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NORTH ATLANTIC COUNCIL

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DOCUMENT
C-M(82)54

MBFR: GUIDANCE ON SINGLE COMPREHENSIVE AGREEMENT
INCLUDING PROPOSED TREATY

Note by the Secretary General

At its meeting on 8th June 1982, the Political Committee at the Senior Level agreed to the attached guidance for the Ad Hoc Group except for Article II of the Proposed Treaty Text which remains in brackets. Unless objections are made known before close of business on Wednesday, 9th June 1982 it will be assumed that the Council has approved this guidance except for Article II on the understanding that it will not be presented in the Vienna MBFR negotiations until agreement is reached on that Article. On the basis of this approval in substance of most of the text, reference can be made to this forthcoming Allied initiative in connection with the meeting of Heads of State and Government in Bonn. When final agreement has been reached on Article II the entire guidance will be transmitted to the Ad Hoc Group for use in the negotiations.

(Signed) Joseph M.A.H. LUNS

NATO,
1110 Brussels.

This document consists of: 1 page
Annex of: 19 pages

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MBFR: DRAFT GUIDANCE ON SINGLE COMPREHENSIVE
AGREEMENT INCLUDING PROPOSED TREATY

1. In order to promote the possibility of an agreement consistent with long-held Western MBFR objectives and to maintain the initiative on the Western side in the Vienna negotiations, Western Representatives are authorised to present the following proposal to the East.

2. Concept

Western Authorities recently completed a comprehensive re-examination of the current status and prospects of the Vienna negotiations. The West carefully considered Eastern views in this study. As a result of our assessment, the West wishes to reaffirm its commitment to substantial, militarily-significant reductions in forces of the two sides in Central Europe in order to enhance stability and ensure undiminished security. We continue to attach particular importance to achieving equality at lower levels of conventional forces in Central Europe and to establishing adequate provisions for the verification of an agreement based on agreed data.

We have concluded that a comprehensive approach involving commitments by all direct participants at the outset to a common collective ceiling would best serve the interests of both sides.

The West therefore wishes to propose the draft Treaty which follows below in the expectation that it will stimulate genuine progress in the negotiations. We are willing to consider on their merits, and in good faith, all constructive Eastern proposals aimed at improving the draft.

3. Unilateral Statement

At the time of signature of an agreement, Western participants would make a unilateral statement that they envisage an intra-Alliance understanding that they will not be found wanting in their individual contributions to common defence, having regard to the maintenance of the overall ground and combined

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ground and air force manpower totals of their side in the area of reductions.

At the time of signature of the agreement Western direct participants will also make public, through NATO, the intra-Alliance decision on the breakdown of the overall collective Western reduction quota under this agreement.

Western negotiators should explain to the East that the decisions referred to above would not become part of the contractual substance of MBFR, thereby avoiding any prejudice to the basic concept of collectivity, and that publication would be made accordingly.

Western participants would expect Eastern participants to give a comparable assurance.

4. Armaments

When appropriate, Western negotiators should indicate that the omission of armaments from the Treaty text does not exclude the possibility of future discussions on this subject.

5. Status of Hungary

With regard to Hungary, Western negotiators, when appropriate, should recall the Western reservations laid down in the record of the 1st Plenary Meeting of the Preparatory Consultations held in Vienna on 14th May 1973, and should state that the West regards the inclusion of Hungary in the Protocol attached to this Treaty as a condition for the resolution of this question. Moreover, it is clear that the provisions contained in paragraph 2 of the above-mentioned record concerning the additional participation of states in decisions, agreements or measures remain valid.(1)

(1) If asked to elaborate, Western negotiators should make clear that Western reservations recalled above concern the question of how and to what extent Hungary is to be further included in "decisions, agreements or measures."

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6. Form of US reductions in the first stage

As indicated in the draft text below, the units and sub-units whose personnel would be withdrawn by the United States in the first stage of reductions would be listed in paragraph 2(c) of Annex I of the agreement. If asked, Allied negotiators may confirm to the East that these units would include substantial units.

7. Approximate figures for the Collective Ceilings

Western negotiators may, as appropriate, explain to the East that the brackets around the figures 700,000 and 900,000 in the text do not represent a departure from the aim of common collective ceilings of that order of magnitude. Precision will be given following resolution of the data question.

8. Intra Alliance Understanding

Bearing in mind the fact that withdrawn forces redeployed in the North Caucasus, Transcaucasus, Odessa, Leningrad and Baltic Districts would represent an increased threat to the NATO flank countries and diminish their security, the Allies agree that tabling the present draft treaty would not preclude the possibility of proposing additional flank security measures to the East at a later date if, after further consideration, the Allies should come to consider that to be in the Western interest.

Nor would it foreclose any Allies' right to have the issue carefully restudied within the Alliance taking into account the altered situation since the MBFR Working Group Study. (The last flank security study was keyed to the requirements of an Interim Phase I Agreement.)

Such a study could include consideration of the possibility of guidelines for Western participation in a future Consultative Commission for determining what specific Soviet actions would be challengeable under the provisions of Article V of the Treaty.

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TREATY ON THE MUTUAL REDUCTION OF ARMED FORCES
AND ASSOCIATED MEASURES IN CENTRAL EUROPE

The Kingdom of Belgium, Canada, the Czechoslovak Socialist Republic, the German Democratic Republic, the Federal Republic of Germany, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Polish People's Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, hereinafter referred to as the Parties,

Recalling that the agreed general objective of the negotiations is to contribute to a more stable relationship and to the strengthening of peace and security in Europe in conformity with the principle of undiminished security for the aforementioned Parties to the negotiations, as well as the Parties to the Protocol to this Treaty,

Recognising that the mutual reduction of armed forces will contribute to this agreed objective,

Convinced that certain measures associated with the reduction of armed forces, which provide a system of verification of compliance with the provisions of this Treaty, based on agreed data, together with the constructive effects of reductions and limitations themselves will contribute greatly to the establishment of mutual confidence and thereby to the improvement of the general security climate in Europe,

Attaching particular significance to the full implementation of the confidence-building measures contained in the document on confidence-building measures and certain aspects of security and disarmament of the Final Act of the Conference on Security and Co-operation in Europe, adopted at Helsinki on 1st August, 1975, as well as to the development and strengthening of measures to enhance confidence and security including a Conference on Disarmament in Europe in the context of the CSCE,

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Declaring their intention, in the future, to pursue further negotiated reductions to enhance peace and security in Europe,

Have agreed as follows:

Article I

For the purposes of this Treaty, the Kingdom of Belgium, Canada, the Federal Republic of Germany, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, and the United States of America are hereinafter referred to as the Western side, and the Czechoslovak Socialist Republic, the German Democratic Republic, the Polish People's Republic, and the Union of Soviet Socialist Republics are hereinafter referred to as the Eastern side. The Western side and the Eastern side are referred to collectively as the sides.

Article II

[Unless otherwise specified, the provisions of this Treaty apply to the area, hereinafter referred to as the area of reductions, comprising the land portion of Europe encompassed by [the outer boundaries of the Federal Republic of Germany, the Kingdom of the Netherlands, the Kingdom of Belgium, the Grand Duchy of Luxembourg, the Czechoslovak Socialist Republic, the Polish People's Republic and the German Democratic Republic.]

Article III

1. Having agreed to the military personnel levels specified in Annex I, the sides shall reduce in four stages their ground force personnel in the area of reductions by the amount necessary on each side to reach a collective

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ceiling on ground force personnel of [approximately 700,000] for each side, and a combined collective ceiling on ground and air force personnel of [approximately 900,000] for each side, in accordance with Annex I of this Treaty.

2. All Parties maintaining major military formations in the area of reductions shall implement a significant share of the total ground force personnel reductions of their respective sides necessary to reach the common collective ceiling on each side, in accordance with Annex I.

3. Reductions in the second stage and in all subsequent stages shall be implemented by collective reductions in the personnel of all the Parties on each side. The United States and the Soviet Union shall reduce their ground force personnel in each stage as specified in Annex I. Each side shall decide how the remaining personnel reductions shall be apportioned among the Parties of that side.

4. After completion of the four reduction stages as specified in Annex I of this Treaty, each side shall ensure that the collective ceiling on ground force personnel of [approximately 700,000] for each side, and the combined collective ceiling on air and ground force personnel of [approximately 900,000] for each side are not exceeded.

5. The ceilings established by this Treaty shall apply to the aggregate total of the military personnel of both sides in the area of reductions. The term "military personnel" refers to full-time, active duty ground and air force personnel, and does not include naval personnel, civilians, reservists, or the uniformed personnel of other organisations equipped with weapons. The obligations in this Treaty shall not apply to military personnel in transit through the area of reductions.

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6. Ceilings established by this Treaty may be exceeded (e.g. for the purposes of routine training and exercises) only in accordance with Annex III of this Treaty.

Article IV

1. The Parties shall co-operate in implementing, in accordance with Article VI of this Treaty, measures associated with reductions and limitations that provide a system of verification of compliance with the provisions of this Treaty and which will contribute greatly to the establishment of mutual confidence and thereby to the improvement of the general security climate in Europe.

2. The second, third and final stages of reductions shall be implemented in that order, provided that the Parties and the Parties to the Protocol are satisfied that the other Parties and the Parties to the Protocol have carried out their obligations in the preceding stage in accordance with the provisions of this Treaty.

3. The Parties and the Parties to the Protocol shall refer to the consultative commission established pursuant to Article VII of this Treaty, for expeditious resolution, any questions concerning compliance by other Parties and Parties to the Protocol, or related situations regarding the provisions of this Treaty, including implementation of required reductions and maintenance of ceilings after each of the four stages. Either side may suspend further implementation of reductions, upon notice to the other side, in the event that the commission is unable to resolve expeditiously the matters in question to the satisfaction of both sides.

Article V

The Parties will refrain from any action (e.g. redeployment of personnel or units) inconsistent with the provisions of this Treaty. Personnel and units withdrawn from the area of reductions according to provisions of this Treaty shall not be redeployed to geographical regions where their added

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presence would diminish the security of states which have adhered to the Protocol to this Treaty. Forces reduced in or withdrawn from the area of reductions shall not be converted into forces which would diminish the security of the Parties to the Protocol.

Article VI

1. Each side shall:
 - (a) provide notification to the other and to the Parties to the Protocol in advance of out-of-garrison activities and exchange observers at these activities;
 - (b) provide notification to the other and to the Parties to the Protocol in advance of movements of ground force personnel of their respective Parties into the area of reductions;
 - (c) permit inspections by officials of the other side within the area of reductions;
 - (d) establish and use declared permanent exit/entry points for the movement of forces of their respective Parties into and out of the area of reductions and permit observers of the other side at such points;
 - (e) exchange data and other information on personnel and units in the area of reductions with the other side; and
 - (f) not interfere with national technical means of verification used in a manner consistent with generally recognised principles of international law.

2. The obligations provided for in paragraph 1 of this Article shall be implemented in accordance with the provisions of Annex II of this Treaty. They shall apply to the forces of the Parties and the Parties to the Protocol in the area of reductions and beyond this area to the extent specified in Annex II of this Treaty.

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Article VII

1. To promote the objectives and implementation of the provisions of this Treaty, the Parties and the Parties to the Protocol shall establish promptly a consultative commission within the framework of which they shall:

- (a) ascertain compliance with the provisions of this Treaty;
- (b) clarify by consultation ambiguous situations relating to such compliance;
- (c) exchange information provided under the provisions of Annex II, such as prior notification of out-of-garrison activities, prior notification of movements, and information on personnel and organisation;
- (d) arrange for observers at pre-notified activities;
- (e) control the activities of observers at exit/entry points in co-operation with the side on which the respective exit/entry points are located;
- (f) arrange for ground and aerial inspections;
and
- (g) resolve matters relating to this Treaty referred to it by either side.

2. The Parties and the Parties to the Protocol through consultation shall establish, and may amend as appropriate, regulations for the consultative commission governing procedures, composition and other relevant matters.

Article VIII

1. Any Party may propose amendments to this Treaty. Amendments shall enter into force in accordance with the procedures governing the entry into force of this Treaty in Article XI.

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2. In the course of the tenth and fifteenth years after entry into force of this Treaty, the Parties shall together conduct a review of this Treaty. The Parties may agree, as appropriate, on further review, taking into account the provisions of Article IX.

Article IX

This Treaty shall be of fifteen years' duration and shall be open to renewal with the agreement of the Parties during the second review conference for a period to be determined at that time, and to further renewal if so agreed upon by the Parties.

Article X

1. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the agreed objectives or the subject matter of this Treaty have jeopardised its supreme interests.

2. In the event of withdrawal by a Party from the Treaty pursuant to the procedure provided for in paragraph 1 of this Article, all other Parties shall cease to be bound by the provisions of this Treaty.

Article XI

1. This Treaty and its Protocol shall each be subject to ratification in accordance with the constitutional procedures of signatory states. This Treaty, including its Protocol and Annexes I, II and III, which shall be considered integral parts of the Treaty, shall enter into force upon the deposit of instruments of ratification by all states signing the Treaty and all states signing the Protocol. Instruments of ratification shall be deposited with the Government(s) of, which are hereby designated as the depositary Government(s).

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2. The depositary Government(s) shall promptly inform all Parties of the date of deposit of each instrument of ratification and the date of entry into force of this Treaty.

3. This Treaty will be registered pursuant to Article 102 of the Charter of the United Nations.

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PROTOCOL TO THE TREATY ON THE MUTUAL REDUCTION OF
ARMED FORCES AND ASSOCIATED MEASURES IN CENTRAL EUROPE

The People's Republic of Bulgaria, the Kingdom of Denmark, the Hellenic Republic, the Hungarian People's Republic, the Italian Republic, the Kingdom of Norway, the Socialist Republic of Romania, and the Republic of Turkey, herein referred to as the Parties to the Protocol,

Desiring to support the implementation of the Treaty on the mutual reduction of armed forces and associated measures in Central Europe, herein referred to as the Treaty,

Mindful of the obligations undertaken by the Parties to the Treaty in Article V not to redeploy their withdrawn forces in geographical regions where their added presence would diminish the security of states which have adhered to this Protocol,

Convinced that the associated measures referred to in Article VI and Annex II of the Treaty, together with the constructive effects of reductions and limitations of ground forces, will contribute greatly to the improvement of the general security climate in Europe,

Have agreed as follows:

1. The Parties to the Protocol shall comply with all provisions of the Treaty wherein reference to them is made and they shall fully support all the expressed aims and provisions of the Treaty.

2. The Kingdom of Denmark, the Hellenic Republic, the Italian Republic, the Kingdom of Norway, and the Republic of Turkey shall participate with the Western side in providing advance notice of out-of-garrison activities of their ground force personnel and

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in exchanging observers at such activities in accordance with the procedures outlined in Articles I and II of Annex II of this Treaty. The People's Republic of Bulgaria, the Hungarian People's Republic, and the Socialist Republic of Romania shall participate with the Eastern side in providing advance notice of out-of-garrison activities of their ground force personnel and in exchanging observers at such activities in accordance with the procedures outlined in Articles I and II of Annex II of this Treaty.

3. The obligations undertaken in this Protocol shall apply to the ground forces of the Parties to the Protocol on the European territory of those Parties and on the extra-European territory of those Parties to the Protocol which have common boundaries with Parties of the other side, to the extent specified in Article I of Annex II of this Treaty.

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ANNEX I TO THE TREATY ON THE MUTUAL REDUCTION OF
ARMED FORCES AND ASSOCIATED MEASURES IN CENTRAL EUROPE

The Parties to the Treaty on the mutual reduction of armed forces and associated measures in Central Europe,

Having agreed on the reduction and limitation of their ground force military personnel in accordance with Article III of the Treaty,

Have agreed as follows:

1. Basis for calculating reductions and ceilings
 - (a) For the purpose of calculating the numbers of ground force personnel to be reduced by each side in accordance with Article III of the Treaty and paragraphs 2, 3, 4 and 5 below, it is agreed that, at the time of signature of the Treaty, the military personnel of the Western side in the area of reductions amounted to ... ground force personnel and ... ground and air force personnel, and the military personnel of the Eastern side in the area of reductions amounted to ... ground force personnel and ... ground and air force personnel.
 - (b) For the purpose of calculating the numbers of United States and Soviet Union ground and air force personnel remaining in the area of reductions after United States and Soviet Union reductions in accordance with Article III and paragraphs 2, 3, 4 and 5 below, it is agreed that, at the time of signature of the Treaty, United States military personnel in the area of reductions amounted to ... ground force personnel and ... ground and air force personnel, and Soviet Union military personnel in the area of reductions amounted to ... ground force personnel and ... ground and air force personnel.

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2. Reductions in the first stage
- (a) Within one year of the entry into force of this Treaty, the United States of America shall withdraw to within its national boundaries 13,000 ground force personnel from the total United States military personnel in the area of reductions, and the Union of Soviet Socialist Republics shall withdraw to within its national boundaries 30,000 ground force personnel from the total Soviet Union military personnel in the area of reductions.
 - (b) Two-thirds of the reductions in United States ground force personnel shall be achieved in the form of the personnel of units and subunits, and the remaining personnel will be withdrawn as individuals. Reductions by Soviet Union ground force personnel shall be achieved in the form of the personnel of three divisions.
 - (c) Among the 13,000 personnel to be withdrawn by the United States in this stage, the personnel of the following units or subunits shall be withdrawn: (list of units/subunits to be withdrawn).
 - (d) Thirty thousand personnel of the following three Soviet Union divisions shall be withdrawn: (list of divisions to be withdrawn).
 - (e) Following implementation of the reductions specified above, the level of United States ground force personnel remaining in the area of reductions shall not exceed ..., and the level of Soviet Union ground force personnel remaining in the area of reductions shall not exceed
3. Reductions in the second stage
- (a) Two years after entry into force of this Treaty, and provided that United States and Soviet Union withdrawals and residual ground force personnel levels in the first stage have been adequately verified to the satisfaction

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of both sides in accordance with the provisions of Article VI and Annex II of the Treaty, the Parties on each side shall begin to reduce their ground force personnel in the area of reductions by one-third of the required number of personnel remaining to be reduced by that side to reach the common collective ceiling after reductions in the first stage have been deducted.

- (b) The Western side shall reduce ... ground force personnel, including ... US ground force personnel, in the second stage.
- (c) The Eastern side shall reduce ... ground force personnel, including ... Soviet ground force personnel, in the second stage.
- (d) Reductions in this stage shall be completed within one year after they are begun.
- (e) Following implementation of reductions in this stage, the collective level of ground force personnel of the Western side remaining in the area of reductions shall not exceed ..., and the level of United States ground force personnel shall not exceed ...; the level of ground force personnel of the Eastern side remaining in the area of reductions shall not exceed ..., and the level of Soviet Union ground force personnel shall not exceed

4. Reductions in the third stage

- (a) Four years after entry into force of this Treaty, and provided that reductions and residual ground force personnel levels in the preceding stages have been adequately verified to the satisfaction of both sides in accordance with the provisions of Article VI and Annex II of the Treaty, the Parties on each side shall begin to reduce their ground force personnel in the area of reductions by one-half of the required number

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of personnel remaining to be reduced by that side to reach the common collective ceiling after reductions in the preceding stages have been deducted.

- (b) The Western side shall reduce ... ground force personnel, including ... US ground force personnel, in the third stage.
 - (c) The Eastern side shall reduce ... ground force personnel, including ... Soviet ground force personnel, in the third stage.
 - (d) Reductions in this stage shall be completed within one year after they are begun.
 - (e) Following implementation of reductions in this stage, the collective level of ground force personnel of the Western side remaining in the area of reductions shall not exceed, and the level of United States ground force personnel shall not exceed ...; the level of ground force personnel of the Eastern side remaining in the area of reductions shall not exceed ..., and the level of Soviet Union ground force personnel shall not exceed
5. Reductions in the final stage
- (a) Six years after entry into force of this Treaty, and provided that reductions and residual ground force personnel levels in the preceding stages have been adequately verified to the satisfaction of both sides in accordance with the provisions of Article VI and Annex II of the Treaty, the Parties on each side shall begin to reduce their ground force personnel by the required number of personnel remaining to be reduced by that side to reach the collective ceiling of [approximately 700,000] ground force personnel for each side.

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- (b) The Western side shall reduce ... ground force personnel, including ... United States ground force personnel, in the final stage.
- (c) The Eastern side shall reduce ... ground force personnel, including ... Soviet ground force personnel, in the final stage.
- (d) Reductions in this final stage shall be completed within one year after they are begun.
- (e) Following implementation of reductions in this stage, the overall collective level of the ground force personnel of each side in the area of reductions shall not exceed [approximately 700,000], and the overall combined collective level of the ground and air force personnel of each side in the area of reductions shall not exceed [approximately 900,000]. The level of United States ground force personnel remaining in the area of reductions shall not exceed ..., and the level of Soviet Union ground force personnel remaining in the area of reductions shall not exceed

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ANNEX II TO THE TREATY ON THE MUTUAL REDUCTION OF
ARMED FORCES AND ASSOCIATED MEASURES IN CENTRAL EUROPE

(Provisions in this Annex will incorporate the elements of the previous Western position on associated measures tabled in December 1979. The text of this Annex will be provided as soon as possible.)

ANNEX III TO THE TREATY ON THE MUTUAL REDUCTION OF
ARMED FORCES AND ASSOCIATED MEASURES IN CENTRAL EUROPE

(As referred to in Article III. The text of this Annex will be provided as soon as possible.)

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