

Complex Security Institutions: Nested Bilateralism in the Commonwealth of Independent States

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Introduction

The last ten years have seen a remarkable resurgence of interest in international organizations, treaties, and law among international relations scholars. A large part of the attention has been focused on institutional design. The modal study of international treaties typically examines one feature of treaties, e.g., one kind of clause, in a universe or sample of treaties. Koremenos (2005), for example, takes a random sample of treaties from the United Nations Treaty Series and looks for the existence or not of clauses regarding renewal.

In this paper we address the fact – evident to practicing lawyers – that international treaties often form more or less tightly integrated “treaty complexes,” which we can call “institutions.” Entities like “international organizations” are often in reality a treaty complex: in a real sense international organizations are constituted by treaties. The usual criteria for coding an international organization include treaties, organizational arrangements (e.g., secretariat), and regularized meetings. However, usually the organizational and meetings criteria themselves are based on treaty documents. Once we begin to think of international institutions and organizations as treaty complexes, a new research agenda arises: attention to (1) the evolution of institutions/organizations as new treaties are signed and (2) the relationship between and among treaties. Cross-sectional analyses of institutions or organizations do not get at these questions largely because the research design does not allow them to be addressed.

We are interested in examining an important dimension of the inter-treaty relationship, that between bilateral and multilateral treaties. As a matter of statistical fact most treaties signed by states, roughly two-thirds to three-quarters, are bilateral.¹ As a political fact, the most important treaties and organizations are multilateral. Meanwhile, as an empirical fact the world has seen a dramatic increase in bilateral treaty making since 1989. Hence the relationship between large numbers of bilateral agreements and the more visible multilateral ones assumes mounting contemporary political importance.

One way to think of the bilateral-multilateral treaty relationship is via the concepts of *complementarity* and *substitutability*. A bilateral treaty complements a multilateral treaty when it amplifies, specifies, or implements the terms of that document. A bilateral treaty substitutes when it replaces a possible multilateral treaty. As discussed below, the Russian state could potentially sign a number of bilateral security treaties with bordering states instead of one multilateral treaty with them all, or it could sign both multilateral and bilateral treaties with its neighbors to address regional security issues. The former situation indicates a situation of substitutability, as a number of individual bilateral treaties stand in place of one multilateral agreement. Meanwhile, the latter suggests complementarity, as bilateral and multilateral treaties combine to form a security treaty complex. In other work (Powers and Goertz, 2006), we have found that in Africa states have moved almost exclusively to the multilateral management of security affairs via various regional economic institutions (REIs). This suggests that African governments have substituted multilateral treaties for bilateral ones.

We refer to the complementarity of bilateral and multilateral treaties as *nested bilateralism*. We hypothesize that governments use bilateral treaties that are “nested” within

¹ For example, 69.9% of Barbara Koremenos's sample of treaties (2005) is bilateral.

larger multilateral frameworks. Such nested bilateral treaties serve two functions for individual states. First, because multilateral treaties are often quite general in nature, bilateral treaties can be used to translate general policy decisions into specific actions. The second function of bilateral agreements is that they provide flexibility in addressing focused or technical concerns. Instead of a detailed multilateral treaty that covers all of the specifics for all signatory states, the bilateral treaty allows the two signatory states a means of dealing with the specifics of their interests, conditions, and needs. Thus, nested bilateralism permits individual states a great deal of flexibility in implementing policy ends that are set out in often broad-ranging multilateral agreements.

At a fundamental level, multilateral and bilateral treaties can be linked in three possible ways, making *nested bilateralism* a more nuanced phenomenon as states' interests are linked. We see nesting where bilateral treaties directly complement multilateral treaty outcomes and arrangements, with such bilateral agreements chronologically following already-constructed multilateral treaties. In contrast, bilateral agreements can substitute for multilateral treaties, with new bilateral understandings replacing those earlier multilateral goals and outcomes. In addition, as has proven evident in contemporary Africa, multilateral treaties can substitute for earlier bilateral agreements. Depending upon the logic and content of these bilateral and multilateral treaties, this substitution could entail what we term *anticipatory nesting*, where earlier bilateral agreements anticipate outcomes and arrangements that will be built upon by a wider group of states via multilateral means.

To explore the dynamics of contemporary nested bilateralism we analyze the security arrangements that have arise through the Eurasian treaty complex known as the Commonwealth of Independent States (CIS). Using Ashley Leeds's ATOP dataset (Leeds, Ritter, Mitchell, and Long, 2002), we can examine the relationship between CIS multilateral alliance and bilateral treaties of the 1992-2003 period for the range of member-states. Given our thinking about treaty complementarity and substitutability we posit that, where states sign both bilateral and multilateral security agreements with the same state-partner, the relevant treaties are in fact complementary. Conversely, the absence of one or the other treaty form suggests the signed treaties are substitutes. While acknowledging that the relationships among bilateral and multilateral treaties may be nuanced, with the theoretical possibility of a more expansive content for a bilateral treaty than a relevant multilateral agreement, our bilateral-multilateral study highlights the nested bilateralism of the CIS treaty complex.

In its 15-plus years of existence, the 12 former Soviet Union (FSU) states that have comprised the CIS signed hundreds of treaties dealing with a wide range of issues. Among these, we are especially interested in agreements addressing security concerns, and in other work we have identified 53 CIS treaties with an explicit security focus (Willerton and Beznosov, 2007). We examine these CIS security treaties, augmenting our examination with an analysis of the bilateral security agreements crafted by two CIS members, Russia and Turkmenistan. While we are naturally interested in the multilateral and bilateral security arrangements that engage the most powerful CIS member, Russia, we consider security agreements involving one of the CIS's most skeptical members, self-isolating Turkmenistan. Our long-term desire is to analyze a diversity of FSU-CIS bilateral relationships, spanning highly engaged states such as Belarus and Kazakhstan to more cautious states such as Ukraine and Uzbekistan, but we begin here with analysis of one focused bilateral relationship, Russia-Turkmenistan. We illuminate nested

bilateralism in the FSU-CIS setting by juxtaposing the bilateral security arrangements involving these two states with the broader regional security arrangements crafted through the CIS.

Dynamics of treaty nesting

International treaties can interconnect in a variety of ways. The “nesting” of treaties or regimes is one relationship that has received much attention by international relations scholars (e.g., Aggarwal, 1998; note the overlap between institutions is a related relationship receiving attention). While the image of nesting is clear, the exact substantive nature of the nesting is often less clear. Our analysis involves an investigation of related kinds of nesting, including both (1) specification and (2) implementation. By specification we mean a treaty further developing or amplifying the intended goals and or arrangements of an existent agreement; e.g., a bilateral friendship and cooperation agreement further advancing the goals of collective security set out in a multilateral security treaty. By implementation we mean a treaty actualizing or operationalizing the organizational or policy measures set out in an existent agreement; e.g., a treaty detailing the structure and rules of a secretariat that was created in an earlier agreement).

Implicit in the idea of nested treaties is the notion that the level B treaty builds upon -- while not exceeding -- the fundamental substantive content of the level A treaty within which it is embedded. In this sense nesting is like subsetting. The nested treaty can explicate or provide details about the level A treaty. It can also enhance or provide details on the implementation of the level A treaty.

This relationship is not mysterious but arises from the practical issues of policy legislation (specification) and implementation. While some laws try to micromanage, administrative guidelines typically provide many of the actual rules needed to put the general wording of the law into practice. Thus, the nested treaty B implements and expands upon the level A treaty. It should remain faithful to the goals and terms of the higher-level treaty and should not stray into unrelated substantive areas. Many of the treaties that constitute REIs are quite general in nature. Hence there exists a significant scope for other treaties to *complement* them and to *implement* them.

We focus on bilateral treaties as one mechanism for working out the specificities of more general multilateral agreements. Much of the rational choice literature on institutions suggests flexibility is often as important as hand-tying in motivating state behavior; using bilateral treaties to implement multilateral ones offers an increased degree of flexibility for crafting agreements that fit the interests and problems of two actors who are parties to a broader multilateral arrangement. This view of the bilateral–multilateral treaty relationship implies that the two treaty components are complementary, as the level B treaty provides the detail and implementing arrangements to more fully activate the level A.

However, it is also possible for bilateral treaties to be used in what we would call an *inverted nested* fashion. States may want a stronger agreement than is possible within a multilateral forum. Much of the literature on international institutions suggests that often a final multilateral document reflects a lowest common denominator logic as states promote their agendas and settle for less than they optimally desire (e.g., Downs et al., 1996). Where such is

the case, a bilateral agreement can prove useful as it is stronger and more binding than a multilateral one. Here the nesting is in the opposite sense, since in content the multilateral treaty is a subset of the stronger bilateral agreement.

Our definition of nesting thus involves several related ideas. First, if a treaty implements or specifies another treaty, it is nested within that treaty. Second, if a treaty has stronger requirements, it is a higher level treaty. We can think, then, of nesting in terms of legal priority. We assume that the treaty with the strongest terms is the dominant (i.e., level A) agreement. Such “best-shot” logic has long been used by the Correlates of War project for multiple military alliances. Coding type of alliance when there are multiple treaties, the project coded the strongest one as overriding the weaker one.

A caveat is in order as we develop and apply our thinking about treaty "nestedness" to the contemporary global system. We have adopted a broad definition of nestedness, where we understand a level B treaty may exceed the fundamental substantive content of that level A treaty in which it is nested. Complementarity here may include a fundamental extension or expansion beyond the content of the level A agreement. Hence, level B treaties could in fact entail both (1) a concretization of another treaty's goals and potential and (b) a related expansion of policies and actions not explicitly anticipated in that other treaty's content. Thus, an omnibus "friendship and cooperation agreement" (level A) could be consolidated and expanded upon through a focused bilateral treaty (level B) that goes into related but new areas. We find a narrow definition of nestedness, where the level B treaty contains no measures or actions not laid out in the level A agreement, too confining and removed from the "real world" of bilateral and multilateral treaty construction.

Given these considerations, we identify three types of treaty nestedness. First, there is a straightforward and *direct nestedness*, where a level B treaty (likely bilateral) is fully embedded in the substantive content of a level A treaty (likely multilateral). Second, there is *partial nestedness*, where a level B treaty (likely bilateral) has components drawn from one or more already-existent treaties, potentially has components not found in existent treaties, but is not completely embedded in some other single treaty. Partial nestedness clearly can entail a number of possibilities regarding the content of a treaty, the principle logic being that such a treaty is only partially embedded in any other treaty(s). Third, there is *anticipatory nestedness*, where a more focused or substantively limited treaty (likely bilateral) predates and anticipates the content of a subsequent treaty (likely multilateral). In such a case, arrangements and policies are set out in one agreement (likely bilateral) that are engaged and even expanded upon in a subsequent treaty (likely multilateral). To varying degrees in all three of these situations, one treaty is embedded in another.

All three of these situations involved complementarity, but there could be a situation where bilateral treaties substitute for multilateral ones. Instead of having a multilateral treaty with several countries, a government could pursue a strategy of bilateralism. Major powers, in particular, have reason to prefer bilateral treaties since they can more successfully use their power superiority to advance their interests. Nazi Germany, for instance, had a preference for bilateral economic agreements, with such advantages encouraging this negotiating approach. State calculations and preferences vary, and either bilateralism or multilateralism could be the

preferred route to advancing a state's goals. Instead of forming NAFTA, the United States could have just signed two bilateral agreements with Canada and Mexico. In other work we have found that African countries abandoned bilateral alliances for multilateral REI forums to deal with their security issues (Powers and Goertz, 2006). It is important to understand why, when and to what extent governments pursue bilateralism versus multilateralism as we try to illuminate their foreign policy goals.

While we focus on nesting within REIs, our analysis of complementarity versus substitutability also implies choices about nesting security within some more general purpose organization or creating new institutions for that function. States could choose to nest security within general purpose regional organizations (e.g., REIs) or they could choose a non-nested strategy of creating separate military alliances. In short, countries have a choice about whether to nest at various levels. An examination of the FSU-CIS setting, with special attention to Russia's choices, permits us to consider such choices in a more focused and concrete way.

Military alliances: multilateral versus bilateral

While there is a rapidly growing literature on nested international institutions (e.g., see the papers for the Princeton workshop on the topic, http://www.princeton.edu/~smeunier/conference_nesting.htm), virtually no work deals with the possibility that security institutions and alliance treaties might exhibit nesting behavior. The literature typically treats alliances as “stand-alone” and international security-relevant treaties as “isolated.” There is no sense in which alliances are treated as part of some sort of treaty complex. Even rarer in the literature on institutions is the idea that security treaties might be nested within regional economic institutions (REIs).

The issue of crafting bilateral versus multilateral institutions in addressing important foreign policy concerns cuts across all issue areas. For example, in the trade sphere, the World Trade Organization has reported a dramatic surge in post-Cold War regional trade activity, with the rise in trade agreements massive (Crawford and Fiorentino, 2005). In the 15 years since the end of the Cold War, there have been 10 times more RTA agreements (i.e., 257 agreements) signed than in the preceding 30 years of the Cold War (i.e., 25 agreements). The vast majority of these trade treaties were bilateral. The authors of the WTO report state that “RTAs are being embraced by many WTO members as trade policy instruments and in the best of cases, as complementary to MFN” (Crawford and Fiorentino 2005, 1). Indeed, the hope is that, “in the best of cases,” these agreements are complements and not substitutes for the WTO.

As a first cut at an analysis of nested bilateralism in the security area, we examine the relative number of bilateral and multilateral alliance treaties over time. Table 1 tracks the development of multilateral versus bilateral alliance treaties since 1816, noting world totals, and totals for two major global powers, the U.S. and Russia. The table also indicates what proportion of the total number of alliance treaties involved bilateral agreements. The table reveals that one of the distinctive characteristics of the post-Cold War period has been the explosion of alliance treaties. Approximately one-third of all alliance treaties crafted since 1816 were signed after 1989. Meanwhile, the vast majority of these post-Cold War treaties have been bilateral. While there is more variation across the decades in the number of bilateral treaties, the strong tendency

in most decades for generating more bilateral treaties reflects the reality of heightened negotiation time, audience, transaction and actual finance costs of multilateral agreements.

Given the vast number of bilateral alliance treaties and the few multilateral ones signed during the same period, one might suggest that bilateral alliance treaties are substituting for multilateral ones in the post–Cold War. However, it is also possible that instead of substituting for multilateral treaties, these bilateral treaties are nested within the few more general multilateral ones already in place. In the area of the former Soviet Union (FSU), for example, in the period since the Soviet collapse, states' unilateral and regional security questions were addressed through both multilateral and bilateral means (Ivanov, 2002). Security issues encompassed a complex range of issues, from broader strategic issues, to common infrastructural needs, and more concrete technical tasks. While early CIS pronouncements and treaties addressed security issues, various security-relevant institutions and many dozens of treaties, protocols, and decisions were issued in the aftermath. A varied set of divergent domestic and geo-strategic interests animated the negotiating positions and actions of the 12 non-Baltic FSU countries, but under the rubric of the CIS a set of common institutions and agreed-upon policies were crafted that represented an important component in all of these states' security structures. Meanwhile, these security arrangements must be placed in the broader context of FSU states' other bilateral arrangements (e.g., friendship and cooperation agreements). Often more concrete and intrusive in the arrangements made and obligations incurred, these focused bilateral security agreements -- when combined with the broader structures and policy preferences set out in CIS treaties -- summed to form a more comprehensive and coherent security whole.

Since there are relatively few multilateral alliance agreements created since 1989, we can examine them to see if they might lend themselves to bilateral nesting. Table 2 lists all multilateral alliance treaties signed since 1989. It is immediately evident from this list that almost all the treaties are *not* of the classic, realist power (threatening or balancing) type. Rather, virtually all of these alliance treaties are part of some regional security or economic institution. These post-1989 multilateral security arrangements are much more about conflict management *among* members than they are about defending members against foreign attack. Indeed among these treaties are important Eurasian agreements, including the all-important CIS and more recent entities such as the Shanghai Cooperation Organization. While the CIS first arose with economic, infrastructural, and security concerns, its actions involving security primarily entailed managing issues among members. Meanwhile, the Shanghai Cooperation Organization initially focused on economic concerns, with security interests arising subsequently and involving coordination of thinking and interests among members. These “conflict-management alliances” fit our model for nested bilateralism, and one could easily imagine a series of associated bilateral alliance agreements emerging in their wake.

Our approach to capturing cases of nested bilateralism is revealed by our treaty coding rules, as set out in the Appendix. Given our definition of nested bilateralism, we rely on two rules to classify a bilateral treaty as nested within a multilateral one. First, the substantive content of the two treaties, multilateral and bilateral, should be the same, and this is best determined by comparing the language of the two documents. Second, both treaties should have at least one issue in common. In the case of the organized ATOP military alliance treaties, the main substantive content is captured by the types of alliances that are specified in the

agreements. For instance, the CIS Treaty on Collective Security covers three types of alliances: defense pact, nonaggression pact, and consultation pact. As a consequence, a related or corresponding bilateral agreement that is nested in this CIS multilateral collective security document should cover at least one of these types of alliances. At the same time, we would expect a bilateral treaty to provide details about multilateral treaties, including the implementation of those linked multilateral treaties. Bilateral agreements nested in the CIS collective security document should include some indication of implementing steps or intentions.

Figure 1 illustrates our expectations of a nested bilateral agreement, using a 1992 treaty of friendship and cooperation between Russia and the Central Asian state, Uzbekistan. The figure provides detailed information, citing specific articles, drawn from the multilateral 1992 CIS Treaty on Collective Security and this 1992 Russian-Uzbek bilateral friendship and cooperation instrument. Lines with arrowheads link specific articles from the bilateral treaty back to specific articles in the multilateral CIS treaty. The Russian-Uzbek document discusses nonaggression issues, the two signatories specifying that there are not only military-security pressures between the countries, but also economic and other types of pressures. This bilateral document also addresses defense issues, with the parties specifying such matters as collaboration on defending borders, coordinating joint defense policies, and mutually refraining from any action targeted against the other signatory. Comparable common measures involving consultation are also evident. Juxtaposing these bilateral arrangements with those set out in the multilateral 1992 CIS Collective Security Treaty, we find all of these concerns and intentions explicitly stated. In some cases, phrasing is almost identical. This bilateral-multilateral nexus entails both (1) common issues and (2) similar (or the same) language.

To examine our nested bilateralism hypothesis within a broader military alliance context, and looking beyond one bilateral relationship, we examine all multilateral and bilateral military alliances signed by CIS members found in the Atop database (Figure 2). Figure 2 lists chronologically on the left side all of the multilateral alliances among CIS states, while on the right side are listed all of the bilateral alliance treaties in the ATOP dataset. To the extent possible we have examined the texts of these bilateral alliance treaties for a comparative analysis.²

The arrow-headed lines extending from bilateral to CIS multilateral treaties indicate that those bilateral agreements are nested within that multilateral agreement. A perusal of the bilateral documents reveals that they are "omnibus" friendship and cooperation agreements that include a diversity of security-related concerns. Summed together, they reveal concrete bilateral linkages tying Russia to all of the FSU-CIS members. Many are nested in the first CIS multilateral document, the 1992 Treaty on Collective Security. With the exception of one bilateral agreement (Russia-Armenia) that predates the CIS Collective Security Treaty, all of the bilateral treaties entail direct nestedness, with the bilateral agreement complementing the contents of that earlier CIS document. Meanwhile, an even greater number of bilateral

² The ATOP database does not include all bilateral security treaties, as will become evident when we examine the Russia-Turkmenistan bilateral relationship. However, it includes many of the most important bilateral agreements, and will suffice for our illustrative analysis. Meanwhile, not all of the texts for the bilateral treaties listed in Figure 2 were available to us as of the completion of this paper, and we have asterisked those for which we were missing the text.

agreements are nested in the 1993 CIS Charter, but the types of nestedness vary. While nearly two-thirds of these bilateral treaties entail direct nestedness, approximately one-third entail anticipatory nestedness. Many of these bilateral agreements include considerations not in the multilateral treaty, but the fundamental meaning and purpose of these bilateral agreements cannot be understood apart from the "partnered" multilateral. Finally, while not evident from the direction of the arrows in Figure 2, a number of bilateral treaties involve partial nestedness, as the given documents include arrangements and intended outcomes not found in the linked multilateral treaty. Notable is the 1997 Treaty on the Union between Belarus and Russia, a large document that spans a wide array of issues, including non-military matters, thus transcending the more limited foci of the 1992 Collective Security Treaty and the 1993 CIS Charter.

Nested bilateralism in the CIS: REIs as security institutions

The previous section explored treaty activity involving one kind of security institution, military alliances. We found that REIs or general purpose alliances such as the CIS have been constructed and substituted for classic threat-balancing military alliances. In this section, we further explore the evolution of REIs as security institutions by considering in greater detail the Eurasian case of the CIS. Consequently, the analysis is narrower in that it only looks at Russia and CIS member states. But it is broader because we consider a wide range of security issues such as nonproliferation, nuclear weapons, and peacekeeping.

Our goal in analyzing the FSU-CIS case is to see if bilateral treaties complement or substitute for multilateral ones in this large geographic setting. Secondly, if the bilateral and multilateral treaties complement one another, are they nested with multilateral REI treaties? We focus on Russia in particular as the dominant Eurasian and FSU regional power. Much depends on the Russian view of REIs and bilateral treaties in general, hence we focus on the degree to which Russia has pursued a policy of nested bilateralism.

The multilateral security arrangements developed under the aegis of the CIS have involved both (a) broad understandings of regional security and (b) more narrowly focused agreements addressing a wide variety of essentially technical needs (see Table 3). These arrangements span a wide array of issue areas, with terrorism, conventional weapons and small arms, interstate war, ethnic and territorial disputes entailing the highest number of multilateral treaties. All important security issues were immediately addressed via multilateral arrangements in 1992-93. The all-important 1992 CIS Collective Security Treaty set out a general perspective on FSU regional security to which nearly all parties were agreed, and it was followed by numerous more narrowly crafted multilateral agreements that, while more detailed, were seldom signed and implemented by all members. From the CIS's earliest days, there was considerable concern about very strong multilateral institutional structures and opposition among many member-states toward the possible creation of a unified military command. Indeed, even the attempts to further develop a CIS collective security concept that came after the 2001 U.S. attack on Afghanistan and destruction of the Taliban regime failed, leaving the region devoid of a full-fledged collective defense system.

Thus, throughout the CIS's existence most member-states have also actively developed bilateral security arrangements, based on the thinking that their security interests were better

advanced via separate agreements with relevant states, especially the regional power, Russia. This bilateralism, however, could be characterized as "narrow," given that CIS states strove for linkages that were self-contained, separated from other bilateral relationships, and not compromised in multilateral contexts (on "narrow" versus "extended bilateralism," see Ashizawa, 2003, Hoare, 2003, and Tow, 2003). In the first years of the CIS's evolution there were relatively few signed bilateral security arrangements, as FSU states relied on multilateralism as a security paradigm. But the "narrow" CIS bilateralism of the early post-Soviet years, entailing an overwhelming preference for carefully monitored collective action, rather quickly gave way to growing numbers of bilateral security agreements that addressed an array of issues.

The level of involvement of member-states in the CIS varied quite significantly. The design of the CIS allowed states to "cherry-pick" when and where they want to engage in multilateral cooperation. CIS operational rules included an "exit option" that permitted states to ignore or depart from any individual CIS agreement. No agreements, even the most fundamental, were binding on all CIS members (see Welsh and Willerton, 1997). One might hypothesize that the skeptics would prefer bilateral agreements to multilateral ones. As we stressed above, bilateral treaties permit more flexibility and hence states only wanting limited regional cooperation might choose this form of cooperation. It is also possible that some states avoid international legal commitments altogether. Such "isolationist" states would prefer perhaps informal, tacit, and even perhaps secret deals between leaders to formal, public, legal arrangements.

While an energetic member of the CIS, Russia also engaged CIS states through bilateral agreements. We are still in the process of collecting and analyzing these bilateral treaties for a variety of CIS states, from those actively engaging multilateral and bilateral arrangements (e.g., Belarus and Kazakhstan) to those who are skeptical of such binding arrangements (e.g., Turkmenistan and Ukraine). However, to date we have found 33 Russia-Kazakhstan and 8 Russia-Turkmenistan bilateral security treaties, and they reveal careful policy calculations as both Russia and its neighbors construct their joint post-Soviet security architecture. Having fully analyzed all of the Russia-Turkmenistan bilateral security agreements, we can report these two FSU states have identified a number of security issues in which they have constructed binding (and continuing) joint arrangements. We can also report that a good number of these bilateral treaties are nested in broader CIS multilateral agreements. Figure 3 illuminates these findings.

The format of Figure 3 approximates that of Figure 2. On the left side we list all relevant multilateral agreements in which Russia and Turkmenistan share membership. On the right side we list all bilateral security agreements, with arrow-headed lines nesting the later with the former. First, we find that Russian-Turkmen bilateral security agreements, all developed in the early post-Soviet period (1992-95), basically entailed three broad sets of concerns: (1) anti-air defense, (2) military transit, and (3) material support for forces and personnel. Four of these bilateral treaties "stood on their own," their contents revealing they were not nested in CIS multilateral treaties. These treaties generally had rather narrow foci of substance, suggesting technical issues that the two countries preferred to address bilaterally. The remaining 4 documents can be tied to other CIS multilateral security treaties. Indeed, in some cases the treaty's narrative contained explicit references to other CIS documents.

A review of Figure 3 reveals examples of all three types of nestedness we have posited. First, four bilateral treaties involve direct nesting, with a 1995 bilateral agreement on interstate military transportations nested in both the 1992 CIS Council of Defense Ministers measures and the 1993 CIS multilateral treaty on interstate transports. Three 1995 bilateral agreements are likewise directly nested in early CIS multilateral documents, the issue areas spanning military-technical cooperation, anti-air defense, and military airport services. Meanwhile, two bilateral treaties involve anticipatory nesting, as 1995 agreements on anti-air defense and on the provision of military airports anticipate 1996 CIS multilateral treaties that address these issues. In addition, the two 1995 bilateral agreements just referred to also entail partial nesting, as their contents are subsumed by the more expansive CIS multilateral treaties that come a year later.

In overviewing these 8 Russian-Turkmen treaties and placing them in a broader context, it is important to note they reflect cautious calculations on the part of a Turkmen regime that has generally remained distant from CIS arrangements and that has chosen a path of relative self-isolation in the region. Turkmenistan has been careful in engaging Russia, and interrelating these bilateral treaties with CIS multilateral arrangements reveals. For example, regarding anti-air defense and broader collective security measures, Turkmenistan selectively engaged treaties: it did not sign the 1992 CIS Agreement about the Unified Armed forces for the transitional period and the 1996 CIS Agreement on normative documents for the creation and improvement of the unified system of anti-air defense of member-states, but about a year after signing the 1996 bilateral arrangement with Russia on cooperation in anti-air defense, it did sign the 1996 CIS Decision on the Concept of air defense of the CIS member-states.

Summation

The Commonwealth of Independent States was understood by many as a vessel for the smooth breakup of the USSR, but it proved to entail much more as its 12 member-states pursued their foreign and security policy agendas. While some might view the CIS as a means for Russia's reassertion of regional power, others saw it has a multilateral means for member-states to advance their economic and security interests while concomitantly safeguarding their newly realized independence. Our analysis of CIS treaty construction over a period of 15 years reveals the emergence of a Eurasian "treaty complex," with an interconnected and growing set of multilateral and bilateral agreements at the heart of the post-Soviet Eurasian security architecture. All FSU states have struggled to advance their interests amidst the power shifts occasioned by the Soviet implosion, and they have proven quite active in utilizing both multilateral and bilateral means to these ends.

We argue that central to this Eurasian security treaty complex is CIS nested bilateralism, with FSU states crafting both bilateral and multilateral treaties that are complementary as FSU security goals are advanced. The particular interconnections among bilateral and multilateral treaties vary, with our analyses of just one bilateral relationship -- that of Russia and Turkmenistan -- revealing examples of direct, partial, and anticipatory nesting. In this Russian-Turkmenistan case, as in the broader analysis of the CIS using ATOP multilateral security alliance data, nested bilateral treaties served to specify and or to implement multilateral security arrangements. At the same time, bilateral treaties could stand alone. We saw this in the Russian-

Turkmen case, where specific, more technical tasks were accomplished by a two-party agreement. Likewise, multilateral treaties may stand alone, either because they are complete and without a need of greater specification, or because signatory states are unprepared or unwilling to more fully implement them via additional treaties. While our examination here of the FSU-CIS case did not include examples of such "stand alone" multilateral treaties, we are already aware of examples and will explore them in future research.

Finally, in illuminating the dynamics of FSU-CIS security treaty construction, we offer a broader theoretical argument intended to help explain similar patterns in other regions of the world and in other substantive areas. Looking beyond the Eurasian and CIS setting, post-Cold War treaty construction has entailed an array of new bilateral and multilateral agreements that are interconnected. In the security domain, many such agreements are part of some regional security or economic institution, and they depart from the classic, realist power type to focus on inter-member conflict management. Such "conflict-management alliances" are highly conducive to nested bilateralism, and we anticipate that the developments we have illuminated in the FSU-CIS case also characterize those in other regionally defined treaty complexes. Thus, we conclude that there is considerable evidence pointing to the bilateral-multilateral nexus as key to understanding how international institutions -- as treaty complexes -- function in the contemporary world system.

Table 1. Number of Created Multilateral and Bilateral Alliance Treaties, 1810s-2000s

Decade	World		USA		Russia	
	Total	% Bilat.	Total	% Bilat.	Total	% Bilat.
1810s	8	0.62	0	0.00	1	0.00
1820s	1	0.00	0	0.00	1	0.00
1830s	11	0.73	0	0.00	6	0.67
1840s	7	0.57	0	0.00	2	0.50
1850s	16	0.56	0	0.00	1	1.00
1860s	16	0.69	0	0.00	1	1.00
1870s	9	0.89	0	0.00	3	0.67
1880s	8	0.25	0	0.00	2	0.50
1890s	5	1.00	0	0.00	3	1.00
1900s	11	0.82	1	1.00	3	1.00
1910s	18	0.78	0	0.00	6	0.50
1920s	40	0.9	1	1.00	6	0.83
1930s	46	0.76	0	0.00	15	0.93
1940s	58	0.81	7	0.14	16	0.81
1950s	36	0.75	10	0.8	2	0.50
1960s	53	0.83	3	0.67	7	0.86
1970s	60	0.9	4	0.75	18	0.95
1980s	37	0.81	1	1.00	3	1.00
1990s	188	0.96	1	1.00	37	0.92
2000s	20	0.85	0	0.00	5	1.00

Table 2. Post-Cold War Multilateral Alliances and Regional Economic Institutions (REIs)

REI	Common name of treaty	Year	Signatories of treaty
European Union (EU)	Maastricht Treaty	1992	All EU countries
Commonwealth of Independent States (CIS)	Collective Security Treaty	1992	CIS members minus Georgia, Moldova, Turkmenistan and Ukraine
Commonwealth of Independent States (CIS)	CIS Charter	1993	All CIS members
European Union (EU)	Treaty of Good Neighborliness, Friendship and Cooperation (non-aggression treaty)	1993	Andorra, France and Spain
Presently negotiating a free trade agreement with other south-eastern European countries (9 members)	Dayton Accords	1995	Bosnia and Herzegovina, Croatia and Yugoslavia
Caribbean Community (CARICOM)	Caribbean Common Market	1996	Antigua, Dominica, Grenada, St. Kitts/Nevis, Saint Lucia, Saint Vincent and the Grenadines, Barbados
Shanghai Cooperation Organization (SCO)	Agreement on deepening military trust in border regions	1996	China, Kazakhstan, Kyrgyzstan, Russia, Tajikistan and Uzbekistan
Southern African Development Community (SADC)	Alliance treaty	1999	Angola, Democratic Republic of Congo, Namibia and Zimbabwe
Common Market of Eastern and Southern African States (COMESA)	Economic Community of Central African States	2000	Angola, Burundi, Cameroon, Central African Republic, Congo, Democratic Republic of Congo, Sao Tome-Principe, Gabon, Equatorial Guinea, Rwanda and Chad
Arab League, Gulf Cooperation Council (GCC)	Gulf Cooperation Council	2000	Bahrain, Kuwait, Oman, Qatar, Saudi Arabia United Arab Emirates
Southern African Development Community (SADC)	Southern Africa Development Community	2001	Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe

Table 3: Security Issues Addressed by CIS Security Treaties, 1992-2004

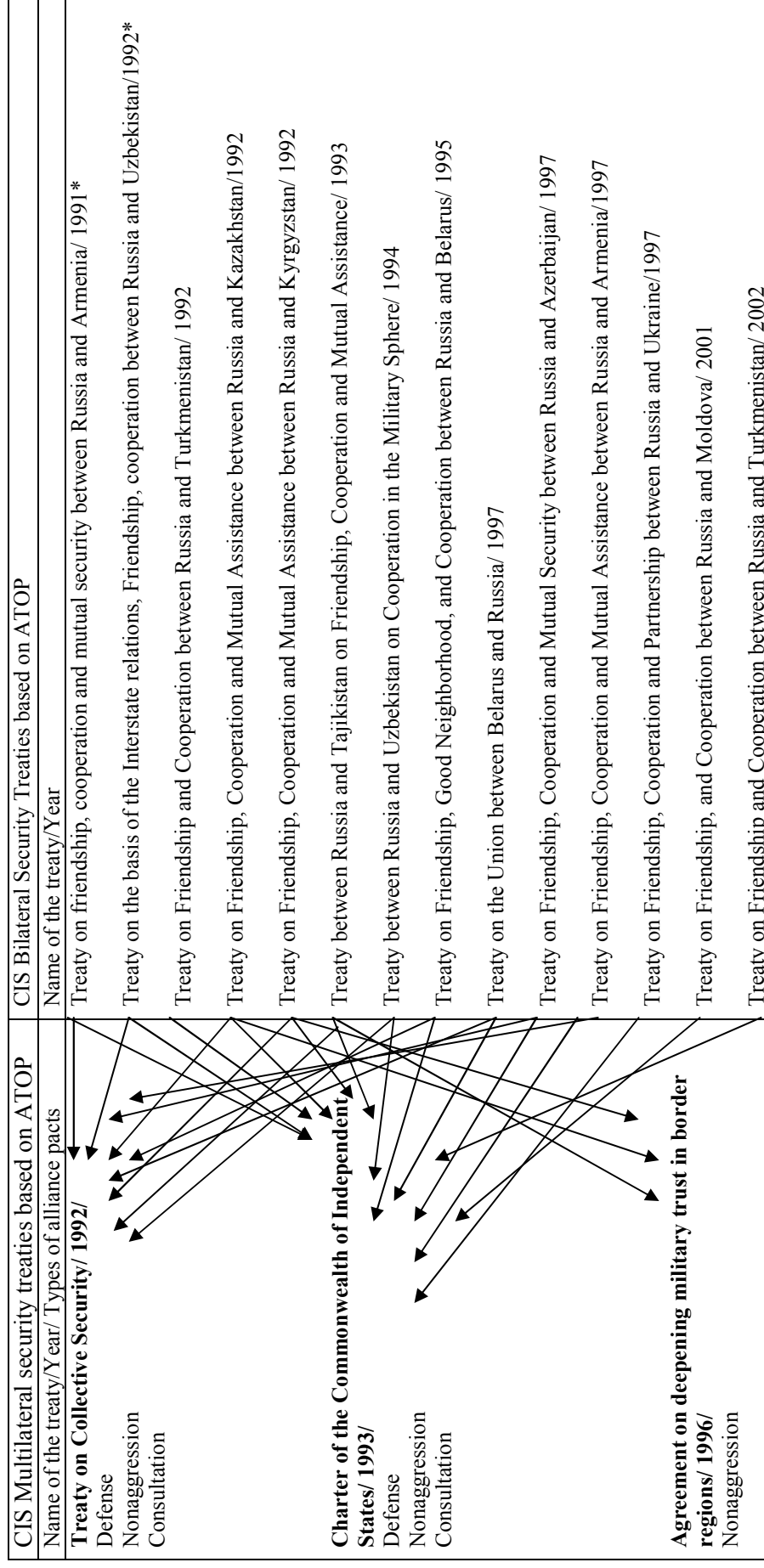
Issue	N of Treaties Addressing Issue*	Earliest	Latest
Terrorism	13	1992	2004
Conventional Weapons and Small Arms	12	1992	1998
Interstate War	10	1992	2003
Ethnic Conflict	8	1992	1996
Territorial Disputes	7	1993	2001
Biological and Chemical Weapons	6	1992	1998
Intrastate War	6	1992	2003
Nuclear Weapons	5	1992	1995
Drug Trafficking	3	1995	1998
Immigration	2	1995	1998
Natural Disasters	2	1992	1998
Disease	1	1998	
Treaties with no specific substantive focus	21		
Total N of Treaties	53		

* Treaty numbers do not total to 53 because many treaties addressed multiple security issues.

Figure 1. Nested Bilateralism. Collective Security between Russia and Uzbekistan

<p>CIS Treaty on Collective Security</p> <p>Specific issues related to the type of alliance</p>	<p>Treaty on bases of interstate relations, friendship, cooperation</p> <p>Specific issues related to the type of alliance</p>
<p>Defense Pact</p> <p>Art. 4: "In case one of (the parties) is subjected to an aggression by any state or a group of states, this shall be considered as an aggression against all the (parties) of the present Treaty."</p> <p>Art. 4: "In case an act of aggression is directed against any of the States Parties, all other States Parties shall provide it necessary assistance, including military assistance, and shall also support it by all means available in the exercise of right of collective defense under Art. 51 of the Charter of the UN"</p> <p>Art. 7: "Deployment and operation of the objects of the collective security system on the territory of the State Parties shall be subject to special agreements"</p> <p>Nonaggression Pact</p> <p>Art.1: "The (parties) reconfirm the obligation to abstain from the use or threat of force in interstate relations. They shall resolve all the differences among them and other states only by peaceful means."</p> <p>Art.1: "State parties shall not join military alliances or take part in any groupings of states as well as in actions directed against any other State Party."</p> <p>Art.6: "The use of the armed forces outside the territories of the State Parties shall be made exclusively in the interests of international security in strict conformity with the UN Charter and national legislation of the States parties to the present Treaty"</p> <p>Consultation Pact</p> <p>Art.2: "In case of any threat to security, territorial integrity and sovereignty to one or several (parties), or in case of a threat to international peace and security, the (parties) shall immediately put into action the mechanism of joint consultations in order to coordinate their positions and take measures to eliminate the arisen threat."</p> <p>Art.2: "State Parties shall conduct consultations with each other on all major international security matters that affect their interests and coordinate their positions on these matters."</p>	<p>Defense Pact</p> <p>Art.3: "parties cooperate for the purposes of the strengthening peace, increasing stability and security in globally as well as regionally."</p> <p>Art.3: "They will cooperate in the resolution of regional conflicts and other situations that affect their mutual interests. They will coordinate positions in the above-mentioned circumstances in order to implement coordinated activities."</p> <p>Art.4: "Based on the agreement of Collective Security (dated May 15, 1992) which was signed in Tashkent, the parties will cooperate on their defense and keep their strategic forces under unified command.</p> <p>The parties will collaborate on defending state borders.</p> <p>The parties will cooperate in ensuring a joint defense policy based on the previously agreed-upon military doctrines, proceeding from the fact that the territories of both states are in a common strategic-military space. For this purpose, the parties will hold a unified approach to the support of the military force, the size of which is enough for defense."</p> <p>Art. 5: "Each party will refrain from participating or supporting any action targeted against the other party and will not allow its territory to be used for preparing aggression against the other party."</p> <p>Nonaggression Pact</p> <p>Art.1: "The parties develop their relations as sovereign, equal and friendly states and each other's sovereignty, independence, territorial integrity and the principles of noninterference, nonaggression, and they promise not to threaten or use force (including economic and other types of pressure) and resolve all conflicts peacefully.</p> <p>Art.3: "The parties will coordinate each other's foreign policies, continue the process of disarmament and of collective security as well as assist in reinforcing the role of the UN."</p> <p>Consultation Pact</p> <p>Art.3: "The Signatories will hold regular consultations on issues of mutual interest"</p> <p>Art. 5: "In case of a situation threatening the peace, security or territorial integrity and sovereignty of one of the parties, the parties will start consultations on coordinating their positions and removing the threat"</p>

Figure 2. CIS Nested Alliance Treaties



Explanatory note: arrows pointing up indicate cases of direct nestedness, as a bilateral treaty is nested in a preexisting multilateral treaty; arrows pointing down indicate cases of anticipatory nestedness, as a bilateral treaty's content predates and anticipates the content of a subsequent multilateral treaty.

Figure 3. Russia – Turkmenistan Security Relations

Multilateral Treaties/ Year	Bilateral Treaties/Year
Agreement about the Unified Armed forces for the transitional period / 1992	Agreement on organization of medical services for military personnel and their families on the transition period /1992
For administration of railroad transportation, build on provisional measures taken by the CIS Council of Defense Ministers/ 1992	Agreement on technical-material provisions of Turkmenistan, Russian and Border forces/ 1992 (ends 1995)
CIS Agreement about interstate transports of dangerous and discharged loads /1993	Agreement on the transit of interstate military transport/ 1994
Decision on the main directions of strengthening the military cooperation among the Collective Security Treaty member-states/ 1995	Agreement on the organization of interstate military transportations and their payments /1995
Agreement on normative documents for the creation and improvement of the unified system of anti-air defense of the member-states of the CIS/ 1996	Agreement on military-technical cooperation/ 1995
Decision on the Concept of air defense of the CIS member-states/ 1996	Agreement on cooperation in the anti-air defense/ 1995
	Agreement on the provision of services on the military airports / 1995
	Agreement on the increase of social guarantees for Russian citizens servicing in Turkmenistan's military forces /1995 (ends 1999)

Explanatory note: arrows pointing up indicate cases of direct nestedness, as a bilateral treaty is nested in a preexisting multilateral treaty; arrows pointing down indicate cases of anticipatory nestedness, as a bilateral treaty's content predates and anticipates the content of a subsequent multilateral treaty.

Appendix: Nested Bilateralism Coding Manual

This coding scheme follows from the definition of the nested bilateralism that is given in the paper (we refer to treaty B as nested within treaty A in order to simplify explanations):

1. Treaty B implementing or specifying another treaty A is nested within that treaty A.
2. Treaty A with stronger requirements compared to treaty B means that treaty B is nested within treaty A.

The rules that we use to identify nested bilateralism:

1. Both treaties, A and B, should use similar language describing specific security issues raised.
2. Both treaties, A and B, should have at least one common issue.

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