

**US-Russian Working Group on the NPT Review Process
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**US-SOVIET NEGOTIATIONS OF THE STRATEGIC ARMS REDUCTION
TREATY: EXPERIENCE OF THE DIALOGUE, LESSONS LEARNED FOR
FUTURE WORK, AND JOINT APPROACHES TOWARDS ARTICLE VI OF
THE NPT**

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Indeed, it is very timely to discuss the future of the US-Russian dialogue. The level of Russian-American relations fell down till one of the lowest, even in comparison with one of the worst periods of the Cold War in early 80s. All the talks stopped, arms race was heating up, serious international conflicts aggravated political atmosphere in the world. Even sports became an arena of confrontation.

The current situation reminds of that time. But not only in this gloomy respect. Let us recall that in mid-80s new possibilities emerged to prevent further escalation from political confrontation to direct military threats. A few successive summits in the 80s (Geneva-85, Reykjavik-86, Washington-87 and Moscow-88) stopped the dangerous downward trend and put the US-Soviet dialogue on rails.

The whole world is guessing now, which way President Trump will take. I am sure that President Putin, though he has not confirmed yet his intention to run for the next term, will elaborate his further way with due account of President Trump's position.

Meanwhile the preparations for the 2020 NPT Review Conference (coinciding with the 50th anniversary of the Treaty's entry into force) have started, where the implementation of Article VI will be the most sensitive issue.

Article VI of NPT and the Beginning of the US-Soviet Dialogue

There were many difficult problems during the negotiations on NPT. Some of them were solved, others remained. But to my mind the key issue for future of NPT is the implementation of Article VI. Here is its text:

“Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control”.

In the original US and USSR drafts this article did not exist. However, under a strong pressure from the non-nuclear weapon countries (not only non-aligned and neutrals, but also of some allies from both sides) the two superpowers agreed in 1968 to include it into the text of NPT. The existing Article VI is a result of long and difficult negotiations. At each NPT review conference, its implementation is under fierce debates. In some cases, this issue was the main cause of failures of conferences.

Despite different juridical interpretations of the compromise text of the Article, politically it is clear that its implementation and, hence, the fate of the Treaty depends on the two countries with the biggest nuclear arsenals that oversize by far arsenals of all others combined.

It was not by chance that on 1 July 1968 the US and the USSR, signing NPT, announced about their intention to start negotiations on strategic arms control. It might be regarded as a kind of the recognition of their primary responsibility for the implementation of Article VI.

This agreement on the negotiations was the result of previous consultations that started in 1964 when William Foster, the director of the US Arms Control and Disarmament Agency (ACDA), approached confidentially Soviet Ambassador in Washington Anatoly Dobrynin and... But let us read what Ambassador Dobrynin recalled later in his memoirs: “On

January 16, 1964, less than two months after Johnson had taken office, William Foster, who was McNamara's soul mate and the director of the Arms Control and Disarmament Agency, had a long conversation with me at lunch. He argued it would be feasible for both nations to renounce building a major ABM system, the cost of which he estimated at a minimum of \$15 billion to \$20 billion"¹.

The Soviet Union had already launched the construction of the ABM system around Moscow and the Soviet position towards the American idea at that time was negative. "Defense is moral and offense is immoral" – was the Soviet concept. However, in the long run American reasons reached Soviet leaders' understanding. This resulted in a compromise: to start negotiations on limiting both ABM deployment and offensive strategic weapons.

The conclusion in 1972 of the ABM Treaty and the Interim agreement on strategic offensive weapons (SALT I) was the first result of the US-Soviet dialogue and a valuable contribution to the implementation of the Article VI of NPT. SALT II on strategic offensive weapons (1972-79) was the next. It was not ratified by the US Senate and withdrawn by President Carter from the ratification. Let us recall the international situation at that time.

Interruption of the Dialogue in Early 80s and its Resumption

The early 80s were one of the worst periods of the Cold War. Soviet armed forces entered Afghanistan. President R. Reagan proclaimed the Soviet Union "the evil empire". The Soviet Union started deploying new SS-20 missiles in Europe. The US responded with the deployment of "Pershing-2" missiles. President R. Reagan announced the Strategic Defense Initiative ("Star Wars"). All the US-Soviet arms control negotiations were terminated or suspended. The South Korean air liner was shot down by the Soviet air

¹ A. Dobrynin. In Confidence: Moscow's ambassador to American six Cold War presidents. Times Books, a division of Random House, New York, 1995, p. 149.

defense. Even sport became an arena of strong confrontation: Washington boycotted the Olympic Games in Moscow (1980) and Moscow responded with the boycott of the Olympic Games in Los Angeles (1984).

Does that situation resemble somehow what we are currently experiencing? Even the details are similar: confrontation rhetoric, frozen dialogue, disputes around downed aircraft, sport scandals and boycotts.

In March 1985, M. Gorbachev came into power. Two months before R. Reagan entered his second presidential term. In November 1985, they met in Geneva. They continued their dialogue in October 1986 in Reykjavik. Both summits failed to adopt agreements, but anyway the dialogue was resumed.

The Role of Offense-Defense Relationship in the Dialogue

The main subject of both summits was ABM. And it was the main reason of their failures. The same subject put the beginning of the dialogue in 1964. But in twenty years the positions of the sides changed diametrically. In the 80s, the US, trying to justify its work for promoting SDI, put forward the so called “broad interpretation” of the ABM Treaty. This interpretation, according to the American position, permitted to conduct research and tests on ABM, including in the outer space (an important component of SDI was space-based devices – lasers, beams², etc.). Washington wanted to continue the SDI. The Soviet side was against and insisted that ABM research and tests should be limited to laboratories only. Particularly, the Soviet leadership was preoccupied with space-strike weapons because they could be used not only as a part of SDI, but also as anti-satellite weapons. Besides, the Soviet side asserted that SDI, i.e. an ABM “shield”, would stimulate the US to deliver the first nuclear strike against the Soviet Union. The existence of the ABM Treaty that strongly limited ABM was in favor of the Soviet position. It strongly insisted on its

² This project was called BEAR – “Beam Experiment aboard a Rocket”.

implementation “as it was signed and ratified in 1972”, i.e. without any additional interpretations.

In order to find a way out from this deadlock the Soviet side declared its readiness to reduce strategic offensive armaments under the condition of taking by both sides the pledge not to withdraw from the ABM Treaty for a certain period of time³. Originally it specified this period as 15-20 years. Later, in Reykjavik it reduced it to 10 years.

The American side agreed in Reykjavik to take a pledge on non-withdrawal from the ABM Treaty for five years and then for other five under the condition that by the end of this period all ballistic missiles but not heavy bombers with their nuclear weapons) should be eliminated. It was not acceptable for the Soviet Union. Due to its geographical location and absence of air bases near the US it had a big disadvantage in the “air-leg” and had an advantage in ICBMs. Later the American side dropped its insistence on the complete elimination of strategic ballistic missiles and agreed to take the non-withdrawal pledge for not more than 7 years.

Besides, the three years’ difference there also was disagreement on what should follow the non-withdrawal period. The Soviet side proceeded from the premise that after the reduction of strategic offensive forces the Parties would begin negotiations on their new attitude toward the ABM Treaty in the context of the new strategic situation after the reduction of strategic offensive arms. The US insisted on the full and non-negotiable right of withdrawal (after the non-withdrawal period expired).

At the 1987 Washington summit, after signing the INF Treaty, both sides needed to say something “encouraging” on the situation with strategic weapons. Evidently for this reason they included into their joint statement the following formulation on this issue: "...The leaders of the two countries also instructed their delegations in Geneva to work out an

³ The ABM Treaty in the Art. XV provided for the right of withdrawal if it decided that extraordinary events related to the subject matter of the Treaty had jeopardized its supreme interests (with six months of notice).

agreement that would commit to observe the ABM Treaty, as signed in 1972, while conducting their research, development and testing as required, which are permitted by the ABM Treaty, and not to withdraw from the ABM Treaty for a specified period of time."

It was a classical "lip-stick compromise". It did not solve anything. Each side interpreted it in its own way. The Soviet Union continued to maintain that the ABM Treaty banned research, testing and development of the Strategic Defense Initiative out of laboratories, while the Reagan administration continued to insist on a broad interpretation that would permit expanded SDI tests and development. The question of "a specified period" of non-withdrawal also remained open and continued to block the START negotiations.

I don't know who invented the non-withdrawal proposal and suggested it to M. Gorbachev (at that time I was not directly involved in START process). To my mind this idea might have come from our military and military-industrial people who believed that ten years were enough to create reliable means of penetrating the ABM "shield".

However, at that time, watching the process from aside, I felt the political awkwardness and legal vulnerability of this proposal. To conclude a treaty on non-withdrawal from another treaty? In any case this firm juridical link between the START and ABM treaties kept the START negotiation in a deadlock.

For the first time, I expressed my doubts about this position at a meeting with Minister E. Shevardnadze in February 1986. I suggested to replace the juridical link with a political one, namely to drop our insistence on the non-withdrawal juridical pledge and to make a statement that the Soviet Union would withdraw from the START treaty in case of violations by the US of the ABM Treaty.

E. Shevardnadze did not react in any way. He was just listening and making notes. Probably that meeting played a certain role later in my appointment as the head of the Soviet delegation at the US-Soviet nuclear and space/defense talks (START 1). When it happened

(April 1989) I did my best to contribute to the removal of the juridical link between the ABM Treaty and future START and thus to avoid this obstacle for further START talks. This approach was included into the instructions of the Soviet delegation at the ministerial meeting in Wyoming in September 1989 (see below).

START Negotiations after Reykjavik Summit

Meanwhile the Geneva START negotiations remained without a prospect of concluding the treaty till the end of R. Reagan's presidency. Some important solutions or starting points for further negotiations had been found during the Reykjavik summit in 1986. Though that summit failed to adopt a joint document, an important work was made in the working group under the guidance of the Presidents. The Soviet side was headed in the group by S. Akhromeyev, the Chief of the Soviet General Staff, and the American – by P. Nitze, a former Secretary of Navy and Deputy Secretary of Defense (he was regarded as the key “wise man” on military and arms control affairs of the American government).

In Reykjavik, the sides discussed and elaborated some basic parameters of the future START Treaty. The status of these parameters was rather ambiguous: they were not officially agreed upon, but later in the course of the START negotiations they were taken as a skeleton of the future treaty. Each side proceeded from its own records of the talks and discussions both between the two leaders and in the working group Akhromeyev-Nitze. Of course, they required further detailed elaboration and some were subjects of sharp disputes because of different interpretations and understanding (I'll touch upon some of them below). Anyway, the Nuclear and Space Talks⁴ in Geneva received a good basis.

1989: New Stage of START

⁴ There were three tracks: (1) strategic weapons, (2) defense and space, (3) intermediary weapons.

R. Reagan's successor George Bush took half a year as a time-out at the negotiations on strategic armaments and made a review of the situation. He changed the head of the delegation appointing Ambassador Richard Burt (previously Ambassador in Federal Republic of Germany and Assistant Secretary of State for European and Eurasian Affairs). The Soviet side also used the break for revision of the situation. At that time, I was appointed as the head of the Soviet delegation and became directly involved in the process.

My first round in this capacity took place in summer 1989. My goal was to try to grasp main problems "in the field" and to establish contacts with my counterpart R. Burt. I guess, he pursued similar goals. There was a long list of problems that had to be negotiated. But the main hurdle remained. It was the relationship between offensive and defensive strategic weapons.

The solution came at the Ministerial meeting (Shevardnadze – Baker) in Wyoming in September 1989. That was really a paradise. The Indian summer, beautiful landscapes and silhouettes of cowboys around the touristic camp where our and American delegations were accommodated and where the negotiations were going on... ("Cowboys" safeguarded the place). Against this nice background I felt really happy: the idea that I had put forward three and a half years ago started to work. During further negotiations, I have experienced other successes, as well as disappointments and failures. But Wyoming really encouraged me⁵.

In Wyoming, the Soviet side dropped the legal linkage between the START Treaty and the mutual pledge of both sides not to withdraw for 10 years from the ABM Treaty. Minister E. Shevardnadze stated that the Soviet Union would be ready to sign the START Treaty even without agreement on the ABM issue, but if the sides continued to comply with ABM Treaty as it was signed in 1972.

⁵ I apologize before possible readers for introducing these personal notes. But they relate to the main subject that I am going to analyze in my contribution.

The joint statement read that on the issue of ABM and outer space the Soviet side proposed a new approach aimed at solving this important problem. Both sides agreed that the Soviet approach opened a way to reaching and realizing START Treaty without concluding a treaty on defense and outer space. The sides agreed to drop the approach linked with the pledge of non-withdrawal from the ABM Treaty.

We clarified that before the signing of the START Treaty we would unilaterally express our position on this issue. Thus, a legal link was replaced with a political one. Here are comments by the by the New York Times, September 1989: “JACKSON, Wyo., Sept. 23— Secretary of State James A. Baker 3d and Foreign Minister Eduard A. Shevardnadze of the Soviet Union ended two days of talks here today by proclaiming progress on a broad array of arms control issues.

"We have moved from confrontation to dialogue and now to cooperation," Mr. Baker said. The Soviet Foreign Minister said that the talks had "placed Soviet-American relations on a new stage. The announcement came a day after the Soviet side conditionally dropped its demand that the Americans abandon plans for a space-based missile defense – a major obstacle to a strategic arms accord". The talks could continue, but the substantial difference on the ABM Treaty remained.

Defense and Space Debates in 1989-1991

Though in January 1991 President Bush “refocused” the SDI on much more modest ABM system – the Global Protection against Limited Strikes (GPALS), the US continued to proceed with its “broad” interpretation of the ABM Treaty⁶. After the

⁶ In his State of the Union Address on 29 January 1991 President Bush stated: "Now, with remarkable technological advances like the Patriot missile, we can defend against ballistic missile attacks aimed at innocent civilians. Looking forward, I have directed that the SDI [Strategic Defense Initiative] program be refocused on providing protection from limited ballistic missile strikes, whatever their source. Let us pursue an SDI program that can deal with any future threat to the United States, to our forces overseas, and to our friends and allies."

conclusion of the INF Treaty the US-Soviet nuclear and space/defense talks continued in two groups – on START and space and defense.

The START group was headed from our side by Amb. Lem Masterkov and from the American by Amb. Linton Brooks (later, after the departure of R. Burt in early 1991 Linton Brooks was promoted to the position of the head of the whole delegation). In the space and defense group the Soviet delegation was represented by Amb. Yuri Kuznetsov (on political level) and by Lieutenant-General Nikolay Detinov (on military and technical level). The US side was represented by Amb. David Smith and Henry (“Hank”) Cooper (a high official from ACDA). The US part of the group consisted of about 20 people, and ours of three (two mentioned above and a legal expert). Evidently, the US side tried to imitate “full-fledged” talks on space and defense, while we did not see any necessity to keep more than three persons there.

Records of each meeting of this group repeated each other: arguments in favor of “broad” interpretation of the ABM Treaty – counterarguments against. The discussion was absolutely futile. However, there were seen attempts of the American side to induce the Soviet side in developing its own “ABM shield”. In other words, to push us to an economically ruinous race, which from our point of view was useless for our security.

Americans tried to reach this goal not only through the space and defense group. At the ministerial meeting in Wyoming J. Baker invited a group of Soviet experts to visit two laboratories involved in the SDI project – the Los Alamos national laboratory and San Juan Capistrano laboratory that belonged to a private corporation TRW. He wisely stressed that this invitation was unilateral, not conditioned with a Soviet reciprocity (otherwise, I am sure that, the invitation would have been rejected).

Moscow responded positively and very fast. The interest of scientists felt clearly behind this decision. The delegation was composed of our eight leading scientists who dealt in one or another way with various technical aspects of ABM. I was appointed as the head

of the delegation. My mission was rather dull – to express and emphasize the official position of the Soviet Union (in other words, I was a political “commissar”). At each meeting in the laboratories, with journalists, etc.) I repeated in a robotic fashion that the ABM Treaty “as it had been signed and ratified in 1972” was our icon, and so on, and so forth. In the course of our visits to the two American laboratories, could I clearly see the professional interests of our scientists to efforts of their American colleagues. However, it had no impact on the Soviet position towards the ABM Treaty⁷.

Before the signing of the START Treaty (31 July 1991) the Soviet side, following its position declared in Wyoming in September 1989, confirmed its right to withdraw from the START Treaty in case of violation or disruption of the ABM Treaty. However, it did not implement this right (in accordance with Art. XV of the START Treaty) when the US withdrew from the ABM Treaty in 2002. Thus, the ABM Treaty had remained in force thirty years. I note this fact recalling how much time and efforts both sides had lost

⁷ Personally, I am extremely grateful to the US side that gave me the opportunity to see tremendously interesting places – not to say about the laboratories themselves, but New Mexico (Santa Fe!), California (Los Angeles, San Francisco!) and some other parts in the West.

14 December 1989 our group arrived in Washington, and the next morning a special air force flight took us from the Andrews airport to California. We started from the San Juan Capistrano laboratory. It had a contract with the Government to develop laser devices to be deployed in the outer space. Their mission was to eliminate our missiles at their mid-flight stage. The project had the name “ALPHA”. Indeed, the construction that was demonstrated for us at a test site, as well as technical explanations given by American specialists reminded clips from the film “Star Wars”. Later the project “ALPHA” was closed.

Our next visit was to Los Alamos. The laboratory worked on the project “Beam Experiment aboard a Rocket (BEAR)”. The role of the project was to develop a device that would be able to distinct real warheads from false ones and possibly, after the increase of sources of beams, to eliminate real warheads. We were given a very warm welcome (as in San Juan Capistrano). The list of our group included contained eight names of experts – directors of institutes, academicians, laureates, etc. It was not in alphabetical order, but in accordance with the hierarchy. The last on the list was the name of Professor V. Teplyakov. To my surprise the head of the BEAR project devoted his welcoming speech mainly to him. I knew from his speech (and later checked it) that the BEAR project was based on the discovery made by Professor Teplyakov a number of years ago in the course of fundamental research, the result of which had been published. After the formal part at a cocktail I noted the attention that was given by American scientists to Professor Teplyakov: they really treated him as their Guru. As far as I know, the BEAR project shared the fate of the ALPHA – it was also closed.

By the way, recalling Las Vegas I was strongly impressed by the museum of the Manhattan project that we visited there.

during their fierce debates on terms of non-withdrawal from the ABM Treaty in connection with the START Treaty.

Negotiations on START in 1989-1991

Despite the enormous work made at the negotiations before this stage, a great variety of issues remained unresolved. I am going to mention here the most substantial of them. Apart from the offense-defense interrelationship, a lot of difficulties emerged because of differences in the structures of strategic forces. Or, to be more precise, because of the desire of each side to use these differences in its own favor.

The main component of the strategic triad of the Soviet Union was (as it still is for the Russian Federation) land based ICBMs, both silo-based and mobile. The United States had (and still has) an advantage in air-leg and sea-based component. These differences emerged because of geographical (or geostrategic) reasons. The United States had (and has) air-bases in the proximity of the Soviet Union/Russia, and the latter didn't (and doesn't). Being a maritime country, the US has a free access to the two open oceans. The Soviet Union/Russia has exits to the Arctic and Pacific oceans, but in both cases the US has possibilities to control movements of Soviet/Russian strategic submarines going out for patrolling. On the other hand, the Soviet Union had a vast territory (the biggest in the world) and could afford to have not only silo-based, but also mobile road and rail ICBMs. Despite that Russia has a smaller territory in comparison with the Soviet Union, its territory still remains world's biggest.

A sublimit on warheads for ballistic missiles (ICBMs and SLBMs). The original intention of the American side was to prohibit all ballistic missiles, while keeping aside heavy bombers with their nuclear armaments. This was not acceptable for the Soviet side. In Reykjavik, the US proposed 4500 units as a sublimit for ICBMs and SLBMs. Later the sides agreed on 4900.

Heavy missiles (according to the definition – with throw weight higher than 4350 kg). The US had no such missiles, while the Soviet Union had 308 deployed SS-18 missiles and their launchers. They were equipped with 10 nuclear warheads of 500-550 kt each, and besides, due to their big throw-weight (7600 kg) could carry, besides warheads, means of ABM defense penetration (false “warheads” and other deceiving or blinding means). That is why the American side demonstrated particular suspicions towards these missiles and did its best to create maximum limitations for them. In Reykjavik, the Soviet side agreed to **substantially** reduce the numbers of its heavy SS-18 missiles. As far as the original Soviet proposal provided for 50% reduction of all strategic offensive means, the Soviet side agreed to apply the same level to heavy missiles, though other delivery means were reduced less. The limit for heavy missiles (154 for missiles and 1540 for their warheads) was fixed in the Treaty. However, during the talks a lot of important issues had to be ironed out (possible redeployment, etc. – see below).

Mobile ICBMs. Washington was deliberating about possible deployment of mobile ICBMs. That is why this issue was practically frozen at the negotiation till 1989. But after this idea was dropped the US focused on tough control of movements of Soviet mobile ICBMs. It took much time to find a solution. Besides, the sublimit of 1100 warheads for mobile ICBMs was established by the Treaty.

Heavy bombers. The Soviet Union had an evident disadvantage in this component of the strategic triad (the US recognized this). That is why this issue was discussed till the very end of the Geneva talks. In Reykjavik, it was decided that the main criterion for the definition of a “heavy bomber” should be its equipment with long-range ALCMs (later other criteria were added, particularly – the range more than 8000 km). It was agreed upon that all the gravity bombs and shorter range missiles (SRAMs) should be counted as one warhead in 6000 limit (each heavy bomber was counted in 1600 limit). To my mind, it was the biggest concession of the Soviet side to the American side, which received, in view of its advantage in the “air-leg” a substantial addition to the level of 6000 warheads.

Air-launch cruise missiles (ALCMs). It was the key problem with “air-leg” component. Both sides agreed that ALCMs should be limited. But how? The US side insisted that they should be treated in the same way as gravity bombs and SRAMs (all warheads on a bomber as one unit). The Soviet side disagreed. Later this issue was a subject of intense and dramatic negotiations. Till the end of 1990 there were two basic points of divergence on this issue: (1) a definition (based on the range) and (2) how to limit them.

Definition of ALCMs. From the very beginning of the negotiating process, including in Reykjavik, the Soviet side proceeded from the definition adopted for the SALT-2 agreement, namely: the term “long-range ALCM” meant an ALCM with a range in excess of **600 km**. In Reykjavik, the American side did not challenge this approach. However later in the course of the negotiations it insisted on 1500 km and then reduced it to 1000 km. This controversy reached its dramatic peak at the Moscow Ministerial meeting in May 1990. After long and very sharp debates Secretary Baker pronounced his “last word” – 800 km. Minister Shevardnadze and Marshal Akhromeyev, referring to the previous agreement on 600 km, stated very firmly that not a single kilometer could be added to this range. Indeed, this position was based on the maximum capability of the Soviet anti-aircraft defense (600 km for plane-interceptors and 400 km for land-based means). It looked like that this issue was torpedoing the negotiation. The reason behind the American position was also known: a new ALCM “Tacit Rainbow” with the range of 800 km was at the stage of development and flight-testing. The solution came early morning 19 May 1990 a few hours before Baker’s departure from Moscow. He gave assurance that the “Tacit Rainbow” would never be equipped with nuclear warheads and, if the Soviet side took his assurance, he agreed with the range of 600 km. The Soviet side accepted this deal. By the way, later the US closed the “Tacit Rainbow” program.

Limitation of ALCMs. It was evident, and Americans recognized this, that American heavy bombers had a big advantage, because they could land for re-fueling at their air-bases not far from the Soviet territory, while Soviet HBs, without having such possibility,

had to go to targets and back. That is why they could not take the same number of ALCMs like American HBs (each additional ALCM “eats” 700 km). After long and very dramatic discussions in Moscow (in the “Big Five”⁸ meetings), as well as at the negotiating table in Moscow, Washington and Geneva the problem was solved with due account of this advantage/disadvantage: the basic provision provided for 10 ALCMs for each American HB and 8 for Soviet within the limit of 150 HBs for each side.

Sea-launched cruise missiles (SLCMs). This problem also was the Russian headache, because the US had an advantage in this component. The US side agreed to limit them, but not in the treaty, by a separate level, outside the boundaries of the triad. The Soviet side accepted this approach, but insisted that this limitation on SLCMs should be legally-binding. This difference created a problem for further talks and for me personally, because in my informal consultations with R. Burt I discussed possible solutions on this basis and our “thinking aloud” was leaked and appeared in the New York Times⁹. I was reprimanded afterwards for “stepping aside from the formal instructions”. However, the final solution was found on the basis of that “thinking aloud”: mutual annual notifications of the deployment of SLCMs and their number would not exceed 880 units each year.

Verification. Both sides agreed in Reykjavik that verification should be “effective and give full assurance of the implementation of the treaty”. But, evidently, no specific measures were discussed. Later in the course of the Geneva talks a very detailed system of verification was elaborated. It included national technical means (in combination with a ban of concealment measures), numerous types of on-site inspections, continuous monitoring of mobile missile final assembly facilities, data exchange and notifications, full access to telemetric information during each flight test of ICBMs and SLBMs, confidence building measures contributing to the effectiveness of verification. These measures were negotiated in a special working group with the participation of military

⁸ Mechanism of preparing positions on arms control issues between five ministries/agencies – see below, p. 18.

⁹ The New York Times, 19 December 1989; “Soviets Softening on Limits For Missiles at Sea, U.S. Says” by Michael R. Gordon.

and technical experts. Later, of course, the whole verification system was considered and finalized on the ambassadorial level and reported to the respective capitals.

Political Struggle in Moscow and Washington around START

Now I am going to mention some problems that were behind the negotiating table and greatly complicated the talks. After the first two years of Gorbachev's leadership, expectations that he might have reformed the Soviet economy started disappearing. He made substantial changes in the political sphere, but the economy remained ineffective, and standards of life were low. The opposition against him was growing. Though its main focus was on domestic problems, Gorbachev's foreign policy was also criticized.

Concessions that Gorbachev made for the conclusion of the INF Treaty caused a great indignation in the military establishment. The START negotiations were also used by the opposition against Gorbachev. The leader of the Soviet hawks was O. Baklanov, the secretary of defence in the Central Committee. He was an open adversary of M. Gorbachev and, particularly, insisted on disrupting the START negotiations. He raised this question several times. Later, in August 1991, he participated in an attempt of overthrowing M. Gorbachev and was imprisoned. But before that he had created a lot of problems for our negotiations. I saw this opposition in Moscow where I was called from time to time, as well as in some instructions that I received in Geneva.

Particularly, I can refer to the case, which I witnessed personally, participating in a meeting of the Politburo Commission on arms control ("Big Five") on March 30, 1990. The meeting was devoted mainly to rules of accounting nuclear warheads for the "air-leg". But the discussion turned out to be much broader, namely: do we need START treaty in principle? O. Baklanov took the most radical position. Though the meeting resulted in adopting compromise instructions for further negotiations, O. Baklanov prepared his "special view" for M. Gorbachev, asserting that START treaty would damage security interests of the Soviet Union.

Soon after the Big Five meeting O. Baklanov tried to use for his purpose the publication in the Washington Post on the START negotiations. It was an article by Jeffrey Smith giving a general review of the state of the negotiations¹⁰. The article was based on the information that had not been disclosed before due to the confidential nature of the negotiations. It was evident that the author had been well briefed by those who knew details of the negotiations. The article was silent about compromise and focused on Soviet concessions. It was aimed at proving that the treaty under negotiations was completely for the benefit of the U.S.

It was a critical period for arms control, because both in Washington and Moscow the political fight over the START Treaty reached its peak. I do not know whether the one-sided article helped to strengthen positions of Washington doves. But in Moscow it was used as a pretext to stop the negotiations.

Oleg Baklanov referred to this article as a “proof” of the “treacherous nature” of the START Treaty. He argued that “even Americans themselves said that the treaty is completely in their interests”. His purpose was to stop the negotiations and to damage Gorbachev’s political positions. Fortunately, Gorbachev managed to overrule Baklanov, and the negotiations continued.

The American side had similar problems. I can refer, particularly, to Michael R. Beschloss and Strobe Talbott who wrote: «In Geneva, Richard Burt, the chief U.S. START negotiator, was frustrated. He would send suggestions to the administration on how to resolve the sticking points. He would reach tentative deals with his Soviet counterpart, Yuri Nazarkin, only to have them slapped down by Washington, often on personal instructions by Scowcroft”¹¹.

¹⁰ The Washington Post, 3 April 1990.

¹¹ Michael R. Beschloss and Strobe Talbott: “At the Highest Levels. The Inside Stories of the End of the Cold War”, Little, Brown and Company, Great Britain, 1993, p. 373.

We had such complications even on compromises that had been approved in Washington. I refer to the case with heavy missiles. The Soviet Union had 304 heavy missiles SS-18, and the US had no heavy missiles. Besides the basic agreement on 50% cut, there were a number of unresolved issues that were discussed at the Ministerial meeting in October 1990 between Secretary Baker and Minister Shevardnadze in New York.

The package on heavy missiles as it was negotiated in New York included the elimination of 50 % of heavy missiles, a ban on heavy ICBMs of a new type and a few other minor restraints for heavies. But our instructions provided for the inclusion into the Treaty also the right¹² to deploy additional silo launchers for heavy ICBMs that replace those that have been eliminated.

Burt was reluctant to accept this provision. He blocked the whole package and took time out to consult with his deputy and advisers. After that he said that he was prepared to recommend to his Secretary of State to accept the whole package on heavies, including the right to replace silos, but the Soviet side should explain motives for keeping this option open. I replied that it was possible; but that it would take time because we should send a cable to Moscow and wait for a reply (the provision in question had been included in the delegation's instructions by our military people who evidently were preoccupied with the anti-nuclear movement in Kazakhstan where there were 104 SS-18s; however, they did not clarify the motives, probably because of political sensitivity of the matter). I added: "If you wish to finish with heavies to-day, I can give you my own explanation right now, but informally". He agreed. I said that the necessity to replace launchers might arise as a result of accidents or threats of accidents (e.g. earthquakes) or other

¹² Theoretically (or purely *de-jure*) all the provisions on heavy ICBMs, including this right, relate to both sides. But as far as the U.S. had no heavy ICBMs, all these provisions had a practical effect for the Soviet side only.

extraordinary circumstance, in particular due to the internal political processes taking place in our country”. “You mean Kazakhstan?”– asked Burt. I nodded.

Minister Shevardnadze was glad that we did not need to send a cable to Moscow. Secretary Baker also looked satisfied with Burt’s report to him. They confirmed our package. But unfortunately, that was not the end of the story. And its continuation was rather dramatic.

In a few days when I met with Burt in Geneva, he was as gloomy as hell. He told me what happened after the ministerial meeting. The next day U.S. defence minister R. Cheney visited Moscow (the visit had been scheduled long before and had nothing to do with START talks). At the meeting with Defence Minister D. Yazov R. Cheney asked him why the Soviet side was going to replace silo launchers of heavy missiles. Yazov replied that it had no such plans. Indeed, at that time there were no such plans, though the General Staff wanted to keep this option open for the future. The agenda of the ministers` meeting did not contain arms control items and Yazov did not have at hand his arms control experts who could remind him about agreement on heavy missiles reached in New York two days earlier.

When back in Washington, Minister Cheney spread the allegation that Secretary Baker had been deceived by Russians. It took time to settle this very unpleasant situation. It was resolved after Ministers Yazov and Shevardnadze sent a formal letter to Minister Cheney and Secretary Baker, which explained that though at present the Soviet side had no plans to redeploy silo launchers for heavy ICBMs, this possibility cannot be ruled out for the future either for technical reasons, or “in connection with internal political developments that are taking place in our country”.

Why did Minister Cheney play this card? I guess that was a part of the broader game against the START treaty in Washington.

Internal Diplomacy

As a negotiator, I met with two major kind of difficulties – at the negotiating table and domestically. The major actors in arms control negotiations from the Soviet side were the Central Committee of the Communist party (later the President and his administration), the Foreign Ministry, the Defense Ministry (the General Staff), the Military Industrial Commission (military industries) and the KGB. All instructions for arms control negotiators were elaborated by three levels mechanism (the so called “Five”) and approved at the highest or high (ministerial) level. The process of agreeing upon instructions in this “Five mechanism”¹³ was not less difficult than negotiations “in the field”.

As I wrote above, the work of the “Five mechanism” was complicated by political struggle in high echelon of the Soviet leadership. But besides that, there were special interests of each domestic player that reflected various aspects of national security. That is why, speaking objectively, I recognize that this mechanism was necessary for taking well balanced decisions responding to national security interests of the country. However, the accommodation of all divergent and sometimes controversial views required tolerance, efforts and experience.

A very dramatic situation emerged at the negotiations in June 1991. All major issues had been solved by that time. But there were a number of problems of purely military nature that could be solved only by the General Staffs of both sides. For illustration: there was a sensitive issue of defining a new type of ICBM and SLBM. New types were subject to different limitations than existing ones. Americans knew (evidently from intelligence sources) that the Soviet Union was developing a new type of a mobile ICBM and wanted to include it into existing types. For this purpose, they tried to increase technical characteristics for the definition – throw-weight and size parameters. Our experts

¹³ This mechanism is described in details by Aleksandr B. Savel'yev and Nikolay N. Detinov in “The Big Five. Arms Control Decision-Making in the Soviet Union”, 1995, Praeger Publishers.

understood that they knew about our project and tried to avoid this inclusion. They managed to do this, but later this missile was unavoidably covered by the New START Treaty.

The ministerial meeting with the participation of the Soviet deputy of the Chief of General Staff and his American counterpart failed to solve the remaining problems. It was evident that the responsibilities of the deputies were not sufficient. I do not exclude that the failure of that meeting was a part of political games in both capitals.

On the US National day, July 4, 1991, there was a traditional reception in the residence of the US Ambassador in Geneva. As soon as I saw there Linton Brooks, I invited him to step aside from the crowd and to make a review of the situation at the talks. We went through all remaining unresolved issues and agreed that they could be solved only by the chiefs of our general staffs. I proposed to recommend to our respective capitals a new ministerial meeting, but with the personal participation of M. Moiseyev and Colin Powell. I told Linton that I was ready to send this proposal upon receiving from him a preliminary confirmation that C. Powell would be available.

In a few hours Linton called me to the Mission and said that received such a preliminary confirmation. But, he added, that Colin Powell could not leave his post in Washington because of the “Gulf war” consequences and asked to arrange this meeting in Washington (my original proposal was Geneva).

After Linton’s call to me I received the right to present to Moscow the idea of getting together the Chiefs of Staffs not only as the result of my talks with my Geneva counterpart, but as a proposal of Colin Powel (or at least as a proposal supported by him). Moscow agreed. In a few days, the meeting took place and the remaining issues were solved. Both delegations in Geneva started converting these agreements into treaty language. As it is known, the START Treaty was signed in Moscow 31 July 1991. I

would conclude with saying that to solve problems it is important for that the right people to meet each other at the right time.

The New START

The old START was in force during the fifteen years, as it was scheduled in its Art. XVII, till 5 December 2009. The negotiations on the New Start Treaty, which was signed in 2010 and entered into force on February 5, 2011, passed a similar difficult road, as the negotiations on the old START, but at a much shorter time (one year). Problems were the same as in late 80s-early 90s. But there was a solid basis – the old treaty.

Ambassador A. Antonov (now a Deputy Defense Minister) who led the Russian delegation in the negotiation on the New START wrote in 2012: “The START Treaty (*the old one* – *YN*) was the top of the Soviet period of arms control ... No other agreement could be compared in such a profound and detailed ironing out of numerous questions...”¹⁴

The New START simplified the verification system and made it less costly. An important provision of the New START is Article II.2: “Each Party shall have the right to determine for itself the composition and structure of its offensive strategic arms”. However, the main problem remained the same, as it was at the negotiations on the old START – defense-offense relationship. But in contrast to the previous negotiations there were no ABM treaty. There was no SDI, there was no GPALS. They were succeeded by the Phased Adaptive Approach.

Both sides agreed in 2009 to negotiate only offensive strategic armaments and to leave strategic defense for a separate dialogue. At the same time, they recognized in the Treaty the interrelationship between strategic offensive arms and strategic defensive arms. Moreover, the Russian side unilaterally stated that in case of qualitative and quantitative

¹⁴ А. Антонов. Контроль над вооружениями: история, состояние, перспективы. Москва, 2012, стр. 33.

buildup of the US ABM system Russia would decide on its further participation in the New START Treaty.

The Russian Law of the ratification provides that the New START Treaty shall be implemented subject to a number of conditions, particularly that the interrelationship between strategic offensive and defensive arms “will become more important as strategic nuclear arms are reduced and that the strategic defensive arms of one Party do not undermine the viability and effectiveness of the strategic offensive arms of the other Party to the New START Treaty”¹⁵.

The dialogue on strategic defensive arms started after the conclusion of the New START on various levels (Presidents – Ministers – Ambassadors) and was stopped (or suspended?) with the deterioration of international situation, particularly with the Ukrainian crisis that started in 2013.

Future Work and Joint Approaches towards Article VI of the NPT

The US-Soviet/Russian dialogue on Article VI of the NPT was always very important for NPT review process. In all cases when NPT Review Conferences failed, despite issues that became immediate reasons of disagreement, the real root cause was deterioration of relations, confrontation and, hence, lack of cooperation between the two co-founders of the NPT – the US and Russia.

The 2015 NPT Review Conference failed to adopt the Final document because of the US veto on the date of 1 March 2016 for the convening of a Middle East conference, following consensus-based consultations among all states in the region. Of course, there were a number of deep reasons behind this failure. But it was not a coincidence that the

¹⁵ Translation by the US Department of State.

US-Russian relations reached at that time the lowest point during the whole post-Cold War period.

Another highly controversial issue at the 2015 Conference was the implementation of Article VI of the NPT and, particularly, the issue of launching a process leading to a legally binding treaty, convention or instrument to ‘close the legal gap’ in Article VI of the NPT on ‘effective measures’ to prohibit nuclear weapons and achieve nuclear disarmament.

Some observers noted that the failure of the 2015 NPT Review Conference can be placed on “the inflexibility of many delegations, improper implementation of the strengthened review process and an absence of leadership... It was noticeable that there was a lack of effective coordination in the conference bureau.”¹⁶

By the way, Ambassador A. Antonov, the head of the Russian delegation at the 2015 NPT Review Conference who had negotiated successfully the New START, was not granted a visa to enter the US to lead the Russian delegation at the Review Conference. As a symbol of the implementation of Article VI of the NPT and as an able and high positioned negotiator he would have been the most proper and effective Russian representative at the Conference. Alas!

No doubt, the Article VI issue will be the most crucial at 2020 Review Conference. There will be a new important factor in this discussion – **Treaty on the Prohibition of Nuclear Weapons (NWBT)**. This issue was strongly pressed at the 2015 NPT Review Conference, and later at the UN General Assembly in 2016.

¹⁶ Observations by Tariq Rauf, the Director of SIPRI’s Disarmament, Arms Control and Non-proliferation Programme. He was Senior Advisor to the Chair of the Disarmament Committee at the 2015 Non-Proliferation Treaty (NPT) Review Conference. <https://www.sipri.org/node/384>.

On July 7, 2017, the UN Conference on the Prohibition of Nuclear Weapons adopted the draft treaty, which provides for comprehensive prohibition and total elimination of nuclear weapons. In the vote on the treaty text, 122 were in favor, 1 voted against (Netherlands), 1 abstained (Singapore), and 69 (all possessors of nuclear weapons and the majority of their respective non-nuclear allies did not participate). Within three days after the NWBT was opened for signature on September 20, 53 states signed and three of them, namely Guyana, Thailand, and Vatican City, ratified the treaty. Once it is ratified by at least 50 countries, the treaty will enter in to force in three months¹⁷. Thus, the NWBT may be in force well before the 2020 NPT Review Conference.

Obviously, this new factor requires throughout and comprehensive analysis of its consequences. But first let us recall some appropriate events of the past.

Starting with 1946, the idea of complete ban of nuclear weapons was put forward and pressed many times and in different forms. Of course, the idea of the world free of nuclear weapons is extremely noble and deserves joint efforts of all countries. Since the very beginning of the nuclear age it has been a dream of the mankind. Unfortunately, it was compromised a number of times by propagandistic attempts that diverted attention from more pragmatic and practical approach leading to this goal. Moreover, sometimes it was used in order to step aside from real measures of reducing nuclear arms and preventing its proliferation.

During the NPT negotiations in the 60s, there were very strong attempts of some non-nuclear weapon states to make the treaty under negotiations as a combination of “horizontal” nonproliferation with “vertical”, i.e. to prepare a draft convention on prohibition of nuclear weapons. NPT was negotiated mainly at the Eighteen Nations Disarmament Committee (ENDC), which was co-chaired by the United States and the Soviet Union. Despite the Cold War they cooperated very closely between themselves and managed to convert such unrealistic attempts into more pragmatic way that resulted

¹⁷ Draft treaty on the prohibition of nuclear weapons, Art. 15 “Entry into force”.

in the conclusion of the NPT and later in launching bilateral nuclear arms control process. However, the temptation to benefit politically from the idea of complete nuclear disarmament remained.

On January 15, 1986, M. Gorbachev pronounced his statement on arms control and disarmament. I had participated in the elaboration of the draft. The original idea was to include into the statement some ideas to untie stalemates in arms control negotiations. But in full swing of our work the order came from M. Gorbachev to include into the draft the project of complete nuclear disarmament. In three stages, five years each, by 2000¹⁸.

It was clear that this project was not realistic both politically and technically. The authors of the project were Soviet hawks who did not want real reductions of nuclear weapons. Despite the 1986 statement contained some hints of our possible flexibility at the negotiations, particularly on START and INF, it was widely regarded in the world as a propagandistic move by M. Gorbachev.

What is the goal of the Treaty on the Prohibition of Nuclear Weapons that we have now? Evidently, with the absence of all nuclear weapon possessors out of the negotiating process¹⁹, initiators of the treaty cannot believe that their baby would really lead to nuclear disarmament. However, some NWBT supporters refer to the precedence of the prohibition of personnel land-mines by the Ottawa convention (1997) and cluster munitions by the Dublin convention (2008). Originally producers and possessors of these weapons did not participate in both conventions, though step by step the number of parties to these conventions is increasing, though the main producers and possessors of those kinds of weapons remain outside.

¹⁸ It looks like that a plan of action proposed recently by the Non-Aligned Movement (NAM) for the elimination of all nuclear weapons in three successive phases (first phase 2015-2020; second phase 2020-2025; and third phase: 2025-2030) was borrowed from Gorbachev's project of 1986.

¹⁹ The United States, the United Kingdom and France have declared that they will never sign, ratify, or adhere to the NWBT.

I don't think that this precedent could give any hopes to initiators of NWBT for involving nuclear weapon countries into the process of the elimination of their nuclear arsenals. Nuclear weapon is absolutely incomparable with land-mines and cluster munitions in any respect, particularly in the area of deterrence.

The intention of NWBT initiators is to press upon nuclear weapon states and to make them to undertake measures of nuclear arms control. And they have reasons to think so. Personally, I share this intention. However, the NWBT requires careful and comprehensive analyses in order to avoid any unintended consequences that might erode the existing system of nonproliferation and nuclear arms control.

NWBT will be the first legally-binding treaty supported by a vast majority of countries (it looks like that the number of its parties will be more than 122) that unequivocally and resolutely declares nuclear weapons out of life on the Planet, in fact tries to delegitimize them. The NWBT will contribute to the atmosphere of blaming nuclear weapons as the main threat to the international security and to the mankind.

However, without dividing possessors of nuclear weapons into two categories – “legitimate” (parties to the NPT) and “illegitimates” (non-parties) – the NWBT might look as opening the way for the latter to join the nonproliferation regime. But in what capacity? Evidently as nuclear weapon states, with very indefinite prospects of the elimination of their nuclear weapons. That would mean the legitimization of a part of nuclear weapons.

Of course, the involvement of all nuclear weapon states into the nuclear arms control process is very important. But how could the NWBT affect bilateral efforts of the two biggest nuclear weapon countries? And would it downgrade the implementation of the START and INF treaties? How might the NWBT affect the non-proliferation regime?

NWBT (Article 18 “Relations with other agreements”) pronounces that “the implementation of this Treaty shall not prejudice obligations undertaken by States Parties with regard to existing international agreements, to which they are party, where those obligations are consistent with the Treaty”. But the parallel existence of the NWBT and the NPT might tempt those non-nuclear weapon countries that would join the new treaty to ignore their obligations under the NPT or even withdraw from it.

How to avoid the erosion of the existing regime of nuclear arms control and non-proliferation in parallel with the NWBT? This question deserves joint and coordinated efforts in the preparatory activities for 2020 Review Conference to coordinate efforts that would prevent damage for the NPT and nuclear arms control mechanisms.

Conclusions

Throughout the whole US-Soviet/Russian dialogue, with all ups and downs, its backbone and the main problem was and still remains the defense-offense relationship. The sides changed their positions diametrically, ABM projects replaced one another, but bilateral arms control process always depended on this problem. This lesson is important for the approach to the resumption of the dialogue.

SDI as ABM “shield” existed till the presidency of George Bush-senior. It was replaced with much more modest GPALS – Global Protection against Limited Strikes. Now we face the Phased Adaptive Approach, the main element of which is Aegis (on boats and ashore) with SM-3 interceptors, particularly in Romania and Poland, and radars in some other European and the Far Eastern countries. Now the US Defense Bill for 2018 proposes that the US ABM defense, which has been “limited” since 1999, should be “robust”.²⁰

²⁰ It is the sense of the Senate that it is the policy of the United States to maintain and improve, with the allies of the United States, an effective, robust layered missile defense system capable of defending the citizens of the United States residing in territories and States of the United States, allies of the United States, and

Looking back, I may conclude that the Soviet side was inclined to overestimate military capabilities of US ABM projects, while the US side overestimated possible effectiveness, technical potentialities and feasibility of ABM (SDI, GPALS). I do not exclude that a similar exaggeration is a problem now with the Phased Adaptive Approach.

Russian concerns towards current US ABM project might be not justified. But there is an unclearness of some important issues of the Phased Adaptive Approach, namely: (a) range of anti-missiles; (b) their velocity; (c) exclusion of the technical possibility of SM-3 interceptors to be used against targets on the surface. Open dialogue on these main issues could help to conclude an agreement regulating these issues and stimulate further progress on strategic weapons.

It is in the interests of the implementation of Article VI of NPT to further reduce levels of strategic offensive weapons provided for by the New START. That is why it is necessary to start the preparation for negotiations on a new treaty on strategic weapons, keeping in mind lessons of the previous negotiations.

Speaking in practical terms, it is necessary (a) to start the preparation for negotiations on further reductions of strategic weapons with a view of concluding a treaty that would supersede the New START; (b) in parallel to launch negotiation on an agreement that would regulate issues relating to the Phased Adaptive Approach (a new “ABM treaty”).

The dialogue passed through a number of severe political crises – Czechoslovakia (1968), Afghanistan (1979 – early 80s), nuclear confrontation in Europe (the same period). However, contacts on the highest level helped a lot to overcome difficulties and problems in the interests of important common goals, which include the necessity to strengthen the nonproliferation regime.

deployed Armed Forces of the United States. <https://www.congress.gov/bill/115th-congress/house-bill/2810/text>

Big difficulties aroused because of efforts of each side to impose on each other changes in the structure of strategic forces that were defined by geographical (i.e. that cannot be changed) reasons. The goal of negotiations should be the reduction of armaments. Attempts to use talks for changing the structure of forces would complicate them.

There are several important multilateral goals, the implementation of which is required by Art. VI. I want to stress one of them that is very closely connected with the US-Russian dialogue. I mean non-deployment of weapons in the outer space. In the 80s, it was bilateral. Now it has multilateral dimensions. But the danger remains the same – the strategic destabilization. Weapons in the outer space could be used as anti-satellite, as well as against surface targets.

Both sides should use the bilateral mechanism, provided for by the INF Treaty, in order to solve mutual suspicions of its violations and protect the Treaty from the disruption. In view of the forthcoming entry into force of the NWBT it is important to establish a mechanism for consultation between the US and Russia. The purpose should be coordination of strategies and tactics towards a nuclear weapon prohibition treaty in order to protect the NPT from weakening and downgrading.