

ALLIANCE TREATY OBLIGATIONS AND PROVISIONS (ATOP)
CODING SHEET

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SECTION I: FORMATION, MEMBERS, AND DURATION

1. ATOP ID: 4865 Phase 2

2. COW Alliance # (if applicable):

Phase 1: COW4.1 - 393

3. Signature date(s) (may vary for members in multilateral alliances):

Phase 1: 2 April 1997

Phase 2: 8 December 1999

4. Members of alliance (use COW country codes): Belarus (370), Russian Federation (365)

5. Was the alliance signed during war? If so, which war, and which member(s) was at war? (check COW data)

NO.

6. Means by which alliance was established (e.g., treaty, executive agreement, diplomatic notes, etc.): (Only select "treaty" if the agreement requires ratification.) Treaty

7. Was the treaty public, public but with secret articles, or secret? If secret articles, describe the content of secret articles.

PUBLIC

8. Are there provisions for adding additional members mentioned in the treaty? (Yes, No) If Yes, describe these provisions.

Yes,

Article 65.1 – "This Treaty is open for accession to it of other states that are subjects of international law sharing the purposes and principles of the Union State and accepting in full the obligations arising from the Treaty."

Article 65.2 – "States Parties shall consider the applications of third states and invite them to become parties to this Treaty after meeting the necessary conditions for the accession, which are established by the Supreme State Council, and the implementation of procedures related to the expansion of the number of participating States."

9. Are specific state(s) mentioned as possible future members of the alliance? (Yes, No) If Yes, which state(s)?

NO

10. Are there specific provisions in the treaty concerning the length of time the treaty is to last? (Yes, No) If Yes, describe.

Yes – Article 69.2 – "The contract is for unlimited duration"

11. Are there conditions under which members may renounce the treaty? If Yes, describe these conditions.

Yes:

Article 67.1 – "A State Party, subject to its relevant constitutional procedures, may decide, on the basis of a popular referendum, to withdraw from the Union State. The head of state wishing to leave the Union State shall notify the Supreme State Council, the Parliament of the Union State and other participating state in writing. This Treaty shall terminate with respect to such state after 18 months from the date of holding a referendum thereon on this matter."

12. Are there specific provisions in the treaty concerning renewal of the treaty? (Yes, No) If Yes, describe these provisions.

NO.

13. Number of times alliance renewed, dates of renewal, and means by which alliance was renewed (Do not include automatic renewals):

N/A

14. Termination date(s) (may vary for members in multilateral alliances) and source(s) for termination dates(s):

Still in effect:

<http://www.soyuz.by/about/docs/dogovor5/> (Accessed 6/11/2018)

15. Describe what caused the alliance to terminate.

N/A

SECTION II: OBLIGATIONS

16. Type of alliance (defense pact, neutrality pact, nonaggression pact, consultation pact, offense pact): (List all that apply to any member of the alliance.)

Defense Pact

17. Type of alliance as coded in COW data (if applicable): NA

18. Describe the obligations of the alliance partners.

Article 7:

1. The territory of the Union State consists of the state territories of the participating States.
2. The participating State shall ensure the integrity and inviolability of the territory of the Union State
3. The external border of the Union State is the borders of the participating States with other states or spatial limit of the operation of the state sovereignties of the participating states.

Effectively, states which join the Union State pledge to defend the territory of the Union State.

19. Are any of the obligations contingent upon any of the following: specific adversary, specific location, specific ongoing conflict, number of adversaries, noncompliance with a specific demand, attack, nonprovocation of enemy, or prior agreement among partners? (List all that apply) NO

20. Describe the nature of the limits to obligations listed in #19.

N/A

21. Are there any additional provisions for assistance in the event of war? (e.g., promise not to participate in economic sanctions against partner, promise not to aid internal or external enemies, etc.) (Yes, No) If Yes, describe.

NO

22. Are there any additional limits to the alliance obligations or conditions under which treaty obligations do not apply that were not listed in #19? (Yes, No) If Yes, describe.

NO

23. Is a specific target/threat mentioned as the object of the treaty? (Yes, No) (Answering Yes to this question does not necessarily mean that obligations are limited only to this adversary.) If Yes, list the target nation(s) (using COW country codes if possible) and describe the general nature of the reference to the target of the treaty.

NO.

24. Are the treaty obligations symmetric? (That is, do all members commit to the same obligations?) (Yes, No) If No, describe.

YES.

25. Does the treaty prohibit members from settling conflicts independently (no separate peace)? (Yes, No) If Yes, describe.

NO

26. Does the treaty have provisions requiring that the contracting parties consult before making commitments to third parties (excluding no separate peace provisions discussed above)? (Yes, No) If Yes, describe these provisions.

NO

27. Does the treaty specify that the contracting parties must not enter into any other alliances that are directed against the alliance in question? (Yes, No) If Yes, describe.

No

28. Additional coder comments regarding treaty obligations:

Article 18 – “The joint jurisdiction of the Union State and the participating states includes...joint defense policy, coordination of activities in the field of military development, the development of the armed forces of the participating states, the joint use of military infrastructure and the adoption of other measures to maintain the defensive capability of the Union State;

Cooperation in international cooperation on military and border issues”

SECTION III: INSTITUTIONALIZATION OF THE ALLIANCE

29. Does the treaty make reference to the potential for conflict among members of the alliance? (Yes, No) If Yes, describe.

Yes, Article 54.1 – “Each State Party, the bodies of the Union State may submit to the Court any issues related to the interpretation and application of this Treaty, the legal acts of the Union State.

30. Does the treaty discuss mediation/arbitration or other means of settling disputes among the signatories? (Yes, No) If Yes, describe.
Yes, Article 54.1, 54.2, 54.3:

Article 54

1. Each State Party, the bodies of the Union State may submit to the Court any issues related to the interpretation and application of this Treaty, the legal acts of the Union State.

2. The decisions of the Court are legally binding and subject to official publication.

3. Decisions of the Court shall be taken by two thirds of the total number of judges in the relevant court session.

31. Does the treaty require official contact among the military forces of the participating states? (Yes, No) If Yes, describe. (Note whether official contact is required only in the event of hostilities or also during peacetime.) YES.

Article 17 – “The exclusive jurisdiction of the Union State includes...Development and placement of a joint defense order, provision on its basis of supplies and sales of arms and military equipment, a joint technical support system for the armed forces of the participating states...the functioning of the regional groupings of troops”

Article 18 – “The joint jurisdiction of the Union State and the participating states includes...joint defense policy, coordination of activities in the field of military development, the development of the armed forces of the participating states, the joint use of military infrastructure and the adoption of other measures to maintain the defensive capability of the Union State;
Cooperation in international cooperation on military and border issues”

32. Does the treaty include provisions for military aid? (e.g., grants, loans, transfer of technology, training) (Yes, No) If Yes, describe these provisions. NO.

33. Does the treaty provide for integrated command of military forces while the alliance is in effect (peacetime as well as wartime)? (Yes, No) If Yes, describe. NO

34. Does the treaty require subordination of the forces of one or more member states to another in the event of hostilities? (Yes, No) If Yes, describe. NO

35. Does the treaty establish any organizations? (include provisions for regularly scheduled meetings) (Yes, No) If Yes, describe.

YES. Article 4 – “To implement the goals of the Union State, the Supreme State Council, the Parliament, the Council of Ministers, the Court, the Accounting Chamber of the Union State are created.”

36. Does the treaty provide for joint military bases, or for one or more states to place troops in the territory of one or more other states? (Yes, No) If Yes, describe. NO.

37. Does the treaty specify contribution levels (funds, troops, etc.)? (Yes, No) If Yes, describe.

YES.

Article 32.2 – “The budget of the Union State is formed at the expense of the annual agreed contributions of the participating States.”

Article 32.5 – “The participating States themselves bear the costs associated with the implementation of activities not provided for by the budget of the Union State.”

Article 32.6 – “The budget of the Union State can not have a deficit.”

38. Does the treaty contain any provisions regarding coordinated increase of armaments, reduction of armaments, prohibition of weapons, or rules of warfare? (Yes, No) If Yes, describe such provisions. NO

39. Does the treaty explicitly permit or prohibit the acquisition of territory not currently held by either ally? (Yes, No) If Yes, describe reference. NO

40. Does the treaty include discussion of the division of gains from any future conflict? (Yes, No) If Yes, describe. NO

41. Does the treaty include discussion of demobilization/withdrawal following conflict? (Yes, No) If Yes, describe. NO

42. Are there any other provisions in the treaty that describe the means through which the states will coordinate their military efforts and policies? (Yes, No) If Yes, describe. NO.

43. Additional coder comments regarding references to alliance institutionalization:

SECTION IV: TREATY CONTEXT

44. Does the treaty state that it nullifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are nullified and describe the treaty reference.

Yes – The Treaty on the Establishment of the Community of Russia and Belarus of April 2, 1996 and the Treaty on the Union of Belarus and Russia of April 2, 1997 (Phase 1 of this alliance)

45. Does the treaty state that it modifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are modified and describe the treaty reference. NO

46. Does the treaty state that it includes any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are included and describe the treaty reference.
No.

47. Does the treaty make any references to international organizations? (Yes, No) If Yes, list the international organization and describe the nature of the reference.

Yes –

United Nations – invokes the Charter in the preamble, specifies in Article 6 that participating states retain their individual membership in the UN, and the treaty will be registered with the UN.

CIS – Article 18 – The joint jurisdiction of the Union State and the participating states includes...Conducting an agreed course to strengthen the Commonwealth of Independent States.

48. Does the treaty make any references to other existing alliances? (Yes, No) If Yes, list the alliance and describe the nature of the reference.

Yes – ATOP ID# 4400 – Commonwealth of Independent States - Article 18 – The joint jurisdiction of the Union State and the participating states includes...Conducting an agreed course to strengthen the Commonwealth of Independent States.

49. Are there any companion agreements referenced in the treaty? (Yes, No) If Yes, describe the agreements.
NO.

50. Does the treaty include statements regarding non-military cooperation (e.g., economic, cultural, scientific exchange)? (Yes, No) If Yes, describe. Yes

Article 13 – Monetary union/single currency

Article 14 – Legal cooperation for citizens

Article 18 – Scientific, environmental, cultural, social cooperation

51. Does the treaty resolve other conflicts among the parties to the alliance? (Yes, No) If Yes, describe. NO

52. Does the treaty propose/enforce settlement of a conflict not involving parties to the alliance? (Yes, No) If Yes, describe. NO

53. Does the treaty propose other agreements among the contracting parties? (Yes, No) If Yes, describe. YES.
Article 2.3 – “With the establishment of the Union State, consideration will be given to the adoption of its Constitution.”

54. Does the treaty mention unresolved conflicts among the contracting parties? (Yes, No) If Yes, describe. NO

55. Does the treaty include provisions for economic aid or other enticements (include trade concessions, post war recovery, etc.)? (Yes, No) If Yes, describe these provisions. YES. Many trade concessions including customs union.

56. Does the treaty describe circumstances under which one party may intervene in the internal politics of another party or specifically

commit the states to non-intervention? (Yes, No) If Yes, describe. NO

SECTION V: DOCUMENTATION

57. Additional coder comments on this alliance treaty:

58. Source of coding information (e.g., treaty, treaty and secondary sources, secondary sources only, etc.): Treaty

59. Treaty citation: Union State website, <http://www.soyuz.by/about/docs/dogovor5/>

60. Date of last revision of this coding sheet: 6/11/2018

61. Coder: Nicholas Coulombe , Ashley Leeds