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Military Enforcement of Conventional Arms Control and Conflict Termination Agreements in Europe

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Abstract: When and under what conditions do adversarial conventional arms control (CAC) and conflict termination agreements in Europe include explicit military use-of-force enforcement mechanisms? Treaties rarely feature clear, formal enforcement mechanisms as states typically prefer flexibility in how agreements are enforced – especially if they themselves could be subject to the enforcement. However, some agreements incorporate language that permits the use of force in the event of non-compliance. This provides a *casus belli* should a state or coalition need to take military action against an agreement violator. This article hypothesized that an overwhelming victory/defeat is a necessary, but not sufficient, condition to include agreement enforcement mechanisms based on a combination of states' rational choice considerations including bargaining, lack of trust, and security prioritization. The analysis of 46 agreements related to Europe from 1918 to the present, conducted through qualitative content analysis and case comparison methods, largely supports the hypothesis. Ten agreements support the hypothesis while four do not.

Keywords: conventional arms control, conflict resolution, just war, treaty enforcement, treaty compliance

Introduction

When and under what conditions do adversarial conventional arms control (CAC)[1] and conflict termination agreements in Europe incorporate explicit military use-of-force enforcement mechanisms? In general, treaties may incorporate dispute adjudication mechanisms, and a portion of these might incorporate specific enforcement mechanisms such as the permission to increase tariffs, suspend aid and assistance, or suspension from international organizations. However, including a military enforcement mechanism is rare

1 Adversarial CAC agreements refer to CAC agreements focused on dealing with interstate rivalries rather than universal humanitarian and/or proliferation issues. Hereafter, in general or unless otherwise stated, CAC refers to adversarial CAC rather than other types of CAC.

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in any kind of agreement. Although there is no definitive count of international treaties signed in Europe since 1918, some calculations suggest that there have been tens of thousands (Simmons 2010; United Nations 2001).[2] Compliance and enforcement literature strongly suggest that of these, only approximately a dozen treaties incorporate a military enforcement component. Indeed, most treaty literature neglects even the dozen use-of-force agreements – a gap this article attempts to address.

Since 1919, authorized use of armed force outside of immediate self-defense was in principle reserved by and for the League of Nations (LoN), and since 1945 is theoretically the exclusive purview of the UN Security Council (UNSC). Yet, since 1918, several arms control and conflict termination agreements have included a specific clause authorizing military action against rivals. What is most interesting about this is that the likely targets of the use of armed force agree to the authorization.

This article attempts to understand why and when states might accept an agreement that authorizes armed force usually against them through a rational choice theoretical lens. According to Charles Louis Glaser, states exist in an anarchic environment as "purposive actors that make at least reasonable efforts to choose the strategy that is best suited to achieving their goals. States are assumed to be able to identify and compare options, evaluating the prospects that they will succeed, as well as their costs and benefits" (Glaser 2010, 30). Similarly, Robert Keohane defines choice as a combination of factors or inputs including assessing information, prioritizing outcomes and preferences, and setting objectives (Keohane 2002). Keohane also observes that "Rational choice theory can provide insights into events that are too complex to model and too idiosyncratic to subject to statistical analysis. It can therefore suggest why certain institutional arrangements may have been considered" (Keohane 2002, S314). This supposition is in one sense relevant to this article as arms control and conflict termination agreements are greatly characterized by variability and idiosyncrasies, although this article does attempt to engage in basic statistical analysis.

This article's central premise is that states consider relative bargaining positions within a rational choice framework when they make an arms control or conflict termination agreement, and that a military enforcement clause figures into this assessment, as the stronger state will want the legal and moral right to attack if it feels necessary, while the weaker state has insufficient bargaining power to deny this demand. Given that a state would only agree to be the subject of military action in the rarest of circumstances, potentially giving their adversary a *casus belli*, this article hypothesizes that a state – following rational choice theory – will only accept such agreement in the narrowest of circumstances; namely, when a state has been decisively defeated in conflict and has extremely limited bargaining power. In this situation, it accepts a significantly disadvantageous agreement in order to end the conflict and associated costs of life, property, and having their bar-

2 These sources suggest at least 30,000 for all treaties globally.

gaining position further eroded (Fearon 1998; Filson and Werner 2004; Levy 1996; Reiter 2009; Schelling 1975).

This article focuses on agreements that are legally binding according to international law; and this article's dataset includes two types of agreements. First are treaties as defined by the 1969 Vienna Convention on the Law of Treaties (VCLTs) which states that treaties are "an international agreement concluded between States in written form and governed by international law […]" (Vienna Convention on the Law of Treaties 1969, art. 2(a)). These agreements include arms control treaties, peace treaties, ceasefires, and armistices. The second type of agreements are UNSC Resolutions (UNSCRs) which are usually (depending on the specific language) legally binding – especially when they concern peace and security (Acosta 2015). UNSCRs include authorizations for use of force against states (UN Charter Articles 42 and 53) and for peacekeeping missions.

Previous studies of treaty compliance and enforcement generally state that while there are extensive procedures to ascertain and adjudicate compliance built within agreements, enforcement is largely ambiguous and left to state parties to determine the best and appropriate responses to violations (Koch et al. 2019). There may be several reasons why this question has not been studied before. First, the notion that a state might agree with an adversary that said adversary may attack it seems counterintuitive. Even if states may not always be able to obtain the physical means to prevent attacks, it is incredible that states would legally, in a mutually binding agreement, commit themselves to being attacked should their adversary judge that such an attack is necessary and justified. Indeed, since the end of World War One (WW1) states have striven to, collectively, make attacks less legally permissible. First, the LoN Covenant not only prohibited waging war without the League's approval, it did not even (as the United Nations (UN) Charter's Article 51 would later more clearly state) explicitly approve self-defense (without the League's approval). The UN Charter – which is still in effect – only permits offensive military activities with the UN Security Council's (UNSC's) approval.

Treaties are, by nature and definition formal, written agreements signed by states. What is and is not included within the agreements are of paramount importance as they define and determine any number of aspects of interstate relations. They are a form of hard law and states' interactions are often grounded in what is written into the treaties and are "the most important instrument for regulating international affairs and the intercourse between States… and the 'workhorse' of international law" (Ulfstein, Marauhn, and Zimmermann 2007, 3–4).

Common sense and customary international law might accept that a state not in compliance with a ceasefire or peace agreement may then justifiably be attacked with minimal warning or diplomatic notice in certain circumstances. For example, if immediately after the agreement takes effect, one party fails to execute immediate and clearly defined tasks such as withdrawing to certain lines, releasing prisoners of war, or failing to cease repression of stated ethnic minorities. There may be, however, a "statute of limitations" after

which hostilities cannot be resumed without the customary processes and procedures preceding a reinitiation of hostilities (Dunlap 2016; Berman 2024; Brunner 2018). One problem, however, is that there is no consensus on when resuming hostilities in response to compliance failure is legitimate and when it is not. A second problem is that customary law itself leaves open the question of "what duration, frequency, and consistency of state practice is necessary in order to create a customary norm. Furthermore, there are no criteria for selecting and evaluating precedents of state practice so that arguments based on custom always suffer from a considerable degree of arbitrariness" (Petersen 2009, 1252). Inclusion of a hostility-resumption clause might, nonetheless, extend for an undefined timeframe – or at least longer than if such a clause did not exist.

This article's research question raises an important international law question, as agreements in which a state gives permission to be attacked may violate the UN Charter and the LoN Charter before that, both of which specifically prohibit armed attacks against other states. If a legal opinion were held that a state cannot waive its right to be free from attack, this might discourage states from accepting others' surrender prematurely; that is, until a state was destroyed and dismembered to such an extent that it could not pose a threat to its adversaries. Such a finding seems unreasonable because some wars for many reasons, especially humanitarian, have ended in part because the victor was confident that they could legitimately reinitiate hostilities if their adversary was non-compliant with surrender terms. Yet a state will be much less likely to accept a surrender if they do not have a legitimate, legal recourse to enforcing a surrender agreement's terms, even if such recourse is mutually agreed upon.

Thus, this article may interest legal scholars as it discusses how treaties are written and in what circumstances enforcement mechanisms were included. Political and international relations scholars may find this article of interest because it addresses several aspects of war causation and conflict termination. To what extent might the inclusion of military enforcement mechanisms result in or prevent conflict? Is including such an explicit threat of force in an agreement an important part of ending certain types of conflict? Practitioners may find this article of value because arms control and conflict termination agreements are not drafted, negotiated, and signed often; but when they are, formal text – or hard law treaties (Abbott and Snidal 2000; Williamson 2003) – needs to be written; ideally based on comprehensive policy considerations. Moreover, the present Russo-Ukrainian War and the broader Russia-EU/NATO rivalry suggest the potential and possibly need for a conflict termination agreement and a broad CAC agreement, respectively. Russian violations of previous arms control agreement emphasize the importance of compliance and enforcement (Schneider 2012). This article offers practitioners insights into agreement text and approaches, more specifically if and how to address enforcement language.[3] The question of enforcement has specifically come up in recent rounds of ceasefire and peace agreement proposals that surfaced in December 2025. Although there are several

3 Who might be the executor or the subject of enforcement will depend on the conflict's outcome. See, for example, Lippert 2024.

proposed responses to violations, both a US and EU draft threaten a "coordinated military response" if Russia invades Ukraine following the agreement's entry into force (Sky News 2025; Denisova and Sorokin 2025). Russia has, to date, rejected the proposals in part due to plans that would permit Ukraine's coalition partners to place military forces within Ukraine (AFP 2026). These negotiations in-progress emphasize not only this article's relevance, but the unlikelihood of including military use-of-force enforcement text within an agreement in the absence of a decisive victor.

This article applies a mixed-method approach with comparative case analysis with a medium-*n* case size to compare and contrast CAC and conflict termination agreements (which share similarities in goals and contents) and qualitative content analysis to assess each agreement's specific enforcement language. The article assesses agreements in four general time periods through which moral and legal views of war and conflict evolved: the interwar, World War Two (WW2), post-WW2/Cold War, and post-Cold War periods.

This article's analysis of 46 agreements related to Europe from 1918 to the present somewhat upholds the hypothesis. Fourteen agreements included language that could be interpreted as permitting the use of military force, although the extent to which the language is explicit and military action can be taken outside of LoN or UN auspices varies. Of these fourteen, 10 upheld the hypothesis as these agreements were outcomes of decisive military victories/defeats. Interestingly, two agreements obligated states (one of which had been decisively defeated) to defend their territory to preserve demilitarized areas.

Literature Review

This article's research question attempts to amalgamate three categories of international relations literature: peace agreement and conflict termination literature; treaty compliance and enforcement literature; and *casus belli* and just war literature within rational choice theory. Applying this theory is appropriate because the theory is based on two premises: first, that states are unitary actors (Petersen 2009); and second, that states engage in a process-based assessment of costs and benefits (Mearsheimer and Rosato 2023). When confronted with either preventing a conflict or, more commonly with this dataset, ending a conflict, states as a single, unitary entity decide to accept and sign an agreement and they do so after assessing current and potential gains and losses often defined, in the case of armed conflict, on relatively clear battlefield realities determined by territorial, personnel, and material losses and gains. Armed conflict, as Dan Reiter states, results in rivals' common perceptions about relative power and capability and thus facilitates bargaining and agreements (Reiter 2018).

Conflict termination and peace agreements vary significantly in their contents, including their scope and length. Some have a military focus, for example, dealing with the placement of forces and limitations or prohibitions on certain military activities and capabili-

ties, while others incorporate areas as varied as customs and language regulations. Many, if not most, of these types of agreements incorporate CAC.

Although the peace agreement literature is substantial, few works address the narrower question of agreement text incorporating enforcement mechanisms. Martin Wählisch, for example, emphasizes that peace agreements have the straightforward goal of ending or halting hostilities, and his work focuses on peace agreements and the *prohibition* of force (Wählisch 2016, 964). He discusses agreements that include use-of-force enforcement, but also argues that the VCLT article 52 voids agreements made by the threat or use of force and therefore, for example, the 1999 NATO-Yugoslavia agreement ending the Kosovo conflict is invalid – at least until the UNSC approved the treaty *ex post facto*. By implication, conflict-ending agreements which (as was the case in the NATO-Yugoslavia agreement) incorporate enforcement by military force are perhaps doubly illegitimate – first in that the agreement is made by the use of force (although Wählisch does not make this argument specifically) and second, that the agreement cannot include a use-of-force clause. The problem with this legal interpretation is that conflict-ending agreements by definition are made during a conflict wherein one or both sides are compelled by military realities to make an agreement. It is difficult to see in a practical sense how conflicts could be ended with an agreement in the absence of a conflict, except if there was a tacit end to a conflict, some years of peace reigned, and *then* an agreement was made. Wählisch's further point is that no matter what is codified with an agreement's text, states have no right to resort to force outside of UNSC authorization; that is even if an agreement permits the use of force in the event of non-compliance, "the prohibition of the use of force *de jure* [is] unaffected... [A] breach of provisions of a peace treaty does not entitle the other party to resume hostilities" (Wählisch 2016, 976–77). Thus, according to Wählisch's interpretation, the parts of the agreements at this article's core are invalid. Craig White specifically addresses the US decision to attack Iraq in 2003 in part in response to perceived violations of the 1991 Gulf War ceasefire (White 2012). White is one of the few authors who considers whether violation of a ceasefire's terms authorizes a resumption of hostilities, and then delves into a specific agreement's text to assess to what extent the use of actual use of force was justified. White's legal analysis is that the UNSCR 687 (1991) did *not* give automatic use-of-force authority to the US; and that such authority was reserved for the UNSC. White, however, does not clearly state that a cease-fire or peace agreement cannot contain military use-of-force language (outside of the UNSC) – only that UNSCR 687 (1991) did not authorize the US's unilateral use of force.

The literature on arms control and peace agreement treaty compliance is more extensive, with scholars discussing the various means and methods to ensure agreement compliance. Beth Simmons analyzes treaty compliance from realistic and functionalist perspectives, assessing power and cooperative perspectives (Simmons 1998). Walter Dorn and Douglas Scott note that in the anarchic international system, "There is no world police force to monitor, let alone enforce, compliance" (Dorn and Scott 2000, 229) of treaties. However, treaties may create their own implementation and enforcement mechanisms or assign the tasks to an existing organization. These may be beneficial for several reasons,

including efficiency (Lippert 2024) and because accusations of violations may be more credible (Iklé 1961) although they remain directly or indirectly subject to state authority. Simmons emphasizes that agreements, including those related to security and arms control, are self-enforcing because the parties adhere to the agreement as long as each side derives benefits from it through reciprocity (Simmons 2010) and because "violating a treaty is often asserted to have more serious reputational consequences than reneging on a political commitment, *ceteris paribus*" (Simmons 2010, 277). Guzman, for example, assesses that states comply with international law in an anarchic system in large part as a product of rational decision-making (Guzman 2008).

Virginia Fortna (2004) makes a general assessment of ceasefire agreements and their success or failure, basing her analysis on an empirical study of 35 post-World War Two (WW2) ceasefire agreements[4] around the world. Although Fortna does not delve into detail about military use-of-force text in agreements, she does assess the agreements along various measurement scales, such as their strength defined by the number of implementation mechanisms and to what extent these were executed, and each agreement's situational variables. Fortna concludes from her empirical study that the most decisive conflicts ended with no or weak agreement, while ones where trust was the lowest and the possibility of defection was highest resulted in the strongest agreements. This somewhat contradicts this Fortna's hypothesis, as this article suggests that significant victories/defeats are more likely to result in the strong agreement language in the form of use-of-force text. The difference might be explained by the significantly different datasets. However, Fortna does recognize that agreements can discourage non-compliance by "raising the cost of breaking the ceasefire, either physically or politically, [and] reducing uncertainty about actions and intentions" (Fortna 2004, 173). Non-compliance exists along a continuum both from a perspective of intent and effect. One method to gauge non-compliance is by assessing military significance (Larsen 2002).

Literature on enforcing CAC agreements and conflict-termination agreements is generally focused on the methods to enforce the agreements primarily from a policy perspective rather than military enforcement language. Scholars tend to assume that military action is an implicit enforcement option – somewhat in contradiction to legal interpretations such as Wählisch's. Fred Iklé introduces the question by asking, "After detection: then what?" (Iklé 1961). First, Iklé discusses the importance of states preparing enforcement policies and approaches, whether in an agreement or outside of it, so that states considering violations will be deterred, in large part through a cost-benefit analysis (Lippert and Becker 2025). He then suggests that there are several military approaches to using military actions in response to violations short of use-of-force such as arms racing. The two omissions in Iklé's article are agreements outside of the superpower relationship, and where one party might be significantly more powerful than the other.

4 The agreements ranged in specificity and commitment from formal, legally binding agreements to confidence-building and security measures (CSBMs) several years after hostilities terminated.

Christopher Ford similarly omits any discussion about military use-of-force within treaty text, but more generally suggests that response to non-compliance must take into consideration many factors, even while accepting that non-compliance is "always bad" (Ford 2006, 588).[5] Simmons suggests that states specifically and intentionally omit specific enforcement language, and by extension military enforcement, in treaties because states are aware that conditions may arise wherein a state may feel compelled to violate the agreement (for example, due to domestic pressures) in which case the states do not want to offer others a clear enforcement or retaliatory option (Simmons 1998).

James Revill et al. offer a list of possible responses to non-compliance, one of which includes unilateral military action (Revill et al. 2019, fig. 4). Geir Ulfstein et al. offer a broader list of enforcement measures which also includes a "military attack" as an option, although the authors state that they are not suggesting such an action is legal (Ulfstein, Marauhn, and Zimmermann 2007, 394).[6] They do, however, suggest that any countermeasure in response to non-compliance needs to be proportionate and in conformity with the UN Charter's Article 2(4), which proscribes the use of force. As with several other scholars, these authors do not address to what extent states may *waive* UN Charter protections against the use of force within any agreements. Ford addresses this inconsistency in part by stating that, "It is impossible to state a general rule here because, in the end, each use of force must look for its legitimacy in the facts and circumstances that the state believes have made it necessary, and each such use of force should be judged, not against abstract concepts, but on the particular events that gave rise to it" (Ford 2006, 589).

Lastly, just war or *jus ad bellum* theory is an important component of military force responses to CAC and conflict-termination agreement violations. In an anarchic international system, despite international norms and laws to the contrary, use of armed force is always an option for a state that feels that an adversary has violated an agreement (or for any other reason) (Waltz 1979). Yet since antiquity, the employment of organized arms forces by a government has often been coupled with *casus belli* statements – or just war.[7] One of the first scholars to have considered *casus belli* in detail and writing is Thomas Aquinas, who sets three specific conditions that should be met for waging war (Aquinas 1273, locs. 40, 1). As Fortna notes, states violating ceasefires have concerns about being labeled an aggressor (Fortna 2004, 205). Fortna further states that when states violate international agreements, particularly by the use of armed force, they face "international opprobrium and legitimize[s] retaliation by the other side. Diplomacy becomes more dif-

5 Here again, Ford was likely referring to a particular notion of arms control, likely in the context of the time period, as the US (like the other World War Two Allied powers) had intentionally permitted and facilitated the rearming of most former Axis states in violation of the World War Two peace agreements that the Allies and Axis states had signed.

6 Chapter 16 notes, however, that the UNSC can authorize and execute "non-systemic" (outside of the agreement) enforcement measures (p. 406).

7 For example, in Homer's *Iliad*, the narrator uses Helen's abduction as the *casus belli* to attack Troy (Homer 1898).

ficult for the defector, and the transgression may cause aid to be withheld and increase international support for the other side" (Fortna 2004, 21). Although Fortna does not clearly state this, inclusion of a use-of-force clause in an agreement in response to non-compliance might significantly reduce the costs of attacking and reduce the likelihood or extent to which the attacker is labeled an aggressor.

Arthur Stein discusses in much greater detail the many benefits of a state articulating and obtaining a *casus belli* in the eyes of domestic audiences and other states (Stein 2000). For example, an accepted *casus belli* can mobilize domestic support – whether for recruitment, conscription, or taxation; it may prevent other states from supporting the target of the attack; it can prevent general opposition to the attacking state and the formation of coalitions against them by defanging predatory perceptions; and it can help build support, including formation of coalitions to join the attacker. Inclusion of a use-of-force provision within an agreement lends significant credibility to any attacks in response to non-compliance. As Treasa Dunworth stated, "it should also be noted that while the imposition of countermeasures in a particular situation might be lawful as a matter of international law, they may be politically difficult if applied independently of the relevant treaty provisions and without independent, or credible, confirmation of non-compliance" (Dunworth 2019, 16).

There is no indication that states *depend* on an agreement violation to attack rivals. Rather, states generally seek *casus belli* for the reasons discussed above, but the presence or absence of agreement violation and military force text is not a necessary condition for states to attack rivals.

Factors Influencing Enforcement Mechanisms

The existing literature does not discuss in detail under what circumstances a state party to a CAC and/or conflict termination agreement would include a military use-of-force enforcement component, but taken together the literature offers a framework to develop a theory and hypothesis. As states would not *ex ante* legally consent to being subject to attack, only the narrowest of circumstances would compel a state to make such an agreement. Indeed, given the broad spectrum of enforcement options that could be built within an agreement short of military force that are much more acceptable and certainly less destructive, states should resist any agreement that might lend *casus belli* to an adversary. Nonetheless, a much more powerful state – especially when its military supremacy is made clear by obtaining a decisive and, perhaps, devastating victory – may insist that they be given the right to relaunch hostilities if the defeated state fails to comply with a conflict termination agreement's conditions. The victor may fear that the defeated state may merely feign capitulation to remove the pressures and costs of a continued conflict; but then, once that pressure is lifted, for example through the victorious power's demobi-

lization, the defeated state may seek revenge or otherwise endeavor to reverse its losses.[8] Thus, the victorious state might insist on a military-enforcement clause, while the defeated state may accept it to end the conflict. In contrast, in the absence of a conflict, states – even when bargaining with a superior adversary – will not accept a military-enforcement clause because the superior adversary lacks the bargaining strength to insist on such a clause. Moreover, the more powerful state may have more trust in its adversary's willingness to comply with an agreement when a conflict has not occurred (Stiles 2018). Table 1 summarizes the influencing factors.

Powerful/victor state	Weaker/defeated state
The powerful state does not trust the defeated	The defeated state needs to accept that it is not trusted to comply with an agreement
Strong bargaining position	Weak bargaining position
Terminate conflict and keep the status quo; fear that the adversary will seek to change the status quo	Terminate conflict as soon as possible to prevent further losses
Fear of defeated state seeking revenge	Assure victorious power that the defeated state will not seek revenge
Ensure a *casus belli* if attacking again is necessary	Accept that an adversary seeks a *casus belli*
Increase likelihood that any coalition/alliance will accept, and possibly join in future military action to enforce agreements	
The powerful state prioritizes securitization	The weaker state accepts the powerful state's need for security
Seeks to retain the existing military relationship and balance, and needs to threaten the use of force to maintain it	Accepts a much weaker position in the military balance

Table 1: *Factors influencing if states demand/accept military enforcement language in an agreement*

The influencing factors thus lead to the following hypothesis: an overwhelming victory/defeat is a necessary, but not sufficient, condition to include agreement enforcement mechanisms based on a combination of states' rational choice considerations including bargaining, lack of trust, and security prioritization.

Research Design Methodology

To test this article's hypothesis, two qualitative research methods are used. First, the dataset of agreements was analyzed using qualitative content analysis to identify which agreements permit the use of military force to enforce the agreement and assess the wording and meaning of this text. Second, the dataset's agreements are compared and contrasted

8 Lebow (2010) identifies fear, interest, standing, and revenge as the four main causes of war.

to obtain deeper insights into the conditions in which the agreements were made and identify factors that might influence use-of-force clauses' inclusion or exclusion.

Qualitative content analysis[9] is a "Research technique for making replicable and valid Inferences from texts (or other meaningful matter) to the contexts of their use" (Krippendorff 2019, sec. Glossary). The method involves reviewing, assessing, and coding the content of source material; or, as Bruce Berg and Howard Lune phrase it, "Content analysis is a careful, detailed, systematic examination and interpretation of a particular body of material in an effort to identify patterns, themes, assumptions, and meanings" (Lune and Berg 2017, 182). The methodology is used in a wide variety of areas of study, research, and analysis to empirically assess various types of information and research material. The most important aspect of content analysis is the coding which converts unstructured information into data and information that can be analyzed (Bengtsson 2016). Subjective judgments are often a key aspect of qualitative content analysis, because the research sources may not likely use a single, universal term relevant to a study's focus (Krippendorff 2019). This article, however, focuses on a single type of media – written, legal texts – reducing data interpretation and coding challenges in what Hsiu-Fang Hsieh and Sarah Shannon refer to as a direct content analysis (Hsieh and Shannon 2005). Maryam Salehijam suggests five steps for qualitative content analysis of legal text, including developing a research question and hypothesis. Salehijam makes two observations reflected in this article: first, that content analysis can be especially applicable to legal studies when there is no answer in legal scholarship or opinions; and second, that simple statistics and count frequencies are "valuable and provide insights into the material under analysis" (Salehijam 2018, 37–38).

This article applies qualitative content analysis by reviewing the article's agreement dataset for language relevant to use-of-force and military enforcement. The military enforcement language, when present, varies significantly in detail, the extent to which it is explicit, and the extent to which it leans on or invokes existing supranational authority such as the LoN and, later, the UN. The agreements are binarily coded for military use-of-force clauses as being present or absent. This requires some subjectivity for some cases which may strongly suggest but not clearly state that use-of-force could be used. The determination of which agreements were assessed as having use-of-force enforcement clauses present is explained in Supplementary Table A. Certain sets of agreements were consolidated under one case, for example, a series of armistices that led to a peace agreement between two parties or an agreement followed by several protocols. The presence of use-of-force enforcement text in any one of these agreements within a set was considered sufficient for a *present* (Yes) coding for the relevant field. Although this article focuses on CAC agreements, and conflict-termination agreements with CAC components (although not exclusively), enforcement language and actions might apply to other aspects of the agreements.

9 The methodology goes by several names, including simply "content analysis" and "systematic content analysis".

This article uses case comparison to obtain further insights about the cases and the absence or presence of military enforcement clauses in the agreements. "The goal of comparative case studies is to discover contrasts, similarities, or patterns across the cases. These discoveries may in turn contribute to the development or the confirmation of theory… [The] selected cases must demonstrate enough commonality to allow for comparison" (Mills, Durepos, and Wiebe 2010). This article specifically compares the agreements within the dataset to assess when use-of-force enforcement clauses were present or not, and when the hypothesis predicts that they might be present or when they should not be present. Moreover, the cases are coded and then compared by other coded attributes: a) the agreement's goal in terms of how it is the strength or powers granted to any side of the military enforcement text; b) the type of enforcing agency; c) the agreement's historical context, particularly if it is made following a major military victory/defeat; and d) whether the agreement was successful.

Table 2 explains each field, while Annex Table 1 provides the coding for each agreement of these fields.

Field	Explanation	Field Options
Enforcement Text	Presence or absence of text clearly stating or strongly suggesting that military force can (or must) be used to enforce the agreement.	Yes; No
Agreement Success	Whether the agreement was successful or not, based on several criteria including whether the adversaries remained at peace for a long period of time (generally approximately 20 years), whether the agreement was substantially respected, whether the agreement was respected despite state parties going to war (for example, the issue covered by the agreement did not contribute to the war's outbreak), whether the main goals of the agreement were accomplished, and whether the agreement is still in force.	Yes; No
Text Strength and Specificity	The extent to which the text is explicit and offers authorization for unrestricted military force, such as using military force beyond the area of application (for example, beyond a demilitarized area).	High; medium; low
Enforcement Body	The country or organization empowered to enforce the agreement.	Free text
Enforcer Type	Type of organization empowered to enforce the agreement with military force. International organizations that solely represent a coalition or allies are considered a coalition, while an international organization is somewhat independent of any given coalition, alliance, and the adversaries concerned.	National; coalition; international organization
Major Victory/Defeat	Whether a conflict ended in a major victory or defeat, defined by one side being wholly subject to its adversary at the risk of complete destruction, occupation, dismemberment, etc. This thus excludes states that win independence but otherwise do not substantially threaten their adversary's national existence.	Yes; No

Table 2: *Field and coding explanation*

Research Dataset

This article's dataset is composed of conflict-termination and CAC agreements in Europe from 1918 to the present. *Prima facie*, the consolidation of these two types of agreements into one dataset may not be intuitive. However, at least from a CAC perspective, there is significant overlap both in terms of the types of agreements and their context. Conflict-termination agreements often include CAC elements – and sometimes these are a main feature of the agreements; and non-conflict-related (adversarial) CAC agreements are made to prevent or otherwise reduce the risk of conflict. Buffer zones, for example, are usually an outcome of conflicts (such as in Cyprus or in Ukraine); but have also been made in peace (between, for example, Soviet Russia and Finland in 1922). States (when defeated) may often be subject to discriminatory limitations following conflicts, but they might also be compelled to accept them in the absence of conflict (as in the case for Finland in the 1920 Finnish-Russian Dorpat/Tartu Agreement). States typically sign mutual national capability limitations in times of peace, such as the 1922 Washington Naval Agreement or the 1990 Conventional Armed Forces in Europe (CFE) Agreement; but such agreements can also be made as part of conflict termination, as in the case of the 1996 Sub-Regional Arms Control agreement for the Balkans (which was an annex to the 1995 Dayton Peace Accords).

This dataset is focused on *adversarial* CAC agreements, whether or not related to conflict-termination agreements, for several reasons. First, the dataset excludes norm-building, universal arms control agreements such as the 1981 Convention on Certain Conventional Weapons (CCW), cluster munitions and anti-personnel landmine prohibition agreements, and other similar agreements that are a "global public good" (Revill et al. 2019), as these agreements' goals are to establish and enforce norms concerning state behaviors rather than deal with adversarial relationships and promote peace (Revill et al. 2019). Adversarial agreements are more of a contract than a "statute" because the agreements rely on both sides complying and withdrawal is a reasonable and rational choice when the other party is non-compliant (Williamson 2003).

This dataset covers 1918 to the present because CAC agreements and conflict-ending agreements during this period were made during a period when attempts to prevent the outbreak of conflict through arms control and other means were both broadly applied and deeply institutionalized through the LoN and then the UN; and through agreement-specific bodies. Europe is the focus of the article because of Europe's history in formal CAC agreements, its broad institutional approaches to peace and security for example not just in the LoN and UN (wherein major European powers dominate(d)), but also institutions such as the Organization for Security and Cooperation in Europe (OSCE). Indeed, the depth, breadth, and scope of conflict-termination agreements and CAC agreements in Europe are not only often interconnected, but their implications in terms of lessons learned or institutional knowledge may be limited outside of Europe (Sommerer and Tallberg 2019).

Lastly, this dataset focuses on conventional arms as defined by the UN (UNODA n.d.). This article excludes nuclear weapons-related arms control agreements for several reasons. First, nuclear weapons are in part and to varying extents norm-building agreements, with even the first nuclear weapons-related bilateral superpower treaty, the Anti-Ballistic Missile Systems (ABM) Treaty recognizing the need for nuclear disarmament.[10] Second, adversarial (primarily US-Soviet/Russian) nuclear weapons-related agreements are aimed at maintaining or achieving strategic stability (Acton 2013; Kokoshin 2011), which is not the case for CAC agreements.

Findings and Discussion

Of the 46 agreements in this article's dataset, 14 of them included relatively specific language permitting (and in two cases requiring) military enforcement of the agreement. This leaves 32 agreements, over two-thirds, without enforcement language. Thus, even in the critical area of security where national survival may be at stake, only a third authorize the use of military force explicitly. If no other agreements in the history of treaties related to Europe from 1918 to the present (which are likely tens of thousands) authorize military force to enforce the agreement, this is indeed a small number. The hypothesis proposes that a decisive military victory is a necessary but insufficient condition[11] for use-of-force enforcement language to be included in an agreement. Surprisingly, such a condition was *not* necessary. Four agreements did not involve a decisive victory/defeat, although in two of the cases the mandated use-of-force applied to the state potentially attacked, in one case in practical terms the use-of-force applies to within a state rather than external intervention, and one applies to a peacekeeping force that was not involved in the conflict that produced the agreement. These findings are discussed in more detail within the context of four historical periods in Europe.

Interwar Period

When WW1 ended, the victors attempted to establish an international system and institutions to prevent another major outbreak of war. This was in large part manifested in the Covenant of the League of Nations (Covenant), which set down in writing states' commitment to "not resort to war" (The Covenant of the League of Nations 1920, sec. Preamble). However, in practice the focus was rather on preventing a war between major European powers – especially in Europe; with exceptions to include intervening in the internal affairs of states and colonial wars especially within spheres of influence (Von Bernstorff

10 The 1963 Nuclear (Partial) Test Ban Treaty also called for nuclear (and general) disarmament, but this treaty was not limited to adversarial arms control. Rather, it was a universal-oriented agreement that included aligned and non-aligned states.

11 This might also be referred to as an INUS, especially in qualitative comparative analysis (Schneider and Wagemann 2012, sec 3.3.2).

2019). The vision was for war to only be permitted in the context of collective defense authorized by the League of Nations.

Ten agreements supported the hypothesis as they were made in relation to a decisive military victory/defeat. Two of these involved WW1: the 1919 Versailles Treaty which placed Allied forces in the area west of the Rhine and – most relevant to this article's hypothesis – stated that if Germany refused to "observe the whole or part of her obligations under the present Treaty with regard to reparation, the whole or part of the areas specified […] will be re-occupied immediately by the Allied and Associated forces" (Treaty of Peace with Germany (Treaty of Versailles) 1919, art. 430). This is a narrower scope of military authority compared to agreements that suggested or explicitly stated *carte blanche* rights to the victor to reinitiate military action.[12] The first agreement that *required* military force to be used to defend its own territory was the 1920 Svalbard/Spitsbergen Treaty, which placed the Spitsbergen archipelago, which had previously been outside of any state sovereignty, part of Norway and made the islands demilitarized (Burns and Urquidi 1968a, chapter 9). However, Norway was obliged to prevent any state (for example, one of its allies) from establishing military capabilities on or near the islands (The Svalbard (Spitsbergen) Treaty 1920, art. 9). A similar rule and approach applied to Finnish sovereignty over the Åland Islands which were by agreement declared demilitarized in 1921 (Burns and Urquidi 1968a; Gardberg 1995; Rotkirch 1986), stating that "If the neutrality of the zone should be imperilled by a sudden attack either against the Aaland Islands or across them against the Finnish mainland, Finland shall take the necessary measures in the zone to check and repulse the aggressor" (Convention Relating to the Non-Fortification and Neutralisation of the Aaland Islands 1922, arts. 7, 2).[13] The 1922 Russo-Finnish Helsinki Agreement which was created to implement a buffer zone established along part of their common border stated that members of a mixed commission "shall be empowered by the Central Mixed Commission to provide for the immediate enforcement of the provisions" (Convention between the Republic of Finland and the Russian Socialist Federal Soviet Republic Regarding Measures Taken in Order to Secure Peace at the Frontier 1922, arts. 7, II).

The 1923 Lausanne Agreement, which covered several issues and rivalries, including demilitarization of the east Aegean Sea and the Turkish Straits, was made as a result of several historical events including the Ottoman Empire's defeat in WW1 and the newly established state of Türkiye (Burns and Urquidi 1968a; Papuççular 2023; Macfie 1979). This agreement called on all signatories to defend the Straits in the event of attack, and specifically France, the UK, Italy, and Japan (the permanent members of the LoN Council) – but "by all the means that the Council of the LoN may decide for this purpose" (The Convention Relating To The Regime Of The Straits And Turkey 1923, art. 18). There is some internal consistency in this article as it is unclear if all and any of the state parties are

12 Belgium and France went on to occupy the Ruhr in response to Germany failing to pay reparations. The occupation, however, had nothing to do with CAC/disarmament violations (Sharp 2005).

13 Åkermark (2017) discusses the complications of this commitment.

authorized to defend Türkiye, or if any of the LoN Council permanent members could act, or if any and all states had to wait for a formal vote of the Council. The latter interpretation would not differ from the Covenant, and thus would be redundant. The likely explanation was that this treaty was made during the LoN's early years when a new global security order was being built (Ikenberry 2001; Webster 2016) – thus the agreement drafters themselves might not have known which approach they intended and that a vague, inconsistent wording might have been intentional, leaving some flexibility as necessary. This reflects later observations that there could be no fixed, single policy for arms control violations (Ford 2006). Whatever the text's implications, the agreement was never violated by armed attack. Of these 14 agreements in the dataset, only one (the 1923 Lausanne Agreement for the Turkish Straits) invoked the authority of a global supranational organization – in this case the LoN.[14]

Perceived gaps in the Covenant led to the brief but concise 1928 Kellogg-Briand Pact which had two important features: first, it included the US, which had not joined the League of Nations; and it specifically stated a "frank renunciation of war as an instrument of national policy" (General Treaty for Renunciation of War as an Instrument of National Policy (Kellogg–Briand Pact) 1928, Prologue). The latter was a more clear, firmer statement and commitment against "war" but, in practice, it is not clear that it substantively changed the self-granted exemptions to the use of force that states had already and would later continue to make throughout the 1930's up until the outbreak of full-scale war in Asia and Europe. There were four CAC agreements signed between 1928 and 1939, but none of these incorporated enforcement language. Whether this was due to the Kellogg-Briand Pact or because the agreements were signed during peacetime primarily between great powers cannot be definitively ascertained.

World War Two and Related Period

WW2 saw the breakdown of the LoN and international institutions, norms, and morals in general. The interwar attempts to end war had failed, and with it, notions of non-resort to war were a far second place to notions of security and national survival. WW2 saw not just a "final victory" in Europe – but a series of (relatively) decisive victories and defeats by many states starting in 1940.

Seven agreements that support this article's hypothesis were made related to WW2 both by the Axis and the Allies. In 1940, the Franco-German and Franco-Italian armistices stated that the Germans and Italians could "terminate [the] agreement at any time with immediate effect if the French Government fails to fulfill the obligations it assumes under the agreement" (Franco-German Armistice 1940, art. 24; Convention d'armistice Franco-Italienne (Franco-Italian Armistice) 1940, art. 26). These agreements involved varying ex-

14 The 1921 Åland Island Convention also calls for League of Nations enforcement, but it is clear in stating that Finland in the first instance defend the island.

tents of disarmament and demilitarization. Both of these Axis states would see the tables turned within a few years, with Italy's 1943 armistice with the Allies stating that "The Commander in Chief of the Allied Forces reserves to himself the right to take any measure which in his opinion may be necessary for the protection of the interests of the Allied Forces for the prosecution of the war" (Armistice with Italy; 3 September 1944, art 10), and when the Germans surrendered to the Allies in May 1945, the agreements[15] stated, "In the event of the German High Command or any of the forces under their control failing to act in accordance with this Act of Surrender, the Supreme Commander, Allied Expeditionary Force and the Soviet High Command will take such punitive or other action as they deem appropriate" ((German) Act of Military Surrender 1945, sec. 5; Act of Military Surrender Signed at Berlin on the 8th day of May, 1945, sec. 5). Interestingly, the other armistices and peace agreements with the Axis states in Europe such as Romania, Bulgaria, and Hungary were not subject to similar language, although all agreements involved CAC.[16]

Finland was also subject to a military enforcement clause but in a different way than the other Axis states. Rather, the approach was similar to the Spitsbergen and Åland Islands agreements. In the 1948 Finnish-Soviet Agreement, Finland committed to "use all its available forces for defending its territorial integrity by land, sea, and air, and will do so within the frontiers of Finland in accordance with obligations" if it was "the object of an armed attack by Germany or any state allied with the latter" (The Agreement of Friendship, Cooperation, and Mutual Assistance between The Union of Soviet Socialist Republics and The Republic of Finland 1948, art. 1). This was clearly intended to prevent Finland from opening up its borders to Germany or its allies to facilitate an attack against the Soviet Union. Another agreement related to a defeated Germany was the 1954 Western European Union protocol establishing the Agency for the Control of Armaments (ACA), which specifically set loose limits tied to NATO planning on Germany. The protocol stated that if the WEU Council was dissatisfied with explanations of violations it could "take the measures which it deems necessary in accordance with a procedure to be determined" (Protocol No. IV on the Agency of Western European Union for the Control of Armaments, October 23, 1954, arts. 20, 3). This is vague and relatively weak language, but nothing within it excluded the use of military force.

Cold War and Post-Cold War Periods

WW2 ended with the establishment of the UN and the hope, once again, to end armed conflict or at least minimize it. The primary mechanisms were the establishment of the UNSC and the UN Charter's Article 2(4) which states that "refrain in their international

15 The Germans formally surrendered to the Allies in France on 7 May 1945, but the Soviets held another formal surrender in Berlin on 8 May 1945 (National Archives 2023).

16 That is to say that all Axis states were subject to some level of CAC in at least one of the signed agreements between them and the Allies, but not every agreement with each state included CAC.

relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations" (Charter of the United Nations and Statute of the International Court of Justice 1945). The Cold War saw relatively few CAC agreements in Europe that were not related to WW2; and none of them involved enforcement language. This lack of enforcement language may have been due to the circumstances in which the agreements were signed – particularly the lack of a decisive defeat or substantial political-military power imbalance.

The Cold War's end ushered in a new era of internationalism and international institutions (Brock and Simon 2021), with a focus on interventions to stop perceived humanitarian disasters and, particularly in Europe, to deal with the dissolution of the Soviet Union and the breakup of Yugoslavia. In the case of the latter, decisive victories by NATO forces seem to have facilitated enforcement language. In 1995, the US-brokered Dayton Peace Accords – largely enabled by NATO military intervention against Yugoslavia-supported Bosnian-Serbs, stated that the NATO-led peacekeeping implementation force (IFOR) could engage in "enforcement action… as may be necessary to ensure implementation of this Annex and the protection of the IFOR" (The General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Peace Agreement) 1995, pts. 1A, Article 1§3).[17] One interesting aspect of this agreement was that both belligerents were subject to enforcement, even though NATO had intervened to support the Bosnians against the Serbs (and NATO is coded as the major victor within this dataset). The second agreement concerning the Balkans ended NATO's air campaign in support of Kosovar separatists against then-Yugoslavia in 1999, stating that the agreement implementor, KFOR, "shall retain, as necessary, authority to enforce compliance with this Agreement" (NATO 1999, arts. 2, §2e). Additionally, the agreement stated that "Violation of any of the provisions above… are subject to military action by the international security force ("KFOR"), including the use of necessary force" (NATO 1999, arts. 2, §3c).

The 1992 ceasefire agreement in Moldova between Chisinau and Moscow gave the agreement implementer, the Control Committee (authorized to have a "military contingent"), the authority to "take urgent and appropriate measures to restore peace and law and order and prevent the recurrence of such violations" (Agreement on the Principles for a Peaceful Settlement of the Armed Conflict in the Dniester Region of the Republic of Moldova 1992, arts. 2, 4). This enforcement authority was, interestingly, granted in the absence of a major military victory.

The UN had an integral role in many of the post-Cold War agreements even if it was not an active party or did not lend its authority to the agreements. As a matter of custom, if

17 This article's dataset separates the Dayton Peace Agreement from the Sub-Regional Arms Control Agreement Article IV because the latter was negotiated separately and contains significantly more detail than the Dayton Peace Agreement, and the agreements' implementations have largely been independent of one another.

not customary law, conflict termination agreements were typically reported to the UN Secretary General (UNSG). Some of the agreements involving the former Yugoslavia, Georgia, and the 2015 Minsk Agreements not only were supported by UNSRs, but involved at some level UN organizations such as peacekeepers. Importantly, the UNSCRs could arguably strengthen claims of enforcement rights granted by this dataset's relevant agreements.

Overall Observations

The use-of-force enforcement element of agreement texts' strength and specificity, meaning how clear and explicit the text was in authorizing the use of force, varied somewhat. In half the cases, the text was clear that military force could be used to enforce the agreement, although, as discussed, who and under what circumstances this force could be used did not always apply to the "victor". The three with weak language involved an international organization, while the four cases with medium language saw mixes of international organizations, a coalition, and national authorities. The agreements with strong and clear language were mostly drafted by states or military coalitions. The one case in which the agreement assigned implementation responsibility to a neutral party – the agreement ceasing combat in Moldova in 1992 – the conflict had ended in a stalemate rather than a decisive military victory. This suggests that the strongest enforcement language in an agreement is mostly reserved for when a state or coalition has decisively defeated its opponents.

This article hypothesizes that a decisive victory is a necessary but not sufficient condition for use-of-force text in agreements. While this was true for 10 agreements, there were nine cases where there was no enforcement case despite the presence of a decisive victory. For the four cases in which Central Power states had been defeated in WW1, the reason may be that enforcement was closely connected to occupation – which was only the case for the western part of Germany. This may have also been due in part to the fact that little of Central Power territory was actually in Allied hands when the war ended (Netchev 2025). The Soviet Union had decisively defeated Finland in 1940, but perhaps the high cost of the victory and fears of German ambitions tempered Moscow's demands. Conflict termination agreements with three (to four) defeated Axis states did not include military enforcement language, likely because three of them: Romania, Bulgaria, and Hungary had joined the Allies as part of their surrenders; and in the case of Austria there was no agreement until 1955 when the Cold War had already set in as Austria had not been a state during the war.

Two contexts in which military enforcement language is rarely used are the establishment of buffer zones between states or sides that end the conflict in a stalemate – such as in 2015 Ukraine or Cyprus – and when there is a peacetime agreement with mutual arms limitations. The first type may permit agreement implementers – usually some form of a peacekeeping or monitoring force – the right to self-defense and to defend civilians;

although the powers granted to KFOR and the implementation commission in Moldova are notable exceptions. But they are usually charged with monitoring and reporting on violations rather than responding to them.

Although UNSCRs have deployed peacekeeping forces to states to deal with purely intrastate conflicts and authorized these forces to disarm non-state actors (Lippert 2025), this has never occurred in Europe. Rather, military force has been authorized by the UN and European security institutions such as NATO to deal with either intrastate conflicts and rivalries (34 cases) or rivalries and (more often) conflicts of a mixed nature that dealt with interstate and intrastate rivalries. In such circumstances the origin of the conflict, such as the conflicts related to Yugoslavia's breakup, were intrastate but took on a more interstate character as separatist entities were given international recognition. Additionally, the overall proportion of agreements that included enforcement language that involved interstate conflicts (79%) versus mixed intra/interstate conflicts (21%) was equal to that for all agreements, suggesting that the type of conflict did not significantly determine enforcement language inclusion. Although this article has discussed how normative restrictions on war and use of force have evolved through different historical periods, the historical distribution of agreements incorporating enforcement language do not reflect this norm. As Supplementary Table B shows, the distribution varies over 100 years, and seems to reflect each rivalry or conflict's specific circumstances – particularly the political-military power balance – rather than norms.

Lastly, almost three-fourths of the agreements with enforcement were successful, compared to less than half of the agreements without enforcement being successful. Yet, it is not possible to draw any broad conclusions concerning agreement success or failure relative to military enforcement clauses because the reasons for each agreement's success or failure are usually complicated and likely subject to learned debate. In brief, it would be difficult to prove through counterfactual analysis that the absence of military enforcement agreements in agreements that contained such language would have resulted in a different outcome. Similarly, it is difficult to counterfactually prove that the presence of such language in unsuccessful agreements that lacked it would have resulted in a successful agreement. The UN, which established, promoted, and sustains the most current norms and international laws against illegal use of armed force, does seem to have had a decisive effect on agreement success. Success and failure have rather more likely been the result of net military capabilities. Whether a perceived willingness or actual efforts to militarily enforce agreements – systemic to the agreement or not – might be a better question, it is beyond this article's scope.

Conclusion

When and under what conditions do conventional arms control (CAC) and conflict termination agreements in Europe incorporate explicit military use-of-force enforcement mechanisms? Applying a rational choice model, this article hypothesized that a state will only accept such an agreement in the narrowest of circumstances; namely, when a state has been decisively defeated in conflict and has extremely limited bargaining power. More specifically, this article assesses that states adopt a rational choice approach when they face or accept a decisive defeat. This defeat (cause) is a necessary but insufficient condition for such agreements to include use-of-force enforcement language (effect).

The hypothesis was mostly borne out after assessing and analyzing 46 relevant agreements from 1918 to the present signed in Europe. Out of these agreements, 14 of them incorporated language that permitted the use of military force to enforce the agreement, 10 of which were signed in relation to a decisive military victory. Two of these 14 agreements, surprisingly, mandated that states defend their *own* territory – a stark contrast to most of the other agreements and the intuitive notion that enforcement language would be focused on giving a victor the right to reinitiate hostilities against a non-compliant adversary but which makes sense in the specific circumstances.

Although it is not possible to survey every Europe-based treaty signed from 1918 to the present as there are probably tens of thousands of agreements covering all topic areas, only these 14 agreements likely include such language – a very small percentage by any measure. Moreover, such language is not a minor commitment, obligation, or fine. It is a key building block or recipe for the resumption of war without clear barriers to the extent of the use of force, its duration, and certainly no measures to prevent escalation.

Even setting aside the potential grander consequences of militarily enforcing agreements, use of force almost always has fatal, tragic, and damaging consequences – much more so than any other type of foreign policy or treaty enforcement. Amid the Russo-Ukrainian War – in part the result of failed arms control agreements and initiatives (Lippert 2024d; Powirska 2022) – it is difficult to overstate the impact of war in Europe. Including military use-of-force enforcement language in an agreement gives states a *casus belli* that they otherwise might not have – and this may make them more inclined to engage in military action than might otherwise be the case. Yet on the other hand, such language might deter violations that could lead to conflict – and the success rate of agreements that included military enforcement somewhat supports this argument. Thus, this article's research question does not tackle an esoteric legal and historical topic – it engages one of the highest importance to scholarship and humanity: war and peace.

The challenge with the study of conflict termination and CAC agreements is that they are so varied – their text, their context, their approaches, and their limitations – that it is difficult to draw any sweeping conclusions (Burns and Urquidi 1968b, 1) but this article arrived at some interesting and surprising insights. These insights, however, suggest

many areas of additional research. First, as a medium-*n* study, it can only make broad and cursory assessments of many of the cases – if not all. Detailed case studies applying pattern tracing might reveal motivations for including or excluding military enforcement language; and debates surrounding the issue may offer new perspectives on policies and treaties. Case studies might also indicate to what extent the inclusion of such language is used by states as a *casus belli*. In a relatively well-known case outside of Europe, Saddam Hussein's violations of its arms control, disarmament, and general ceasefire violations were a major justification for the US invasion of Iraq in 2003 (Kelley 2023; Wedgwood 1998; White 2012). The Iraq case is just one example of how broadening the dataset time period and/or geography might offer additional insights – especially whether additional cases support or contradict this article's hypothesis.

Do the types of government involved in agreements make a difference? Darren Filson and Suzanne Werner, for example, discuss the impact of regime types on conflicts (Filson and Werner 2004). Qualitative comparative analysis (QCA) may offer unique insights into agreement enforcement by identifying and assessing the multicausal conditions that result in certain outcomes such as success and failure (with use-of-force enforcement agreement text one of the conditions) or the presence or absence of such text.[18]

This article's analysis was conducted through a rational choice theoretical filter. However, the theory itself is criticized, questioned, and contested at many levels such as the fundamental definition of rationality and the extent to which a state can be aggregated into a unitary decision-making entity (Kahler 1998). Using this article's dataset, a future study could assess if and to what extent the states that signed the agreements made a rational choice given the information available at the time, and to what extent the decision was unitary – driven primarily by the head of state or government – or fractured and contested.

Lastly, this article has focused on legal treaty text and touched on legal interpretations. However, a more in-depth and authoritative legal opinion on each agreement and the relevant text may offer new insights, perhaps even contradicting some of the article's coding – although interpretation may be subject to disagreement even among legal experts (Pirker and Skoczeń 2023). More broadly, legal scholars might determine agreement precedence – whether a bilateral treaty ending a conflict can or should supersede the UN Charter. An opinion either way has important implications for future conflicts and their potential agreements, especially concerning the Russo-Ukrainian War about which high-level ceasefire and peace agreement negotiations including CAC measures continue. Recent proposals, for example, incorporate a quantitative limit on Ukraine's size of military and establish demilitarized areas. The question of enforcement of any agreement ending the conflict concerns both initial non-compliance – for example the failure of either side to withdraw to agreed-upon lines – and response to violations following initial compliance. The UN Charter and UNSC, for example, may not be realistic institutions to authorize

18 See, for an example of a QCA analysis of CAC agreements (Lippert 2024a).

use of military force as the UNSC five permanent members are rivals in the conflict area. Thus, an authorization to use military force in response to violations – by Ukraine and its partners or Russia – is not going to pass. An agreement signed by all interested parties, however, could authorize such force (as December 2025 drafts specifically proposed). Yet such an authorization – beyond peacekeepers' right to self-defense – would likely require a decisive defeat/victory which, at the time of this writing, is far from certain.

This article has grappled with a topic that has received little, specific attention but which may be vastly more important than the textual space the text under study assumes. A simple, single line or two within a CAC and/or conflict-termination agreement – bearing in mind that the two are often closely associated – may or may not give a state the perceived right to use military force against an adversary. This is not just a self-assumed right based on a notion of self-defense or national interest, but one obtained in legal agreement with the adversary that faces the attack. Even if agreements only lend a bit of credence and credibility to a state's *casus belli*, a little bit may be the difference between war and peace. If this is true, then a little bit can truly go a long way – but not necessarily in a good way.

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Supplementary Material

Supplementary material for this article is available at: Lippert, William, 2026, "Replication Data for: Military Enforcement of Conventional Arms Control and Conflict Termination Agreements in Europe", https://doi.org/10.7910/DVN/OD3TQF, Harvard Dataverse, V1.

Annex

Agreement	Year	Enforcement Text	Success	Text specificity/ strength	Enforcer	Enforcer Type	Major Defeat/ Victory
Versailles (Germany)	1919	Yes	No	Medium	Allied powers	Coalition	Yes
St-Germain-en-Laye (Austria)	1919	No	No	Not applicable	N/A	N/A	Yes
Bulgaria (Neuilly-sur-Seine)	1919	No	No	Not applicable	N/A	N/A	Yes
Hungary (Trianon)	1920	No	No	Not applicable	N/A	N/A	Yes
The Svalbard (Spitsbergen) Treaty	1920	Yes	Yes	Medium	Norway	National	No
Finnish-Russian Dorpat/Tartu Agreement	1920	No	No	Not applicable	N/A	N/A	No
Latvia-Russia	1920	No	No	Not applicable	N/A	N/A	No
Polish-Russian War (Treaty of Riga)	1921	No	No	Not applicable			No
Åland Island Convention	1921	Yes	Yes	Medium	Finland and LoN	International Organization, National	No
Washington Naval Treaty	1922	No	No	Not applicable	N/A	N/A	No
Russo-Finnish Helsinki Agreement	1922	Yes	No	Low	Russo-Finnish Central Mixed Commission, Frontier Sub-Commissions and Local Supervisory Committees	International Organization, National	No
Statute of the Tangiers Zone	1923/1928	No	No	Not applicable	N/A	N/A	No
Thrace Convention	1923	No	No	Not applicable	N/A	N/A	No
Lausanne Agreements of 1923	1923	Yes	Yes	Low	France, UK, Italy, and Japan; authorized by League of Nations	Coalition, International Organization	Yes

Agreement	Year	Enforcement Text	Success	Text specificity/ strength	Enforcer	Enforcer Type	Major Defeat/ Victory
Treaty of Peace with Turkey	1923	No	N/A	Not applicable	N/A	N/A	Yes
Locarno Agreements	1925	No	No	Not applicable	N/A	N/A	No
First London Naval Treaty	1930	No	No	Not applicable	N/A	N/A	No
Anglo-German Naval Treaty	1935	No	No	Not applicable	N/A	N/A	No
Second London Naval Treaty	1936	No	No	Not applicable	N/A	N/A	No
Montreux Convention of the Straits	1936	No	Yes	Not applicable	N/A	N/A	No
The Moscow Treaty (Finland and Russia) of 1940	1940	No	No	Not applicable	N/A	N/A	Yes
German-French Armistice	1940	Yes	No	High	Germany	National	Yes
Franco-Italian Armistice	1940	Yes	No	High	Italy	National	Yes
Italy Armistices and Peace Treaty	1943, 1947	Yes	Yes	High	Allied powers	Coalition	Yes
Finland Armistices and Peace Treaty	1944/1947/1948	Yes	Yes	Medium	Finland	National	Yes
Romania Armistices and Peace Treaty	1944, 1947	No	Yes	Not applicable			Yes
Bulgaria Armistices and Peace Treaty	1944, 1947	No	Yes	Not applicable	USSR	National	Yes
Hungary Armistices and Peace Treaty	1945, 1947	No	Yes	Not applicable	USSR	National	Yes

Agreement	Year	Enforcement Text	Success	Text specificity/ strength	Enforcer	Enforcer Type	Major Defeat/ Victory
German Final Surrender	1945	Yes	Yes	High	Allied powers	Coalition	Yes
Western European agreements (Agency for the Control of Armaments)	1954	Yes	Yes	Low	WEU Council	International Organization	Yes
Austria State Treaty	1955	No	Yes	Not applicable	N/A	N/A	Yes
Cyprus (UN Security Zone Establishment)	1964	No	Yes	Not applicable	N/A	N/A	No
Cyprus (UN Security Zone Establishment)	1974	No	Yes	Not applicable	N/A	N/A	No
Consolidated Vienna Documents	1986–2011	No	N/A	Not applicable	N/A	N/A	No
Intermediate-Range Nuclear Forces Treaty	1987	No	No	Not applicable	N/A	N/A	No
Final Settlement for Germany	1990	No	Yes	Not applicable	N/A	N/A	Other
Conventional Armed Forces in Europe (CFE) Treaty	1990	No	Yes	Not applicable	N/A	N/A	No
Agreement on the principles for a peaceful settlement of the armed conflict in the Dniester region of the Republic of Moldova	1992	Yes	Yes	High	Control Committee	International Organization/ Peacekeepers	No
Open Skies Treaty	1992	No	Yes	Not applicable	N/A	N/A	No
Dayton Peace Accords	1995	Yes	Yes	High	IFOR	Coalition	Yes
Subregional Arms Control (Balkans)	1996	No	Yes	Not applicable	N/A	N/A	No
Belfast Agreement	1998	No	Yes	Not applicable	N/A	N/A	No

Agreement	Year	Enforcement Text	Success	Text specificity/ strength	Enforcer	Enforcer Type	Major Defeat/ Victory
Military Technical Agreement between the International Security Force ("KFOR") and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia	1999	Yes	Yes	High	KFOR	Coalition	Yes
Adapted CFE Treaty	1999	No	N/A	Not applicable	N/A	N/A	No
Six-Point Peace Plan for Georgia	2008	No	Yes	Not applicable	N/A	N/A	No
Minsk Agreements	2015	No	No	Not applicable	N/A	N/A	No

Annex Table 1: *CAC and conflict-termination agreement field codings, including enforcement language*