph 5, of the CFE Treaty, or the principle of free consent enshrined in the OSCE documents on the use of such rights.
3. The 'flexibilities' contained in the Treaty consist of those mentioned in the above paragraphs and may only be used in full respect of the relevant Treaty provisions and on the basis of agreements concluded and implemented with the free consent of the States Parties involved.
4. While the Turkish Delegation accepts an examination of the DPSS provisions, it makes it clear that it can accept eventual modifications only if they do not result in force concentrations prejudicial to regional balances and provided that a similar examination is carried out for the clarification of the question of 'temporary deployments', in particular with regard to their duration.
5. In view of the continued relevance of the regional sub-limits even under changing conditions, the Turkish Government will not enter into any negotiation prejudicial to the principle of regional sub-limits, nor will it accept any force limits that do not take due account of the size of its territory, population and the security environment in adjacent regions not subject to Treaty limitations.

It is requested that this statement be attached to the Final Document."

Statement by the Delegation of Georgia
at the First Conference to Review the Operation of the
Treaty on Conventional Armed Forces in Europe

31 May 1996

"The Georgian Delegation has considered paragraphs 2 and 3 of Section IV of the Document agreed among the States Parties on the flank issue very carefully. We still have some very serious concerns about the future implementation of their content. In this context we would like to make the following statement:

Any agreement on temporary deployment of conventional armed forces on the territory of Georgia or on the reallocation of equipment quotas established by the Tashkent Agreement must be the result of free negotiation and must be taken with full respect for the sovereignty of Georgia and for its Constitution. All Parties must implement all the provisions of any such agreements in good faith and in accordance with the provisions of the Treaty."

Statement by the Delegation of Moldova
at the First Conference to Review the Operation of the
Treaty on Conventional Armed Forces in Europe

31 May 1996

"With reference to paragraph 7, Section II, of the Final Document, the Republic of Moldova would like to make the following statement:

The early entry into force of the bilateral agreement on the withdrawal of Russian Troops, signed between the Republic of Moldova and the Russian Federation on 21 October 1994, will contribute to full implementation of the Document agreed among the States Parties to the Treaty on Conventional Armed Forces in Europe.

With reference to paragraph 2, Section IV, of the Document agreed among the States Parties to the Treaty on Conventional Armed Forces in Europe contained in Annex A of the Final Document, the Republic of Moldova would like to make the following interpretative statement:

The Constitution of the Republic of Moldova has proclaimed the permanent neutrality of the country, prohibiting the stationing of foreign troops on the territory of the Republic. In view of these constitutional provisions, the Republic of Moldova cannot allow even temporary deployment of conventional armaments belonging to other countries on its territory.

The Delegation of Moldova would like to ask the Chairman to annex this statement to the Final Document in translation into all official languages."