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**RUSSIA:  
ARMS CONTROL, DISARMAMENT  
AND INTERNATIONAL SECURITY**

IMEMO SUPPLEMENT  
TO THE RUSSIAN EDITION  
OF THE SIPRI YEARBOOK 2010

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## CONTENTS

PREFACE .....	5
<i>Alexander DYNKIN</i>	
ACRONYMS .....	7
 <b>PART I. ANALYSES, FORECASTS, DISCUSSIONS</b>	
1. COMPARATIVE ANALYSIS OF MODERN NUCLEAR DOCTRINES..... 13	
<i>Alexei ARBATOV</i>	
Nuclear strategy of the leading states .....	14
Classification of nuclear doctrines .....	17
Conclusions.....	22
2. THE NEW START TREATY: RESULTS AND PROSPECTS..... 27	
<i>Vladimir DVORKIN</i>	
A brief history .....	27
General description of the Prague Treaty .....	30
Ratification processes .....	35
Setting the stage for further reductions in nuclear arms: policy considerations .....	37
3. A NEW CHAPTER IN MANAGING NUCLEAR NON-PROLIFERATION..... 51	
<i>Alexandre KALIADINE</i>	
Modern proliferation challenges .....	52
Key provisions .....	57
Critical omissions and outstanding problems .....	66
Conclusions.....	68
4. RUSSIA AND DEEP NUCLEAR DISARMAMENT. <i>A REVIEW OF CONFERENCES HELD AT IMEMO</i> ..... 70	
<i>Petr TOPYCHKANOV</i>	
Strategic stability after the Cold War .....	70
The future of NATO-Russia relations .....	73
Non-nuclear factors of nuclear disarmament .....	76
Modern nuclear doctrines .....	80
Conferences attendees .....	82
5. TOWARD A WORLD WITHOUT CHEMICAL WEAPONS..... 84	
<i>Natalia KALININA</i>	
Russian implementation of the CWC .....	84

Worrying trends .....	91
<b>PART II. EXPERT INSIGHTS</b>	
6. CHALLENGES TO CONVENTIONAL ARMS CONTROL IN EUROPE .....	97
<i>Sergei OZNOBISHCHEV</i>	
Problems of reducing conventional armed forces in Europe .....	97
In search for a compromise on the CFE Treaty .....	102
7. THE LISBON SUMMIT: A BREAKTHROUGH FOR A 'MODERNIZED PARTNERSHIP' OR WISHFULL THINKING?.....	108
<i>Vladimir BELOUS</i>	
8. RUSSIA AND LOCAL CONFLICTS ON THE POST-SOVIET TERRITORY.....	113
<i>Stanislaw IVANOV</i>	
The Transdnestrrian conflict .....	114
The Georgian-Abkhazian and the Georgian-South Ossetia conflicts .....	116
The Nagorno-Karabakh conflict.....	118
The situation in Central Asia .....	120
Sources of instability in the Russian Federation .....	123
<b>ANNEX. DOCUMENTS AND REFERENCE MATERIALS</b>	
9. MOVING FROM DETERRENCE TO MUTUAL SECURITY A Statement by a group of prominent Russian public figures.....	127
10. THE LISBON RNC SUMMIT JOINT STATEMENT.....	130
11. KEY DOCUMENTS OF THE RUSSIAN FEDERATION ON NATIONAL SECURITY, DEFENSE AND ARMS CONTROL (JANUARY–DECEMBER 2010).....	132
<i>Tamara FARNASOVA</i>	
1. LEGISLATIVE ACTS .....	132
2. NORMATIVE ACTS .....	134
<i>About the contributors</i> .....	138

## PREFACE

The Institute of World Economy and International Relations presents in this volume the 11th edition of *RUSSIA: ARMS CONTROL, DISARMAMENT AND INTERNATIONAL SECURITY*. This serial publication is associated with the Russian edition of *the SIPRI Yearbook: Armaments, Disarmament and International Security*, which contains supplementary materials written by IMEMO researchers.

2010 saw major international developments in the field of arms control and disarmament. On 8 April the leaders of Russia and the United States signed the new START Treaty forming the groundwork for further reductions in nuclear arms. In May the Eighth NPT Review Conference - the most representative international fo-rum of the late decade, especially devoted to nuclear non-proliferation and disarmament, - reached a broad consensus on how to reinforce and improve the NPT regime and build up its potential as a pillar of the global collective security system.

Arms control has been brought back to the forefront of international discussions of security policies. Conditions of growing risks in an increasingly less predictable world continue to require strengthening arms control and improving the global and regional security systems.

Studies in this volume reflect both encouraging developments and potential threats to strategic stability, focusing on Russia's involvement in positive transformation of international relations.

The 11th edition offers analysis of modern nuclear doctrines of the leading states, underlining the conclusion that they tend to pre-serve previously adopted approaches, primarily mutual nuclear deterrence, and are extremely slow to discard the legacy of the Cold War. It is argued that without continuous transformation and, eventually, abolition of mutual nuclear deterrence, it will never be possible to proceed to full-scale cooperation and partnership between Russia and other nuclear powers and make headway in implementing the nuclear disarmament idea.

The volume contains policy considerations and recommendations for actions to resolve specific issues which impede progress toward reductions and elimination of strategic and non-strategic nuclear arms. The authors focus on engaging third nuclear-armed states in nuclear disarmament negotiations and on remedying the defects in cooperative arrangements in the field of BMD, TNW, the WMD non-proliferation and conventional arms control, etc.

Related critical issues are also examined: NATO-Russia relations; non-nuclear factors of nuclear disarmament; implementation of the CWC; conventional arms control in Europe; local conflicts in the post-Soviet territory.

The annex contains two documents. The first one - a Statement by a group of prominent Russian public figures under the heading 'Moving from deterrence to mutual security' - describes a way to a nuclear weapon-free world. The second - a Joint Statement issued by the Lisbon Summit of the Russia-NATO Council in November - outlines the agreed guidelines to build a partnership based on the principles of indivisible security, mutual trust, transparency and predictability and create a common space of peace, security and stability in the Euro-Atlantic area.

The book represents a collective effort. I would like to express my thanks to Corresponding Member of the Russian Academy of Sciences, Dr. Alexei Arbatov and Dr. Alexandre Kaliadine for compiling and editing this volume and providing important contributions of their own. Appreciation is also due to the authors of this volume – Vladimir Belous, Vladimir Dvorkin, Stanislaw Ivanov, Natalia Kalinina, Sergey Oznobishchev, Petr Topichkanov and Tamara Farnasova. I would like to thank George Bechter, Boris Klimenko and Dmitry Svarichovsky for helping to prepare the manuscript for publication.

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Academician Alexander Dynkin  
Director  
Institute of World Economy and International Relations  
Russian Academy of Sciences  
February 2011

## ACRONYMS

AAD	–	anti-air defense
ABM	–	anti-ballistic missile
ABM Treaty	–	Antiballistic Missile Treaty
ALCM	–	air-launched cruise missile
APSA	–	Additional Protocol to Safeguards Agreement (IAEA)
ASEAN	–	Association of Southeast Asian Nations
ASW	–	anti-submarine warfare
BM	–	ballistic missile
BMD	–	ballistic missile defense
CBM	–	confidence-building measure
CD	–	Conference on Disarmament (in Geneva)
CW	–	chemical weapon
CFE Treaty	–	Treaty on Conventional Armed Forces in Europe
CIS	–	Commonwealth of Independent States
CSA	–	Comprehensive Safeguards Agreement
CSBM	–	confidence- and security-building measure
CST	–	Collective Security Treaty (Tashkent Treaty)
CSTO	–	Collective Security Treaty Organization
CTBT	–	Comprehensive Nuclear Test Ban Treaty
CWA	–	chemical weapon agent
CWC	–	Chemical Weapons Convention
CWDF	–	chemical weapon destruction facility
CWPF	–	chemical weapon production facility
CWSF	–	chemical weapon storage facility
DPRK	–	Democratic People's Republic of Korea
EU	–	European Union
EurAsEC	–	Eurasian Economic Community
FA	–	Federal Assembly (Russia)
FC	–	Federation Council (Russia)
FBS	–	forward-based system
FMCT	–	Fissile Material Cut-off Treaty
FSP	–	Federal Special Program (Russia)
FZ	–	federalnyi zakon [Federal Law] (Russia)
GBI	–	ground-based interceptor
G8	–	Group of Eight
HEU	–	highly-enriched uranium
IAEA	–	International Atomic Energy Agency
ICBM	–	intercontinental ballistic missile

INF Treaty	– Treaty between the Union of Soviet Socialist Republics and the United States of America on the Elimination of their Intermediate-Range and Shorter-Range Missiles
INP	– Iranian nuclear program
IRBM	– intermediate range ballistic missile
IMEMO	– Institute of World Economy and International Relations
JDEC	– Joint Data Exchange Center
LEU	– low enriched uranium
MFA	– Ministry of Foreign Affairs (Russia)
MIRV	– multiple independently targeted re-entry vehicle
MOD	– Ministry of Defense (Russia)
NAM	– Non-Aligned Movement
NATO	– North Atlantic Treaty Organization
New START Treaty	– Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms
NMD	– national missile defense (the U.S.A.)
NNWS	– non-nuclear-weapon state
NPR	– the Nuclear Posture Review (the U.S.A.)
NPT	– Treaty on the Non-Proliferation of Nuclear Weapons (Nuclear Non-Proliferation Treaty)
NSG	– Nuclear Suppliers Group
NTMV	– national technical means (of verification)
NW	– nuclear weapon (warhead)
NWFZ	– nuclear-weapon-free zone
NWS	– nuclear-weapon state (as defined by the NPT)
OPCW	– Organization for the Prohibition of Chemical Weapons
OSCE	– Organization for Security and Co-operation in Europe
PTBT	– Partial Test Ban Treaty
R&D	– research and development
RAF	– Russian Armed Forces
RF	– Russian Federation
RNC	– Russia-NATO Council
SD	– State Duma (Russia)
SIPRI	– Stockholm International Peace Research Institute
SLBM	– submarine/sea-launched ballistic missile
SLCM	– sea-launched cruise missile
SNDS	– strategic nuclear delivery system

SNF	–	strategic nuclear forces
SRAM	–	short-range air missile
SOA	–	strategic offensive arms
SORT	–	Treaty on the Reduction of Strategic Offensive Potentials
SRF	–	Strategic Rocket Forces (Russia)
SSBN	–	ship submersible ballistic nuclear (strategic nuclear submarine)
SSN	–	nuclear-powered submarine
START	–	Strategic Arms Reduction Treaty
TC	–	territorial ceiling
TCBM	–	transparency and confidence-building measure
THAAD	–	theater high-altitude area defense
TLE	–	treaty-limited equipment
TNW	–	tactical nuclear weapons
TMD	–	theatre missile defense
UN	–	United Nations
UNGA	–	UN General Assembly
UNSC	–	UN Security Council
UNSCR	–	UN Security Council Resolution
WMD	–	weapon of mass destruction
WTO	–	Warsaw Treaty Organization

**PART I. ANALYSES, FORECASTS, DISCUSSIONS**

1. COMPARATIVE ANALYSIS OF MODERN  
NUCLEAR DOCTRINES

2. THE NEW START TREATY: RESULTS AND  
PROSPECTS

3. A NEW CHAPTER IN MANAGING NUCLEAR  
NON-PROLIFERATION

4. RUSSIA AND DEEP NUCLEAR DISARMAMENT

5. TOWARD A WORLD WITHOUT CHEMICAL  
WEAPONS

## **1. COMPARATIVE ANALYSIS OF MODERN NUCLEAR DOCTRINES**

Alexei ARBATOV

Generally, any state's military doctrine, including its nuclear aspect, has a dual nature. On the one hand, it is a guide to action for the country's armed forces and defense industry inasmuch as it defines the type of potential wars and conflicts and their probability, as well as the aims and objectives of the country's military operations and the corresponding combat training principles and weapon programs. On the other hand, a doctrine sends a message to other countries, both potential adversaries and allies, and contains a warning to the former and a set of guarantees to the latter, while explaining under what circumstances and in what manner the state will resort to military action. Given the huge stockpiles of nuclear weapons that had been accumulated during the Cold War, the world came to realize that using such weapons on a large scale is unacceptable. Thus, the task of defining the ways to deter the adversaries from resorting to nuclear weapons became a top priority of a military doctrine agenda: to prevent a nuclear war either following an intended attack or resulting from the escalation of conventional military operations.

The relation between these two aspects in military doctrine varies from state to state. It may also change in one state's military doctrine over time. Indeed, official military doctrine of the USSR was mainly an instrument of propaganda and had little relation to actual military strategy and operational planning. In today's Russia this relation is more tangible, which does not make the military doctrine free from internal contradictions (and possibly makes them more visible – reflecting actual problems of military planning, technical development and budgeting).

Nuclear-weapon states' doctrines may be classified despite the variety of official strategic concepts, considerable differences in the weight of their political and propaganda elements, as well as in the extent to which they reflect actual plans of using nuclear weapons.

**Nuclear strategy of the leading states**

As for the circumstances in which the use of nuclear weapons is deemed justified, the situation is as follows. New Russian and U.S. doctrines adopted in 2010 contain very similar languages with this regard.

**The United States.** According to the new U.S. doctrine, ‘the fundamental role of U.S. nuclear weapons, which will continue as long as nuclear weapons exist, is to deter nuclear attack on the United States, our allies, and partners’. The U.S. will ‘consider the use of nuclear weapons in extreme circumstances to defend the vital interests of the United States or its allies and partners’. Besides, the role of nuclear weapons in deterring attack with the use of conventional, chemical and biological weapons will be reduced. The U.S. is prepared to declare that they ‘will not use or threaten to use nuclear weapons against non-nuclear weapons states that are party to the NPT and in compliance with their nuclear non-proliferation obligations’<sup>1</sup>. However, this obligation does not apply to NPT nuclear weapon states and the states breaching their obligations under the NPT.

Apparently, implying allied assurances for Japan and South Korea, the U.S. strives to retain the possibility of a nuclear retaliation in case of an attack involving conventional weapons or other types of WMD (for ‘a narrow range of contingencies’, as the documents says). In other words, the use of nuclear weapons is admitted not only globally (as a basis for deterring a nuclear attack against the U.S.), but also for the purposes of deterrence at the regional level in response to an attack against the allies involving nuclear weapons, and, in certain cases, in response to an attack using other types of WMD or conventional arms and armed forces.

The United States is therefore ‘not prepared at the present time to adopt a universal policy that the ‘sole purpose’ of U.S. nuclear weapons is to deter nuclear attack on the United States and our allies and partners, but will work to establish conditions under which such a policy could be safely adopted’<sup>2</sup>.

**Russia.** Current Russian military doctrine says: ‘The Russian Federation ensures constant readiness of the Armed Forces and other troops to deterring and preventing armed conflicts, ensuring armed protection of the Russian Federation and its allies in accordance with the norms of international law and the international treaties of the Russian Federation... Preventing nuclear armed conflict, as well as any other armed conflict, is the main task of the Russian Federation’.<sup>3</sup>

The military doctrine envisages the use of nuclear weapons under the following circumstances: ‘The Russian Federation reserves the right to use nuclear weapons in response to the use of nuclear weapons and other

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<sup>1</sup> *Nuclear Posture Review Report*. April 2010. Wash., DC, 2010. P. VIII.

<sup>2</sup> *Ibid.*

<sup>3</sup> Military Doctrine of the Russian Federation. February 5, 2010. Available at <[http://news.kremlin.ru/ref\\_notes/461](http://news.kremlin.ru/ref_notes/461)>.

weapons of mass destruction against it or its allies, as well as in case of aggression against the Russian Federation using conventional weapons, when the very existence of the state is threatened'<sup>4</sup>.

In other words, firstly, the nuclear forces of Russia are intended for nuclear retaliation in case of a nuclear strike against Russia and/or its allies. Secondly, they are intended for the first use of nuclear weapons in response to an attack against the Russian Federation (or its allies) using chemical, bacteriological or radiological weapons. Thirdly, for the first use of nuclear weapons in the face of inevitable catastrophe as a result of strike against the Russian Federation (but not its allies) using conventional armed forces and arms. The latter, apparently, refers to the threats posed by the superiority of the expanding NATO in general-purpose forces and high-precision conventional arms, and, possibly, probable threats posed by the strategic situation in the East which is changing to the detriment of Russia.

In comparison to the country's previous official Military Doctrine of 2000 (nuclear 'response to large-scale aggression with conventional weapons in situations critical to the national security of the Russian Federation'), a distinctive feature of the most recent document is a more reserved and conservative language as regards the use of nuclear weapons in a response to a non-nuclear aggression. It is also notable that the new Doctrine lacks a number of 'novelties' of the 2000 Military Doctrine, in particular, the task of 'de-escalation of aggression... through the threat of or direct delivering strikes using conventional and/or nuclear weapons. Neither it provides for 'discriminating use of certain components of Strategic Deterrent Forces', demonstrating the resolve by 'increasing their combat readiness, conducting exercises and relocating certain components'<sup>5</sup>.

The attention of commentators, especially foreign ones, was drawn to the following passage of the new Doctrine: 'in case of a military conflict involving conventional capabilities (large-scale war, regional war) and threatening the very existence of the nation, the availability of nuclear weapons can lead to the escalation of this conflict to a nuclear armed conflict'.<sup>6</sup>

The sense of this provision is not quite clear. If it refers to the possibility of use of nuclear weapons in a regional way by the nuclear-weapon states in South Asia, Middle East or Far East, this statement raises no objection. However, as it makes part of the Military Doctrine of the Russian Federation, it definitely lacks the description of the danger posed to Russia by such events and the military response to them.

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<sup>4</sup> Ibid.

<sup>5</sup> *Pressing issues of the development of the Armed Forces of the Russian Federation*. Ministry of Defense. Moscow. 2003. P.42. [Актуальные задачи развития Вооруженных Сил Российской Федерации. Министерство обороны. М., 2003. С. 42.]

<sup>6</sup> Military Doctrine of the Russian Federation. 5 February 2010, <[http://news.kremlin.ru/ref\\_notes/461](http://news.kremlin.ru/ref_notes/461)>.

If it refers to the possibility of use of nuclear weapons by Russia in the course of regional conflict (as it has been interpreted by many experts), it is not quite clear how a regional conflict, even at the post-Soviet space, may threaten 'the very existence of the nation', that is, Russia. This is even less true in case of armed confrontation between Russia and other powers in remote regions (for instance, Latin America, Persian Gulf region, or in South-East Asia). Further, if a conflict between Russia and NATO, or Russia and the U.S. and their allies in the Far East is meant, this war would certainly be global rather than regional. One can hardly imagine a war involving the U.S. and their allies in the Atlantic region while peace is preserved in the Pacific (or visa-versa). Finally, the conflict with other countries at the post-Soviet space, or in the adjacent regions would hardly threaten 'the very existence' of the Russian state.

However, there is one exception, a hypothetical war with China. It would be of a regional nature, would be fraught with Russia's defeat in conventional warfare and could jeopardize 'the very existence of the state' through the loss of territories in the Far East and Siberia. One can expect that Russia uses nuclear weapons in order to prevent such catastrophe.

Nevertheless, it is far from obvious that the authors of the new doctrine intended any hidden meaning in its provisions, in particular, by failing to mention the possibility of use of nuclear weapons in case of conventional aggression against Russia's allies, or admitting the possibility of use of nuclear weapons in regional war against China. It is possible that the collective process involving military theoreticians and various agencies, excess of scholastic and irrelevant provisions – brought about some ambiguities and inconsistencies in the final text and allowed for logical interpretations that would be unexpected for the authors of the Doctrine.

*China* is the only great power that remains bound by a commitment on no-first-use of nuclear weapons, without any reservations. However, it is generally believed that a nuclear power that has committed itself to no-first-use of nuclear arms is relying on the concept of and means for a retaliatory (second) strike. According to the generally accepted estimates, the Chinese strategic nuclear forces, as well as missile attack early warning systems and combat command-control and communications infrastructure, are too vulnerable and could not survive to ensure a retaliatory strike after a potential disarming nuclear strike by the United States or Russia.

In the light of these considerations, the official doctrine of the People's Republic of China is regarded primarily as an instrument of politics and propaganda (similar to the 1982 Soviet commitment on no-first-use of nuclear weapons), which does not reflect the actual operational planning of strategic nuclear forces which are actually intended for a preemptive strike. Nevertheless, in the foreseeable future, Chinese nuclear

forces's modernization programs will increase its survivable retaliation capability if China reduces the vulnerability of nuclear weapons at their launching sites, as well as the vulnerability of its early warning systems, combat command and control sites and develops reliable systems to prevent unauthorized use (which would allow to give up the practice of separate storage of warheads and their delivery vehicles).

### **Classification of nuclear doctrines**

As for the retaliatory (second) use of nuclear weapons in response to a nuclear strike, it should be stressed that all nuclear-weapon states are prepared to use nuclear weapons in response to such attacks against them. Besides, the U.S. and Russia intend to resort to nuclear weapons in case of nuclear aggression against their allies.

As regards the first use of nuclear weapons, the situation is as follows:

- Russia, France, India (and possibly, Israel) intend to use nuclear weapons in a response to attack against them with the use of other (chemical, bacteriological and radiological) WMD;

- Russia allows for the use of nuclear weapons in case of a WMD attack against its allies. The new U.S. nuclear doctrine of 2010 does not provide for a nuclear retaliation to the use of other WMD against the U.S. and its allies (apparently, with the exception of defending Japan and South Korea against such aggression on the part of DPRK);

- Russia, Pakistan (and most likely Israel) are ready to use nuclear weapons if there is a danger of their catastrophic defeat in a conventional warfare;

- The Great Britain and France, and the U.S. before 2010 (in the framework of NATO strategy) planned to use nuclear weapons to prevent the defeat of their general-purpose forces. The new U.S. nuclear doctrine does not envisage the use of nuclear weapons in this case;

- All powers, except for China and India, tacitly envision the use of nuclear weapons in a preemptive strike in order to destroy missiles and other means of delivery of WMD of the threshold states, especially those breaching their NPT obligations;

- Previously, the U.S. planned selective use of nuclear weapons against terrorist facilities and in other situations at their discretion, while the new nuclear doctrine makes no mention of that;

- Apparently Russia may use nuclear weapons in response to conventional strike against its strategic forces, missile attack early warning systems, administration centers, nuclear and other hazardous and critical facilities, and vital industries and infrastructure.

In all cases, potential strikes will be aimed against targets in the territory of adversary, its allies, especially those on whose territory nuclear weapons are deployed, as well as where foreign military facilities, bases and troops are located.

The powers' readiness to the first use of nuclear weapons makes it, in addition to deterrent, an actual instrument of war and means of achieving success in it, whatever the latter means. The plans of the first use of nuclear weapons are much more than just nuclear deterrence, or, at least, are quite a broad interpretation of deterrence (including a preemptive strike).

As opposed to deterrent that implies retaliatory nuclear strike, the concept of the first use is usually associated with the strategy of a disarming (counterforce) strike. Moreover, the first nuclear strike may be considered as necessary to counter adversary's superior general-purpose forces (by preventive strike) or to avoid the adversary's disarming nuclear strike (by preemptive strike).

It should be noted, however, that the focus on the first use of nuclear weapons does not necessarily demonstrate the aggressiveness of a state's military and, more generally, foreign policy. Although very important, nuclear strategy is merely an element of a whole most complicated and dynamic picture of global and regional economics, politics and military forces ratio.

Nevertheless, ranking the modern nuclear powers in terms of their readiness to the first use of nuclear weapons, judging by both their official doctrines and their objective geostrategic situation and probable operational planning, the following conclusions may be offered.

Israel's and Pakistan's nuclear potentials are of the unequivocally offensive nature with their exceptional reliance on the first use due to both strategic necessity and technical characteristics.

Russia apparently occupies the second place based on this criterion. Its relative nuclear power *vis-à-vis* its hypothetical adversaries (NATO, China and the U.S. in the Far East) will decrease in the future, while its inferiority in general-purpose forces, modern non-nuclear weapons, accompanied by its regional vulnerability encourage concepts and planning of the first use of nuclear weapons.

The third position tentatively belongs to the U.S. Due to their objective situation and military capability they have no serious incentives for the first use of nuclear weapons. However, the provisions of their doctrine, their allied obligations and enormous superiority of their nuclear counterforce capability determine continuous reliance on the concept of the first use of nuclear weapons in the new 2010 Nuclear Posture Review (NPR).

The U.S. is followed by India with its obligation of no-first-use. It is most likely that in practice it will continue to maintain capability to mount a disarming strike against Pakistan, but be vulnerable to a counterforce strike on the part of China. Apparently, India assumed the obligation of no-first-use in order to avoid provoking a preemptive strike on the part of China or Pakistan. The latter is also corroborated by the fact that India's conventional capability and forces will be quite enough to deal with Pakistan without resort to nuclear weapons.

The fifth position in this list goes to China. It assumed a declarative obligation of nuclear no-first-use without any reservation. However, China's retaliation strike capability (in accordance with its declaration) so far has seemed insufficient as compared to superior forces of the U.S. and Russia. Over time China will certainly accumulate such potential vis-à-vis the U.S. and Russia and improve offensive (counterforce) capabilities of its nuclear forces against India and, possibly, against Russia later on.

The sixth one is France, whose doctrine relies rather aggressively on nuclear deterrence for a vast variety of purposes, including the first use of nuclear weapons. Yet neither its actual nuclear forces, nor its geostrategic situation (in the center of NATO zone) imply either feasibility or necessity of such 'romantic' nuclear posture.

The Great Britain occupies the last, seventh position. Several years ago the country gave serious consideration to completely renouncing not only the first-use concept, but its nuclear weapons in general. With the geostrategic situation and capability similar to those of France, the Great Britain, as opposed to it, defines in quite a vague manner the concept of the first use, probably deeming it unnecessary but trying to avoid additional political complications for NATO and with the U.S.

Finally, there is North Korea, which so far could not fit in the above ranking due to the fact that apparently it has not yet developed a nuclear warhead compact enough to be carried by a missile or an aircraft. Its capability can be characterized mainly as 'provocative' or 'subversive' (that is, carried by non-traditional delivery means such as civilian vessels and aircraft).

Certainly, all nuclear-weapon states view nuclear weapons as a legitimate and indispensable pillar of their own security and the security of their allies, as well as an attribute of a special status and political influence in the world. Each of them gives irrefutable reasoning in support of this, at least, from their viewpoint. At the same time, they find all claims for the right to nuclear weapons on the part of other countries as groundless, unacceptable and dangerous.

To sum up, after the end of the Cold War the inequality between the nuclear-weapon states and non-nuclear-weapon states has been aggravated and legalized, rather than downgraded.

The military strategies of most nuclear-weapon states lowered the threshold for the use of nuclear weapons (that is, conditions in which nuclear weapons may be used) instead of raising it. Needless to say, none of them has renounced the first-use concept (at least at practical, if not declaratory level) and the nuclear deterrence doctrine and philosophy in general.

**The variety of nuclear-related objectives.** From political and military perspective, there are five major objectives that different states may alternatively assign to nuclear weapons:

(1) Maintaining prestige and status internationally (all eight nuclear-weapon states, excluding Israel);

(2) Preventing a nuclear attack (eight nuclear-weapon states, possibly, excluding Israel);

(3) Deterring and countering an attack with the use of other types of weapons and armed forces (relevant for six nuclear-weapon states and not relevant for the People's Republic of China and – with reservations – for the U.S. and India);

(4) Security guarantees and influence on the allies (adopted by Russia, the U.S., the Great Britain and France);

(5) A bargaining chip when negotiating other issues with other countries (Russia, the DPRK, and potentially, Israel).

Logically, the listed reasoning and material interests brought about the formation of nuclear-related political and lobbyist groups within the countries, which usually turn into an additional internal factor favoring nuclear weapons.

Table 1 outlines these objectives and groups them for each nuclear-weapon state while describing them in greater detail.

The term 'prevention' of an attack may apparently refer to the planning of both retaliatory and preemptive strikes, and the term 'countering' an attack may be interpreted as either successful defense against aggression using nuclear weapons, or escalation of hostilities to a higher (nuclear) level.

The U.S. reservations related to maintaining nuclear capability to deter attack against their allies with the use of other WMD refer to possible aggression of North Korea against Japan and South Korea. Question marks indicate vagueness and ambiguity of a state's official doctrine or the probability of its changes in the future.

As Table 1 demonstrates, different countries assign different sets of objectives to their nuclear weapons. Currently, Russia is the only state with a nuclear strategy that includes all five of these objectives. These Russia's specific doctrinal concerns, obligations and provisions need to be taken into account while planning a long-term and realistic policy of building a world without nuclear weapons. One cannot expect any serious

progress towards this end unless these obstacles are removed through agreements or by other measures.

However, Moscow should also realize that without advancing towards a world free of nuclear weapons it would be impossible to curb the proliferation of nuclear weapons and the scientific and technological progress of advanced states in other military spheres.

The said two processes will eventually render nuclear weapons and nuclear deterrence incapable of performing the tasks that Russia is presently assigning to them.

## **Conclusions**

1. The fundamental provisions of nuclear doctrines are extremely slow in discarding the legacy of the Cold War; they preserve the previously adopted approaches, primarily mutual nuclear deterrence. Today, this principle persisting in the official documents of Russia, the United States and other world powers whose leaders claim that their respective countries focus on building partnership relations, is perceived as an obvious anachronism. At the same time, it has become increasingly evident that the deterrence does not work against today's most serious threats – the proliferation of weapons of mass destruction and terrorism.

2. On the one hand, a military doctrine, including its nuclear aspect, represents the guidelines for the country's armed forces and defense industry inasmuch as it defines the type of potential wars and conflicts and their probability, as well as the aims and objectives of the country's military operations and the corresponding combat training principles and equipment programs for the army and navy. On the other hand, a doctrine is aimed at other countries (both potential adversaries and allies): it contains a warning to the former and a set of guarantees to the latter, while explaining under what circumstances and in what manner the state will resort to military action.

In terms of the conditions under which the use of force may be considered, the doctrines adopted by the United States and Russia in 2010 have much more in common than the two countries' previous documents.

3. The Russian Military Doctrine also prioritizes the deterrence and prevention of armed conflicts. The provisions of the Russian Military Doctrine suggest that Russia's nuclear forces are intended for a retaliatory nuclear strike in response to a nuclear strike inflicted by the adversary upon itself and/or its allies. A second conclusion is that Russia may consider first use of nuclear weapons in response to an attack against itself or its allies with the use of chemical, bacteriological or radiological weapons. Third, nuclear weapons may be used if there is an imminent

danger of a national catastrophe as the result of an attack against Russia (the allies are not mentioned here) with the use of conventional armed forces and weapons.

The last-mentioned condition apparently relates to threats arising from the superiority of the expanded Alliance in terms of general-purpose forces and high-precision conventional weapons, as well as to threats posed by the developments (which are not beneficial for Russia) in the strategic situation in the East.

4. According to the U.S. new doctrine, the task of nuclear weapons is to deter nuclear attack against the U.S., their allies and partners. At the same time, it is declared that Washington will only consider the use of nuclear weapons in extreme circumstances to defend the vital interests of the United States or its allies and partners. The task of deterring attacks using general-purpose forces or other WMD is virtually dismissed, although there are several reservations related to it. However, this obligation does not apply to nuclear powers and the states breaching their obligations under the NPT, which apparently implies allied security assurances to Japan and South Korea in order to protect them against the DPRK. In this particular context the U.S.A. retains the option of nuclear retaliation in case of an attack using conventional arms or other WMD.

Nevertheless, taking in consideration special geostrategic situation of the United States and their superiority over other powers in terms of the whole range of armed forces and arms (both conventional and nuclear), it appears that the new U.S. nuclear doctrine could go further. For instance, it could announce the obligation of no-first-use of nuclear weapons against all NPT nuclear-weapon states, as well as the U.S. readiness to withdraw on certain conditions its nuclear assets from Europe, the reduction of their strategic nuclear forces' readiness (including the patrol rate of the U.S. SSBNs), striving to alleviate other powers' concerns over the development of the U.S. missile defense, long-range high-precision conventional weapons, space weapons systems, the capability of 'Prompt Global Strike', etc.

5. China is the only great power that remains bound by an official commitment on no-first-use of nuclear weapons, without any reservations. Presently, Chinese strategic nuclear forces, as well as its missile launches early warning systems and combat control and communications infrastructure, are too vulnerable and could not guarantee a possibility for a retaliatory strike after absorbing a disarming nuclear strike inflicted by the United States or Russia. For this reason the official doctrine of China is regarded primarily as an instrument of politics and propaganda, which does not reflect the actual operational planning of strategic nuclear forces that are in reality intended for a preemptive strike in the event of an imminent attack by the superior forces of other states. Nevertheless, in the foreseeable future,

Chinese nuclear forces's modernization programs will increase its highly survivable retaliation capability if China reduces the vulnerability of its missile launches early warning systems, combat command and control systems and develops reliable systems to prevent an unauthorized use.

6. The transformation of NATO's position with regard to the reasons to possess nuclear weapons, the possibility of their use and the tasks assigned to nuclear weapons, is lagging behind the changes in the relations between Russia and the West on the European continent.

Rather many fundamental provisions of the new NATO Strategic Concept were borrowed from the previous Strategic Concept adopted in 1999. It appears that as the number of the Alliance members has grown, they have failed to come to a consensus with regard to some new wording, especially relating to nuclear weapons, and the old formulations were kept intact.

The ambiguous and vague wording apparently demonstrates the Alliance's lack of resolve to make a number of radical steps consistent with the drastic changes of the situation in Europe and the world occurred in the recent 20 years. Such steps could include announcing that the only task of nuclear weapons in Europe is to deter any use of nuclear weapons and that NATO will never be the first to use it.

The implementation of practical tasks related to cooperation (in particular, the development of a comprehensive joint analysis of future framework conditions for cooperation in ballistic missile defense and specifying steps of cooperation on common security challenges of the 21st century) may contribute to further evolution of NATO's nuclear strategy and discarding the Cold War approaches.

7. There are five major military and political objectives that different states may alternatively assign to nuclear weapons: maintaining prestige and status in terms of international policy (all nuclear-weapons states, excluding Israel); prevention of a nuclear attack (currently, all nuclear-weapons states, possibly, excluding Israel); deterring and countering an attack with the use of other types of weapons and armed forces (relevant for six nuclear-weapons states and not relevant for the People's Republic of China and – with reservations – for the U.S. and India); security guarantees and influence on the allies (for Russia, the U.S., the Great Britain and France); a trading card to be when negotiating other issues with certain countries (for Russia, the DPRK and potentially, Israel).

8. Due to this, the leaders of the nuclear-weapon states assign different sets of roles to nuclear forces. Presently, Russia is the only country whose nuclear strategy includes a set comprising all these objectives. These provisions of its doctrine need to be taken into account while planning a long-term and realistic policy of building a world without nuclear weapons. One cannot expect any serious progress towards

this end unless these obstacles are removed through agreements or other measures.

9. The political and expert communities in Russia must awake to the fact that without advancing towards a world free of nuclear weapons it would be impossible to curb the proliferation of nuclear weapons and the scientific and technological progress in other military spheres (air defense, high-precision conventional strategic weapons, space arms, etc.). The said two processes will eventually render nuclear weapons incapable of performing the tasks that Russia has assigned to it.

10. For Russia (as well as for China), progressing to a higher level of transparency of nuclear doctrines and planning, and the strategic and non-strategic nuclear forces, their condition and development prospects, is in line with their long-term interests. This is especially important in the context of the U.S.-Russia relations in the sphere of strategic offensive arms reduction, potential consultations on the limitation of non-strategic nuclear weapons and cooperation on missile defense.

11. Without continuous transformation and, eventually, abolition of mutual nuclear deterrence, it will never be possible to proceed to full-scale cooperation and partnership between Russia and other nuclear powers and to consolidate the efforts to counter the new threats of the 21st century.

**Table 1. Versions of military doctrines. Role of nuclear weapons**

State	Prestige and image	Preventing and countering an attack against the state using:				Preventing and countering an attack against allied nations with the use of:				Trading card
		nuclear weapon	other WMD	general purpose forces	high-precision weapons	nuclear weapons	other WMD	general purpose forces	high-precision weapons	
Russia	+	+	+	+	+	+	+	-	-	+
U.S.A.	+	+	-	-	-	+	- (with reservation)	-	-	-
Great Britain	+	+	- (?)	-	-	+	- (?)	- (?)	-	-
France	+	+	+	-	-	+	+	+	-	-
China	+	+	-	-	+	-	-	-	-	-
India	+	+	+	-	-	-	-	-	-	-
Pakistan	+	+	-	+	-	-	-	-	-	-
Israel	- (?)	-	+	+	-	-	-	-	-	+
DPRK	+	+	-	+	+	-	-	-	-	+

## 2. THE NEW START TREATY: RESULTS AND PROSPECTS

Vladimir DVORKIN

### A brief history

The agenda of the strategic dialogue between Russia and the U.S.A., as can be judged from the July (2009) Summit of the Presidents of the two nuclear powers and from other meetings, has been broadened as compared to the previous periods when it had been focused primarily on the talks about mutual reductions of strategic offensive arms (SOA). Now, the American-Russian interaction extends to such areas as the armed conflict in Afghanistan; countering international terrorism and, above all, the threat of nuclear terrorism; cooperation on missile defense in Europe, etc.

Nonetheless, the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (the new START Treaty), signed on 8 April 2010 in Prague, has become the main event in Russian-U.S. strategic relations.

In the course of eight years of the Bush Administration, the theme of the strategic arms reduction negotiations was relegated to a second place in the American foreign policy.

During this period, the United States did not consider it worthwhile even to discuss in the foreseeable future additional measures to reduce SOA (i.e. after the expiry of the 2002 Moscow Treaty on the Reduction of Strategic Offensive Potentials, the SORT).

In 2002 the U.S.A. withdrew from the 1972 Treaty on the Limitation of Anti-Ballistic Missile Systems (the ABM Treaty), undermining in fact the whole regime of limitation and reduction of nuclear weapons.

Insignificant changes in the U.S. policy occurred only in 2008 under the influence of growing criticism emanating from the Democratic Party, but also from some Republican activists.

The critics considered it important to restart negotiations with Russia on the reductions in SOA in view of the approaching expiry of the START-1 Treaty, as well as because of the need to cooperate with Russia on such issues, as resolving the nuclear crises in Iran and North Korea and improving the extremely complex situation in Afghanistan.

In 2008 the State Department sent the Russian Ministry of Foreign Affairs a document entitled 'A Treaty between the Russian Federation and the United States of America on measures to strengthen transparency and confidence-building measures in respect of strategic offensive nuclear potentials'.

This document did not envisage explicit reductions in SOA on the part of the two sides as compared to the 2002 Moscow Treaty (the SORT). This follows from the first two points of Art. 1 of the document. Instead, it was proposed to extend the SORT for another 10 years. These points stipulated:

1. The total quantity of operationally deployed strategic nuclear warheads (NW) should not exceed 1700-2200 units on each side by 31 December 2012 for the duration of 10 years.

2. The Sides intend to bring about further reductions in their strategic nuclear warheads to a minimal number.

The remaining eight articles mainly contained proposals for the control systems and confidence-building measures, with a detailed description of the presence of the inspection groups of both sides when carrying out inspections.

As an integral part of the draft of the Treaty a 65-page Protocol on strengthening transparency and confidence-building measures was submitted. The Protocol contained the procedure for the exchange of data, inspections and display of weapons, almost 25 different types of notifications on the state of the facilities of the nuclear triad and the procedure for the exchange of telemetric data with a detailed description of their contents, terms and definitions as well as of other control requirements.

All these propositions in fact repeated many points of the corresponding parts of the 1991 START Treaty. The greater part of the Protocol related to the procedures for the exchange of telemetric data on the launching of missiles, the expediency of which was questioned by the Russian leadership.

In this way, the package of documents submitted by the Bush Administration can be looked upon as a belated and fairly clumsy attempt to demonstrate a positive attitude to the problems of nuclear disarmament and proliferation during the final stage of its term of office.

At this time, Russian and American experts studied the chances for the signing of a new Treaty on mutual reduction of SOA (before the end of 2009) and the possibility of the prolongation of the 1991 START Treaty. The latter idea was regarded in the official and expert circles of the RF and the U.S.A. with evident misgivings in as much as it affected in a considerable measure the SOA programs.

As far as Russia was concerned, the extension of the START-1 Treaty would not have allowed conducting flight tests of the Topol-M ICBM with MIRV (without modifications to give the missile parameters of a new type) as well as increasing the number of warheads on Sineva SLBMs.

The provisions of the 1991 START Treaty and the 2002 SORT would have required the U.S.A. to dismantle launchers of Trident-2 SLBM at least on four SSBN of the Ohio class retrofitted to carry cruise missiles (CM). Apart from this, the continuation of inspection activities was extremely burdensome for both sides and did not correspond to the new situation.

Thus, under modern conditions both sides began to view as unacceptable the START-1 Treaty provisions and came to criticize them, while recognizing on the whole the positive contribution of this treaty to the nuclear arms reduction processes.

The situation in this sphere underwent significant changes with the arrival of a new administration in the United States, although substantial differences remained as far as approaches to further SOA reductions and verification requirements were concerned. The new situation was reflected in the document 'The joint understanding on further reduction and limitation of strategic offensive arms' signed by the Presidents of Russia and the U.S.A. in July 2009 in Moscow.

This document established a significant range of new restrictions on the SOA of the both sides, setting up the limits for the numbers of warheads (1500–1650 units) and of strategic carriers (500–1100 units). But the issues involving both the counting rules and corresponding verification measures were not clarified.

In a relatively short period of time the parties managed to resolve a number of significant problems that previously appeared to be almost insurmountable. These problems were not only related to familiar differences between the RF and the U.S.A. regarding ballistic missile defenses (BMD); equipping strategic delivery systems with high-precision conventional warheads; the reconstitution potential of the American SNF after the fulfillment of the provisions of the new treaty, which has traditionally been of concern to Russian officials and some experts.

In the United States, as in the RF, there are those who argue that a close strategic dialogue between the parties does not serve national security interests.

It is enough to mention loud protests in the United States in connection with the decision of President Obama to reduce by 14% the expenditure on the BMD and to confirm the termination of the research and development program on new nuclear warheads (RRW), etc.

In Russia, too, some experts share the view according to which Washington tries to involve the Russian SNF in the process of nuclear disarmament in order to secure absolute military superiority by maximizing advantages in the field of the general-purpose forces (GPF).

The parties were able within a relatively short time to come to agreement on the wording and substance of a new arrangement in SOA. This can be explained for several reasons.

Firstly, one could fully use the advantages of the START-1 Treaty as a reference. Secondly, it was necessary to take into account the convening of the Eighth NPT Review Conference in May 2010. Its chances of success depended on the progress in the Russian-American negotiations on the SOA reduction. (The Preamble of the new START Treaty directly refers to the commitment of the parties 'to the fulfillment of their obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons' and 'to the achievement of the historic goal of freeing humanity from the nuclear threat'.) Thirdly, the two Presidents had to demonstrate the seriousness of their commitment to advance toward a world without nuclear weapons.

### **General description of the Prague Treaty**

The new START Treaty (Treaty between the Russian Federation and the United States of America on Measures for Further Reduction and Limitation of Strategic Offensive Arms), unlike its predecessor the START-1 Treaty, provides for (as the basic restriction under Art. II), permissible limits on warheads (1550 units), on deployed carriers (700 units) and the total number of deployed and non-deployed launchers of ICBM, SLBM and heavy bombers (HB) (800 units).

No restrictions are imposed as far as the structure and sub-levels of nuclear triads of the parties are concerned.

The counting rules (Art. III) have undergone substantial changes.

The number of warheads is determined according to the factual equipment of ICBMs independently of the number of the places on the reentry vehicles. One nuclear warhead shall be counted for each deployed heavy bomber, although it can carry several ALCM.

To display the number of deployed submarines there is no need not only to cut out completely rocket compartments, but to 'take out' ('tubes'), as was provided for by the START-1 Treaty.

It will be sufficient to remove the leads of the launchers and, if possible, the gas generators (Protocol, chapter III, section IV, p. 1).

In order to exclude a submarine from counting, in the case that all its launchers are reequipped in such a way that it is no longer able to fire SLBMs (for example, when launchers are reequipped for firing cruise missiles) it would be sufficient to demonstrate the fact of re-equipment in a manner that may be chosen by a party undertaking the re-equipment (Protocol, chapter III, section IV, p. 7).

The Prague Treaty does not impose any restrictions on modernization and replacement of strategic offensive arms.

One party should only notify the other of a new type of ICBM and SLBM, which differs from the previously declared type in technical specifications in at least one characteristic: the number of stages; fuel type; the length of the missile (without a warhead); the length of the first stage; the size of a diameter of the first stage (differing by more than three per cent) (Protocol, chapter I, p. 42). This provision allows for much greater freedom to update and modify missile's equipment in comparison with the clauses of the START-1 Treaty.

One problem emerged (even prior to and during the negotiations) as a result of American plans to equip SLBMs and ICBMs with high-precision non-nuclear warheads. As follows from the text of the Prague Treaty, the United States agreed to include such missiles in the total number of permitted strategic offensive arms.

This means that current American plans exclude the deployment of non-nuclear SLBMs and ICBMs in such numbers that could significantly diminish nuclear capabilities of their SNF.

Significant changes have occurred in the agreed system of inspection and notification.

The number of inspections decreases from 28 to 18 a year. They are divided into two types. The first type covers inspection to validate the data on the quantities and types of deployed and non-deployed weapons; on the number of warheads on deployed ICBMs and SLBMs as well as on the number of weapons on deployed HBs. The second type embraces inspections of quantities, types and technical specifications of non-deployed weapons and of facts involving re-equipment and elimination of weapons, as well as the demonstrations that the previously declared facilities are not used for the purposes that are contrary to the provisions of the Treaty.

In accordance with chapter IV of the Protocol, the number of notifications of the current initial data about the status of the strategic arms, of their movements and of inspection activities has been significantly reduced. 42 kinds of notifications are being provided for instead of 152 under the START-1 Treaty.

Lengthy discussion of the need to exchange telemetric information culminated in agreement: the parties agreed to provide tape records measured in flight parameters of no more than five launches annually. Each party has the right to choose specific launches on which it provides the required data.

This understanding helped to alleviate concerns of the Russian side, caused by the fact that only the RF was conducting flight tests of new ICBMs and SLBMs. The data on these tests are to be communicated to the other party (while in the nearest future, the United States, as it is thought, have no plans to undertake similar activity).

But, the concerns seem not to be well founded. Firstly, Washington plans to carry out flight tests of ICBMs and SLBMs equipped with non-nuclear high-precision warheads. Information on the characteristics of such types of warheads could prove to be of use to Russian specialists. Secondly, the beginning of flight testing of new Russian Topol-M ICBMs armed with MIRVs and Bulava SLBMs occurred under conditions of the operation of the START-1 Treaty and the tapes with telemetry information associated with these launches and data for its processing had to be communicated to the American side. It is unlikely that subsequent flight tests of these missiles could provide any significant additional information.

The START-1 Treaty had 39 agreed statements, some of which put tough limits on the modernization of Russian ICBMs. The new Treaty contains only 10 agreed statements (Protocol, chapter IX).

They are basically connected only with inspection activities; the procedures for showing weapons, including inspections of SLBM launchers, re-equipped for cruise missiles; and the traditional ban on rapid reloading (Fifth agreed statement).

It should be stressed that the new START Treaty significantly reduced number of restrictions and prohibitions in comparison with the START-1 Treaty. There were sufficient reasons for this arrangement. For example, reducing the number of and procedures for inspection is justified, above all, by the fact that the START-1 Treaty control system was extremely cumbersome and redundant, especially as seen today.

The START-1 Treaty control system contained a considerable number of duplicate types of inspections and notifications. This peculiarity is explained by the fact that the system was developed in the context of the Cold War, following a severe worsening of relations between the USSR and the United States. At that time the degree of mutual trust was very low.

Some bans on the types of ICBM and SLBM basing have not been reproduced not because the sides might have nourished intentions to deploy such weapons on the sea beds, etc. Rather it was due to the multi-year

experience of developing SOA in the U.S.A. and the Soviet Union and the understanding of the senselessness of such types of basing.

For example, the new Treaty does not contain provisions for banning the development and testing of air-launched ballistic missiles (ALBM). Developing and testing of ALBMs was prohibited under the START-1 Treaty.

The dropping of such provision provoked opposite reactions among experts both in the RF and the U.S.A. Concern was expressed in the United States that Russia envisages to develop and deploy ASBM, whereas in Russia there were calls to develop this type SOA.

Such experts are likely not to be familiar with many years of experience in research and development in the USSR and the United States on nearly exhaustive list of the types of strategic weapons which showed, for example, that ALBMs are the most irrational weapon compared to ICBM, SLBM and ALCM (on the criteria of efficiency, costs and implementation).

A very important feature of the Prague Treaty is that it has demonstrated the remarkable coincidence of nuclear policies of Moscow and Washington: the lack of intention to undertake in the near future tangible reductions in their strategic arms below the level stipulated by the SORT in 2002 (1700-2200 warheads).

Both the Bush Administration and the Obama Administration thought it expedient not to reduce the American nuclear triad below the levels established by the SORT. These levels were set in the regular Nuclear Posture Review, even below the signing of the Moscow (2002) Treaty on the Reduction of Strategic Offensive Potentials.

The lower levels of the warheads appear to arise in essence from the changed counting rules.

Assuming that 56 deployed American HBs could carry 1120 ALCMs (under the counting rules of the START-1 Treaty they would have been counted as 672 ALCMs). Under the Prague Treaty, 56 HBs shall be counted as containing 56 ALCMs. Similarly, 77 deployed Russian HBs (of the Tu-160 and Tu-95mc types) will be counted as carrying 77 ALCMs.

It should be noted that these innovations reflect certain operational and strategic and economic considerations.

The fact that both parties agreed to reduce 'the significance' of heavy bombers can be explained by the similarity of the views about their role in the anticipated strategic operations of the nuclear triad when exchanging massive nuclear strikes, which in the period of the Cold War were considered as the basic form of such operations.

Missions of heavy bombers have been always considered as rather ambiguous before, during and after inflicting massive strikes with ICBMs and SLBMs.

The function of inflicting single selective nuclear strikes against protected facilities of terrorist organizations (WMD warehouses, bases) may still be kept (under the American 'Global strike' concept) but in the near term, these missions can be no less efficiently performed by SLBMs and ICBMs armed with high precision non-nuclear warheads.

As far as Russian HBs armed with ALCMs are concerned, it would be fully justified to assign non-nuclear missions to them in order to bolster the general-purpose forces. So much so, that they could strike against targets in the case of most likely armed conflicts in contiguous territories outside probable AAD zones.

Assessing the new START as a whole, one could argue that it is in full compliance with the basic provisions of the latest U.S. Nuclear Posture Review and the new Russian Military Doctrine. The treaty raises no criticisms not only from the representatives of the administrations of both states (which is quite natural), but also from independent experts.

## **Ratification processes**

Initially, Committees of the State Duma (the Russian Parliament) on International Affairs and Defense approved the Prague treaty and recommended it without comment for subsequent ratification procedures.

The ratification process in the U.S. Senate was less smoothly. In September 2010 after lengthy debates the Senate Foreign Relations Committee approved a Resolution of advice and consent to ratification of the Prague Treaty by a bipartisan vote of 14 to 4.

This Resolution proceeds from the possible Russian intention to act 'in violation of the New START Treaty' and 'to break out of the limits of the new START Treaty' so as 'to threaten the national security interests of the United States'. This wording expressing mistrust towards the Russian Federation is typical of the Cold War period.

The Resolution sets out a detailed list of specific actions that the President is bound to undertake (consult with the Senate; submit a report to the Senate 'promptly', etc.).

Thus, the President is to 'certify to the Senate that United States National Technical Means, in conjunction with the verification activities provided for in the New START Treaty, are sufficient to ensure effective monitoring of Russian compliance with the provisions of the New START Treaty and timely warning of any Russian preparation to break out of the limits in Article II of the New START Treaty'.

The President is to 'certify that U.S. national technical means are sufficient to ensure effective monitoring of Russian compliance and 'timely warning of any Russian preparation to break out of the limits in Article II of the New START Treaty'.

The Resolution contains a significant number of provisions obliging the U.S. Administration to ensure security of the United States in the process of exchanging telemetric information involving the development and testing of non-nuclear strategic systems.

Particular attention is focused on maintaining vitality of the American nuclear infrastructure, on assuring its adequate funding and maintaining the efficiency of the nuclear triad as well as on the BMD development and the submission to the Senate of all programs and characteristics of the missile armament. Nevertheless, the Resolution does not contain any proposals to amend the text of the Treaty.

Many provisions in the Resolution provoked sufficiently substantiated negative response in Russia. The State Duma's Committees on International Affairs and Defense have withdrawn their previous unconditional recommendation.

In early November 2010 President Obama called on Senate to give its 'advice and consent to ratification' before the end of the year.

On 22 December President Obama managed to make the Senate to provide its advice and consent to ratification of the New Strategic Arms Reduction Treaty between the United States and the Russian Federation. Senators voted 71 to 26 in favor, a much bigger majority than had been widely predicted.

On 24 December the State Duma (the lower house of the Russian parliament) approved the accord in the first reading (with a majority of 350 to 58 votes). It needed 225 votes to pass. The State Duma has approved the Prague Treaty without introducing any modifications in the text of the Treaty, signed by Presidents of Russia and the United States.

Russian Federal Law no. FZ 1 'On the Ratification of the Treaty between the Russian Federation and the United States of America on Measures for Further Reduction and Limitation of Strategic Offensive Arms' was passed by the State Duma on 25 January 2011; approved by the Federation Council on 26 January 2011 and signed by the President of the Russian Federation on 28 January 2011.

Art. 4 of this Federal Law stipulates that the provisions of the preamble of the new START Treaty are of the indisputable importance to understand the intentions of the parties upon the signature, including the content of the agreed provisions and understandings between them, without which the new START

Treaty could not have been concluded. Therefore they should be fully taken into account by the parties in the course of the implementation of the new START Treaty.

The Federal Law states that the Russian Federation will implement the right provided for by the new START Treaty to withdraw from it under exceptional circumstances endangering its supreme interests. Such circumstances according to the Federal Law may include: substantial violation of the obligations of the United States of America under the new START Treaty, which may give rise to a threat to the national security of the Russian Federation; the deployment by the United States of America, another state or a group of states of a missile defense system capable of significantly reducing the effectiveness of the strategic nuclear forces of the Russian Federation; the building-up by the United States of America, another State or a group of states of the offensive strategic arms or their taking the decisions in the field of military construction, as well as other circumstances which may endanger the national security of the Russian Federation; the deployment by the United States of America, other states or a group of states of the armaments which intervene in the functioning of the Russian missile attack warning system.

The ratification documents have been handed over during a meeting between foreign minister Sergei Lavrov and state secretary Hillary Clinton in Munich on 4-5 February 2010.

The completion of the ratification procedures (the exchange of the instruments of ratification, the entry of the Treaty into force) opened the prospect for moving forward on the nuclear disarmament agenda.

### **Setting the stage for further reductions in nuclear arms: policy considerations**

The possibility of further negotiations and reductions in Russian and American SOA will depend not so much on the traditional motivations of the two states to maintain a rough balance in these arms as on the following processes: progress in the limitation of tactical nuclear weapons (TNW); cooperative arrangements in the BMD area; constraint or build-up of nuclear arms of other states; the feasibility of bans on testing and deployment of space arms; developments in the field of limitation of conventional armaments and armed forces.

The listed factors had been always considered, particularly in the USSR/RF, as affecting the bilateral strategic balance. Earlier, at high levels of strategic offensive arms, their impact was considered to be not sufficiently strong to interfere with bilateral nuclear arms control negotiations. However, as the bilateral SOA levels decreased, the perception of the destabilizing influence of the above-mentioned factors changed also. The official and expert circles came to regard them as intractable obstacles on the way towards deeper nuclear arms reductions.

A number of Russian experts argue that the new START Treaty, and, even more so, further bilateral SOA reductions are incompatible with Russian security interests due to the American overwhelming superiority in the general-purpose forces and increasing efficiency of the U.S. BMD as well as for other reasons.

In parallel with this point of view, one should mention well-known public initiatives, emerged in recent years (in the U.S.A., Russia and elsewhere), and aimed at deep nuclear disarmament, including complete elimination of nuclear weapons.

In this connection one should mention: the movement led by George Schultz, Henry Kissinger, Sam Nunn and William Perry; International Luxembourg Forum on Preventing Nuclear Catastrophe; the International Commission on Nuclear Non-Proliferation and Nuclear Disarmament (Evans-Kawaguchi Commission) and international initiative 'Global zero'.

Nuclear disarmament is being traditionally advocated by the Pugwash Conferences on Science and World Affairs, representing an authoritative international movement of scientists.

Movements and international organizations, advocating radical nuclear disarmament, include retired presidents, ministers, senators, religious leaders, prominent public figures and qualified experts. American and Russian presidents, as well as leaders of a number of other countries have embraced the idea of complete nuclear disarmament as a final aim of arms control and disarmament negotiations.

It would be fair to say that the vast majority of the participants of these movements are well aware of the fact that a world without nuclear weapons is possible only in the context of a fundamental reorganization of the entire international system. A new system should possess dependable instruments for peaceful settlement of local international and trans-border conflicts and be based on a world-wide consensus on major issues, which beget armed conflicts and arms races.

Public figures, who advocate ideas of nuclear disarmament, view as their principal task the promotion of a stage by stage movement towards a world without nuclear weapons. The total elimination of all stockpiles of

nuclear weapons constitutes a final stage of this process. It would be pointless at present to predict when it comes.

Under the existing circumstances it would be appropriate to focus international efforts on resolving immediate issues which impede progress on the way to further reductions both in strategic and non-strategic nuclear arms.

A number of Russian experts have been for some time highlighting the need for specific actions<sup>7</sup>.

More recently American officials and experts came to develop similar approaches. For example, George Schultz and William Perry argue that the RF and the U.S.A. should – prior to proceeding to negotiations on new reductions in SOA – grapple with the task of combining their efforts in the BMD area (in the U.S.A.-Russia-NATO format)<sup>8</sup>.

Missile defense issues have become in recent years a strong irritant in Russia's relations with the U.S.A. and other NATO states.

The crisis in relations between Russia and the United States, provoked by the plans of the previous U.S. Administration to place American BMD complexes in Europe, has receded after the decision taken by the Obama Administration to cancel them. But the crisis can return in even a more acute form when the new project pushed by the current Administration and involving a four-stage BMD architecture (a naval system armed Standard-3 anti-missiles and their ground analogues) acquires strategic potential by 2020.

It should be kept in mind that, according to the existing plans, the new BMD project provides for further modernization of SM-3 (Bloc IIB) interceptor so that it acquires the ability to destroy ICBM warheads (during the fourth stage, that is before 2020).

It is planned to upgrade (in all four stages) a command and control system of battle management and ensure the ability to destroy IRBMs and ICBMs at the powered trajectory by deploying naval ships equipped with Aegis system in the seas and oceans and by enhancing high-speed characteristics of missile-interceptors (through increasing the diameter and weight of fuels of its second stage).

Questions involving the placement of SM-3 interceptors in Europe (in Rumania and Bulgaria) as well as X-band (centimeter wavelength) radars are currently under consideration.

One cannot exclude the possibility of these radars being deployed in Turkey, Georgia and Eastern Europe. In any event, they will be part of the general BMD of the United States and Western Europe which embraces the radars of the missile early warning system. This system, including radar

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<sup>7</sup>*Nuclear Weapons after the Cold War*, ed. by Arbatov A. and Dvorkin V., Moscow Carnegie Center, POSSPEN, M., 2006.

<sup>8</sup>*The New-York Times*, 11 Apr. 2010.

early-warning facilities, will be perceived as posing a threat to the Russian nuclear deterrence potential.

In this regard, it might be of interest to mention the assessments of the ability of the U.S. BMD system in Europe to intercept Iranian missiles. The assessments have been published by the East-West Institute ('Iran's nuclear and missile potential').

According to these assessments, the X-band radar, due to the relatively high resolution (up to 15 cm) could detect on the trajectory (in the exoatmospheric part of it) not only warheads but also some false targets. However, they are not capable of distinguishing between them with certainty.

Even relatively simple countermeasures which Iranian engineers-rocketeers can master are capable of reducing the effective area that reflect warheads from 0.03 to 0.01 cm<sup>2</sup> and significantly diminish the range of detection.

At best, even if the X-band radar modules increase up to 80 000 units, the range of detection would amount to approximately 1300 km, with the required minimum distance of about 2000 km. On an average, five antimissiles will be needed to intercept just one warhead of an Iranian missile.

There is no doubt so ever that Russian ICBMs and SLBMs are equipped with much more efficient means of overcoming BMD. These means have been developed over several decades and they are being updated to defeat anticipated antimissile systems. Therefore a new U.S. BMD architecture which is likely to be deployed will not have a practical impact on Russian nuclear deterrence capability.

A hypothetical danger to Russia may arise only in the event of a massive build-up of ground, naval, air and space echelons for intercepting missiles and warheads at all sections of the flight trajectory but that would be tantamount to return to nuclear confrontation and new arms race. However, the risk of such drastic deterioration of relations between Russia and the United States is indiscernible.

Nevertheless, if the U.S.A. unilaterally deploy BMD complexes in Europe in accordance with the new BMD architecture, announced by President Barak Obama, another antimissile crisis in Russian-American relations is quite possible.

Such a crisis could break out notwithstanding the adoption of declarations about strategic partnership, and cooperation in the BMD area.

It should be also stressed that the new START Treaty recognizes 'the existence of the interrelationship between strategic offensive arms and strategic defensive arms, that this interrelationship will become more important as strategic

nuclear arms are reduced, and that current strategic defensive arms do not undermine the viability and effectiveness of the strategic offensive arms of the Parties'.

Only reciprocal steps aimed at closer cooperation in the area of European and global BMD can prevent such a crisis.

President Barack Obama and the Pentagon leadership have over and over again expressed readiness to cooperate with Russia in the BMD area. For example, during his visit to Moscow in July 2009 Barak Obama said 'I want us to work together on a missile defense architecture that makes us all safer. But if the threat from Iran's nuclear and ballistic missile programs is eliminated, the driving force for missile defense in Europe will be eliminated. That is in our mutual interest'. The Russian leadership adopted a more cautious stance on this subject.

The decisions taken by American and Russian leaders on cooperation in the BMD area are implemented only to the extent that the adjustments of the assessment and evaluation of probable missile threats are concerned.

One should take into account the fact that such assessments have been recently accomplished by competitive Russian and American experts within the framework of the project of the East-West Institute which was mentioned above. The assessments include detailed conclusions concerning the current status and forecasts of future development of the North-Korean and Iranian ballistic missiles and carriers of space apparatus.

In Moscow high-placed civil and military officials are extremely cautious as far as issues of closer cooperation in the BMD area are concerned because they are distrustful and fearful of losing sensitive technologies.

However, Russian technology gap leaves little ground for such concern. Cooperation, on the other hand, would provide an opportunity to acquire new knowledge and technologies.

To counter these obstacles, it would be reasonable first of all to restore the elements of cooperation that have been abandoned in the recent years.

In the first place, the project of a Joint Data Exchange Center (JDEC) to monitor the launches of missiles and space launch vehicles must be immediately revived. The decision to establish the JDEC was made 12 years ago by the then presidents of Russia and the United States. The incumbent presidents of the two powers reaffirmed their intention to move on with the project at their Moscow meeting in 2009.

In parallel with this arrangement Russia, the United States and NATO should resume a series of joint computer exercises on non-strategic BMD TMD and subsequently extend them beyond the theatre.

In this respect, the RF and the U.S.A. have accumulated a very positive experience. In the US–Russia format, five computer exercises were held alternatively in Russia and the United States in 1996–2006. In 2003–2008 four exercises were held in the US-NATO-Russia format (in Colorado, the U.S.A.), the Netherlands, Moscow and Munich).

More ambitious ideas to explore the possibility of arranging a field exercise at a test range in Russia, including the use of operational S-300 and *Patriot* anti-aircraft missile systems have been discussed. However, these projects were ‘frozen’ after the armed conflict between Russia and Georgia in 2008.

Russia retains considerable potential for cooperation in the BMD field<sup>9</sup>. One should mention a possible inclusion of Russian antiballistic missile systems in the BMD architecture in Europe as an important element of cooperation. For example, the Triumph S-400 air defense systems are considerably superior to the US Patriot SAM in terms of range of destruction of airborne targets and ballistic missiles. In the future, the use of a still more advanced S-500 air defense system may also be considered.

As the experience of joint exercises suggests, the delineation of areas of responsibility should not present significant problems.

The proposed steps are not only capable of preventing a likely new missile crisis between Russia and the United States, but also of stimulating the transformation of the situation of mutual nuclear deterrence of the two nuclear superpowers, which impede robust cooperation in countering accumulative real challenges to regional and global security.

The urgent need for a radical transformation of the principles of mutual nuclear deterrence between Russia and the United States, the most difficult legacy of the Cold War period, has been emphasized by a number of Russian experts<sup>10</sup>.

Recently, this need was recognized as well by American legislators. The Resolution on the New START Treaty passed by the U.S. Senate Committee on Foreign Affairs (referred to earlier), **says** ‘policies based on mutual assured destruction or intentional vulnerability can be contrary to the safety and security of both countries, and the United States and the Russian Federation share a common interest

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<sup>9</sup>Dvorkin V. In the fight against the threats: what has been left? In: *Russia in the Global Policy*, no. 6, 2005; *Nuclear Weapons after the Cold War*, ed. by Arbatov A. and Dvorkin V., Moscow Carnegie Center, POSSPEN, M., 2006.

<sup>10</sup>*Nuclear Weapons after the Cold War*, ed. by Arbatov A. and Dvorkin V., Moscow Carnegie Center, POSSPEN, M., 2006,

in moving cooperatively as soon as possible away from a strategic relationship based on mutual assured destruction’.

A similar thesis has been developed in the statement ‘Moving from deterrence to mutual security’ issued by four prominent Russian authors (Yevgeny Primakov, Academician, former Russian Prime Minister (1998-1999); Igor Ivanov, former Russian foreign minister (1998-2004); Yevgeny Velikhov, Academician, President of Russian scientific center ‘Kurchatov Institute’; Mikhail Moiseev, former chief of the General Staff of the Russian Armed Forces (1988-1991)<sup>11</sup>.

During the negotiations on a new START Treaty some American senators, members of the U.S. Senate Committee on Foreign Affairs, advocated inclusion of tactical nuclear weapons (TNW) in SOA reductions.

The new nuclear doctrine of the United States emphasizes concern about Russian non-strategic nuclear weapons and emphasizes the need to include them in the agenda of future negotiations<sup>12</sup>.

Therefore, one can expect that the U.S.A. and NATO will in future increase pressure in this field.

Several specific arguments are advanced to prove this point:

- It is argued that Russia enjoys considerable advantage in this class of arms over the United States and NATO. With lower levels of SOA this advantage will become more prominent;

- Alleged Russian superiority in TNW begins to worry American NATO allies;

- During wartime TNWs are to be deployed as part of general-purpose forces and may be directly involved in the conflict with a high risk of nuclear escalation;

- Presumably, TNWs are not equipped (as the SNF are) with sufficiently reliable means of preventing their unauthorized use. Thus, the danger of an unauthorized nuclear strike is, respectively, greater.

Russia's position on this issue is focused on the need of the withdrawal of American TNWs from Europe into the national territory as a condition for starting negotiations on this subject.

In addition to the United States and Russia, several other nuclear-armed states possess medium-range and tactical nuclear weapons (France, China, India, Pakistan, Israel and the DPRK). For some nuclear-armed states TNWs constitute their total nuclear capability or a preeminent part of it. These states do not perceive TNWs as non-strategic armaments.

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<sup>11</sup>*Izvestia*, 15 October 2010. The document is reproduced in this volume in the Annex ‘Documents and reference materials’.

<sup>12</sup>Nuclear Posture Review Report. NPR. April 2010. Department of Defense. U.S.A., Washington, DC, 2010, pp. x-xi.

For example, the French nuclear strike force includes 60 Mirage 2000H aircraft and 24 deck fighter-bombers Super Étendard capable of delivering altogether approximately 60 air-to-surface missiles (ASMP). These armaments may be defined as TNW but France considers them as part of its SNF.

But the main problem is that tactical nuclear weapons utilize dual-use carriers (medium-range bombers, fighter-bombers, short-range missiles, and anti-aircraft missiles, combat means of naval ships and submarines as well as heavy barrel artillery).

TNWs are placed on dual-use launchers and multi-purpose naval ships and submarines.

Therefore, it is impossible to limit, reduce and eliminate TNWs and monitor this process through the liquidation of their carriers or platforms (such as SSBN) as is the case with strategic offensive arms. Almost all TNWs belong to the general-purpose forces and are to be employed mainly in conventional combat operations. They partly are covered by other treaties (for example, combat aircraft and artillery are controlled by the CFE Treaty)

Therefore, if one tries to reduce significantly TNWs by applying the START standards this would entail radical cuts in conventional arms of Air, Naval, Ground and Air Defense Forces of nuclear-armed states.

At present, according to unofficial estimates, the U.S.A. has approximately 500 units of TNW, including 100 SLCM Tomahawk (TLAM/n) for multipurpose nuclear submarines on the naval bases in Kings Bay and Bangor on the U.S. territory. In addition to them, 190 warheads (W80-0) for SLCMs are stored in the warehouses<sup>13</sup>.

The U.S.A. also possesses 400 gravity bombs (B61-3 and B-61-4). 200 of them are stored in six U.S. air-force depots in five NATO countries (Belgium, Italy, Netherlands, Turkey and Germany) for delivery on U.S. fighter-bombers F-16 as well as on British carriers of the same type and on German-Italian tactical strike aircraft Tornado.

According to U.S. official data, the U.S.A. possesses 5113 nuclear warheads in the SNF, TNW units and stored in depots.

Independent experts estimate that, in addition, about 4200 warheads may be in storage awaiting dismantlement.

The number of warheads in storage can be increased due to reductions in SOAs under the new START Treaty. According to this treaty, the greater part of reductions are to be carried out by removing warheads from MIRVed missiles and their storage as well as by reloading some SLBMs and storing the warheads also in depots.

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<sup>13</sup>*SIPRI Yearbook 2008: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2008, pp. 367-369).

According to the assessments of many experts, Russia currently possesses about 2000 TNWs, including about 500 tactical nuclear air-launched missiles and bombs for use on 120 Tu-22M medium-range bombers and 400 Su-24 front bombers<sup>14</sup>. In addition, there are approximately 300 air-launched missiles, gravity bombs and deep gravity bombs for naval aircraft consisting of 180 Tu-22M, Su-24, Be-12 and Il-38 aircraft.

About 100 warheads are attributed to the interceptors of the Moscow A-135 BMD system. And, in addition, 630 warheads are attributed to C-300 ABMs and other AAD systems<sup>15</sup>.

Theatre-of-war weapons systems are updated by deploying tactical Iskander missiles, which can be fitted with both nuclear and conventional warheads. It is possible that the new Su-34 bomber will also be of dual-use type.

For the same reason, it would be extremely difficult to agree to reduce TNWs to lower levels and monitor such measures.

One would have to inspect deployed (and non-deployed) launchers and carriers with bombs and warheads in storage.

This would be a much more difficult task. Especially, as TNW warheads are often stored together with the strategic warheads and bombs (removed from missiles and heavy bombers under the START Treaties) and warheads waiting dismantling. One would have to deal with dozens of depots and many thousands of warheads.

If a great number of carriers are kept intact, the elimination of TNW warheads remains largely a symbolic measure (a complex and costly one) because it would be impossible to verify precisely the number of retained warheads and ensure that new nuclear warheads of this type are not produced or stored and cannot be returned quickly to the troops.

For the same reason, the elimination of the containers of warheads under the INF Treaty would have been an ineffective measure. Under the INF Treaty, all launchers of the intermediate and shorter-range ballistic missiles were completely destroyed (nowhere to return warheads).

Monitoring such arms in the centralized depots and warehouses of the plants-manufacturers of warheads (and even more so in assembly shops) implies an unprecedented degree of openness of the most sensitive aspect of the military-technical activities of states.

The same applies to the exchange of information on the number and types of TNWs in depots, if this could not be reliably checked. Accordingly, the reciprocal elimination of some numbers of TNWs (say, 50% or 80%) or some fixed amount is unlikely to be acceptable to the party which possesses substantially smaller numbers of such arms. So

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<sup>14</sup>Op. cit., pp. 373-375.

<sup>15</sup>Ibid. pp. 373-375.

much so that it would be difficult to verify how many of them remained on both sides.

Technically and from the point of view of monitoring the arms control treaties, the TNW destruction or utilization is no different from the elimination of strategic warheads and bombs (this mission is not yet on the agenda of the START negotiations). In the future, if nuclear disarmament involves directly the elimination of warheads, this process will equally affect both strategic and non-strategic warheads.

It will be much easier to verify declarations about the withdrawal of TNW warheads from forward bases to the centralized depots.

Depots (their placement and configurations are known) would simply be empty. One would need also arrangements involving short-notice demand inspections (similar to those agreed under the START Treaties for ICBMs, SLBMs and HBs) on the air and naval forces on the territory of Russia and the United States (and, possibly, their overseas allies).

Therefore such arrangements might become a delicate and difficult problem rather for the United States than for the RF and would require large-scale measures.

The transfer of TNWs from forward positions to the centralized depots would ensure greater safety of the TNWs from seizure by terrorists, as well as impede their unauthorized relocation or use.

Nevertheless, such an arrangement would entail the possibility for Russia to return the TNWs to the troops in the event of a threat to its security on its Western or Eastern borders.

And, respectively, the North Atlantic Alliance would theoretically retain the possibility to undertake similar steps. Moreover, according to Russian military officials and Pentagon representatives, a greater part of TNWs has been already moved to central depots of the RF and the U.S.A.

It would be impossible to proceed with deeper reductions of the TNWs, if other nuclear-armed states do not join the nuclear disarmament process.

At present there nine such states. In addition to the five nuclear-weapon states as defined by the NPT (China, France, Great Britain, the Russian Federation and the United States of America) there are four non-NPT states possessing nuclear explosive devices (India, Pakistan, Israel and North Korea).

Although China and the four non-NPT nuclear-armed states are not situated in the Euro-Atlantic area, they affect the relations between Russia and NATO through the multilateral nuclear balance.

The positions of the Russian Federation and of United States relative to 'third' nuclear-armed states are not symmetrical. The Russian territory is within the reach of the delivery systems of all seven nuclear-armed

states. The United States, being separated by oceans, remains out of reach of nuclear forces of the four non-NPT nuclear-armed states.

Both the RF and the U.S.A. may be worried by the build-up of Chinese nuclear capabilities.

Engaging all nuclear-armed states in the nuclear arms reduction process is becoming an ever more urgent issue.

In the first stage, Great Britain, France and China may be requested to implement some transparency measures which the RF and the U.S.A. have already carried out under the START-I Treaty and continue to implement under the recently concluded Prague Treaty. These measures can be implemented unilaterally by each of those states. However, it would be preferable to implement them within the framework of a multilateral arrangement.

Transparency measures can include notifications of: a/ the composition, number and types of nuclear weapons; b/ the planned changes in the composition and number of deployed nuclear arms; c/ the location of facilities for the production of nuclear weapons; d/ the beginning and completion of the production of nuclear weapons; e/ the decommissioning of nuclear facilities; f/ the re-equipment of nuclear carriers into conventional ones and the other way around; g/ the beginning and completion of flight-tests of new types of nuclear weapons.

Additional measures can be suggested: the dismantling of nuclear weapons; measures to deal with accidents involving nuclear facilities, etc. Other nuclear-armed states might also undertake unilateral commitments not to increase the number of their nuclear arms.

Considering the prospects for early consultations on TNWs, it should be noted that the priority nature of the threat of NATO enlargement, including advancing its base infrastructure towards the Russian borders, which is singled out in the new Military Doctrine of the Russian Federation (2010) as an immediate threat, seems to be much exaggerated. At least, in terms of the threat of an armed attack against Russia and its allies.

Since the early 1990s, NATO collective forces have been cut: the land forces – by 35%; the navy – by 30%; the air forces – by 40%. During the same period the number of the U.S. forces (stationed in Europe) dropped almost three times (from 300 000 to 112 000 servicemen). In total, NATO forces are below the ceilings, established by the original (1990) CFE Treaty: number of personnel – by 42%, armored vehicles and artillery – by 25%, military helicopters and planes – by 45%.

Development of American long-range high-precision ammunitions using space-based information systems has really complicated Russian military planning. But their threat seems to be to some extent farfetched because the risk of an attack involving advanced conventional weapons,

against nuclear Russia is so high that it would exceed any imaginable benefits of such aggression.

Nevertheless, the new Military Russian Doctrine clearly emphasizes the challenges mentioned above, and it must be taken as a military strategic reality.

NATO should be advised to adjust its military policies to address Russian concerns, remove obstacles on the way to TNW consultations and new agreements.

Another outstanding problem: the 'frozen' CFE process and the Russian moratorium on the implementation of the CFE Treaty which hinder conventional arms control and confidence-building. As the world moves forward to lower levels of nuclear arms, the relevance of stability and confidence-building in the area of conventional forces will grow.

It would be wise to take advantage of the Russian proposal regarding temporary implementation of the adopted CFE-Treaty. As far as the issue of flank ceilings is concerned, apart from the complete abolition of flank ceilings, raising the flank ceiling for Russia (coupled with greater transparency measures on the Russian side) would be a promising option.

The acquiring of sovereignty by Abkhazia and South Ossetia is seen as a hindrance on the way to evolving the CFE process. However, with regard to the CFE one should not exclude 'a technical solution' under such an arrangement the status of Russian bases in these Republics could be regulated in a separate document<sup>16</sup>.

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The new START Treaty has activated the Russian-U.S. cooperation on issues of SOAs reductions and opened way to additional measures in the field of nuclear disarmament.

The possibility of further negotiations and reductions in nuclear arms of the R.F. and the U.S.A., as was pointed out above, depends on a number of factors (prospects for TNWs limitation; engaging other nuclear-armed states in the arms control process; progress in cooperation in the BMD area). A positive development in such spheres as conventional arms control and prohibiting space arms is also indispensable.

Further deep reductions in nuclear arms are unlikely without participation of other nuclear-armed states. Initially, Great Britain, France and China might agree to apply some transparency measures of the START type. They might also assume unilateral commitments not to increase the number of their SNF.

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<sup>16</sup>These issues are discussed in greater detail below in Chapter 6.

Solution of these problems as well as resumption of the process of conventional arms control would facilitate further steady reductions in SOAs and addressing the problems of limitation of tactical nuclear weapons.

To move forward along these lines American and Russian political leaders should pursue policies aimed at removing the remaining Cold War stereotypes and traditional mistrust and press for the transformation of relations based on mutual nuclear deterrence.

### 3. A NEW CHAPTER IN MANAGING NUCLEAR NON-PROLIFERATION

Alexandre KALIADINE

The Eighth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons was held 3-28 May 2010 in New-York in accordance with Art. VIII, par. 3 of the NPT which stipulates the review of the operation of the Treaty at intervals of five years ‘with a view of assuring that the purposes of the Preamble and the provisions of the Treaty are being realized’<sup>17</sup>. The 2010 NPT Review Conference held 16 plenary meetings. It was attended by a total of 172 states. Palestine participated in the Conference as an observer. The United Nations and the International Atomic Energy Agency (IAEA) participated in the Conference. 12 intergovernmental agencies participated as observers. 121 non-governmental organizations, including a number of research institutes, also took part in the Conference.

Notwithstanding a wide variety of positions and concerns, the participants were able to put differing interests in front of their deliberations and focus on ways to deal with common security challenges and on attainable and mutually acceptable compromises in resolving complicated issues of global nuclear security. The Conference considered a broad range of measures affecting the international non-proliferation regime and culminated in adopting a substantive final document based on consensus containing an agreed platform calculated to promote the NPT objectives during the coming five years. It resulted in a package of concerted and feasible measures capable of ensuring the strengthening of the nuclear non-proliferation regime.

Conclusions and recommendations of the Conference for follow-on actions constitute important new frameworks for moving forward the international antiproliferation effort<sup>18</sup>.

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<sup>17</sup> The previous NPT Review Conference, which took place in 2005, failed to adopt a final document on the outcomes of its considerations and offer recommendations for the next five-year period.

<sup>18</sup> See: *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Final Document*. New York, 2010. PT/CONF.2010/50.

## Modern proliferation challenges

Developments in the sphere of international security in the first decade of the 21st century have underscored the fundamental significance of the Nuclear Non-Proliferation Treaty (NPT) for the efforts of the world community to prevent the emergence of new possessors of nuclear weapons, reduce the stockpiles of such weapons accumulated by existing nuclear-weapons states (NWS) and promote the peaceful use of nuclear power.

The NPT has achieved near universal status becoming a multilateral security and arms control convention with the largest membership. By 2010 its membership reached 190 (188 – in 2005). The NPT has proved largely effective in pursuing the goal of preventing the diversion of nuclear materials to weapons. The overwhelming majority of member states, except a couple of very specific cases (North Korea and Iran), live up to their treaty non-proliferation obligations and do not raise proliferation concerns.

In 2009 the Central Asian Nuclear Weapon-Free Zone Treaty and the African Nuclear Weapon Free Zone Treaty entered into force creating additional prohibitions on proliferation.

At the same time the NPT regime is directly challenged: one state (the Democratic People's Republic of Korea, DPRK) announced in 2003 its withdrawal from the Treaty. (The announcement has not been accepted at face value. Its status remains unclear). Another state (the Islamic Republic of Iran) has openly defied the non-proliferation inspection and enforcement regime administered by the IAEA.

The overall situation around central non-proliferation issues has undergone significant changes revealing the risks in nuclear proliferation, insufficiency of the limitations and constraints provided for within the

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The Final Document consists of four parts in three volumes. Volume I contains two parts. Part I consists of two sections. The first section contains the review of the operation of the NPT and includes 121 paragraphs. The review is the responsibility of the President of the Conference and reflects to the best of his knowledge what transpired at the Review Conference with regard to matters under review. The second (fully consensus) section contains conclusions and recommendations for follow-on actions adopted by the Conference participants. This section covers the following four major fields: nuclear disarmament (I); nuclear non-proliferation (II); peaceful uses of nuclear energy (III); and the Middle East, particularly implementation of the 1995 Resolution on the Middle East (IV). Part II of Volume I ('Organization and work of the Conference') deals largely with organizational matters. Volume II (Part III) contains documents issued at the Conference and Volume III (Part IV) includes Summary records and list of participants.

framework of the NPT as well as snags in existing monitoring and enforcement arrangements.

An ever increasing number of states are acquiring scientific-technological and industrial capabilities which in principle can be used for developing nuclear explosive devices (nuclear weapons). This includes above all the production and stockpiling of highly enriched uranium (U-235) and pure plutonium (Pu-239) as well as the acquisition and operation of facilities for breeding such potentially dangerous materials. Under the NPT non-nuclear-weapon states (NNWS) parties to the NPT have the right to possess and develop fuel enrichment and reprocessing facilities (under the IAEA safeguards).

In most such cases the line between military and civilian technologies is very tenuous and simply reflects intentions of the decision-makers.

In the 1960s, when diplomats actually elaborated the NPT, only a very limited number of industrially developed states mustered such technologies.

By the beginning of the 21st century a substantial growth of the nuclear industry worldwide has occurred. Over 20 countries mustered uranium enrichment and plutonium reprocessing and became physically able to manufacture nuclear explosive devices in the course of several months, if they deemed that expedient. The on-going globalization spurs this process and intensifies the existing controversies over the uses of nuclear power.

Around 30 countries have already mustered the nuclear civilian power on an industrial scale. More than 60 countries have considered introducing nuclear power to generate electricity. Eight states have firm plans to build nuclear plants for the first time in the next decade (Egypt, Indonesia, Belarus, Kazakhstan, Thailand, Turkey, United Arab Emirates and Vietnam).

According to the IAEA forecast, between 10 and 25 countries which do not currently have nuclear reactors may bring their first nuclear power plants online by 2030. They are likely to muster 'sensitive' nuclear technologies. Thus, the risks of misuse of potentially dangerous technologies are likely to increase. Further measures would be required to minimize harmful implications of this trend on the performance of the nuclear non-proliferation regime.

Issues of effective monitoring of the civilian nuclear facilities and materials and of early warning of their diversion to weapons are acquiring an added urgency.

Illicit trafficking and clandestine transnational networks including suppliers, intermediaries, transport and servicing structures and end users engaged in WMD-proliferation activity have become a major concern in

an environment of expanding nuclear industry and international trade in sensitive nuclear equipment and materials worldwide. Another worrying aspect is that unpredictable and irresponsible regimes and even non-state entities, above all, terrorist networks may come to possess WMD.

The changing circumstances require adjustments of mechanisms and tools dealing with verification, monitoring, investigation, enforcement of compliance, counter-proliferation, export controls, etc.

In order to prevent diversion of nuclear materials to nuclear weapons Art. III of the NPT requires that each NNWS party to the NPT concludes with the IAEA Comprehensive Safeguards Agreements (CSA). The NPT grounded in international law the mandatory obligation to apply IAEA safeguards to 'all source or special fissionable material in all peaceful nuclear activities within the territory of such state, under its jurisdiction, or carried under its control anywhere'. Under the NPT the IAEA is authorized to ensure timely detection of the diversion of nuclear material to undeclared purposes. The Agency is empowered to ensure the monitoring of all nuclear material, which was declared or should be declared and to make conclusions on compliance with regard to CSA<sup>19</sup>.

In 1997 the IAEA elaborated a model Additional Protocol to the Safeguards Agreements (APSA). The APSA provided the Agency with additional tools for monitoring *undeclared* nuclear material and activities. It established wider access rights by the IAEA inspectors (at nuclear sites and anywhere in a state) to investigate questions and inconsistencies, which arise from information analysis<sup>20</sup>.

In 2008 the IAEA was able to make conclusions with regard to 51 states, which had CSA and APSA in force, confirming that all their nuclear material remained in the peaceful nuclear activities. However, with regard to 33 other states, which had CSA and APSA in force, the IAEA made only a conclusion (referring to the incompleteness of necessary assessments) that only a *declared* nuclear material remained in the peaceful activities. The IAEA made similar conclusions with regard to 70 states parties to the NPT which concluded only CSA (but they did not have the APSA in force)<sup>21</sup>.

As of May 2010, 20 NNWS parties to the NPT had not yet have the CSA with IAEA in force.

Nevertheless, one can register some progress in the verification field. 32 states have brought additional protocols into force since 2005, bringing the total number now in force to 98.

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<sup>19</sup> As of 28 May 2010, 166 states have brought into force their CSA with IAEA.

<sup>20</sup> The APSA came to constitute an essential element of the contemporary IAEA safeguards system.

<sup>21</sup> IAEA BULLETIN. September, 2009. P. 7.

Yet a number of the NPT states with significant nuclear peaceful activities or which are planning to get hold of nuclear power plants and facilities of the nuclear fuel cycle, have not concluded the APSA with the IAEA (Argentina, Brazil, Egypt, Iraq, Iran, Myanmar and United Arab Emirates).

In his statement to the Eighth NPT Review Conference on 3 May 2010, Yukiya Amano, Director General of the International Atomic Energy Agency, addressed important safeguards implementation issues in three states – the Democratic People’s Republic of Korea, the Islamic Republic of Iran and Syrian Arab Republic<sup>22</sup>. In the first two cases non-compliance proved to be serious enough to be reported to the attention of the UN Security Council which had to proceed to impose sanctions on these non-complying states.

The DPRK has not allowed the Agency to implement safeguards since 2002 and, therefore, the Agency could not draw any safeguards conclusion for North Korea. This state carried out two tests of nuclear explosive devices (in 2006 and 2009) and laid claim to the status of a nuclear-weapon state. Thus, the North Korean authorities violated the basic non-proliferation obligation<sup>23</sup>.

In April 2009, the DPRK ceased all cooperation with the IAEA in the implementation of the ad hoc monitoring and verification arrangements pursuant to the Six-Party Talks process<sup>24</sup>.

In the case of Iran, the Agency continued to verify the non-diversion of *declared* nuclear material, but remained unable to confirm that *all nuclear material* was in peaceful activities because Iran had not provided the necessary cooperation. Tehran failed to fully implement the CSA with the IAEA, declined to ratify the APSA and did not comply with relevant resolutions passed by the IAEA Board of Governors and by the UN

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<sup>22</sup> <<http://www.un.org/en/conf/npt/2010/statements/statements.shtml>>.

<sup>23</sup> On 10 January 2003 the DPRK notified the UN Security Council that it was ‘no longer bound’ by the NPT’.

<sup>24</sup> ‘Six-Party Talks’ – a special negotiating mechanism (comprising the DPRK, the Republic of Korea (South Korea), China, Russia, the USA and Japan) established in 2003 for the denuclearization of the Korean Peninsula. In September 2005 the talks resulted in an agreement under which the DPRK undertook to abandon all nuclear weapons and programs with verification by the IAEA. However, the process derailed. In April 2009 the DPRK withdrew from the Six-Party Talks. The North Korean authorities attempted to take advantage of the negotiations to mask their missile-nuclear build-up. In its Resolution 1874, passed 12 June 2009, the UN Security Council urged the DPRK to return immediately to the Six-Party Talks without conditions, abandon all nuclear weapons and return at an early date to the NPT and IAEA safeguards. North Korea did not so far take steps to denuclearize. Moves designed to lead to the resumption of the Six-Party Talks are continued.

Security Council and refused to clarify activities with a possible military dimension<sup>25</sup>.

The proliferation crises in North Korea and Iran have directly challenged the NPT putting its solidity to the serious test.

Besides, three states outside the NPT (India, Pakistan and Israel) succeeded in developing nuclear capabilities and continuing to disregard the non-proliferation requirements. The unresolved problem of the universalization of the NPT continues to constitute a factor destabilizing the global non-proliferation order.

## **Key provisions**

The Final Document of the Eighth NPT Review Conference contains a number of important provisions directed at strengthening safeguards to ensure the absence of undeclared nuclear materials and activities. The implementation of these provisions will help to facilitate deterrence, detection and termination of illicit nuclear activities.

The Conference reaffirmed the commitments of the states parties to the NPT to their non-proliferation obligations, to the effective implementation of the objectives and provisions of the Treaty. The Final Document underscores that the full and effective implementation of the NPT and the non-proliferation regime in all its aspects has a vital role in promoting international peace and security and that every effort should be made to implement the Treaty and to prevent the proliferation of nuclear weapons. It is emphasized that universal adherence to the NPT and full

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<sup>25</sup> Iran's clandestine nuclear program was disclosed in 2002. In February 2006 the IAEA Board of Governors reported Iran to the UNSC. The latter ordered Iran to take a number of specific steps to restore confidence in the exclusively peaceful character of nuclear activities of this country. Iran refused to comply with resolutions of the IAEA Board of Governors and the UNSC to suspend sensitive nuclear activities. In December 2006 the UNSC moved to punitive enforcement measures and imposed on Iran a sanctions regime (Resolution 1737). In subsequent resolutions on the Iranian nuclear program (INP) passed in 2007- 2010 (resolutions 1747, 1803 and 1929) the UN Security Council toughened enforcement measures imposed on Iran. The Iranian authorities failed to address and resolve outstanding issues which caused international concerns about their nuclear intentions.

The IAEA reported on possible military dimensions to Iran's nuclear program. In particular, the IAEA complained that it had been unable to make a substantial progress in the investigation of possible military dimensions of the Iranian nuclear program and provide credible assurance about the absence of undeclared nuclear activities in the IRI. In 2010 the IAEA accused the Iranian authorities of hampering the inspection process in the country by barring nuclear inspectors with experience in Iran's nuclear fuel cycle. As of 2010, no progress has been made on outstanding questions of the INP's possible military dimensions.

compliance with all its provisions are the best way to prevent the spread of nuclear weapons.

Recalling the legally binding non-proliferation obligations assumed by the member states, the Final Document emphasizes the need for their strict observance (§ 2, 6), stating that ‘breaches of the Treaty’s obligations undermine nuclear disarmament, non-proliferation and peaceful uses of nuclear energy’ (§ 8).

Underscoring the importance in complying with the non-proliferation obligations and addressing all compliance matters in order to uphold the Treaty’s integrity and the authority of the safeguards system, the Final Document points out that responses to concerns over compliance with any obligation under the Treaty by any state party should be pursued by diplomatic means, in accordance with the provisions of the Treaty and the Charter of the United Nations (§ 7).

Addressing the compliance issues, the Final Document pays considerable attention to the IAEA safeguards system and ways to strengthen the monitoring carried out by the IAEA. It reaffirms that the IAEA is the competent authority responsible for verifying and assuring, in accordance with the statute of IAEA and the IAEA safeguards system, compliance by States parties with their safeguards agreements undertaken in fulfillment of their obligations under Art. III of the Treaty. It is emphasized that the IAEA safeguards are playing an indispensable role in the implementation of the NPT and enforcement of non-proliferation obligations (§10).

In the period prior to the convocation of the Eighth NPT Review Conference a number of NNWS parties to the NPT adopted a rather cautious stance on the question of applying the APSA to their nuclear peaceful activities, and displayed unwillingness (for various reasons) to undertake additional international verification commitments.

It is therefore significant that the Conference recognizes the importance of the Additional Protocol for ensuring a required level of confidence in the non-diversion of nuclear material from the peaceful activity and in the absence of an undeclared nuclear activity. The Final Document states that ‘the implementation of measures specified in the model additional protocol provides, in an effective and efficient manner, increase confidence about the absence of undeclared nuclear material and activities in a State as a whole’ (§17). It is appropriate to note that those measures have been introduced as an integral part of the IAEA safeguards system.

The Final Document states that measures contained in comprehensive safeguards agreements supplemented by the APSA represent the enhanced verification standard, ‘a significant confidence-building measure’ (§18). The APSA are characterized as ‘efficient and

effective tools for obtaining additional information about the absence of undeclared nuclear material and activities in non-nuclear weapon States’.

It is significant that the Final Statement contains an appeal ‘to all States parties that have not yet done so to conclude and bring into force an additional protocol’ (§ 24).

The conclusions and recommendations adopted by the Conference outline the following directions of strengthening the IAEA safeguards system and of improving the monitoring activities carried out by the IAEA in accordance with the NPT:

- Bringing into force as soon as possible and without further delay Comprehensive Safeguards Agreements (‘Action 25’)<sup>26</sup>;

- Encouraging all States parties which have not yet done so to conclude and to bring into force additional protocols as soon as possible and to implement them provisionally pending their entry into force (‘Action 28’);

- Facilitating and assisting the states parties in the conclusion and entry into force of Comprehensive Safeguards Agreements and additional protocols; considering specific measures that would promote the universalization of the Comprehensive Safeguards Agreements (‘Action 29’)

- Resolving all cases of non-compliance with safeguards obligations in full conformity with the IAEA statute and the respective legal obligations of member states; establishing their cooperation to the Agency (‘Action 27’);

- Encouraging all states parties with Small Quantities Protocols which have not yet done so to amend or rescind them, as appropriate, as soon as possible<sup>27</sup> (‘Action 31’);

- Ensuring regular assessment and evaluation of the IAEA safeguards; supporting and implementing further strengthening the

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<sup>26</sup> The Conference urged the states parties to the Treaty that had not yet brought into force Comprehensive Safeguards Agreements ‘to do so as soon as possible and without further delay’ (‘Action 25’).

<sup>27</sup> Under the Small Quantities Protocols (SQP) to the CSA, the implementation of a number of important safeguards measures was temporarily suspended for those NNWS that had small quantities of nuclear material or did not have it at all at a nuclear facility. In September 2005 the IAEA Board of Governors passed a decision to the effect that in the future the SQP would not be concluded with the states that operated or planned to operate a nuclear facility. In addition, the states that are about to conclude SQP were required to submit initial reports about nuclear material and notify the IAEA immediately on taking decision about the construction of a nuclear facility or on the issuance of the official permission for the construction. The new procedure stipulates the possibility of carrying out the IAEA inspections. The revised model SQP has been adopted by 31 states.

effectiveness and improving the efficiency of IAEA safeguards ('Action 32');

- Ensuring that IAEA continues to have all political, technical and financial support so that it is able to effectively meet its responsibility to apply safeguards as required by Art. III of the Treaty ('Action 33');

- Further developing a robust, flexible, adaptive and cost effective international technology base for advanced safeguards through cooperation among member states and with IAEA ('Action' 34);

- Strengthening nuclear export controls arrangements; ensuring that nuclear-related exports of the states members do not directly or indirectly assist the development of nuclear weapons devices ('Action 35'); encouraging states parties to consider whether a recipient state has brought into force IAEA safeguards obligations in making nuclear export decisions ('Action 37');

- Improving national capabilities of member states to detect, deter and disrupt illicit trafficking in nuclear materials throughout their territories, in accordance with their relevant international legal obligations<sup>28</sup>, enhancing international partnerships and capacity-building in this regard; establishing and enforcing effective domestic controls to prevent the proliferation of nuclear weapons ('Action 44'); encouraging all states parties, that have not yet done so, to become party to the International Convention for the Suppression of Acts of Nuclear Terrorism as soon as possible ('Action 45');

- Encouraging states concerned, on a voluntary basis, to further minimize highly enriched uranium in civilian stocks and use, where technically and economically feasible ('Action 61').

The provisions listed above contain a number of quite concrete measures and suggest possibilities of further practical and specific steps that could be agreed subsequently by the states members<sup>29</sup>. Follow-on arrangements are required to assist the IAEA in resolving its increasingly complicating monitoring tasks and in obtaining additional resources needed to get hold of advanced specialized verification equipment and

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<sup>28</sup> While assisting the national effort, the IAEA conducts analysis of the risks posed by non-state entities and the misuse of dangerous radioactive materials. 106 states are participating in the Illicit Trafficking Data Base (ITDB). As of April 2008, the states submitted data on 1644 cases of illicit trafficking and other unauthorized activities related to nuclear materials.

<sup>29</sup> The following measures can become subject-matters of the follow-on arrangements: review of the APSA to enhance the IAEA's ability to detect undeclared nuclear activity; the strengthening of the process of assessment of the safeguards carried out in states parties; the building-up of the IAEA technological capability (strengthening the network of its analytical laboratories); improving access to the images received from commercial artificial satellites; ensuring appropriate financing of the IAEA safeguards system, etc.

instruments and, especially, to ensure effective control over new nuclear facilities placed under the IAEA safeguards.

The implementation of the recommendations approved by the Conference would help the IAEA to obtain a fuller picture of the nuclear activities in the member states and enable it to elaborate and apply higher non-proliferation standards and become better equipped to deter potential transgressors from pursuing dangerous nuclear weaponization course.

Of late, controversies over non-compliance with the IAEA safeguards have acquired added intensity, especially in connection with the Iranian nuclear program (INP) and the concerns of the world community over Iran's failures to engage with the IAEA on resolving all outstanding compliance issues.

The Final Document underscores the importance of settling issues arising from non-compliance with safeguards obligations in full conformity with the IAEA statute and the respective legal obligations of member states ('Action 27') with the IAEA exercising fully its mandate and its authority to verify the declared use of nuclear material and facilities and the absence of undeclared nuclear material and activities in states parties (§23).

These provisions reflect concerns of many countries over violations of the non-proliferation commitments and, in particular, over the abuse of the right to withdraw from the NPT<sup>30</sup> and the attempts to use the NPT membership as a political cover for illegitimate nuclear programs and easier access to dual use technologies, materials and weapons of mass destruction (WMD).

The Eight NPT Review Conference actively debated this issue, in particular, actions of the DPRK, which prior to its withdrawal notice in January 2003 had been covertly and with impunity engaging in nuclear weapons development.

The Conference declared that North Korea could not have 'the status of a nuclear weapon state' and urged it to fulfil its commitments under the Six-Party Talks<sup>31</sup> and relevant resolutions of the UNSC, and return to the NPT.

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<sup>30</sup> Under Art. X of the NPT 'Each Party in exercising its sovereignty shall have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of the Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests'.

<sup>31</sup> See note 7.

Much of the discussion at the Conference revolved around the future appropriate international responses to similar withdrawals. There has been a movement on that.

The Final Documents contains important suggestions for addressing withdrawals of states in non-compliance with their non-proliferation obligations.

Reflecting the view of many states parties to the NPT on this important issue the Conference noted that ‘that under international law a withdrawing party is still responsible for violations of the Treaty committed prior to its withdrawal, and that if done in accordance with the provisions of the Treaty, such withdrawal would not affect any right, obligation or legal situation between the withdrawing State and each of the other States parties created through the execution of the Treaty prior to withdrawal, including those related to the required IAEA safeguards’ (§ 119). It is stated that in a situation of withdrawal of a non-complying state ‘states parties should undertake consultations immediately, as well as regional diplomatic initiatives’. In this connection ‘the responsibility entrusted to the Security Council under the United Nations’ is noted.

Thus, a key principle is reaffirmed: the withdrawing parties are responsible for violations committed while a party to the Treaty. The Final Document reaffirms the view of many states, according to which, nuclear supplying states can consider incorporating dismantling and/or return clauses in the event of withdrawal in arrangements or contracts concluded with other states parties as appropriate in accordance with international law and national legislation (§121)<sup>32</sup>. Practical arrangements may involve the termination of cooperation agreements in the field of peaceful uses of nuclear energy; the annulling of technical nuclear assistance accords, suspension of delivery of nuclear materials and equipment.

It is significant that in addressing compliance matters the Conference thought it appropriate to reaffirm the importance of access to the United Nations Security Council and the General Assembly by IAEA, and the role of the United Nations Security Council in upholding compliance with IAEA safeguards agreements and ensuring compliance with safeguards obligations by taking appropriate measures in the case of any violations notified to it by IAEA (§10).

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<sup>32</sup> The theme of a need for a swift response of the NPT community to the withdrawal of a state responsible for violations committed while a party to the NPT is developed in a number of working papers submitted to the Conference and, in particular, by states members of the European Union, as well as Australia, Canada, New Zealand, Russia, the Ukraine, the USA, the Republic of Korea, Japan and some others. See: <<http://www.un.org/en/conf/npt/2010/statements/statements.shtml>>.

In this connection it would be pertinent to recall that the UNSC is equipped with a wide range of powers and tools to address non-compliance cases. It is well positioned to act expeditiously and convincingly to stem proliferation. Thus, the UNSC is authorized to determine the existence of any threat to international peace and security caused by situations of non-compliance of states with their non-proliferation obligations and decide what enforcement measures shall be taken to address such threats. It may recommend and enforce specific steps required to continue to apply IAEA safeguards in a withdrawing state responsible for violations of the NPT regime and take other appropriate measures to remedy the situation.

The UNSC is empowered to take action 'as it deems necessary' to deal with the challenges posed by the spread of nuclear weapons, including the situations of non-compliance with non-proliferation requirements. Acting on behalf of all the member states the UNSC has the authority to make non-proliferation sanctions determinations regarding states found in material non-compliance with the NPT and decide on a wide range of enforcement measures involving economic, financial and political actions (Art. 41 of the UN Charter) as well as the use of force (Art. 42). In Article 25 of the UN Charter member states agreed to carry out decisions of the UNSC. Under this Article the UNSC may require UN member states to impose sanctions on non-complying countries to enforce compliance with non-proliferation requirements.

Therefore it is appropriate to underscore its role in enforcing non-proliferation norms. The UNSC has certain experience in dealing with non-proliferation issues. On a number of occasions the UNSC resorted to economic, financial and other sanctions to enforce compliance with basic non-proliferation requirements.

But its enforcement potential should be used more efficiently in ensuring the validity of the NPT regime. Increased efforts are required to improve the tools at its disposal. In this connection it is pertinent to note the growing relevance of Russian proposal on reinvigorating the dormant UN Military Staff Committee to provide the UNSC with expertise on matters of hard security, as well as parallel initiatives of other countries (for example, on establishing military-technical systems to control the developments in the non-proliferation field and respond effectively to the attempts of potential proliferators to pursue nuclear weaponization activities).

Provisions of the Final Document regarding the responses to the abuses of the right of withdrawal from the NPT serve to facilitate implementing collective actions to prevent the perpetrators from benefiting from their non-compliance with the NPT.

Provisions of the Final Document touching upon nuclear disarmament, nuclear-weapon-free zones, comprehensive nuclear test ban, international cooperation in the field of peaceful uses of nuclear energy, arrangements for security and physical protection of nuclear material and facilities are of significance in their own right for global security and progress of the world community.

At the same time these provisions are directly affecting the non-proliferation cause so far as they help to shape general context and conditions favorable for resolving concrete tasks in the field of stemming further nuclear proliferation and are called upon to bolster the NPT regime. They indicate tangible benefits from the NPT membership for the NNWS.

In this connection one should single out the following conclusions and recommendations for follow-on actions:

- The action plan on nuclear disarmament which includes concrete steps for the total elimination of nuclear weapons ('Actions 1-7, 10-14');
- The support for the establishment of further nuclear-weapon-free zones where they do not exist, especially in the Middle East ('Action 9'), in particular, support for convening a conference in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction; bringing into effect the security assurances provided by nuclear-weapon-free zone treaties and their protocols; the recommendation to foster cooperation and enhanced consultation mechanisms among the existing nuclear-weapon-free zones through the establishment of concrete measures to extend cooperation; the recommendation on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons ('Action 7');
- The recommendations on maintaining the highest possible standards of security and physical protection of nuclear material and facilities ('Actions 40-43');
- The recommendation to give preferential treatment to the non-nuclear-weapon states parties to the Treaty, taking the needs of developing countries, in particular, into account ('Action 50');
- The recommendation to encourage states concerned, on a voluntary basis, to further minimize highly enriched uranium in civilian stocks and use, where technically and economically feasible ('Action 61');
- Ensuring that the use of nuclear energy must be accompanied by commitments to and ongoing implementation of safeguards as well as appropriate and effective levels of safety and security, consistent with states' national legislation and respective international obligations ('Action 57');

– Support for the development of multilateral approaches to the nuclear fuel cycle, including the possibilities of creating mechanisms for assurance of nuclear fuel supply, as well as possible schemes dealing with the back-end of the fuel cycle, as viable and realistic alternatives to the development of exclusively national potential in the field of uranium enrichment and reprocessing (‘Acton 58’)<sup>33</sup>.

The adoption by consensus of the action plan is of a principal significance for global security. For the first time in a decade the NPT community has succeeded in elaborating common understandings, suggesting areas of common ground and charting a common way forward in overcoming proliferation challenges. The states parties recognized the need for further concerted actions to strengthen and broaden the NPT regime. They considered a range of measures designed to improve tools of deterrence, detection, and responding to violations of international safeguards arrangements. The Conference approved enhanced standards for ensuring the peaceful character of nuclear activities and supported the strengthening of the IAEA verification authority.

Potential perpetrators have received authoritative notice of serious negative consequences for those responsible for violations committed while a party to the NPT. Steps have been taken to minimize potential harmful effects of a projected substantial expansion of the nuclear industry for the operation of the NPT.

Adopting by consensus the action plan the participants of the Eighth NPT Review Conference sent a message to the world of the unity of the NPT parties in upholding non-proliferation principles and norms and of their willingness to undertake practical steps to bolster them. The positive results of the Conference increase pressure on the potential proliferators who would have to take fully into account the consolidated position of the

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<sup>33</sup> The NNWS parties to the NPT can obtain substantial benefits following the implementation of the Russian proposition to create a guaranteed reserve of low-enriched uranium amounting to 120 tonnes on the territory of the Russian Federation under the auspices of the IAEA. This quantity of LEU is sufficient for the fabrication of fuels for a 1000 mw nuclear power plant. Under this proposal the RF undertakes all the costs related to the production of the LEU, its storage and maintenance, and application of safeguards, etc. A recipient state would only cover the costs of the supplied material at a current price. This reserve would ensure a reliable delivery of fuels for nuclear power plants in case the market is unable to provide them. The IAEA Board of Governors authorized the IAEA to cooperate with the RF for the creation of a fuel reserve at Angarsk.

For a detailed analysis of the multilateral approaches to a NFC, see working documents submitted to the Eighth NPT Review Conference: Working paper submitted by the Russian Federation and Belarus, NPT.CONF.2010/WP.22 and ‘Multilateral approaches to the nuclear fuel cycle’ – Working paper submitted by Sweden, NPT.CONF.2010/WP.7.

NPT community and the prospect of practically worldwide condemnation of acts at variance with its Final Document. The steady progress in the implementation of the plan of actions adopted by the Conference will be beneficial for bolstering the collective antiproliferation potential. However, one should not take lightly the complexity involved in this process.

### **Critical omissions and outstanding problems**

The broad range and significance of the consensus provisions of the Final Document are impressive enough, including common understandings, agreed assessments and concrete recommendations for follow-on coordinated actions.

At the same time the Conference a number of substantive issues affecting the vitality of the NPT regime have remained outside the consensus area.

Omissions, deficiencies, and understatements are the results of consensus requirements, differing priorities and divergent views among the NPT states parties on the NPT implementation.

For example, the pressing issue of counterproliferation, of toughening punishments for proliferation acts has been for the most part ignored. Whereas nowadays broad international support for resolute enforcement measures is in high demand to effectively counter illicit nuclear proliferation activities, such as trafficking in technologies, materials and equipment related to nuclear weapons; shipments of WMD-related cargoes to and from states and non-state actors of proliferation concern; financing proliferation networks, etc. Unless such looming issues are squarely addressed, the NPT regime is heading for trouble.

The Final Document is somewhat reticent on regional proliferation challenges, fraught with worrying implications for the solidity of the NPT. The challenges related to the Iranian and North Korean nuclear programs demand vigorous efforts on the part of the international community.

The Conference did not offer new thinking on ways forward in addressing challenges to the NPT posed by the nuclear programs of India and Pakistan. (The participants urged 'India and Pakistan to accede to the Treaty on the Non-Proliferation of Nuclear Weapons as non-nuclear-weapon States and to place all their nuclear facilities under comprehensive IAEA safeguards promptly and without conditions'.)

As far as Israel is concerned, which is also outside the NPT and, according to experts, possesses a number of nuclear warheads, although it does not admit to having nuclear weapons, the Final Document favors the

solution by means of establishing a Middle East zone free of nuclear weapons and other weapons of mass destruction.

It would have been a significant contribution, had the Conference been able to focus on ways forward in ensuring effective use of the UNSC potential for enforcing non-proliferation requirements and strengthening the NPT regime globally. It is obviously insufficient to confine oneself to reproducing the relevant provisions of the NPT and the Charter of the United Nations to this effect and close one's eyes on the concrete UNSC resolutions on addressing compliance enforcement issues.

The Final Document has persuasively demonstrated the need for further strengthening the NPT review process and appropriately underscored the importance of ensuring optimal coordination and continuity throughout the review cycle (§109–112).

The Conference has noted the regular reports submitted by states parties within the framework of the strengthened review process (§92)<sup>34</sup>.

However, the subject matter of the regular reports is confined to the implementation of the Art.VI of the NPT. Consequently, the calls are addressed to the NWS. These states, for example, are urged to report their undertakings to the Preparatory Committee in 2014. The 2015 Review Conference, in its turn, 'is to take stock and consider the next steps for the full implementation of article VI ('Action 5').

To be sure these calls are appropriate as would have been parallel requests addressed to non-nuclear weapon states parties to the NPT to submit regular reports on the implementation of Art. II and III.

Absence of such requests suggests a certain 'imbalance' in the Final Document in favor of the consideration of the vision of a world without nuclear weapons, a very important strategic objective but only attainable in a rather distant future and in the context of deep reorganization of the entire international system.

Out of 64 'actions' recommended by the Conference, 21 – involve steps required from the NWS under Art. VI; 18 – relate to 'actions' in the field of peaceful uses of nuclear energy (in the majority of cases these requests are also addressed to the NWS) and 25 'actions' comprise directly commitments assumed by the NNWS parties to the NPT and the objective of preventing the diversion of nuclear materials to nuclear weapons.

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<sup>34</sup> The Conference recommends 'that a dedicated staff officer to support the Treaty's review cycle should be added to the Office for Disarmament Affairs of the United Nations Secretariat. The dedicated officer will function in an independent manner and be responsible to the meetings of States parties to the Treaty'. Pending a further decision by States parties, the costs associated with the staff officer will be funded from voluntary contributions from States parties in a position to do so. Such voluntary contributions will be provided without any conditions. (§111).

## **Conclusions**

The Eighth NPT Review Conference has become the most representative, authoritative and productive international forum in the late decade, especially devoted to key issues of nuclear non-proliferation and disarmament.

The Final Document has provided the international community with additional leverage for stemming the WMD proliferation in the coming years. Although provisions of the Final Document addressing the current proliferation challenges are hardly of a break-through or innovative character, it should be stressed that in their totality they constitute impressive guidelines on ways to deter a probable 'new wave' of nuclear destabilization and to move forward on the road to nuclear disarmament and peaceful uses of nuclear energy on a broader scale.

By forging new consensus among the parties to the NPT, the Eighth NPT Review Conference made a significant contribution to global strategic stability and nuclear non-proliferation. It has retained the relevance of the NPT in the modern security environment, consolidated its achievements and gave an impulse to further constructive efforts. The outcomes of the Conference represent an essential element of the current trend towards positive transformation of international relations.

It remains, of course, to be seen whether the momentum forward generated by the Eighth NPT Review Conference will be sustained. If the states, which approved the action plan, display in the future strong political will, responsibility, vigor and ingenuity in pursuing the non-proliferation agenda, the world will succeed in shaping a more secure international order. In any case, after the Eighth NPT Review Conference the chances of a positive vision materializing exist.

#### 4. RUSSIA AND DEEP NUCLEAR DISARMAMENT. A REVIEW OF CONFERENCES HELD AT IMEMO

Petr TOPYCHKANOV

Four conferences were held on this subject in 2010 in the framework of joint project implemented by the Institute of the World Economy and International Relations (IMEMO) and the Nuclear Threat Initiative, Inc. (NTI)<sup>35</sup>. The conferences were attended by prominent Russian and foreign experts in the areas of nuclear disarmament, nonproliferation, strategic stability and international security. Following the conferences, four publications of the series «Russia and Nuclear Disarmament» have been issued in Russian and English languages in 2010.<sup>36</sup>

##### Strategic stability after the Cold War

On 18 March 2010, IMEMO held the first conference in the framework of IMEMO-NTI project<sup>37</sup>. In his welcome address Academician Alexander Dynkin, Director of IMEMO, offered analysis of the current state of the Russian-U.S. relations and disarmament negotiations. He argued with the approach that international security can be guaranteed only by nuclear deterrence mechanisms. After the end of the Cold War and the ideological confrontation, nuclear deterrence in its

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<sup>35</sup> NTI – is an international nonprofit organization, seeking to reduce the risks, related to nuclear, biological and chemical weapons. Sam Nunn, a former U.S. senator and a prominent public figure, is co-chairman of NTI. He has played an outstanding role in cooperation between Russia and the United States in the field of reduction and limitation of nuclear weapons. Further information about this organization is available at the website: <<http://www.nti.org/>>.

<sup>36</sup> Arbatov A., Dvorkin V., Oznobishchev S., Pikaev A. *Strategic Stability After the Cold War*. Moscow: IMEMO, 2010; Arbatov A., Dvorkin V., Oznobishchev S., Pikaev A., *NATO- Russia Relations. (Prospects for New Security Architecture, Nuclear Reductions, CFE Treaty)* Moscow: IMEMO, 2010; Arbatov A., Dvorkin V., Oznobishchev S. *Non-Nuclear Factors of Nuclear Disarmament*. Moscow: IMEMO, 2010; Arbatov A., Dvorkin V., Oznobishchev S. *Modern Nuclear Doctrines*. Moscow: IMEMO, 2010. These publications are also available on the website of IMEMO, <<http://www.imemo.ru/ru/publ/>>.

<sup>37</sup> The report on this conference has been published on the IMEMO website <<http://www.imemo.ru/ru/conf/2010/180310.php>>.

traditional sense is becoming less essential under conditions of a globalizing world.

The probability of an intentional massive attack of major powers against each other is ceasing to be a factor in practical politics. Modern geopolitical realities are characterized by the emergence of new threats, above all, related to terrorism and nuclear proliferation. A realistic approach to security needs requires focusing military and political efforts on collective combating the real threats and challenges.

In the context of negotiations on reducing strategic offensive arms (SOA) Russia could reach acceptable solutions of pressing problems: curbing NATO's eastward expansion, limiting conventional precision weapons systems, preventing an arms race in space<sup>38</sup>.

Vladimir Dvorkin, Principal Researcher of the IMEMO Center of International Relations, project manager; Alexei Arbatov, Corresponding Member of the Russian Academy of Sciences, Head of the IMEMO Center of International Relations; Sergey Oznobishchev, Head of the sector of the IMEMO Center of International Relations and Alexander A. Pikaev, Head of the Department of the IMEMO Center of International Relations made key presentations at the conference.

Dvorkin addressed a number of issues related to strategic stability in the new environment. He drew attention to the fact, that the concept of strategic stability had taken shape during the Cold War, when it had been almost entirely treated in the light of the Soviet-U.S. relations. In the era of globalization, the perceptions of strategic stability have evolved under the impact of new emerging threats.

Dvorkin offered a definition of strategic stability, described its characteristics and elements, highlighting destabilizing factors in the context of modern development, as well as promising ways of strengthening stability. In his view, the destabilizing potential of the BMD would be low under the conditions of the new START Treaty. Even in the case of a unilateral deployment of BMD systems envisaged by the plan of the U.S. President Barack Obama, it would remain as it is if one takes into account the ability of the Russian SNF to overcome missile defenses. However, unilateral American moves in the BMD field would worsen political relations between the two countries. Russian-U.S. cooperation in the BMD area would offer radical means of preventing a probable new missile crisis.

Referring to the anticipated state of stability at the levels of American and Russian SOA below 1000 warheads, Dvorkin noted that the implications such reductions need further study.

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<sup>38</sup> Alexander Dynkin's address is available on the IMEMO website, <[http://www.imemo.ru/ru/conf/2010/180310\\_1.pdf](http://www.imemo.ru/ru/conf/2010/180310_1.pdf)>.

In his presentation Arbatov focused upon the perils of preserving the concept of the launch-on-warning in nuclear planning in Russia and the United States. He argued that the survivability of the nuclear forces of both states should be provided on a reciprocal basis, primarily by reducing the counterforce potential of the United States. This should be considered in the context of further reductions of strategic nuclear capabilities in order to maintain strategic stability.

In his view, further linear SOA reductions below the level of 1000 warheads might cause strategic instability, especially in the absence of constraints on the destabilizing factors. Arbatov also outlined a number of possible measures aimed at lowering the combat readiness of the SNF.

Pikaev gave a detailed analysis of plans of development of the SNF in France, Great Britain and China. He focused on the possibilities and prospects for engaging these countries in the nuclear arms control negotiations. Pikaev assessed the significance of unilateral measures taken by some of these states to reduce nuclear arsenals. He also discussed policies of Israel, India and Pakistan and the issue of engaging them in international nuclear disarmament effort.

Oznobishchev drew attention to the perils of missile proliferation and highlighted its damaging implications for strategic stability. He advocated elaborating an international legally binding instrument for the control of missile proliferation. In his view Russian-U.S. cooperation could be very helpful for the success of this effort.

Some participants referred to growing nuclear capabilities in unstable regions. They expressed concern over nuclear-missile policies of Iran and North Korea and their damaging implications for strategic stability.

It was argued, that the current relations between Russia and the United States in the strategic field cannot be considered in the terms, characteristic for the nuclear confrontation between the Soviet Union and the U.S.A. ('the parity of counterforce capabilities'). In the modern environment, achieving such parity is not a necessary goal. Russia and the U.S.A. need only to maintain the potential for inflicting unacceptable damage (as a temporary exigency on the way towards a world without nuclear weapons).

A number of specific issues, affecting strategic stability, were addressed by the participants (ratio between warheads and carriers; survivability; constraints on BMD; the development of conventional long-range high precision-guided weapons and space systems, the possibility of lowering combat readiness, the prospects for reaching arrangements on tactical nuclear weapons (NTW), including the withdrawal of U.S. TNWs from Europe).

It was stressed that the establishment of a joint BMD system would require a new level of cooperation between Moscow and Washington, a

close partnership, the achievement of which would help to strengthen strategic stability.

### **The future of NATO-Russia relations**

On 20 April 2010, IMEMO held the second conference in the framework of the program 'Russia and deep nuclear disarmament'. The participants discussed the state of NATO-Russia relations; the prospect for new security architecture in Europe; tactical nuclear weapons and nuclear disarmament, the Treaty on Conventional Forces in Europe (CFE Treaty)<sup>39</sup>.

Academician Alexander Dynkin opened the conference. He underlined, that the new START Treaty gave a stimulus to the process of international nuclear arms control. In his view, this treaty is a historic event both in terms of unprecedentedly low levels set forth for the strategic weapons of the parties and in terms of the two powers' resuming cooperation in this area that was suspended for known reasons, for more than a decade.

The NATO-Russia relations will play a key role in the context of future steps towards nuclear disarmament. Nuclear disarmament efforts cannot continue to be bilateral. Third nuclear powers should also be engaged in the international nuclear arms control process in one form or another. As far as non-strategic nuclear weapons mostly located in Europe are concerned, this issue is connected with conventional armed forces and arms limitation on the continent and the agreements related to the CFE Treaty, which is currently 'on hold'. Dynkin concluded that all these themes cannot be fruitfully addressed outside the context of Euro-Atlantic security and its prospects.

Vladimir Baranovsky, Deputy Director of IMEMO, Corresponding Member of the Russian Academy of Sciences, Alexei Arbatov, Vladimir Dvorkin, Alexander Pikaev and Sergei Oznobishchev made key presentations at the conference.

Baranovsky recalled that the NATO was created as a military alliance against the Soviet Union. 'Historical memory' hampers understanding of today's problems and can be used for intentional manipulations at any time. After the bombing of Yugoslavia in 1999, the attitude of the Russian political class towards NATO became completely negative. 'A window of opportunity' is reopening now for bilateral cooperation. This inspires a cautious optimism. For Moscow the decision

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<sup>39</sup> The report on this conference has been published on the IMEMO website: <[http:// www.imemo.ru/ru/nsk/2010/200410.pdf](http://www.imemo.ru/ru/nsk/2010/200410.pdf)>.

to reconsider NATO's eastward expansion is a strong signal of an attempt to address Russian concerns and establish constructive relations. Russia also wants to overcome negative elements in its relations with NATO and the West in general.

Arbatov emphasized that the Prague START Treaty has marked the revival of robust cooperation by the two powers in the field of nuclear arms reduction and cleared the path for further steps towards nuclear disarmament in line with the parties' obligations under Art. VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

In terms of further reductions and limitations of nuclear weapons, an important question relates to the extension of this process to non-strategic (or pre-strategic) nuclear weapons. Most commonly these are considered to include operative-tactical and tactical nuclear weapons (which are usually referred to as TNWs). Because of their special characteristics the reduction and elimination of these weapons will, in fact, mean the elimination of nuclear warheads in storage facilities. In some cases TNWs are stored together with strategic warheads downloaded from missiles and heavy bombers in the START context.

Therefore, in dealing with TNWs one should start with the relocation of all such weapons from forward bases to central storage facilities in more remote areas of the national territories (in point of fact, to the reserve). Prior to that, the parties would have to exchange information on the existing weapons of such types at their air and naval bases. Complete withdrawal of TNWs from forward bases is easier to verify – the storage facilities would simply be empty. Arrangements would need to include short notice demand inspections (similar to those provided in the START for bases of ICBMs, SLBMs and HBs) at air and naval bases in the territories of Russia and the U.S.A. (probably also in the national territories of their allies).

According to Dvorkin, issues related to the establishment of a joint BMD system and the elaboration of constraints on TNWs, and the nuclear programs of Iran and North Korea would require growing significance in the coming period.

First and foremost, it is necessary to immediately revive the project of establishing a Center for the Exchange of Data from Early Warning Systems and Notifications of Missile Launches (the Joint Data Exchange Center, JDEC).

Joint U.S.-NATO-Russian computer theatre missile defense (TMD) exercises should be renewed and expanded beyond the TMD scale and from computers to test ranges. There should be no considerable difficulties in the division of the zones of responsibilities in the interception coverage and in using firepower (under a further configuration of a joint BMD).

Russian project for new European security architecture must be filled with tangible programs. Joint development and deployment of BMD may constitute a significant contribution to his process.

In the absence of focused actions to develop a joint BMD, another 'missile defense crisis' in the relations between Russia and the U.S./NATO may break out and it is likely to be more destructive in its implications. Under these conditions no progress would be possible in reductions of nuclear weapons as well as in the related areas.

Pikaev offered some ideas on engaging the third nuclear-armed states in the process of reduction and limitation of nuclear weapons. He referred to the voluntary unilateral reductions in nuclear arms implemented by Great Britain and France. However, these European states seem not to be inclined to participate in multilateral nuclear arms control negotiations. He also dealt with nuclear policies of China, India, Pakistan and some other nuclear-armed states. In his view, the prospects for developing nuclear capability of China might irritate Russia and, most likely, the United States. Beijing should be persuaded to exercise restraint in modernizing its nuclear forces, as well as to provide more transparency regarding its nuclear programs. The Chinese factor might affect the anticipated Russian-U.S. strategic dialogue.

Oznobishchev made a retrospective assessment of the process of reductions of conventional armed forces in Europe. In his view, refusal to ratify the 1999 Agreement on Adaptation of the CFE by the Western countries has been a serious error with long-term negative consequences (the pretexts, used to justify, this refusal, did not constitute insuperable obstacles for the ratification). He drew attention to the existing proposals for restoring the CFE regime. In the new international environment, NATO can be a forum for discussions and further progress. He argued that in the framework of the dialogue about the Russian proposal on the European Security Treaty (EST), it could be possible to consider some additional reciprocal confidence-building measures, for example, the data exchange and inspections on a bilateral basis within the scope of the CFE. The EST dialogue could help to achieve a compromise on the procedure of provisional application of the Agreement on Adaptation of the CFE.

### **Non-nuclear factors of nuclear disarmament**

On 22 June 2010, IMEMO held the third conference in the framework of the joint IMEMO-NTI project<sup>40</sup>. Opening the conference, Academician Alexander Dynkin recalled, that 22 June, was a day, when the Great Patriotic War began 69 years ago. He believed that the aim of the project is to prevent similar disasters in the future.

Dynkin stressed that the influence of the BMD systems on nuclear disarmament and non-proliferation depends not only on specifications of the defense systems – in no smaller extent it is determined by the military-political format of their development. Developing BMD systems on the basis of NATO/U.S-Russia cooperation will, among other things, practically contribute to further reduction and non-proliferation of nuclear weapons. However, just to say that the great powers should cooperate on BMD would be far from sufficient. Joint development of BMD requires addressing a whole range of most complicated issues. The improvements in the Russian-U.S relations achieved in the recent months must be consolidated and enhanced in every possible way to move forward constructive cooperation of the two powers.

The main speakers at the third conference: Robert Legvold, professor of the University of Columbia (USA), Stephen Flanagan, vice-president of the Center for Strategic and International Studies (USA), Michael Elleman, senior researcher of the International Institute for Strategic Studies (branch office in Washington, DC, USA), as well as Russian experts – Vladimir Dvorkin, Alexei Arbatov and Sergei Oznobishchev.

Legvold stressed the importance of the military security issues for the improvement of relations both in bilateral (Russia and the United States) and multilateral formats (the Euro-Atlantic region). In this context, he argued, a solution of the problems of reduction of conventional weapons, nonstrategic nuclear weapons and BMD is highly important. In his presentation, Legvold shared his views on these subjects.

In the view of Flanagan, the group of experts to prepare a new Strategic Concept of NATO, headed by Madeleine Albright, former U.S. secretary of state, recognized the importance of BMD system for Europe as well as the strengthening the CFE regime. He stressed the need for additional confidence-building measures to maintain strategic stability in the relations with Moscow in the different scenarios of BMD deployment. He commented on the steps that had already been taken

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<sup>40</sup> The report on this conference has been published on the IMEMO website <<http://www.imemo.ru/ru/conf/2010/22062010.pdf>>. Prior to this conference Alexander Pikaev, one of the active participants of the project, passed away. The third brochure of the project was dedicated to his memory: Arbatov A., Dvorkin V., Oznobishchev S. *Non-Nuclear Factors of Nuclear Disarmament*. Moscow: IMEMO, 2010.

within the framework of the Russia-NATO Council (RNC) in the assessment of joint missile defense architecture, particularly, the study of its interoperability.

Flannagan underlined the need for further work on the delimitation of tactical and strategic missile defenses. He concluded that it is necessary to expand cooperation in the BMD area to improve cooperation between Russia and NATO and to strengthen security in Europe.

Elleman argued that cooperation in the BMD area would provide additional safeguards against some regimes, irritating the international community by their missile and nuclear programs. He provided a brief overview of the history of the BMD. In his opinion, the course of the Obama Administration to deploy BMD in Europe requires a joint assessment of existing threats. It is necessary to create a mechanism that would enable the combination of existing and operating systems and components. Restrictions on the deployment areas of advanced BMD could be a first step, that might contribute to strengthening international confidence..

Dvorkin outlined some areas of possible Russian/ U.S./NATO cooperation in the BMD area. He drew attention to the fact, that the United States and NATO had recently signaled their willingness to cooperate. He described Russian potential for cooperation in the BMD with the United States and Europe. Referring to obstacles on the way of implementing joint projects, Dvorkin pointed out to existing mutual mistrust and conservatism of the official structures, the fear of loss of sensitive technologies. According to Dvorkin, it is necessary to reanimate those elements of cooperation that have been lost in recent years and above, move forward with the Center for the Exchange of Data from Early Warning Systems and Notifications of Missile Launches.

A so-called virtual Joint Data Exchange Center can be established as an option. In a number of complementary areas there are organizational and technological opportunities for cooperation between Russia, the United States and European members of NATO that could be realized within the framework of the current 'window of opportunity' for the strategic partnership between Russia and the United States.

For more than decades BMD was the most important area of strategic rivalry between the Soviet Union/Russia and the United States. In the new environment a joint BMD project could be an important positive factor in the consolidation of efforts to address global security challenges, if the parties demonstrate sufficient prudence and political will.

Arbatov concentrated on the issue of legal limitations of strategic high-precision conventional weapons, which has become an important topic of strategic arms reductions. He drew attention to the fact that in the

Russian expert community, including reports by the institutes of the Ministry of Defense, articles in specialized magazines and newspapers, there had been plenty of comments on the increasing number and improved efficiency of such weapons in terms of a potential attack against Russia, particularly inflicting a disarming (counterforce) strike against its strategic nuclear forces, missile early warning systems, and combat command centers.

Some Russian senior military officials regularly describe such a scenario as an indisputable certainty and stress the necessity to mobilize resources in order to counter the threat and develop relevant capabilities. Arbatov argued that high-precision conventional weapons cannot even come close to nuclear weapons in terms of effectiveness in a strike against strategic hardened or mobile military targets, let alone urban-industrial centers. Nevertheless, the deployment of high-precision long-range non-nuclear weapons would create difficulties for nuclear disarmament and cooperation between the great powers. In conclusion Arbatov made several proposals aimed at addressing this problem.

Oznobishchev highlighted some possible immediate measures for non-militarization of outer space. He stressed, that further progress in arms reduction and limitation would depend to a considerable degree on the success of the effort to prevent an arms race in outer space. Importance of this issue was underlined in the official Russian document. The Russian Military Doctrine (February 2010) mentioned the militarization of outer space among 'major external military threats' to Russia's security.

Oznobishchev advocated the adoption of an international code of conduct in outer space. Such a document would be not legally binding. It would, however, create a framework for introducing voluntary restrictions on some activities and enhance international trust.

Some experts have expressed concern about specific declarations and plans of the U.S. Administration, in particular, related to the preservation of the concept of 'Prompt Global Strike'.

In general, the participants agreed that cooperation in the BMD field with NATO and the United States could be an important step towards establishing closer cooperative relations between Russia, on the one hand, and the United States and NATO, on the other. Many speakers emphasized the role of the political will of the U.S. and Russian leaders in achieving progress in arms reduction and limitation.

## **Modern nuclear doctrines**

This theme was discussed on 21 October 2010 at the forth conference<sup>41</sup>. Opening the conference, Academician Alexander Dynkin noted that this conference was dedicated to the most vital, complex and challenging issue of the evolution of the modern nuclear doctrines. He drew attention to the fact, that military doctrines, including nuclear postures, had both internal and external dimensions. Externally, they send a warning to potential adversaries as to what actions by the latter may cause a state to resort to force, including the use of nuclear weapons. Internally, the doctrine aims to show the citizens that the state ensures their security against external threats and is not squandering away the huge sums allocated to defense. Finally, the doctrines to a certain extent set targets for the armed forces and defense industries as regards the probability and the nature of potential wars, the aims and objectives of the armed forces' involvement in such wars, as well as combat training and equipment programs.

Military doctrines, including nuclear postures, are the official position of states which are of great importance for a number of reasons. Firstly, they reflect the state's perception of the role nuclear weapons play in ensuring domestic security and defense capacity, as well as in pursuing international policy. Secondly, the nuclear doctrines of the NWS have a profound effect on the stance of non-nuclear-weapon states (NNWS) on the non-proliferation. Thirdly, this element of the doctrine influences strategic stability, since it relates to the probability and possibility of a first nuclear strike. Fourthly, nuclear doctrines are indirectly linked to the prospects of nuclear disarmament and advancing towards a nuclear weapon-free world (according to the obligation of the states under the famous Art.VI of the NPT). Fifthly, inasmuch as they influence the progress in nuclear disarmament, the doctrines indirectly affect the nuclear non-proliferation regime.

Jules Silberberg, head of political-military unit of the Political Section of the U.S. Embassy, as well as Russian experts – Vladimir Dvorkin, Alexei Arbatov and Sergei Oznobishchev gave opening presentations at the conference.

Silberberg described key ideas of the U.S. Nuclear Posture Review of 2010 (NPR)<sup>42</sup>. He stressed that this document was a kind of 'roadmap' to implement the agenda of Barack Obama to reduce 'nuclear risks' for the U.S.A. and American allies and partners, as well as for the entire world community. In his view, the NPR sets out opportunities for reducing the role and numbers of the U.S. nuclear weapons.

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<sup>41</sup> The report on this conference has been published on the IMEMO website <[http://www.imemo.ru/ru/conf/2010/211010\\_.pdf](http://www.imemo.ru/ru/conf/2010/211010_.pdf)> .

<sup>42</sup> *Nuclear Posture Review Report*. Washington: Department of Defense, Apr.2010.

In response to the changes in the security environment, the NPR suggests five key objectives: Firstly, preventing nuclear proliferation and nuclear terrorism; secondly, reducing the role of U.S. nuclear weapons; thirdly, maintaining strategic deterrence and stability at reduced nuclear force levels; fourthly, strengthening regional deterrence and reassurance of U.S. allies and partners; fifthly, sustaining a safe, secure, and effective nuclear arsenal.

Dvorkin presented a paper describing Russian nuclear policies. They are based on two documents – the Military Doctrine of the Russian Federation and the National Security Strategy of the Russian Federation up to 2020<sup>43</sup>. Dvorkin argued that nuclear weapons would likely to remain for some time an important factor in preventing nuclear wars and conventional military conflicts. In this regard, Dvorkin referred to the goal of Russia's deterrence and prevention of military conflicts 'to maintain strategic stability and nuclear deterrence at a sufficient level'.

Arbatov in his presentation described the circumstances and the nuclear doctrines of the leading states that must be considered in planning long-term and realistic policies towards a world free of nuclear weapons. In Arbatov's view without an advance along these lines it is inevitable that the proliferation of nuclear weapons, as well as scientific and technological progress in other military areas will continue. These damaging processes would ultimately defeat the ability of nuclear weapons to perform the functions which have been conferred on them. Arbatov argued that without continuous transformation and, eventually, abolition of mutual nuclear deterrence, it would never be possible to proceed to full-scale cooperation and partnership between Russia and other nuclear powers and make headway in implementing the nuclear disarmament idea.

Oznobishchev outlined factors which are shaping NATO nuclear strategy focusing on such themes as the role of nuclear weapons, relations of NATO nations with Russia and prospects for negotiations on the limitation and reduction of TNWs.

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IMEMO held presentations of the four publications issued on the subject of 'Russia and deep nuclear disarmament' within the framework of the joint IMEMO-NTI projects. The meetings were attended by

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<sup>43</sup> *Military Doctrine of the Russian Federation* // President of Russia. February 5, 2010, <[http://news.kremlin.ru/ref\\_notes/461](http://news.kremlin.ru/ref_notes/461) >; *National Security Strategy of the Russian Federation up to 2020* // The Security Council of the Russian Federation. May 12, 2009, <<http://www.scrf.gov.ru/documents/99.html> >.

representatives of Russian and foreign research institutes, governmental bodies and of the mass media<sup>44</sup>.

### Conferences attendees

**Ildar Akhtamzyan**, Assistant Professor of International Relations and Foreign Policy, the Moscow State Institute of International Relations (MGIMO);

**Robert Burls**, Senior Adviser of the NTI, the Head of its Moscow Representative Office (USA);

**Viktor Esin**, Advisor to the Chief of the Russian Strategic Forces, colonel- general (retd.);

**Alexander Goltz**, First Deputy Chief Editor of the *Ezhenedelny zhurnal* magazine;

**Waclaw Gudowsky**, Director of the International Scientific-Technical Center;

**Alexandre Kaliadine**, Principal Researcher, Center for International Security of the IMEMO;

**Alexander Khramchikhin**, Head of Analytical Department of the Institute of Political and Military Analysis;

**Elina Kirichenko**, Director of the Center for North American Studies of the IMEMO;

**Natalia Kalinina**, Principal Researcher, Center for International Security of the IMEMO;

**Sergey Kulik**, Director of the International Development Studies, Institute of Contemporary Development;

**Sergey Kortunov**, Deputy Head of the Faculty of World Economy and International Relations, State University – Higher School of Economics;

**Evgeny Myasnikov**, Leading Researcher at the Center for Arms Control, Energy and Environment Studies at Moscow Institute of Physics and Technologies Studies (MFTI);

**Vladimir Novikov**, Leading Researcher of the Russian Institute of Strategic Studies;

**Tatiana Parkhalina**, Deputy Director of the Institute of Scientific Information and Social Sciences;

**Alexander Radchuk**, Advisor to the Chief of the General Staff of the Russian Armed Forces, colonel (retd.);

**Evgeny Silin**, President of the Association for Euro-Atlantic cooperation;

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<sup>44</sup> Information about the presentations is available on the IMEMO website <<http://www.imemo.ru/ru/nsk/2010/21052010.pdf>>; <<http://www.imemo.ru/ru/conf/2010/17062010.pdf>>; <<http://www.imemo.ru/ru/nsk/2010/141010.pdf>>.

**Mikhail Streltsov**, adviser to the Department of Security and Disarmament, Ministry of Foreign Affairs;

**Page Stoutland**, Vice-President of the NTI;

**Vladimir Sotnikov**, Senior Researcher, IMEMO Center for International Security;

**Roland Timerbaev**, former permanent representative of the Soviet Union/Russia in international organizations in Vienna, Ambassador Extraordinary and Plenipotentiary;

**Sergey Utkin**, Head of the Sector, IMEMO;

**Andrey Zagorsky**, Leading Researcher at the Center for War and Peace Studies of the MGIMO;

**Pavel Zolotarev**, Deputy Director of the Institute of USA and Canada Studies (ISKRAN) RAS, major-general (retd.).

## **5. TOWARD A WORLD WITHOUT CHEMICAL WEAPONS**

Natalia KALININA

Chemical weapons (CW), developed at the turn of the 19th century, have been banned under the multilateral Convention on the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention, CWC) opened for signature on 13 January 1993. The Convention prohibits the use, development, production, acquisition, transfer and stockpiling of chemical weapons. It is a most comprehensive international legal instrument on the prohibition of an entire type of weapons of mass destruction (WMD).

Numerous legislative, normative and policy documents of the Russian Federation contain basic provisions that give an idea about the evolution of the Russian program for the destruction of chemical weapon stockpiles as well as about its problems and prospects for the implementation of the CWC.

### **Russian implementation of the CWC**

Elimination of CW stockpiles in the Russian Federation constitutes a mission unprecedented in scale and complexity. The RF has inherited from the dissolved Soviet Union the biggest arsenal of chemical weapons amounting to a total of 40 000 tons in seven storage sites.

The following major developments related to chemical disarmament carried out in the Soviet Union|RF can be singled out:

- The year 1987 – the adoption of the decision to discontinue production of chemical weapons, that is well in advance of the signing of the CWC;
- The year 1990 – the signing of the bilateral agreement with the U.S.A. on the CW destruction. (The agreement did not enter into force largely because by that time the multilateral

negotiations on the key provisions of the CWC had been completed);

- The year 1992 – the first attempt by the Russian Supreme Soviet to elaborate and adopt a program for the destruction of the CW stockpiles in Russia; this proved to be unsuccessful, since the Supreme Soviet ceased to exist; the year saw the signing of the first framework agreements with United States and Germany on rendering assistance to Russia in the area of chemical disarmament. (The agreements are currently operative despite various complications)<sup>45</sup>.
- The year 1993 – the signing of the CWC by the RF. (Russia signed the Convention on 13 January 1993).
- The year 1996 – the elaboration of the Federal special program (FSP) ‘Destruction of Chemical Weapons Stockpiles of the Russian Federation’<sup>46</sup>.
- The year 1997 – the passing of the Federal law on the destruction of chemical weapons in Russia. This legislation governs for the first time national security issues related to disarmament, taking into account the interests and rights of the subjects of the Russian Federation<sup>47</sup>;
- The year 1997 – the CWC entry into force (on 29 April) after the Convention had been ratified by 65 states<sup>48</sup>.

It is clear that against the background of the economic disorder that Russia went through then the country was not able to fulfil the basic requirement of the CWC and to complete the destruction of all its CW stockpiles within a decade that is by 20 April 2007.

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<sup>45</sup> These agreements were signed when the elaboration of the CWC was nearly completed. Russia went through a most acute phase of the economic crisis when the possibility of the CWC signing became problematic for economic reasons.

<sup>46</sup> Ordinance no. 305 of 21 March 1996 “On the Approval of the Federal Special Program ‘Destruction of Chemical Weapons Stockpiles in the Russian Federation’” (with the modifications introduced on 5 July 2001; 24 October 2005; 21 June 2007; 29 December 2007; 12 September 2008 and 9 December 2010).

<sup>47</sup> Federal Law no. FZ 76 of 2 May 1997 of the Russian Federation ‘On the Destruction of Chemical Weapons’ (subsequent versions of this Law: no.157-FZ of 29 November 2001; no.FZ 15 of 10 January 2003; no.FZ 122 of 22 August 2004; no. FZ 45 of 9 May 2005).

<sup>48</sup> The RF has not been one of these states, since Russian Law on the CWC ratification was passed only in November 1997. (Federal Law no. FZ 138 of 5 November 1997).

Undertaking this step, the RF proceeded from the possibilities for extension of the CW final destruction deadlines under exceptional circumstances (envisaged in the CW).

That is why the Russian law on the CWC ratification contains a provision whereby the President of the Russian Federation sets out the time limits for the CW destruction, taking into account the economic situation in the Russian Federation and the need to use the most secure technologies for the CW destruction and ensures the participation of the Russian Federation in adopting decisions on the matters related to the Convention, including its revision and amendments thereto<sup>49</sup>.

These provisions of the Russian CWC legislation, in fact, provide for the possibility of the extension of the conventional time limits beyond those indicated in the CWC. This need emerged in 2010.

Following the CWC ratification Russia has taken active measures to form a national regulatory framework governing various aspects of the state activities in the field of chemical disarmament.

In particular, in 2000 the Russian Parliament passed Federal legislation on social protection of citizens who are involved in the CW destruction. The legislation provides for a wide range of benefits (some 15 types of benefits related to conditions of work, rest, medical treatment, etc.).

In 2001 the decision was taken to transfer the responsibility of the customer of the FSP for the CW destruction from the Ministry of Defense to a civilian agency – the Russian Munitions Agency (Rosboepripasy)<sup>50</sup>.

This decision helped to remove certain ‘apprehensions’ of states which were worried that their assistance to Russia in the field of chemical disarmament could be diverted to undeclared purposes.

But this move has been of greater importance for Russia itself, as it stimulated the CW destruction process, including its funding.

Over 60 various major legal and executive normative federal documents on chemical disarmament have been adopted between 1997

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<sup>49</sup> In 2004, Rosboepripasy was transformed into Rosprom. In 2008 the functions of the customer for the FSP ‘The Destruction of Chemical Weapons Stockpiles ...’ were transferred to the Minpromtorg, which is simultaneously the national authority for the implementation of the CWC.

and 2010, including a fundamental document on chemical and biological security up to 2010, approved by the Russian President in 2003.

It took a considerable time for the chemical disarmament process to acquire needed momentum since Russian financial resources were limited and international assistance did not correspond to the pledges.

These circumstances forced the government to permanently modify the FSP, to change the time limits for the construction of CWDFs and make provisions for increased federal funding.

The first edition of the FSP for the year 1996 (estimated to cost about 16 bn roubles at current prices) stipulated that the CW destruction was to begin four years after the entry into force of the CWC and be completed in 2005. The flimsiness of this program became evident soon after its adoption due to the lack of resources and international assistance.

The (2001) FSP's second edition provided for federal expenditure on the CW destruction amounting to 92.7 bn roubles. It essentially relied on international support to the extent that its provisions included the transportation of chemical munitions from the CW storage at Kizner (the Udmurt Republic) to the CWDF which was being built in Shchuchye (the Kurgan oblast). (This was one of the requirements of the U.S.A. for rendering assistance).

However, delays in the construction of the 'Shchuchye' CWDF, the failure of the U.S.A. to comply with its financial commitments and the calculation of the cost of the transportation (compared to the volume of the anticipated total U.S. assistance in the CW destruction field) revealed the impossibility of the implementation of the Program so far as the time limits for the CWDF's construction and its operation were concerned.

The (2005) third edition of the FSP provided for federal budget expenditure of 160.4 bn roubles. It was more focused on the use of Russia's domestic resources, although this program still contained provisions involving foreign assistance. (These hopes failed again to materialize.)

Russia continued to receive some foreign assistance in its chemical disarmament but this did not make a significant contribution to the CWDF construction with the exception of sufficiently effective cooperation with Germany.

The principal miscalculation of the 2005 edition of the FSP has been the fact that the time limits of the CWDF construction at

Pochep (the Bryansk oblast) was based on Italian funding (Italy promised to provide 360 mn euros in the period of 2003–2008.)

The fourth and fifth editions of the FSP were adopted in July and December 2007 (projected federal expenditure amounted to 183.8 bn roubles).

The time limits of the construction of some CWDFs were extended as well as their commissioning. The document took into account the anticipated international assistance to the amount of 42 722 bn roubles promised to Russia under the G8 Global Partnership Program (GP), although the previous years showed low performance by the donor countries. (The Program ‘Global Partnership against the Spread of Weapons and Materials of Mass Destruction’ was adopted at the G8 summit, which took place in Kananaskis, Canada, in June 2002).

In practice the results were not impressive: there was a significant gap between the level of pledges and the volume of concluded contracts. Therefore, the RF had once again to modify its FSP.

In September 2008 the RF adopted the sixth edition of its FSP<sup>51</sup>. The federal expenditure on chemical disarmament were increased and amounted to 188 609 bn roubles.

The volume of international assistance was estimated at 20 237 bn roubles. As of 1 January 2008 (for the period of 1996–2007) Russia has received foreign assistance estimated at 13 984 bn roubles

The world financial crisis which broke out in mid-2008, the effects of which are still being felt, forced Russia to radically revise the plans and deadlines for the CW destruction.

This is reflected in the seventh edition of the FSP, adopted on 9 December 2010<sup>52</sup>. Its term was extended up to 31 December 2015. And the volume of the budget expenditure on its implementation was increased to 239.77 bn roubles.

176.33 bn roubles are allocated for the construction of CWDFs (including expenditure on the development of social infrastructure

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<sup>51</sup> Ordinance no. 679 of 12 September 2008 of the Government of the Russian Federation “On Amending the Federal Special Program ‘Destruction of Chemical Weapons Stockpiles in the Russian Federation’”.

<sup>52</sup> Ordinance no.1005 of 9 December 2008 of the Government of the Russian Federation ‘On Amending the Federal Special Program ‘Destruction of Chemical Weapons Stockpiles in the Russian Federation’.

in the zones of proposed CW destruction). 68.71 bn are allocated directly for the CW destruction activities; 2.12 bn – for carrying out international inspections; 14.11 bn – for the destruction of former CWPFs; including ensuring all types of security; state ecological environmental monitoring; health care; logistics; training and retraining; information management; sanitation of contaminated sites; decommissioning of the CWDFs; 3.18 bn are allocated on related research and development.

As at 1 January 2010, 161.27 bn roubles have been spent on the implementation of the FSP. This expenditure includes 134.08 bn of the Federal Budget and 27.19 bn of gratuitous financial and technical assistance rendered by foreign states.

International assistance for 2010 is estimated at 3580.29 mn roubles and for 2011 – 150.21 mn. There no plans for international assistance beyond 2011.

Despite technical and financial difficulties of the implementation of obligations under the CWC and continuous revisions of the FSP, Russia has achieved substantial positive results in chemical disarmament. They can be summarized as follows:

- Category 3 CWs have been completely destroyed before 2002 ( these were – 330 024 unfilled chemical munitions, explosive and powder charges);
- Category 2 CWs have been completely destroyed before 2002 (these were 3 844 chemical munitions equipped with phosgene);
- In April 2003, Russia has completed the first stage of the CW destruction involving category 1 chemical weapons. 400 tons of mustard gas (yperite) was destroyed at the CWDF at Gorny. In December 2005, the destruction of 1143.2 tons of chemical weapon agents (CWA) or 100% of Category 1 CW, stockpiled at this facility, was completed.
- From December 2005 until March 2009, 6349 tons of CWA have been destroyed at the Kambarka CWDF (100% of Category 1 CW, stockpiled there).
- In August 2006, the Maradikovsky CWDF began to destroy Category 1 CW;
- In September 2008, the Leonidovka CWDF began to destroy Category 1 CW;

- In March 2009, the Shchuchye CWDF began to destroy Category 1 CW;
- In November 2010 the Pochep CWDF (Pochep, Bryansk oblast) was put into operation<sup>53</sup>;
- The Kizner CWDF (the Udmurt Republic) is being constructed. It should be set in operation in 2012;
- Work is in progress on a number of functioning CWDFs in order to arrange the elimination of the complex types of tube and rocket artillery munitions filled with organic phosphorus substances as well as with lewisite;
- Parallel to the destruction of CWAs stored at the arsenals, nine chemical weapon production facilities (CWPFs) have been dismantled. (The appropriate certificates have been received from the Organization for the Prohibition of Chemical Weapons, OPCW).
- Russia has completed the conversion of its former 16 CWPFs and received appropriate certificates from the OPCW.

Upon the completion of the destruction of Category 1 CW, Russia proceeded with the activities related to the decommissioning of the CWDFs and the sanitation of the contaminated territories in the zones of CWSFs and CWDFs.

The FSP (its edition of 9 December 2010) provides for the following stages of the implementation of the obligations assumed by Russia under the CWC: the first stage – the destruction of 1 % of the CW stockpiles of Category 1 CW up to 29 April 2003 (the measures related to this stage have been already implemented); the second stage – destruction of 20 % of Category 1 CW stockpiles up to 29 April 2007 ( these tasks have also been implemented); the third stage – the destruction of 45 per cent of the CW stockpiles of category 1 CW till 31 December 2009 (these works have also been fulfilled); the fourth stage involves the completion of the destruction of the remaining CW stockpiles up to 31 December 2015).

During 2002–2009 period Russian CWDFs destroyed 18 334.71 tons of CW. It was planned to destroy 1820.52 tons in 2010.

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<sup>53</sup> The first start-up complex CWDF 'Pochep' was commissioned on 26 November 2010. It contains the largest stocks of organophosphorus agents in Russia: 7498 tons, representing almost 19% of the total quantity of such substances, stored on the Russian territory (about 60 000 aviation munitions).

Current plans provide for the destruction of 3776.85 tons (in 2011); 4831.97 tons (in 2012); 4965.04 tons (in 2013); 5805.89 tons (in 2014) and 431.61 tons (in 2015).

As of 1 October 2010, the RF has destroyed (in total) 19.394 tons of CW which amounts to 48.5 per cent of the total CW stockpiles. The Maradikovskiy CWDF (the Kirov oblast) destroyed 4951.263 tons which makes up 71.9 % of CWs stored there; the Leonidovka CWDF (the Penza oblast) has managed to destroy – 5393.993 tons (78.3%) and the Shchuchye CWDF (the Kurgan oblast) – 1552.882 tons ( 28.5%).

Research and development in the interests of dismantlement of CWDFs and of the liquidation of negative aftereffects of their operations acquires an even greater importance in Russia as the country approaches the culmination of the CW destruction process. More attention is being paid to issues related to the sanitation of soil, the development and application of environmental improvement methods (cleansing the polluted soils and waters) after the CW destruction.

Prior to the global financial crisis, Russia strictly complied with the CWC time limits for the CW destruction and intended to complete this process before 29 April 2012.

Russian decision to extend the CW destruction schedules until the end of 2015 will certainly have international reverberation since under the CWC the final date for the fulfilment of its commitments (adjusted for maximum extension limit) is set as 29 April 2012<sup>54</sup>.

Summing up the discussion of the issues relating to the CWC implementation in the RF it would be reasonable to conclude that the Russian Federation is objectively interested in the disposal of the CW stockpiles and only economic hardships may delay this process.

### **Worrying trends**

In 1997, Russia, the United States, India and South Korea, and later – Libya and Albania, received an extension (of five years) for

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<sup>54</sup> As of December 2010, the following States parties have received from the OPCW extensions beyond the initial period of ten years for the CW destruction: the Republic of Korea, India, Libya, Russia and the United States.

the destruction of their CW beyond the initial period of ten years, provided for by the Convention.

These six States declared (in the aggregate) the holding of 71 194 916 metric tons of CWAs and their precursors as well as 8 679 815 munitions and containers. In addition, the Executive Board of the OPCW provided maximum allowable deferment to Italy for the destruction of old chemical weapons (OCW) and to China and Japan in relation of chemical weapons abandoned by Japan on the Chinese territory.

Albania became the first state to destroy its CW (in 2007). The Republic of Korea was the second (in 2008) and India – the third (on 16 March 2009).

As of October 2010, Russia has destroyed 48.5% of its CW stockpiles and the U.S.A. – 75% (as at 1 July 2010).

Assessing the overall situation with the CWC implementation one may conclude that Russia will not be the only state to continue to destroy CWAs beyond the time limits established by the CWC.

The U.S.A. is not in a better position. As far back as 2006, it became known that the U.S.A. will fail to complete destruction of their CW stockpiles within the time limits established by the CWC.

Six of the nine American CWDFs will still operate after 2012. 2017 has been tentatively set as the deadline for the destruction of the American CW stockpiles. But it appears that this deadline is not final.

And while the United States stressed that every effort would be made to comply with the requirements of the Convention, nevertheless, the situation may change in the direction of greater extension of the CW final destruction deadline, up to 2023<sup>55</sup>.

Reasons for the U.S. non-compliance with the CWC time limits can hardly be explained only by financial considerations.

As far back as the early 1990s, American officials argued that the U.S.A. should not endeavour to complete the destruction of their CW stockpiles until all the states capable of producing CW adhere to the CWC. If this view is still the official position, the CW destruction schedules are likely to be revised over and over again, as new CW possessors may emerge.

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<sup>55</sup> According to the American Fund 'Nuclear Threat Initiative, NTI', CW destruction operations may last until 2023, <[http://www.nti.org/d\\_newswire/issues/2008\\_4\\_29.html](http://www.nti.org/d_newswire/issues/2008_4_29.html)>.

It should be appropriate to recall an amazing recent development involving the announcement (in February 2009) about the existence of CW in Iraq. In March 2009 the OPCW received the initial declaration of the Iraqi government which stated that CWAs were held in two storages.

Throughout 2009 the Iraqi government and the OPCW have been holding consultations to clarify the details and develop an overall plan for the destruction of CWAs. However, the OPCW was unable to begin inspection activities in 2010.

So far, the OPCW has not established the time limits for the CW destruction in Iraq. It should be recalled that the UN Monitoring, Verification and Inspection Commission (UNMOVIC) spent several years to find WMD in Iraq and failed to do it.

No one can guarantee that new CW possessors will not emerge in the future. In this connection it may be significant that some states have not yet ratified the CWC (for example, Israel, Myanmar. Several states have failed to sign the CWC (Angola, Egypt, North Korea, Syria and Somalia).

It is embarrassing that North Korea has failed to respond to the OPCW initiatives and that the dialogue with Egypt, Israel and Syria on their adhesion to the CWC has not brought positive results.

Several states of the Near East declared that they were not going to adhere to the CWC until Israel acceded to the Nuclear Non-Proliferation Treaty (NPT). Israel, on its part, focuses on the need to address a number of regional and international political issues prior to its ratification of the CWC, which it signed back in 1993.

Overall, several developments raise concern: the difficulties of achieving the CWC universality<sup>56</sup>; a number of outstanding issues related to chemical non-lethal weapons (their use for police purposes is not prohibited by the CWC); the absence of clear and unambiguous interpretations of definitions ('police or military operation'). There are other developments which raise concerns: failures to comply with CWC provisions related to the establishment of the national CWC implementation bodies and submissions of annual national compliance declarations, etc.

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<sup>56</sup> As of 2010, the CWC was signed by 188 States. Several states have not yet ratified the Convention, including Israel. A number of states have not even signed the CWC, including Angola, North Korea, Egypt, Iraq, Syria, Somalia and Libya, etc.

Currently, 188 states are parties to the CWC. Seven states parties (including Iraq) declared CW holdings; three states parties – declared that they had ‘abandoned chemical weapons’<sup>57</sup> on their territory (China, Italy and Panama) while 13 states parties declared that they had ‘old chemical weapons’<sup>58</sup>.

The following states parties declared the availability of CWPFs on their territory: Bosnia and Herzegovina, China<sup>59</sup>, France, India, Iran, Libya, Russia, Serbia, Great Britain, France, Japan, the U.S.A. and South Korea. As of 30 November 2010, 182 states parties (out of 188) established national CWC implementation authorities.

Only 126 states parties had submitted to the OPCW data on the legislative and administrative measures for the CWC implementation. 83 states passed legislation covering all major fields of the CWC compliance.

Over the years, the issue of the CWC universalization has been high on the international security agenda, although the OPCW held numerous events (seminars, conferences and meetings and developed an action plan on the CWC universalization)<sup>60</sup>.

There are still other outstanding issues. In other words, in the sphere of chemical disarmament the world is facing worrying trends, which are undermining the political basis of the global ban on chemical weapons under the CWC.

These developments require careful considerations by the expert community, since the characteristics and patterns of the unique process of the elimination of the world CW stockpiles and of the operation of the CW non-proliferation regime are of principal importance for the elaboration of international regimes involving other types of WMD (specifically, nuclear and biological weapons).

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<sup>57</sup> Abandoned chemical weapon is defined as CW left by the state since 1 January 1925, on the territory of another state without the latter's consent (see: the Convention, chapter II).

<sup>58</sup> Old chemical weapon is defined as CW produced before 1925, or as CW produced in the period from 1925 to 1946, which has deteriorated to the point where it cannot be used for the intended purposes (see: Convention, chapter II).

<sup>59</sup> China, according to available information, will not be able to complete the destruction of the CW left by Japan in its territory until April 2012 because it has not yet begun to set in motion the process of destroying approximately 300 000-400 000 munitions, abandoned on the Chinese territory. Their excavations are still going on.

<sup>60</sup> Issues of the CWC universality were discussed at the workshop ‘The Contribution of the OPCW to international security: achievements and challenges’, which was held in Berlin (7-8 June 2010) in accordance with the decision of the Council of the European Union.

The processes discussed above affect a broad range of military-strategic, foreign policy, international legal, financial, economic and technical matters, determining policies in the sphere of chemical disarmament and non-proliferation.

The international community should adopt all necessary measures to preserve and bolster the CWC regime thus contributing to the cause of international disarmament and security-building.

## **PART II. EXPERT INSIGHTS**

6. Challenges to conventional arms control in Europe
7. The Lisbon RNC Summit: a breakthrough for a ‘modernized partnership’ or wishful thinking?
8. Russia and local conflicts on the post-Soviet territory

## **6. CHALLENGES TO CONVENTIONAL ARMS CONTROL IN EUROPE**

Sergei OZNOBISHCHEV

In the context of the Treaty on Conventional Armed Forces in Europe (CFE), there is currently a perceived imbalance between the number of weapons of NATO and Russia which may increasingly influence strategic stability and undermine political cooperation between the parties. A rapid transformation of the geopolitical realities has occurred: NATO's expansion to the east, including countries of Central and Eastern Europe (originally members of another grouping – the Warsaw Treaty Organization, WTO) and the Baltic states (former Soviet territory), which together with the RF constituted an important part of the arithmetically precise balance of power vis-à-vis NATO.

The lasting deadlock in this field, as well as continued reluctance of the Western partners to ratify the signed agreements on further reduction of conventional armed forces in Europe – the 1999 Agreement on Adaptation of the Treaty on Conventional Armed Forces in Europe (CFE-2) have aggravated the situation in this sphere. Against the backdrop of general deterioration of its relations with the West, it triggered Moscow's decision to declare a moratorium on the implementation of the CFE Treaty.

By that time, Russian officials expressly emphasized NATO's superiority over Russia. According to some of them, the superiority on the southern and northern borders as a whole was estimated at 11 to 1 in favor of NATO<sup>61</sup>.

### **Problems of reducing conventional armed forces in Europe**

The existing misbalance is actively used by Russian political opposition and critics of cooperation with the West as a confirmation of their theses about the ambition of the latter to acquire military superiority over the RF. Therefore the decisive renewal of the process of the reduction and limitation of conventional armaments in Europe is fully consistent with the interests of the Western leaders if they sincerely wish to maintain

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<sup>61</sup> See: Interview of Mikhail A. Konarovsky, Russian Ambassador in Croatia//, 21December 2007, <<http://www.zagreb.mid.ru/interview/int2007-12-21.html>>.

normal relations with Moscow and are in favor of democratic reforms in the RF (the reforms are dependent to a certain degree on the level of interaction with the West).

The 1999 Agreement on Adaptation of the CFE Treaty (CFE-2) which replaced the Treaty on Conventional Forces in Europe signed in 1990 (CFE-1) constitutes a new type of arrangement based on 'non-bloc' principles of calculations.

The new instrument provides for armaments ceilings in Europe. Its territory is divided into zones (for the purposes of the implementation of arms limitations).

Armaments 'overflows' from a zone to a zone (in the form of temporary or emergency deployment) are permitted only in small quantities and the parties should notify each other about them.

Sufficiently complex procedures are provided to rationalize such deployments (and then only for a short period of time). Other parties should give their assent to them.

Thus, Europe was divided into 'the reads' in such a way that it should meet the highest security requirements. And despite the apprehensions of some Russian politicians and experts regarding NATO military capabilities, this organization would not have been able, without violating the CFE Treaty, to create the potential for a surprise attack and large-scale offensive operations.

Thus, the CFE-2 suggests a qualitatively new level of confidence and security in Europe, in the first place for the RF, as was indicated when the treaty was approved by the State Duma (the Russian Parliament). However, such an important document was not ratified by a vast number of the states which had signed it. So far the Agreement on Adaptation of the CFE Treaty has been ratified by only four states (Belarus, Russia, the Ukraine and Kazakhstan).

As a pretext for non-ratification the Western countries have used two documents – the Russian-Georgian and the Russian-Moldovan agreements. Those appeared inadvertently during the 1999 Istanbul Summit and were consequently mentioned in the Final Document of the Summit.

The Russian-Georgian document set forth the terms of the withdrawal of Russian treaty-limited equipment (TLE) from the territory of Georgia and the Russian military bases, as well as the completion of talks on the terms and conditions of the functioning of these bases. Russia had fulfilled its obligations vis-à-vis Georgia before the 2008 conflict burst out.

As for the Russian-Moldovan arrangements, the RF undertook to consider the issues of weapons remaining in the Republic of Moldova (RM) since the Soviet period and stockpiled in the territory of the self-proclaimed Transnistrian Moldavian Republic. The removal of these

arms (about 42 000 tons) proved to be a major technical and financial challenge. Nevertheless, with regard to Moldova, Russia fulfilled all the procedures directly related to the CFE limitations.

No doubt, both bilateral documents have a certain legal heft and political significance. However, as compared to a truly immense assignment of strengthening European security, which had been the purpose of the CFE-II, two short documents containing unspecified obligations and adopted, as diplomats say, 'on the margins' of the Summit, should not have been considered as a serious obstacle. Yet, the Western partners chose to take a legal and formal stance and used it as a pretext for the non-ratification of the CFE-2.

As the Western countries deferred the ratification, the claims of the Russian side were increasing. They were based on the fact that initially the CFE-I had been concluded between two groups of states (NATO and the Warsaw Pact were not explicitly mentioned in the text of the Treaty), but as a result of the radical changes in the late 1990s one of these groups ceased to exist, and its former members joined the opposing group of states, that is, NATO.

The Russian position has been shaped by an extremely negative attitude to NATO expansion and the alliance itself, which has been viewed in the RF as a Cold War military heritage retaining an anti-Russian capability. Neither mutual assurances of intentions 'to develop, on the basis of common interest, reciprocity and transparency and a strong, stable and enduring partnership' (the 1997 NATO-Russia Founding Act), nor the obligation to 'work as equal partners' (the 2002 Rome Declaration) succeeded in changing essentially the situation.

In all documents on this subject, the Alliance expansion has been long characterized as moves posing a direct threat to Russian national security. 'The expansion of military blocs and alliances prejudicing the military security of the Russian Federation' occupied the fourth place in 'the major external threats' section of the 2000 Russian Military Doctrine. The recent (2010) Russian Military Doctrine qualifies the intentions to 'move the military infrastructure of NATO member states closer to the borders of the Russian Federation, including by expanding the bloc as 'a major external military danger'.

All this clearly demonstrates that despite declarations of 'partnership', NATO-Russia relations are far from attaining the level at which the sides would be ready to entirely trust each other's assurances of benign intentions unless those are supported by practical measures of verifiable armed forces and arms limitations.

The Russian side has been increasingly concerned, in the context of the CFE Treaty process, by the buildup of NATO's military capabilities due to the accession of new members.

Before Vladimir Putin announced the course towards 'moratorium' on the implementation of the Russian obligations under the CFE on 24 April 2007, Russia officially had presented 'accumulated concerns' which were regularly expressed in one form or another at the CFE Treaty Review Conferences.

After the President of the RF announced the moratorium, Russia's list of concerns increased. Reluctant to completely discard its commitments, the Russian side tried to soften the impact of the moratorium. It stressed that it was not a final and irreversible measure, and would remain in force 'until all the States Parties had ratified the Agreement on Adaptation and begun to implement it strictly'<sup>62</sup>.

Due to the fact that exceptional circumstances relating to the Treaty have arisen<sup>63</sup>, the RF insisted on convening an Extraordinary Conference of the states parties, which took place on 12 -15 June 2007. At the Conference, Russian concerns were grouped in six, instead of four, clusters which detailed anxieties expressed before.

*Firstly*, Hungary, Poland, Slovakia and the Czech Republic were added to Bulgaria and Romania previously listed as violators, as they failed to formalize the changes in the composition of the groups of states parties in connection with their accession to NATO.

*Secondly*, the partners in negotiations were accused of exceeding the CFE 'group' limitations by the state parties which signed or acceded to the Washington Treaty of 1949 (as a result of the expansion of the alliance). Attention was drawn to the pertinent provision, implying that in case of the alliance expansion, NATO members should comply with the initial CFE 'group' levels. As Russian representatives recalled, this provision was included at the insistence of Russia in the 1997 NATO-Russia Founding Act<sup>64</sup>.

(It should be noted that in this document such provisions are only implicit. It says that 'the States Parties will take into account all the levels of treaty-limited equipment established for the Atlantic-to-the-Urals area by

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<sup>62</sup> Statement by Anatoly I. Antonov, Head of the Delegation of the Russian Federation, at the Extraordinary Conference of States Parties to the Treaty on Conventional Armed Forces in Europe. Vienna, 12 June 2007, <<http://www.mid.ru/ns-dvbr.nsf/6786f16f9aa1fc72432569ea0036120e/8192ad47>> .

<sup>63</sup> According to The RF, the exceptional circumstances included, in particular, serious problems in the implementation of the Treaty by NATO members as a result of the expansion of the alliance, and their delaying the ratification of the Agreement on Adaptation of the CFE Treaty, signed in 1999.

<sup>64</sup> See note 2.

the original CFE Treaty'<sup>65</sup>, while the word 'expansion' in connection with NATO was not mentioned at all.)

*Thirdly*, Russia stressed once again the 'negative impact' on the compliance with the CFE 'group' limitations of the planned deployment of U.S. conventional armaments in Bulgaria and Romania.

*Fourthly*, (which was a new, 'generalized' point) Russian representatives drew attention to the failure of some states parties to implement the political commitment adopted in Istanbul regarding the expeditious ratification of the Agreement on Adaptation.

*Fifthly*, Russia noted the failure of the Czech Republic, Hungary, Poland and Slovakia to implement the commitments adopted in Istanbul regarding the downward adjustment of their territorial ceilings (TCs).

*Sixthly*, Russia highlighted the already mentioned negative effect of the failure of Latvia, Lithuania and Estonia to participate in the Treaty, which could lead to large deployments of NATO forces in the Baltic states without formally violating the Treaty. Based on the obligations under the CFE-I Treaty in the absence of a new ratified instrument, as Russia proposed the so called 'Western' group both formally and actually exceeded the levels for the holdings of armaments.

According to Russian estimates, in the zone specified in Art. V of the CFE Treaty, that is, in the flank area, NATO countries had the following actual holdings of TLE as of 1 January 2007: 5954 battle tanks, 8591 armored combat vehicles (ACVs), 7590 artillery pieces. That is 1254 tanks, 2691 ACVs and 1590 pieces of artillery above the levels set forth in the CFE Treaty<sup>66</sup>.

The painful issue of flank ceilings was also touched upon. As the RF is the only country observing such ceilings (apart from small quotas of the Ukraine, Kazakhstan and Turkey), the Russian side called for a political decision to abolish them.

Certainly, the situation could appear less dramatic, if analyzed in the context of partnership. For instance, one could take into account official statements of the Baltic states on their readiness to accede to the CFE Treaty as soon as it is ratified. The military capabilities of Bulgaria, Romania and other smaller European countries which joined NATO are small and pose no military threat, although the mentioned alliance flank ceilings were in reality exceeded. As the situation worsened, the negotiating concerns became political, when the Russian senior military officials started to publicly accuse NATO of having hidden agendas and

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<sup>65</sup> Founding Act on Mutual Relations, Cooperation and Security between the North Atlantic Treaty Organization and the Russian Federation, signed in Paris on 27 May 1997, <[http://www.nato.int/cps/en/natolive/official\\_texts\\_25468.htm](http://www.nato.int/cps/en/natolive/official_texts_25468.htm)>.

<sup>66</sup> <<http://www.mid.ru/ns-dvbr.nsf/6786f16f9aa1fc72432569ea0036120e/e3c9929f66b06259c325730500216aad?OpenDocument>>.

claim that the refusal of the NATO states to ratify the adapted CFE Treaty implied the intent to massively redeploy their military units in the European continent towards Russian borders.

The tilt of arms in NATO's favor has been particularly acutely perceived by Moscow against the background of a generally negative attitude of the Russian public to this military bloc. This has been primarily due to the bloc expansion to the east, which is (as noted above) perceived as posing a direct external threat to the Russian Federation.

Russia's moratorium on the implementation of the CFE Treaty symbolized the futility of efforts to find a compromise settlement of even secondary negotiating problems.

The steps taken by Moscow in order to resolve the crisis have not satisfied the Western countries. NATO representatives have not shown the political wisdom needed. 'The window of opportunity' which had been open for a long time, was not used, and the Georgian conflict that followed in 2008 brought the sides to a deep political deadlock.

### **In search for a compromise on the CFE Treaty**

The role of NATO in searching for solution has increased recently, as well as U.S. efforts. Active participation of the latter in resolving issues of the CFE Treaty can only be welcomed. Yet, constructive discussion of this package in recent years has been virtually pointless due to the steadily deteriorating Russian-U.S. relations. To date, especially after the new START Treaty was concluded, the situation looks more favorable.

The obstacles to the implementation of the CFE Treaty-related arrangements include, *firstly*, the uncertainties of the process of NATO further expansion. *Secondly*, the sovereignty of Abkhazia and South Ossetia is not recognized by the West, and the newly Russian military bases established in these countries are regarded by the West as bases in the territory of Georgia.

The situation has now become more complicated than before. The Western states parties to the CFE Treaty may consider that Russian military bases have never been removed from Georgian territory, while Russia has legal grounds to claim it has no military bases in Georgia.

No political decision to this complicated issue, which would satisfy both sides, can be expected in the near future. Yet, with regard to the CFE Treaty, a technical solution is theoretically possible. The issue of the Russian military bases in the territories of the two republics may be held temporary in abeyance, and a separate document could be adopted on this matter to govern the status of these bases. In future a 'technical compromise' on this issue can be reached within a wider 'package deal' on CFE, for instance, in linkage to agreements on TNW.

Despite the above-mentioned negative developments, the North Atlantic Alliance has become a forum where possible solutions to the problem were proposed. NATO suggestions on revitalizing the CFE Treaty regime deserve attention and can serve as a basis for future practical arrangements.

In August 2007, the U.S. proposed on behalf of NATO countries, the so-called 'parallel actions package'. According to it, NATO countries should proceed with ratification of the Agreement on Adaptation, while Russia is to renew the implementation of the CFE-I; complete the withdrawal of ammunition from Transdnistria; consent to the involvement of international forces in peacekeeping operation in Moldova and address the issue of the former Russian military base in Gudauta. It was suggested that if Russia completed its steps in autumn 2007, NATO countries could ratify the Agreement on Adaptation by spring 2008.

Certainly, NATO's plan to put the Agreement on Adaptation in force by summer 2008 was complicated by the Russian moratorium on the implementation of the CFE Treaty, which was announced by President Vladimir Putin in his Annual Address to the Federal Assembly in April 2007.

NATO suggested returning to that plan on 28 March 2008, yet its further implementation was prevented by a serious crisis in relations, caused by the conflict in Georgia. However, the plan remains on the agenda. It provides for two stages: firstly, the Agreement on Adaptation should be put into force; secondly, further steps are to be taken to address the parties' concerns. This has not satisfied Russia. The RF argues that in order to revive the CFE Treaty, the adapted Treaty should be amended before its ratification, and not the other way round.

Yet, the West will hardly consent to this approach, as it is convinced that due to the NATO expansion and military superiority it is Russia who should be more interested in the revitalization of the CFE Treaty after its moratorium failed to make the anticipated impact on Washington and Brussels.

The Western countries insist that now the priority task is to return to the 1999 basic version of the Treaty and its 1999 Adaptation – rather than to overload it with Russian new proposals. The latter might be discussed in the context of subsequent agreements, for which NATO may very well prepare its own proposals.

Another noteworthy point is the plan for provisional application of the adapted CFE Treaty as a step towards its ratification by all parties.

Russia proposes a two-staged scheme of such application. At the first stage (about six months) the states parties are to observe political commitments to act in accordance with the object and the purposes of the adapted CFE Treaty, and comply with its ceilings. Then, the provisional

application of the Agreement on Adaptation is to commence unless the Agreement enters into force.

Russia has been raising the flank issue at different levels for a long time. Beside the complete abolition of flank sub-ceilings, raising such sub-ceilings coupled with enhanced transparency on the part of Russia appears a promising option.

It should be recalled that in 1996, with Washington's active support, the question of raising flank ceilings for Russia was resolved. It appears that today the U.S. could also play a significant role in resolving the flank issue. The signing of the new START Treaty has created favorable conditions for that.

More than a decade which elapsed since 1999 has seen notable changes in the situation around two issues which the Western side regarded as obstacles to the ratification of the Agreement on Adaptation.

All the procedures with respect to Moldova, relating to the limitation set forth by the Treaty itself have long been completed. The remaining limited Russian military presence is necessitated by the needs of peacekeeping in the region.

Up to a point this has found understanding on the part of the leadership of Moldova and Transdnistria. The Joint Statement adopted after the meeting of Dmitry Medvedev, the President of Russia, with Vladimir Voronin, former President of Moldova, and Igor Smirnov, Head of Transdnistria, noted the stabilizing role of 'the peacekeeping mission currently underway in the region', and stressed the expediency of transforming it 'into a new peacekeeping operation under the aegis of the OSCE after the settlement of the Transdnistrian conflict'<sup>67</sup>. If there are certain formal obligations and guarantees by the sides concerned and the OSCE, the state parties to the CFE Treaty could agree that there were no obstacles to the ratification of the Agreement on Adaptation.

Legal arrangements, such as agreed statements, and in some cases, unilateral understandings, could facilitate the resolution of the issues pertaining to Georgia. The Western countries could, for instance, declare in a unilateral statement that they do not accept the recognition of Abkhazia and South Ossetia. In return, Russia could declare its position on the status of these two republics.

Additional measures could be taken to break the deadlock. Certain CFE Treaty elements could be restored, for instance, an agreed set of verification activities and data exchanges (transparency measures) set forth in the Treaty could be renewed. The Joint Consultative Group established

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<sup>67</sup> <[http://archive.kremlin.ru/eng/sdocs/news.shtml?month=03&day=18&year=2009&prefix=&value\\_from=&value\\_to=&date=&stype=&dayRequired=no&day\\_enable=true&Submit.x=9&Submit.y=6](http://archive.kremlin.ru/eng/sdocs/news.shtml?month=03&day=18&year=2009&prefix=&value_from=&value_to=&date=&stype=&dayRequired=no&day_enable=true&Submit.x=9&Submit.y=6)> .

by the Treaty and functioning in Vienna could be authorized with specifying procedures and arrangements in question.

The South Caucasus could be singled out as 'a special region'. The talks on this subject could be held in the framework of the solution regional issues, and, possibly, in the context of the new European security architecture.

Linking the CFE Treaty revival to the resolution of the South Caucasus conflict would lead both problems to a serious deadlock. On the contrary, the restoration of the CFE Treaty would facilitate the settlement in Abkhazia and South Ossetia.

The ratification of the adapted CFE Treaty, even with regional 'reservations' (which include Baltic states, as well as the South Caucasus), would in itself be a great achievement in strengthening European security and alleviating Russian concern over NATO superiority in conventional arms, possible expansion of the alliance and bringing its infrastructure in the proximity to the Russian borders.

It would hardly be sensible to overload this process with additional conditions, if one aims at overcoming the stalemate, rather than justify its exacerbation. This is even more so in view of the fact that according to Russian official statements, the RF is interested in resolving the issues arising from NATO expansion.

It would be preferable to address all additional issues in the framework of negotiations on the follow-on arrangements. This relates, in particular, to considerable reductions of national and territorial quotas (by about 50 percent), which would harmonize them with real and planned levels of the armed forces of the parties and fundamentally new approaches to European security, recently expressed by Moscow. Such profound reduction of armaments and armed forces should logically be accompanied by the abolition of flank ceilings and addressing other Russian concerns. In response to commitments on reducing collective ceilings of NATO countries' TLE, Russia could agree to start talks on TNW limitations.

Providing guarantees for the suspension of NATO expansion (on certain conditions) and a substantive dialogue on Russian proposals on new European security architecture would also be extremely helpful.

It would be hardly sensible to 'suspend' the CFE Treaty and start negotiations anew (as some experts suggest). The core ideology of the CFE-2, based on individual perceptions of security needs of the partners, commonly agreed and embraced by them, remains innovative and valid. It continues to facilitate the negotiating process and further agreements. The states parties should earnestly strive to achieve a political compromise and transform it into a productive negotiating practice. The active position of

the U.S.A. and NATO and improved relations between the West and Russia could be instrumental in sustaining this process.

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Progress on the way to deeper reductions in nuclear weapons and strengthening strategic stability would be increasingly difficult to insure without promoting conventional arms control. The importance of stability and confidence in the conventional arms control processes is to grow at lower ceilings of nuclear weapons.

It seems reasonable to proceed from the Russian proposal which envisages a provisional implementation of the Agreement on Adaptation. As for the flank limits, a part of their complete abolition, there may be a promising option of increasing these sub-ceilings while providing greater transparency on the part of Russia

The newly-gained sovereignty of Abkhazia and South Ossetia is an obstacle for resuming the CFE Treaty process. However, with regard to the CFE Treaty one cannot fully rule out the possibility of technical solution implying temporary ignoring the issue of Russian bases in the territories of the two young republics and adopting a separate document governing the status of the bases.

It appears that some legal arrangements, such as agreed statements and unilateral understandings may be used to resolve these issues.

'A technical compromise' on this subject can be found within the framework of a broader 'package deal', for example, in conjunction with the start of negotiations on resolving the problems of TNW.

The process of further strengthening security in Europe has no alternative. The optimization of the capabilities of the conventional forces constitutes its critical component.

In perspective, one should envisage the beginning of negotiations on a new international legal document, which would include a wider circle of participants and provide for deeper reductions of armed forces and armaments as well as greater transparency.

Restoring the transparency regime throughout the entire area of the application of the CFE Treaty could be the first step towards reinvigorating the CFE Treaty process. Headway in this field will be achieved against a backdrop of improvement of bilateral relations with the U.S.A. and the West, on the whole, and general progress in arms reduction and arms control.

## **7. THE LISBON SUMMIT: A BREAKTHROUGH FOR A 'MODERNIZED PARTNERSHIP' OR WISHFULL THINKING?**

Vladimir BELOUS

On 20 November 2010, the Russia-NATO Council (RNC) held a high-level meeting in Lisbon (Portugal) that was attended by the Russian President Dmitry Medvedev.

The RNC meeting was preceded by a summit of 28 NATO countries that adopted the new NATO Strategic Concept. It recognizes a new place for Russia in NATO's force development plans. The new concept states that NATO does not perceive Russia as 'a threat' and, in its turn, does not pose a threat to Russia. The security of Russia and NATO are said to be 'intertwined'.

The Russia-NATO Council summit adopted a Joint Statement.. It declares that the sides pose no threat to each other and will jointly work to create a common space of peace, security and stability in the Euro-Atlantic area<sup>68</sup>.

The member states have proclaimed their intention to increase cooperation to counter terrorism, piracy and the drug threat, including from Afghanistan.

The participants of the meeting identified specific areas for practical cooperation in the future. The Joint Statement particularly emphasizes the importance of closer cooperation on Afghanistan, including the necessity of tough, drastic measures to end the local drug industry. For the first time, agreement was reached to forge operational collaboration in fighting the Afghan threat of drugs.

Another important topic was European ballistic missile defense (BMD). The Russia-NATO Council has been tasked to develop a comprehensive joint analysis of the future framework for missile defense cooperation and use it as a basis for strengthening security in Europe.

The understanding of the growing threat of proliferation of missile and nuclear weapons in the world and concern that international terrorist

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<sup>68</sup> The Joint Statement is reproduced in Annex, see: pp.128-129.

teams might capture weapons of mass destruction have naturally led military experts to begin focusing on the future missile defense issue in Europe.

Even before the Lisbon summit, NATO Secretary-General Anders Fogh Rasmussen indicated his wish to see Russia included as one of the participants in the new missile defense system. He said that if that decision is made, it should be accompanied by a proposal for Russia to cooperate in that area. He added that it would make sense, because that would increase the effectiveness of the system and convince Russia that the NATO missile defense system is not aimed at it, and the establishment of a missile shield stretching from Vancouver to Vladivostok would be a truly new security architecture.

General Lazlo Makk, Head of the NATO Military Liaison Mission to Russia, believes that at first it is necessary to undertake a joint analysis of the potential threats. Right now, that is the most important task for determining the resources needed to defend Europe's sovereignty and security. In his view Russia and NATO need to move from military confrontation to solution of specific problems. This will make it possible for NATO and Russia to carry on a political dialogue, something that is already being done with a great deal of patience, understanding and clarification of controversial issues. That kind of approach to solving complex military-political problems will doubtless contribute to the establishment of the future missile defense system.

At the same time, NATO countries are still not completely sure what will come of the BMD effort, what it will look like and how much it will cost. Various approaches have been suggested, involving the missile defense system infrastructure, its location in Europe, the command-and-control system and the capabilities of the target detection and destruction means.

President Medvedev stressed that 'Russia can only participate in the project on a partnership basis. There is no other way we'll do it; we will not simply be window dressing. Either we are full participants, exchanging information and responsible for solving problems, or we won't participate at all. But if we don't participate, for obvious reasons we will be forced to defend ourselves'.

Despite NATO's pronounced transformation after the Cold War to become more politically oriented, its military component still causes serious concern in Russian political and military circles.

Russia cannot ignore the fact that NATO is a powerful geopolitical and military grouping that largely determines the state of security around Russia's perimeter.

A very sensitive factor for Russia is NATO's expansion towards its borders. Under the circumstances, Russia is quite suspicious about the potential structure and functioning of the future missile defense system.

On the eve of the Lisbon meeting, Polish President Bronisław Komorowski pointed out that NATO should treat the expenditures and forces for securing Poland differently from those of the Western European countries, given its location on NATO's eastern boundary. Andrzej Halitsky, Chairman of the Seimas Committee on Foreign Affairs, explained Komorowski's position by saying that he wanted to 'stake out the turf for more security'.

Moscow will definitely react negatively should NATO military bases appear in Poland following the military facilities built in Romania and Bulgaria. It would be unrealistic if each country were to set its own conditions for participation in a European defense system while trying to develop a single effective missile defense system.

Konstantin Kosachev, Head of the State Duma Foreign Affairs Committee, believes the partners should anticipate that a generally approved rapprochement of Russia and NATO will hardly be welcomed by all political forces, either in some NATO member nations or in Moscow.

Despite the meeting of minds in Russia and NATO, some military and political figures warn that 'You can't go to bed at night as enemies and wake up in the morning as allies'.

Leonid Ivashov, the Vice-President of the Academy of Geopolitical Problems, spoke candidly about this issue: 'The new NATO Strategic Concept provides for NATO operations far outside its area of responsibility. In essence, that extends to the entire world. That is international brigandage and we are joining it. We do not need it'.

Distrust of the Russian public of the intentions of NATO states has received a boost after the publication on the Wikileaks website of secret diplomatic cables in December 2010. They disclosed confidential details about the NATO strategy, based on the presumption of the existence of potential 'Russian threat' to the security of the Baltic countries.

According to these cables, NATO operational planning (code-named 'Eagle Guardian') provides for the expansion of regional military system developed for Poland to Lithuania, Latvia and Estonia. Under its terms, in the event of armed conflict in the region, NATO is to engage nine divisions (from Poland, Germany, Great Britain and the United States) whereas naval units from Great Britain and the U.S.A. are to be deployed in the Polish and German seaports<sup>69</sup>.

Obviously, such operative plans and corresponding projected deployments of forces against the presumed 'strategic partner' are at odds

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<sup>69</sup> *Guardian*, 6 Dec. 2010.

both with the newly declared NATO Strategic Concept and the Lisbon Joint Statement of the Russia-NATO Council Summit of 20 November 2010. Both documents refer to 'the indivisibility of security' and 'the pursuit' of 'modernized' NATO partnership with Russia.

What is closer to the reality: the disclosed data about planned combat operations against Russia or the recently received invitation from NATO countries to participate in the construction of the joint European BMD? Clarifying this question is a prerequisite of progress in the implementation of a truly joint European BMD.

Surely, the idea of a joint BMD implies a genuine strategic partnership of new type and an unprecedentedly high level of mutual trust.

Russian experts argue that a unilaterally deployed missile defense system (even if it does not undermine Russia's deterrence capability) will notably increase mistrust and differences between Russia and the West and hinder further disarmament and consolidation of efforts in countering new threats. The U.S. and NATO should renounce unilateral steps in this field and involve Russia in making all decisions pertaining to the assessment of threats and development of missile defense systems. It would also be advisable to ensure transparency with regard to the deployed missile defense systems and predictability with regard to their development programs that would be compatible with those applicable to strategic offensive arms under the Prague START Treaty. This does not imply Russian veto over the U.S. and NATO policy and programs in that area, but reflect genuine interest in involving Russia in cooperative defense policies, without which any non-proliferation strategy and defense system would have limited efficiency. Such measures will help to allay Russia's suspicions concerning the U.S./NATO intentions. They will also facilitate eliminating other obstacles to joint development, deployment and use of missile defense systems by the U.S., Russia and their allies<sup>70</sup>.

It is worthwhile to briefly summarize the basic provisions of the European cooperative missile defense system. They include: equality, transparency, feasibility and responsibility for certain missile defense tasks. In addition, the system must be universal, meaning it must be capable of defending not just one country or group of states, but the entire European continent; and it must benefit all of its inhabitants.

In Lisbon, President Medvedev launched a new initiative in this area. It is not sufficient just to develop the missile defense system jointly with NATO; it must be divided into sectors as well.

In fact, any state with a missile defense capability will be able to shoot down missiles approaching its border without an international agreement in place. It is a different matter when the air defense systems of

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<sup>70</sup> 'Strategic Stability after the Cold War' by Arbatov A., Dvorkin V., Pikaev A., and Oznobishchev S., Moscow, IMEMO RAN, 2010, p. 50.

different states are integrated into a single system. Data about missile launches from third countries are exchanged, and a common response algorithm is developed. For example, it would be logical to assume that responsibility for the continent's northwest security sector, including Russian territory, would fall on NATO. NATO already has substantial resources in northern Europe, and it may increase them next year by dispatching several more American ships with modern antimissile systems to the North Sea. Russia's contribution to securing that region could be data from early-warning radars in Olenegorsk and Lekhtusi, which could monitor a huge area from Spitsbergen to South Africa.

It is pertinent to recall that the Russian President's Address to the Russian Federal Assembly presented by Medvedev 10 days after the Lisbon summit addressed the development of international security cooperation. He said: 'I recently shared my thoughts at the Russia-NATO Summit in Lisbon about the formation of potential European missile defense architecture that would combine the capabilities of Russia and NATO and secure all of the nations of Europe against missile attack... But in this hall I would like to say that we are facing the following alternative during the next decade: either we reach agreement on missile defense and establish a full-fledged joint mechanism for cooperation or (if we fail to reach a constructive agreement) a new arms race will begin. And we will have to decide on deploying new means.'

## **8. RUSSIA AND LOCAL CONFLICTS ON THE POST-SOVIET TERRITORY**

Stanislaw IVANOV

In his speech at the 64th session of the UN General Assembly on 24 September 2009, the Russian President Dmitry Medvedev noted: 'We all hope that the Cold War is already behind us. But the world has not become safer...regional and local conflicts, terrorism, transnational criminality continue to threaten world development. We intend to participate further in the search of effective variants for the settlement of regional conflicts. Here, we are convinced that the use of force will only aggravate the situation. This has been proved by last year's reckless attempt by the Georgian authorities to settle the issues in their relations with Southern Ossetia by military means'<sup>71</sup>.

On this basis, Russia acts as a mediator and guarantor in the negotiations between the parties involved in regional and local conflicts, actively participates in several peacekeeping missions and operations of the UN and other international organizations.

Naturally, prime attention is given to conflicts occurring on post-Soviet territory. It is considered vital to maintain stability on the Russian territory, neighboring states and bordering regions. This is also demanded by close military-political, trade and economic and other ties between the majority of the former Soviet republics, and contractual relations between Russia and its partners in the CIS, EurAsEC and CSTO.

The Transdnestrian, Georgian-Abkhazian, Georgian-Southern Ossetia and Azerbaijan-Armenian conflicts stand out amongst the major unresolved and potentially dangerous conflicts on the post-Soviet territory. Interethnic confrontations in the south of Kirghizia, the activation of an armed opposition in Tajikistan and terrorist underground in the Northern Caucasus region remain also a source of concern for Russia.

In spite of the fact that by the end of 2010, virtually all local conflicts can be described as 'frozen', there still remains the potential threat of large-scale outbreaks of violence and armed clashes. The terrorist activity in various regions is not reduced.

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<sup>71</sup> <<http://www.kremlin.ru>>, 9.24.2009.

## **The Transdniestrian conflict**

In accordance with the Agreement 'On the principles of settlement of the armed conflict in the Transdniestrian region of the Republic of Moldova', between Russia and Moldova of 21 July 1992, it has been possible to achieve a complete cease-fire, to separate the opposing parties and create a buffer zone between them. Military units of the Joint Peacekeeping Forces (JPF) were introduced into this zone, including Russian, Transdniestrian and Moldavian battalions of up to 600 men each.

In recent years the situation has evolved rather quietly, without any preconditions for a humanitarian catastrophe. There is no mass exodus of refugees and ethnic cleansing. (Both sides of the border are inhabited by Moldavians, Russians, Ukrainians and other nationalities.)

There are presently about 400 Russian peacekeepers in the buffer zone between the Republic of Moldova and Transdnistria. The peacekeeping contingents of the opposing parties remain unchanged. Within the Joint Military Forces also operates an institute of military observers, composed of ten officers each from Russia, Moldova, Transdnistria and the Ukraine.

It should be noted that for the very first time in the practice of such operations, the peacekeeping contingents include representatives of the conflicting parties. The setting up of the Joint Control Commission (JCC) and the Joint Military Command was carried out on a parity basis among the three parties. The JCC continues to work closely with the mediating organization (the OSCE).

Despite the continuous tension in the relations between Chisinau and Tiraspol (in politics, economy, information, etc.), the armistice and general order is maintained in the buffer zone (largely thanks to the successful format of the peacekeeping operation).

During the entire period of peacekeeping operations, no serious military provocation or armed incidents have occurred. Casualties among the peacekeeping contingents were avoided.

The possibility of continuing peace talks in a 5+2 format has been a major positive factor in the situation in Moldova and Transdnistria: the conflicting parties, Russia, Ukraine – the guarantor countries, the OSCE – the mediator, the EU and the U.S.A. – the observers.

Chisinau and its western partners are proposing to amend the format of peacekeeping operations in view of its further internationalization. Russia, in principle, does not object to such an option.

During a tripartite meeting on the Transdnistria settlement, held in Moscow on 18 March 2009, a joint declaration was issued by the participants, whereby point no. 4 states that both parties 'proceed from the

appropriate transformation of the current peacekeeping contingent in a peace guaranteeing operation under the aegis of the OSCE, according to the outcome of the Transdniestrian settlement process.<sup>72</sup> It is understood that the achievement of such principal agreements between the conflicting parties and their mutual consent to amend the existing format of peacekeeping operations, could lead to an ultimate phase of the settlement process under the supervision of the OSCE.

Currently, the positions of the parties of this conflict are still quite apart.

Tiraspol is not willing to agree to the political course adopted by Chisinau, aimed at building a unitary state and integration with Romania.

Chisinau continues to insist on granting to the Transdnistria a broad autonomy within a unitary Moldavian state, while Tiraspol is seeking the status of a subject of the federation, with wide autonomous powers (in fact, like a confederation).

It is most likely that in forthcoming years, Moldova and Transdnistria will continue to exist as independent states.

Thanks to the existence of trade and economic and other ties between Tiraspol on one hand, and Russia, the Ukraine, Belarus and Moldova, on the other, as well as a relatively well-developed infrastructure and regional economy, the population of this unrecognized Republic manages to maintain a normal standard of living. Humanitarian aid and assistance from Russia certainly support the socio-economic structure of Transdnistria.

In general, the pendency of the Transdniestrian conflict undoubtedly impacts negatively on the socio-economic situation of both parties, visibly complicates the implementation of integration plans, and ultimately, is a factor capable of destabilizing the general situation in the region.

### **The Georgian-Abkhazian and the Georgian-South Ossetia conflicts**

The armed attempt by Georgia to restore its control over the self-proclaimed Republic of Southern Ossetia in August 2008 has led to the death of hundreds of local residents as well as of several tens of Russian peacemakers, large-scale destructions of infrastructural facilities and residential areas of the enclave. In accordance with Art. 51 of the UN Charter, Russia responded to the armed attack and imposed cease-fire on Georgia.

In the situation following the cessation of hostilities, the Russian government decided to officially recognize the Republics of Abkhazia and

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<sup>72</sup> *Rossiiskaya Gazeta*. 19 March 2009.

Southern Ossetia as sovereign states and to establish diplomatic relations with them.

Subsequently, corresponding bilateral agreements on friendship, cooperation, and mutual assistance were concluded between Russia and the new states. These documents provide for the development of political, diplomatic, military, military-technical, trade and economic, scientific, technical, cultural and other relations with the new states.

The Russian Federation became the guarantor of the territorial integrity and security of Abkhazia and Southern Ossetia.

The status of Abkhazia and Southern Ossetia has changed radically. Both Republic are no longer qualified as 'self-proclaimed government formations' and have been recognized as independent states by a permanent member of the UN Security Council and a few UN member states.

It is expected that the recognition of the new states by the international community will continue.

The events which had occurred in 2009–2010 in Abkhazia and Southern Ossetia and around them, showed that the recognition of these states by Russia in the concrete situation was the right decision, which not only allowed to protect their population from new acts of aggression and violence by the Georgian authorities, but also gave the chance to Abkhazia and Southern Ossetia to start rebuilding gradually their economies, shattered by the war and a lengthy periods of blockade, develop their infrastructure and address most pressing social problems. The creation of a favorable political and economic climate for the return of refugees to these republics remains one of the key factors.

During the period of the formation of national governmental and law enforcement agencies of the new states, Russia, in accordance with the bilateral agreements, committed itself to protect their borders with Georgia and established a military base in Abkhazia and Southern Ossetia, each with a personnel not exceeding 3700.

In 2009–2010 the Russian Federation allocated on a non-refundable basis, tens of billions rubles, aimed at the restoration of the economies, infrastructure, residential sector and socially significant facilities in these states. Dozens of bilateral treaties and agreements mainly on trade and economic relations have been concluded, in particular, agreements on the promotion and mutual protection of capital investments.

The commissioning of the new Russian gas pipeline Dzuarikau-Tskhinval in 2009 has been of a major significance to the inhabitants of Southern Ossetia, helping to compensate losses related to the cessation of gas transit through the territory of Georgia. In general, despite the still existing difficulties of both an objective and subjective nature, Abkhazia

and Southern Ossetia are gradually recovering and successfully building their states.

In accordance with the agreements between the Presidents of the Russian Federation and France, Dmitry Medvedev and Nicolas Sarkozy, respectively, concluded after the August 2008 events, regular discussions on security and stability in the Caucasus, including questions of humanitarian character, are held in Geneva under the aegis of the United Nations, the EU, the OSCE and with the participation of delegations from Abkhazia, Georgia, South Ossetia, Russia and the United States.

Meetings on security and stability are conducted on the Georgian-Abkhazian border (the Galsky region).

As part of the mechanism for the prevention of incidents and prompt reaction to them, similar meetings which were interrupted in (the Ergneti settlement).

The withdrawal in October 2010 of the Russian border guards from Perevi, a village in the Sachkhere region of Georgia has been one of the positive outcomes of the Geneva talks. Georgian police and observers from the EU (the current EU Monitoring Mission consisting of up to 200 people) entered the territory.

### **The Nagorno-Karabakh conflict**

No international peacemaking contingents and observers are involved in this most complicated, confusing and explosive conflict on the post-Soviet territory. The armed forces of both conflicting parties are not kept at a respectful distance from each other.

Seven districts of Azerbaijan (about 14% of its territory) are occupied by Armenian troops (beyond the Nagorno-Karabakh region). Armenia considers them as a transport corridor between the Nagorno-Karabakh Republic (NKR), Armenia, and the 'security belt'.

Cross fires and small armed confrontations still occur in areas of contact between the two sides. Both parties do not conceal their military preparations and occasionally threaten to use force.

Attempts to resolve the NKR issue in a peaceful way, with the involvement of international mediators – the UN, OSCE as well as Russia, the U.S.A. and France, which are co-chair-members of the so-called Minsk group for the settlement of the Nagorno-Karabakh conflict – have been ineffective so far.

All that could be achieved was the transformation of the conflict into a 'frozen' stage and the holding of regular of regular Azerbaijani-Armenian meetings at the level of Heads of State, with the participation of the chair members of the Minsk group or the Russian president.

The Azerbaijani authorities are rejecting any contacts with the leaders of the breakaway Republic, preferring to conduct negotiations only with official representatives from Armenia.

The most pressing issues in this conflict remain the liberation of Armenian-occupied Azerbaijani areas, the return of Azerbaijani refugees to the Nagorny Karabakh and the future status of the Nagorno-Karabakh Republic (NKR).

It is obvious that the question of the NKR status, which has been postponed for the time being, and the recognition of actual national delimitation of Azerbaijanis and Armenians in Azerbaijan, Armenia and Nagorny Karabakh respectively, could serve as the basis for an intermediate agreement between the parties, in view of a peaceful settlement of the conflict.

It seems hardly possible, in practice, to implement Baku's demands about moving several thousands of refugees back to their former place of residence. In that case the Azerbaijani authorities would be faced with the demands to accept Armenians refugees from Baku, Sumgait and other areas of Azerbaijan, and guarantee their safety.

Russia's principal position on the Nagorno Karabakh conflict was reiterated by President Dmitry Medvedev in 2009–2010 in his contacts with Presidents Ilham Aliyev and Sergho Sargsyan. It can be summed up as follows:

The Russian Federation is against imposing any solutions from outside on the parties involved in the conflict, and calls on Azerbaijanis and Armenians to shoulder the main responsibility for the final choice of the conditions of regulating the conflict;

The Russian Federation would be willing to back any variant to solve the problem, that would satisfy all parties involved in the conflict and in case of reaching a compromise agreement – to act as the guarantor in the regulation process;

A viable solution to the problem would be the one restoring stability and calm in Transcaucasia, and which, in the post-conflict period, will help to maintain the historical geopolitical balance and which will not lead to the region becoming an arena for international and military rivalry.

The meeting between Ilham Aliyev, Azerbaijani President, and Sergho Sargsyan, his Armenian homologue, held on 27 October 2010 in Astrakhan (Russia), under the mediation of the Russian President Dmitry Medvedev, has been a rather noteworthy event. Following this meeting, the leaders of Russia, Azerbaijan and Armenia adopted a joint statement. It says that 'regulating the conflict by political-diplomatic means requires additional efforts in strengthening the ceasefire regime and confidence-building measures in the military field'. The statement goes on: 'with this aim, the presidents of Azerbaijan and Armenia have agreed, as first step,

to proceed with an exchange of prisoners and returning remains of victims, with the assistance of the Minsk Group of the OSCE and the International Committee of the Red Cross, and in the future, to adopt such an approach, based on the humanitarian aspect of such questions'<sup>73</sup>.

The ongoing contacts and meetings at the highest level between the parties involved in the conflict (three meetings in such a format took place in 2010 alone) and the resolution of humanitarian issues deserve every support from the world community.

In spite of continued military preparations by both parties and aggressive rhetoric sounding from both sides, there is nevertheless a hope that this conflict will not escalate to an armed hostility again.

### **The situation in Central Asia**

Apart from the abovementioned local conflicts, which acquired regional and international dimensions; some preconditions remain also in other former Soviet republics, which can spark off local disorders. A few Central Asian republics are in the process of establishing their statehood. They are situated in close proximity to Afghanistan, the area of intensive military clashes in recent years between 'Taliban' militants and the Kabul government, backed by the NATO-headed International Security Assistance Force (ISAF).

Radical Islamist groups, international terrorists, as well as organized trans-border criminal networks (drug cartels, smugglers, and arms traffickers), illegal immigrants are striving to penetrate the Central Asian Republics across the Afghan border. They seek to undermine the secular regimes from within.

An especially disturbing situation has developed in 2010 in the south of Kirghizia.

In June several bloody clashes between Kyrgyzs and Uzbeks occurred. According to the most unbiased estimates, almost 2000 people were killed and tens of thousands – wounded. A great number of apartment blocks and public buildings were burnt down. Up to 110 000 civilians became refugees. On the whole, these tragic events have affected up to one million citizens of Kirghizia.

Uzbeks (a national minority in Kirghizia), suffered during the disorders in Oshe and Dzhahalal-Abade. A real danger arose of the neighboring Uzbekistan getting involved in this conflict.

The Uzbek government has shown restraint. It has organized reception centers for the Uzbek refugees (mostly women, children and old

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<sup>73</sup> <<http://www.kremlin.ru>>, 27.10.2010.

persons) on its territory, extended humanitarian assistance to them, and refrained from intervening in the internal affairs of Kirghizia.

Russia and its partners from the OSCE watched the situation closely. They were careful not to resort to the use of force. At the beginning, the protection of the Russian military facilities in this country was strengthened. The necessary equipment and munitions were given to the local authorities. Humanitarian aid was provided for the population.

Acting in coordination with the Kyrgyz authorities, the OSCE volunteered to send a police mission (comprising 52 persons) to the conflict zone and offered further assistance to the local police force. The Central government, albeit with some delay, managed to normalize the situation. The authorities introduced a state of emergency, sent additional forces and gradually restored law and order in the southern districts of the country.

A fact-finding commission was established by the Government, with the participation of international experts.

According to preliminary estimates, the ethnic disorders in southern Kirghizia were incited by local extremist groups. They took advantage of the political vacuum in the country (following the deposition of President Bakiyev) as well as of interethnic tensions and the generally critical situation prevailing in these overpopulated areas of Kirghizia.

It is alleged that the unrest has been prompted by Bakiyev's followers on the eve of two events – the referendum on the constitution and the parliamentary elections. The intervention of external extremist forces has played a role, too.

2010 saw signs of growing domestic political tensions in another Central Asian state – **Tajikistan**, suffering from the instability following the civil war in the 1990s.

In recent times, this country has been shaken by a series of emergency situations and acts of terrorism, accompanied by casualties amongst civilians.

At first, a large group of extremely dangerous criminals escaped from their cells. On 3 September 2010, there was a terrorist attack on the Regional Department for the Fight against Organized Crimes of the Sogdid Region. These developments were followed by an explosion in a Dushanbe nightclub. On 13 September, there was a serious armed clash on the Tajik-Afghan border. On 19 September 2010, a military column of the national army was attacked in the Kamarob gorge (situated in the Rashtsky district, 185 km east of Dushanbe). According to the official figures, 40 servicemen were killed and 10 – wounded. In addition, the fate of 25 persons remained unknown. Most probably they were held as hostages.

The Ministry of Defense of Tajikistan characterized these events as terrorist attacks, organized by a local Islamist group. Furthermore, official

Tajik sources allege that the rebels were backed by mercenaries from Afghanistan, Pakistan and Chechnya. The situation has aggravated not only in the traditionally unstable southern areas, but also in the quieter northern areas of the country. The militants have started to employ suicide-bombers. This tactics had not been used before, even during the peak of the civil war in the 1990s.

The tendency of instability zones spreading across the country is evident. The activation of the former insurgents from the armed opposition is beginning to pose an increasing threat to the national security of Tajikistan.

The Tajik authorities have undertaken retaliatory actions (not always adequate). First of all, they proceeded with the prosecution of the representatives of the illegal Islamist groups. Restrictions on some religious practices (the participation of women in prayers, wearing hijabs etc.) have been introduced. According to experts, persecution of the opposition and clergy may have negative consequences.

The ongoing tension in Tajik-Uzbek relations is not helping to stabilize the situation. Dushanbe is trying to associate the activation of the domestic armed opposition with external factors, for example, blaming Uzbek Islamist groups.

To reduce the danger originating from the southern unstable border, the President of Tajikistan Emomali Rahmon paid a visit to Afghanistan on 25 October 2010. Six fairly important agreements on the activation of bilateral trade and economic cooperation were signed. The two parties voiced their intention to strengthen cooperation between the border agencies and military forces, particularly in the fight against terrorism, extremism, transnational criminality, drug smuggling. They also stressed the need to reinforce the Tajik-Afghan border.

Taking into account that Kirghizia and Tajikistan are members of the CIS and the CSTO, and that Russian military bases are situated on their territories, these states are quite reliably protected against external threats and direct foreign intervention.

As for the internal stability, and the infiltration of terrorist groups from the neighboring countries, much will depend on the ability of the national central authorities to strengthen their administrative institutions and overcome existing political, national, ethnic and clan contradictions of their societies.

### **Sources of instability in the Russian Federation**

In 2009–2010, the situation in the Northern Caucasus became more complicated.

Unfortunately, the federal and regional authorities could not radically improve the situation. It seemed that with the completion of large-scale military counterterrorist operations in Chechnya, long-awaited peace and order would be restored in the Caucasus.

Chechen separatists, relying on extremist, Islamist groups in the region and abroad, have suffered a political and military defeat. Their large gangs have been defeated and parts of the militants voluntarily surrendered and have been amnestied, while foreign mercenaries and their emissaries have been killed or compelled to leave the Chechen territory.

Islamist groups in the neighboring Republics: Ingushetia and Dagestan have also suffered severe losses. However, full stabilization of the situation in the region has not yet been achieved. The federal and regional authorities are still facing armed attacks by isolated groups and acts of terrorism against their representatives. Civilians are being killed and wounded.

The terrorist networks have managed to adapt themselves to the new conditions, modified their tactics and extend their activities practically across all the Republics of the Northern Caucasus and even beyond.

They have been trying to exert pressure upon the local authorities and to intimidate the population, engaging in extortion and blackmail.

In order to attract and recruit youth, their ringleaders (called emirs) are resorting to extremist, violent Islamist slogans and speculate on unresolved socio-economic regional problems.

The following factors have also had a negative impact on the situation: the appointment of incompetent regional heads; unresponsiveness of the authorities to local traditions, customs and peculiarities; the clannishness and closed nature of the societies; rampant corruption, high unemployment, infringement of human rights, etc.

At the same time we can observe that the extremist underground has failed to play successfully the nationalist and confessional cards. In the Northern Caucasus, century-old traditions of tolerance, peaceful co-existence between various nationalities and ethnic groups, of different religions, have been maintained.

An analysis of the general situation in the Northern Caucasus region shows that it will not be possible to end extremism and terrorism only by applying military force.

Current federal target programs and projects to develop the infrastructure and economy of this region, as well as periodical financial injections in other republics have so far proved ineffective. The main reason behind the ongoing tensions in the region lies in the fact that the federal authorities have yet not been able to create a well-founded normative-legal basis and conditions allowing the Republics of the

Northern Caucasus to develop their own infrastructure and socio-economic sphere themselves.

It is not certain that the situation will improve as long as the budgets, at all levels, including the village (aul), are not in place and are not completely balanced and adequate funds are allocated for healthcare and education, and meeting other social needs.

The region can and should develop not only on funds emanating from Moscow. Local resources should be developed and used effectively. It is high time to eradicate the syndrome of the unwillingness to invest in the local industry and infrastructure. There exist all the necessary prerequisites for success.

The Republics of the Northern Caucasus are potentially economically self-sufficient, as they are situated in favorable environmental conditions. They have rich natural resources, and lie on the crossroads of strategic communications. The population leads a healthy way of life and continues to increase.

Chechnya has oil deposits, while Dagestan enjoys an extended coastline along the Caspian Sea, with possibilities of developing fishery, agriculture, sheep breeding, food processing, traditional national crafts, tourism, etc.

It is estimated that a change in the federal legislative base in the sphere of the taxation in favor of the regions (today only 40 % of the total tax earnings remain in the region) can give an impulse to the economic development of the Northern Caucasus and help to address the accumulated problems.

The extensive minefields remaining from previous military operations can be cleared, and the unemployment rate lowered, and traditional crafts and enterprises can be revived. Furthermore, tourism can be developed, transit routes created and new universities, special educational institutions, schools, hospitals, cinemas, clubs, churches, mosques, modern housing, roads, bridges etc. can be built.

The idea of creating a free economic zone in the Northern Caucasus region is of interest. Such a zone would allow the local authorities to develop profitable branches of economy, agriculture in the short term, and attract both Russian and foreign investments and credits, thus depriving the ringleaders of the possibility to mislead and recruit jobless youth.

The creation on 19 January 2010 of a new Federal Okrug – the North-Caucasian Okrug, which includes all seven Republics in this region, has inspired hope of positive changes in the region. Alexander Khloponin, a young and promising politician, was appointed Plenipotentiary Representative of the President of the Russian Federation. Khloponin has a solid experience in managing large enterprises like 'Norilsk Nickel' and governorship in the Krasnoyarsk region.

In order to transform the situation in the region for the better and start realizing major developmental projects, non-standard decisions will be required, as well as amendments in the federal and local legislation.

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Outstanding issues related to local conflicts on the post-Soviet territory by the end of 2010 and the possibility of new flashes of violence in this region arising highlight the need for Russia, its partners from the CIS and the CSTO to focus their efforts on finding effective solutions.

It will be possible to settle smoldering conflicts, prevent new ones from arising and, thereby, combat successfully terrorist threats to the post-Soviet territory only if the interested parties will apply a wide range of thoughtful, vigorous and preventive actions.

'The National Security Strategy of the Russian Federation up to 2020', adopted on 12 May 2009, states 'Russia considers that the maintenance of strategic stability and equitable partnership can be promoted by the presence of contingents of the Armed Forces of the Russian Federation in conflict zones, on the basis of norms of international law and with the aim of resolving political, economic and other problems by non-military means'<sup>74</sup>.

Russia hopes that its efforts to stabilize and improve the situation on the post-Soviet territory will be understood and backed not only by the regional partners in the CIS, the EurAsEC and the CSTO but also by the world community and its organizations engaged in resolving regional and local conflicts.

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<sup>74</sup> 'National Security Strategy of the Russian Federation until 2020», p.53, <<http://www.mid.ru/ns-osndoc.nsf/0e9272befa34209743256c630042d1aa/8abb3c17>

eb3d2626c32575b500320ae4?OpenDocument>.

## ANNEX. DOCUMENTS AND REFERENCE MATERIALS

### 9. MOVING FROM DETERRENCE TO MUTUAL SECURITY

*STATEMENT by Yevgeny Primakov, Academician, former Russian Prime Minister (1998-1999); Igor Ivanov, former Russian foreign minister (1998-2004); Yevgeny Velikhov, Academician, President of Russian scientific center 'Kurchatov Institute'; Mikhail Moiseev, former chief of the General Staff of the Russian Armed Forces (1988-1991)*<sup>75</sup>

The time has come to move toward a new stage of disarmament and realize the principal of multilateral actions that will become an important step toward forming a new world order for the 21st century. The year of 2010 has witnessed important events related to nuclear disarmament and nonproliferation with positive effects on the world security strengthening.

The presidents of Russia and the U.S.A. signed the new Strategic Nuclear Forces Treaty in Prague. If it is ratified, strategic relations between the two nuclear powers will become more invariable, transparent and predictable.

The multilateral nuclear security summit in Washington took a decision on better safety of radioactive sources.

The Review Conference of the Parties to the Treaty on Non-Proliferation of Nuclear Weapons successfully adopted the Final document on strengthening of the Treaty, its regime and institutions.

All these steps are undoubtedly useful. But so far they do not affect strategic nuclear ideology – mutual nuclear deterrence. Meanwhile, nuclear deterrence is paradoxical since it mostly refers to the threats of the last century, while a possibility of a massive armed conflict between the superpowers and their allies under present-day conditions of globalization and multipolarity is close to zero.

Moreover, nuclear deterrence is forceless against the threats of the 21st century such as weapons of mass destruction (WMD) and its carriers' proliferation, international terrorism, ethnic and religious conflicts, cross-border criminality, etc. Which is even worse, sometimes nuclear deterrence spurs on WMD and missile technologies' proliferation or hampers deeper cooperation between the superpowers in dealing with such threats (joint antimissile systems development).

Nuclear deterrence should not hamper cooperation among the key world players. Therefore it is necessary to negotiate lower armament

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<sup>75</sup> *Izvestia*, 15 October 2010.

levels basing on minimal sufficiency principle, strengthen strategic stability in the context of equal and indivisible security for all, and eliminate a possibility of the first nuclear strike or missile launch due to engineering failure or misjudgement of the other party's intentions or time shortage for decision-making by political leaders. The new SNF Treaty meets these objectives, but a lot should be done in this field.

The next phase of nuclear disarmament cannot be exclusively bilateral. Limitations and confidence-building measures towards third nuclear powers will be needed. Unlike the U.S.A., Russia's geostrategic position places the country within the striking distance for all nuclear states, which have to be taken into account in the course of further nuclear disarmament. The nuclear deterrence concept has become an absolute obstacle on the long and challenging way to universal nuclear disarmament. It is a known fact that in the U.S.A., Russia and other countries there are both advocates and adversaries of nuclear disarmament. Some of them just fail to shake off the Cold War ideological stereotypes. But there are many people who speak out rather definite and grounded worries in connection with this process. Such reasons cannot be just waved away; they should be most seriously taken into account in order to continuously remove actually existing obstacles on the way to further and deeper nuclear arms reduction.

In Russia many people still think that the country's nuclear strength is the principal feature of its superpower status, and if the nation abandons it, the U.S.A. and other countries will not reckon with Russia's foreign policy interests.

We are convinced that Russia's status in the world will be mostly supported by its economy modernization, living standards growth, its citizens' socio-political rights, freedoms and science and culture development. But since a threat of force projection is still applied in international relations, Russia has to maintain sufficient defense strength, including nuclear arms, to protect itself and its allies and defend its lawful interests.

Thus, the way to nuclear disarmament is paved through growing confidence among states and strengthening of international security and stability. The administration of President Barack Obama proclaimed a policy of multilateral approach to international security, strengthening its legal rules and existing institutions, priority of diplomacy at disputes settlement and equal cooperation with Russia. It is important that these principles are implemented in practical foreign policy of the U.S.A. and its allies.

This equally refers to missile defense, conventional weapons and non-nuclear carriers, as well as plans for outer space militarization. More far-

reaching confidence-building measures will be required in the field of arms control in the nearest future.

Pondering over the long-term perspective we have come to the conclusion that the world without nuclear weapons is not simply the present-day world minus nuclear weapons. We need an international system mainly built upon other principles and institutions. The world free of nuclear weapons should not become the world free for wars by other WMD, conventional armed forces, the latest non-nuclear arms and systems built on new physical principles.

Not only great wars, but also local conflicts are in question. In fact, smaller countries now envisage nuclear arms as a means of neutralization of leading nations' tremendous superiority in conventional weapons. This is exactly one of the nuclear proliferation drives on the regional level that brings forth the threat of nuclear terrorism. Elimination of such threats requires new dependable instruments for peaceful settlement of local international and trans-border conflicts.

That is why implementation of nuclear disarmament idea – that should remain a strategic objective – will be possible only in the context of deep reorganization of the entire international system. This will obviously facilitate handling of other key problems of the 21st century related to global economy and finance, energy supply, ecology, climate, demographics, epidemics, cross-border criminality, religious and ethnical extremism.

In such context nuclear disarmament is rather not an end in itself but one of the principal directions, precondition and a way to reorganize international life on more civilized basis, in literal sense of this meaning and in accordance with the imperatives of our century.

## 10. THE LISBON RNC SUMMIT JOINT STATEMENT

*20 November, 2010*<sup>76</sup>

We, the Heads of State and Government of the NATO-Russia Council, met today in Lisbon and affirmed that we have embarked on a new stage of cooperation towards a true strategic partnership.

We reaffirmed all the goals, principles and commitments set forth in the Founding Act, the Rome Declaration and the OSCE 1999 Charter for European Security, including the 'Platform for Cooperative Security', and recognised that the security of all states in the Euro-Atlantic community is indivisible, and that the security of NATO and Russia is intertwined. We will work towards achieving a true strategic and modernised partnership based on the principles of reciprocal confidence, transparency, and predictability, with the aim of contributing to the creation of a common space of peace, security and stability in the Euro-Atlantic area.

The NRC member states will refrain from the threat or use of force against each other as well as against any other state, its sovereignty, territorial integrity or political independence in any manner inconsistent with the United Nations Charter and with the Declaration of Principles Guiding Relations between Participating States contained in the Helsinki Final Act.

The NRC member states are committed to working as 29 equal partners in order to fulfil the tremendous potential of the NATO-Russia Council through the continued development of their political dialogue and practical cooperation based on their shared interests.

We underscore that the NRC is a forum for political dialogue at all times and on all issues, including where we disagree.

We are determined to make full use of the NRC mechanism for consultation, consensus-building, cooperation, joint decision and joint action on a wide spectrum of security issues in the Euro-Atlantic region.

We all agree that the NRC member states can benefit from visionary and transparent policies aiming at strengthening security and stability in the Euro-Atlantic area, including through existing institutions and instruments.

We strongly support the revitalisation and modernisation of the conventional arms control regime in Europe and are ready to continue dialogue on arms control, disarmament and non-proliferation issues of interest to the NRC.

We welcome the conclusion of the New START Treaty and look forward to its early ratification and entry into force. The NRC member states are resolved to seek a safer world for all and to create the conditions

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<sup>76</sup> <<http://en.wikipedia.org/w/index.php?title=Special%3ASearch&search=NATO-Russia+Council+Joint+Statement%2C+20+November%2C+2010&fulltext=1>>.

for a world without nuclear weapons, in accordance with the goals of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in a way that promotes international stability, and based on the principle of undiminished security for all.

Today, we have endorsed the Joint Review of 21st Century Common Security Challenges, which was launched a year ago. We share common important interests and face common challenges. On that basis, we have identified concrete practical cooperation activities.

We agreed to discuss pursuing missile defence cooperation. We agreed on a joint ballistic missile threat assessment and to continue dialogue in this area. The NRC will also resume Theatre Missile Defence Cooperation. We have tasked the NRC to develop a comprehensive Joint Analysis of the future framework for missile defence cooperation. The progress of this Analysis will be assessed at the June 2011 meeting of NRC Defence Ministers.

We underlined the importance of international efforts in support of the Afghan Government and in promoting regional peace and stability. In that context, the revised arrangements aimed at further facilitating railway transit of non-lethal ISAF goods through Russian territory are of particular value. Building on the success generated by the NRC Project on Counter-Narcotics Training, we welcome the inclusion of Pakistan as a participant country along with Afghanistan, Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan and Uzbekistan, and we have agreed to expand the scope of the Project to provide further direct assistance to institutional capacity-building, in close consultation with the governments providing trainees. Additionally, with the aim of contributing to the ability of the Afghan Air Force to operate its helicopter fleet more efficiently, we have also tasked the development of an NRC Helicopter Maintenance Trust Fund in 2011.

On counter-terrorism, the NRC will strengthen its cooperation, including through jointly developing technology to detect explosives<sup>1</sup>, countering terrorist threats to civil aviation and exchanging information on terrorism. The Russian Federation confirmed its interest in resuming its support to NATO's counter-terrorist operation "Active Endeavour" in the Mediterranean Sea.

As piracy and armed robbery at sea continue to pose a significant and growing threat to maritime security, the NRC member states will expand existing tactical level co-operation, including through joint training and exercises.

We will build on our improved relations to help solve the issues where our views differ.

Based upon our joint cooperation agenda, we, the NRC Heads of State and Government, have agreed to further broaden and deepen NATO-Russia

dialogue and practical cooperation and bolster a NATO-Russia partnership that enhances security for all in the Euro-Atlantic area and beyond.

## **11. KEY DOCUMENTS OF THE RUSSIAN FEDERATION ON NATIONAL SECURITY, DEFENSE AND ARMS CONTROL (JANUARY–DECEMBER 2010)**

Tamara FARNASOVA

### **1. LEGISLATIVE ACTS**

#### **Federal Law no. FZ 67 of 29 April 2010 ‘On the Ratification of the Agreement between the Russian Federation and the Ukraine on the Stay of the Russian Black Sea Navy in the Ukraine’**

Passed by the SD on 27 April 2010; approved by the FC on 28 April 2010; signed by the President of the Russian Federation on 29 April 2010. The Agreement was signed in Kharkov on 21 April 2010.

For the text of the Agreement see: SZRF<sup>77</sup> 2010, no. 24, Art. 2942.

#### **Federal Law no. FZ 253 of 2 October 2010 ‘On the Ratification of the Convention of the Shanghai Cooperation Organization against Terrorism’**

Passed by the SD on 21 September 2010; approved by the FC on 29 September 2010; signed by the President of the Russian Federation on 2 October 2010. The Convention was signed in Yekaterinburg on 16 June 2009.

#### **Federal Act of 3 October 2010 no. 255 FZ ‘On the Implementation of the Federal Budget for 2009’**

Passed by the SD on 21 September 2010; approved by the FC on 29 September 2010; signed by the President of the Russian Federation on 3 October 2010.

#### **Federal Law no. FZ 1 of 28 January 2011 ‘On the Ratification of the Treaty between the Russian Federation and the United States of America on Measures for Further Reduction and Limitation of Strategic Offensive Arms’**

Passed by the SD on 25 January 2011; approved by the FC on 26 January 2011; signed by the President of the Russian Federation on 28 January 2011.

The Federal Law stipulates that the implementation of the new START Treaty conforms to the following conditions: the maintenance of combat readiness of the strategic nuclear forces of the Russian Federation

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<sup>77</sup> *Sobranie zakonodatelstva Rossiiskoy Federatsii* [Statute Book of the Russian Federation].

in any strategic environment; the preservation and extension of the necessary research and development base and production capacities; ensuring safe operational conditions, storage, disposal and recycling of the strategic offensive arms of the Russian Federation; extension of the provisions of the new START Treaty, including the counting rules of the warheads and delivery systems, in accordance with its terms, to any strategic offensive arms and any new types of offensive arms of strategic range, as well as a number of other conditions.

The Federal Law defines the powers of the President of the Russian Federation, the Government of the Russian Federation and the Chambers of the Federal Assembly of the Russian Federation, related to the implementation of the new START Treaty.

Art. 4 of the Federal Law stipulates that the provisions of the preamble of the new START Treaty are of the indisputable importance to understand the intentions of the parties upon the signature, including the content of the agreed provisions and understandings between them, without which the new START Treaty could not have been concluded. Therefore they should be fully taken into account by the parties in the course of the implementation of the new START Treaty.

The Russian Federation will implement the right provided for by the new START Treaty to withdraw from it under exceptional circumstances endangering its supreme interests. Such circumstances according to the Federal Law may include: substantial violation of the obligations of the United States of America under the new START Treaty, which may give rise to a threat to the national security of the Russian Federation; the deployment by the United States of America, another state or a group of states of a missile defense system capable of significantly reducing the effectiveness of the strategic nuclear forces of the Russian Federation; the building-up by the United States of America, another State or a group of states of the offensive strategic arms or their taking the decisions in the field of military construction, as well as other circumstances which may endanger the national security of the Russian Federation; the deployment by the United States of America, other states or a group of states of the armaments which intervene in the functioning of the Russian missile attack warning system.

When such circumstances arise, the President of the Russian Federation shall adopt political, diplomatic and other measures to remedy the exceptional circumstances or neutralize their impact; provide for immediate consultations with the Chambers of the Federal Assembly of the Russian Federation and taking into account the results of such consultations make decisions regarding the new START Treaty, with the submission, if necessary, to the Chambers of the Federal Assembly of the

Russian Federation of the proposals provided for by the Federal Law 'On the International Treaties of the Russian Federation '.

## 2. NORMATIVE ACTS

### **Decree no. 146 of the President of the Russian Federation of 5 February 2010 'On the Military Doctrine of the Russian Federation'**

The Decree approves the Military Doctrine of the Russian Federation, the full text of which is attached. It states that the Military Doctrine constitutes one of the main instruments of operational planning in Russia and a system of officially approved State views on the preparations for the defense and the armed protection of the RF.

The Military doctrine contains the following sections: general provisions, its main tasks; major war risk and threat faced by the of the Russian Federation; main tasks of the military policy of the Russian Federation aimed at preventing an arms race, at deterrence and avoidance of military conflicts, at improving the military organization, the forms and methods of the employment of the armed and paramilitary forces; military-economic aspects of the defense; military-political and military-technical cooperation with the foreign states.

### **Ordinance no. 50 of the Government of the Russian Federation of 3 February 2010 "On the Federal Special Program 'Nuclear Energy Technologies of the New Generation for the Period of 2010-2015 and up to 2020'"**

The full text of the Program is attached. It contains seven Annexes outlining the aims and objectives of the Program, the stages of its implementation, the sources of its funding and anticipated results, the list of research and development activities and indicators of social and economic efficiency.

### **Directive no. 192-p of the Government of the Russian Federation of 24 February 2010**

The Directive describes Russian participation in the international project 'Euro-Atlantic security initiative', which aims at facilitating new security architecture in the Euro-Atlantic area. The implementation of the Russian part of this international project is to be carried out by the Institute of World Economy and International Relations of the Russian Academy of Sciences.

**Decree no. 381 of the President of the Russian Federation of 27 March 2010 ‘On Measures to Implement UN Security Council Resolution 1874 of 12 June 2009’**

Under the Decree, all government agencies, industrial, trade, finance, transport and other enterprises, banks, organizations and other legal and physical persons within the jurisdiction of the of the Russian Federation, are obliged from 12 June 2009 and until a special directive not to supply to the DPRK a) all arms and related materiel, the financial operations, technical training, services and assistance that are associated with the provision, manufacture, operation and use of such weapons or materials; b/ it is prohibited to transit through the territory of the Russian Federation (including its airspace), all kinds of arms and related materiel, financial transactions, technical training, consulting and the provision of services and assistance that are associated with the manufacture, operation and use of such weapons, except for small arms, light weapons and related material.

**Decree no. 516 of the President of the of the Russian Federation of 24 April 2010 ‘On the Implementation of UN Security Council Resolution 1844 of 20 November 2008’**

In connection with the adoption of the above-mentioned UNSCR imposing a general and complete arms embargo on Somalia, this Decree provides for (a) the ban of the exports of items of military assignment to Somalia (b) the rendering of financial and other assistance of a military-technical character to Somalia.

**Decree no. 589 of the President of the Russian Federation of 14 May 2010 ‘Questions Related to the Federal Agency on the Supplies of Arms, Military and Special Equipment and Materiel’**

The Decree approves the status of this Agency (‘Rosoboronpostavka’), the full text of which is attached. According to its status ‘Rosoboronpostavka’ is a federal executive body performing functions of a state customer in the field of military-related equipment (the conclusion, implementation and monitoring of contracts, etc.).

**Directive no. 1228-r of the Government of the Russian Federation of 19 July 2010 ‘On the Signing of the Agreement between the Government of the Russian Federation and the Cabinet of Ministers of the Ukraine on the Collaboration in Undertaking Inspection Activities in the Locations of the Military Forces of the Russian Black Sea Navy in the Ukraine under the Treaty on Conventional Armed Forces in Europe (the CFE Treaty) of 19 November 1990, the 1999 Vienna Document on Confidence-and Security-Building Measures and the Treaty on Open Skies of 24 March 1992’**

The Directive approves the Agreement and authorizes the MFA of the Russian Federation to negotiate with the Ukrainian side.

**Ordinance no. 519 of the Government of the Russian Federation of 15 July 2010 ‘On the Ratification of the Agreement between the Government of the Russian Federation and the Government of the People's Republic of China on the Notification of Launches of Ballistic Missiles and Space Rocket Vehicles’**

The Agreement was signed in Peking on 13 October 2009.

**Decree no. 1051 of the Government of the Russian Federation of 23 August 2010 ‘On Measures to Implement UN Security Council Resolution 1903 of 17 December 2009’**

The Decree bans the rendering of any assistance, related to military activity, to the subjects and physical persons operating on the territory of Liberia.

**Decree no. 1154 of the President of the Russian Federation of 29 September 2010 ‘On Measures to Implement Resolution 1929 of the UN Security Council’**

The Decree sets out measures involving additional restrictions on transactions with Iran in the nuclear field related to the production and the use of nuclear materials and technologies.

**Ordinance no. 729 of the Government of the Russian Federation of 23 September 2010 ‘On the Submission to the President of the Russian Federation of the Proposal to Sign the Agreement between the Russian Federation and the People's Republic of China on Cooperation in Combating Terrorism, Separatism and Extremism’**

The Ordinance approves the draft Agreement.

**Ordinance no. 784 of the Government of the Russian Federation of 5 October 2010 ‘On the Submission to the President of the Russian Federation to Ratify the Agreement between the Government of the Russian Federation and the Government of the French Republic on the Transit of Military Equipment and Personnel through the territory of the Russian Federation in connection with the Participation of the Armed Forces of the French Republic in the Efforts to Stabilize and build the Transitional Islamic State of Afghanistan’**

The Ordinance approves the submission for the ratification of the Agreement signed on 7 October 2004.

**Ordinance no. 804 of the Government of the Russian Federation of 12 October 2010 ‘On the Submission to Ratify the Agreement between the Government of the Russian Federation and the Government of Japan on Cooperation in the Peaceful Uses of Atomic Energy’**

The Agreement was signed on 12 May 2009.

**Directive no. 1900-r of the Government of the Russian Federation of 29 October 2010 ‘On the Signing of the Agreement on the Eurasian Group on Combating Money laundering and Financing of Terrorism’**

The Directive approves the Agreement and authorizes the ‘Rosfinmonitoring’ to negotiate with the interested parties.

**Directive no. 1926-r of the Government of the Russian Federation of 30 October 2010**

The Directive approves the Development strategy of the Russian Federation in the Antarctica up to 2020 and beyond. Full text of the document is attached. It contains a description of the Strategy, its aims, priorities and measures involving Russian activities in the Antarctica as well as time limits, risk assessment, anticipated results, sources of funding, monitoring and control mechanisms.

*List of abbreviations:*

FZ – federalnyi zakon [federal law]

SD – the State Duma of the Federal Assembly of the Russian Federation

FC – the Federation Council of the Federal Assembly of the Russian Federation

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