

# WORKING PAPERS

**The Rise  
and Fall  
of START II:  
The  
Russian  
View**

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**Non-Proliferation  
Project**

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This paper expands on a chapter originally written for a forthcoming study on the non-proliferation regime, *Repairing the Regime*, edited by Joseph Cirincione and published by Routledge and the Carnegie Endowment for International Peace.

Toby Dalton, project associate with the Carnegie Non-Proliferation Project, provided extensive editing and production assistance toward the completion of this working paper

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## EXECUTIVE SUMMARY

The end of the Cold War gave rise to hopes that the legacy of a nuclear arms race and confrontation between the United States and Russia was coming to an end. Both countries had the opportunity, and took steps in the early and mid-1990s, to create a new, non-deterrence-based nuclear relationship that would allow for dramatic nuclear reductions. The consolidation and dismantling of large tactical nuclear arsenals, the cooperative denuclearization of Belarus, Ukraine, and Kazakhstan, the symbolic de-targeting initiative, and, most of all, the negotiation of the START I and II agreements created further hopes for a radical de-emphasis of nuclear weapons in the bilateral relationship.

Domestic events in Russia and the evolution of the post-Cold War international security structure, however, thwarted efforts to persuade the Russian Parliament to approve the START II agreement, essentially freezing the strategic arms control process in its tracks. Later, growing interest in the United States in deploying a national missile defense system, and military actions by the United States in Iraq and Yugoslavia, also complicated efforts to break the arms control logjam in the Russian Duma.

The current international and domestic situations, and the scheduled Russian parliamentary and U.S. and Russian presidential elections in 2000 suggest that final ratification of START II is highly unlikely. Moreover, a general consensus appears to have emerged in Russia that only a new agreement— or set of agreements— can repair the perceived problems contained in the START II agreement. This paper discusses the history of this troubled agreement, the strategic rationale behind past, current, and future Russian force structures, and outlines a proposal that might enable the United States and Russia to recapture the previously missed opportunities for a new nuclear relationship.

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## FOREWORD

When Presidents George Bush and Boris Yeltsin signed the second Strategic Arms Reduction Treaty (START II) in Moscow in January 1993, Yeltsin called it "the treaty of hope." This was to be the beginning of a new Russia and a new kinship with the West. Nuclear arsenals, distended beyond any reasonable measure during the Cold War, would be slashed; economic investments, the key to societal transformation, were to grow steadily in the glow of the new strategic arrangement. Trade and treaties would replace tension and terror as the new foundations of Russia's relationship with the wealthy West.

That we are so far from realizing the treaty's promise is one of the great tragedies of this decade. Ten years after the end of the Cold War, Russia and the United States still maintain over 10,000 nuclear warheads each. Other nations, learning by example, try to mimic the nuclear doctrines and postures supported by both Washington and Moscow. The impact on efforts to stop the spread of nuclear weapons is real, tangible and demonstrated weekly in government statements and debates around the world.

Here, Russian scholar Alexander Pikayev gives us new insights into the collapse of the negotiated nuclear reduction process as experienced in Russia. Any reader will come away from this paper with new appreciation for the dilemmas Russian military leaders and policy makers confront while trying to decide whether or not START II remains in the best interest of Russian national security. Dr. Pikayev witnessed many of these debates personally as the chief counselor of the State Duma Committee on Defense and, previously, its Subcommittee on Arms Control and International Security. He has since carefully tracked the many rises and falls of the treaty's prospects as a scholar-in-residence at the Carnegie Endowment's Moscow Center. He presents here the first authoritative account of the treaty's troubled history in Russia, along with some recommendations for achieving deep reductions in existing nuclear arsenals. He has also provided an English translation of the Duma's Resolution of Ratification, noting in his analysis the intimate connections between reduction prospects and ballistic missile defense deployments.

We are also publishing Dr. Pikayev's paper concurrently on the Internet, with special supplements available only on the web version. These include: the history and details of the weapons in the Russian and U.S. strategic arsenals; discussion of possible amendments to the Anti-Ballistic Missile Treaty; statements of leading Russian officials from recent Carnegie seminars in Moscow; links to all the relevant treaty texts; and up-dates on all treaty discussions and negotiations. These, and other valuable resources, can be found at: [www.ceip.org/npp](http://www.ceip.org/npp).

Joseph Cirincione  
Director  
Non-Proliferation Project

## INTRODUCTION

At a historic meeting in the Kremlin on January 3, 1993, Presidents George Bush of the United States and Boris Yeltsin of the Russian Federation signed the Treaty on Further Strategic Nuclear Arms Limitations and Reductions (START II), which followed the earlier START I agreement concluded in July 1991. The treaty promised to be the grandest achievement of the bilateral strategic arms control process between Moscow and Washington. That process, initiated in the early 1970s by President Richard Nixon and General Secretary Leonid Brezhnev, had been the centerpiece of U.S.-Soviet relations for more than twenty years. The importance of strategic reductions to both sides was evidenced by the fact that the process continued despite deep declines in the bilateral relationship following the Soviet invasion of Afghanistan in 1979, and despite sharp disagreements over the future of the Anti-Ballistic Missile (ABM) Treaty, which were triggered by President Ronald Reagan's 1983 Strategic Defense Initiative, as well as by instances of Soviet non-compliance with the treaty.

In the late 1980s, Mikhail Gorbachev's *perestroika* and new-thinking policy led to a radical change in bilateral relations and significant progress in strategic arms control. In July 1991, Presidents Bush and Gorbachev signed START I, which obliged the two nuclear superpowers for the first time to reduce, rather than merely limit, their deployed strategic arsenal to 6,000 warheads.<sup>1</sup> The treaty also established a stringent verification and monitoring regime.

START II not only stipulated further reducing U.S. and Russian strategic nuclear capabilities to 3,500 deployed warheads, but it also limited the most destabilizing weapons by requiring the elimination of all intercontinental ballistic missiles with multiple independently targeted re-entry vehicles (MIRVed ICBMs). The "MIRV ban" covered, *inter alia*, all Russian SS-18 missiles which, with the ability to carry 10 warheads each, were of greatest concern to the United States. As a result, START II would require both countries, but Russia especially, to reconfigure their strategic triads into a more stable composition of mobile and silo-based single-warhead ICBMs, as well as submarine-launched ballistic missiles (SLBMs). For the first time, Moscow also made known its intent to give up its long-held insistence on exact strategic nuclear parity with the United States. President Yeltsin stated that, under certain circumstances, Russia might agree to deploy not more than 3,000 strategic warheads, 500 below the treaty limit.

The end of the Cold War, the collapse of the Soviet Union, and democratic reform in Russia all created high hopes for progress in strategic nuclear disarmament. Most policy makers expected START II to be the second in a series of relatively rapid steps towards further radical bilateral reductions, which might eventually incorporate the other three declared nuclear powers—the United Kingdom, France, and China. History, however, has witnessed completely opposite developments. For more than six years, START II has awaited ratification by the State Duma, the lower house of the Russian Parliament. Bilateral dialogue on further reductions has not moved beyond a few rounds of "discussions." By summer 1999, it seemed certain that START II had been finally shelved in the Duma without any realistic prospects for

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<sup>1</sup> The figure of 6,000 accountable warheads uses specific accounting rules agreed to under the START treaty. Both nations will retain thousands of additional tactical and reserve weapons in their arsenals.

entry into force, at least until presidential elections in Russia and the United States are held in 2000.

This deadlock has jeopardized the process of negotiated, bilateral strategic arms control. Prospects for more ambitious talks on tactical nuclear weapons and warhead transparency measures, which could be conducted parallel to negotiations on a START III agreement, are exceedingly dim. The strategic reduction malaise has also eroded another important strategic weapons limitation agreement, the ABM Treaty. Finally, the inability of the two largest nuclear powers to demonstrate progress toward their long-standing commitment to nuclear disarmament, embodied in Article VI of the Nuclear Non-Proliferation Treaty (NPT), might severely weaken the entire international nuclear non-proliferation regime.

This deadlock did not arrive overnight. Several factors in the 1990s contributed to the decline of strategic arms control:

- A rise in U.S.-Russian cooperation at the end of the Cold War removed traditional arms control from the center of the bilateral relationship. Both Moscow and Washington became much less concerned with each others' nuclear arsenals and preferred to focus on more pressing topics instead (for example, safety of nuclear materials, leakage of sensitive technologies, promoting Russia's democratic and market reforms).
- The decline of the Russian economy made it difficult for Moscow to maintain even the relatively low START II force levels. It is widely acknowledged that, irrespective of the treaty's future, the number of strategic warheads Russia can deploy will drop by at least several thousand. This realization significantly reduced Washington's incentive to gain Russia's disarmament through formal arms control agreements, which require concessions from both sides.
- Nuclear and missile proliferation in the developing world provided new incentives for the United States to deploy an anti-ballistic missile system, and gradually eroded its interest in maintaining the ABM Treaty, which forms the historic, strategic, and military underpinnings of the strategic arms control process.
- The end of the honeymoon in the U.S.-Russian bilateral relationship, marked by growing disagreements over NATO expansion, colliding interests in the post-Soviet space, and opposite approaches to conflict resolution in Bosnia, Iraq, and Kosovo considerably spoiled the Russian domestic political prospects for START II ratification. As a result, provisions like numerical disparity, asymmetry in breakout capabilities, and different methods of achieving reductions, which seemed irrelevant when the treaty was negotiated in 1992, gained higher profile and attention.
- Russia's nascent democracy quickly learned several lessons from the U.S. model. On the domestic political stage, START II became hostage to a tense relationship between the executive branch and the opposition-dominated legislature. Likewise, in the United States, controversies between the White House and the Congress, together with a desire to promote Russian ratification, prevented the launching of START III talks before START II was ratified.

This paper chronicles the ebbs and flows of the Russian debate on START II. Since 1993, a series of domestic crises and conflicts between the Duma and the Yeltsin administration, coupled with troubles in the U.S.-Russian relationship, have buffeted this critical treaty. The

first two sections follow the debates in Russia and the rise of hopes for the treaty. After numerous delays, a set of compromise agreements hammered out in Helsinki and New York in 1997 seemed to ensure quick ratification. Relations with the United States deteriorated in 1998 and 1999, however and, as discussed in section three, NATO expansion and U.S.-led bombing operations in Iraq and Yugoslavia have left the future of START II very much in doubt.

Is this the end of the START process, or can it be revived? Section four analyzes the continuing U.S.-Russia discussions and outlines an alternative solution. The U.S. drive to deploy a limited national missile defense system and Russia's strategic concerns as it manages a declining nuclear arsenal may yet be reconciled, preventing what could be the end of bilateral, negotiated arms reductions.

## AN ARSENAL IN DECLINE

### Shifting Security Priorities

The dissolution of the Soviet Union and the end of confrontation with Moscow led the United States to significantly rethink its national security priorities. The primary U.S. task during the Cold War of containing the U.S.S.R. by a combination of military and arms control measures was replaced by a much less concrete mission: to retain the necessary capabilities to deter a Russia that sometime in the future might reemerge as an assertive power potentially threatening the United States and its allies.

By the late 1990s, the remarkable unilateral decline in Russia's military power reached a point at which Moscow was unable to sustain the conventional force levels necessary to conduct large-scale offensive operations in Europe. By 1999, the Russian armed forces had been reduced to just 1.2 million personnel, down from 2.8 million in May 1992. During the Soviet period, annual defense spending exceeded \$100 billion, whereas Russia's FY99 defense budget would not exceed \$4 billion.<sup>2</sup> In 1989, the Soviet first line of defense was located in the center of Germany, 2,000 kilometers west of Moscow. Now that line has receded to merely 400 kilometers from Moscow.

Given the longer life of nuclear weapons, however, there has not yet been a corresponding decline in the nuclear forces. During the 1990s, Moscow did not face serious difficulties in maintaining the force levels required by START I. The exception lies in the strategic nuclear submarine (SSBN) fleet which, due to lack of financing, has been decommissioned ahead of the START I schedule. Since 1990, the number of operational SSBNs has been reduced 250 percent, affecting even relatively modern Delta III and Typhoon subs.<sup>3</sup>

More importantly, nuclear-related procurement has been drastically curtailed. During the height of the Cold War, the Soviet Union produced more than one hundred nuclear missiles annually. In modern Russia, the production rate has never exceeded ten ICBMs per year, and not one new strategic nuclear submarine has been completed. (Construction of a new SSBN

<sup>2</sup> Petr Romashkin, "Voyenny byudzhet Rossiyskoy Federatsii (Military budget of the Russian Federation)," *The Russia Journal*, May 10, 1999; *Yadernoye Rasprostraneniye* (Nuclear Proliferation), Carnegie Moscow Center, vol. 26, November 1998, pp. 23-28.

<sup>3</sup> START I Memorandum of Understanding, September 1990 and January 1999; Rady Zubkov, "Neopredelyonnoye budushee podvodnykh raketnostsev (Vague Future of Missile Submarines)," *Nezavisimoye voyennouye obozreniye*, 1998, no. 47, p. 6.



started in 1996, with initial plans for completion in 2002, but is now delayed until 2007.<sup>4</sup> Production of SLBMs<sup>5</sup> and heavy bombers was halted (with many difficulties and delays in completing the assembly of the Tu-160 aircraft started before 1992).<sup>6</sup>

In the 1990s, Russia set its strategic nuclear modernization programs according to START II provisions. It successfully completed development and testing of the new Topol M (SS-27) single-warhead ICBM, which can be deployed in both silo and road-mobile versions. The system was first deployed in late 1997, but only 10 missiles had been deployed by the end of 1998. Ideally, Moscow hopes to increase the production of Topol Ms to 30 to 40 ICBMs per year, but financial constraints will make achieving even this relatively modest task quite problematic.<sup>7</sup> In July 1998, the Russian Security Council decided to develop a new SLBM based on Topol M technology.<sup>8</sup> If the program is successful, the future sea leg of Russia's strategic triad will be based on light SLBMs carrying a small number of MIRVs per missile.

The combination of these three factors—early decommissioning of some strategic systems, very low procurement rates, and transition to light ballistic missiles with single or a few warheads—will most certainly lead to a radical decline in Russian strategic force levels around 2010, when Russia will start withdrawing its MIRVed ICBMs from service. Unless new programs to develop MIRVed ICBMs and to accelerate production of new SSBNs are adopted in the next few years, Russia's strategic nuclear deterrent force could fall below 1,000 deployed warheads sometime in the next two decades.<sup>9</sup> Some Russian officials are predicting an even lower number of perhaps several hundred deployed strategic warheads.

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**U.S. national security is threatened not by Moscow's nuclear strength, but by its weakness.**

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With radical changes in political relations between Moscow and Washington, and Russian reductions almost guaranteed despite the absence of new arms limitations, the Cold War task for the United States of guaranteeing Russia's strategic nuclear disarmament through negotiated arms control treaties lost a significant part of its rationale. The lack of adequate resources and political will effectively prevent Moscow from maintaining the numerical strategic parity with the United States that the Soviet Union had reached by the 1970s—even at the level of START II.

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<sup>4</sup> Yuri Maslyukov, "Dogovor SNV-2 i budushee strategicheskikh yadernykh sil Rossii (START II Treaty and the Future of Russia's Strategic Nuclear Forces)," *Izvestiya*, December 16, 1998, p. 6; "First Typhoon May Be Decommissioned Next Year," Bellona Foundation, December 8, 1998, (<http://www.bellona.no>).

<sup>5</sup> Viktor Litovkin, "Yuri Dolgoruky budet peredelan esche na stapele (Yuri Dolgoruky Will be Reconstructed While at Dock)," *Izvestiya*, September 9, 1998, p. 4.

<sup>6</sup> Maslyukov, *op. cit.*, p. 6; Nikolai Sokov, *Modernization of Strategic Nuclear Weapons in Russia: The Emerging New Posture*, Davis Center for Russian Studies, Harvard University, 1998.

<sup>7</sup> Maslyukov, *op. cit.*, p. 6.

<sup>8</sup> Mikhail Petrov, "Strategicheskim raketam net alternativy (There is No Alternative to Strategic Missiles)," Interview with Yuri Solomonov, General Designer, Moscow Institute of Thermal Technology, *Nezavisimoye voyennoe obozreniye NG*, 1999, no. 5, pp. 1, 6.

<sup>9</sup> Vladimir Berezko and Mikhail Sidelnikov, "Strategicheskaya stabilnost' na povestke dnya (Strategic stability on agenda)," Interview with Sergei Rogov, Director of the Institute for U.S.A and Canada Studies, *Krasnaya Zvezda*, March 11, 1999, pp. 1, 2.

Moreover, the decay of Russia's nuclear forces has resulted in a situation unthinkable just ten years ago. There is now a growing perception that U.S. national security is threatened not by Moscow's nuclear strength, but by its weakness. The disintegration of the Soviet Union, Russia's uneasy and chaotic transition to democracy and a market economy, financial shortfalls and continuing social and economic degradation have all led to growing concerns about the insecurity of the country's huge nuclear complex. At worst, unauthorized access to Russia's huge stockpiles of nuclear warheads and materials might greatly increase global nuclear proliferation and bring nuclear weapons into the hands of regimes and terrorist groups hostile to the United States.

According to U.S. estimates, Russia possesses about 1,350 tons of weapons-usable nuclear material—separated plutonium and highly enriched uranium (HEU).<sup>10</sup> The material is stored at more than 50 sites throughout Russia.<sup>11</sup> Due to the collapse of the old Soviet system of administrative control, which had protected these materials from unauthorized access, they are more accessible now than at any other time in history.<sup>12</sup> Three cases of diversion of significant HEU quantities in Russia have been the subject of criminal prosecution,<sup>13</sup> and a report by a U.S. congressional commission documents four other instances of fissile material theft since 1992.<sup>14</sup>

In the mid-1990s, it was believed that the protection of loose, non-weaponized fissile materials was the biggest problem in Russia. However, two incidents were reported in 1998 involving troops responsible for nuclear weapons. In the first case, a 19-year old sailor on an Akula-class nuclear attack submarine killed seven other servicemen and barricaded himself in a torpedo compartment for 20 hours, threatening to blow up the submarine. In the end he either committed suicide or was killed by counter-terrorism commandos. Although authorities denied the presence of nuclear warheads on board, the case significantly increased concerns about the discipline of Russian troops protecting nuclear weapons. These concerns were heightened as a result of a second case, when five soldiers from the elite 12<sup>th</sup> Main Directorate forces, the principal guardians of Russia's nuclear weapons, killed another soldier and took hostages at Russia's nuclear test range at Novaya Zemlya. They then asked for a plane to fly to their home in the Republic of Dagestan, located in the turbulent North Caucasus region of Russia. The hostages were eventually freed and the hijackers detained by the Federal Security Service.<sup>15</sup>

These new concerns have diverted U.S. attention away from the strategic nuclear arms control agenda. This was quite natural; the end of the Cold War established an excellent political environment in which the United States and Russia possessed unique chances to build

<sup>10</sup> MPC's *A Program Strategic Plan*, U.S. Department of Energy, January 1998, p. 2.

<sup>11</sup> *Ibid.*

<sup>12</sup> John Deutch, "The Threat of Nuclear Diversion," testimony before the U.S. Senate, Committee on Governmental Affairs, Permanent Subcommittee on Investigations in *Global Proliferation of Weapons of Mass Destruction*, Part 2, 104<sup>th</sup> Congress, 2<sup>nd</sup> Session, 104-422, March 20, 1996.

<sup>13</sup> Highlights of Significant Fissile Material Smuggling Cases, *Nuclear Successor States of the Soviet Union: Status Report on Nuclear Weapons, Fissile Material, and Export Controls* (Carnegie Endowment for International Peace and Monterey Institute of International Studies, March 1998), no. 5, pp. 105-112.

<sup>14</sup> Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction, p. 2, available at: (<http://www.senate.gov/~specter/11910book.pdf>).

<sup>15</sup> Vladimir Georgiev, "Underlying Reason: Crime in the Russian Army has Rolled up to Nuclear Munitions Unit, but the Ministry of Defense Believes Russia is Capable of Controlling Weapons of Mass Destruction without Foreign Intervention," *Nezarivisimoye voyennoye obozreniye*, Sept. 11-17, 1998, no. 34, p. 1.

a radically new, non-deterrent, bilateral nuclear relationship. Had this relationship been formed, the relevance of both deterrence and strategic nuclear arms control would have been further reduced. Although Washington has launched a set of innovative and cooperative initiatives aimed at addressing Moscow's concerns, these efforts were insufficient to make a real breakthrough in moving beyond the traditional deterrence paradigm. For its part, Moscow also demonstrated a lack of creative thinking. Thus, new non-deterrent nuclear relations were not established, and both deterrence and strategic nuclear arms control remain important issues. In light of these developments, inadequate attention to strategic arms control over the past decade was a mistake that has led to the revival of traditional thinking in Russia.

### Debates in Russia: Arguments Pro et Contra

From the very beginning, START II faced bitter criticism in Russia. Initially, the most vocal critics could be found in the Supreme Soviet, the opposition-dominated, retrograde parliament, which was dissolved by President Yeltsin in September 1993. Later, some mainstream politicians began to criticize the treaty, even though a significant number of them continued to advocate conditional treaty ratification. These politicians believed that treaty deficiencies could be corrected during negotiations on a follow-up START III agreement. They thought that since the treaty had already been signed, it would be better to ratify it with conditions. A simple non-ratification—although it could not be excluded—might trigger severe negative consequences:

- Bilateral relations with the United States could be dramatically damaged and Moscow's attempts to integrate into the world economy and to join the club of privileged, developed nations might be significantly complicated.
- The overall strategic arms control process would be disrupted without START II, and Russia's strategic force levels would go lower than the START I and START II ceilings. Russia could maintain approximate numerical strategic parity with the United States only by involving Washington in arms control agreements. The weaker Russia became, the more it was interested in arms control.
- The United States might withdraw from other agreements, such as the ABM Treaty, which Moscow wants to preserve.
- START II inaction and withdrawal from some other agreements could provoke a nuclear build up by other nuclear powers (for example, China). It could also undermine the international non-proliferation regime. (This especially should concern Russia, given that it is literally surrounded by current and potential proliferators).
- Strategic arms control is an important tool that permits Moscow to capitalize on its huge nuclear arsenal to gain a high-profile role in formulating global policy. In other words, the country's international prestige cannot be maintained just by possession of nuclear weapons. Russia needs an instrument that allows it to leverage its nuclear arsenal.<sup>16</sup>

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<sup>16</sup> "Russian premier, his deputy and military discuss ratification of START-2 treaty," Program *Zdes' I seichas* (Here and Now), *Russian ORT Channel*, 18:45 msk, in: *BBC Worldwide Monitoring*, British Broadcasting Corporation, March 16, 1999. See also, "Interview with Defense Minister Igor Sergeev," *Slovo*, May 21-25, 1999, pp. 1-3.

**START II Timeline**

<i>CHERNOMYRDIN</i>	December 1992	Viktor Chernomyrdin elected prime minister.
	January 3, 1993	START II signed in Moscow.
	February 9, 1993	President Yeltsin submits START II to Supreme Soviet.
	December 1993	Supreme Soviet dissolved, new Duma elected. Duma demands that Yeltsin resubmit START II, but he refuses.
	December 1994	START I enters into force.
	June 21, 1995	Yeltsin submits START II to Duma; Duma holds first hearings; progress interrupted by NATO airstrikes against Bosnian Serbs in August.
	December 1995	Duma elections held.
	January 26, 1996	U.S. Senate ratifies START II.
	March 1996	New Duma holds more hearings on START II.
	June 1996	Yeltsin re-elected president.
	March 1997	START II protocol signed at Helsinki summit.
	May 1997	NATO-Russia Founding Act signed in Paris.
	September 1997	ABM Accords signed in New York.
	March 1998	Chernomyrdin Cabinet dismissed.
	<i>KIRIYENKO</i>	April 13, 1998
<i>PRIMAKOV</i>	June 10, 1998	Duma postpones consideration of START II to fall session.
	August 1998	Financial crisis; Kiriyenko Cabinet dismissed.
	December 18, 1998	U.S.-led attacks on Iraq begin; Duma suspends START II consideration in protest, voting would have taken place on December 25.
<i>STEPASHIN</i>	March 22, 1999	Draft implementing legislation introduced to Duma.
	March 24, 1999	Primakov leaves for U.S. trip as NATO begins bombing of Yugoslavia; voting would have taken place on April 2.
<i>PUTIN</i>	June 20, 1999	U.S. and Russia reaffirm commitment to treaty at Cologne summit; schedule "discussions" for the fall.



## THE RISE AND FALL OF START II

At the same time, START II critics and advocates generally agreed that the treaty contained considerable deficiencies. For Russia, it was not a disarmament, but a rearmament agreement. After dismantling all MIRVed ICBMs, as the treaty stipulates, Moscow would possess only approximately 350 deployed SS-25 ICBMs, and for a limited time, 105 older SS-19 missiles downloaded to one warhead each. Thus, in order to maintain forces at the START II ceilings, Russia would need to produce more than 1,000 new single-warhead ICBMs. This task was unattainable within the initial START II implementation period of 2003, as it would require an annual production rate of more than two hundred missiles—comparable to or even higher than the production rate the Soviet Union achieved during the Cold War. In addition to wasting modest available resources, such a task would be highly controversial in the post-Cold War period.

The following example illustrates this point. In order to maintain START II levels after dismantling those systems banned by the treaty, Russia would have to produce about 1,500 new single-warhead ICBMs and MIRVed SLBMs. The vast majority of the new missiles would have to be built by 2003 (the initial deadline for treaty implementation). This huge burden would coincide with the most difficult period of Russia's struggle for economic recovery. Conversely, to maintain the START I sub-limit of 4,900 accountable warheads deployed on strategic ballistic missiles, Moscow would have to produce just 490 new MIRVed ICBMs and SLBMs, assuming that every missile carries ten warheads. These missiles could be produced within a more comfortable period of time (10 to 15 years) that matched the rate of natural decommissioning of deployed systems. And, prolonging the life of existing missiles could also postpone new production for several years. Thus, it has been argued by some in the Duma, by keeping the higher START I ceiling, Russia would ultimately spend three times less money for new missile production compared to the costs necessary to meet the START II conditions.<sup>17</sup>

### Strategic Warhead Limits Under US-Russian Agreements

	Total	Ballistic	Heavy ICBM	SLBM
START	6,000	4,900	1,540	4,900
START II	3,500	No specific sub-limit	0	1,750
START III	2,500*	No specific sub-limit	0	N/A

\*Agreed at Helsinki in 1997. At the 1999 NPT Preparatory Conference and during the August 1999 Moscow arms control talks, Russia proposed a limit of 1,500.

<sup>17</sup> Pavel Felgengauer, "Time to Abandon START II," *Moscow Times*, December 31, 1998; Interview with Col. Gen. Vladimir Yakovlev, Commander-in-Chief of Strategic Rocket Forces, *Vek*, December 1998, no. 48, p. 7.

Certainly this argument was too simplistic. It does not account for problems with developing and testing a new MIRVed ICBM. In reality, such a program would duplicate spending, rather than save money. It would require either halting the Topol M program, thereby wasting significant funding already spent for implementation, or producing both the Topol M and a new MIRVed ICBM. However, the simple arithmetic above seemed to affect the thinking of Duma members much more than sophisticated counter arguments.

START II is much easier for the United States to implement. While Russia has to destroy the vast majority of systems slated for dismantlement, the United States—which relies less on MIRVed ICBMs—is able to achieve its reductions largely through downloading (that is, removing extra warheads from the missiles and storing them nearby). This asymmetry also provides Washington with significant breakout advantages. Should the treaty fail, the United States could quickly return downloaded warheads to their Minuteman III and Trident II missiles, thereby reconstituting its forces to levels in excess of START I. The reconstitution capability for Moscow is much lower, since only 500 warheads could be returned to SS-19 ICBMs. But even that opportunity would be available only for a short period of time, since the SS-19s would likely have to be decommissioned by 2010 anyway.

Through START II, Russia's strategic deterrent would change from its traditional reliance on silo-based MIRVed ICBMs to SLBMs and mobile ICBMs. Greater reliance on submarines raised vulnerability concerns due to U.S. naval predominance, especially in the area of anti-submarine warfare. Fewer Soviet submarines were on constant patrol than U.S. subs, and since the Soviet collapse, the submarine situation has deteriorated further with most Russian subs now rusting in their berths.<sup>18</sup> These subs, which carry up to 200 warheads each and are concentrated in bases, represent a very attractive and potentially destabilizing target. With one or two warheads, a potential adversary could destroy several hundred Russian warheads in one attack. Thus, submarines that are clustered in bases, rather than on patrol, invite a disarming attack that makes the nuclear balance much less stable.

This increased reliance on mobile ICBMs and SLBMs would also undermine both positive and negative control of Russia's nuclear forces.<sup>19</sup> Communication with strategic submarines on patrol was always considered the Achilles' heel of the Soviet deterrent. Unlike the U.S. command and control system, Russian SLBMs reportedly cannot be launched from SSBNs on patrol without receiving deblocking codes from the National Command Authority (NCA). Such a transmission might become impossible if relevant communications facilities were destroyed by a surprise conventional or nuclear attack, or if communications failed as a result of electronic warfare. Recently, with the overall degradation of Russia's military capabilities and its new geostrategic vulnerabilities, concerns over the redundancy of positive control of the sea-based leg of the triad are quite legitimate.

Similar to Russia's submarines, its mobile ICBMs are routinely kept in lightly protected hangars where they are vulnerable to nuclear and highly accurate conventional attacks. On patrol, they are unprotected targets, and could be destroyed by a high-yield nuclear blast or even from a bullet shot from a high-powered gun. This would mean that Russia's missiles are potentially exposed to special force operations in wartime and to terrorist attacks in peacetime.

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<sup>18</sup> Sokov, *op. cit.*

<sup>19</sup> Positive control refers to the means of guaranteeing authorized missile launch. Negative control refers to means of preventing unauthorized launch.

Concerns also exist with respect to the degradation of Russia's early-warning system. Five of the eight phased-array early-warning radar stations, the centerpiece of the Soviet Union's system, are stranded outside Russian borders. One of the stations has been decommissioned, and Moscow's access to those located in Azerbaijan and Ukraine has not been completely secured. Due to insufficient financing, space-based early-warning components have also significantly deteriorated. According to some estimates, up to 70 percent of Russia's early-warning satellites have either exceeded their life expectancy, or face other serious problems. As a result, Russia's missile early-warning system no longer provides reliable coverage of the 60,000-kilometer national border. The North Korean missile test conducted in August 1998 reportedly went undetected by Russian early-warning systems.<sup>20</sup>

Problems with early warning are considered especially dangerous because a significant portion of Russia's land-based ballistic missiles remains on a "hair trigger" alert. This increases the risk of accidental launch. In January 1995, President Yeltsin activated his nuclear briefcase for the first time after the Russian early-warning system detected what turned out to be a scientific rocket launched by Norway. Russia had been previously notified of the rocket launch, but word did not reach the Early Warning Command Structure. This identification failure indicates that the system, though it detected the launch successfully, was unable to assess accurately and quickly the nature of the launch, or to distinguish it from a hostile missile attack.<sup>21</sup>

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**Irrespective of  
START II, Russia's  
strategic forces will  
go below treaty  
levels.**

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The debate on nuclear survivability has gained new momentum as a result of NATO's eastward expansion. With new NATO conventional deployments in Poland and, possibly in the future, the Baltic States, the NCA in Moscow would be vulnerable to a surprise attack with very little notice. For instance, a supersonic fighter deployed in Latvia could reach Moscow in 15 minutes. In such an event, the NCA might not have sufficient time to transmit deblocking codes to the submarines on patrol. In addition, NATO tactical aircraft

could reach some Strategic Rocket Force bases situated in European Russia. Mobile missiles would not have time to leave their hangars, and missiles on patrol might be detected and destroyed by aircraft or cruise missiles.

As a result of the NATO expansion debate, the redundancy of negative control might become more of an issue. Radical decreases in warning time could force Russia to reconsider launch procedures for strategic submarines and delegate more responsibility to the crew in

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<sup>20</sup> Discussion with Russian missile expert, Moscow, September 1998; Viktor Litovkin, "Treschina na schite Rossii (Crack on Russia's Shield)," *Izvestiya*, August 21, 1998, p. 1; Aleksei Karelov, "Predmet zasluzhivayuschiy osobogo vnimaniya (A Subject Which Merits Special Attention)," *Vremya MN*, June 16, 1999, p. 2. According to another media report, the Y2K problem could affect 90 percent of the *Kazbek* strategic nuclear command and control system's computers. Due to declining salaries, professional operators have left for better paying jobs and have been replaced by recruits, who were told by the commanders to "never push any buttons" and immediately approach a specialist if an emergency occurred. See Kirill Belyaninov, "Nash chemodanchik nakhoditsya na sklade (Our Case is Being Kept in Reserve)," *Novyye Izvestiya*, July 2, 1999, pp. 1, 7.

<sup>21</sup> According to another version, the Russian military probably provoked this highly publicized incident in an attempt to halt Norwegian launches, which they believe were undertaken for electronic reconnaissance missions. Norway did not launch any missiles from January 1995 to fall 1998 (discussion with Russian missile expert, Moscow, December 1998).

peacetime. Silo-based ICBMs are considered the most redundant weapon in terms of negative control (that is, they are the most protected from unauthorized launch). Negative control over mobile and sea-based systems may not be equally effective. In a crisis, submarine or mobile missile commanders might enjoy more freedom of action than their colleagues in ICBM silos. From that viewpoint, the transition of Russian strategic forces to sea-based and mobile launchers might further degrade negative control and increase the likelihood of an accidental or unauthorized launch.

Finally, critics do not dispute the argument that, irrespective of START II, Russia's strategic forces will go below treaty levels anyway. They argue, however, that in the absence of START II, the difference in numbers between Russia and the United States would be much lower than if the treaty was implemented. By some calculations, under START II the ratio could be as high as 6 to 1 in the U.S. favor if the breakout advantages were taken into account. In the absence of the treaty, the ratio would be about 3 or 4 to 1. While this ratio is still a significant disadvantage, Russia would preserve its most reliable strategic component, land based MIRVed ICBMs. If needed, Moscow could also keep its options open for future build up. This would also make it easier to maintain a hedge against the rise of other nuclear powers, especially China.



## Russian Strategic Nuclear Forces, January 1, 1999

Type of System, U.S./Russian Title	Number of Delivery Vehicles	Number of Warheads
SS-18/R-36M	180	1,800
SS-19/UR-100NUTTKh	160	960
SS-24 silo based/RT-23UTTKh <i>Molodets</i>	10	100
SS-24 railroad/RT-23UTTKh <i>Molodets</i>	36	360
SS-25/RT-2PM Topol	360	360
SS-27 silo based/RT-2PM2 Topol MS	10	10
<i>Subtotal, ICBMs</i>	<i>756</i>	<i>3,590</i>
Delta III/Project 667 BDR	SSBNs: 12	576
SS-N-18/R-29R	SLBMs: 192	
Typhoon/Project 941 <sup>22</sup>	SSBNs: 5	820
SS-N-20/R-39	SLBMs: 82	
Delta IV/ Project 667 BDRM	SSBNs: 7	448
SS-N-23/R-29RM	SLBMs: 112	
<i>Subtotal, SSBNs/ SLBMs<sup>23</sup></i>	<i>SSBNs: 24 SLBMs: 386</i>	<i>1,844</i>
<i>Subtotal, ballistic missiles</i>	<i>1,142</i>	<i>5,434</i>
Bear H/Tu-95 MS	64	722
Bear G/Tu-95	4	8
Blackjack/Tu-160	6	72
<i>Subtotal, heavy bombers<sup>24</sup></i>	<i>74</i>	<i>802</i>
<b>Total</b>	<b>1,216</b>	<b>6,236</b>

**Sources:** START I Memorandum of Understanding (MOU), January 1, 1999; START II; Rady Zubkov, "Neopredelyonnoye budushee podvodnykh raketnostsev (Vague Future of Missile Submarines)," *Nezavisimoye voyennoye obozreniye*, No. 47, 1998, p. 6; P.L. Podvig, Ed. *Strategicheskoye yadernoye vooruzheniye Rossii* (Russia's Strategic Nuclear Armament), Moscow, IzdAT, 1998.

<sup>22</sup> Zubkov, *op. cit.*, p. 6. Zubkov lists six Typhoon and 13 Delta III deployed SSBNs. However, the January 1999 START MOU lists only 82 SS-N-20 SLBMs deployed on Typhoons, which suggests that at least one Typhoon was decommissioned. The MOU also lists 16 deployed SS-N-18 SLBMs in conversion or elimination facilities, which suggests that one Delta III was decommissioned and slated for dismantling. Based on this, it is likely that only five Typhoons and 12 Delta IIIs are deployed.

<sup>23</sup> The January 1999 START MOU lists 37 deployed SSBNs with 592 SLBMs equipped with 2,424 warheads. These totals suggest that, besides the above-mentioned one Typhoon and one Delta III, 12 more SSBNs (10 Delta Is and two Delta IIs) with 152 single warhead SS-N-8 SLBMs were decommissioned, but not dismantled according to the START I procedure. The MOU also lists 40 deployed SS-N-8 SLBMs at elimination facilities, which might indicate that three more Delta I and Delta II subs are awaiting dismantlement there.

<sup>24</sup> According to the START I counting rules, each bomber equipped with long range ALCMs is counted as carrying eight warheads, and each bomber carrying gravity bombs is counted as carrying one warhead. START II, however, counts the actual loading of the bombers. Each Bear H heavy bomber is equipped with six or 16 long-range ALCMs, and each Bear G is equipped with two gravity bombs.

## Projected Russian Strategic Nuclear Forces Under START II, 2010

Type of System	Number of Delivery Vehicles	Number of Warheads <sup>25</sup>
SS-25	70	70
SS-27	420-480	420-480
<i>Subtotal, ICBMs</i>	<i>490-550</i>	<i>490-550</i>
Delta IV/SS-N-23	5/80	320
Typhoon/Universal SLBM <sup>26</sup>	3/60	240
Borei/Universal SLBM <sup>27</sup>	2/24-32	100-130
<i>Subtotal, SSBNs/SLBMs</i>	<i>10/164-172</i>	<i>660-690</i>
<i>Subtotal, ballistic missiles</i>	<i>654-722</i>	<i>1,150-1,240</i>
Bear H	30-40	180-640
Blackjack	6	70
<i>Subtotal, heavy bombers</i>	<i>36-46</i>	<i>250-710</i>
<b>Total<sup>28</sup></b>	<b>690-770</b>	<b>1,400-1,950</b>

**Sources:** Yuri Maslyukov "Dogovor SNV-2 i budushee rossiyskikh strategicheskikh yadernykh sil (START II Treaty and the Future of Russia's Strategic Nuclear Forces)" *Izvestiya*, Dec. 16, 1998, pp. 1, 6; Presentation by Pavel Podvig, *The Future of Russia-US Strategic Arms Reductions: START III and Beyond*, at a conference jointly sponsored by the Center for Arms Control, Energy and Environmental Studies, MIPhT, and MIT Security Studies Program, Cambridge, Mass., Feb. 2-6, 1998 (published in June 1998), located at (<http://www.armscontrol.ru/transforming/day1.htm>); Sergei Rogov, "Rossiya i yadernyye vooruzheniya (Russia and Nuclear Arms)" *Nezavisimoye voyennoye obozreniye NG*, No. 47, Dec. 11-17, 1998, p. 4; START I Memorandum of Understanding, January 1, 1999.

<sup>25</sup> Figures in this column are rounded to the nearest tens.

<sup>26</sup> Podvig, *The Future of Russia-US Strategic Arms Reductions*, p. 5.

<sup>27</sup> *Ibid.*, p. 5; Petrov, *op. cit.*, pp. 1, 6; Litovkin, *op. cit.*; Admiral Vladimir Kuroyedov, Commander-in-Chief of the Russian Navy, stated that half of Russia's nuclear warheads will be concentrated in the naval component of the triad (as quoted by *Interfax* news agency, Moscow, in English 17:22 msk, July 6, 1998). Data given by Yuri Maslyukov shows that the minimum number of warheads deployed on both ICBMs and heavy bombers is 740. Podvig forecasts that 560 warheads will be deployed on five Delta IV and three Typhoons. Thus, the Boreis should make up the difference, approximately 180 warheads. Podvig suggests that the loading of each Borei will be 48 or 64 warheads (12 to 16 SLBMs with four warheads each). This suggests that at least three Boreis might be deployed. Sergei Rogov, however, provides a more conservative estimate, that only 8 to 10 submarines will be in service by 2010 (Sergei Rogov, "Rossiya i yadernyye vooruzheniya (Russia and nuclear arms)" *Nezavisimoye voyennoye obozreniye NG*, No. 47, Dec. 11-17, 1998, p. 4.) According to this minimum estimate, only two Boreis would be deployed.

<sup>28</sup> Figures in this row are rounded to the nearest tens.

**Projected Russian Strategic Nuclear Forces  
Without Ban on MIRVed ICBMs, 2010**

Type of System	Number of Delivery Vehicles	Number of Warheads <sup>29</sup>
SS-19 <sup>30</sup>	100	600
SS-18 <i>Voyevoda</i>	58	580
SS-24 <i>Molodets</i>	46	460
SS-25 <i>Topol</i>	70	70
SS-27 <i>Topol M</i> <sup>31</sup>	420-480	1,260-1,440
<i>Subtotal, ICBMs</i>	<i>694-754</i>	<i>2,970-3,150</i>
Delta IV/SS-N-23 <sup>32</sup>	5/80	800
Typhoon/Universal SLBM <sup>33</sup>	3/60	240
Borei/Universal SLBM <sup>34</sup>	2/24-32	100-130
<i>Subtotal, SSBNs/SLBMs</i>	<i>10/164-172</i>	<i>1,140-1,170</i>
<i>Subtotal, ballistic missiles</i>	<i>858-926</i>	<i>4,110-4,320</i>
Bear H	30-40	180-640
Bear G	6	70
<i>Subtotal, heavy bombers</i>	<i>36-46</i>	<i>250-710</i>
<b>Total<sup>35</sup></b>	<b>890-970</b>	<b>4,360-5,040</b>

**Sources:** Yuri Maslyukov "Dogovor SNV-2 i budushee rossiyskikh strategicheskikh yademykh sil (START II Treaty and the Future of Russia's Strategic Nuclear Forces)" *Izvestiya*, Dec. 16, 1998, pp. 1, 6; Presentation by Pavel Podvig, *The Future of Russia-US Strategic Arms Reductions: START III and Beyond*, at a conference jointly sponsored by the Center for Arms Control, Energy and Environmental Studies, MIPhT, and MIT Security Studies Program, Cambridge, Mass., Feb. 2-6, 1998 (published in June 1998), located at (<http://www.armscontrol.ru/transforming/day1.htm>).

<sup>29</sup> Figures in this column are rounded to the nearest tens.

<sup>30</sup> Podvig, *op. cit.*, p. 4.

<sup>31</sup> Maslyukov stated that, without major difficulties, the Topol M could be transformed into a MIRVed missile carrying from three to six warheads (see Maslyukov, *op. cit.*, p. 6). For this table, three warheads each are assumed.

<sup>32</sup> Olga Ruban, "Yaderny obman (Nuclear Cheating)," *Moskovsky komsomolets*, May 27, 1999, p. 2.

<sup>33</sup> Podvig, *op. cit.* p. 5.

<sup>34</sup> *Ibid.*, p. 5; Petrov, *op. cit.*; Litovkin, *op. cit.*

<sup>35</sup> Figures in this row are rounded to the nearest tens.

## THE TREATY RISES

### International and Domestic Context: 1992–1996

START II was negotiated in 1992 when U.S.-Russian relations were at the peak of their post-Cold War honeymoon. In the domestic arena, many officials in the Yeltsin administration hoped for a fast transition to democracy and a successful market economy. In the foreign policy area, Foreign Minister Andrei Kozyrev described the main task of Moscow's diplomacy in the post-Cold War era as incorporation into the community of civilized nations—from Vancouver to Vladivostok—and rapid accession to major Western institutions. Against this background, in START II the Kremlin agreed to what would have been unthinkable just a year previous—a ban not only on heavy ICBMs, but also on all MIRVed land-based strategic missiles, which traditionally represented the cornerstone of Russia's strategic triad.

Three other explanations for Russia's position during the START II negotiations are usually mentioned. First, the main facets of the final agreement did not go through the process of interagency coordination. In negotiating the pact, the president often made key decisions personally and spontaneously, without prior detailed consulting with other top officials. Other important decisions were made on the ministerial level, again without an interagency process.<sup>36</sup>

Second, in 1992–1993 Yeltsin faced a strong challenge from the opposition-dominated Supreme Soviet (then the Russian Parliament, dissolved in October 1993). According to the Russian constitution at the time, the Parliament possessed significant responsibilities and challenged the presidential role in domestic politics. In his fierce domestic struggle, President Yeltsin needed U.S. and Western support. To obtain this support, he was prepared to make very far-reaching concessions, including in START II.

Third, immediately after the Soviet collapse, Russian leaders were concerned by Ukraine's nuclear ambitions. Ukraine inherited a sizable nuclear arsenal that had been deployed on its territory since Soviet times. Some believed that Kiev possessed the know-how necessary to impose national control over the force within a relatively short period of time. Russo-Ukrainian relations were especially tense at that time and, in 1992, Ukraine's positions vis-à-vis Russia were much stronger due to relative economic stability resulting from the slow rate of decay of Ukraine's centrally planned economy. Thus, the Ukraine factor led the Kremlin to seek good relations with Washington, even at the expense of strategic nuclear parity.<sup>37</sup> Furthermore, concluding a bilateral agreement with the United States symbolized Washington's recognition of Russia as the sole Soviet nuclear successor state.

The military also had a vested interest in completing START II during this period. Facing unprecedented budgetary shortfalls, the military hoped that a radical restructuring of Russian strategic forces required by treaty would guarantee stable federal financing for the development of new programs. By imposing a ban on MIRVed ICBMs, the treaty would require development and, later, large-scale production of new single-warhead missiles. This was attractive to the Strategic Rocket Forces (SRF) and its associated defense industry. Under the

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<sup>36</sup> Discussion with a Russian expert, Moscow, May 1998. Reportedly, there was an anecdotal case, when Defense Minister Pavel Grachev signed one of negotiation protocols immediately upon receiving it from U.S. Secretary of Defense Dick Cheney. The text was in English, which Grachev did not understand.

<sup>37</sup> Discussion with a former Russian START negotiator, March 1998.

same ban, the Navy also could expect a growing share of procurement because, in theory, the role of the sea-based leg of the strategic triad would increase in importance.

In 1993, however, the rift between the president and the Parliament worked against the treaty's quick ratification. Although START II was submitted by Yeltsin fairly soon after it was concluded, the Supreme Soviet did not move beyond holding a series of hearings. Iona Andronov, chairman of the Committee on International Affairs, harshly attacked the document and made it clear that the committee would not recommend ratifying it. The ratification process was then interrupted by the dissolution of the Supreme Soviet.

The 1993 constitution, adopted by a national referendum in December, established the Federal Assembly (new parliament). It consisted of two houses: the State Duma (450 seats) and the Federation Council (178 seats, or 2 seats for each of the 89 constituent states of the Russian Federation).<sup>38</sup> The constitution requires both houses to approve international agreements by a simple majority of votes: 226 in the Duma and 90 in the Federation Council. Under the 1995 Law on International Agreements, the president must submit treaties to the Duma for ratification. The Duma considers the ratification and, if approved, agreements are sent to the Federation Council. The Council cannot change the text of a ratification bill that has been endorsed by the Duma.<sup>39</sup> If the Council disagrees with the bill, it can reject it and then try to reach a mutually acceptable compromise with the Duma. This also can be done by informal arrangement.

In December 1993, the new Duma was elected. It adopted a much more conciliatory attitude toward President Yeltsin than the Supreme Soviet. Although the 1993 constitution severely restricted its responsibilities, ratification of international treaties represents one of the few areas where the role of the Duma is essential. Duma members chose to capitalize on this power in order to increase the political influence of the Parliament.

In 1994, the Yeltsin administration was also reluctant to promote treaty ratification. This is partially explained by Ukraine's non-ratification of the NPT and, consequently, delays in START I entry-into-force until December 1994.<sup>40</sup> Besides that, the Kremlin did not face the same domestic and international challenges that motivated its proactive position in 1992-1993. By 1994, Yeltsin had gained final victory over the Supreme Soviet and had received very broad responsibilities under the new Russian constitution. Since then, his dependence on Western support had become less urgent. The Ukraine factor also lost its importance. It became clear by 1994 that Ukraine was in even worse shape economically than Russia. In order to ensure its survival as an independent nation, it became Ukraine's turn to make concessions to the West,

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<sup>38</sup> Half of the State Duma deputies are elected by federal lists of political parties, the other half by single constituencies. In 1993 the Federation Council was also formed by direct elections. Under the 1995 electoral law, however, the seats there were automatically occupied by the top two leaders of regional executive and legislative power. Responsibilities of the Federation Council were even more restricted than the Duma. Thus, the majority of laws pass through the Council automatically unless it decides to discuss them. While the Duma works on a regular basis, the Federation Council usually gathers once a month for two days.

<sup>39</sup> Given a lack of legislative history, procedures are subject to constant change. Thus, in February 1999, while ratifying a treaty with Ukraine, the Federation Council changed the language of the ratification bill, earlier approved by the Duma. Although the Duma considered that action illegal, it refused to appeal to the Constitutional Court for political reasons.

<sup>40</sup> In November 1992, the Russian Supreme Soviet ratified START I, but stipulated that the instruments of ratification would be deposited only after Belarus, Kazakhstan, and Ukraine adhere to the Non-Proliferation Treaty as non-nuclear-weapon states.

starting with nuclear disarmament. In November 1994, Kiev finally gave up its objections and ratified the NPT as a non-nuclear-weapon state, and the last nuclear warhead left Ukrainian territory in June 1996.

A legal dispute between the Kremlin and the Duma further delayed START II ratification. In 1994 and early 1995 the Duma refused to restart the ratification process on the grounds that START II had not been formally submitted to the Duma for ratification. The Yeltsin administration refused to resubmit the treaty because it maintained that the treaty submitted to the Supreme Soviet in 1993 was automatically conveyed to the new legislature. The lawmakers replied that, legally, the Supreme Soviet was a different body, created under the 1977 constitution, and was annulled in September 1993. The Duma was elected according to the new 1993 constitution, they argued, and actions involving the Supreme Soviet had no impact on the new legislature.

This dispute was quite absurd. On the one hand, the Yeltsin administration stated that the new Parliament was acting in a completely new legal environment established by the new constitution. On the other, the administration claimed that its 1993 submission of START II to the Supreme Soviet remained valid, despite the fact that the political regime had radically changed. For its part, a strong anti-presidential wing in the Duma tended to view this dispute as revenge against Mr. Yeltsin for his dissolution of the Supreme Soviet. As for START II ratification, however, this group insisted on legal discontinuity between itself and the Supreme Soviet.

The war in Chechnya, started in December 1994, significantly weakened the international position of the Yeltsin administration. The Kremlin again became interested in using START II as a tool to buy support from Washington. In May 1995, Presidents Clinton and Yeltsin held a summit in Moscow. Ratification prospects seemed to improve following the summit when a group of ranking Duma members appealed to the president to introduce both START II and the Chemical Weapons Convention (CWC) for ratification. On June 20, despite earlier objections, President Yeltsin submitted START II for ratification a second time. In a letter addressed to the Duma speaker he specifically noted that treaty implementation could take place only under conditions of compliance with the ABM Treaty. The presidential draft text of the ratification bill, however, contained no amendments, including the ABM Treaty, only provisions for treaty ratification.

In late June and early July, the Duma responded positively to the president by starting the ratification process and organizing two hearings. During the hearings, all the federal agencies involved expressed their support for START II. This support created an expectation that, when the Duma reconvened in October after its two-month summer recess, the treaty would stand a good chance of approval. Even at that early stage, it was clear that Duma members would amend the resolution with several conditions, most likely requiring continued ABM Treaty compliance and possibly denouncing NATO expansion plans.

However, NATO airstrikes against the Bosnian Serbs in August 1995 aggravated the situation and significantly changed attitudes in Moscow toward START II. When the Duma reconvened, new closed hearings were held, but no progress was made. This lack of progress suggests that during the hearings, both the Duma and administration decided to postpone the ratification process to protest the U.S. and NATO policy in Bosnia.

In December 1995, new Duma elections were held. The composition of the second Duma was much more anti-Yeltsin than that of the previous legislature. The 1993 Duma had been

fragmented into a variety of small and generally loose factions; members often changed their party affiliation and moved from one faction to another. This permitted the administration to manipulate the lawmakers in order to promote desired bills or sink unwanted ones. In the context of START II, the 1993 Duma had contained a significant minority, led by the Democratic Choice of Russia faction, that unconditionally supported treaty ratification.

The Duma elected in 1995, however, had a strong and well-disciplined left opposition represented by the Communist Party, the Agrarians, and "Power for the People," formed by former Soviet Prime Minister Nikolai Ryzhkov. Put together, they controlled almost half of the seats in the new Parliament. The pro-presidential block was relatively weak by comparison. It included the "Our Home is Russia" faction of the loose "Russian Regions" group, and several independent reform-minded deputies like Foreign Minister Andrei Kozyrev. Together they controlled slightly more than a quarter of the votes. Discipline among independent deputies and members of the "Russian Regions" was low, however, and during voting the Kremlin could not rely on all their votes. START II also had the potential support of a liberal "Yabloko" faction, which was in opposition to President Yeltsin and possessed approximately ten percent of the seats. Combined, the votes of these four groups would result in only 150 of 226 needed votes.

Vladimir Zhirinovskiy's ultra-nationalist Liberal Democratic Party controlled about 50 more seats. In the bizarre world of Russian domestic policy, this party normally supported governmental initiatives in exchange for certain "carrots" from the Kremlin. In theory, the administration could ensure its support for START II, but would still be short of the 226 votes needed for ratification.

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**In January 1996, the treaty's fate was dependent on the good will of the Left.**

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From 1993 to 1995, the "Democratic Choice of Russia" faction had been a strong treaty supporter. But in December 1995, it, as well as other small liberal parties, did not overcome the five-percent barrier.<sup>41</sup> Several prominent liberals elected on individual tickets attempted to form an informal voting bloc but failed due to competing personal ambitions. Therefore, the new legislature no longer contained a strong minority of

unconditional treaty supporters. Other proponents, including those from the "Yabloko" faction, expressed only conditional approval of START II.

Thus, as the new Duma gathered for its first session in January 1996, the treaty's fate was dependent on the good will of the Left near-majority in the Duma. Chances for unconditional approval of START II were almost nonexistent due to the decline of its supporters.

Despite this gloomy outlook, the new Duma surprisingly restarted the ratification process in spring 1996. In early March, the General Staff invited faction leaders and key lawmakers to closed hearings. Reportedly, the military tried to convince the lawmakers to ratify the treaty. Shortly thereafter, Spiritual Heritage, a moderate pro-Communist think tank, published a relatively positive report on START II that proposed conditional ratification. Open hearings conducted by the Duma later in the spring also revealed only mild opposition to the treaty.

In spring 1996, campaigning began for the presidential elections to be held in June. This presidential politicking also greatly impacted the START II ratification debate. The Kremlin

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<sup>41</sup> A party must receive five percent of the vote in order to be elected to the Duma. See note 38.

wanted to consolidate its Western support and, among other steps, wanted to respond positively to the U.S. Senate's ratification of START II in January 1996. The opposition was motivated by similar considerations. The Communists were concerned by threats made by Yeltsin's closest aides, like General Alexander Korzhakov, that the Communist Party would not be allowed to win the elections. Under these circumstances, the Left wanted to portray themselves as a responsible and moderate political force, particularly by hinting at their readiness to ratify START II. They calculated that, in exchange, the West would urge Yeltsin to guarantee honest elections. Closer to the elections, when Washington's preference that Yeltsin win became crystal clear, the Yeltsin administration sharply reduced its activity to promote the treaty in the Duma. Certainly, it was politically unsafe for the Communists to play a leading role in the ratification process immediately before the elections. Once again, ratification was postponed until the fall.

In retrospect, the splash of Duma activity on START II in spring 1996 could hardly have led to ratification before the presidential election. First, drafting of the text for the ratification resolution had not even started. Second, Duma freshmen elected in 1995—most were inexperienced in international and security policy issues—received only a basic explanation of the problem during the hearings. Many of them, however, were suspicious of the treaty and had not decided whether they would vote for ratification with amendments, and if so, how the amendments should be written.

When the Duma reconvened in fall 1996, the environment for START II had further deteriorated. Yeltsin's landslide victory in July, together with the end of the Chechen war in August, again temporarily relieved him of his need for Western support. Also, a lengthy illness prevented Yeltsin from personally promoting the treaty. Concurrently, the Clinton administration was preoccupied with presidential elections in November, and lacked the time to pay attention to the latest twists in the START II saga in Moscow.

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**The TMD issue was especially sensitive for the Strategic Rocket Forces.**

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Besides the obvious lack of leadership, the Duma debates were also increasingly affected by disagreements between the United States and Russia over NATO expansion and the deadlock in negotiations on Theater Missile Defense (TMD) testing. In the context of the U.S. presidential campaign, it became increasingly clear that NATO would decide to invite at least three new members, and the expansion process would be declared open-ended.

In September, Russia and the United States again failed to conclude an agreement on TMD due to controversies over high-speed missile interceptors. This increased concerns in Moscow that the United States no longer viewed the talks as aimed at consolidating ABM Treaty restrictions, but rather as a tool permitting it to circumvent the ABM Treaty through developing and testing "theater" anti-ballistic missile systems.

The TMD issue was especially sensitive for the Strategic Rocket Forces, who were institutionally concerned with the efficacy of Russia's strategic deterrent, and thus supported binding ceilings on high-speed interceptors—a concept consistently objected to by the U.S. side. While the Strategic Rocket Forces remained one of START II's staunchest allies inside the Russian military establishment, the TMD concern made this support less than guaranteed.

By late 1996, two main positions on the treaty emerged. Opponents argued against treaty ratification at any cost. They referred to the changing military environment in Europe as a



result of NATO's eastward expansion and the uncertain future of the ABM Treaty. They suggested revising some arms control agreements in order to adapt them to new security realities. They also recommended starting new strategic arms control negotiations from scratch.

Proponents supported ratification with conditions and wanted to correct treaty deficiencies through a new, follow-on strategic arms reduction agreement. Until mid-1996, they seemed ready to endorse START II, if the ratification resolution were amended with provisions linking treaty implementation to the new agreement, as well as with continuing compliance to the ABM Treaty. By late 1996, however, the issue of NATO expansion led to further modification of their position: they did not support ratification without first solving certain questions on a bilateral level.

Thus, by 1997, the ratification process had reached its lowest point. It became clear that the treaty was in jeopardy unless Russia and the United States found adequate compromises on three key issues: NATO expansion, ABM testing, and, most importantly, synchronization of START II implementation with a new follow-on START III agreement, which would correct the most acute deficiencies of the 1993 document.

The mood of the Duma majority towards START II was well illustrated when U.S. Defense Secretary William Perry visited the legislature in November 1996. Perry addressed a joint meeting of the Duma Committees on International Affairs and Defense, urging them to ratify the treaty. Secretary Perry's presentation did not contain any new proposals and reiterated well-known U.S. positions. His speech took place in a very hostile atmosphere, unusual even for the Duma. Deputies from the ultra-nationalistic Liberal Democratic Party one by one came to a microphone and attacked the secretary, sometimes using unparliamentary language. When a reform-minded deputy attempted to defend Perry, Vladimir Zhirinovskiy hysterically shouted that the U.S. Embassy bribed the deputy. Perhaps most strikingly, no other liberals risked their reputation to interrupt the attack.

### **The 1997 Compromise**

During the March 1997 Helsinki summit between Presidents Clinton and Yeltsin, the two leaders elaborated areas for future compromise on START III and the ABM Treaty. The following September in New York, Foreign Minister Yevgeny Primakov and Secretary of State Madeleine Albright formalized one portion of the Helsinki agreements by signing the START II Extension Protocol and several ABM demarcation statements. Those documents would enter into force after ratification by both countries. In a parallel move in May 1997, President Yeltsin joined the leaders of the NATO countries in Paris to sign the NATO-Russia Founding Act. This act established a mechanism for consultations and interactions between Moscow and NATO, and provided Russia with assurances (albeit non-binding) that NATO would not authorize nuclear and large-scale conventional deployments on the territory of its new members.

The decisions made in Helsinki, Paris and New York partially—but only temporarily—alleviated Moscow's concerns on NATO, START and ABM issues. In the case of NATO, Russia received a consultative voice in NATO decision-making through the establishment of a Permanent Joint Council.<sup>42</sup> During the 1997 Madrid summit on NATO expansion, NATO

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<sup>42</sup> The value of this deal was called into question after NATO's decision, over Russian objections, to bomb Serbia in 1999.

leaders also avoided making any explicit commitment to the accession of the Baltic states—the question of most concern to Moscow. Together with the NATO assurances on non-deployment, and promises to adapt the Convention Forces in Europe Treaty to the new security situation in Europe, the position on the Baltic states moved Russia's debates on the matter in a more positive direction—how and to what extent to interact with the Alliance.

In the ABM area, however, the United States refused to agree to clear quantitative limits on high-speed missile interceptors. The New York demarcation statements, in fact, gave a green light for all planned U.S. theater missile defense programs for the foreseeable future. Russia did receive binding assurances that the U.S. theater missile defense programs would not be directed against its nuclear deterrent, and that future concerns would be solved through bilateral consultation. Moreover, Moscow's concessions on ABM would be considered as part of a broader package that included certain START-related gains.

The Helsinki START package could be the greatest achievement of Russian diplomacy on strategic arms control since the Soviet collapse. The United States agreed to extend the START II implementation period by five years, to December 31, 2007. This delay permits Russia, by prolonging the life of some of its MIRVed ICBMs, to synchronize their natural rate of decommissioning with treaty requirements.<sup>43</sup> It would also help to avoid a dramatic decline in strategic force levels shortly after START II implementation. If the treaty had to be fulfilled by the original date of 2003, then the Strategic Rocket Forces would, after dismantling all MIRVed ICBMs, control about 550 single-warhead and downloaded systems, and more than two-thirds of them would be road mobile. After the expiration of the new implementation period, force levels would be higher, especially if a better economic situation permits an increase in the production rate of new ICBMs.

More importantly, the two sides reached an agreement to conclude a new follow-on START III, under which Russian concerns with START II could be met. It was decided that the new treaty would further reduce the strategic arsenals of each party to a level of 2,000 to 2,500 deployed strategic nuclear warheads. This lower level will help Russia avoid a massive missile build up in order to maintain the high START II ceilings. The presidents also agreed that the new treaty should solve the issue of rapid breakout capabilities. In practical terms, this might mean that for the first time in history a strategic arms control agreement would cover not only delivery vehicles, but nuclear warheads as well (by extending verification measures to warheads removed from downloaded carriers, or even to the dismantling of those warheads). And, in accordance with the philosophy of correcting START II mistakes, the implementation of START III should be completed by the same extended deadline of December 31, 2007.

Also for the first time, both sides indicated the possibility of initiating talks, to be held in parallel to START III, on tactical nuclear arms control. Such negotiations could address U.S. concerns on the opaqueness of Russia's presumably large arsenal of tactical nuclear weapons. In return, Moscow might expect to conclude limits on long-range sea-launched cruise missiles, which it has sought for several decades.

The compromises reached with the United States and NATO in 1997 received mixed reviews in Russia. The majority of lawmakers considered the Founding Act a purely symbolic document, devoid of any explicit security guarantees. NATO's refusal to make a binding commitment not to deploy nuclear and large-scale conventional weapons on the territory of the

<sup>43</sup> "Russian premier," *Zdes' I seichas*, *op. cit.*; Yakovlev, *op. cit.*

Alliance's new member states produced concerns that such a deployment might actually take place in the foreseeable future. The ABM demarcation agreements were also negatively received by Strategic Rocket Force officials, since they, in fact, did not restrict testing of high-speed theater missile defense interceptors.

The START package received a more positive response. The major point of concern centered on the provision of the Helsinki Bilateral Statement that indicated START III negotiations could begin only after START II entered into force. Treaty critics pointed out that while the end-date for treaty implementation was agreed upon, no specific date for starting the negotiations was determined. In fact, the schedule for the future strategic reductions agenda determined in Helsinki did not seem very reliable. First, Russia needed to ratify START II, the Extension Protocol, and the ABM demarcation agreements. By the time of the Helsinki summit, START II had already languished for more than four years, and completing the ratification process might take more time yet. Once Russia ratified these agreements, the U.S. Senate would have to approve the Extension Protocol and demarcation agreements, an action far from certain. Only then, if neither the Duma nor the Senate amended the ratification resolution with provisions linking START II entry-into-force with other issues, could START III negotiations begin. The negotiations would face significant difficulties, especially in the area of warhead transparency, and thus, their early conclusion was also far from certain. As a new treaty might take a significant amount of time to ratify, START III might enter into force too late for it to be implemented by December 31, 2007. This complicated schedule questioned the value of the provision that supposedly synchronized the implementation deadline for both treaties.

Sensing this timing controversy, the Clinton administration initiated informal consultations on START III in the fall of 1997. Several rounds of consultations took place, and lower ceilings of 1,500 warheads were discussed. Reportedly, the two sides informally agreed to complete START III negotiations by 2003.<sup>44</sup> Despite the importance of that move, however, no evidence of progress during those consultations has been made public.

In Russia, two important developments occurred in 1997. First, Army General Igor Sergeev, Commander-in-Chief of the Strategic Rocket Forces, was appointed the new Minister of Defense. He replaced Army General Igor Rodionov, who was known for his criticism of Yeltsin's military policy and as an opponent of START II. The nomination of Sergeev to the top position in the Defense Ministry represented an unprecedented move for Russia. Historically, the SRF has been considered distinct from the traditional military establishment, and its representatives had been never been appointed as high as Defense Minister or Chief of the General Staff. After Rodionov, it was obvious that President Yeltsin needed a more loyal head of the Defense Ministry. As the SRF Chief, General Sergeev demonstrated his consistent support for START II ratification. This probably played some role in the decision to nominate him.

Second, the first two single-warhead Topol M SS-27 ICBMs were deployed at the Tatischevo Strategic Rocket Forces base, located in the Saratov region. The combination of these two events helped the Kremlin to overcome resistance by the Strategic Rocket Forces to concluding an agreement on high-speed anti-missile interceptors, and ensured that the SRF would continue to support START II ratification.

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<sup>44</sup> Remarks of Prime Minister Primakov, in "Russian premier," *Zdes' I seichas*, *op. cit.*.

## THE TREATY FALLS

### Democracy vs. Ratification: Spring 1998

Both international and domestic developments in 1997 created a much more favorable environment for START II ratification. However, those developments did not lead to the quick ratification that was expected after the summit in Helsinki. Instead, domestic politics again complicated prospects for ratification.

Since December 1996, the Duma had been focused on the problem of chemical weapons disarmament. On April 29, 1997, the CWC entered into force, even though both major possessors of chemical weapons—Russia and the United States—had not yet ratified the CWC. During its three years of activity, the Duma had not ratified any major arms control agreements. As in spring 1996, the deputies saw this ratification authority as a way to gain political influence. The CWC seemed more attractive to them than START II, because chemical weapons were not considered militarily usable. In May the Duma began its ratification process, and finally approved the CWC in late October.

Obviously, the Yeltsin administration did not want to jeopardize CWC ratification by promoting START II at the same time. When the convention had finally been approved—the president signed the relevant federal law in early November 1997—a momentum was established that, if sustained, might permit the ratification of other agreements. Also, during the CWC ratification process, the Duma and executive branch established a new procedure to reach compromise on mutually acceptable language of the ratification bill in order to ensure smooth treaty approval on the Duma floor.

Certainly for the Left near majority in the Duma, CWC ratification was the only major ratification they could afford in 1997. Furthermore, until February 1998 the Duma and the administration were preoccupied with the FY98 federal budget, and did not want to complicate the debates with discussion of START II. For this reason, delaying treaty ratification until late February 1998 seemed quite understandable. However, the Kremlin made a mistake by not submitting for ratification the September 1997 START II Extension Protocol. Without this document, the Duma, even if it wanted to, was simply unable to restart the ratification process.

In December 1997, President Yeltsin made another tactical mistake. For some time, the lawmakers had complained that the Kremlin did not give them sufficient respect and wanted the president to appear before the Duma in order to demonstrate his esteem. This question was so important that, in exchange for a presidential visit, the Duma seemed ready to pass any legislation that the Kremlin wished.<sup>45</sup> Based on this assumption, some START II advocates believed that if Yeltsin went to the Parliament and personally requested treaty ratification, the lawmakers would comply quickly.<sup>46</sup> But, Yeltsin wasted this significant political capital. In December, he suddenly appeared in the Duma for a short period of time and urged the deputies to approve the federal budget in the second reading. This move came as a surprise to political observers because Prime Minister Viktor Chernomyrdin had already managed a budget compromise, and it was expected that the budget would pass. Certainly, Yeltsin's appearance facilitated approval of the budget, though it was a moral victory for the Duma Left, it

<sup>45</sup> Such posturing between the Kremlin and the Duma dates to Czarist times in Russia.

<sup>46</sup> Alexei Arbatov, vice chairman, the Duma Defense Committee, paper presented at a conference on START II, Carnegie Moscow Center, May 20, 1997.

humiliated and undermined the credibility of the Chernomyrdin Cabinet, and Yeltsin again wasted a chance to promote START II ratification.

START II, combined with the New York Extension Protocol, was resubmitted for ratification on April 13, 1998. This took place at a time when the country was in a new political crisis that significantly aggravated relations between the Duma and executive branch.

In March 1998, President Yeltsin suddenly fired the cabinet led by Viktor Chernomyrdin and asked the Duma to approve Sergei Kiriyenko as the new prime minister.<sup>47</sup> Chernomyrdin had been Russia's prime minister since December 1992, when his nomination prevented the escalation of dangerous hostilities between the president and the Supreme Soviet. As a moderate reformer, he established good working relations with the Duma Left, who always supported the main Cabinet bills, including all four federal budget requests since FY95. Yeltsin failed to adequately explain his reasons for dismissing Chernomyrdin, which further angered the Duma.

Sergei Kiriyenko had served as the Fuel and Energy Minister in the Chernomyrdin Cabinet. Although he proved himself a talented manager, he remained unknown to the larger public and the Duma. The Duma Left was also concerned by his close association with First Vice Prime Ministers Boris Nemtsov and Anatoly Chubais, who were highly unpopular in the Duma. Not surprisingly, the Duma voted against the Kiriyenko nomination. President Yeltsin made it clear, however, that he would continue to support his nominee and, if needed, was ready to dissolve the Duma. On the same day that the Duma declined the Kiriyenko approval for the first time, Yeltsin again formally nominated him. This sequence was repeated a week later after the Duma voted against Kiriyenko a second time.

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### **After the Kiriyenko confirmation debate, the Duma sought revenge.**

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After the second vote, the Communists faced a dilemma. On one hand, the radical wing insisted on a third disapproval and declared their readiness for early elections. The moderate leaders also recognized that they would lose face by supporting Kiriyenko. On the other hand, the Communists were concerned that certain provisions in the electoral legislation would give the Kremlin some legal grounds to change the election rules in its favor if the Duma were dissolved. This could effectively deprive the Left opposition of a significant number of seats in the new legislature. After painful internal debates, the Communists decided to preserve the Duma and, as a result, in the third round Kiriyenko was finally approved as prime minister with a comfortable majority of 251 votes (with 226 required).

The Kiriyenko debacle put the Communists, the largest Duma fraction, under strong pressure from their radical wing. The radicals heavily criticized the moderate leadership of the party for its opportunistic cooperation with the Kremlin, and threatened to split the party unless this collaboration was halted. Moreover, Duma members from all parties felt extremely humiliated by the way President Yeltsin had treated them. Yeltsin completely ignored the members' opinion in both his decisions to sack Chernomyrdin and to nominate a relatively unknown and unpopular candidate. Consequently, after the Kiriyenko confirmation debate, the

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<sup>47</sup> According to the 1993 constitution, the prime minister must be approved by the Duma. If the Duma refuses a candidate three times, the president must dissolve the House, call for new Duma elections and renominate the prime minister.

Duma sought revenge and used every opportunity to let the Kremlin know that it would pay for its behavior.

On April 13, 1998, the day Kiriyenko was finally approved, Yeltsin finally submitted the START II/ABM package for ratification. But it was too late. Due to the new tension between the Duma and the executive branch, the deputies were unwilling to move forward with the ratification process. It was stalled again until the fall.

Despite this highly negative environment, the Yeltsin administration made unprecedented efforts to promote the treaty between April and June 1998. Earlier, in 1997, Washington had linked the prospect of another Clinton-Yeltsin summit with Russia's START II ratification. Given President Yeltsin's personal penchant for high visibility events, this was a reasonable strategy that played a positive role in stimulating the Kremlin to make more energetic efforts to promote the treaty. The strategy, however, had the opposite effect on the Duma: the lawmakers complained that Yeltsin paid more attention to recommendations from Washington than from his own Parliament.<sup>48</sup>

The Duma reacted to the START II resubmission and President Yeltsin's promotional efforts without much enthusiasm. Yeltsin's April 13 letter was distributed among the various committees and commissions, which were asked to give their response to the Committee on International Relations by May 5. In mid-April, the Committee on International Affairs prepared a draft resolution on forming a commission to complete consideration of START II, in hopes that the commission would be a forum where the text of a ratification bill could be agreed on by all interested parties. If adopted, the bill would move the ratification process to the final stage. On April 21, however, the Duma Council did not approve the draft resolution and decided to consider the issue of forming a commission in a plenary meeting on May 13. The Duma was in recess for the first two weeks of May, meaning that START II had been gradually delayed for an entire month since its resubmission.

On May 13, Vladimir Zhirinovskiy proposed that the commission be removed from the agenda, but only 196 deputies (with 226 required) supported his proposal.<sup>49</sup> As a result, the Duma continued consideration of the commission into the next day. On May 14, the Duma voted on the commission twice. In the first vote, Alexei Arbatov urged the deputies to approve the resolution, referring to the five-year delay in START II ratification. When this motion failed to gain the necessary majority (185 votes were received), the Duma speaker scheduled a second vote, but gained only 144 votes in support of the motion.<sup>50</sup>

Although the commission was not established at the May 14 plenary, START II advocates did have one relative success in that the deputies formally requested that the three main committees responsible for the ratification process prepare parliamentary hearings. Hard-liners, led by General Albert Makashov, tried to torpedo even this modest progress. The Duma

<sup>48</sup> Gennady Seleznyov, the Duma speaker, *Russky Telegraf*, Dec. 19, 1997, p. 3.

<sup>49</sup> Aleksandr Tarasov, "O podgotovke k ratifikatsii Dogovora SNV-2 (About Preparing for START II Ratification)," *Yadernoye rasprostraneniye* (Nuclear Proliferation), Carnegie Moscow Center, vol. 24, September 1998, p. 9.

<sup>50</sup> Gosudarstvennaya Duma Stenogramma zasedaniy Bulletin no. 174, p. 9; Bulletin no. 175, p. 26-28.

Committee on Defense recommended that the hearings be delayed until the fall, and on May 19 the Duma Council agreed to the delay.<sup>51</sup>

Despite these procedural delays, the Kremlin stepped up its activities to promote the treaty. Even as the Duma considered the ratification commission on May 14, Foreign Minister Primakov met with Duma Speaker Gennady Seleznyov and urged him to accelerate ratification. On May 21, President Yeltsin and Prime Minister Kiriyenko met with speakers of both houses of the Federal Assembly and, among other issues, discussed START II. Based on its positive experience from March 1996, the General Staff proposed that it arrange closed hearings in its headquarters on June 9, and a new round of intensive lobbying by the Ministry of Foreign Affairs and Kremlin followed a May 28 meeting between Primakov and Albright.

In a parallel move in late May, Yuri Maslyukov, Chairman of the Duma Committee on Economic Policy, distributed a letter urging members of the Communist Party to support treaty ratification. This was the first instance of a positive attitude towards the treaty publicly expressed by one of the top Communist leaders. Maslyukov suggested that START II be ratified with several conditions: START II would not enter into force until the START III framework agreement was concluded; Russia could withdraw from the agreement if the ABM treaty was violated; and the financing of strategic forces modernization must be guaranteed.<sup>52</sup>

The Kremlin's ratification campaign began to pay off. On June 3, the Duma reversed the earlier decision to delay the hearings until autumn. On June 4, the Duma Council decided to return to discussing the issue after a meeting with Foreign Minister Primakov, scheduled for June 5. That day, an emergency team led by Primakov, Minister of Atomic Energy Yevgeny Adamov, and Director of the Foreign Intelligence Service Vyacheslav Trubnikov visited the Duma.<sup>53</sup> They attempted to consolidate these positive developments, but were only partially successful. The Duma leaders hinted at their possible willingness to hold hearings in June, but promised to make a decision at the Duma Council meeting scheduled for June 9, the day the General Staff had proposed for the hearings. This caused yet another delay, and the General Staff meeting was postponed until June 16.<sup>54</sup>

Nevertheless, on June 9 the Duma Council formally decided again to postpone the hearings until September 1998. A last ditch effort by treaty proponents to change the decision at the plenary meeting also failed. On June 10, 1998, the Duma confirmed the Council's decision and voted to arrange the hearings during the fall session. The decision was made with 235 votes for and only 39 against.<sup>55</sup>

The only practical result of the Primakov visit was ensuring that the deputies would attend what officially was called a "conference" in the General Staff on June 16. In an unprecedented move, the lawmakers were informed about the conference over the loudspeakers in the Duma building, the first time they had ever been used. After the June 10 Duma decision to delay the

<sup>51</sup> Tarasov, *op. cit.*, pp. 9–10.

<sup>52</sup> Sergei Sokut, "Pozitsiya ekspertov KPRF otkryvayet put' k ratifikatsii SNV-2 (Position of the CPRF Experts Opens Way for START II Ratification)," *Nezavisimaya gazeta*, May 30, 1998, p. 2.

<sup>53</sup> "START II Has No Chances for Ratification This Summer in the Russian Duma," PIR Arms Control Letters, June 1998, PIR Center, June 17, 1998, at: (<http://www.pircenter.org/acl/index.htm>).

<sup>54</sup> Tarasov, *op. cit.*, p. 10.

<sup>55</sup> "Deputies Leave Start II Consideration for the Autumn," *Russky telegraf*, June 11, 1998.

hearings, the conference did not seem to affect the negative momentum. Although the spring session was carried over until end of July, the Duma still did not consider the treaty.<sup>56</sup>

In sum, domestic disagreements together with mistakes made by the Kremlin in winter and early spring 1998 prevented the Duma from ratifying the treaty during its 1998 spring session. A window of opportunity, which was opened by the 1997 Helsinki and New York compromises and by the Duma ratification of the CWC in late October 1997, was lost. The administration's failure to resubmit START II with the New York protocol in late February 1998 played a fatal role for treaty ratification. Certainly, the Duma was physically unable to proceed with the ratification between late February, when the federal budget was approved, and late March, when the Chernomyrdin Cabinet was fired. But there were genuine chances to establish a mechanism of ratification and for that process to begin.

### Almost Ratified

By September 1998, the situation had completely changed and chances for Duma ratification of START II had greatly increased. In late August, President Yeltsin fired the Kiriyenko Cabinet after it had failed to cope with the growing economic crisis, and nominated Viktor Chernomyrdin for prime minister. Despite its past sympathy for the nominee, the Duma refused to approve Chernomyrdin and made clear that Yeltsin's candidate had no chance of being approved.

The Duma's firm position on Chernomyrdin was explained by two factors: the first political and the second economic. First, the Duma had launched impeachment proceedings in May against President Yeltsin. If an impeachment resolution was approved prior to a final decision on Chernomyrdin's nomination, the lawmakers could provoke a constitutional crisis. Under one article of the 1993 constitution, the Duma cannot be dissolved after it has approved an article of impeachment. Another constitutional provision requires that the Duma be dissolved if it fails to approve a nominee for prime minister after three attempts. Here, the second, economic factor comes into play. During the August financial crisis, millions of Russians desperately stormed banks in hopes of removing at least some of their money. A constitutional crisis in the midst of this situation would work in favor of the opposition, rather than Yeltsin, since the Kremlin's economic policy was blamed for the August financial crash.

Thus, Yeltsin nominated someone the Duma was sure to approve, Foreign Minister Yevgeny Primakov. Having won its political battle with the Kremlin, the Duma triumphantly approved Primakov's nomination and, with this action, a major obstacle to START II ratification—the residual anger at Yeltsin for the Kiriyenko debacle in April 1998—was removed.

Primakov's approval created additional positive developments with regard to START II. For one, the new prime minister was personally interested in START II, since as Foreign Minister, he had mastered the 1997 agreements and was committed to the treaty's success. In addition, through a series of appointments, Primakov was able to develop a positive working relationship with the Left factions in the Duma, including the Communists, giving him some leverage over the body.

After the August 1998 crash, Russia also became much more dependent on the West for help, similar to what happened in 1992–1993 and 1995–1996. The ruble devaluation significantly complicated foreign debt servicing. In 1999, Moscow would have had to pay

<sup>56</sup> Pavel Felgengauer, "Defense Dossier: START II Destined for Shelf," *Moscow Times*, June 25, 1998.



foreign creditors up to \$17.5 billion, an unbearable burden for a country whose federal budget would not exceed \$24 billion. As a result, Russia was forced to raise the issue of debt restructuring. Any solution was largely dependent on the positions of international financial institutions, where the United States plays a leading role.

In October 1998, the Duma reconvened from its summer recess. Soon after, the new Primakov government launched an active lobbying campaign aimed at achieving START II ratification. In October, Foreign Minister Igor Ivanov held a meeting with leaders of the Duma fractions and urged them to restart the ratification process. In late October, Prime Minister Primakov sent a letter to Duma Speaker Gennady Seleznyov, asking him to accelerate treaty ratification.<sup>57</sup>

In response to the letter, the Duma Council decided on November 6 to hold an extraordinary closed plenary meeting devoted to, among other items, START II, signalling that the ratification process had been freed. The special session took place on November 10, and was reportedly attended by the prime minister, first deputy prime minister, and ministers of foreign affairs, defense, economics and finance. During the meeting, members of the government stated that START II ratification was required in order to receive loans from the International Monetary Fund.<sup>58</sup> The same day, the Duma Council asked involved committees to prepare the ratification bill within ten days.

Despite strong support from the Duma leadership, preparation of the ratification bill faced significant difficulties. Treaty proponents decided not to risk an attempt to establish a formal commission, which would draft a compromise ratification resolution with consensus language. Instead, they choose an informal approach. Roman Popkovich, Chairman of the Defense Committee, and Vladimir Lukin, Chairman of the International Affairs Committee, formally introduced the draft bill. Together with the Committees on Security and Geopolitics, these two committees were primarily responsible for treaty ratification.

The agreed text of the Lukin-Popkovich Bill took much longer than ten days to prepare, and was not formally distributed in the Duma until mid-December 1998. The compromise draft text contained 10 articles: eight of them stipulated conditions for START II implementation. [The complete text of the draft resolution is located at the end of this paper.] The most important articles included:

- Article IX, stipulating that the exchange of the instruments of ratification would not occur until the U.S. Senate ratified the 1997 New York ABM agreements;
- Article IV, requiring the president, after consultations with the Federal Assembly, to make a decision on the future implementation of START II, if a follow-on treaty is not concluded by December 31, 2003. The follow-on agreement must contain several provisions, among them: (1) reductions to the lowest possible levels of strategic nuclear forces still capable of guaranteeing strategic stability; (2) eliminating breakout potential; (3) real accounting of strategic weapons; and (4) preserving "multiple options" for Russia's strategic modernization program;

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<sup>57</sup> Tarasov, *op. cit.*, p. 12.

<sup>58</sup> "START II Ratification Is Expected in December," PIR Arms Control Letters PIR Center, November 13, 1998, located at (<http://www.pircenter.org/acl/index.htm>); *Parlamentskaya gazeta*, Nov. 11, 1998, pp. 1, 2.

- Article II, specifying extraordinary conditions under which Russia might consider withdrawing from the treaty. Among them: (1) U.S. withdrawal from the START II and/or ABM Treaties; (2) military developments made by the United States, or other countries and alliances, including NATO, which would threaten Russia's national security; (3) a large-scale build up by a third nuclear-weapon state; (4) deployments threatening to Russia's early warning system;
- Other articles specifying the responsibilities of the president, government and the Federal Assembly in the area of treaty implementation. A need for sufficient financing of strategic weapons was specifically mentioned. By October 1 of each year, the government would also be required to deliver an annual implementation report to the Federal Assembly.<sup>59</sup>

Although some small changes were incorporated into the text later, the main provisions remained intact and the president formally submitted the draft to the Duma on March 22, 1999.

With the draft resolution, the Duma partially succeeded in ensuring its participation in future decision-making on the treaty. In fact, Article VIII language requiring the government to provide the Federal Assembly with an annual report on treaty compliance explicitly linked the report with discussions on the federal budget, which usually take place in the fall. At that time of year, the executive power is very dependent on the legislature, giving the lawmakers additional leverage over the president.

One critical area is in Article IX, which explicitly prohibits the exchange of instruments of ratification until the United States ratifies the ABM agreements. Given the strong opposition in the U.S. Senate to these agreements, this article might be considered a ratification-killer. Even if ratified, START II may never be implemented. This provision, however, gives Russia the opportunity to put START II back in the U.S. court and make Washington responsible for the failure of the treaty.

Completion of the draft text was followed by painful debates inside the Communist Party. While its moderate leadership was ready to ratify the treaty, the hard-liners aggressively denounced the idea. As a result, on December 8 and, again, on December 15 the Duma failed to adopt a procedural decision asking the president to formally submit the agreed draft text of the ratification bill.<sup>60</sup> The debates inside the Communist Party continued until December 16, when they reportedly came very close to permitting free voting on START II.

Several hours before the scheduled meeting of the Duma, however, the United States and Britain launched air strikes against Iraq. The Communist fraction immediately linked the air strikes with START II ratification and delayed treaty consideration indefinitely. After attending the meeting, First Vice Prime Minister Yuri Maslyukov, who two days before had energetically supported ratification, said, "I am not an idiot enough to insist on START II ratification while air strikes are being made on Iraq."<sup>61</sup> The Duma again refused to consider START II and the environment in the legislature became so unfavorable that Alexander Kotenkov, the presidential

<sup>59</sup> Full Russian text of the START II draft ratification bill can be found in: *Yadernoye rasprostraneniye* (Nuclear Proliferation), Carnegie Moscow Center, vol. 27, December 1998.

<sup>60</sup> *Izvestiya*, December 16, 1998; *Interfax*, December 8, 1998.

<sup>61</sup> *ITAR-TASS* (World Service), December 17, 1998, 16:41 msk.

representative in the Duma, predicted that the current Duma would not ratify the treaty at all.<sup>62</sup> As treaty-proponent Vladimir Lukin pointed out, ratification "was postponed not by the State Duma, but by the American government and President [Clinton]."<sup>63</sup>

By early 1999, the Primakov Cabinet found itself in a difficult situation. On one hand, the compromise inside the Communist Party to allow free voting collapsed as a result of Anglo-American air strikes on Yugoslavia. Moreover, in January, the Clinton administration announced its intention to seek modification of the ABM Treaty, which further strengthened the position of treaty opponents in the Duma. On the other hand, by 1999, Primakov's public approval ratings were skyrocketing and he was becoming the leading candidate for the post-Yeltsin presidency. Given Yeltsin's uncertain health conditions, the prime minister might have been much closer to the top post in the Kremlin than was widely assumed. To further consolidate his position, Primakov was interested in allaying Western suspicions and may have viewed START II ratification as an attractive tool for gaining credibility in the West.

Meanwhile, the legislature was still reluctant to return to treaty consideration. But after completing discussion on the FY99 federal budget in late February, the Cabinet launched a new push on the Duma. During the promotion campaign, Primakov successfully used the U.S. ABM debates as an argument in favor of START II ratification, stressing that START II ratification by Russia would help prevent Washington from withdrawing from the ABM Treaty.<sup>64</sup> The domestic political environment remained favorable, too. Similar to fall 1998, the Left continued to provide their political support to the Primakov Cabinet.

The Primakov lobbying campaign had quick results. By March 2 the Duma resumed the ratification process by distributing the final version of the Lukin-Popkovich bill among fractions, committees and commissions. On March 16, the Duma formally requested that the president submit the agreed ratification bill (a motion that failed three months before). During the meeting, some deputies even proposed that the treaty be scheduled for the nearest ratification plenary meeting on March 19. The Council decided not to schedule it that soon because it was not known how long it would take the Kremlin to submit the resolution. The Council's decision was followed by an unusual appearance by Primakov, Maslyukov and top military officials on Russian national TV, where they promoted treaty ratification.<sup>65</sup>

It was expected that the Yeltsin administration would complete the necessary paperwork on March 17 and that the Council could include the treaty on the agenda for its March 19 plenary meeting. After March 22 the Duma would be on a week-long recess, and March 19 was the last day that the Duma could ratify the treaty before Primakov's visit to the United States.

On the morning of March 17, however, it became clear that decision-making in the Kremlin had been almost paralyzed by a vote in the Federation Council on a separate issue. By a constitutional majority, the Federal Council suddenly declined to accept the resignation of Prosecutor General Yuri Skuratov (Russian counterpart of the U.S. attorney general), which President Yeltsin had sought. Before his resignation, Mr. Skuratov, with wide support from the

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<sup>62</sup> Vladimir Lukin, Chairman of the Duma Committee on International Affairs, in *ITAR-TASS* (World Service), December 17, 1998, 19:30 msk.

<sup>63</sup> *Ibid.*

<sup>64</sup> "Russian premier," *op. cit.*

<sup>65</sup> *Ibid.*

President Yeltsin had sought. Before his resignation, Mr. Skuratov, with wide support from the Duma left majority, had launched an intrusive criminal investigation into alleged illegal commercial activity and corruption of several Yeltsin administration officials, including, according to the Russian media, the chief of the administrative department and top reformers Anatoly Chubais and Boris Nemtsov. The prosecutor claimed that, in order to damage the investigation, he was blackmailed with a videotape of his relations with prostitutes. On late night television, the state-owned RTR-1 Channel broadcast portions of the videotape, which contained a romantic episode involving a man resembling Mr. Skuratov.

The Wednesday voting in the Federation Council greatly increased the chances that the impeachment resolution, which the Duma was going to debate in May, might be successfully passed by the upper house as well. By ensuring that Mr. Skuratov stayed in office, the Communists also could expect successful consideration of the impeachment in the Supreme and Constitutional Courts, as is required by Russian law. As a result of the vote, the Left significantly consolidated their domestic leverage, and President Yeltsin, for the first time since 1993, faced a real threat of impeachment.

On March 17, Duma speaker Gennady Seleznyov interrupted the session to inform the deputies of the vote in the Federation Council. In the ensuing euphoria, the Duma decided to hold an additional session on March 18 to discuss the Skuratov situation. This effectively cancelled a planned meeting of the Duma Council where the START II ratification bill could have been considered.

In an effort to save the treaty, Prime Minister Primakov held a three-hour meeting on March 18 with leaders of the left Duma groups, including Gennady Zyuganov, Nikolai Ryzhkov and Nikolai Kharitonov. As a result, during the plenary meeting on March 19, the Duma included START II ratification on the agenda for the first ratification day after the recess, April 2.<sup>66</sup> The Kremlin acted quickly, too. On March 22, the president formally submitted the START II ratification bill to the Duma.

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### **The NATO air strikes produced a shocking effect in Russia.**

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On March 24, Prime Minister Primakov left for a series of meetings in the United States. In the course of his flight it became clear that NATO air strikes against Yugoslavia were imminent. In protest, the prime minister turned his plane around in mid-air over the Atlantic and returned to Moscow. The air strikes produced a shocking effect in Russia. Spontaneous anti-NATO rallies started in the streets of Moscow. The Duma interrupted recess and on March 27 held an extraordinary plenary meeting devoted to the situation in Yugoslavia. In a resolution approved at the meeting, the legislature requested that the president recall the START II ratification bill. The majority of deputies thought that as a result of the NATO out-of-area action, which was not supported by any U.N. Security Council or Organization for Security and Cooperation in Europe resolution, a new security situation had emerged that would require a reassessment of previously concluded arms control agreements.<sup>67</sup>

The negative international environment was followed by domestic developments that further

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<sup>66</sup> Alexander Pikayev "START II As A Victim Of Sexual Scandal In Moscow," March 22, 1999, located at (<http://www.armscontrol.ru/start/publications/ap0319.htm>).

<sup>67</sup> Gennady Zyuganov, *ITAR-TASS* (World Service), March 25, 1999, 13:54 msk.

complicated START II ratification. In a repeat of March 1998 events, President Yeltsin suddenly fired the Primakov Cabinet on May 12, 1999, without a full explanation. The new prime minister, Sergei Stepashin, was approved by the Duma in the first round of voting but, as in spring 1998, the legislature was clearly dissatisfied by the dismissal of a popular prime minister. Although the nomination of Sergei Stepashin did not cause a Kiriyenko-like uproar, the Duma became much more reluctant to act on requests from the Kremlin.

In retrospect, it seems clear that the Kremlin should be faulted for not resubmitting START II by March 18. The cancellation of the Duma Council meeting on Thursday was not a fatal blow, as Duma leaders on numerous occasions have demonstrated their ability to overcome similar procedural complications. For instance, the Council could have gathered on Friday during the lunch break of the plenary meeting. Alternatively, a deal could have been brokered informally, and the ratification might have been included on Friday's agenda by a decision of a plenary meeting. Certainly, even if the Duma had ratified START II on March 19, the Federation Council most likely would have delayed its ratification as a result of the Kosovo crisis. Nonetheless, the Federation Council would have been more likely than the Duma to consider ratification after the air strikes had ended.

In December 1998 and again in March/April 1999, START II had the best chances for ratification. Commenting on the coincidence of these two major breakthroughs in the START II ratification process with air strikes against Iraq and Yugoslavia, one Duma member said bitterly, that he was under the impression that "the United States is opposed to the Russian parliament's ratifying START II."<sup>68</sup> It should be mentioned, however, that the Yeltsin administration has to share responsibility for its inability to elaborate a coherent strategy for promoting the treaty and for not using windows of opportunity between October 1997 and March 1998, and again between September 1998 and March 1999, to achieve the treaty's ratification.

### **CAN THE PROCESS BE REVIVED?**

Even during the crisis in Kosovo, the executive branch reaffirmed its support for START II ratification. On March 27, Minister of Foreign Affairs Igor Ivanov stated before a Duma emergency plenary meeting that, despite the NATO air strikes, he remained committed to the treaty and thought that ratification was consistent with Russia's interests. He stressed, however, that START II ratification was "untimely" as long as air strikes continued. For his part, President Yeltsin ignored the Duma request to rescind the draft treaty ratification bill.

### **Summit in Cologne and the Gore-Stepashin Meeting**

During the June 20, 1999, G-8 summit in Cologne, Germany, President Yeltsin expressed his commitment to completing the START II ratification process in a joint U.S.-Russian statement. In this document, both the United States and Russia made concessions designed to restart the stalled arms reduction process. These steps partially repaired the damage done to bilateral strategic arms control by the sharp disagreements between Moscow and Washington over the war in Yugoslavia.

To help Russian prospects for START II ratification, the United States reaffirmed that the two sides would conduct new negotiations on strategic offensive arms aimed at further reducing each side's strategic nuclear warheads, and elaborate measures to contribute to the irreversibility

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<sup>68</sup> *Ibid.*

of deep reductions, including prevention of a rapid build up in the numbers of warheads. The presidents also agreed that results should be achieved during those negotiations as early as possible.<sup>69</sup> This statement hinted that the United States would alter its position not to initiate START III talks until after START II entered into force. Though the document contains a reference to the Helsinki summit statement, where this linkage was established, it does not mention it directly. Also, besides the same reference on Helsinki, the statement says nothing on future numerical START III limits. This could be interpreted as a sign of Washington's potential willingness to go below the levels of 2,000-2,500 deployed strategic warheads set in Helsinki.

The summit statement confirmed the commitment of both states to the treaty and contained promises that each side would seek the earliest ratification of the 1997 New York protocols. The United States and Russia also agreed, in accordance to Article XIII of the ABM Treaty, "to consider possible changes in the strategic situation that have a bearing on the ABM Treaty and, as appropriate, possible proposals for further increasing the viability of this treaty."<sup>70</sup> The Statement's context shows that "changes in the strategic situation" might be related to missile proliferation.

In reality, the language of the Cologne statement was even more vague than that agreed to in Helsinki. The United States stopped short of explicitly meeting Russia's demands on START III (on lower ceilings and starting formal START III negotiations before START II ratification). For its part, Moscow agreed to consider "possible changes in the strategic situation," but did not commit itself to ABM Treaty modifications. It is apparent, therefore, that the Cologne statement represents only the first step in the bilateral strategic arms control dialogue in the post-Kosovo environment.

The real importance of the Cologne statement was the signal that both sides would seek to pursue the U.S.-Russian strategic arms control dialogue during election years in both the United States and Russia. The START III/ABM Treaty consultations could permit the sides to save time in finding mutually acceptable compromises, and to delay consideration of the agreements to a time when the political environment in both countries would be more favorable for ratifying old and concluding new arms control agreements.

However, some serious concerns remain. One of these is the possibility that Yeltsin's assurances to achieve START II ratification could again lead Washington into inaction based on the false hope that the long-awaited treaty would finally enter into force within a few months. Such premise could also slow the START III/ABM Treaty consultations, which might be considered as only a symbolic prelude to real negotiations to be initiated after START II enters into force.

The results of the Cologne summit were coolly received in Russia. As a prominent center/right observer pointed out, Yeltsin "paid homage and pledged personal loyalty as a vassal of rich Western states, but these pledges would not bind Russia."<sup>71</sup> By June 22, Foreign Minister Ivanov stated that Moscow firmly sought the preservation of, and strict compliance

<sup>69</sup> "Joint Statement Between the United States and the Russian Federation Concerning Strategic Offensive and Defensive Arms and Further Strengthening of Stability," The White House, *Office of the Press Secretary* (Cologne, Germany), June 20, 1999, p. 2.

<sup>70</sup> *Ibid.*, p. 3.

<sup>71</sup> Pavel Felgengauer, "Pacts Don't Protect Russia", *Moscow Times*, June 24, 1999.

with, the ABM Treaty, and called U.S. plans for national missile defense (NMD) deployments "extremely dangerous."<sup>72</sup> Thus, he clearly attempted to downplay the significance of Yeltsin's ABM concession in Cologne.

At the July 27, 1999 meeting between U.S. Vice President Albert Gore and Russian Prime Minister Sergei Stepashin held in Washington, the two sides agreed to intensify START III discussions and, in parallel, commence consultations on ABM Treaty modification. While Gore and Stepashin also reaffirmed their commitment to START II ratification, these statements suggested that the United States had modified its earlier policy of not holding serious START III talks until START II is ratified. After the Washington meeting, the new U.S. linkage between the two agreements was formulated in a different way: START III will not be concluded until the Russian Parliament ratified START II. In response, Stepashin struck a more conciliatory tone on ABM Treaty modification.<sup>73</sup>

Currently, Russian attitudes on START/ABM are divided into three groups. The first group, represented by a part of the military and opponents of President Yeltsin, opposes the very idea of reaching agreement on ABM Treaty modification by June 2000. They are concerned that the Kremlin, in order to gain U.S. support for the pro-Yeltsin candidate in the 2000 Russian presidential elections, would agree to all Washington's positions without receiving anything in return. Thus, the political opposition has an interest in seeing the talks fail. If nothing is produced by June 2000, the Clinton administration might have to unilaterally announce its decision to proceed with NMD deployments. This could be portrayed in Russia as another defeat of Yeltsin's pro-Western policy and might improve the prospects of anti-Western candidates.

The second group consists of the Yeltsin administration and his key supporters. This group seems ready to agree to ABM Treaty modifications, if it would help gain U.S. support in the election context. They also want to avoid a failure of the negotiations and a unilateral Washington decision immediately before the elections in June 2000. In Cologne and, later, in Washington, this group demonstrated that it was willing to go very far in giving concessions to the United States, despite harsh domestic criticism.

The third group is composed of pro-Western political factions that are not closely associated with Yeltsin and may compete with a Kremlin-backed candidate in the presidential election. The group also includes moderates inside the military who are concerned that a collapse in the negotiations could further consolidate the positions of hard-line opponents. At the same time, they are not ready to accept major unilateral concessions that would make them vulnerable to attacks by anti-Western hard-liners. This group would conceivably support a "fair" compromise and could reluctantly agree to modest ABM Treaty modifications in exchange for correcting "START II mistakes" in START III.

### Prospects

Modest steps were made in Cologne and Washington, but the treaty's future remains unclear. Despite statements by Yeltsin, Stepashin and Ivanov that START II ratification remained their

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<sup>72</sup> Igor Ivanov, World Congress of Russian press, *Sovintsentr*, 16:00 msk, in *Federal News Service*, June 22, 1999; Igor Ivanov, "Rossiya v menyayuschemysya mire (Russia in Changing World)," *Nezavisimaya gazeta*, June 25, 1999, pp. 1, 6.

<sup>73</sup> Steve Mufson, "U.S., Russia to Resume Arms Control Talks," *Washington Post*, July 28, 1999, p. A1.

top priority, chances for treaty approval in fall 1999 seem very slight. In late June, the Duma did not include ratification on its agenda for the fall 1999 session. Prior to the parliamentary elections scheduled for December, lawmakers will be preoccupied by their electoral campaigns and, due to growing anti-Western sentiments, very reluctant to put their re-election at risk by ratifying the controversial agreement.

Polling indicates that, after elections in December 1999, the majority in the Duma will contain strong blocks represented by left, nationalist and centrist fractions. These groups can be expected to either oppose ratifying START II and the ABM Modification Protocol outright, or to agree to only consider them as part of a package including what Russia would consider a "fair" START III.<sup>74</sup>

Regardless of possible election outcomes, START II ratification is historically linked with the ABM Treaty and is likely to remain so. Thus, Russian lawmakers could reasonably decide to delay START II discussions until the ABM Treaty modification talks were completed and the results submitted for ratification. Reopening the ABM Treaty would probably require changing the text of the START II ratification bill, triggering a new round of consultations between the legislature and the Kremlin. Adding further complication, the ABM modification is also connected with progress on START III. Consequently, it is possible that the Duma would not resume the START II ratification process until the entire START II/START III/ABM Modification Protocol package is formally negotiated and submitted for ratification.

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**The Duma is unlikely to make a gift of treaty ratification for a pro-Yeltsin candidate.**

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Theoretically, under an optimistic scenario where the ABM Modification Protocol and START III are negotiated by spring 2000, the Yeltsin administration would have time to submit the package for ratification either before presidential elections in June, or during the period between the second round of elections and inauguration of the new president in August.<sup>75</sup> Even in this case, the Duma is unlikely to make a gift of treaty ratification for a pro-Yeltsin candidate before the elections, and would do its best to postpone ratification until the fall.

### **New Diplomatic and Strategic Environment: START III**

The very real prospect of U.S. NMD deployments could mean that even if ratified, START II would never be fully implemented. The current U.S. Senate is unlikely to ratify the 1997 ABM demarcation agreements.<sup>76</sup> As was mentioned above, under Article IX of the draft START II

<sup>74</sup> Russia has reportedly tabled a proposal for a 1,500 warhead ceiling for START III. See, for example, David Hoffman, "Moscow Proposes Extensive Arms Cuts," *Washington Post*, August 20, 1999.

<sup>75</sup> In Russia, in the first round of presidential elections a candidate could win if he gained more than 50 percent of the vote. If in the first round no one received an absolute majority, a second vote is between the top two candidates. A relative majority of votes is needed to win the second round.

<sup>76</sup> The Senate insists on considering the ABM Treaty Memorandum of Understanding, which regulates succession to the treaty after the dissolution of the Soviet Union. The Memorandum was signed together with the demarcation agreements on September 26, 1997, in New York. According to the memorandum, Russia, Belarus, Kazakhstan and Ukraine were recognized as legal successors to the Soviet Union vis-à-vis the ABM Treaty. Ratification of demarcation agreements *per se* is not required. However, they can enter into force only after the entry into force of the Succession Memorandum.



Duma ratification bill, START II could only enter into force after the U.S. side approved the ABM demarcation agreements. For Russia, large-scale NMD deployments will create a new diplomatic and strategic environment where the Russian nuclear arsenal is insufficient to penetrate potential ABM systems.<sup>77</sup>

China, which reportedly possesses only two dozen missiles capable of hitting targets in North America, might decide to launch a massive build up of its nuclear forces in response to a U.S. NMD deployment decision. Such a nuclear build up by China would put Moscow in a very difficult situation. Russia already feels some regional insecurity due to the bilateral U.S.-Russian ban on medium range ballistic missiles stipulated by the Intermediate-Range Nuclear Forces in Europe Treaty. At the same time, China maintains hundreds of such missiles, whose range covers more than a half of the populated Russian territory. Only Russia's strategic forces can counter these missiles. In addition, Russian nuclear weapons are now considered critical to deterring a potential conventional attack from China, since there are no other credible tools to defend the increasingly vulnerable Russian Far East. Credibility in regional nuclear deterrence is largely determined by Russia's nuclear predominance, which balances Chinese conventional superiority. Thus, maintaining this predominance is vitally important for maintaining the fragile stability along the banks of the Amur River.

It would not be possible for Moscow to sustain a Russo-Chinese arms race as long as Russia adhered to the START II ban on MIRVed ICBMs. Under that ban, in response to a Chinese MIRVed missile build up, Moscow would have to produce one new single warhead missile in response to each Chinese MIRVed missile. This costly proposition might provide Moscow with a sufficient financial motivation to forgo START II MIRV restrictions altogether.

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**U.S. NMD  
deployments could  
mean that START II  
would never be fully  
implemented.**

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Therefore, Russia may seek as a basic provision of the future START III, a limited re-MIRVing of its ICBMs. Under one possible scenario, an ICBM MIRV-cap might be set at no more than three warheads per vehicle.<sup>78</sup> This light re-MIRVing would not destabilize the bilateral strategic balance, and it would give Russia some assurance that its nuclear deterrent would not be undermined (directly or indirectly) by U.S. NMD deployments. Also, Moscow would not have to face the unacceptable

economic burden of maintaining the strategic force levels stipulated by the new treaty. Certainly, the re-MIRVing proposal would produce active debates in Washington, but this or a similar compromise is essential in order to achieve a cooperative modification of the ABM Treaty, and could be balanced by Russian concessions in that area.

If an agreement could be reached on re-MIRVing, overall START III ceilings would need to be kept at the 2,000-2,500 Helsinki levels if one wanted to avoid a situation where the United States had to reconsider its strategic nuclear modernization programs. Expectations are that they will be downsized to the 2,000 level around the year 2010, anyway. Such a level would permit the parties to remain within the treaty, even in case of a massive Chinese nuclear build

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<sup>77</sup> Dmitri Alexandrov, "Time Ripe to Look for New Missile Deal?" *The Russia Journal*, July 5, 1999.

<sup>78</sup> Anatoly Diakov and Pavel Podvig, "V poiskakh vykhoda iz tupika: sokrashcheniye strategicheskikh vooruzheniy i Dogovor po PRO (Searching for an Exit from the Dead End: Strategic Arms Reductions and the ABM Treaty)," *Nezavisimoye voyennoye obozreniye NG*, # 25, July 2-8, 1999, pp. 1, 2.

up. On the other hand, sticking to the Helsinki numbers would add to the already growing pressure from non-nuclear nations, which demand the nuclear powers reduce their nuclear capabilities as required by Article VI of the NPT.<sup>79</sup>

Imposing other limitations on types of delivery vehicles also seems doubtful. Given current circumstances, it is unlikely that START I-type sub-limits on warheads deployed on both sea- and land-based ballistic missiles would be discussed. These limits emerged in the late 1980s under a very different strategic environment, when the United States sought limitations on huge Soviet MIRV capabilities. With the radical downsizing of Russia's strategic nuclear arsenals in the late 1990s and early 2000s, this factor has lost its importance. Besides that, it would be difficult to fit the sub-ceiling into overall low force levels, as the flexibility of the force structure could be at stake.

The same is true for the START II-type limits on MIRVs and submarine loading limits. In 1992, Russia wanted to limit U.S. Trident II deployments, which led to an agreement on the 1,750 ceiling on submarine-based warheads. It is unlikely that Washington would agree to further restrictions on the most capable component of its deterrent.

It should be mentioned, however, that limited re-MIRVing could have significant drawbacks. Modification of the ABM Treaty together with high START III ceilings and re-MIRVing might be seen as much more provocative in Beijing than a package including ABM modification with low ceilings and a ban on MIRVed systems. Thus, re-MIRVing could trigger, rather than avoid, a Chinese build up. It could be argued that for Russia, it might be more important to retain a rapid reconstitution capability than to immediately adopt a provocative high ceiling. The potential re-MIRV option could conceivably play a deterrent role against potential build-ups.

The re-MIRV/low ceiling dilemma is deeply intertwined with the issue of irreversibility. With lower ceilings, more concerns would be associated with a significant breakout capability. Consequently, more interest would need to be invested into irreversibility and, given the highly complicated nature of that problem, negotiations would be more difficult and time consuming.

The question of irreversibility may represent the biggest challenge in START III negotiations. Here, both sides are likely to seek different goals. For Russia, the main issue will be to neutralize the U.S. breakout capability inherent in downloading its SLBMs and ICBMs. According to some estimates, Washington could quickly return up to 2,500 warheads to their delivery vehicles.<sup>80</sup>

Washington's solution would be linked to dismantling removed warheads. For the U.S. side, dismantlement, verification and transparency of nuclear warhead reductions, rather than deep cuts, seem to be the real goal of the START III negotiations.

Ideally, verified dismantlement of removed warheads would be matched by transparency measures guaranteeing that removed warheads could not be reconstituted from reserve warhead stockpiles and, also, that new warheads are not being produced. To achieve these goals, every nuclear production facility, storage site and dismantlement plant would have to be under some form of bilateral monitoring and inspection regime. This would give the United States access to

<sup>79</sup> Some experts favor much lower ceilings than agreed in Helsinki, between 1,000 and 1,500 deployed strategic warheads. See for example, Diakov and Podvid, *op. cit.*, and Sergei Rogov, presentation at the Carnegie Endowment for International Peace, Washington, DC, July 7, 1999.

<sup>80</sup> Rogov, *op. cit.*

all Russian nuclear stockpiles, not only strategic, but tactical as well. Thus, one of its main 1990s nuclear arms control missions might be achieved.

This approach, however, faces considerable challenges. First of all, is the United States itself ready to agree on the same level of transparency on its nuclear arsenals by permitting intrusive Russian monitoring and inspections? Besides the state of the bilateral political relationship, which as a result of disagreements seems inadequate for placing nuclear arsenals under each other's scrutiny, verification and transparency of elimination, production and storage of nuclear warheads represent entirely new tasks. Thus, the complicated technical development and negotiation of mutually acceptable measures can be expected to take a long time. Moreover, the time frame necessary to develop technical measures for warhead transparency also came into conflict with a need to reach a basic agreement on the ABM modifications by June 2000.

In the negotiation context, the issue of broad transparency could be a sufficient independent rationale for initiating the START III talks. Except for a short period of time after the Soviet collapse, Russia has remained reluctant to make its nuclear arsenals more transparent. This position might be explained by the new emphasis on nuclear weapons, or as a tactic of the Russian bureaucracy to trade piecemeal openings of its nuclear infrastructure in exchange for Western financial assistance. Had the United States offered Moscow lower START ceilings and irreversibility in exchange for warhead transparency in the mid-1990s, this could have been considered by the Kremlin as a fair basis for formal START III talks. Besides transparency, Russia did not possess any other tools that would make Washington interested in a de facto renegotiation of START II.

In 1999, with the new U.S. position on ABM Treaty modification, the diplomatic context has radically changed. Now, START III negotiations are directly linked with ABM Treaty talks.

Due to the changing negotiating environment and certain time constraints, the irreversibility dilemma should be addressed by other, less complicated means. Under one independent proposal, this might be achieved through the dismantling of warhead platforms (known as busses) from downloaded delivery vehicles.<sup>81</sup>

The option of bus dismantlement could help to solve the conflict between the need to prevent rapid breakout and the interest in maintaining reconstitution capabilities in case of changes in the strategic landscape. Warhead dismantlement would affect not only breakout, but gradual reconstitution as well. If something happens, it would take quite a long period of time to produce thousands of warheads. Hundreds of platforms could be produced faster, but not in any real breakout scenario.

## CONCLUSION

After the Soviet collapse, the United States and Russia possessed a unique opportunity to make a breakthrough in bilateral nuclear relations. In 1991, START I and the Bush-Gorbachev initiatives created a solid basis for moving in that direction. In 1992, however, Moscow and Washington focused on START II negotiations, which were based on traditional Cold War criteria of nuclear deterrence and strategic arms control. Instead of attempts to elaborate more creative approaches, the Bush administration was too committed to negotiating sub-ceilings on Russian strategic forces, and ignored the fact that the very nature of security challenges for the United States had radically changed. At the same time, the Yeltsin administration demonstrated

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<sup>81</sup> Anatoly Diakov and Pavel Podvig, *op. cit.*, p. 2.

a much higher willingness to give up traditional Cold War nuclear thinking and easily agreed to scrap the main part of Russia's strategic forces. In that period, the Kremlin sincerely believed that maintaining nuclear parity with the United States and high ceilings of strategic deployments had become irrelevant with the end of the Cold War.

Later, the sides changed places. Washington, enjoying its status of the only global superpower, started to pursue more creative approaches in addressing the challenges of U.S.-Russian nuclear relations. The idea of "cooperative" threat reduction was formulated, which helped obtain Russia's ad hoc commitment in areas largely uncovered by strategic arms control (such as partially verifiable nuclear warheads dismantlement, halting production of fissile materials for weapon use, withdrawing the majority of tactical nuclear weapons from the battlefield to central storage, and transparency of some nuclear materials). At the same time, the United States paid much less attention to strategic arms control, assuming it had become irrelevant in a post-Cold War environment and asymmetric U.S.-Russian relationships.

Russia's inability to make a quick transition to a successful market economy, which in some circles was attributed to insufficient Western support, was further aggravated by broader political disagreements between the United States and Russia since 1993. A growing perception that the mighty West was seeking to capitalize on Russian weaknesses deeply affected Moscow's decision making. In that environment START II became a symbol of the increased inequality in the U.S.-Russian relationship.

This issue was especially important, since it is only in the nuclear field that Moscow still enjoys superpower status. Given the relatively long lifetime of nuclear weapons, Moscow may retain sizable arsenals for the foreseeable future. If strategic arms control fails, decisions made in 1998 and 1999 that allowed both states to postpone, or even prevent, radical declines in strategic nuclear forces may have implications for the next 15-20 years. Moreover, weaknesses in Russia's economy and conventional military forces are leading Moscow to rely more on its nuclear capabilities in an attempt to maintain its international role and to gain a stronger position vis-à-vis perceived Western pressure.

These developments help explain the long, and so far unsuccessful, START II ratification effort in Russia. Lack of interest in the United States prevented Washington from launching a vigorous campaign to promote the treaty's ratification. Numerous delays in the ratification process caused by air strikes against Bosnian Serbs, Iraq and Yugoslavia illustrate how START II has fallen victim to broader U.S.-Russian political disagreements. Finally, the inability of the Yeltsin administration to exploit the windows of opportunity for treaty approval that periodically emerged between the air strikes and domestic political crises, were caused not only by its ineptitude but also by the fact that many provisions of the treaty itself were increasingly considered incompatible with Russia's new reliance on nuclear weapons.

In this context, four years of Duma inaction highlight the difficulties that formal arms control agreements objectively now face in a Russian democratic decision-making process. In addition, it also suggests that the Duma now possesses ability to resist international agreements that members consider detrimental to national interests. In the case of Russia today, an additional problem is that perceptions of national interests only loosely correlate with the country's true needs.

After more than six long years of debate, a consensus has emerged in Moscow that without "correcting START II mistakes" by concluding a new follow-on agreement, the 1993 treaty has no future. Before 1999, however, Washington lacked any incentive to renegotiate START II.

The United States and Russia face a choice: whether to act unilaterally and damage bilateral and multilateral arms control and non-proliferation regimes, or modify them cooperatively in accordance with new security challenges. Compromises on the START III and ABM Treaty modification would help to revive the 1997 Helsinki plan and could reopen prospects for negotiating tactical nuclear arms control and for bringing other nuclear powers to the negotiation table. A more favorable environment might also emerge for other non-traditional initiatives. In broader terms, the United States and Russia could get a second chance to redirect their nuclear relations away from nuclear deterrence and towards nuclear cooperation.

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**DRAFT START II IMPLEMENTING LEGISLATION<sup>1</sup>**

**Introduced by State Duma Deputies  
V.P. Lukin and R.S. Popkovich**

DRAFT

**Federal Bill on Ratification of the Treaty Between the Russian Federation  
and the United States of America on Further Reduction and Limitation of Strategic  
Offensive Arms**

Article 1

To ratify the Treaty Between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms, done at Moscow on January 3, 1993, hereinafter referred to as the START II Treaty, including its integral parts:

Memorandum of Understanding on Warhead Attribution and Heavy Bombers Data Relating to the Treaty Between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms, done at Moscow on January 3, 1993;

Protocol on Procedures Governing Elimination of Heavy ICBMs and on Procedures Governing Conversion of Silo Launchers of Heavy ICBMs Relating to the Treaty Between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms, done at Moscow on January 3, 1993;

Protocol on Exhibition and Inspections of Heavy Bombers Relating to the Treaty Between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms, done at Moscow on January 3, 1993;

Protocol Relating to the Treaty Between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms of January 3, 1993, done at New York on September 26, 1997.

Article 2

Extraordinary events, giving the Russian Federation the right to withdraw from the Treaty, in exercising its national sovereignty and in compliance with Article VI of the START II Treaty, *inter alia*, shall be:

- 1) violation of the START II Treaty on the part of the United States of America, which jeopardizes national security of the Russian Federation;
- 2) the United States of America's withdrawal from the Treaty Between the Union of Soviet Socialist Republics and the United States of America on the Limitation of Anti-Ballistic Missile

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<sup>1</sup> Translated from the Carnegie Moscow Center's periodic journal *Nuclear Proliferation*, vol. 27, December 1998, pp. 76-80; and based on an English translation in *The Arms Control Reporter*, 1998, pp. 614.D.31-37.

Systems, done at Moscow on May 26, 1972, hereinafter referred to as the ABM Treaty, or its violation of the aforesaid Treaty and respective agreements;

- 3) build up of strategic offensive arms of the states that are not parties to the START II Treaty in the way that poses a threat to national security of the Russian Federation;
- 4) making and implementation by the United States of America, or any other state whatsoever, or alliances, and North Atlantic Treaty Organization among them, of decisions in the field of military development, which threaten national security of the Russian Federation, including deployment of nuclear weapons on the territory of the states, having joined NATO after the date of the START II Treaty signature;
- 5) deployment by the United States of America or any other state whatsoever of the armaments, preventing normal functioning of the Russian system of early warning of missile attack;
- 6) extraordinary events of economic or technological origin, which make it impossible for the Russian Federation to fulfill its obligations under the START II Treaty or jeopardize environmental security of the Russian Federation.

#### Article 3

1. In case of extraordinary circumstances, provided for in Article 2 of this Federal Law, or in any other extraordinary circumstances whatsoever, jeopardizing supreme interests of the Russian Federation, the President of the Russian Federation shall:
  - a) take political, diplomatic and other measures in order to eliminate the aforesaid circumstances or neutralize their consequences;
  - b) provide for immediate consultations with the Chambers of the Federal Assembly of the Russian Federation and, taking into account the results of these consultations, make decisions relating to the START II Treaty, including introduction of motions under the Federal Law "On International Treaties of the Russian Federation."
2. The Chambers of the Federal Assembly of the Russian Federation, if they consider circumstances to be of extraordinary character and subject to immediate action under Article VI of the START II Treaty, shall address the President of the Russian Federation with a proposal to begin consultations, advise him or undertake any other steps, provided for in the Federal Law "On International Treaties of the Russian Federations."

#### Article 4

The President of the Russian Federation provides for consultations with the Chambers of the Federal assembly of the Russian Federation and, taking into account the results of these consultations, make decisions relating to the START II Treaty, including, if necessary, introduction of motions under Section V of the Federal Law "On International Treaties of the Russian Federation," if no later than December 31, 2003, the Parties conclude a new Treaty Between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms, which shall:

- 1) envisage preservation and further enhancement of strategic stability at lower levels of strategic offensive arms of the Russian Federation and the United States of America;
- 2) enable the Russian Federation to apply multifarious approaches to the development of its strategic nuclear forces, including their organization and structure, necessary to maintain national security of the Russian Federation with regard for the existing economic situation;



- 3) exclude the possibility of fast increase in the number of nuclear warheads attributed to all types of launchers;
- 4) provide for equal rights and opportunities for the Parties in the process of elimination and disposal of nuclear warheads;
- 5) secure optimal economic use of the existing infrastructure of the strategic nuclear forces of the Russian Federation, essential costs reduction for the implementation of the programs of elimination and disposal of strategic offensive arms, and broadening of the Russian capabilities to use the reduced components of the aforesaid arms and their infrastructure in the interests of national economic development;
- 6) provide for accounting of all types and systems of strategic arms.

#### Article 5

Implementation of the START II Treaty is fulfilled on the basis of:

- 1) preservation of the Russian strategic nuclear forces' capabilities at the level, providing for the maintenance of national security of the Russian Federation;
- 2) primary financing of the strategic nuclear forces of the Russian Federation and of the works on safe elimination and disposal of strategic offensive arms;
- 3) the United States of America's compliance with the Treaty Between the Union of Soviet Socialist Republics and the United States of America on the Reduction and Limitation of Strategic Offensive Arms, done at Moscow on July 31, 1991, hereinafter referred to as the START I Treaty;
- 4) reduction of the strategic offensive arms of the Russian Federation, provided for in the START II Treaty, taking into account their lifetime;
- 5) maintenance of combat readiness of the Russian strategic nuclear forces, irrespective of any development of strategic situation, preservation of their research, development, testing and production capabilities;
- 6) providing for safe use, storage, elimination and disposal of strategic offensive arms;
- 7) equal rights and opportunities for the Parties of the START II Treaty in carrying out inspections and other verification procedures; preservation and improvement of the national technical means of verification of the Russian Federation in order to observe the United States of America's compliance with the START I and START II Treaties, and the ABM Treaty.

#### Article 6

The Russian Federation fulfills its obligations, provided for in the START II Treaty, in compliance with this Federal Law and other legal documents of the Russian Federation, regulating measures and procedures relating to the implementation of the START II Treaty.

Financing of the strategic nuclear forces of the Russian Federation as well as of production, use, elimination and disposal of nuclear weapons is carried out in compliance with the federal legislation.

The President of the Russian Federation shall approve the Federal Program of Development of the Strategic Nuclear Forces of the Russian Federation and present it to the Chambers of the Federal Assembly no later than two months after entry into force of this Federal Law.

No later than three months after entry into force of this Federal Law, the Government of the Russian Federation shall work out and present to the President of the Russian Federation the Special Federal Program of Elimination and Disposal of Weapons and Material of Strategic Nuclear Forces, subject to his approval and providing for use of reduced components and infrastructure in the interest of national economic development.

#### Article 7

In the process of implementing the START II Treaty:

1. The President of the Russian Federation shall:
  - a) determine the principal directions of the state policy in the field of development of the Russian strategic nuclear forces and nuclear disarmament; define procedures and deadlines for the activities in fulfilling the START II Treaty which imply preservation of the Russian strategic nuclear forces' potential and maintenance of their combat readiness at the level, providing for guaranteed deterrence from aggression against the Russian Federation and its allies;
  - b) take decisions on the terms and procedures of decommissioning and deactivation of strategic offensive arms, provided for in the START II Treaty, and on commissioning of the new models of strategic offensive arms;
  - c) formulate the Russian concept of further international negotiations in the field of strategic offensive arms and anti-missile defense, hold consultations and negotiations with the heads of other states aiming to enhance stability and maintain national security of the Russian Federation.
- 2) The Government of the Russian Federation shall:
  - a) provide for stable and primary financing of the Russian strategic nuclear forces, of the works on safe elimination and disposal of strategic offensive arms, and of activities in carrying out the obligations under the START I and START II Treaties, in compliance with the federal legislation and special federal programs;
  - b) ensure preservation and development of the research and experimental base and production capabilities, required to maintain the nuclear might and combat readiness of the strategic nuclear forces of the Russian Federation;
  - c) present to the Chambers of the Federal Assembly of the Russian Federation a regular report on the state of the Russian strategic nuclear forces and on the course of implementation of the START I and START II Treaties, and the ABM Treaty, as provided for in Article 8 of this Federal Law;
  - d) present to the Chambers of the Federal Assembly of the Russian Federation data, provided for in the Memorandum of Understanding on Warhead Attribution and Heavy Bombers Data Relating to the START II Treaty;
  - e) secure effective use of national technical means to verify compliance with the START I and START II Treaties, and the ABM Treaty, the technical improvement of the

- aforsaid means and fulfillment of verification procedures, provided for in the above-mentioned treaties;
- f) take measures to ensure safe use, storage, elimination and disposal of strategic offensive arms, nuclear warheads and rocket fuel, and to exclude unauthorized access to nuclear warheads;
  - g) take measures to use optimal economic methods and means of elimination and disposal of strategic offensive arms;
  - h) implement, on the instructions of the President of the Russian Federation, foreign policy decisions in the field of reduction and limitation of strategic offensive arms and nonproliferation of nuclear weapons;
  - i) invite the representatives of the Chambers of the Federal Assembly of the Russian Federation to participate, by prior consultation in discussing the course of negotiations in the field of strategic offensive arms and anti-missile defense.
3. The Chambers of the Federal Assembly of the Russian Federation shall:
- a) in considering the annual Federal Bill "On the Federal Budget," participate in taking decisions on the amount of allocations for the purposes of research and development in the field of strategic offensive arms, of their procurement, of the construction and modernization of major sites for the Russian strategic nuclear forces and their command and control, as well as of the works on safe elimination and disposal of strategic offensive arms and activities to implement the START I and the START II Treaties;
  - b) take part in elaborating federal laws and special federal programs, pass federal laws required to maintain strategic nuclear forces of the Russian Federation at the level, providing for national security of the Russian Federation, and to carry out the activities in the field of reduction of nuclear arms;
  - c) consider the annual report of the Government of the Russian Federation on the state of strategic nuclear forces of the Russian Federation and the course of implementation of the START I and the START II Treaties, and the ABM Treaty, and make decisions as appropriate;
  - d) charge, as it deems necessary, the Board of Auditors of the Russian Federation with the mission to audit the spending of the financial means allocated for the implementation of the START I and the START II Treaties;
  - e) if necessary, take measures provided for in Section V of the Federal Law "On International Treaties of the Russian Federation."

#### Article 8

After entry into force of the START II Treaty on no later than October 1, *per annum*, the Government of the Russian Federation sends to the Chambers of the Federal Assembly of the Russian Federation the report on the state of strategic nuclear forces of the Russian Federation and on the course of implementation of the START I and the START II Treaties, and the ABM Treaty, which shall include the following information:

- 1) the changes in the organization and structure of strategic nuclear forces of the Russian Federation, financial provisions and the results of the completed works on maintaining their potential and combat readiness;
- 2) the fulfillment on the part of the Russian Federation and the United States of America of the obligations, provided for in the START I and the START II Treaties, and the ABM Treaty;
- 3) the course of elimination and disposal of decommissioned strategic offensive arms of the Russian Federation, the state of financing of activities under the START I and the START II Treaties, including the use of foreign aid;
- 4) environmental conditions in the locations of storage, elimination and disposal of strategic offensive arms, above all nuclear warheads and rocket fuel;
- 5) the course of negotiations on elaborating new agreements in the field of reduction and limitation of strategic offensive arms and in the field of anti-missile defense;
- 6) state of development of the projects in the field of strategic offensive arms and anti-missile defense, situation in the field of nonproliferation of nuclear weapons and missile technology in the United of America and any other state or alliance whatsoever.

#### Article 9

The exchange of instruments of ratification of the START II Treaty by the Russian Federation shall be done upon completion by the United States of America the procedure of ratification of the START II Treaty, including Protocol Relating to the START II Treaty of September 26, 1997, done at New York, Memorandum of Understanding Relating to the ABM Treaty of September 26, 1997, done at New York, First Agreed Statement Relating to the ABM Treaty of September 1997, done at New York, Second Agreed Statement Relating to the ABM Treaty of September 26, 1997, done at New York, Agreement on Confidence-Building Measures Related to Systems to Counter Ballistic Missiles Other Than Strategic Ballistic Missiles of September 26, 1997, done in New York.

#### Article 10

This Federal Law shall enter into force from the date of its official publication.

President of the Russian Federation

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