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P R O C E E D I N G S

MR. PIFER: Let's go ahead and get started. Everyone, let me welcome you to Brookings. My name is Steven Pifer. I am the director of the Arms Control Initiative here at Brookings. And today we're going to talk about a part of arms control that hasn't received a lot of focus over the last year.

Certainly everyone is looking at the negotiations on a post-START treaty, and there's expectations or at least the hope that that treaty will be completed some time in the coming weeks, but we're going to step back and take a look at another part of arms control which was a very important part regarded as a cornerstone of stability in Europe and that's the Conventional Forces in Europe Treaty.

Thos treaty was originally signed in 1990 and it accomplished a lot. Tens of thousands of tanks, artillery pieces, and other pieces of equipment were eliminated under the treaty. Something like 6,000 inspections were conducted under its terms. But today, in 2010, you're looking at the treaty in a very different context. You no longer have the block-to-block nature of security in Europe where you had NATO on the one side and the Warsaw Pact on the other. And indeed, if you look at the 6 members of the Warsaw Pact in 1990, 5 of those countries are now members of NATO and the other is broken up into 15 pieces, so, you have a very different security environment.

Since 2007, when the Russians suspended their participation in the Conventional Forces in Europe Treaty, the regime has been in something of a limbo and that it only became more difficult in 2008 following the conflict between Georgia and Russia, and Russia's decision then to recognize South Ossetia and Abkhazia as independent states.

So, it raises a number of questions. What do you do about conventional arms control in Europe? Should the United States and NATO care that much about it? And

if the answer is, yes, how do you try to move out of this current situation -- this current situation of limbo -- to try to get the regime back on track? What are some of the options?

And we're very fortunate today to have three people who understand conventional arms control extremely well. All three participated in it. This is also the occasion of the release of the second paper in the Brookings Arms Control series, and I assume everyone got copies when you came in. We have here the three authors to help us understand and think through what the options are for moving forward on conventional arms control in Europe.

First, let me express our gratitude at Brookings to both the Department of State and the Center for Strategic International Studies which funded the work that make this paper possible. I should emphasize here, as it's emphasized in the report, is although there was funding in part from the State Department for this report, this is not a report of the U.S. Government. This is an independent report reflecting the views of the three authors.

Now, I'll give a very quick introduction of the panel. You have your biographies in the handout that you picked up. Anne Witkowsky is deputy coordinator at the Office of Counterterrorism of the Department of State now, but relevant to this conversation is, she's spent a lot of time in the Office of the Secretary of Defense and at the National Security Council working on conventional arms control in Europe.

Sherm Garnett is dean at the James Madison College at Michigan State University, but he spent 10 years in the 1980s and the 1990s in the Office of the Secretary of Defense, very much involved in the Conventional Armed Forces in Europe Treaty.

And Jeff McCausland, who's now a professor of international law and diplomacy at Penn State University. He's a retired army colonel, and in that capacity worked very closely on conventional arms control in Europe, including at the National Security Council.

Now, I need to come back to Anne for just a moment. This paper was written largely before the end of 2009. And at the end of 2009, Anne returned to government service. In her current position she does not have anything to do with conventional arms control in Europe, and we have special dispensation in the Department of State that she is appearing today in her personal capacity to talk about a paper that she wrote in 2009. So her views need to be taken as the views of Anne Witkowsky. They are not the views of the State Department or the U.S. Government.

Is that qualifier correct there? Good.

Okay. So I'm going to ask Anne first to give some of the background, discuss the state of play with the current situation on conventional arms control in Europe. We'll then turn to Sherm Garnett, who will then talk a little bit about the Russian views and the views of countries that are on the Eastern side of this security context. And then finally, Jeff will come back and talk a little bit about American and NATO interests and he'll summarize the options that are described in the paper. So, Anne?

MS. WITKOWSKY: Hey, Steve, thank you very much, and thanks to you and The Brookings Institution for publishing our paper and for hosting the events of today as part of the Brookings Arms Control series. We're all very happy to be here.

As Steve mentioned, I'm going to give you sort of a broad overview of where we are and also, to those in the audience who may not be so familiar with the CFE Treaty, sort of a thumbnail of what it's about.

From our point of view, the CFE Treaty and the related competence and security building measure regime in Europe have become pillars in the architecture of an undivided Europe that nations have sought to build since the Cold War ended, and to a certain extent, this vision of integration is now at risk of being lost. CFE's unraveling would signal new divisions, in our view.

NATO allies believe that the adapted CFE Treaty should be brought into force, but have linked action on its ratification to Russia's fulfillment of political commitments made in 1999 in conjunction with signature of the adapted treaty and related to withdrawal of Russian forces from Moldova and closure of Russian military bases in Georgia.

The Russians assert that the current CFE Treaty has been overtaken by events and must be superseded by the 1999 adapted treaty, which has been ratified by Russia, but not by NATO members. And Russia disputes the necessary linkage to the side commitments it adopted in 1999 related to its forces in Moldova and in Georgia.

So, where are we? Well, Russia, as is mentioned, suspended implementation of the CFE Treaty more than two years ago in December of 2007, and the CFE Treaty is in trouble. The U.S. and our allies continue to implement its provisions, but efforts to negotiate a solution to the situation are, it seems, at an impasse.

Second, the situation is not sustainable too much longer. Whether U.S. officials determine that the treaty continues to be in U.S. and allies' interests or not, it is absolutely in U.S. interest to shape next steps on the treaty and the way ahead. And, of course, we must do so in close collaboration with our allies, if not in -- and certainly, in certain cases, with our allies in the lead.

Third, arms control can never be an end in itself. It grows out of a particular security context and it helps to address the core dilemmas of that context through negotiated constraints upon the treaty parties. Policymakers may disagree on whether in today's European security environment the CFE Treaty is worth saving or that it can be saved, but the context must be addressed, it must be examined, for it will drive one's assessment of the options that are available to us.

The paper before you is an effort to stand back and examine a set of issues that are crucial to understanding if and how the treaty continues to matter, possible U.S.

options to address the U.S. dilemma, and the likely consequences if the treaty should fail to survive the current circumstances in which, as I mentioned, Russia has suspended CFE Treaty implementation for the past two years.

Now, for a moment of context before we go on to our further assessment. It's well known among many of you who do arms control just a little bit that CFE is a most complicated creature, so let me do the last 20 years of the treaty's life in about 5 minutes, which is what I've been allotted here.

The treaty's original goals were about something very different than where we are today, an environment that was very different. It offered the unique opportunity to address the dangers of an overwhelming Soviet and Warsaw Pact superiority and conventional weapons in Europe, a superiority that made war, if it came, difficult to win and unlikely to proceed without NATO having to resort to nuclear weapons. And this Soviet and Warsaw Pact superiority was manifested in three ways: substantial numerical superiority in all key categories of conventional force, equipment, and manpower; overwhelming Soviet superiority of weapons and forces within the Eastern Block; and third, a geographic advantage in the forces deployed forward in Europe, especially due to the deployment of a large number of Soviet troops in East Germany. Very different environment, obviously, than where we are today.

The CFE Treaty, the original CFE Treaty, sought to address all three of these issues by establishing equal equipment limits on two alliances, two groups of states, at lower levels, placing sublimits on the amount of equipment that could be held by any single member of either alliance, which mostly capture the Soviets. And through a structure of concentric zones, the treaty covers all of Europe, from the Atlantic to the Urals. It took forces from the center of Europe and it pushed them back. And so the zonal structure of the CFE Treaty had the effect of permitting a movement away from, but not toward the center of

Europe, which reinforced and was consistent with the CFE objective to prevent dangerous concentrations of military forces and to inhibit the potential for launching surprise attack. Very different environment.

Very quickly, the treaty limits five categories of heavy military equipment: battle tanks, armored combat vehicles, artillery pieces, combat aircraft, and attack helicopters. As I mentioned, it applies to a zone from the Atlantic Ocean to the Ural Mountains in Russia. U.S. and Canadian equipment -- well, now, U.S. equipment stationed in Europe is also subject to CFE limits, and together with these limits, there are detailed onsite inspection and information exchange provisions to monitor clients with the treaty limits.

The treaty itself. I think the original treaty has been deemed very successful as it provided an important measure of predictability and transparency about conventional forces during the profound transformation of the European security environment that included the period immediately following the fall of the Berlin Wall, the withdrawal of the Soviet military from Central and East Europe and the collapse of the Warsaw Pact, and of course, eventually the end of the Soviet Union.

More than 69,000 pieces of treaty limit equipment have been destroyed under the agreement and more than 55,000 onsite inspections have been conducted together with these detailed exchanges of information. And in many respects, the significant amount of information available under the treaty, together with the forum for dialogue and the treaty's implementation forum, the joint consultative group, have been as important as the limits themselves for building competence among states about the size and disposition of their respective militaries.

Now, the treaty, the original treaty, was signed in 1990 and entered into force in 1992. In the mid 1990s, it was recognized that Europe already -- was significantly

changed with a collapsed Warsaw Pact and expanding NATO. And it was decided among the states' parties to adapt the treaty, and it is the adapted treaty that really is under discussion today. It's the adapted treaty as much as the original treaty that is also at risk.

An adapted treaty was signed in 1999 at the OSCE Istanbul Summit. And it basically very simply transformed the block-to-block nature of the treaty into one that was based on national limits, so the adapted treaty contains national ceilings for every state party and then it contains territorial ceilings which cover the amount of ground equipment that can be stationed on the territory of any single state's party. The adapted treaty also carried forward the very detailed verification and information exchange measures of the original treaty, adding some provisions to account for the lower limits that were written into the adapted CFE Treaty. And, very importantly -- and we'll talk more about this today -- the adapted treaty also reinforced and expanded a requirement in the original treaty for host nation consent to forces belonging to other countries stationed on its territory.

As I mentioned at the beginning of my remarks, when the adapted treaty was signed, the Russian Federation -- sorry, let me back up. A number of important side agreements were reached in parallel to the conclusion of the adapted treaty as part of a package deal to address Russian forces in Georgia and Moldova, and these were codified in side agreements that are political agreements: the CFE Final Act and the OSC Istanbul Summit Declaration. These commitments, among other things, require that Russia withdraw its forces from Moldova, and it required that it disband two bases in Georgia within its specified time period and reach agreement on duration of the forces in the remaining two other Georgian bases.

The status of these commitments are that -- well, prior to the 2008 Georgia-Russia conflict, Russia had withdrawn from and closed three of the four bases in question in Georgia. But despite its commitment to close the one of the bases, Gudauta, by July 2001,

Russian forces have remained. With respect to Moldova, a number of -- certain large amounts of equipment and ammunition have been removed from Transnistria, but no additional withdrawals have taken place since 2004, and Russian forces remain there as well.

As I mentioned at the beginning, NATO allies have linked their willingness to ratify the adapted CFE Treaty to Russian fulfillment of these commitments at the 1999 Istanbul Summit. And Russia, of course, has expressed extreme concern about this linkage and as an expression of this concern, in fact, suspended implementation of the CFE Treaty at the end of 2007. Even though the treaty as a legal matter doesn't make any provision for a suspension, this is what they have done and have ceased implementing certain elements of the treaty.

One final point. About two years ago, NATO allies put forward to Russia a proposal, something called a Parallel Actions Package, which was an attempt to bring Russia back into implementation with the current treaty. In conjunction with working toward resolution on the Moldavian and Georgian issues, negotiations over this Parallel Actions Package are currently, as I said at the beginning, at an impasse.

So this gives you your thumbnail sketch of the CFE, 20 years of the CFE Treaty in 6 minutes. And I will now turn to my colleague Sherm Garnett for remarks on the -- and to Jeff McCausland for remarks on the context for our considerations, our key interests in the treaty, and options for the way ahead.

MR. GARNETT: And I'm going to pass out the true/false questions related to Anne's last five minutes.

I want to talk a bit about a set of strategic and geopolitical issues that affect this. And the question put to us, is there a way that the CFE Treaty -- fixing it and approaching it -- is still relevant? I think there's a lot of skepticism about that or whether

some -- Russia's complaints can be overcome, and so the paper, as Jeff will lay out, suggests a few options.

I wanted to start with just three points. The military point that Anne laid out is we came to the treaty with a fairly specific set of serious conventional issues that related ultimately even to our nuclear posture in Europe and we sought to solve those through arms control. In part -- part of the problem right now, I think, is that the rhetoric and the discussions continue to use a kind of a serious military rhetoric and yet it's unhinged from the underlying reality, which is somewhat ambiguous, I think, but it's fundamentally changed. It seems to me that the capacity for large-scale offensive operations on either side, even if we now enjoy this amazing superiority in paper, has just disappeared. Not that it can't come back, not that we couldn't use our forces in ways that would overwhelm weak Russian conventional forces and vice versa, they could use -- but I think that military reality has changed. And yet the rhetoric every day about missiles in Romania or reintroducing TAC nukes, all of those things I think tend to point towards a kind of an irreality. And it seems to me that if you back up, look at this, the question is, is a CFE Treaty useful for one of the following or any of the following three things: exploring the contours of whatever this new environment is; second, keeping the current environment well below the threshold of conventional forces that would cause the same kind of problem we had before, even on a smaller scale, in other words, can we prevent the redeployment of -- along new boards, it's not going to be the inner-German border anymore, obviously, but along, say, the Polish-Russian border; and third and finally, and this is the hardest to get at, the real security problems of the eastern third of this zone seem to be small wars, threat of violence, internal conflict, and everything? So those are issues to keep in mind as Jeff goes to the options.

Secondly, Russia. I think Russia's posture is one of a revisionist power not only towards the CFE Treaty, although they didn't overthrow the treaty, they suspended it --

and as Anne noted, that's a -- not allowed for by the treaty, but seems to be a bit of a moderate step as opposed to just trashing it -- but they seem to be more of a revisionist power in general towards things like the EU-Russian dialogue, the NATO-Russian Council, a whole set of issues that seem to suggest that they would like to revise a whole set of European security issues.

Second, I think the Putin regime thinks that Russian diplomacy hasn't been at the highest caliber during the '90s, and some of the current dilemmas maybe in one sense they'd like to get out of or at least start again. And if you look, and especially in the Eastern part of this zone, there's a whole set of things that have gone on in terms of the Georgian war and the response to it, which was to declare South Ossetia and Abkhazia independent states, the use of what has been called geo-economics with regard to energy, pressures on Ukraine, all of these things which suggest that, I think, there's a real test for the CFE Treaty whether any of these options can help address that problem or whether we're moving ultimately towards a zone where that third of Europe is going to be sort of redefined. And, well, the Russians have talked about a zone of special responsibility, a posture there where they're the major power.

It is clear, by the way, and I think this is both legitimate and problematic, that the Russians are legitimately and problematically unhappy with the kind of consultation arrangements in the larger Europe right now, which CFE is, for their point of view, a part.

Last thing I wanted to say had to do with the non-Russian, former Soviet powers that are not in NATO. I think anybody in NATO has a different set of options, but it does seem to me that for them, regardless of whether this election has moved Ukraine closer to Russia or the Georgians have a problem, the treaty and other pieces of the European security structure linked these countries to existing transparency, inspections, a whole set of regimes -- or a whole set of measures that not only allowed them to have some

sort of transparency vis-à-vis anybody, but especially vis-à-vis Russia. It also potentially involved us and other allies, NATO allies, so it internationalized any bilateral problem. And then third, it potentially institutionalized and engaged others. And it seems to me that that is a value of the treaty and of the parallel OSCE and Open Skies issues. And so regardless of how you move forward on this, it seems to me those are some things you want to preserve.

The last thing I would say is that I think it's easy to say this treaty might not quite fit, maybe we should start again, but I think it is important for people who argue that to think about what the starting again means. What's the rubble on which we try to build a set of measures? And it seemed to me, to us, at least to take seriously the problem of finding ways to engage on CFE and maybe that would involve a transformation, but ultimately that this was better than just letting the rubble accumulate. Because I think it would be very hard to restart or to renegotiate the whole package from transparency and constraints to also any limits and specifically all of this complicated geographic arrangement.

So, with that I'll turn it over to Jeff.

MR. McCAUSLAND: Okay, thank you, Sherm. First of all, I want to thank Brookings for this great opportunity. This process has allowed, I think, the three of us, to reconnect, which has been great fun. And I want to thank my colleagues and also reconnect with many old friends that I've dealt with in past on this particular issue.

I want to touch on some general comments and then talk more specifically about how Europeans and Americans might think about it. As I began working on it, I recall that my first exposure to conventional arms control actually occurred in 1973, probably before several people in this room were actually born, when I was a brand new second lieutenant hearing on Armed Forces Radio about the start of the MBFR talks -- Mutual and Balanced Force Reduction, for those of you who don't recall the history. And I wondered at the time whether or not I'd be able to complete my three-year tour in Germany before we all

went home. Little did I know -- and this is for the younger crowd here -- if you get involved in these issues earlier in your career, they may come to recurrently haunt you. This one has haunted me.

Along the way I learned several things that I think are important in the grander scheme or context. First of all, to underscore what Anne said, and I think it's fundamental, is that arms control is a tool of state policy. It is not an objective, it is not a goal, it's not an end state. It's a means to an end. We can all, I think, think of scenarios where more arms control might make a state less secure. So, it's important to keep that in context. It's not altruism. Now, some may get into discussions of arms control from a moral, ethical, or altruistic standpoint, but we're in the realm of policy here. So the question is, does it further your national interest or not?

As you think about that with whoever you're negotiating with, one has to discover is there a harmony of interest? Is there a Venn diagram wherein we can, in fact, find an agreement? And that, in many ways, to me is the essence of our discussion today. Where is that harmony of interest today? Did a unique set of circumstances exist in the late '80s and early '90s that caused this particular treaty to come together and can, in fact, that be reconstructed or is there a new constellation of a harmony of interest?

Next I would point out that -- with all due respect to anyone in the room who's worked on START or bilateral arms control -- multilateral arms control is just hard. It is just hard. It's difficult enough to find under a complex nuclear arms control, perhaps, a Venn diagram that displays the interests of two states. When you've got 30 states and you're trying to draw a Venn diagram, it just gets really hard. And I also discovered along the way that three negotiations occur simultaneously with CFE. One was in Vienna, where you had the full negotiations with the representative states, normally at the time NATO versus Warsaw Pact during the Cold War; one in Brussels between the various NATO

countries determining the allied position; and one in Washington trying to find the harmony in the United States government within the Executive Branch and oftentimes the other branches. Of those three, the easiest of the three is actually in Vienna; the most difficult, oftentimes, is in Washington.

With that in mind, let me quickly talk about why the Europeans care at this particular juncture. Europeans use the phrase, they call the CFE Treaty "the cornerstone of European security." With all due respect to Europeans in the audience, they've done that for so long it almost has become a cliché. But in my meetings with several of them in various trips over the last couple of years, there is still that nagging fear of conflict. I think we Americans too quickly now skip over the fact that Europe during the 20th century was a continent at war and now see it as an area of tranquility. In the 20th century -- Europe began the 20th century with war in the Balkans; it ended with war in the Balkans. It had two hot wars and a cold war that could have erupted into violence that might make the two previous large ones look insignificant, and that is a memory not terribly far below the surface for many Europeans. In many ways, if you will, it is the START Treaty for Europeans.

One can't prove, necessarily, of course, that arms control has prevented conflict, but I'll tell you, there's a strong belief, certainly in Europe, that it reduced the possibility of conflict. Really there's still, of course, certain regional tensions that they are particularly concerned about. Obviously, in the Balkans, many of you may or may not realize that there is in the Dayton Accords an arms control annex, which is a clone of the CFE Treaty in many ways, and a desire expressed by the Balkan states who are parties to that, that they would like to accede to the larger CFE Treaty at some point.

Certainly there's concern in the north caucuses with ongoing tensions between Azerbaijan and Armenia, as some would say CFE provides some reassurances. And then finally, of course, in the area of the Baltic, the Baltic Republics are not part of the

regime, though they would like to accede to it if an adapted treaty came into place that had the requisite clause that would allow for accession. So, Europeans worry about that.

And finally, of course, they worry about how do we go about now, in the 21st century, if you will, resetting or normalizing relations with the Russian federation? They are concerned clearly when U.S.-Russian relations become difficult. And this has to do with issues of security and more and more it has to do with issues of economics and energy, and obviously they had a wakeup call during the Georgian War.

Let's then shift to the United States. Why does the United States care? Well, again, when I talk to my European allies, one has to balance interest within an alliance. I think it's oftentimes important for the U.S. to stress that the Europeans have perhaps a greater strength or greater interest right now in this particular context. I use four numbers to display that oftentimes. Those numbers are 2, 0, 4,000 and 91.

Well, obviously, what does that mean? Well, 2 is the number of wars the United States is involved in right now, 0 is the number of those wars that are actually happening in Europe, 4,000 is the number of tanks we could have in Europe, and 91 is the number we actually have. I think that displays, perhaps, the level of interest, particularly here in Washington, where in my lifetime we may have the most cluttered agenda that any administration has focused upon and, therefore, there's more need perhaps for the Europeans to come together, I think at times, for ideas of how to solve this conundrum.

There certainly is a question of the military consequences of CFE perhaps dissolving. What would seem to me to think about this now in the European context, Sherm pointed out that the conditions have changed as, in many ways, an economy of force operation. Again, we're down to only a fraction of what we're even authorized in terms of military equipment. But, you know, while our military requirements for the United States have dropped in Europe, over the last decade we've seen our security commitments

increase. And I think if I was sitting back in the Pentagon, I'd be concerned about pressure to translate commitments back into requirements if reassurances were to disappear.

Certainly we want to (inaudible), we say we do, reset relations with the Russian federation. We have a series of ongoing dialogues with the Russians, certainly on, hopefully, an impending START agreement, certainly on Afghanistan. And we don't want this particular treaty to be an obstacle or a sticking point if us and, by the way, the Russians do, in fact, want to reset relations.

There is also, I think if one moves beyond START, if we assume for a moment that START is achieved, there would be a desire to talk about other things. One might well be tactical nuclear weapons, short-range nuclear weapons, which for a long time during the Cold War, we the United States and our allies maintained a large arsenal in Europe to offset our conventional inferiority. Oddly, if you read Russian doctrine right now, they talk just in the reverse. They need to maintain a large tactical nuclear stockpile because of this enormous conventional inferiority. So the degree to which, perhaps, we can reassure them about that, perhaps that will allow us, in a post-START world, to negotiate about reducing the still thousands of weapons that they have, that are tactical nuclear and really a threat to overall stability.

And finally, I think, both the United States and the Europeans would agree that over the years, this pattern of military cooperation, verification, and transparency has become critically important and really has exceeded even the hard arms control reductions, which right now, by the way, include over 5,000 inspections that have occurred and the reduction of over 50,000 pieces of military equipment.

Let me move on very quickly and just talk about our options. Now, in evaluating these options, I think it's important to stress again, how does this fit in that means/end equation? How does this affect broader issues? How does the position

advance our CFE goals in broader security objectives in Europe? Are they negotiable? How will they be viewed by various stakeholders -- our allies, the Congress, other parts of the U.S. government, as well as the Russians and others?

Well, option one, we propose, would be stay the course, perhaps with certain enhancements. This assumes that there's a logical path out there and that the Russians will not make CFE hostage of certain other issues that they have on their particular agenda. As Anne mentioned, the parallel action plan was proposed about two years ago. Under this option we would continue on that course using that as a framework for our approach, the goal being to bring the Russians at least back into compliance with the existing treaty. We might offer up certain political commitments on declaratory forces, for example, as an enhancement.

Second of all, an option would be perhaps stay the course, but open up the adapted treaty, which has never gone fully into force, to amendment, addressing certain things such as a willingness to discuss the flank issues, those portions of the Russian Federation that have certain sublimits that they have said repeatedly they can no longer live with, but are very, very important to some of our European allies, most notably the Turks in the south, the Norwegians and the Balts, perhaps, in the north. Again, this would be a key to getting the Russians back into compliance with the existing agreement.

The third option would be provisional application of the adapted treaty with certain conditions, that we would do it for a certain period of time to test Russian determination to move ahead and if, in fact, they didn't move forward, then we would consider other options. This is a lot bolder and more risky. Certainly the allies would have to decide to apply provisionally as well for this period of time to, in fact, get the Russians back into implementation. And they would have to believe, really, that there is no real goal here or no real possibility of solving some of the real internal conundrums, most notably

Russian forces in Georgia and Moldavia, which, as Anne pointed out, are part and parcel of the Istanbul accords.

Fourth and lastly would be sort of seek a soft landing and move on, a radical step which the United States and our allies, having recognized the Russians are immobile on the point of principle, decide they can no longer -- we can no longer implement the treaty. And certainly there seems to be rights within customary international law to do that. Tactically, obviously, there's a number of ways of approaching that problem. One might still do that while trying to maintain some framework of arms control either through such things as enhanced declaratory policy, improvements perhaps in other forms, such as Vienna Document, Open Skies, preserving Dayton. But in doing so, I think one thing we'd have to keep in mind is we don't want the tool to be damaged even if this particular treaty goes away.

What do I mean by that? It seems to me there now is more interest in U.S. Government about arms control as a viable tool of policy and there may be the opportunity for us to use some of the lessons we learned in hard, conventional arms control in Europe to other regions of the world, be that India-Pakistan, be that the Korean Peninsula, be that elsewhere in the Middle East. And so, as a consequence of perhaps this going away, we don't want people to become convinced that really the tool is flawed, when in reality conditions changed which made a particular treaty no longer viable.

Finally, I think it's important for us to keep in mind that time is not on our side. We need to think about moving forward on this. The Russians now have been in suspension for over two years. There is a gradual movement for this particular agreement to sort of sink into irrelevance, which if not addressed by both the United States and its allies, it certainly could happen. And the negative consequences for the treaty need to at least be considered in terms of NATO-Russian relations as well as U.S.-Russian relations.

With that, let me turn it back over to Anne.

MS. WITKOWSKY: Right. So, I think there are just a couple of points that we need to consider as we look ahead.

First of all, given that we're now past the two-year mark for Russia's suspension of implementation of the treaty, we must understand that while options for Washington remain available, but they'll soon begin to narrow. In this scenario there's a significant risk that CFE will become a casualty of a Europe once again divided. As the Russian suspension drags on, the unraveling of the treaty regime will accelerate.

Second, finding common ground on a way forward that supports the interests of all the parties will be exceedingly difficult, and we are well aware of that even in the crafting of the options that we have put forward in this paper.

And then finally, although so many other issues now top Washington's international agenda, as Jeff pointed out, whether it's about our two wars that we're fighting in Iraq and Afghanistan, stemming the proliferation of weapons of mass destruction, climate change, preventing a terrorist attack on U.S. soil -- the list goes on -- but resolving the CFE impasse despite this large number of other issues on Washington's agenda we believe must be addressed still, with the requisite commitment and determination.

Some in Washington -- we can argue it here today -- may see CFE as a dated, Cold War legacy agreement that can be permitted to wither away without consequence. Yet the way forward on CFE, we believe, will be a key element of Washington's efforts to maintain a strong transatlantic alliance, to build stronger relations with Russia, and to maintain a U.S. that is engaged in Europe in a constructive way as we move ahead together to shape the European security environment.

MR. PIFER: Well, thanks very much for those opening comments, which I think now set the context. I'm going to take the moderator's privilege and ask the first

question. And I think all three of you touched on the fact that the security environment in Europe today is hugely different from what it was from 20 years ago when we negotiated the CFE Treaty, when as, I think, Sherm you pointed out, where the disbalance in forces between the Soviet Union and the Warsaw Pact and NATO were so large that NATO military plays, you know, very quickly went to the nuclear option because they did not see the possibility of conventional defense. Well, 20 years now, I have a feeling that's probably flipped where you have actually the Russians, in many ways, actually having adopted NATO nuclear policy and talking about the importance of tactical nuclear weapons because of conventional inferiority. And I checked some numbers the other day and if you look at the current holdings of tanks in the European area, Russia has about 5,100 tanks and NATO countries together have about 14,000.

So, I guess my question would be, is -- two parts to the question. First of all, in those circumstances, given 20 years ago, NATO's interest in using negotiations to resolve that imbalance, why -- speculate a bit on why we don't see greater Russian interest in trying to maintain a regime when, you know, right now there is this NATO advantage in numerical terms.

And the second question would be, of the two options, Option 2 and Option 3, which suggest some movement on NATO's part to accepting at least parts of the Russian position? You know, which of those options might attract attention on the part of the Russians and might be a basis for moving forward, or do the Russians care enough to move on this?

MR. GARNETT: Well, let me try and see what other people think. I think that in part where Russia is right now, I think, is in a transitional state. I think Putin and his regime is stronger, more coherent. There are real military reform things going on. But I think as Jeff noted, I don't think they're yet where they want to be. And I think you're right,

you would think that maybe they would want to hold on to this treaty. And yet, I think there are a couple of things that make them not grabbing at our very attractive offer. One is, I believe they feel that there are real military requirements in and around their own space and I think they'd rather trade this treaty for greater flexibility. I think the underlying assumption of that is that even though we have this amazing conventional superiority, I don't think Europe will respond to -- or we, necessarily -- I don't know, you all come from Washington and may know this much better than I, but I doubt that we're going to respond to it moving away, the treaty moving away, with a renewed commitment to NATO defense spending and new deployments.

There will be a real alliance problem with that because I think there will be some members of the alliance that would like demonstrable steps that would show that Article V and other aspects of force structure would -- you know, the guarantee and actual -- the force structure to back it up would take place. But I think, you know, it seems to me that, at this point, the Russians are much more concerned about low key -- or low level conflicts in their south, maybe even long-term issues arising in the East, and so they haven't jumped at this.

I think, to me, the long-term question is, the evolution of that space towards one in which the Russians are unconstrained, not necessarily formidable in a 1980s sense, but still able to sort of make their claim to a special security responsibility in that part of Russia or in that part of Russia and the eastern third of the former zone. And again, it seems to me that that creates another dilemma for us, which is we want to reset relations with Russia. I'd like the CFE framework because it does have everybody at the table. Yes, within the structure you have problems and tradeoffs, but these problems, I think, really multiply outside the structure where it looks like potentially we're trading resetting with Russia for Georgia and these kinds of issues. These are going to be difficult inside or

outside the treaty. I think they just become much more difficult outside. But I agree with you, I think there's a real problem of Russian motivation right now.

MR. McCAUSLAND: Let me comment, quickly, Steve, as well. One is back to the numbers. I think we have to be careful. I'd like to look at that, whether it's entitlements versus vehicles on the ground because when we examined it, we found even the Russians were a significant percentage in terms of what they actually deployed, below what they were authorized to have. So some of this is a matter of what you're entitled. The United States is entitled 4,000; we have 91. And all countries in all categories are way below in almost every category what they're, in fact, authorized at.

MR. PIFER: Just a point of clarification, I actually took each country's declared numbers from January 2009 and added our 90 tanks and the Greek number and the Turk number and it came out to 3 times the Russians.

MR. McCAUSLAND: The second thing -- yeah -- the second thing is, I think we oftentimes think about this treaty and we often think about Russia then as only half a country because this only applies, as Anne pointed out, from the Atlantic to the Urals. And if you're a Russian force planner there may be issues, dare I say it, if you are concerned about which caused you to deploy forces on the eastern part of the Ural Mountains that might even potentially be more pressing.

It's also curious to me that while the Russians have suspended, at Anne described, participating in this particular agreement, they have continued to implement other agreements: the Vienna Document, they've been very, very good at implementing that; Open Skies agreements. So, then that begs the question, are they just against -- are they against arms control now in general or this particular agreement?

There also may be, and dare I say it -- of course, we'd never see this in Washington -- differences of opinion between the military and the foreign ministry on how

one might move ahead, and it may bespeak one where the Ministry of Defense, who's more interested in perhaps these things, might be trumping the MFA in terms of how policy is enunciated.

The things that really bug them the most, of course, are the flank limitations, thereby where they have these -- they're the only country in the treaty that has some sublimit on where they can position forces inside their own particular territory. And that's why when we described options, we said that might be one option or an enhancement to get them to talk, which would be opening up once again, and we've done this before. Oh, by the way, reducing if not eliminating the flanks, that does have a big effect on other peoples' interests, particularly the Turks in the south and the Norwegians in the north.

And then, of course, I think the Russians also have some real concerns security-wise with the military forces in two ways. One is budgets, as we do as well. There's competition as the Russians talk about modernizing and moving ahead for scarce dollars or rubles in terms of does it go to strategic nuclear forces, naval forces, long-range aviation, or ground forces? And also, what is the force posture not only to deal with external threats -- be it NATO, be it the East -- but also internal security problems? They still are worried about issues in the south, whether ones go to Chechnya, Dagestan, or elsewhere, and how they might have to use their conventional military forces to deal with problems internally that police forces can't, in fact, handle.

MR. PIFER: Let me go ahead and open it up to questions now. If I could ask you, before posing your question, please just state your name and affiliation and, hopefully, at the end of your comment there is a question mark. Back there?

SPEAKER: (inaudible)

MR. GARNETT: I think it's an important variable and I think, as I tried to suggest in telegraphic form, I think the Russian regime is somewhat of a black box. There

are other things going on. I don't think security issues in total, even though we have difficulties, are wholly driving this system.

I would agree with you in part, but I do think there has been a history of nuclear agreements and other things that have been able to be worked out even where there have been regime differences. I do think, if you're asking whether it would be great if there was kind of an opening up of the Russian regime and a lot of fixes internally that made it more transparent and care about a whole set of things, that would help CFE, I suspect, a lot. But ultimately I think that the current treaty, as Anne said, is slowly but surely being undermined by the current situation, and I suspect we're not going to see a radical change in Russian internal politics for a couple of years, at its most optimistic. So, it seems to me that you are trying to preserve a set of structures, measures, instruments that would relate and help regulate the system in the eastern third of this zone. So, it seems to me that that's still important.

But I think, of course, any environment response to a kind of the political sensitivity -- the other thing too though, remember, is that I think both sides had a real problem of dialogue regardless of their regime, you know, just three, two years ago, and I think President Obama is trying to change the tenor of that. But I do think ultimately what -- as a friend of mine who's a Kremlinologist said, in part the Kremlin is a bit of a black box on some of these questions right now and so it makes it more like when we negotiated under previous regimes where it was hard to know what their ultimate interest was.

MS. WITKOWSKY: I think you raise a very interesting question and that is one of timing. It's one that we don't necessarily discuss as we put forward the four options or directions, in fact, in the paper, but it's one that policymakers would need to assess as they examine each of these four options or other courses that they might want to consider.

I do think that our Option 1 in the paper is, in a sense, an option that would

meet your criteria of -- I don't know if it's keeping the production line warm or something like that -- in the sense that we would continue to -- on the current course, which is to try to find a resolution based on this parallel actions package, that plan that NATO has put forward to try to bring Russia back into compliance with the current treaty, a re-START implementation, and to find some kind of resolution to the station forces issue in Moldova and Georgia. And, no, I think that option -- and yes, I guess I would say that option is very much on the table and should be on the table, and, in fact, I think in some respects, represents where we are today.

MR. KULAKOV: Michael Kulakov, Washington Adventist University. I would like to ask you, is the restoration of this treaty on the agenda of the dialogue of resetting U.S.-Russian relations between the two presidents or within the NATO framework or within the OSC forum -- framework? What is the current status within any of those frameworks?

MR. McCAUSLAND: The answer is yes, and it's almost impossible that it would not be because, as you were saying, we've had this ongoing dialogue now for two years since the Russians suspended. One can't simply ignore that it exists. That has been underscored, I think to a large degree, by the Georgian war and now the Russian decision to not only position and continue to position forces in Abkhazia and South Ossetia, but now recognize these as independent counties. And I think if both sides, the United States and Russia, are, in fact, interested as they say they are in resetting relations, demonstrated by the current START discussions, then one can't avoid it and either you have to confront that or find some way to work your way through that. Otherwise it can become, as we fear at times, a sticking point in issues that you might even calculate to be more important. It's certainly true in the NATO environment from my discussion with the Europeans.

MR. GARNETT: But what I would say is I think that it will eventually make

its way. I think technically, it seems to me, that so far nothing I've read -- and I don't have a security clearance and I don't hang around this town as much as I used to -- nothing I've read suggests that it's moved to the agenda. So, it seems to me that there is interest in what our options are. There's a lot of talk in Europe. I have no idea whether there's a lot of talk in Russia. There's different articles and things, but their policy process is -- but as Jeff said, I think ultimately you get a breakthrough on START or some other thing, there's a set of these unfinished things that will have to come up. And so we're certainly taking -- I mean, one of the reasons we did this was to kind of take a look at, okay, when somebody realizes that it's not just at the working level that there's a problem, but it affects this larger relationship, what are our options and ultimately our options with our allies?

MS. WITKOWSKY: And then finally, I think one demonstration of Washington's commitment to try to resolve these issues is the appointment of a special envoy for CFE negotiations, which was done just last month in February.

MR. PIFER: Mike?

MR. HALTSALL: Mike Haltsall. A terrific panel. Let me make one brief comment and then, in a sense, ask a rhetorical question in partial answer to Steve's question.

First, I forget if it was Jeff or Sherman who just alluded briefly at the very end to the flank limitations and that we had acted on that. I think that's really important because I think the year was 1998 and the U.S. Senate had to consider the flank document to the CFE. This was after the first war in Chechnya. And it was ratified by a vote of 100 to nothing, which, I would submit, flies directly in the face of the narrative that Mr. Putin gave at the Munich Security Conference two years ago, the idea that we've been implacably hostile, we've been -- et cetera, you know, the whole business. It just doesn't wash. So, we knew very well what we were doing and we were forthcoming.

In response to Steve's question let me ask you, does it seem plausible in a way that one reason that the Russians have not been willing, as you say, to get involved in the arms control and have withdrawn from the CFE is that there was a well calculated, multiyear plan, in a sense, the worse, the better, when you're going to come out with a proposal for a new European security architecture? And the rationale behind that is the system is broken, we can't cooperate, we're not part of it, Russia is not integrated into the all European security system. What better way to lay the groundwork for that rationale than pulling out? Pardon my cynicism, but is that not at least possible?

Or put it another way. Are they, in a sense, putting all their eggs in the basket of trying to push the Medvedev Proposal?

MR. GARNETT: I think those are good points. I think you can choose between -- in Russia -- a set of people who truly believe the system is broken, that whether it's Russia-EU or Russia-NATO, the feeling that this council hasn't really been a real consultative process. But they show up and the EU already has a position and NATO already has a position, so there are plenty of people in Russia arguing that a number of things are broke and particularly on the conventional forces, we've talked about a number of ways where they think that's broke. They've withdrawn, not thrown it away, or they've suspended, not withdrawn yet.

I think there's a -- but there's also a set perhaps of, I don't know, spin doctors, even in Russia and everything that may want to set this up. But I think fundamentally underlying it is a kind of, as I said, I think they're a revisionist power about the last 15, 20 years of what we in NATO have tried to do in EU about the European institutions. And I still believe they like what they've got in the UN, which is a small group of states with vetoes and they're centrally acknowledged as the major powers. I think they'd like the same thing in Europe. And I think for their point of view, the evolution of the European system

seems too Western-centric, and I think this is where they are on these questions. Whether one can change their mind in a revamped Russia-NATO council, in a CFE piece, and something else, and even exploring the Medvedev Proposal -- I would hope to transform it, not just accept it -- might get this back on track. But it seems to me that they're certainly skeptical about where Europe -- where the structure of Europe and the security structure and even the economic and security structure of Europe is moving.

MR. McCAUSLAND: I want to comment on the first part of your question. I think you're exactly right, and that's why we included it. Of all the possible issues that we can see as an enhancement to getting the Russians to perhaps come back into the existing framework of the treaty and have a conversation, the flank is the one they talk about the most. But I think it brings up a couple of key points.

First of all, of course, that impinges back on the interest of particular allies. So it's a key and essential that that is seen as something that they can live with and not the United States obviously twisting arms to get them to accept it.

And then second of all, I take your point on, you know, Congress accepting the agreement, which I think was 1997, 100 to nothing or whatever it was. I still think in the current environment that also has changed dramatically. Any type of effort on that flank agreement -- first of all, the waters will be tested perhaps if and when we see a START treaty heading up to Capitol Hill to be ratified. I would think, not knowing what the treaty looks like, that it probably should be, but I don't think 67 votes in the Senate are a foregone conclusion on that. And now in the aftermath of the Georgian War, I think any discussion of the flanks and them bringing something back that might involve congressional approval -- and certainly these options certainly might -- would have the scrutiny of how does this in any way provide any kind of legal sanction to continue Russian force presence in Georgia, Abkhazia, as well as Moldova? Does any action in that particular direction of the flanks

perhaps provide any type of legal sanction to now Russian formal recognition of these two parts of Georgia as independent states? So, I think the whole flank question is even a bit more complicated. It was complicated enough in '97. I think it may be even more complicated now.

MS. WITKOWSKY: And just to state the blinding flash of the obvious, all the parties to the treaty would have to agree to any revision by consensus and support that consensus, both to get to the agreement itself and then, of course, to gain advice and consent to ratification of any changes by the Senate. It's a very complicated problem that we're facing right now -- Washington is facing.

SPEAKER: (inaudible) questions of -- because, again, if I look at the options for sort of moving forward, and at the risk of some oversimplification, it seems one possibility might be you do something with regards to the flank limits. Either you reduce them or you do away with them to answer that Russian concern, which is going to provoke concerns on the part of Turkey, Georgia, and Norway.

The other possibility might be to loosen or sever the linkage to the Istanbul commitments from 1999, which will then have issues with Georgia and Moldova, and a judgment has to be reached within NATO. I mean, ultimately do you decide that this regime is so important that you're prepared to take those sorts of steps to save the regime or do you conclude that, you know, you're not prepared?

I wonder if you could discuss your sense of how the Europeans look at those sorts of tradeoffs because obviously this is an issue which would be of equal if not greater concern to our NATO allies in Europe, who, after all, are 2,000 miles closer to, you know, where the zone of area -- or the area of application.

MR. McCAUSLAND: Let me talk about the NATO-Europeans and I want Sherm to talk about the non-NATO countries who are very concerned.

As far as the Istanbul commitments go of Russian forces out of Moldova and Georgia, as that was defined at the time, I think they've moved beyond that and they would like to see a de-linkage between moving ahead on an adapted treaty vice, sticking to a very literal trend. They would be, I think, willing to at least discuss that and potentially move forward on that. Whether or not it's a good idea or not, whether or not it's one the United States should sanction, is another question.

On the flank limits -- and Steve, you put your finger on it -- it directly impinges on certain countries, particularly the Norwegians, particularly the Turks, so their interests would have to be paramount. And I think we're talking about not so much suspending those particular obligations that Russia had, but at least an indication that they're willing to talk about those. Whether or not that could then result in their being done away with, but perhaps replaced maybe by more data exchanges on forces in those areas or perhaps some modification to Vienna Document that in some way assuage those various concerns, could be a way to go forward. But I think to some degree what your question really gets at the heart at is what I said, you know, in my opening remarks. In many ways if there is a harmony of interest on this treaty that remains between the United States and particularly our traditional European allies, the interest, I think, is much greater on that side of the Atlantic than it is on this side of the Atlantic right now, particularly in light of the agenda that Anne talked about.

So, as a consequence, they need to be more important than ever, that the United States doesn't necessarily give up our responsibilities as a leader and a member of the alliance, but it's more important if that is true -- and I believe it is -- that the Europeans come together as a group with more innovative ideas on how we might make progress and not continually look to the United States to be the one that always is offering those up. And then if they do have ideas, be willing to do the heavy lifting in discussing with those countries

particularly impinged on, in this case Norway or Turkey, how their particular concerns could be assuaged.

MR. GARNETT: I just think that the current -- I think some of these negotiating options become possible if a vision, in the long run, of a concession is not one that is so extreme that, again, have we sold out Georgia, Moldova? Has Russia decided to remilitarize security in its part of Europe? I think Ankara, Tbilisi, all of these capitals, I think it will depend on that context. So the earlier question about, you know, where Russia's headed, seems to be pretty important. The reset seems to imply that we can get them partially turned around.

I think you face this, by the way, inside or outside the CFE Treaty. You can apply this, and, yes, it's not perfect, and you can make major changes or you could -- as Jeff suggested, we might be able to chop some pieces up and do this and do that and call it CFE or call it something new. It just seems to me that we're testing Russia's tolerance and, therefore, the ease or dis-ease of its neighbors about what the situation is going to be. So, for me, that's the key.

I do agree that I think one would have to do a lot of effort, and that's this thing, I think, Anne talked about at the end of her points, both with the Senate and everybody here, but also with our allies. Because right now I don't think we're doing anything like what we did in the late '80s and certainly anything like we did in the middle '90s and at various points to pull together the new package. I mean, right now it isn't -- it's something that I think will come up on the agenda, but at least right now, it's not something -- maybe the new ambassador will reenergize this process, but it's not something that's had the same kind of energy that START has or anything like that.

MR. ABRAMSON: Hi. Jeff Abramson with the Arms Control Association. I'm trying to figure out a number of different questions and I think they're going to be

reiterative of some of the ones, but it seems that if Russia would agree to transparency in the short term, that would be a major confidence building step. You know, I can't imagine we don't actually know where their treaty-limited equipment is. I mean, I don't think there's that much secrecy, but there's just not the inspection at this time.

Are there carrots or mechanisms that you can envision that would get Russia back in a way that it feels like we have some of the security around inspections and around knowing what's there that could be seen as sort of putting the CFE back on the -- not just life support, but maybe some active things happening from the Russian side?

And then, alternately, if this treaty dies, which, as you're suggesting, the options get narrower as time goes by, you all seem hesitant to envision the next treaty and what that might look like. But I wonder if you do have ideas on that and is that a European treaty writ large? Is it a Russia and its neighbors that maybe it's threatening treaty? But what might a new treaty -- because I think unless we're ready to sacrifice Georgia, and I think you always have this problem in that in the CFE -- I'm not saying I want to do that, but I think you always hit that. So I don't know what a new treaty might look like. Thanks.

MR. McCAUSLAND: Let me make a couple big points on that. First of all, on the sort of carrots, I mean, we talked about that in the options, which all those, to a large degree, are directed in getting Russia out of suspension and back into compliance at least with the existing treaty. I mean, things like are there political commitments we could make to get them back to talking about the parallel action plan? Again, the flank, a conversation about the flanks or something more risky like provision application with some kind of a time limit on it? And all those, by the way, have very, very significant implications in terms of alliance unity, may even have implications in terms of congressional authorization where you have to think through clearly.

As far as the next treaty, I mean, I'll take sort of the two extremes and throw

it to both of my colleagues. I mean, one, I think, might well be just sort of what I would call Son of MBFR, where we said -- as somebody told me, we knew that we were in trouble when the Russians moved out of the hotel and started renting apartments in Vienna. We knew this might go on for a while.

But there was nothing necessarily wrong with that. I mean, the fact that we're -- you know, a decade or more we had this continuing conversation, albeit an agreement was not reached with the exception with -- there was an MBFR tie. There were certain advantages to having a forum where one could have that dialogue and I don't think you necessarily ought to dismiss that. I think, fine, let's sign up to that and Vienna's not a bad place, and continue to have a conversation while realizing the possibility to again find congruence in 30 countries on a very, very complex technical treaty in a new security environment which is continuing to change is a pretty hard proposition.

The other one might well be to say, well, perhaps we are reaching or have reached a point in European security where this is no longer necessary. This may sound like a crazy idea. We don't have arms control treaties with Canada, we don't have arms control treaties with Mexico. Perhaps the current conventional force arrangement in the relations between countries in Europe suggest that the Vienna Document, Open Skies, and the like are sufficient to reassure countries. And this is part of a natural normalization now to a new country Russia which is not the Soviet Union and doesn't have the ideological or other motivations that bedeviled us throughout the Cold War. But I think to think that you could get into a negotiation in the current environment with all the countries involved, in a very, very short fashion, even a couple of years, come up with a treaty that was even in any way, shape, or form like this one, is -- I just don't think it's possible, frankly.

MR. GARNETT: I think what Jeff just said is one of the reasons why we did think of trying. I mean, we're not desperate -- I'm not desperate to save my life's work or

something. I mean, I was in on the first one. I care a lot about what happened to it, but it could possibly go away. But I think I've tried to think about what the structure of Europe looks like when this thing falls apart. I think there are significant downsides to it and it's worth a whole set of risks, which I think are relatively small in the current environment, to offer additional transparency and additional measures and even to ultimately take down even further limits we're not really using. So, that's one answer.

I think if you start from the process we've set up, you get to -- on the what happens next, you get to who knows, it's too complicated, but if you step back and say there are some things I'd like to see enhanced in the current environment. One of the things CFE did is push things away from the relevant border of conflict. It seems to me preserving that in some way through undertakings, through negotiation, that we wouldn't want the return of military structures that made surprise attack and say medium-scale offensive action if not large-scale a possibility, and so the rhetoric right now is very bad. But the underlying reality is a benefit both to NATO and to Russia that we don't militarize the Polish-Russian border, the Ukrainian-Russian border, the Ukrainian-Romanian -- any of that.

So, it seems to me you would want to do that. And then I think you'd want to reinstitute a set of data and transparency and inspection things, whether you enhanced OSCE or you did something else or -- because that helps us, but it also helps the countries that are near Russia to create, as I said, a mechanism where other countries are involved, there's a way of at least having witnesses and more transparency. So those two things still seem -- these are the tools that Jeff talked about that I think are relevant elsewhere. They have to be applied to particular situations, but I stay within this sort of framework that I think it would be better to try to figure out how to save, even if we twist this structure quite a bit and maybe even in the end sacrifice some things. I think we're better off with it than without it, but I think those principles suggest a longer term option for European and subregional

arms control.

MS. WITKOWSKY: I'd just like to make a point maybe less for your benefit, but more for the benefit of people who may not be following this as closely.

You know, it's worth remembering that the CFE Treaty is made up of 30 countries, the so-called Eastern group of states and the Western group of states, which are the legacy members, if you will, of NATO and the Warsaw Pact. And if the treaty completely falls apart, resurrecting that particular structure with that particular group of countries just makes no sense at all whatsoever. So while nobody really knows what will happen, one could envision a possibility where one would more and more look to the OSCE, the Forum for Security Cooperation, the Vienna Document on confidence- and security-building measures as the toolkit, if you will, for pursuing whatever it is that one wanted to pursue in this area.

I personally believe that is sort of where we would end up and there are some options in the toolkit there which could be drawn upon fairly readily. What you'd end up with is nothing at all looking like the CFE Treaty, but one could envision, for example, declaratory limits on equipment; one could envision, as is mentioned, more evaluation visits for additional transparency, I don't know, other kinds of information exchange.

I think it's also worth remembering that buried in that Vienna Document and agreed to in the early '90s are provisions that envision regionally based confidence- and security-building measures and they've -- these measures in the toolkit have not ever really been, if you will, acted upon. But if the political environment were right, I think having a negotiation on a set of measures that addresses a specific problem embedded in the broader 56 nation OSCE could be attractive. Whether or not this would ever be utilized, of course, is a separate question.

MR. PIFER: Two more questions in the back there?

MR. GIBBS: My name is Jeff Gibbs. I'm from Department of State, but obviously my question, my comment are my own. I, also among other duties, have been the legal advisor for CFE for about the last dozen years. And I just glanced at the proposal that you have and haven't had a chance to read it, but the transparency measures are fine, but the most difficult parts in the adaptation negotiation and the key to the current treaty are the host state consent for the presence of foreign forces and the flank limits. Because, agreed, it's not going to be a major attack, but they do tend to prevent the accumulation of offensively oriented conventional forces in sensitive areas.

I can't imagine that you could resurrect this treaty or have some follow-on agreement without those two being present and some indication that the Russians would comply with them. Can you elaborate on anything -- on whatever you have in your proposals that would tend to put pressure on the Russians? Because carrots don't seem to work.

MR. PIFER: Hold that thought and we're going to take one last question in the back there.

MR. MELAGISHULI: Alexander Melagishuli, Georgian Service of Voice of America.

As you speak here, Russian Federation is actively increasing its military presence in South Ossetia and Abkhazia. In Abkhazia, in particular, the construction has started on the shallow water naval military base in Ochamchira. Now my question to you is this, let me understand you correctly, are you actually suggesting that in order to encourage Russia to come back to CFE, you are willing to accommodate Russia's idea of sphere of privileged interests in the eastern third and in Caucasus in particular?

Thank you.

MS. WITKOWSKY: Well, let me start by answering the first half of Jeff

Gibbs' very good question, which is, no, that's the whole point, you can't resurrect what you have in the CFE Treaty if it goes away. It's not going to happen and that is a strong argument for trying to preserve, keeping in mind the interest of all the states' parties as you do that, the current agreement. The host nation consent piece and I think the flank limitations, in my personal view, would simply not find their way in the same way into some kind of Vienna Document confidence- and security-building measure or negotiation. One could try, but I think it would be extremely difficult.

So, with that, I'll turn this over.

MR. GARNETT: I'll try to answer the last question. No, I think the current structure allows you to go after the attempt to change the status quo in the eastern third because it has the host nation agreement and the flank limits which, if things improved, one could see modifying and what not.

I raised the eastern third issue because I think that's where I believe Russia's headed and I think when CFE falls apart, you know, we're headed towards a divided Europe again, which I think is a long-term problem. I'd like to see these issues, where Russia is a bigger state and surrounded by smaller ones, I'd like to see that as demilitarized as possible. And I think there's no question that, you know, the underlying problem of what has happened since August 2008 makes our options very complicated, but it also seems to me to be one of the reasons why we should at least try them because it keeps this issue within a regulated security environment.

But I see there is a danger that what has happened since 2008 has fundamentally altered, you know, the post-Soviet system we were trying to set up and we just don't know. That's one of the reasons I don't really want this to just fester and we not try to address these problems.

MR. McCAUSLAND: I would just say, pertaining to Jeff's question, exactly,

number one. Number two is, some of the younger people in the audience, now that I'm back as a professor, one thing you always talk when you do discussions on negotiating tactics and conflict resolution is you always make sure your opponent has a way out. You don't paint him or her into a corner. However, in the real world it does not work out that way. And in this particular case we are in a place where it's difficult finding at times how to get out of these corners. Most notably from the Russian standpoint, not only of the Georgian War, but the subsequent recognition by them at least of Abkhazia and South Ossetia as independent countries puts everybody in a particularly tight spot in terms of where you make concessions. I can't expect or believe the Russians would back off on that at least any time in very, very near future. But for them, on the other side of the coin, you might say, Jeff, in legal terms -- they'd say, well, the host nation consent problem has now been solved. However, that only satisfies them in Nicaragua, best to my knowledge, at the moment.

For the gentleman from Georgia in the back, I think one of the fundamental principles we should have touched on is that when you talk about multilateral arms control, one of the fundamental principles is the indivisibility of security. The security of each country is every bit as important as the other, because no matter how large or no matter how small. Otherwise there is no way that one can reach a resolution that satisfies all, that you can find a harmony and interest and, therefore, in legal terms, get ratification for all countries, which is critical and necessary before any treaty can actually be implemented.

There are some, I will tell you, however, we're not recommending, but there are some countries, I believe, in Europe who would be willing to try to divide up now what they believe are the commitments made in the Istanbul memorandum from the ongoing problems of the CFE and then trying to find some fashion to solve the conundrum of Georgia, Moldova, and Russia. Doing that, obviously, one wonders what the carrots and sticks might then look like in that process. But clearly, as well, I would tell you that would be

a concern here of the United States. I dare say, as I said a moment ago, going up to Capitol Hill and talking about provisional application of the adapted treaty or discussing the flanks or any of those kind of things, I would not want to appear in front of a Senate panel unless I had pretty good talking points about what the implications were for that, for the consequences of the war in Georgia and the issues in Moldova, South Ossetia, and Abkhazia. I'd want some good talking points myself.

MR. PIFER: Great. Well, I think at this point I'm going to close the session. I want to thank the panelists because I think they've done a really good job of explaining not only where the situation is today, but also the difficulties of trying to find a way forward, not only with the Russians, but with the allies, but also with the other key countries such as Georgia. And I think the value of this paper and the discussion today is they've actually begun to start a discussion. Because it seems to me -- and at this point if I had to vote on Options 1, 2, 3, or 4, I'm not sure where I would come out, but I think you have a situation now where the CFE Treaty regime is at risk, it's in limbo, and the treaty may just go away. If it does, though, I think it ought to happen, first, after the United States and NATO sort of sat down, thought about it, and come to a policy conclusion. It ought not to drift that way. It ought to be -- you know, however this comes out, whichever the four options, it ought to be because there was a lot of serious thought given and the United States Government and its NATO allies chose a course, not just let the treaty drift into oblivion.

So, with that concluding comment let me ask you all to join me in thanking our panelists today for their presentation.

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CERTIFICATE OF NOTARY PUBLIC

I, Carleton J. Anderson, III do hereby certify that the forgoing electronic file when originally transmitted was reduced to text at my direction; that said transcript is a true record of the proceedings therein referenced; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and, furthermore, that I am neither a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

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