

**FORMAL CONCLUSIONS
OF THE SECOND CONFERENCE TO
REVIEW THE OPERATION OF THE
TREATY ON CONVENTIONAL ARMED FORCES
IN EUROPE AND THE CONCLUDING ACT OF THE
NEGOTIATION ON PERSONNEL STRENGTH**

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FORMAL CONCLUSIONS OF THE SECOND CONFERENCE TO REVIEW THE OPERATION OF THE TREATY ON CONVENTIONAL ARMED FORCES IN EUROPE AND THE CONCLUDING ACT OF THE NEGOTIATION ON PERSONNEL STRENGTH

1. The States Parties to the Treaty on Conventional Armed Forces in Europe of 19 November 1990 met in a Review Conference in Vienna, in accordance with Article XXI of the Treaty, from 28 May to 1 June 2001, under the chairmanship of the Republic of Italy.

2. The States Parties reaffirmed the fundamental role of the CFE Treaty as a cornerstone of European security and their adherence to its goals and objectives. They reaffirmed their determination to fulfil in good faith all obligations and commitments arising from the Treaty and its associated documents.

The implementation of the Treaty since its entry into force in 1992 has brought positive results including significantly reduced holdings of Treaty-limited equipment and increased confidence through transparency and predictability involving conventional armed forces. The States Parties welcomed the impressive progress that had been made in implementing the Treaty, including the reduction of more than 59,000 pieces of conventional armaments and equipment, the exchange of about 6,000 notifications per year in addition to annual exchanges of information and the conduct of more than 3,300 on-site inspections and observation visits to verify compliance with the provisions of the Treaty and its associated documents. With regard to the Concluding Act on Personnel Strength, the States Parties noted with satisfaction that the personnel strength of conventional armed forces in the area of application had been reduced significantly.

3. The implementation of the Treaty and the Concluding Act have taken place in times of change during which the European security environment evolved significantly. As a result of the common and cooperative efforts of the States Parties, the Treaty and the Concluding Act have remained vital stabilizing factors in the period of transition and have contributed to its peaceful unfolding and the enhancement of security.

4. The States Parties reviewed the operation and implementation of the CFE Treaty and its associated documents. They concluded that in general the CFE Treaty was operating and being implemented in a satisfactory manner. However, there were a number of implementation issues requiring further consideration and resolution in the Joint Consultative Group.

The States Parties noted that certain numerical limitations established by the Treaty were being exceeded. The States Parties were informed that the excess, which had been declared to be of a temporary nature, had been decreased. They expect that the remaining excess will be eliminated as soon as it is possible. They reaffirmed the importance of transparency with regard to the elimination of any excesses over CFE Treaty limits. In this context, they reiterated their commitment to full and continued implementation of the Treaty and its associated documents and their adherence to its numerical limitations.

The States Parties noted that the Joint Consultative Group had not completely fulfilled the mandate assigned to it by the First Review Conference to update the Protocol on Existing

Types of Conventional Armaments and Equipment and called on the JCG to complete this task as quickly as possible, in line with the agreement reached at the First Review Conference 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 an annual update of the lists would be appropriate;
- the Joint Consultative Group should consider an electronic version of the lists in all official languages.

The States Parties reviewed efforts to deal with the problem of TLE unaccounted for and uncontrolled within the area of application. Recalling the Final Document of the First CFE Review Conference and mindful of the relevant provisions of the Agreement on Adaptation of the CFE Treaty, the States Parties continued to express concern about the presence of such TLE within the area of application. They noted that this situation adversely affects the operation of the Treaty. They expressed their readiness to continue to address this issue in the Joint Consultative Group, as tasked by the First Review Conference.

In addition, the States Parties raised during the Review Conference certain implementation issues which require further consideration in the JCG, including among others:

- limitations and related Treaty obligations;
- interpretation of Treaty counting rules;
- notifications and exchange of information;
- verification, including issues that have arisen during inspections;
- preparation for entry into force of the Agreement on Adaptation and its implementation.

5. The States Parties recalled the signature of the Agreement on Adaptation by the Heads of State and Government of the States Parties and the adoption of the CFE Final Act at the OSCE Istanbul Summit on 19 November 1999.

The Agreement on Adaptation reflects the new security environment and paves the way to greater security and stability in Europe. The adapted CFE Treaty will provide a new structure of limitations to reflect changes that have taken place in the political and military situation in Europe; it will provide for enhanced transparency and provisions pertaining to host State consent to the presence of foreign forces. The States Parties noted that a number of implementation issues identified by the First Review Conference were also addressed in the context of the Agreement on Adaptation. They recall that, when the Agreement on Adaptation enters into force, other participating States of the OSCE whose land territory lies in Europe within the geographic area between the Atlantic Ocean and the Ural mountains,

will be able to apply for accession to the Treaty. They noted that this would offer the opportunity to extend the stability provided by the Treaty.

The Agreement on Adaptation will enter into force when it is ratified by all the States Parties. While they remain committed to entry into force of the Agreement on Adaptation as soon as possible, many States Parties have declared that ratification will be possible only in the context of full and verifiable compliance with agreed levels of conventional armaments and equipment and consistent with the commitments contained in the CFE Final Act. Some of them underlined, in particular, the commitments referred to in the Istanbul Summit Declaration. Other States Parties have already ratified the Agreement or have stated that they are about to do so and urged other partners to join them soon.

All States Parties referred to the importance they attach to all the commitments in the Final Act including its Annexes. They reaffirmed their determination to fulfil in a timely fashion, without exception, all those commitments. They welcomed the progress achieved and the assurances given towards the fulfillment of those commitments and noted that further steps would be needed to meet established deadlines.

The States Parties reaffirmed that all provisions of the Treaty, of the associated documents and of the Concluding Act remain fully in effect and will continue to remain fully in effect except those provisions amended by the Agreement on Adaptation upon its entry into force.

6. The States Parties welcomed progress that had been made in carrying out tasks identified in the First Review Conference. Beyond successfully negotiating the Agreement on Adaptation, the JCG had made progress on technical preparations in view of entry into force of the Adapted CFE Treaty.

The States Parties noted that the provisions of Annex E of the Final Document of the First Review Conference had been carried out successfully. The total quantity of equipment necessary to meet commitments had been destroyed, and the necessary destruction of tanks was continuing.

7. The States Parties expressed satisfaction with the contributions the Treaty had made and was continuing to make to European security and voiced the hope that the third such Conference would review operation and implementation of the adapted CFE Treaty.