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But keep in mind, all of us are trying to change the—not only the facts on the ground, if you will, but the whole pattern of thought which has dominated the international politics of Europe for 50 years. And even though the cold war is over, a lot of people want to go back to the kind of—kind of an analysis that was more typical even before World War II, in the late 19th and early 20th century.

And we're trying to change all that. We're trying to prove that democracies can reach across territorial lines to form partnerships that commit themselves not only to preserve freedom within each other's borders and the integrity of those borders but to face these new transnational threats like terrorism, ethnic convulsions, and weapons proliferation.

Military Installations in New Member States

Q. Mr. President, President Yeltsin said that you have made a precise commitment in this document to guarantee that there will be no military installations in the new member states. Have you given those guarantees?

The President. I would urge you, first of all, to look at the language that Secretary General Solana has agreed to and that our representatives have provisionally agreed to just in the last couple of hours. What the language does is to make it clear that there are no plans and there are no reasons to, in effect, activate old Warsaw Pact military installations for what you might call traditional NATO aggressive forward-posturing but that we will have to use—there is an explicit understanding in the agreement that we will have to use some infrastructure for the agreed-upon operations that are an integral part of being a NATO member.

So all we're doing in the understanding is to recognize, yes, there will be some use of military infrastructure so that the requirements of membership can be met by any new members, but, no, we are not moving the dividing line of Europe from its old dividing line between NATO and the Warsaw Pact further east. So I think we got just exactly the right kind of understanding. And again, I think Secretary General Solana did it right.

Thank you.

NOTE: The President spoke at 2:29 p.m. in the Rose Garden at the White House. In his remarks, he referred to NATO Secretary General Javier Solana; Foreign Minister Yevgeniy Primakov and President Boris Yeltsin of Russia; and President Vaclav Havel of the Czech Republic. The agreement was formally entitled "Founding Act on Mutual Relations, Cooperation and Security Between NATO and the Russian Federation."

Message to the Senate on Conditions to the Flank Document of the Conventional Armed Forces in Europe Treaty

May 14, 1997

To the Senate of the United States:

I am gratified that the Senate has given its advice and consent to the ratification to the CFE Flank Document and I look forward to the entry into force of this important agreement. It will reaffirm the integrity of one of the CFE Treaty's core provisions and will facilitate progress on CFE adaptation and, thus, NATO enlargement, key elements for advancing United States and European security.

I must, however, make clear my view of several of the Conditions attached to the resolution of advice and consent to ratification, including Conditions 2, 3, 4, 6, 7, 9 and 11. These Conditions all purport to direct the exercise of authorities entrusted exclusively to the President under our Constitution, including for the conduct of diplomacy and the implementation of treaties. The explicit limitation on diplomatic activities in Condition 3 is a particularly clear example of this point. As I wrote the Senate following approval of the Chemical Weapons Convention, a condition in a resolution of ratification cannot alter the allocation of authority and responsibility under the Constitution. I will, therefore, interpret the Conditions of concern in the resolution in a manner consistent with the responsibilities entrusted to me as President under the Constitution. Nevertheless, without

prejudice to my Constitutional authorities, I will implement the Conditions in the resolution.

Condition (9), which requires my certification that any agreement governing ABM Treaty succession will be submitted to the Senate for advice and consent, is an issue of particular concern not only because it addresses a matter reserved to the President under our Constitution, but also because it is substantively unrelated to the Senate's review of the CFE Flank Document. It is clearly within the President's authorities to determine the successor States to a treaty when the original Party dissolves, to make the adjustments required to accomplish such succession, and to enter into agreements for this purpose. Indeed, throughout our history the executive branch has made a large number of determinations concerning the succession of new States to the treaty rights and obligations of their predecessors. The ABM Succession MOU negotiated by the United States effectuated no substantive change in the ABM Treaty requiring Senate advice and consent. Nonetheless, in light of the exceptional history of the ABM Treaty and in view of my commitment to agree to seek Senate approval of the Demarcation Agreements associated with the ABM Treaty, I have, without prejudice to the legal principles involved, certified, consistent with Condition (9), that I will submit any agreement concluded on ABM Treaty succession to the Senate for advice and consent.

WILLIAM J. CLINTON

The White House,
May 14, 1997.

NOTE: This message was released by the Office of the Press Secretary on May 15.

Message to the Congress on Conditions to the Flank Document of the Conventional Armed Forces in Europe Treaty

May 14, 1997

To the Congress of the United States:

In accordance with the resolution of advice and consent to ratification on the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe of November 19, 1990 ("the CFE Flank Document"), adopted by the Senate of the United States on May 14, 1997, I hereby certify that:

In connection with Condition (2), Violations of State Sovereignty, the United States and the governments of Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Turkey and the United Kingdom have issued a joint statement affirming that (i) the CFE Flank Document does not give any State Party the right to station (under Article IV, paragraph 5 of the Treaty) or temporarily deploy (under Article V, paragraphs 1 (B) and (C) of the Treaty) conventional arms and equipment limited by the Treaty on the territory of other States Parties to the Treaty without the freely expressed consent of the receiving State Party; (ii) the CFE Flank Document does not alter or abridge the right of any State Party under the Treaty to utilize fully its declared maximum levels for conventional armaments and equipment limited by the Treaty notified pursuant to Article VII of the Treaty; and (iii) the CFE Flank Document does not alter in any way the requirement for the freely expressed consent of all States Parties concerned in the exercise of any reallocations envisioned under Article IV, paragraph 3 of the CFE Flank Document.

In connection with Condition (6), Application and Effectiveness of Senate Advice and Consent, in the course of diplomatic negotiations to secure accession to, or ratification of, the CFE Flank Document by any other State Party, the United States will vigorously reject any effort by a State Party to (i) modify, amend, or alter a United States right or obligation under the Treaty or the CFE Flank Document, unless such modification, amendment, or alteration is solely an extension of the period of provisional application of the CFE Flank Document or a change of a minor administrative or technical nature; (ii) secure the adoption of a new United States obligation under, or in relation to, the