The 1997 NATO–Russia Founding Act Does Not Prohibit Permanent NATO Bases in Eastern Europe
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It is widely believed that in 1997, NATO promised Russia that it would not establish permanent military bases in any former Warsaw Pact countries that might someday become NATO members. This is in fact a myth that has been perpetuated by the Kremlin's propaganda machine, as well as by the lack of diligent research and basic knowledge among commentators, politicians, and policymakers in the West. The U.S. should publicly clarify its position on this matter and then take the appropriate steps to ensure that Central and Eastern Europe are properly defended.

A Major Misconception

There is a common misconception that the 1997 Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation (NATO–Russia Founding Act) prohibits the permanent basing of NATO soldiers in Central and Eastern European countries. Regarding the question of permanent bases, the act states:

> NATO reiterates that *in the current and foreseeable security environment*, the Alliance will carry out its collective defence and other missions by ensuring the necessary interoperability, integration,

and capability for reinforcement rather than by additional permanent stationing of substantial combat forces. Accordingly, it will have to rely on adequate infrastructure commensurate with the above tasks. In this context, reinforcement may take place, when necessary, in the event of defence against a threat of aggression and missions in support of peace consistent with the United Nations Charter and the OSCE [Organization for Security and Co-operation in Europe] governing principles, as well as for exercises consistent with the adapted CFE [Conventional Armed Forces in Europe] Treaty, the provisions of the Vienna Document 1994 and mutually agreed transparency measures. Russia will exercise similar restraint in its conventional force deployments in Europe.[1]

Changed Security Environment

When reading the phrase "in the current and foreseeable security environment," it is important to remember that Russia and NATO agreed to this act 19 years ago. Moscow's commitment to Euro-Atlantic security has changed since the days of goodwill in 1997, and Vladimir Putin has chosen a path for Russia that is different from the one chosen by his predecessor, Boris Yeltsin. For example:

- In 1999, Russia agreed to remove all of its troops and weaponry from Moldova by the end of 2002. Today, 2,000 Russian troops are still based in the breakaway region of Transnistria.

- In 2001, the U.S. Department of State raised concerns with Moscow about the deployment of tactical nuclear weapons in Kaliningrad. Since then,

there have been repeated accusations that Russia has deployed tactical nuclear weapons there.

- In 2006, Russia temporarily cut natural gas supplies to Ukraine, which also reduced gas supplies to other European countries, including NATO allies.

- In 2007, Russia was behind a cyber attack against Estonia in retaliation for removing the Bronze Soldier of Tallinn, a Soviet war memorial.

- In 2007, Artur Chilingarov, a member of the Russian Duma, led a submarine expedition to the North Pole and planted a Russian flag on the seabed. Later, he said, "The Arctic is Russian. We must prove the North Pole is an extension of the Russian landmass."[2]

- In 2008, Russia invaded the Republic of Georgia, getting to within miles of the capital. Today, Russia still occupies 20 percent of Georgia's territory and is in violation of the 2008 cease-fire agreement.

- In 2010, Russia started to upgrade and increase the number of troops and armaments at its Gyumri base in Armenia, which borders NATO member Turkey. Today, an estimated 5,000 Russian troops with dozens of fighter planes and attack helicopters are based in Armenia.

- In 2013, two Russian bombers and four fighter jets took off from St. Petersburg and carried out what was thought to be a simulated nuclear strike against two targets in Sweden.

- In 2014, Russia illegally annexed Crimea and invaded part of the Donbas region of Ukraine. Moscow continues to support separatists with arms, training, and Russian military personnel.

- In 2014, the State Department first officially accused Russia of violating the 1987 Intermediate-Range Nuclear Forces Treaty, although Russia had begun to test prohibited missiles in 2008.

- In 2015, Russian Ambassador to Denmark Mikhail Vanin said during an interview, "I don't think that Danes fully understand the consequence if Denmark joins the American-led missile defence shield. If they do, then Danish warships will be targets for Russian nuclear missiles."[3]

- In 2015, Russia started its encirclement of NATO member Turkey by sending thousands of troops to Syria, reinforcing the Black Sea Fleet, and increasing the number of Russian troops in Armenia. Russia is also probing Turkish airspace.

Judging by Russia's track record since the NATO–Russia Founding Act, the "current and foreseeable security environment" in Europe has changed dramatically since 1997. This alone justifies permanently basing NATO troops in Central and Eastern Europe.

Defensive Posture Needed

The best way to guarantee the security of the NATO members in Central and Eastern Europe against a conventional Russian military threat is to have a robust troop presence and military capabilities in the region. This is especially true for the three Baltic states—Estonia, Latvia, and Lithuania—which are too small to rely on a strategy of defensive depth that could buy NATO enough time to mobilize and deploy a sizable force to the region. The U.S. should therefore:

- **Set the record straight.** It is time to put the myths about permanent bases to rest. The 1997 NATO–Russia Founding Act is probably one of the most-quoted but least-read documents in the debate over transatlantic security. The U.S.

1. Founding Act on Mutual Relations, Cooperation and Security Between NATO and the Russian Federation, May 27, 1997, http://www.nato.int/cps/en/natohq/official_texts_25468.htm (accessed April 27, 2016); emphasis added.

2. Paul Reynolds, "Russia Ahead in Arctic 'Gold Rush,'" BBC News, August 1, 2007, http://news.bbc.co.uk/2/hi/in_depth/6925853.stm (accessed April 27, 2016).

3. Julian Isherwood, "Russia Warns Denmark Its Warships Could Become Nuclear Targets," *The Telegraph*, March 21, 2015, http://www.telegraph.co.uk/news/worldnews/europe/denmark/11487509/Russia-warns-Denmark-its-warships-could-become-nuclear-targets.html (accessed April 27, 2016).

should make a public proclamation that the act does *not* prohibit the establishment of permanent NATO bases in Central and Eastern Europe.

- **Work with reluctant allies in NATO.** Some NATO members, such as Germany, incorrectly interpret the 1997 NATO–Russia Founding Act as an excuse not to support new NATO bases in Central and Eastern Europe. The U.S. should work with these allies to alleviate any concerns they might have about the legality of permanent bases.

- **Establish a strong defensive posture in the region.** The U.S. needs to carry out a proper strategic review to determine what force levels are required for defense of the region. Defending Central and Eastern Europe and deterring Russian aggression will be far easier and cheaper than liberating the region.

Back to Basics

One of the best ways to keep Central and Eastern Europe secure and free is for NATO to return to the basics of being first and foremost a defensive alliance. NATO does not need to be everywhere in the world doing everything all the time, but it does need to be capable of defending its members' territorial integrity. As long as Russia does not plan to attack a NATO member, Moscow should have nothing to fear from military bases in Central and Eastern Europe.

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